

**REGULAR MINUTES**

Oceanport, New Jersey  
October 20, 1994

- REGULAR MEETING:** The regular meeting of the Oceanport Mayor and Council was called to order on October 20, 1994 at 8:03 P.M.
- MEMBERS PRESENT:** Councilpersons Clark, Filippone, Miller, Taylor, Wolfe and Mayor Cavanagh.
- MEMBERS ABSENT:** Councilman McGee.
- OFFICIALS PRESENT:** Borough Clerk, Patricia L. Varca.
- OFFICIALS ABSENT:** Borough Attorney, Francis A. Margalotti.
- 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 October 6, 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 submitted by the Clerk. It was seconded by Councilman Miller and approved by Council.

**CLERK'S REPORTS: NO REPORT.**

**COMMITTEES:**

**COUNCILMAN CLARK:** Councilman Clark publicly thanked all the residents who came out and attended the Scout's Spaghetti Dinner last Friday evening and commented there were over 200 people in attendance and 925 meatballs were served up during the dinner.

Councilman Clark offered his condolences to the Boresen family on the recent passing of Larry Boresen who will be missed by everyone who knew him and by the Community.

**COUNCILMAN MCGEE: ABSENT.**

**COUNCILWOMAN FILIPPONE:** Councilwoman Filippone also offered her condolences to the Boresen family.

Councilwoman Filippone announced that tomorrow at the Old Wharf House, flu shots will be given out and registration is between 10:30-11:30 A.M. and the shots will be given from 11:30 A.M. to 1:00 P.M. and the cost is \$5.00 unless you present a Medicare B card and then they will be administered for free. She also advised that this program is being run by the Monmouth County Board of Health and the Oceanport Board of Health and also advised that any volunteers from any of the emergency services will be allowed to go to the front of the line, in case they are needed to respond to a call.

Councilwoman Filippone reported that the Oceanport First Aid Squad received a total of 32 calls during September, with 10 being life advance support calls and she also advised that the two recently purchased defibrillators are now in service and most of the Squad members have been certified to use this equipment.

Councilwoman Filippone also advised that the First Aid Squad's Fund Drive did not do as well as last year and so far they have collected \$18,493 where last year they received \$25,000, so they are quite short this year and she urged anyone who has not as yet made their donation, to please do so to help the Squad defray their costs.

Councilwoman Filippone reported that the First Aid Squad recently purchased pediatric mini boards to help transport young children, which is a much safer and easier method when younger children are injured.

Councilwoman Filippone also reminded everyone that the First Aid Squad's Holiday Bazaar will be held on December 10 and urged everyone to come out and attend this event, since this is the other large fund raiser for the Squad. She also mentioned that as they do every year, the Squad will again be selling Christmas Trees and she urged anyone who plans to purchase a tree, to buy it from the First Aid Squad.

**COUNCILMAN MILLER:** Councilman Miller offered his condolences to the Boresen family on Larry's recent passing and commented that he and Larry had been friends for a long time and he had taught two of his three children and everyone will feel his loss.

Councilman Miller thanked the Boy Scouts from Troop 58 and their leaders, Don Ross and Councilman Clark, for assisting with some replanting in our Tree Nursery last Sunday and the monies for these replacements came from a donation from the Maher family.

Councilman Miller reported under Recreation that the Halloween festivities will take place on Monday, October 31, 1994 starting at 4:00 P.M. and goodies will be given out at each of the Borough parks.

Councilman Miller advised that the Holiday Tree Lighting ceremony has been changed from Friday to Sunday, December 11, 1994 at 5:00 P.M. because attendance was not very good and we are hoping to have the Shore Regional Choir and a visit from Santa and refreshments will be available at the Port-au-Peck Chemical Hose Firehouse.

Councilman Miller thanked Steve Remaley of the Pleasure Bay Marina, who is a member of our Water Watch Committee, for letting the Committee use his truck so that we could have our Water Watch Boat in the Long Branch Columbus Day Parade.

Councilman Miller reported that the recent water samplings taken show that the Shrewsbury River is making a recovery after the summer and the results off of Sommer's Park were the best of the seven sites.

**COUNCILMAN TAYLOR:** Councilman Taylor moved to authorize the Mayor and Municipal Clerk to sign the necessary agreements with the NJ American Water Company regarding the installation of a water main on Tecumseh Avenue. It was seconded by Councilman Wolfe and approved by Council.

Councilman Taylor advised that Mr. R.E. Cycle visited the Wolfhill School today and attended an assembly about recycling and it was a very entertaining show for the students.

Councilman Taylor expressed his condolences to the Boresen family.

Councilman Taylor reminded everyone that the final Hazardous Waste Day sponsored by Monmouth County was scheduled to be held this Saturday, October 22, 1994 in Upper Freehold Township.

Councilwoman Filippone advised that she has been informed that the County has broken ground for the new Hazardous Waste Facility on Shafto Road and it is expected to be completed in April of 1995 which will be a great help, since it will be open daily.

**COUNCILMAN WOLFE:** Councilman Wolfe moved to return the performance bond to Mr. Saboy covering Block 121, Lots 1 and 3, less the amount of \$288.50 for inspection fees upon the recommendation of the Borough Engineer. It was seconded by Councilman Miller and approved by Council.

Councilman Wolfe announced that the Oceanport Hook & Ladder Fire Department has scheduled their 100th Anniversary celebration for May 20, 1995 and that is the same year that the Borough will be celebrating its 75th Anniversary and we are looking into having a dual celebration marking these two events.

Councilman Wolfe offered his sympathy and condolences to Jane Boresen and her children and stated he has known Larry since the first year he moved into the Borough, some 12 years ago and he will be sorely missed by everyone who knew him and he was a good friend.

**MAYOR CAVANAGH:** Mayor Cavanagh read a proclamation regarding Mischief Nights/Halloween curfews in the Borough of Oceanport, which is requested each year by the Police Chief.

Mayor Cavanagh reminded the residents that no parking on Borough streets overnight begins on November 1, 1994 and runs through April 15, 1995 and it was put in the recent Bulletin and will also be put up on the Community Events Sign in front of Borough Hall to help remind residents of this no parking regulation.

Mayor Cavanagh commented that generally we do not deal with political issues, but tonight he is going to make an exception because he has been harping on the State Mandate/State Pay situation for a number of years. He continued that the Two River Council of Mayors has asked him to publicly communicate with local newspapers on their behalf, and ask all of the voters in Monmouth County to consider and vote in favor of the public referendum that will be on the November 8 ballot. Mayor Cavanagh explained that this will be a County Referendum and essentially will say that if the State of NJ legislates mandates to local governing bodies, in the future, they will be required to provide the funding to pay for those mandates and up to now, the Legislature has essentially had a free ride and just tell the municipalities what they are going to do and then we have to go and raise the property taxes to pay for these programs.

Mayor Cavanagh stated he has been suggesting to everyone for years that if you want tax reform, that is where to start because local governments must raise millions of dollars every year because of programs/requirements, etc. that they are told they must implement and he tends to think

that if the Legislators knew they had to pay the tab, there might be less mandates coming out of Trenton. He also explained that the County referendum is not binding, but luckily the Freeholders did it, because the Legislature, although telling us they were going to do it this year because it must be done by a Constitutional Amendment, did not come through. He continued that it must be done on a Statewide level and he really thought that it was going to happen this year and he does not know why this did not come about since it was promised by everyone and it is a non-partisan complaint because no matter which party is in control, we don't get it and truly, for the people in the municipalities, it is important to all of us. Mayor Cavanagh commented that each of the Mayors will be asking their constituency to support this referendum and perhaps if we getting a rousing numerical turn out on this issue, maybe the Legislators will pay attention to this important matter.

Mayor Cavanagh announced that this is National Awareness Month for Breast Cancer for women, which has become an enormous problem in our society and we are rather lucky in Monmouth County in that Dr. Barnett and several other people have created an Institution at Monmouth Medical Center known as the Jacqueline Wilentz Breast Cancer Center and they have put together some very good people working there and for all women in the Borough, this is a very serious problem and he urged them to take steps to prevent this terrible disease which can be prevented through self examination and regular check ups.

Mayor Cavanagh stated lastly that everyone has heard about Larry Boresen and he does not want to be repetitive, but commented that Larry's two oldest children began Kindergarten with his two children and each year as the kids grew up, we would see each other at various events and the children were friends and the tragedy of losing someone 51 years old is almost incalculable and as everyone heard tonight, we were talking about the Holiday Tree Lighting and for a number of years, the gentleman who sat on the firetruck in the red suit, dressed as Santa, was Larry Boresen, which was just one of the many things Larry did for his community. He commented that the saddest part of this entire matter were the number of children who attended the funeral for him and he hoped that one day we will be able to deal with this disease in a much better way, since he was diagnosed and sick less than four weeks when he passed away and it has been a very difficult situation for everyone who knew him.

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

#### **PETITIONS FROM THE PUBLIC:**

Peter Deller, Eatontown Blvd./Maple Court, asked for some consideration as to what Maple Court is all about and he has just come through a full year of working with the Building Department and as everyone is aware, he has not been very happy with the situation and he is less happy at this point in time with the Borough Engineer. Mr. Deller stated he felt everyone on the Dais was aware of what he is saying because there were many letters sent back and forth and the Council had been copied on each and every letter. Mr. Deller commented that he felt that if it were not for the assistance provided by Mr. Margalotti, Borough Attorney and his personal attorney, Mr. Wilson, the matter would have gone to court. Mr. Deller stated that as he advised the Council last winter, it is not a very good thing for homeowners to have to wonder about getting their C.O. Mr. Deller felt that if you are working on your home and you are inside the Code, you should know you're in the Code and if you are outside the Code, you should be told where you are out and what you should do.

Mr. Dellera stated that there was a major problem on Maple Court, as presented by the Borough Engineer with dirt run off and Mr. Dellera felt that it appeared to him that Mr. Lagrotteria, who is the developer, should be involved somewhere with the clean up of this project and there are still some vacant lots in this area and Mr. Lagrotteria is never around, but complains a lot but does not even come down the street to plow when it snows and each and every homeowner on that block takes the brunt and the blame for what goes on there. He continued that this development, which he is not part of, should be maintained by Mr. Lagrotteria and again stated that last year Maple Court had no snow removal at all and everyone dumped where his driveway was going to be and something must be done about this matter this coming winter as to who is going to maintain that street and he is fully aware of the fact that the street is not dedicated at this point in time, but somebody must be responsible.

Mr. Dellera stated that Mr. Rospos, the Borough Engineer, cannot come down the street every other day and blame a homeowner for what comes down the roadway and someone must look into these problems and get them straightened out. He also stated that the remarks Mr. Rospos has made in the past, as Mr. Dellera has stated in his correspondence, is wrong and no one should get involved in any homeowner's financial responsibility. He stated that when the time comes for the re-appointment of the Borough Engineer's position, that this be thought about and the Council should consider whether they want Mr. Rospos in that position.

Mr. Dellera stated that some type of maintenance must be figured out for this winter and his last comment regarding this situation is that when the Borough Engineer puts neighbor against neighbor, that is very bad because we must live together and water run off is a very funny thing and when he moved there he knew there would be a certain amount of water run off of his property and he fully accepts that, but when someone is claiming this is one neighbor's water and this is someone else's water, he cannot accept this and never has he seen a situation where one neighbor must sign a letter of approval before another person can get a C.O. He again stated that if this is the way the Borough Engineer works, then the Council better think twice about putting this person back on the payroll, because the taxpayers are paying his bills even though the Engineer claims he works for free, but he certainly gets paid.

Mayor Cavanagh stated he found it hard to believe that the Borough Engineer told him he works for free, since it makes no sense and each year we put in an allocation for the Engineer and the money gets spent. Mayor Cavanagh stated that what the Engineer might have said to Mr. Dellera was that he came out an extra time or two and did not charge the town for that call.

Councilman Clark pointed out that there are three bills listed on the Voucher Register tonight that are being paid to the Engineer.

Mayor Cavanagh stated that the street has not been dedicated which poses a set of legal restrictions that are different from the other streets in the Borough, but the disadvantage we have tonight is that Mr. Rospos is not with us, but he attends all of the work shop meetings and stated that Mr. Dellera should advise the Mayor if he plans to attend, so that we may put this matter on the agenda.

Mr. Dellera stated he thought all meetings were open to the public, to which Mayor Cavanagh stated that was correct, but unless you are listed on the Agenda at a work shop meeting, you only have the right to observe and not to speak, unless the Mayor allows participation.

Mayor Cavanagh stated the information regarding the maintenance of the street would be something that Councilman Wolfe would oversee and might want to speak with the Borough Engineer about, to which Councilman Wolfe advised that the standard operating procedure under these types of situations is when the first home is developed on the street, whether or not the street has been dedicated, the Public Works Department plows the street.

Mr. Dellera stated it was not done last year, to which Councilman Wolfe asked if his house was completed last winter and occupied, to which Mr. Dellera stated his home was not, but there were other people living on that street. Councilman Wolfe stated he personally never received any complaints about that street not being plowed and the policy is that once a home is occupied, to provide access for emergency vehicles and the Borough plows to the first built house.

Mayor Cavanagh asked the Clerk if she remembered getting any phone calls from residents of Maple Court complaining about the street not being plowed, to which she stated she did not remember receiving any.

Mr. Dellera stated he knew of several people who were upset and complaining, but Councilman Wolfe stated he received no calls nor did the Clerk's Office. Mayor Cavanagh asked Mr. Dellera to advise his neighbors that if they have a question or a complaint, to contact the Borough Clerk's Office or call the Mayor or the Councilman in charge of the problem.

Mayor Cavanagh asked the Clerk to place this matter on the agenda for the next work shop meeting on October 31, 1994 at 7:00 P.M.

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

Mayor Cavanagh asked for a motion to go into Executive Session to discuss several Personnel Matters.

At 8:30 P.M. Councilwoman Filippone moved to adjourn into Executive Session to discuss several Personnel matters. It was seconded by Councilman Miller and approved by Council.

Mayor Cavanagh reconvened the regular meeting at 8:52 P.M.

Councilman Clark moved to approve the bills as listed on the Voucher Register dated October 20, 1994. It was seconded by Councilman Wolfe and approved by Council, with the exception of Councilman Clark who abstained from voting on the voucher due Oceanport Boy Scout Troop #58. TOTAL 1994 VOUCHERS \$55,548.78. TOTAL 1994 VOUCHERS PAID THIS MEETING \$47,445.15. TOTAL 1994 OPERATING FUND \$102,993.93. TOTAL MONEY MARKET ACCOUNT \$350,000.00. TOTAL PUBLIC ASSISTANCE II ACCOUNT \$902.50. TOTAL DOG REGISTRY ACCOUNT \$896.00. TOTAL TRUST ACCOUNT \$820.00. TOTAL RECREATION TRUST ACCOUNT \$600.00. TOTAL GENERAL LEDGER-SHORE REGIONAL HIGH SCHOOL \$163,074.71. (SEE VOUCHER REGISTER)

Mayor Cavanagh offered the name of Constance Savarese to be hired as a part-time Hepatitis B Coordinator to fill the position vacated by Lucy Kovar several months ago, when she resigned from her employment in the Borough.

Councilwoman Filippone moved to approve the hiring of Mrs. Savarese as the Borough's Hepatitis B Coordinator. It was seconded by Councilman Wolfe and approved by Council.

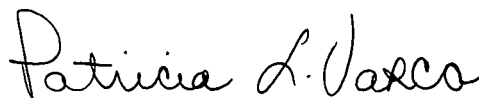
Mayor Cavanagh directed the Clerk to speak with Mrs. Savarese tomorrow morning and advise her appointment and if there are any problems, to contact the Mayor.

Mayor Cavanagh then asked for a motion from the Council regarding a Public Works employee, Mr. Don Lane and to forward him a letter indicating that the Borough has received formal notification from the Unemployment Compensation Board that he has applied for benefits and in that notification, it would appear that he has indicated that he has left the employ of the Borough. He continued that the motion should direct the Borough Clerk be authorized to forward him a letter confirming receipt of the notice and advising him that predicated upon the notice, the Governing Body is of the understanding that he has resigned and/or abandoned his position with the Borough and he will be then treated as having been a former employee in accordance with his own wishes.

Councilman Wolfe moved to approve the above referenced motion regarding Don Lane. It was seconded by Councilman Clark and approved by Council.

At 8:57 P.M. Councilwoman Filippone moved to adjourn this meeting until the next regular meeting scheduled to be held on November 3, 1994 at 8:00 P.M. It was seconded by Councilman Clark and approved by Council.

Respectfully submitted,



PATRICIA L. VARCA  
BOROUGH CLERK