

REGULAR MEETING MINUTES

Oceanport, New Jersey
November 20, 2003

- REGULAR MEETING:** The Regular Meeting of the Oceanport Mayor and Council was called to order on November 20, 2003 at 8:00 P.M. with Council President Gatta stating the meeting had been properly advertised in accordance with law.
- MEMBERS PRESENT:** Councilpersons Mahon, Apruzzi, Gatta, McGann, Cooper and Mayor Gemma, who arrived at 8:03 p.m.
- MEMBERS ABSENT:** Councilwoman Kahle.
- OFFICIALS PRESENT:** Borough Clerk, Patricia L. Varca and Borough Attorney, Francis A. Margalotti.
- INVOCATION:** Borough Chaplain Berry gave the invocation.
- PLEDGE OF ALLEGIANCE:** Council President Gatta led the audience and members of the Council in the flag salute.

At 8:03 p.m. Mayor Gemma arrived at the meeting and took over the Chair.

As copies of the minutes from the regular meeting held on November 6, 2003 had been made available to the members of the Governing Body, Councilwoman Gatta moved to waive the reading of same and approve the minutes as presented by the Borough Clerk. It was seconded by Councilman McGann and approved by Council.

CLERK'S REPORTS: No Reports.

COMMITTEES:

COUNCILWOMAN KAHLE: Absent.

COUNCILMAN MAHON: Councilman Mahon reported that the Borough web site is being worked on and if anyone goes to OceanportBoro.com they will find the opening page of the new site which is being worked on as an Eagle Scout project by Patrick Hickey, Jr. with the assistance of Pat Hickey, Sr. He stated an article will be appearing in the next Bulletin requesting all Departments, Committees and Organizations to designate someone as the contact person and to get the updated information to Pat Hickey so that the relevant web pages can be customized. He also reported that we will be adding some additional features to the site in order to make it more interactive with the community and he complemented the work of Pat Hickey on this project.

Councilman Mahon stated that he and Councilwoman Gatta received the updated OEM Plan at an Emergency Management meeting the other evening and Capt. Harry Sutton with the help of some of his fellow officers and some volunteers, has put a lot of work and effort into updating this Plan, which will allow us to be ready for a disaster and enables us to apply for grants because we have now established our goals and needs. He thanked Capt. Sutton for all his efforts in this regard and stated that he is doing a fine job as the Borough's Emergency Management Coordinator.

COUNCILMAN APRUZZI: Councilman Apruzzi reminded everyone that the annual holiday tree lighting, which is our 18th one, is scheduled to be held on Sunday, December 7th at 5:00 p.m. at Borough Hall with refreshments following at the Port-au-Peck Fire House compliments of the Recreation Committee.

Councilman Apruzzi reported that he has received the final report from the Capital Improvement Fund, which incorporates all the presentations made by the various committees and departments that have appeared before them with their five-year plan. He advised that he will be making copies for the Mayor and Council for their review with regard to the 2004 capital budget.

Councilman Apruzzi wished everyone a happy and safe Thanksgiving.

COUNCILWOMAN GATTA: Councilwoman Gatta reported under First Aid that during September there were 59 calls and in October there were 72 calls for a total of 131 calls and 664 person hours since January. She continued that the First Aid Squad volunteers will begin selling trees, grave blankets, wreaths, roping, etc. beginning November 30th and their hours will be Monday through Friday from 4:00 – 9:00 p.m. and Saturdays and Sundays from Noon – 9:00 p.m. Councilwoman Gatta commented that due to the bridge being closed they will be selling the items behind the building and urged everyone to support the Squad during their biggest fundraiser. She also reminded everyone that their Holiday Bazaar was scheduled to be held on Saturday, December 13th from 9:00 a.m. to 3:00 p.m. at which time they will be conducting the 50/50 raffle drawing for their building fund and stated that if anyone needs raffle tickets she has some as well as Laura Hornung.

Councilwoman Gatta stated that on November 7th she visited each and every business in Oceanport and in addition to introducing herself, talked to the business owners about the impact from the bridge being closed and commented that they are really having a very hard time with this loss of drive by traffic and some might not be able to stay open. She continued that we asking the County to change the signage and to also install larger signs at various locations informing the public that the business district is open for business. Councilwoman Gatta advised that the bridge is supposed to be open in May, but they have already experienced delays in the project, so it may be later than that date and she urged everyone to do whatever they could to help support these businesses.

Councilwoman Gatta advised that on Tuesday, November 11th we held our Veteran's Day ceremonies here at the Borough Hall and we experienced a large turn out from our emergency services, volunteers and residents. She commented that Fort Monmouth supplied us with a great guest speaker and thanked all the veteran's who attended the service and expressed the thanks and appreciation of the entire community for their efforts. She also thanked the school children that participated in the ceremony and will be displaying some the essays they wrote in the Borough Hall.

Councilwoman Gatta stated that the Coastal Alliance conducted a seminar at Oceanport Gardens earlier today regarding over the counter and prescription drugs, which was open to the seniors and any other interested persons.

Councilwoman Gatta wished all the residents a happy and blessed Thanksgiving.

COUNCILMAN MCGANN: Councilman McGann reported that the resurfacing has been completed on Mohican and Pocahontas Avenues and the punch list was being prepared and he advised anyone who had experienced any problems during the resurfacing to contact the Borough Clerk's Office and she would forward their complaint to the appropriate party.

Councilman McGann stated that we have now resurfaced and/or reconstructed six streets this year under the Borough's road program.

Councilman McGann advised that the leaf collection in town was underway and the Public Works has been doing a good job in keeping up with the leaves and stated we may finish a bit earlier this year at the rate they are going.

Councilman McGann wished everyone a happy Thanksgiving.

COUNCILWOMAN COOPER: Councilwoman Cooper asked the Clerk to read resolution **R-03-67** regarding the transfer of funds, after which she moved to approve same. It was seconded by Councilman McGann and approved by Council.

Councilwoman Cooper asked the Clerk to read resolution **R-03-68** authorizing several veterans tax deductions for 2003, after which she moved to approve same. It was seconded by Councilman McGann and approved by Council.

MAYOR GEMMA: Mayor Gemma advised he has been asked to sign a proclamation with regard to drunk driving and commented that with the holiday season approaching, it is a more dangerous time and urged everyone to be careful and not drink and drive. He also commented he had received correspondence from the Governor's Office requesting the same kind of proclamation in an attempt to help keep drivers safe and stated that they have recently signed into law the John's Law after a serviceman was killed while on leave by a drunk driver who was released after being arrested, but was not sober.

Mayor Gemma expressed his thanks and appreciation to Councilwoman Gatta on the excellent job she did putting together the Veteran's Day services and in getting the school children to participate in this ceremony.

Mayor Gemma commented that he has received notice, which is now required by law when there are massive lay-offs, that Tellium has laid off 100 plus workers, which are permanent lay offs, and these positions will not be re-filled.

Mayor Gemma offered his condolences to the Foggia, Gallo and Quackenbush families over the recent passing of James Gallo.

Mayor Gemma commented that there has been a lot of articles in the newspapers lately about the racetrack and he pointed out that they make up one-third of the Borough's tax base and regardless of what happens, we need to be active and have our voices heard about what happens to this property and we will continue to do so in every way possible.

Mayor Gemma stated he did not have a chance to congratulate all the winners in the November election and also commended the people who did not win, but at least participated in the process, which is very important.

Mayor Gemma also wished everyone a happy and joyous Thanksgiving.

Mayor Gemma then opened the meeting to the public for any comments or questions they might wish to make.

PETITIONS FROM THE PUBLIC:

Hugh Sharkey, 39 Algonquin Ave. stated he has several questions and began with the bill list, which shows one charge for business cards at \$140 and another bill for cards at a cost of \$30 and questioned the difference.

The Clerk pointed out that the cards were double the amount of the \$30 listing and were for the Clerk and the Deputy Clerk and stated that she did not know who had ordered the other cards and if these were perhaps blanks for someone to use, but was not sure of who had made that order.

Mr. Sharkey stated that he had attended the workshop meeting on Monday and was a bit dismayed that for two hours there was conversation but nothing was brought up about the racetrack and he is wondering why that is not on the agenda.

Mayor Gemma responded by saying other than letting the people at the racetrack know that we desire to be participants or stakeholders as we have been called, in terms of the ultimate disposition of the racetrack, until the NJ Sports & Exposition Authority decide what they are going to do, they don't want to make us part of that conversation and we are, unfortunately not the lead in their decision making process. He continued that we have asked and sent them information and will continue to and he has great faith that this Borough Council going forward and the Mayor will continue to be a stakeholder there but they are early in their deliberation process and we have asked to be part of that process now rather than later and all we can do is ask to be part of this process.

Mr. Sharkey stated he understood what the Mayor was saying, but when you look at what the Horsemen's Association has done, they have been proactive in their approach and hired a lobbying firm to go after this wholeheartedly and we have a third of our taxes involved in this and we are sitting back and its not even mentioned in the last several meetings and felt it is a serious problem that no one on Council is letting the residents know what is going on or being proactive about what contingency plans there are. Mr. Sharkey stated that his fear is that we are going to see the same thing as happened with the bridge being shut down and businesses are going out and now we are saying we should have put up signs for these people and he wanted to make sure that the racetrack issue is on the agenda and that is the point he is trying to make.

Mayor Gemma stated with regard to Mr. Sharkey's comments about being proactive over this spring we had asked the various organizations and emergency services and others to put together a list of what they thought what might be the impact of the potential privatization and to list their comments which they did and we sent those concerns up to the Sports Authority and we have not received a lot of feedback from that but to say that we are not trying to address the concerns is not true because we have. He continued that there is another step wherein we say to the Authority that we have sent our concerns to you and how do we become a stakeholder at the table in discussions on this matter and that is another step forward but we have certainly made our voice and our concerns known and we also have quantified some of the potential impacts as far as we can foresee.

Councilman McGann commented that historically, going back to 1986 when the track was sold, then Mayor Cavanagh with our present Borough Attorney, the town was very proactive with legislation through then Sen. Gagliano, of a payment in lieu of taxes because normally when a public entity buys a facility, they are exempt from taxes, but with that lobbying effort with Sen. Gagliano's help in those days, we were able to get this tax payment, which is essentially a State Agency paying a local Borough, which does not happen and we will be there again if that is the case and we have always been a proactive Council. Councilman McGann added that he has been involved in this municipality for the past 20 years in some capacity and this town has always had a fantastic relationship with the representatives of Monmouth Park.

Mr. Sharkey asked when was the last time we negotiated the in lieu of taxes payment or was it a flat rate from the beginning?

Mr. Margalotti explained that it was never a flat rate and the Legislation that enabled the Sports Authority to acquire the racetrack provided that the Authority had to make a payment in lieu of taxes however, the formula for that payment was to be the same as if that entity had been privately owned, so in effect they pay taxes on the same basis as every other property owner in Oceanport.

Mr. Sharkey stated the last item he wanted to discuss was the transfer of the funds to cover insurance costs which is over \$30,000 and he commented that he has a background in insurance and there is something going on that the town had to transfer funds from one area to cover underpayments in insurance and he would like to have a response to that. He also asked in that regard if it has anything to do with the pay for play that's going on the insurance side and if an insurance broker is making a contribution to a campaign, is this a way to pay to him back.

Mayor Gemma stated that is not the reason for the transfer and the Borough Clerk explained that the problem was a mis-billing by Horizon who stopped billing one of our employees, but continued to pay his claims and this went on for well over a year and now we have to pay back the missed months.

Mr. Sharkey asked who was at fault, to which the Clerk reiterated to Mr. Sharkey that it was an error in the billing by Horizon Blue Cross/Blue Shield who was not billing the town.

Jim Gallo, 45 Bradley Ave. and also Fire Chief of the Oceanport Fire Department and wanted to let the Mayor and Council know that we met with the Fire Committee after the last Council meeting and upon discussion we brought up to put all apparatus in one fire house and have all firemen respond to one fire house and go out as a whole instead of being separated and not knowing who is coming from where and we are going to try it for the month of December after the Port-au-Peck firemen are trained on the new ladder truck. He continued that all three trucks will be housed at the Port-au-Peck Firehouse and we are going to try it and he wanted the Council to know this was a decision of the Fire Committee and there were no abstains to doing it and no votes no and we're going to just try it and people have been asking why we can't work out of one firehouse like other surrounding municipalities.

Mayor Gemma asked if there was enough room to store all the equipment to which Chief Gallo stated there was enough room and they can use the back garage for the fire police truck and everyone from Hook & Ladder will have the key code to the Port-au-Peck Firehouse and there will also be one truck left at the Hook & Ladder, which will be the pumper truck so that if there is a small fire they can get that truck.

Mayor Gemma asked if everyone would have equal access to both firehouses to which Chief Gallo had asked that in the beginning of the year and they installed new garage door openers but we were never given the new code and that should happen, to which Mayor Gemma asked Councilman Mahon to see about getting the codes to everyone.

Mr. Margalotti asked about the rest of the equipment that the firemen use, such as the air packs, the personal gear, etc. will that all be over at Port-au-Peck Firehouse so that when they all respond to a fire they can suit up and everything is right there, to which Chief Gallo stated that is what they have to work out and it is tough since they might have to carry gear in their personal vehicle and bring it to whatever truck they respond to and this must all be worked out.

Mayor Gemma directed that these types of matters be worked out before and not after to which Chief Gallo stated they are still training the men on the ladder truck and after that we will try it and let the Council know how it works out.

Chief Gallo reported that the sirens are still out at the Community Center and at the Public Works area and he spoke with the Clerk's Office and they were getting prices from the electrician was the last thing he was aware, to which the Clerk responded that they had informed Mr. Gallo that the cost was approximately \$2,000 to switch the sirens. Chief Gallo stated he was not sure if this fell under Kahle' Building & Grounds Committee and stated that there is a squirrel nest at the siren at the Community Center and just needs to be cleaned out and then that will work until we figure out exactly what we are going to do with the sirens.

Councilman Mahon advised Mayor Gemma that this matter was discussed the other night when he and Councilwoman Gatta were at the Emergency Management meeting and beginning next year they would like to remove the sirens from Buildings & Grounds and place it under Emergency Management, to which the Mayor agreed made more sense. Councilman Mahon added that we want to relocate the siren at the Community Center because it is a larger siren and the muffler they tried to use did not work and caused it to overheat and the siren over at the Public Works Department was knocked down when a tree fell over and the platform is rotted out and we are planning to relocate that siren at the Community Center to lessen the noise.

Mrs. Varca pointed out that the electrician did not feel this would work because the siren was very close to the homes that were complaining about the noise and in his opinion, their noise level would remain the same. She continued that he informed her that the only thing the smaller siren would do was to project the sound at a lesser distance, but the homes located near the siren would experience no difference and he was estimating a cost for doing this at a minimum of \$2,000, which we don't have at this time to which Councilman Mahon stated if this is the case we will have to discuss this matter again.

Councilman Mahon commented that Capt. Sutton has put together a proposal with the assistance of Patrolman Briskey to purchase the new voice capable siren systems with a total of eight locations as opposed to the four we have now and only four would be used for fire and first aid dispatch and the other four would be located near Blackberry Bay Park and other low lying areas where we know there are flooding problems and would be able to get information to those residents. He stated that he has presented this to the Capital Improvement Committee at a cost of approximately \$75,000, which does not include the installation portion, but it is something we would be able to phase in over a period of time.

Chief Gallo expressed his thanks to Rich Fulmer, who assisted with an Eagle Scout project this year where the emblems were painted in front of all the hydrants and also painted the curbs for the Police Department so they can issue tickets in the fire lanes.

Chief Gallo also asked permission to have the flag at Borough Hall lowered to half-mast for James Foggia, who was the oldest fireman, during his funeral, which the Mayor stated that would be very appropriate.

Councilman Mahon stated under Emergency Management, he wanted to announce that Capt. Sutton has 16 people signed up under the CERT Program, which we spoke about last month and ideally we would like to have more, and Capt. Sutton is going to try and bring it into the school and see if we can get them involved and he has scheduling that for January when school starts up again

after the holidays. He continued that they are also planning for December 3rd at 6:00 p.m. at the Old Wharf Center a table top exercise, which he explained is one of the exercises that must be undertaken under OEM to continue our qualification process and that will be one of the final requirements for a \$2,400 preparedness grant. Councilman Mahon reminded everyone of the work that Capt. Sutton has done pointing out that he was responsible for getting all the information together to get our reimbursement back from the blizzard which we received \$11,000 this year.

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

Councilwoman Cooper moved to approve the vouchers on the Bill List dated November 20, 2003. It was seconded by Councilman Apruzzi and approved by Council. TOTAL CAPITAL TRUST \$3,700.29. TOTAL ESCROW TRUST \$65,689.16. TOTAL 2002 VOUCHERS PAID \$97,050.55. 2003 VOUCHERS PAID \$13,048,696.62. 2003 VOUCHERS PAID THIS MEETING \$283,704.30. TOTAL 2003 VOUCHERS \$13,332,400.92. (SEE BILL LIST)

At 8:25 p.m. Councilwoman Gatta moved to adjourn this meeting until the next regular meeting scheduled to be held on December 4, 2003 at 8:00 P.M. It was seconded by Councilman McGann and approved by Council.

Respectfully submitted,



PATRICIA L. VARCA
BOROUGH CLERK