

REGULAR MEETING

Oceanport, New Jersey
October 17, 1991

REGULAR MEETING: The regular meeting of the Oceanport Mayor and Council was called to order on October 17, 1991 at 8:07 P.M.

MEMBERS PRESENT: Councilpersons McGee, Terra, Filippone, Miller, Rodman, Wolfe and Mayor Cavanagh.

OFFICIALS PRESENT: Borough Clerk, Patricia L. Varca and Borough Attorney, Francis A. Margalotti.

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

As copies of the regular meetings held on September 19 and October 3, 1991 had been made available for review by the Governing Body, Councilman Wolfe moved to waive the reading of same and approve the minutes as presented by the Clerk. It was seconded by Councilman Miller and approved by Council with the following exceptions: Councilman Rodman abstained from voting on the minutes from the regular meeting held on September 19 as he was absent and Councilpersons Terra and Filippone abstained from voting on the minutes from the regular meeting held on October 3 as they were both absent.

CLERK'S REPORTS: No Reports.

COMMITTEES:

COUNCILMAN MCGEE: Councilman McGee reported under Community Development he attended a meeting on Tuesday at the Monmouth County Library where our project was presented by our Borough Engineer, Tom Rospos and in two more meetings we will find out if our project will be funded and hopefully it will and he explained that it is a drainage and construction project for Summerfield, Fairfield and Springfield Aves. and Woodbine Way.

Councilman McGee advised under Buildings & Grounds, we have begun a preventative maintenance program for the Borough heating systems in the various Borough buildings to get them in proper working order for the coming winter months. He continued that while this was being done, it was determined that the furnace in the Library is considered to be unsafe to operate through the winter and he is in the process of getting proposals to replace the unit and he will report back in the near future.

COUNCILMAN TERRA: Councilman Terra thanked Gary and Robin Wolfe for completing the final proof on the recent Bulletin and also thanked Councilman McGee for getting the street light repaired on Gooseneck Point Road.

Councilman Terra moved to withdraw the amendment to the dog ordinance regarding the mandatory rabies vaccination for cats. It was seconded by Councilwoman Filippone and approved by Council with the exception of Councilman Rodman who voted no.

Mayor Cavanagh explained that Councilman Terra is making a motion to withdraw the ordinance we introduced a short time ago regarding vaccination of cats for rabies and the ordinance which will be shortly

introduced right after this action will not only include the vaccination for rabies but also require cats to be licensed.

Councilman Terra called for the introduction of an ordinance to license cats in the Borough of Oceanport and asked the Borough Clerk to read the proposed ordinance by title only as follows: CATS.

Councilman Terra moved to approve this ordinance on first reading. It was seconded by Councilwoman Filippone.

The Clerk called the roll:

AYES: Councilpersons McGee, Terra, Filippone, Miller & Wolfe.
NAYS: Councilman Rodman.
ABSENT: NONE.
ABSTAIN: NONE.

Councilman Terra moved to hold the public hearing on this ordinance at the next regular meeting scheduled to be held on November 7, 1991 and to advertise same in accordance with law. It was seconded by Councilman Wolfe.

The Clerk called the roll:

AYES: Councilpersons McGee, Terra, Filippone, Miller & Wolfe.
NAYS: Councilman Rodman.
ABSENT: NONE.
ABSTAIN: NONE.

Councilman Terra then called for the second reading and public hearing of an amendment to the fee ordinance and asked the Clerk to read the Affidavit of Publication and the proposed ordinance by title only as follows: AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED "FEES" PASSED AND APPROVED ON APRIL 16, 1981.

ORD.#
618

Mayor Cavanagh opened the meeting to the public for any comments on this ordinance.

As no one from the public wished to be heard, Councilman Terra moved to close the public hearing. It was seconded by Councilman Rodman and unanimously approved by Council.

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

The Clerk called the roll:

AYES: Councilpersons McGee, Terra, Filippone, Miller, Rodman and Wolfe.
NAYS: NONE.
ABSENT: NONE.
ABSTAIN: NONE.

Councilman Terra then called for the second reading and public hearing of an amendment to the alcoholic beverage ordinance and asked the Clerk to read the Affidavit of Publication and the proposed ordinance by title only as follows: AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED "ALCOHOLIC BEVERAGES" OF THE BOROUGH OF OCEANPORT, PASSED AND APPROVED ON JANUARY 17, 1957.

ORD.#
619

Mayor Cavanagh stated this ordinance amends our current ordinance in reference to the distribution and possession of alcoholic beverages and it is in essence in line with the recommendations and request of the Police Chief last spring and he stated that there was commentary made at the introduction by the members of the Council.

Mayor Cavanagh then opened the meeting to the public for any comments they might care to make on this subject.

As no one from the public wished to be heard, Councilman Terra moved to close the public portion of the meeting. It was seconded by Councilwoman Filippone and unanimously approved by Council.

Councilman Rodman commented that he had received a phone call from a local resident who's opinion he respects and that resident expressed to him and asked him to pass on to the Council his reservations concerning the possible invasion of privacy issue. He continued that his response to this resident was that he understood that and he felt that it is incumbent upon the members of the Governing Body to watch the enforcement and administration of this law carefully, because this law does have the possibility for invasion of private property. He also commented that we are trying to work on what we perceive as a problem and that this ordinance will hopefully go some ways toward solving it, but he also felt that we do need to be cognizant of that factor and he felt that everyone on the dais shares that sentiment.

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

The Clerk called the roll:

AYES: Councilpersons McGee, Terra, Filippone, Miller, Rodman and Wolfe.

NAYS: NONE.

ABSENT: NONE.

ABSTAIN: NONE.

COUNCILWOMAN FILIPPONE: Councilwoman Filippone commented on the licensing of cats stating that she served on the Board of Health for 8 years and when she first served on the Board, it was the consensus of opinion of the members of the Board that we not license cats and it was also the opinion of the County Board of Health, but in view of what has happened with the rabies situation and it is traveling east and it is anticipated that it travels about 30 miles per year and it is just about 30 miles away, so it may be here in the very near future. She stated that it behooves us to adopt this ordinance and for people to have their cats licensed and even more importantly, have their cats vaccinated. She reported that we will be conducting a free rabies clinic in the early winter some time as we have done over the past several years.

Councilwoman Filippone invited the Oceanport residents and friends to attend the Borough's annual Veteran's Day ceremonies scheduled to be held on Monday, November 11, 1991 at 11:00 A.M. at the Borough Hall. She also requested that people who are going to be participating in the ceremonies try to be here not later than 10:45 A.M. on that day so the program can begin promptly at 11:00 A.M.

Councilwoman Filippone commented that the hazardous waste collection days that have been done by the County on regular basis, very, very

rarely, is proving more and more effective and she wanted to remind the residents of Oceanport that it is against the law to put any kind of hazardous waste in the trash and you must save it and take it to one of the County designated collection days for this type of material.

Councilwoman Filippone expressed her sympathy to Ed Anderson on the recent passing of his mother, Gertrude VanBuearan.

COUNCILMAN MILLER: Councilman Miller reported under Parks and Recreation, the annual Halloween festivities are being run by Cheryl Moore this year and will start at 4:00 P.M. at Evergreen Park and the rest of the schedule is in the latest Bulletin. He also requested volunteers to help decorate the truck they should be at Vinny Fiore's home on Port-au-Peck Avenue at 3:15-3:30 and if you want to ride on the truck and help give out treats to the children, you must have a costume.

Councilman Miller commented that a bocce tournament was held last weekend at Old Wharf Park on Saturday, but it was not publicized as well as it could have been and the results are not known at this time. He also thanked John Briscione who coordinated this event, but hoped in the future we would receive more information before and after this event.

Councilman Miller reported that the work on the Community Center is progressing and it has been power washed and scraped and weather permitting, the painting and fascia and soffit work will begin shortly.

Councilman Miller advised that under the Shade Tree Committee they will be doing a transplanting project which will take place in areas where there are an abundance of trees, to areas that are in need of trees in the parks and a special tree will be purchased to plant at Blackberry Bay to take care of a sun problem for the soft ball players.

Councilman Miller reported under Waterways and Waterwatch Committees they will be conducting a clean up as part of the Clean Communities Program this Saturday at 1:00 P.M. at Charles Park and we will have Pack 58 Cub Scouts and Troop 58 Boy Scouts participating in this project as well as Committee members and volunteers and if we have enough people at the clean up, we will also go over to the boat ramp located on Werah Place and clean that area up as well.

Councilman Miller stated that the Waterwatch Committee's last non-point source pollution sampling will take place a week from Saturday and he hoped to have a complete report of their findings in February and it will appear in the Bulletin as well as the Committee's ideas for the upcoming year.

Councilman Miller commented that the permit for the addition of boat slips at Oceanport Landing has been rejected by DEPE on the grounds that additional boats would add more hydrocarbons from bilge pumping and possible fecal contamination and he has also learned that Branchport Creek is a rich area for shellfish and this was the main reason why the permit was rejected. Councilman Miller hoped that the DEPE takes the same kind of action with other pollution problems.

Councilman Miller advised that Mayor Cavanagh together with the backing of Councilpersons Terra and Filippone, put the Water Watch Committee up for an award which was being sponsored by the Monmouth County Water Resources Association and he was pleased to announce that they were picked as a winner and he attended a luncheon today in Highlands and the Committee received the Joseph C. Irwin Award for Good

Citizenship and he asked the Mayor if he could invite the WaterWatch Committee members to our next Council meeting scheduled to be held on November 7, 1991, to which the Mayor had no objection. Councilman Miller stated they received a very nice plaque for their efforts and he stated that this was a tremendous experience for him partly because of who the award was named after because he met Mr. Irwin who was a Freeholder, back in the sixties when he was a member of the Monmouth County Education Association Legislative Committee and he found Mr. Irwin to be a fine Freeholder and served longer than any other Freeholder in the history of the County.

Councilman Miller stated that we all know in the Borough that we have a great group of volunteers, but it is always nice to be recognized outside of our Community and he gave a reading of the various other awards and winners.

Councilman Miller congratulated our firemen from the Port-au-Peck Firehouse on their Fire Prevention Day held on Saturday and they had borrowed the Smoke House from Sea Bright and there were education films and videos for both parents and children and it was a good day.

Councilman Miller noted that in a recent Sunday New York Times there was an article about a program that our police are undertaking where the Patrolmen give out treats to the young children who are found to be observing the bicycle safety procedures and wearing helmets.

Councilman Miller advised that there is a hazardous waste day scheduled by the County for Saturday, October 19, 1991 in Upper Freehold at the Monmouth County Garage on Route 539.

Councilman Miller asked to meet with Councilman Terra after the meeting to discuss a project that the Middletown Environmental Group is sponsoring on organic lawn care and it will be held in February and he wanted Councilman Terra to bring this information back to the Environmental Commission.

COUNCILMAN RODMAN: Councilman Rodman stated he wanted to go over some of his reasons for voting no on the cat ordinance discussed earlier this evening and commented that we had a representative from the Monmouth County Department of Health come to our work shop meeting to address us on the problem and when he questioned how many rabid raccoons had been discovered in the State so far he indicated there were 1,061 and when questioned as to the number of rabid cats found in the State in the same period the answer was 27 and he did not break down the number of wild cats versus domestic cats. He continued that it made him wonder why there is all of this concern about cats and he felt that Rumson's approach to the problem was a good one by just mandating that cats be vaccinated against rabies, which was our original approach.

Councilman Rodman also stated that he had pushed for a "sunset" provision for this present cat ordinance because an epizootic, particularly one that concerns rabies, is definitely cyclical and in six to eight years there will be no more rabies in this State and that is a historical background fact of how rabies run in an epizootic, but no one was interested in this type of provision. He felt that the most onerous thing is that this imposes an \$11 tax for an un-neutered cat and \$8 for a neutered cat and no matter what it is called, it is a tax and he does not feel that the seriousness of the problem warrants levying that kind of burden upon the citizens of Oceanport.

COUNCILMAN WOLFE: Councilman Wolfe reported he attended the monthly meeting of the Oceanport First Aid Squad in Councilwoman's Filippone place who could not be present and commented that they are sending out their second request for contributions and this fund drive is their major source of funding for the year and he urged any resident who has not yet donated to please do so.

Councilman Wolfe advised that last month they were out for 177 hours responding to various calls throughout the Borough and they have also purchase some new equipment which was high intensity portable light system in case they respond to an accident at night, etc.

Councilman Wolfe also reminded the residents that the Squad will be holding their annual Holiday Bazaar on Saturday, December 7 and they will be also selling Christmas trees, wreaths and grave blankets and he hoped everyone looking to purchase a tree or wreath, would purchase them from the Squad, since this is the other major source of funds they raise.

Councilman Wolfe commented on the award that Councilman Miller and his Water Watch Committee received and stated that it is quite an achievement in their first year to receive this Countywide award and he wanted to commend Councilman Miller who instituted this program and has dedicated most of his Saturday mornings for the past six months in putting this successful program together as well as all the volunteers who are on the Committee.

Councilman Miller thanked Councilman Wolfe for his comments but stated that he is only as good as the members of the Committee and the volunteers on the Water Watch Committee did an outstanding job in their first year.

Councilman Wolfe announced that there will be a road project undertaken in the near future and he wanted to clarify that this project did not go out for bid because this was a project that is in lieu of on site improvements at a site in the Borough that a major developer is providing. He continued that the developer had appeared before the Planning Board and he negotiated with him to provide certain services off site and with the Borough Engineer's help we arrived at a satisfactory number of \$17,000 worth of off site improvements which have been designated to Milton Avenue from Asbury to Monmouth Blvd. which will be completely repaved, curb to curb in addition to some removal of some old and dangerous sidewalks in that area as well and the missing link of Shrewsbury Avenue between Comanche Drive and Werah Place, which was left out of the 1991 Borough Road Improvement Program because of lack of funds. He advised that there will be some minor inconveniences for residents of six or seven streets for a few days, but it is only a temporary inconvenience and they will have a long term improvement of having that roadway finally paved.

MAYOR CAVANAGH: Mayor Cavanagh read a proclamation regarding the Mischief Nights and Halloween curfew set for October 30, 31 and November 1, 1991.

Mayor Cavanagh also offered his condolences to Ed Anderson on the recent loss of his mother and stated in addition, he wanted to mention that Homer Hendrickson had died several weeks ago and he was the person who designed the Borough logo which is used on all our stationary and other Borough items and he was a fine gentleman and he will miss him. He also stated that he was recently informed by the Borough Clerk that John Bliss had also passed away and had served on the Environmental

Commission since its inception and he was another very civic minded person and an outstanding gentleman and he was sorry to hear of his passing as well.

Mayor Cavanagh advised that during the past week he noticed the County people installing the required signal box for the traffic light at Monmouth Boulevard and Port-au-Peck Avenue and this is something that he has been working on since he first came on the Council back in 1981 and it means that the actual light will be installed within the next several weeks.

Mayor Cavanagh commented that the Columbus Day parade held in Long Branch over the weekend was another outstanding event and one of our own residents, Sal Gentile portrayed Christopher Columbus. He commented that unfortunately, for many years a gentleman by the name of John DeResperis had been in that position, but he had been in a serious automobile accident and Sal volunteered and marched in the parade and he stated it was an outstanding event and several of the Oceanport School bands participated in the parade as well.

Mayor Cavanagh announced that Old Timer's Night at the Port-au-Peck Chemical Hose Firehouse was scheduled for Monday night at 6:30 P.M. with dinner served at 7:30 P.M. and he commented that he really felt like an old timer now. He also commented that when he begins his third term as Mayor in January, he will be the second longest sitting Mayor that he can historically find, other than Ed Wilson, in the history of the Borough.

Mayor Cavanagh opened the meeting to the public for any comments the might wish to make.

PETITIONS FROM THE PUBLIC:

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

Councilman Wolfe moved to approve the bills as listed on the Voucher Register dated October 17, 1991. It was seconded by Councilman Terra and unanimously approved by Council. TOTAL 1991 VOUCHERS \$47,651.97. TOTAL 1991 VOUCHERS PAID THIS MEETING \$72,268.25. TOTAL 1991 OPERATING FUND \$119,920.22. TOTAL TRUST ACCOUNT \$4,353.46. TOTAL RECREATION TRUST ACCOUNT \$461.23. TOTAL FIREWORKS TRUST ACCOUNT \$75.60. TOTAL CAPITAL ACCOUNT \$180.50. TOTAL GENERAL LEDGER-MIDDLE DEPT. INSPECTION AGENCY \$138.00. TOTAL GENERAL LEDGER-MARRIAGE LICENSE FEES \$55.00. TOTAL GENERAL LEDGER-CERTIFICATE REDEMPTION \$1,203.88. TOTAL GENERAL LEDGER-FIRE PREVENTION \$70.15. TOTAL GENERAL LEDGER-NJ SPORTS & EXPOSITION AUTHORITY \$32,202.57. (SEE VOUCHER REGISTER)

Councilwoman Filippone complimented Councilman Miller on the award that his Water Watch Committee received because in living on that river she is very aware of how critical the quality of the water is to the quality of life for the Oceanport people and he has been a real dynamo and she is very appreciative of his efforts.

At 8:50 P.M. Councilwoman Filippone moved to adjourn the meeting until the next regular meeting scheduled to be held on November 7, 1991 at 8:00 P.M. It was seconded by Councilman Miller and unanimously approved by Council.

Respectfully submitted,

Patricia L. Varca
PATRICIA L. VARCA
BOROUGH CLERK