

REGULAR MEETING MINUTES

Oceanport, New Jersey
October 18, 2001

- REGULAR MEETING:** The Regular Meeting of the Oceanport Mayor and Council was called to order on October 18, 2001 at 8:00 P.M.
- MEMBERS PRESENT:** Councilpersons Apruzzi, Gatta, Lyons, Wolfe, Silkworth and Mayor Gemma.
- MEMBERS ABSENT:** Councilman McGann.
- OFFICIALS PRESENT:** Borough Clerk, Patricia L. Varca and Borough Attorney, Francis A. Margalotti.
- INVOCATION:** Borough Chaplain Berry gave the invocation.
- PLEDGE OF ALLEGIANCE:** Mayor Gemma led the audience and members of the Council in the flag salute.

As copies of the minutes from the regular meetings held on September 20 and October 4, 2001 had been made available to the members of the Governing Body, Councilwoman Silkworth moved to waive the reading of same and approve the minutes as presented by the Borough Clerk. It was seconded by Councilman Apruzzi and unanimously approved by Council.

Mayor Gemma stated that Peter Dellera, Jr. is in the audience this evening with several other members of the Lions Club and recognized Mr. Dellera.

Mr. Dellera stated he was here this evening with fellow Lions Gloria Filippone and Joe Buccieri to present a donation to the Oceanport First Aid Squad in the amount of \$1,600, which he gave to Councilwoman Gatta, Council Liaison to the First Aid Squad and commented that this now totals over \$10,000 from the last six Fairs the Lions Club has held, that they have been able to donate to the First Aid Squad.

Mr. Dellera also announced that the Lions Club will be re-paving the driveway at the Old Wharf House, since they are aware that this is something the seniors wanted to have happen, but ran out of funds after installing the Belgium block around the driveway and he has scheduled the work to be done in mid November.

Mayor Gemma thanked Mr. Dellera and the Oceanport Lions Club for their generosity to the Borough on behalf of the entire Governing Body.

CLERK'S REPORTS: No Reports.

COMMITTEES:

COUNCILMAN APRUZZI: Councilman Apruzzi asked the Clerk to read resolution **R-01-63** which corrected an earlier resolution stating that the funding the Borough is receiving from Green Acres is a

grant and not a loan, after which he moved to approve same. It was seconded by Councilman Wolfe and approved by Council.

Councilman Apruzzi reported that the Public Works Department is working at Blackberry Bay Park preparing a new field, which will run from the basketball courts to the river and they have recently completed grading the area and seeding and have fenced the area off.

Councilman Apruzzi advised that the Recreation Committee has submitted a grant application for \$10,000 with a matching amount in \$10,000 that will come from Recreation Trust, for the upgrading of Charles Park and we should be notified in the next several weeks.

Councilman Apruzzi stated that the Fire, First Aid, Police and Emergency Management have been working on a water rescue plan and it has now received approval from all of the four Departments and has been accepted and it will be ready to go forward in 2002.

Councilman Lyons asked if representatives of each of the four departments have signed off on the plan, in writing, to which Councilman Apruzzi stated it has been approved by each of the organizations he has mentioned.

COUNCILWOMAN GATTA: Councilwoman Gatta thanked the Lions Club for this generous donation to the First Aid Squad.

Councilwoman Gatta stated as a member of the Coastal Drug Alliance, which includes Long Branch and West Long Branch, they are presently applying for a grant in the amount of \$15,000 for senior citizens in the area of health and she will keep the Borough Council apprised of the status on this application. She continued that they are also working on a resource guide, which hopefully will be completed in the near future and will be received by all residents of the Borough and will list all of the services offered by the Coastal Alliance.

Councilwoman Gatta announced that the Boy Scouts will be holding a spaghetti dinner on October 26 from 5-7 p.m. at the Maple Place School and she urged everyone to come out and support the Scouts.

Councilwoman Gatta reported that the First Aid Squad received 32 calls in September and on September 11 along, put in 150 man/woman hours with some of the volunteers being dispatched to Highlands to assist with the incoming injured and others stationed at the Port-au-Peck Fire House. She also reminded everyone that the First Aid Squad fund drive was still in progress and to date they have received 44% response from our residents and she urged anyone who has yet to donate, to please do so and to be as generous as possible to this worthy organization.

Councilwoman Gatta commented that the First Aid Squad holiday bazaar will be held on Saturday, December 8 at the Squad building and they will be selling trees, wreaths and grave blankets beginning November 25th.

Councilwoman Gatta lastly reminded everyone that the flu and pneumonia clinic will be held on Friday, November 2, 2001 at the First Aid Squad Building from 1:30 p.m. to 3:00 p.m. and the flu shots will be for those 50 years of age and older and the cost is \$10 or free if you have a Medicare B card and the pneumonia shot is only for those over 65 years of age and have never received the vaccine before and it is the same price as the flu shot.

COUNCILMAN LYONS: Councilman Lyons advised that he has participated in many of the Fire Department's drills and operations during the past month where Chief Briskey has arranged to have professionals come in and give our members training and it has been extremely well attended by our volunteers, which is one of the things that makes our Fire Department the envy of those in surrounding towns.

Councilman Lyons touched on the recent passing of retired Navy Commander Marion Wardell and commented that she was the grand marshal twice in our Memorial Day Parade, the first time being the first woman to serve as a grand marshal and he stated she was quite a person and will be missed.

Councilman Lyons stated that a while back the he appeared with the Fire Department before the Capital Improvement Committee and during that meeting he was led to believe that we would be called back for another session and at that time, had requested that the members of the Committee come out and visit the Fire Houses in the Borough to review the equipment on hand, since the Fire Department operates with more capital equipment than any other Department in this Borough combined and he and the Fire Chief have found out, quite by accident, that the Committee did not intend to visit the fire houses and when he inquired about this, he was told that one, the Capital Liaison had no particular reason to tell him this and two, the Capital Improvement Committee volunteers also did not feel the need to tell him this either. He stated that although they did not have to tell him about the decision not to visit the fire houses, he thought that as a member of the Governing Body, he deserved the courtesy of knowing they did not plan to come. He also disagreed with a comment made that a trip to the fire houses would have been a waste of their time and he has also being informed that by the middle of October their work is done with respect to fire, so the discussion of a second visit before this Committee does not make sense.

#R-01-64

COUNCILMAN WOLFE: Councilman Wolfe asked the Clerk to read resolution **R-01-64** granting veteran's tax deductions for 2001, after which he moved to approve same. It was seconded by Councilwoman Gatta and approved by Council.

Councilman Wolfe asked the Clerk to read resolution **R-01-65** granting senior citizens tax deductions for 2001, after which he moved to approve same. It was seconded by Councilwoman Gatta and approved by Council. #R-01-65

Councilman Wolfe moved to return the performance bond for Block 88, Lot 8 located on Sea Girt Avenue to JV Homebuilders with \$500.00 being retained in escrow to cover final inspections upon the recommendation of the Borough Engineer. It was seconded by Councilwoman Silkworth and approved by Council.

Councilman Wolfe then moved to return a 1,000.00 cash bond, minus \$100 to cover final inspection for Block 88, Lot 23 located at 50 Bridgewater Drive, upon the recommendation of the Borough Engineer. It was seconded by Councilman Apruzzi and approved by Council.

Councilman Wolfe welcomed Stan Nadler back into the Borough and commented that he had been a long time member of the Recreation Committee when he lived here previously and had assisted in the installation of the tot lot located at Blackberry Bay Park.

Councilman Wolfe reminded all residents that leaf season will be starting next week and asked everyone to rake the leaves to the curb, free of any branches or other debris and the Public Works Department starts at each end of town picking up leaves from now until the middle of December.

COUNCILMAN MCGANN: Absent.

COUNCILWOMAN SILKWORTH: Councilwoman Silkworth expressed her appreciation to the Lions Club for their generous donation to both the seniors and the First Aid Squad, commenting that not only do they provide a fun time for the community, but donate back some of the funds as well.

Councilwoman Silkworth reminded everyone that we are presently looking for an Editor for the Borough's Bulletin and anyone interested should contact her about this position.

MAYOR GEMMA: Mayor Gemma read a proclamation proclaiming curfew hours for the nights of Mischief Night and Halloween.

Mayor Gemma reported that he attended a meeting recently at Fort Monmouth with their representatives and residents of the Horseneck/Riverside area to discuss the problems our residents were having with Oceanport Avenue closed and he was pleased to advise that effective not later than November 21st, Oceanport Avenue will be completely opened and the Fort will be installing gated fencing around the area opposite the Fort main entrance, with Riverside Avenue residents having full access to their street and Horseneck area residents will have access to Hazen Way.

Mayor Gemma stated he had received a complaint this morning about a helicopter that was hovering over a home on Maple Avenue and he explained that it happened due to air space at Kennedy Airport and was an FAA ruling. In speaking with other representatives this morning, it has been agreed that if the air space is not clear, the helicopters will hover over the Monmouth Mall area rather than over homes in our Borough.

Mayor Gemma advised that the crematorium issue is no longer before the Planning Board and he sent a letter requesting that the Borough Council have some input in these types of requests and copied our Legislators in the hopes that the present Legislation on such matters can be amended.

Mayor Gemma then explained that we are going to have input this evening with regard to the Library but asked first that when he opened the meeting to the public, we discuss any matters not dealing with the Library issue first and then we will go on to the matter concerning the Library.

Mayor Gemma then opened the meeting to the public for any comments other than Library issues.

Kerin Slattery, 10 Elliott Place asked for a clarification on the water rescue plan which was mentioned earlier and asked if it is passed and can the Fire Department proceed with the plan, to which Councilman Apruzzi stated it was not a matter of passing this plan, but agreement to the plan among the different organizations as to what the plan would be and that is in place, but it must be funded jointly by all the organizations that support that position.

Mayor Gemma asked Kerin if Fire and First Aid have already signed off on this plan, to which he responded that the Police Chief had reviewed it and it was his understanding that it was to be turned over to the Governing Body.

Councilman Lyons commented that his question is has the Fire Chief, Police Chief, Director of OEM and the President or other official of First Aid all signed off on this plan stating they approve of it as written and asked who signed for First Aid, to which Councilman Apruzzi stated that originally John Connor had signed off for First Aid previously, but Councilman Lyons advised that the reason he is pressing this issue is because there has been a lot of discussion on this plan and he wants to make sure that the people signing off on this plan, are the people who speak for the organization they are representing.

Councilman Apruzzi asked if it might not be a good idea to go back to each organization with a signature sheet for this plan and have them sign off on this water rescue plan and explained that this is not a review of the entire plan, but merely one page for the representatives of the organizations to sign off on the acceptance of the plan. There was some discussion with regard to the need for funding in 2002, to which Kerin commented this is part of the Fire Department and would come under that budget, to which Councilman Lyons did not want to see this in competition with the Fire Department but whatever happens, it will need to be funded in 2002.

A resident from 17 Maple Avenue thanked the Mayor for the letter he sent to the State with regard to the crematorium and he and his neighbor have drafted a proposed ordinance in this regard that he would like to submit for the Governing Body's review for possible adoption that would basically prohibit any construction of crematoriums, incinerators, etc. in the future and presented the document to Mayor Gemma.

Jim Slattery, 25 Comanche Drive stated he met with the Governing Body a while back to discuss an ordinance he proposed that was directed by the Division of Fire Safety and asked what the status was, to which Mayor Gemma stated that no action has been taken on this ordinance.

Mr. Slattery asked if a letter was sent to the State advising that this ordinance was presently being reviewed, to which Mayor Gemma stated a letter had been sent.

Joe Schiavone, 60 Itaska Place asked why the Borough no longer puts up snow fence across from his property on Tohican Place, since it is a problem with drifting snow during the winter, to which Councilman Wolfe stated it probably started during a period when we weren't having heavy snows and having milder winters, but he appreciates him bringing this up and he will bring this to the attention of the Public Works Department.

Daphne Halpern, 11 Oneida Ave. asked Councilman Wolfe what the status of the tree trimming throughout the Borough is, since she read about this undertaking in the Bulletin, to which Councilman Wolfe stated the Public Works Department, on a rotating basis Borough wide, will go up and down every street, prior to the winter season to remove any long hanging branches that might affect school buses and large trucks, as well as removing those branches that may cause problems for pedestrians, and the rule is usually eight feet over a sidewalk and thirteen feet above the street.

Mrs. Halpern asked who she would contact if there are trees that she has concerns about, to which Councilman Wolfe advised she can either call him or contact the Borough Clerk's Office.

Mayor Gemma stated since there were no further comments other than Library discussion, explained that what we are going to do is listen to the suggestions and comments from the public on the Library and continued that Councilman Lyons worked on putting together a report on this subject

and disseminated it to as many people as possible and the Borough Council has not had a chance to discuss this in depth yet, but have received some comments back to Councilman Lyons, but this evening we only want the public's comments. He advised that no decision will be made this evening regarding the Library since the budgeting process normally takes place in January and February and this would be a capital item.

Mayor Gemma stated that he does not want this to turn into a debate over the Library and he felt that although Councilman Lyons did all the work in putting the report together, also puts himself into a bit of a conflict because of a family situation and if this becomes a debate issue, he will have to ask Councilman Lyons to reclude himself from the meeting, but we only want to listen to everyone's comments this evening.

Councilman Lyons stated that several weeks ago, the Mayor advised him that persons unknown in the Borough were talking that the only reason he was doing this Library report was due to the fact that his wife was the Children's Librarian in Oceanport and he felt this was an incredible allegation, since improving the services in the Library for the children would be a bad thing. Councilman Lyons advised that he and the Mayor discussed whether he should reclude himself from this discussion and he had decided at the time to do so, but has since changed his mind and will not reclude himself regardless, because one, he wrote the study and no else one did and secondly, only he can comment on it and if there are people in the audience who feel his presence on the dais as a Councilperson or as a member of the Library Association or indeed, as a professional Librarian is inappropriate, he would like to know this and is willing to discuss this matter.

Mayor Gemma commented that there is an issue about the appearance of impropriety even if is not an actual one and it has been the intent of this Borough always to avoid the appearance of impropriety and because there is a personal relation involved, he is asking that we do not get involved like that and just receive the comments from the public and discuss them at a later date in a different forum.

Mayor Gemma stated he is not asking Councilman Lyons to step down, but to stay on the dais, but felt that his getting into a debate on this issue is inappropriate. Mayor Gemma also pointed out that there is not intention on the part of the Governing Body to cut back Library hours or staff.

Mary Bova, 66 Comanche Drive stated she is very concerned about our Library and we have a great Librarian, Michelle Dorsey and she is very knowledgeable and has a great personality and will go out of her way to do anything for her patrons, but she labors under horrible difficulty due to the lack of space and she would be able to do a great deal more if she had places to put more things out that would be accessible to the public. She also commended Connie Lyons, the Children's Librarian who has a great children's program but is also curtailed due to the lack of room.

Mrs. Bova commented that she has heard that it is alleged that most of the people who use the Library are either children or old people and she didn't think there was anything wrong with either. She continued that it has been also said that everyone could use the Eastern Branch in Shrewsbury, but it is not that convenient and for the mothers who bring young children, it is not easy to get through that huge parking lot. She reiterated that we really need room here and hoped something could be done to ease this difficult situation.

Jackie Cole, 37 Steeplechase Court is a volunteer in the Library and wanted to say what a great Librarian we have in Michelle Dorsey and she can find anyone a book or video even if they

don't know what they are looking for and the Oceanport Library is very much like a family. She felt that another room was needed for both Michelle and Connie in order for them to have adequate space.

Wayne Smith, Horseneck Point Road stated that he was very impressed by the way Michelle runs the Oceanport Library and helps the patrons as well as ordering books from other libraries when this branch doesn't have something someone is requesting. He felt the primary need in this area is the need for additional space and libraries should not just be shelving for books, but space for people to be comfortable and able to sit down and review reference and/or research material and we don't have that in our Library because everything is so compact and confined that it is almost claustrophobic.

Chris Schneider, Long Branch Ave. stated that his mother has volunteered in the Oceanport Library and although there is a need for more space, he did not feel that is not all that the Library is about and it is also about being part of the community. He continued that several people have mentioned that you can always drive over to Shrewsbury to the Eastern Branch, but he felt we should not be passing the buck about the concerns of our own Library and the need for some type of expansion, since it doesn't say much about our town and the great jobs that are being done by Michelle and all the volunteers who help out and this should be looked at more of a matter personal pride in our community.

Daphne Halpern, 11 Oneida Ave. stated in a town the size of Oceanport, she did not feel that a Library needs to be for everyone, especially with the Internet service, which affords tremendous possibilities that can take us much further than what the card catalogue can do. She felt that when you look at space and people like Michelle who make the Library so wonderful and then the size of the town, she is not sure that she agrees with Councilman Lyons assessment of the need for more room in our Library. She commented that she does use both libraries and she felt what we need to study is what exactly the Library in town is primarily used for and specifically the number of users and then how to best address these needs and she felt we cannot be all things for all people. She felt we should also look into if there is some other location for the library and commented that she feels very safe in this town and felt that the Police Department is very crowded, she was appreciative of the volunteers in the Fire Department and felt they most likely would need funding for equipment and when she stacks all of these things together, although she loves our library as part of this community, she is not confident that an expansion at this time should be the first priority.

Gloria Filippone, 80 Seneca Place advised that she had served on the Wolfhill Committee and the County did a survey of the Library and that is where the information given earlier by Mary Bova came from and it did not come up in a derogatory manner and the County just gave us the facts and they raised that fact that with senior citizens, they take books out of the Library. She commented that if she wants to research something, she goes to the Shrewsbury Branch, where they have everything you would ever need. She stated that Michelle can get you any book you want and commended her for the fine job she does in the Library as well as the fine book club we now have in the Borough and appreciates this very much, but also realizes that our taxes are constantly going up and it has to stop somewhere. She agreed with the statement made earlier that we cannot be all things to all people and also felt that with all the computer access available to our young people today, felt that this should be considered as well as the cost factor.

Councilman Lyons asked about the survey that she mentioned which she explained was done when the County was considering moving the Library to the house located on the Wolfhill property.

Stu Briskey, 46 Werah Place wanted to mention that one of the greatest things the Mayor has done when he came into office, was to create the Capital Improvement Committee and understood that there are other needs like the Fire Department and he realizes that the Police Department is cramped and everyone is looking for funding, but you have to look to the future. He continued that it is his understanding that this Library issue was dropped somewhere and he felt that the Committee has become a bit more political and it is being looked at the way they wants things and not the whole picture. He commented that everyone needs more space, including the Library and he believed that they should remain on the list and not dropped, since if you don't make it in whatever year something was scheduled for, it should just get pushed out a bit, but not dropped.

Councilman Apruzzi explained that for the year 2000 the Library Association through Councilman Lyons, came before the Capital Improvement Committee and asked about having a library built in the near future and that was put into the plan. He continued that what happened was that procedurally, we did not allow it to go before the Council because of the extraordinary amount of money involved with this project. He further explained that in 2001, we changed the procedures and all items requested submitted to the Capital Improvement Committee will go before the Council, with recommendations from the Committee and nothing gets dropped. He reported that for this year the Library Association has asked for \$50,000 for the architectural and fact finding portion of this project and there is a very large number that comes up in 2003 and it is there right now and the Council will decide what our fiscal needs are for the coming year based on a priority level.

Ken Sheinbaum, Director of the Monmouth County Library commented that he has never done a survey of the Oceanport Branch and is not aware of any survey taken by the County in at least the last ten years and probably not before that. He stated he does not know for certain who does use the Library, but knows that college students don't use it and that is by design, since the research they would need is more selective and that is why we have the Eastern Branch. He also advised that the County does not want to get caught in the middle of this and the County will service whatever size facility is built, but it is the decision of the local officials as to what size they want to have or what level of service they want to pay for, since they will stock and staff whatever the town decides upon including the placement of computers.

Tom McGee, 26 Mohican Ave. has not seen the report but would imagine if you are putting an addition on to the Borough Hall, one should consider the larger picture, since the building has been here some forty years and there are most likely a lot of needs in many different departments for expansion, primarily the Police Department. He felt that any expansion should be done in conjunction with other needs at one time.

Councilman Lyons appreciated Mr. McGee's comment and agreed that the Borough Hall should be considered and has asked for these needs for several years and he has never heard of any other Department coming before the Capital Improvement Committee for this purpose.

Mayor Gemma asked that we not get into a debate on this matter and move ahead.

Beth Henderson, Port-au-Peck Ave. agreed with the comments made earlier by Mrs. Halpern Regarding the Council's decisions with everyone trying to get equal shares of the funding available and she heard that our Library was close enough to the Shrewsbury Branch that perhaps it is not needed in the Borough, but explained that she has three children and would not allow them to ride their bikes to the Shrewsbury Branch, but felt safe with them riding over to the Oceanport Branch and

was thankful that Michelle was the Librarian and is always getting books to hold their interest. She continued that as students in the Borough, they need access to a Library for their study needs and she also felt the Library should be considered as a community facility and anyone who has children sees the type of camaraderie shared on the ball fields or in the Library and it is the same sense of community whether its discussing what is going on in town or just getting to know their neighbors and this is part of what Oceanport is about.

Mrs. Henderson continued that on the remarks made that the Library is perhaps not serving the population and is only serving the young and senior areas, she would just comment that she has found that reputations of libraries are self-fulfilling, so that if the adults in the community feel that there is nothing for them in the Oceanport Library because its too small or too cramped or because they have to go to the main branch in Shrewsbury, then that is what will happen. She stated also we should look at what else this Library could be to this community and might it be a cultural location with speakers, art exhibits, a place where people could gather during the day to read, work on puzzles and come together in the spirit of community.

Mrs. Henderson ended with her final idea she suggested that since she understands there is going to be development along Oceanport Ave. near East Main Street and commented this would be a perfect spot for a Library with this new town center that is being discussed. She continued you might have a senior housing project across the street and recreational fields with lots of parking and a real town center with people from all different areas of the population having access to it, but she felt this might be something to think about for the future.

Mr. Schiavone, 60 Itaska Place advised that Michelle can advise who is using the Library and really all you have to do is go in there on any given day and see how crowded it is and she knows who is using the Library and felt that many people were using this facility daily and felt it should be expanded and was important for the Borough.

Councilman Lyons commented that Michelle cannot give out names of patrons who use the Library, but agreed that she can make numbers available regarding the use and commented that he has included those numbers only, in his report.

Councilman Lyons stated he wished to make a statement prior to the closing of the public portion and advised that today a member of this community made a call to the Director of the Monmouth County Library System and alleged improprieties on the part of the Librarian here in Oceanport and that she was not performing her job properly. He continued that the complaint was anonymous and the caller was alleging an anonymous complaint, made it through Mr. Sheinbaum and Michelle received a call from the Assistant Director. He finds the timing of such a phone call to be exquisite in that it happened the day of this meeting and also in the midst of an election and he feels this is no longer about the Library, but is a political issue and he cannot imagine a more grievous act for someone in this community to sacrifice Michelle's career and put her under pressure for political success and he has never heard of such a thing and he is astonished.

Mayor Gemma commented that he hoped it is not that and everyone tonight has said over and over again, so it is clear, that this is not about Michelle other than the highest praise and everyone understands what she is dealing with and everyone is extremely appreciative of all her efforts. He reiterated that she has the highest support from everyone in this room and throughout the Borough and hopefully it was not made for political reasons, but in this business you find a lot of people with a difference of opinion.

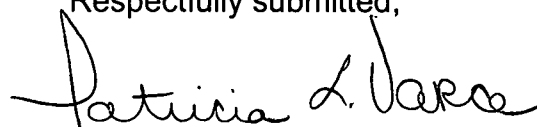
Councilman Wolfe moved to approve the vouchers on the Bill List dated October 18, 2001. It was seconded by Councilwoman Gatta and unanimously approved by Council. 2000 VOUCHERS PAID THIS MEETING \$95.55. 2001 VOUCHERS PAID \$107,503.32. 2001 VOUCHERS PAID THIS MEETING \$234,300.63. TOTAL 2001 VOUCHERS \$341,803.95. TOTAL TRUST \$15,596.68 (SEE BILL LIST)

At 9:07 p.m. Councilwoman Silkworth moved to adjourn into Executive Session to discuss a matter of possible litigation. It was seconded by Councilwoman Gatta and approved by Council.

At 10:00 p.m. Mayor Gemma re-convened the meeting and stated that everyone was present at the Dais and no action was being taken at this time.

At 10:01 p.m. Councilwoman Silkworth moved to adjourn this meeting until the next regular meeting scheduled to be held on November 1, 2001 at 8:00 P.M. It was seconded by Councilman Apruzzi and unanimously approved by Council.

Respectfully submitted,

A handwritten signature in cursive script, reading "Patricia L. Varca".

PATRICIA L. VARCA
BOROUGH CLERK