

REGULAR MEETING

Oceanport, New Jersey
October 17, 1996

- REGULAR MEETING:** The regular meeting of the Oceanport Mayor and Council was called to order on October 17, 1996 at 8:08 P.M.
- MEMBERS PRESENT:** Councilpersons McGee, Miller, Taylor, Wolfe, Silkworth and Mayor Cavanagh.
- MEMBERS ABSENT:** Councilwoman Filippone.
- OFFICIALS PRESENT:** Borough Clerk, Patricia L. Varca and Borough Attorney, Francis A. Margalotti.
- INVOCATION:** Borough Chaplain Berry gave the invocation.
- 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 September 30, 1996 had been made available for review by the members of the Governing Body, Councilman Miller moved to waive the reading of same and approve the minutes as presented by the Borough Clerk. It was seconded by Councilman Wolfe and approved by Council with the exception of Councilman Taylor who abstained from voting on the minutes since he was not present at that meeting.

CLERK'S REPORTS:

1. Police report for the month of SEPTEMBER, 1996 and a copy will be posted on the Bulletin Board.

COMMITTEES:

COUNCILMAN MCGEE: Councilman McGee reported under the Police Department, that all Officers were re-qualified with Departmental firearms, use of force and off duty weapons. He continued that Patrolman Donald Ross completed a 24 hour course in Note Taking/Report Writing at the Monmouth County Police Academy and Captain Clifford Bebout completed a seminar in Cell Block Management-Suicide Awareness sponsored by the State of New Jersey, Department of Corrections.

Councilman McGee stated that last Saturday he was pleased to be part of the group that was given a tour of the new sewage treatment plant located at the Monmouth Park Race Track and although Councilman Miller will give a more thorough report on this, he wanted to thank Mr. VanWagner for his courtesy and presentation.

Councilman McGee advised that last evening he attended the spaghetti dinner sponsored by the Boy Scouts, Troop 58 and the Scouts did an excellent job and he commended them for their efforts.

Councilman McGee stated that at the work shop meeting of the Governing Body held on Tuesday evening, Councilwoman Silkworth made a proposal that the Oceanport Bulletin sell ads, similar to what is being done in surrounding municipalities, to offset some of the costs involved with printing and distributing the Bulletin and he wanted to support this notion and felt it would provide an opportunity for some of our local residents to be known as to what they do for a living and help support some of the people who support Borough activities and he felt this would be a good idea.

Councilman McGee explained that as part of our participation in the StateWide Workers Compensation Fund, he attended a seminar on loss control and safety manuals and found a lot of good information that we can implement into the Borough's procedure and he and Councilman Wolfe will be working jointly on this project to try and integrate this into the Borough policies.

Councilman McGee sent his best wishes to Councilwoman Filippone for a speedy recovery and hoped she would be back with us quickly.

Councilman McGee moved to appoint Claramae Burke as a Relief School Crossing Guard. It was seconded by Councilman Taylor and approved by Council.

COUNCILWOMAN FILIPPONE: ABSENT.

COUNCILMAN MILLER: Councilman Miller also wished Councilwoman Filippone a speedy recovery and hoped she would be back with us soon.

Councilman Miller called for the second reading and public hearing of a capital improvement ordinance in the amount of \$18,000 for road improvements to South Pemberton Avenue and asked the Clerk to read the proposed ordinance by title only as follows: **AN ORDINANCE AUTHORIZING THE REPAIR/RECONSTRUCTION OF SOUTH PEMBERTON AVENUE UTILIZING \$18,000 FROM THE CAPITAL IMPROVEMENT FUND FOR ROAD IMPROVEMENTS.**

ORD.#
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Mayor Cavanagh opened the meeting to the public for any comments on this subject only.

As no one from the public wished to be heard on this matter, Councilman Wolfe moved to close the public hearing. It was seconded by Councilman McGee and approved by Council.

Councilman Miller moved to adopt this ordinance on second and final reading and to advertise same in accordance with law. It was seconded by Councilman Wolfe.

The Clerk called the roll:

AYES: Councilpersons McGee, Miller, Taylor, Wolfe and Silkworth.

NAYS: NONE.

ABSENT: Councilwoman Filippone.

ABSTAIN: NONE.

Councilman Miller then moved to withdraw the amendment to the Fire Department ordinance with regard to Special Memberships, which had been previously introduced. It was seconded by Councilman Wolfe and approved by Council.

Councilman Miller moved to introduce an amendment to the Fire Department ordinance regarding Special Memberships and required criminal background checks for same and asked the Clerk to read the proposed ordinance by title only, as follows: **AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED THE "FIRE DEPARTMENT ORDINANCE" OF THE BOROUGH OF OCEANPORT PASSED AND APPROVED DECEMBER 2, 1920.**

Councilman Miller moved to approve this ordinance on first reading. It was seconded by Councilman Wolfe

The Clerk called the roll:

AYES: Councilpersons McGee, Miller, Taylor, Wolfe and Silkworth.

NAYS: NONE.

ABSENT: Councilwoman Filippone.

ABSTAIN: NONE.

Councilman Miller then moved to hold the public hearing on this ordinance at the next regular meeting scheduled to be held on November 7, 1996 and to advertise same according to law. It was seconded by Councilman Wolfe.

The Clerk called the roll:

AYES: Councilpersons McGee, Miller, Taylor, Wolfe and Silkworth.

NAYS: NONE.

ABSENT: Councilwoman Filippone.

ABSTAIN: NONE.

Councilman Miller reminded everyone that the Halloween Festivities sponsored by the Recreation Committee will be held on Thursday, October 31 beginning at Blackberry Bay Park at 4:00 P.M. and will visit the Community Center, Charles Park, Trinity Park and Evergreen Park approximately every fifteen minutes after that and treats will be given out. He continued that in case of rain, everyone should go to the Community Center at 4:30 P.M.

Councilman Miller attended the Board of Health meeting last night in Councilwoman Filippone's absence and there were a number of items discussed, but he wanted to note that the Flu Shots will be given on Friday, Oct. 25, 1996 at the Old Wharf House between the hours of 11:30 A.M. and 1:00 P.M. and the cost is \$5 unless you have a Medicare B card, in which case the shot would be free.

Councilman Miller also advised that pneumonia shots will also be given out at the Old Wharf House on December 9, 1996 between 10:00-11:00 AM and the cost for these shots will be \$10.00.

Councilman Miller reported under the Water Watch Committee, as Councilman McGee had touched on earlier, the DEPE representative and Sen. VanWagner gave us a tour of the new electronic gadgetry that controls the flow of water from all of the catch basins in the stable area. He continued that the 100,000 gallons per day of water is now diverted into the sewer system going to the MCRSA Plant in Monmouth Beach plus any 100,000 gallon first flush activity with a rain storm. Councilman Miller stated that one of the questions asked was how it handled the rain that we had this summer, but there were only approximately four times when that 900,000 gallon capacity was

exceeded and they pointed out that by that time, only pure rain water was going into Turtle Mews and Branchport Creeks.

Councilman Miller advised that he has received a report back from the NJ Department of Environmental Protection as to some of the problems that are effecting the Shrewsbury River related to the "iced tea" color of the water in the river and they talked about algae, etc., but he wanted to point out that surrounding our area, including Oceanport, Long Branch, Monmouth Beach, Little Silver, etc. there are 335 storm drains or outfalls that discharge into this drainage basin. Councilman Miller continued that most of the problem right now is urban/suburban development, marinas and boating activity, wildlife with all the geese in the area, migratory and resident wildlife population and this is what is contributing to part of the problem in all these nutrients going into the river are helping to maintain the algae. He stated we will continue to monitor this situation and continue to educate the public as to what they can do to help in this matter.

COUNCILMAN TAYLOR: Councilman Taylor also wished Councilwoman Filippone well and hoped she returns quickly.

Councilman Taylor reported under recycling, in the near future we are going to be adding to our Recycling Drop Off Center a Book Recovery container for both hard and soft cover books which will help recirculate and recycle used books and will help reduce our costs at the landfill.

Councilman Taylor reported under the Board of Education he advised that a new Principal has been named at Maple Place School and it is Mr. Thomas Feaster and he will begin his duties on December 1, 1996 and he wished him well and thanked Nick Pizzulli for all his time and efforts during his tenure in Oceanport in that position.

Councilman Taylor commented under the Oceanport Drug Alliance, he offered his thanks to the 30 sponsors for assisting with the 1997 calendar and stated it will be delivered at the end of December by the Boy Scouts.

#R-96-58

Councilman Taylor asked the Clerk to read resolution **R-96-58** authorizing the submission of a Blue Acres grant application for a grant and loan for the purchase of Block 107, Lot 2 located on Horseneck Point Road for open space/conservation purposes, after which he moved to approve same. It was seconded by Councilwoman Silkworth and approved by Council.

COUNCILMAN WOLFE: Councilman Wolfe stated he wanted to express his concern for Councilwoman Filippone and he spoke with her son today and the family was quite upset, but relieved that the surgery is over and we are all praying for her speedy recovery and quick return to her Council duties.

Councilman Wolfe thanked the Public Works Dept. and Tom Crochet, Foreman, for the very nice project they did over at the buildings at Blackberry Bay Park, where there were some drops coming from the doorways of the refreshment stand and soccer and baseball buildings, and instead of making a temporary patch, Tom Crochet did a very professional concrete ramp up to each of the four doors and he was very appreciative of their efforts.

Councilman Wolfe announced that we are getting ready to gear up for full time leaf pick up and he reminded the residents to please rake the leaves to the curb, free of branches and other debris, and this service begins in October and runs through December 31, 1996. He also reminded residents that leaves cannot be bagged and that there is no set schedule, but they are out at least five days a

week and begin at one end of town and go through and then return to where they started until all the leaves have been picked up from the streets.

Councilman Wolfe also advised that between 35-50% of the snow fencing has already been installed on the west side of town and then heading over to the east side near Blackberry Bay Park and near the point, so that should be completed shortly.

Councilman Wolfe moved to return bonds in the amount of \$70,632.37 to Ocean Creek Associates for Blk. 97, Lots 2, 3, & 4 and Blk. 98, Lots 1, 3, 4, & 5 per the recommendation of the Borough Engineer, subject to the installation of sod as agreed upon by the developer. It was seconded by Councilwoman Silkworth and approved by Council.

COUNCILWOMAN SILKWORTH: Councilwoman Silkworth commented that she hoped people were noticing the improvements to the ceilings of the corridors of Borough Hall and hopefully, over the next several years we will be able to continue with the maintenance and updating of this facility.

Councilwoman Silkworth thanked Councilman McGee for his support on the underwriting of the Bulletin and she will be preparing some criteria to present to the Council on that matter.

Councilwoman Silkworth also wanted to wish Councilwoman Filippone a speedy recovery and quick return.

MAYOR CAVANAGH: Mayor Cavanagh read a proclamation proclaiming Mischief and Halloween Night curfews from October 30 through November 2, 1996.

Mayor Cavanagh stated that one of the immediate unfortunate reactions to Councilwoman Filippone not being with us is the upcoming Veterans' Day ceremonies which will be held at the Borough Hall on November 11, 1996 at 11:00 A.M. which is something she has always taken care of and we will get to see how much we miss her assistance.

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

PETITIONS FROM THE PUBLIC:

Judy Luger, 73 Horseshoe Court, asked about the item on the Voucher Register made out to the NJ American Water Company for Fire Hydrant Service and request someone explain what that is for.

Councilman Wolfe explained that there are approximately 101 fire hydrants in the Borough of Oceanport and NJ American Water Company charges for the maintenance of those hydrants and to provide water to those hydrants, so that when there is a fire, regardless of the amount of water needed, you only pay a set amount.

Mrs. Luger asked if the hydrants in Kimberly Woods were included in this charge, to which Councilman Wolfe stated he did not think so, to which Ms. Luger asked if Kimberly Woods was not included in the Municipal Services Act, to which the Borough Attorney stated they were. Mr. Margalotti also commented that he was not sure if the Act provides for fire hydrant services to condominiums and he would have to check the Legislation.

Mr. Margalotti commented that the general answer to her question is yes, and for those activities and services which the Act mandates be afforded to condominium developments, such as Kimberly Woods, they are covered and those services have been provided to the development in the past.

Ms. Luger asked does the Act not include all the services that are provided to the other residents of the Borough, to which the Attorney stated it does not and the Act is not worded in that broad a fashion and specifically enumerates those services which municipalities are obligated to provide or compensate for the service.

Ms. Luger asked with that statement just made, is leaf pick up part of the Act curbside, to which Councilman Wolfe stated that is already part of the agreement made for this year with the Kimberly Woods Homeowner's Association and it is planned to begin this Fall.

Ms. Luger also wanted to wish Councilwoman Filippone well and stated that during the Health Screenings, she had the opportunity to spend some time with her and found her to be a very fine public servant.

Mrs. Colleen Campbell, 49 Steeplechase Court asked about the property located on Port-au-Peck Avenue that is owned by Monmouth Park and the proposal that the County may purchase 95 acres of that land and wondered what the status was of this project.

Mayor Cavanagh asked if she was speaking of the Wolfhill Farm, to which she stated yes, and Mayor Cavanagh stated that the status of the property is that we are trying to work toward a resolution of that which will result in the County acquiring that property under the Park Land Concept or to be used in accordance with the County function, but there is no finalization of that yet.

Mayor Cavanagh stated we are not trying to keep this a secret, since it was in the newspapers, but no agreements have been reached and appraisals are still being compared and discussing money, etc., but we will certainly let everyone know when and if the plan works out. He stated we are aware of what is going on and we are extremely interested in this taking place and very hopeful that it will all culminate in the near future.

Mayor Cavanagh stated our goal is quite obvious in that we want to preserve Wolfhill Farm and as the current Co-Vice Chairman of the Open Space Coalition in Monmouth County and there is another member on the Dais, this Governing Body has unanimously gone on record as being supportive of the Open Space Referendum and we would certainly encourage anyone considering that issue to acknowledge the County Referendum which will be on the November ballot, and what we will do is expand the base that the County now has for acquiring funds in order to acquire and preserve property, and it goes back to 1987 when the tax payers voted to approve this action. He continued that what we are looking to do is to create a more expanded vehicle and the net result to the taxpayer is pretty easy to understand, if in fact the increase is implemented, it would cost the average person who owns a \$100,000 home approximately fifty-three cents per week, so we are hopeful that people throughout the County repeat their voting record in 1987 and continue to expand the Freeholders ability to acquire and preserve open space and they have done a lot of acquisitions of farmlands, which allow the land to be farmed, but not developed.

Ms. Campbell stated she read an article in the Two River Times last week and it mentioned that the Borough received \$19,000 back from FEMA for snow removal, to which Councilman Wolfe stated

we have been approved for that amount, but we have not received any funds to date and this was for the Blizzard of 1996 and we will receive 75% back from the Federal Government.

Ms. Campbell stated that she lives in Kimberly Woods and it cost all of the residents of this development a lot of money for snow removal last year as well and she wondered if private developments could apply for this type of funding, to which Mayor Cavanagh stated that there are two levels to FEMA and the private level is completely different and the application process is entirely different, while the municipalities are another level, which allow for emergency type situations to be calculated. Councilman Wolfe also advised that there was no private level included in the Blizzard applications this time compared to the storm in December of 1992.

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

Councilman Wolfe moved to temporarily appoint Councilman Taylor to the Finance Committee, in the absence of Councilwoman Filippone, for the purpose of signing the vouchers. It was seconded by Councilman Miller and approved by Council.

Councilman Wolfe then moved to approve the bills listed on the Voucher Register dated October 17, 1996. It was seconded by Councilman Taylor and approved by Council. TOTAL 1995 VOUCHERS PAID THIS MEETING \$173.50. TOTAL 1996 VOUCHERS \$53,216.07. TOTAL 1996 VOUCHERS PAID THIS MEETING \$70,237.21. TOTAL 1996 OPERATING FUND \$123,453.28. TOTAL TRUST ACCOUNT \$718.76. TOTAL DOG REGISTRY ACCOUNT \$197.10. TOTAL PUBLIC ASSISTANCE II ACCOUNT \$210.00. TOTAL RECREATION TRUST ACCOUNT \$1,432.62. TOTAL GENERAL LEDGER-SEWER LIENS \$4,850.03. (SEE VOUCHER REGISTER).

At 8:40 P.M. Councilwoman Silkworth moved to adjourn this meeting until the next regular meeting scheduled to be held on November 7, 1996 at 8:00 P.M. It was seconded by Councilman Miller and approved by Council.

Respectfully submitted,



PATRICIA L. VARCA
BOROUGH CLERK