

REGULAR MINUTES

Oceanport, New Jersey
December 1, 1994

REGULAR MEETING: The Regular Meeting of the Oceanport Mayor and Council was held on December 1, 1994 at 8:00 P.M.

MEMBERS PRESENT: Councilpersons Clark, McGee, Filippone, Taylor, Wolfe and Mayor Cavanagh.

MEMBERS ABSENT: Councilman Miller.

OFFICIALS PRESENT: Borough Clerk, Patricia L. Varca, Borough Attorney, Francis A. Margalotti and Borough Engineer, Thomas K. Rospos.

PLEDGE OF ALLEGIANCE: Mayor Cavanagh led the audience and members of the Council in the flag salute.

As copies of the minutes from the regular meeting held on November 17, 1994 had been made available for review by the Governing Body, Councilman Wolfe moved to waive the reading of same and approve the minutes as presented by the Borough Clerk. It was seconded by Councilman Taylor and unanimously approved by Council.

CLERK'S REPORTS:

1. Police report for the month of NOVEMBER, 1994 and a copy will be posted on the Bulletin Board.

COMMITTEES:

COUNCILMAN CLARK: Councilman Clark asked the Clerk to read resolution **R-94-69** transferring funds, after which he moved to approve same. It was seconded by Councilman Wolfe and unanimously approved by Council.

R-94-69

Councilman Clark asked the Clerk to read resolution **R-94-70** granting a Veteran's Tax deduction, after which he moved to approve same. It was seconded by Councilman McGee and unanimously approved by Council.

R-94-70

Councilman Clark then asked the Clerk to read resolution **R-94-71** opposing Senate Bill No. 1487 regarding changes in the municipal accounting procedures, after which he moved to approve same. It was seconded by Councilman McGee and unanimously approved by Council.

R-94-71

Mayor Cavanagh commented on this resolution and stated for the record that there is apparently a movement in the State Senate to amend the accounting procedures which local municipalities use, as well as to change the requirements for the specialization of the Auditor. Mayor Cavanagh could only guess that this represents a procedural attempt by this Council, and instead of waiting for the State Mandate making us pay, maybe if we tell them not to mandate it, then perhaps we will not have to pay. He stated that this will obviously cost a substantial amount of money

because we would have to change the software as well as meeting other requirements. Mayor Cavangh also advised that the Two Rivers Council of Mayors met last week and each of the Mayors felt that we should get on board to oppose this bill also, which they will adopt at their next meeting.

COUNCILMAN MCGEE: Councilman McGee reported that he attended a Loss Control Seminar today, sponsored by Select Tech, who is the third party administrator for the Statewide Workers' Compensation Fund in Sommerville. He advised that the seminar was four hours long and touched on loss control, safety committee development, accident investigation, OSHA compliance and defensive driving. He felt it was a very interesting and informative seminar and he is looking forward to implementing what he learned today to help make Oceanport a safer working environment for our Borough employees.

Councilman McGee commented that this is our first year in the Statewide Compensation Fund and there was extremely good experience this past year and we will therefore have no increase next year in our premium while outside of the fund, there is approximately a 5-1/2% increase in this type of coverage, so he felt it was good to make the move when we did.

COUNCILWOMAN FILIPPONE: Councilwoman Filippone reminded all residents that the Oceanport First Aid Squad will be conducting their annual Holiday Bazaar on Saturday, December 10, 1994 and she also urged anyone who would be purchasing a tree, wreath and/or grave blanket, to do it through the Squad.

Councilwoman Filippone stated that the Borough First Aid Squad was commended recently by the Eatontown Volunteer Ambulance Corps for their help in the emergency at Monmouth Mall and they all deserve a lot of credit as well as all of the Squads who responded to this emergency. She personally commended our Squad members for the fine job they did in this instance and in all the other situations they respond to as well.

Councilwoman Filippone wished all our Jewish residents a very Happy Chaunauka.

COUNCILMAN MILLER: ABSENT.

COUNCILMAN TAYLOR: Councilman Taylor offered his condolences to the Pierson family on the recent passing of Red Pierson and he commented that Councilman Miller also asked that his condolences be offered as well.

Councilman Taylor stated that Mr. Pierson was his coach in high school and Councilman Taylor wound up coaching Mr. Pierson's son in Oceanport, so it was a rather unique experience.

Councilman Taylor reported that the 1995 Clean Communities Grant application has been forwarded on to Trenton and he advised that the amount is 13% less than last year, so we had to do away with several items.

Councilman Taylor commented that he came from the PTO Seminar that is going on at Maple Place and is a continuing series of programs sponsored by the PTO and tonight Richard Gallagher was giving a presentation on Family Studies Skills Night and there are approximately 100 people there with their children going over ways to assist families with study skills in the evening.

Councilman Taylor reported under Drug Alliance, that this past Tuesday, in Morris County, he was privileged to present the programs that have been initiated by the Oceanport Drug Alliance to the Governor's Council and other State Review Board Members and this was quite an honor, because Oceanport was one of three communities selected out of 38 to make a presentation and he thanked all the members of the Drug Alliance for making this possible.

COUNCILMAN WOLFE: Councilman Wolfe reminded everyone that the annual Holiday Tree Lighting will be held on Sunday, December 11, 1994 at 5:00 P.M. at Borough Hall with refreshments being served by the Recreation Committee at the Port-au-Peck Chemical Hose Fire House.

Councilman Wolfe commended Councilman Taylor on his participation in the State Drug Alliance presentation and stated that many towns have programs, but they also have paid Coordinators for the programs, while the funds we receive, Councilman Taylor puts into the programs.

Councilman Wolfe also wanted to express his condolences to the Pierson family and stated that Red was a true volunteer in the Borough of Oceanport and was very active in sports and he will be deeply missed by everyone.

MAYOR CAVANAGH: Mayor Cavanagh read a proclamation proclaiming December, 1994 as National Drunk & Drugged Driving Prevention month in the Borough, after which he commented that there was a recent Prime Time television program with Barbara Walters highlighted by a gentleman who had been involved in 13 drunk driving accidents, which included 3 fatalities and still had his driver's license. He stated they now have him on a system where he must check in periodically and blows into a breathalyzer, but he is out of prison, while the other people are dead.

Mayor Cavanagh stated that while he was having lunch yesterday, a woman approached and thanked him for the water installation on Tecumseh Avenue and she is apparently a resident there and has just hooked up to the water system and was very happy.

Mayor Cavanagh stated that as a follow up to Monday night, he advised the Council that he would contact Senator Palaia about the funding situation for the pump out stations and he did, but the Senator was in Trenton and he spoke with him briefly and he faxed him over the article that was discussed and we will probably have a response in the next several days as to the availability of funding and what the situation is in Monmouth County, and he pointed out that this portion of the conversation that took place on Monday evening was not reported in the story.

Mayor Cavanagh commented that it is his understanding that the school tax deferral bill, which is going to affect us, is now out of both Committees, but is going to be amended, but should be voted on in December, so that the potential problem he has been anticipating for the past several years, may finally be abated.

Mayor Cavanagh stated that on behalf of everyone on the Dais, we have already noted with sadness that Red Pierson had recently died and he was lucky enough to spend a Saturday afternoon with Red, less than two weeks before he died, and they were both Ranger and Giant fans and he was a terrific gentleman who died much too young. Mayor Cavanagh stated on behalf of everyone in the Borough we send out all of our condolences to the Pierson family.

Mayor Cavanagh opened the meeting to the public for any comments or questions anyone might have.

PETITIONS FROM THE PUBLIC:

Peter Deller, 8 Maple Court stated at the last meeting the lighting on Maple Court was discussed and a comment was made that Mr. Deller's nephew did not want the light in front of his home because it would reflect into his home and he spoke with his nephew and he has no recollection of this conversation. Mr. Deller also spoke with Mr. Rosano who also has no objection to the street light being installed, but felt, as Mr. Deller does, that the light should be relocated to the other side of his property, which is what is shown on the plan filed with the Planning Board.

Mr. Deller stated he could not find anyone in the neighborhood who was against the light because of a problem with glare but then his nephew informed him that perhaps there was a problem with his lights in the driveway, which might be shining in someone's bedroom and Mr. Deller advised him to put the lights down.

Mayor Cavanagh asked who on the Council spoke to the resident and Councilman Taylor stated he spoke with Dennis Greenwood and was in his driveway discussing the lighting and Mr. Greenwood advised that the Mazza's do not want the light glaring into their windows. Councilman Wolfe stated that he also spoke with Mr. Deller's nephew and he objected to the light at that time.

Mr. Deller stated that although Councilman Miller is not present this evening, he wanted to thank him for stopping by his home two weeks ago and talking with him after the last meeting and he wanted to thank him for the courtesy he showed.

Mayor Cavanagh asked if the discussion on the street lighting was closed, to which Mr. Deller stated that there is already a light near the Greenwood property that is not a problem and there is wiring down by Mr. Rosano's home and that light should be moved further north. Mayor Cavanagh stated he is aware that the map shows two lights, and although the developer paid for two, we are only having one additional light installed at the end of the cul-de-sac and increasing the wattage to 100 watts. Mr. Deller stated he is not against this idea, but he wants to be assured that there is sufficient light and if there is not, then he would request that an additional light be installed between the two vacant lots.

Mr. Deller then commented that he cannot understand why building permits cost so much money in this town and he stated that his building permit cost him over \$1,700 and then when he added on a porch, it was another \$74 and he does not see where it could cost the Building Department this much money to function on one single home. He stated that even for a permit to re-roof a home in the Borough is \$47 and he felt these costs were unbelievable and he has heard these type of comments about the costs involved for over a year and a half. Mr. Deller asked where this money goes and also stated that he was told that the State gets some of the money, but he contacted them and they receive a nominal portion of the costs.

Mayor Cavanagh asked Mr. Deller if he has asked Mr. Joyce this question, to which Mr. Deller stated that Mr. Joyce says the State and that is where the conversation ends, so he does not feel Mr. Joyce is in charge and to him, it is up to the Council because they set the standards.

Mayor Cavanagh responded that he does not think the Council sets the amount of the building permit fees, to the best of his knowledge nor did anyone else on the Council or the Borough Attorney know anything about setting the fees, to which Mr. Delleria stated that the State says they don't either, so someone has to know who is setting the fees.

Mayor Cavanagh asked Mr. Delleria if over the past 6 months, he has heard the Council at the meetings discuss setting or changing building fees, to which Mr. Delleria stated no, but also pointed out that no one ever brought up this subject.

Mayor Cavanagh asked the Borough Engineer if he knew who sets the building permit fees for the Borough, to which the Engineer stated that he is not sure who does this, but knows that in the last 10 years we have had no discussion on this matter.

Councilman Wolfe stated that the fees have not been raised by the Council in the last 10 years, it must be generated through the State.

Mayor Cavanagh questioned why he is coming to the Council because they do not know the answer because we do not set the fees.

Mr. Delleria stated that he will find out within the next two weeks and he will call the State back and find out exactly how much money they get from the permit fees, to which Mayor Cavanagh stated he has no objection to asking Walter Joyce where the fees come from and would be willing to speak with Mr. Joyce, to which Mr. Delleria commented he would appreciate the Mayor doing that and finding out the answer and he will also look into this matter.

Mayor Cavanagh stated that he does not want to say who is wrong or right since he does not know the answer, but he will contact Walter Joyce and question him about these fees, but he felt that our involvement is minimal to non-existent.

Mr. Delleria again questioned the cost of building permit fees and the inspections and Mayor Cavanagh again stated that the Construction Department is under the direct supervision of the State of New Jersey by way of the Construction Board in Freehold, not this Borough Council. Mayor Cavanagh commented that our control over the Building Department is that we set up a budget for their internal expenses and could not comment whether the fees are normal because he does not know what other towns charge nor what is involved with the permit process.

Mr. Delleria stated he has already called other towns and they charge less, to which Mayor Cavanagh asked what towns he contacted and Mr. Delleria advised that he spoke with the Building Departments in both Middletown and Ocean Township, which were approximately \$500 less than Oceanport.

Mayor Cavanagh stated again, that he is not able to answer his questions regarding the permit fees, since it is not their function and this should be addressed to the Construction Official.

Mr. Vinny Fiore, Fiore Court stated that he read an article in this week's Atlanticville which referred to the Shrewsbury River being polluted and in that article, the headline stated "slobs" and he was quite offended by this implication that the people in the Borough are slobs which we are not and he loves this town and was very insulted by this headline. He continued that there are many factors

involved and during the winter months there is salt and sand that runs into the storm drains and not every person picks up after their animals, etc.

Mayor Cavanagh stated that he also saw the headline and pointed out that no one on the Council used that wording and it is either the reporter who wrote the story or perhaps, even someone else at the newspaper who may be in charge of writing headlines.

Mr. Fiore stated he thought that someone said that for the article, to which the Mayor explained that no one made that comment and it did not appear in the story, but only in the headline and someone else writes the headlines at the paper, which is usually how it works.

Mayor Cavanagh suggested that Mr. Fiore contact Mr. Booth, who is the Editor of the Atlanticville tomorrow and express his feelings about this headline and the Mayor stated that he has already spoken to the reporter who wrote the story. Mayor Cavanagh stated that if you read the Atlanticville on a regular basis, their headline capacity has begun to copy the NY Post, in the Mayor's opinion and he agreed with Mr. Fiore's comments. He also advised that he has to follow up with the reporter anyway tomorrow and he will communicate to him directly the feelings that were expressed this evening.

As no one else from the public wished to be heard, Mayor Cavanagh closed the meeting to the public.

Councilman Clark moved to approve the bills as listed on the Voucher Register dated December 1, 1994. It was seconded by Councilman Wolfe and unanimously approved by Council. TOTAL 1994 VOUCHERS \$99,490.43. TOTAL 1994 VOUCHERS PAID THIS MEETING \$24,877.14. TOTAL 1994 OPERATING FUND \$124,367.57. TOTAL RECREATION TRUST ACCOUNT \$216.00. TOTAL CAPITAL ACCOUNT \$3,500.00. TOTAL GENERAL LEDGER-VETERAN DEDUCTION \$50.00. TOTAL GENERAL LEDGER-OCEANPORT BOARD OF EDUCATION \$359,752.60. TOTAL GENERAL LEDGER-FIRE PREVENTION \$73.63. TOTAL GENERAL LEDGER-MIDDLE DEPARTMENT INSPECTION AGENCY \$701.00. (SEE VOUCHER REGISTER)

At 8:35 P.M. Councilwoman Filippone moved to adjourn the meeting until the next regular meeting scheduled to be held on December 15, 1994 at 8:00 P.M. It was seconded by Councilman Taylor and unanimously approved by Council.

Respectfully submitted,



PATRICIA L. VARCA
BOROUGH CLERK