

REGULAR MEETING MINUTES

Oceanport, New Jersey
October 7, 2004

- REGULAR MEETING:** The Regular Meeting of the Oceanport Mayor and Council was called to order on October 7, 2004 at 8:00 P.M. with Mayor Gatta stating the meeting had been properly advertised in accordance with law.
- MEMBERS PRESENT:** Councilpersons Kahle, Mahon, Holden, Chaump, Johnson, Briscione and Mayor Gatta.
- OFFICIALS PRESENT:** Deputy Borough Clerk, Kimberly A. Jungfer and A/Borough Attorney, Martin A. McGann.
- INVOCATION:** Borough Chaplain Berry gave the invocation.
- PLEDGE OF ALLEGIANCE:** Mayor Gatta led the audience and members of the Council in the flag salute.

As copies of the minutes from the regular meeting held on September 13, 2004 had been made available to the members of the Governing Body, Councilman Holden moved to waive the reading of same and approve the minutes as presented by the Borough Clerk. It was seconded by Councilwoman Chaump and approved by Council.

CLERK'S REPORTS:

The Deputy Borough Clerk indicated she was in receipt of the Police Report for the month of September, 2004 and it would be posted.

COMMITTEES:

COUNCILWOMAN KAHLE: Councilwoman Kahle reported on the Fire Department stating that for the month of September the Volunteer Fire Department responded to 8 calls and drills with an average of 9 volunteers responding to each incident.

Councilwoman Kahle reported that the Oceanport Hook and Ladder held their Fall Festival fundraiser from September 22nd to the 26th and raised a total of \$13,000.00 to benefit the Hook and Ladder, \$10,000 from the festival and \$3,000 from the fire truck rides and parking. There was a lot of time and effort that went into a fundraiser like this and it would not have been successful without the efforts of Pete Deller, Sr. During budget time when Mr. Deller heard that the Fire Department was not receiving an increase in funds and as a member of the Hook and Ladder, he knew how things were going there and decided to do something about it. The Borough and the Hook and Ladder applauded his efforts. In these economic times every cent raised helps keep our taxes down and helps the volunteers. Also helping with the festival were the Fire Explorers who were there every night helping with the parking and fire truck rides and the Police Department with the crowd control.

Councilwoman Kahle stated that Hook and Ladder will be making a donation to the Police Department and the Fire Explorers for their efforts in helping with the festival.

Councilwoman Kahle reported that the Port-Au-Peck Fire Department will be having a golf outing on October 11th and it was not too late to sign up. Sponsors are also needed for the holes so if anyone is interested they should contact someone from the Port-Au-Peck Fire Department.

Councilwoman Kahle announced that the Hook and Ladder Ladies Auxiliary is having a Spaghetti Dinner and Chinese Auction on November 6th with dinner from 5 to 7 p.m. and the Chinese Auction to begin at 7:30 p.m.

Councilwoman Kahle reported she is continuing to update the Community Center. Tom Crochet and the Public Works Department have almost completed the punch list of repairs at the Old Wharf Center, the doors have been repaired, the painting has been done and possibly next year we can consider replacing the doors and frames.

Councilwoman Kahle reported that the renting to the public of the Old Wharf House is being investigated. The Center was funded by Community Development money and it can be rented out to the general public 5 years after completion of the building with the first priority given to the Seniors. Looking at other towns, there are many who are doing this and the money raised is being put towards the maintenance of the building and most of the other towns are also hiring to a person to oversee the rental to make sure that the building stays intact during its rental. Along with Councilwoman Chaump, she is looking into this.

Councilwoman Kahle stated along with Councilwoman Chaump, they have presented a Pay for Play Ordinance for review by the Borough Attorney. This ordinance is based on the Common Cause Ordinance and would prohibit awarding no bid contracts to people who contribute to campaigns and limits contributions. This Common Cause Ordinance was the most stringent ordinance they could find, but is limited to Pay to Play. The Council will continue to work on the other ordinances for the entire ethics reform package regarding nepotism, dual office holding and political fundraising on Borough property. Councilwoman Kahle added that the Council is committed to holding themselves to a high ethical standard.

Councilwoman Kahle reported with regard to environmental concerns, she along with Councilman Mahon are looking into the new Storm Water Management Regulations which must be adhered to in 2005. The Borough Engineer, Tom Rospos, has been contacted and will be forming a comprehensive plan to move forward. She stated she has also contacted the surrounding towns to look into shared services because even though these are state mandated regulations there is not State funding so the equipment that must be purchased is expensive, but luckily all the Boroughs around us are in the same boat, so we will be looking into working with them.

Councilwoman Kahle reported that she has contacted the Monmouth County Sewerage Authority to see if they had a program for Storm Water Management to possibly contract with them instead of the Borough getting the equipment and they thought it was a good idea and will look into it and get back to us.

Councilwoman Kahle commented that she read an article in the paper that the County okayed a new recycling contract. Some land at the County Reclamation Center was leased to Garden State Recycling. What this means to the Borough is that right now we pay \$35.00 a ton to have our commingled material disposed of and are paid \$10.00 per ton for newspapers. This new proposal would eliminate the \$35.00 charge and still pay the market price for the newspapers. It would be a win/win situation for the Borough because in August the commingled bill was \$768.00, and it could be a large savings for the Borough.

Councilwoman Kahle stated that residents on Asbury Avenue and Burnt Mill Circle have approached her with concerns regarding traffic safety and speeding on those streets. Asbury Avenue is a cut through street and now with the bridge open people are speeding by. She talked with Patrolmen Chenoweth and Kelly, the traffic safety officers, who said they will put additional signage on Asbury Avenue and will be targeting that street for speeders.

Councilwoman Kahle stated that the problem on Burnt Mill Circle is the road being used as a cut through to Shore Regional in the morning and in the afternoon the track traffic is cutting through and trying to by pass the light. She stated she wrote a letter to the County and they had no problem with a no left hand turn sign there and Patrolmen Kelly and Chenoweth will be contacting the State to see if it is permissible. The Mayor has requested that this be turned over to Councilman Holden so he will be following up on the matter.

Mayor Gatta stated she had received many positive comments about the Community Center and felt Councilwoman Kahle should know that everyone is very happy with the improvements.

COUNCILMAN MAHON: Councilman Mahon read a letter of retirement effective April 1, 2005 from Borough Clerk, Patricia L. Varca, after which he asked for a motion to accept same. Councilwoman Kahle moved to accept the letter. Councilwoman Chaump seconded the motion which was unanimously approved by Council. Councilman Holden asked that this motion be noted with regret.

Councilman Mahon read a letter of retirement from Deanne Sole effective March 31, 2005 after which he moved to accept same. Councilman Holden seconded the motion with regret, which was unanimously approved by Council.

Councilman Mahon moved that a bond for Block 113, Lot 6 be released per the recommendation of the Borough Engineer. Councilwoman Kahle seconded the motion which was unanimously approved by Council.

Councilman Mahon moved to appoint Thomas Stothart to the full time position of Helper III in the Public Works Department. Councilwoman Kahle seconded the motion, which was unanimously approved by Council.

Councilman Mahon asked the Deputy Clerk to read resolution **R-04-77**, regarding the sale of personal property at a public auction in Tinton Falls on November 6, 2004 after which he moved to approve same. Councilwoman Chaump seconded the motion, which was unanimously approved by Council.

Councilman Mahon reported under Finance and Administration that he along with Councilman Briscione, the Mayor and members of the Clerk's Office met twice in September to discuss three issues, benefit time for permanent part time employees, an employee evaluation program and some preparation items for the 2005 Municipal Budget. He reported that the evaluations are nearly completed and the benefit time has been referred to the Borough Attorney for review.

Councilman Mahon reported that paving is complete on the Gooseneck and Cayuga projects with minor remedial work which will continue until the project is deemed complete.

Councilman Mahon announced that bids have been received for the 2004 Road Program and award is pending for Burnt Mill Circle, Evergreen Lane and Manitto projects.

Councilman Mahon reported that Public Works has repainted the crosswalks, some signage is being added for a crosswalk that was put in place on Comanche Drive, roadway striping has been done along Port-Au-Peck Avenue, Wolf Hill Avenue and will be completed with some striping on East Main Street.

Councilman Mahon reported on the Myrtle Avenue project stating that the Engineer has been very active in contacting the County along with Tom Crochet and members of the Fire Department regarding some issues that have an impact on residential properties which have not been completed to a satisfactory level yet. There was also some damage to a sanitary sewer line leaving the Port-Au-Peck Avenue Firehouse. The County has committed to doing all this work quickly, in particular the sewer main at no charge to the Borough. When these items are complete the Borough will be free to release the money that is being held for the Borough's share of the project.

Councilman Mahon reported he met with the Monmouth Transportation Council, which is the early strategic planning arm of the County with regard to roadway improvements. He made a request of the Council to see if they were interested in taking over Port-Au-Peck Avenue between Branchport Avenue and Oceanport Avenue. Councilman Mahon stated the Council was receptive to the idea and gave some information that the Borough has to follow through with both legally and with the Borough Engineer to formalize the process. He also had the opportunity to discuss the mutual interest in paving Crescent Place, a road that bisects the Wolf Hill Recreation Area and discussed the Village Center street scaping extension. There was also a representative there from NJ Transit and he gave information regarding improvements that they might be interested in doing at the railroad stop in Oceanport.

Councilman Mahon reported that a meeting was held regarding the Borough website and pending completion of it as an Eagle Scout Project by Patrick Hickey and the administration of the website will be assumed by the Borough Clerk and the Deputy Clerk. The target date for that is on or around November 1st.

Councilman Mahon stated that bids have been received for trash collection. The Council has had lengthy discussions on the bids and the recycling component which will be awarded at the next meeting. He thanked Kim Jungfer for putting together a cost analysis for recycling collection and it turns out that there will be a savings from outsourcing this function.

Councilman Mahon reported that an additional proposal has been received for the feasibility study from local architect, Jim Monteforte and another design firm from Neptune will be submitting a proposal.

COUNCILMAN HOLDEN: Councilman Holden gave his condolences to Reverend Berry over the lost of her sister-in-law.

Councilman Holden asked the Deputy Clerk to read resolution **R-04-78**, allowing the Borough to enter into an agreement with 180 Turning Live Around Crisis Intervention Team after which he moved to approve same. Councilwoman Kahle seconded the motion, which was unanimously approved by Council.

Councilman Holden stated he had experience with the 180 group from his prosecutor days and stated they are a very fine and professional organization and this is something that is very much needed in Oceanport as well as throughout the rest of the County. It was his understanding that most of the municipalities in the County are adopting similar resolutions.

Councilman Holden reported for the month of September the Police Department received 502 calls answered by patrol, assisted with 48 first aid calls, issued 89 summonses and investigated 14 major crimes. During this period of time Captain Sutton was awarded a Certificate of Attendance from the New State Association of Chiefs of Police for a course on the Safe School Symposium, school safety management training which was awarded on September 23rd. This is very important at this time especially with the evenings news cast and the stepped up security that is being advocated in light of incidents that occurred in Russia.

Councilman Holden noted that people have noticed that the radar machine is starting to appear around town and there is an effort to rotate that through the town to try to keep the speeds reasonable.

Councilman Holden reported for the Shade Tree Committee that all of the trees have been planted on Wardell Circle with the plastic bags around them, the idea behind the bags being they should be watered. The neighbors have adopted these trees and Shade Tree is asking that they continue to water them, but only once a week.

Councilman Holden announced that the Oceanport First Aid Squad, with the assistance of Councilman Briscione, Councilwoman Chaump along with Mr. Grimm and Mr. Fiorentini, who prepared a video, members of the First Aid Squad and Jim Monteforte, the architect have secured a grant in the amount of \$43,449 from Community Development. These funds will assist the First Aid Squad with respect to their addition, particularly those areas that will be handicap accessible.

Councilman Holden stated that the Capital Improvement Committee will have a meeting on the 28th of October and this will be the final meeting for proposals from all of the various committees. After that the Committee will review and prepare their recommendations for the 2005 budget.

COUNCILWOMAN CHAUMP: Councilwoman Chaump asked the Deputy Clerk to read resolution **R-04-79**, allowing lighting at the Roller Hockey Rink, after which she moved to approve same. Councilwoman Johnson seconded the motion, which was approved by Council. Councilman Holden abstained.

Councilwoman Chaump asked the Deputy Clerk to read resolution **R-04-80**, waiving the local permit fees for the installation of the lights at the Rink, after which she moved to approve same. Councilwoman Johnson seconded the motion, which was approved by Council. Councilman Holden abstained.

Councilwoman Chaump commended the president of Roller Hockey, Steve Tagerty, for going about receiving approval for the lights the correct way, notifying all the residents, bringing the proposal to the Environmental Commission and then coming back to Council for approval.

Councilwoman Chaump reported that the First Aid was very happy to receive the Community Development grant. It was a joint effort between council people, college students and First Aid, with First Aid President, Ray Ciani, giving a very good presentation to the grant committee.

Councilwoman Chaump stated she has been working on the water situation with the four residents on Shrewsbury Avenue who would like to get city water. She met with the four residents and Gloria Gledhill and Kevin Keene, from New Jersey American Water Company, and it looks like it is going to be a go. The water company is going to give the residents the anticipated revenue deduction upfront and will be going out for proposals to see what the exact price will be.

COUNCILWOMAN JOHNSON: Councilwoman Johnson reported on the Board of Health meeting and stated with regard to the West Nile Virus, there have not been any birds picked up in the last month in Monmouth County which is a very good sign.

Councilwoman Johnson stated that Dr. Kaloss, who was not at the Board of Health meeting, sent a letter that the Water Watch Committee will be continuing to collect monthly samples to monitor nine sites along the Shrewsbury River and Branchport Creek. The main focus of the monitoring will center on the fecal coliform levels.

Councilwoman Johnson reported on the Flu shots and due to the shortage of the vaccines, though originally the Borough was to received 250 shots, that number has been reduced to 150 which we are very lucky to have. At this point in time the criteria will be all persons who wish to receive the vaccine must show proof of age and proof of residency. Only residents of towns covered under the Monmouth County Health Department are eligible. Other restrictions include only those 65 or older, children 6 to 23 months with a doctor's note and those who are chronically ill with a doctor's note. The shots will be given October 13th at the First Aid Building from 10 a.m. to 12 noon.

Councilwoman Johnson reported that Alice Kadoty, the County Health representative was at the meeting and reported on the drill for exposures to chemical agents at Monmouth Park Racetrack on October 2nd. It was put together in about five weeks and was done by the State and County Boards of Health. They thanked the Borough and the Police Department for the excellent efforts during this event. The State Attorney's Generals Office stated it was the best drill in the State.

COUNCILMAN BRISCIONE: Councilman Briscione offered his condolences to Chaplain Berry and her family at the passing of her sister-in-law, a retired third grade teacher with the Oceanport schools.

Councilman Briscione called for the introduction of an ordinance creating a length of service program for Borough volunteers and asked the Deputy Clerk to read the proposed ordinance by title only as follows: **AN ORDINANCE AUTHORIZING THE CREATION OF A LENGTH OF SERVICE AWARDS PROGRAM FOR ELIGIBLE VOLUNTEER FIRE FIGHTERS AND VOLUNTEER FIRST AID SQUAD MEMBERS.**

Councilman Briscione moved to approve the ordinance on first reading. Councilman Holden seconded the motion.

The Deputy Clerk called the roll.

AYES: Councilpersons Kahle, Holden Chaump, and Briscione.
NAYS: None
ABSTAIN: Councilpersons Mahon and Johnson
ABSENT: None

Councilman Briscione then moved to hold the public hearing on this ordinance at the meeting scheduled to be held on October 21, 2004 and to advertise same in accordance with law. It was seconded by Councilwoman Kahle.

The Deputy Clerk called the roll:

AYES: Councilpersons Kahle, Holden, Chaump and Briscione.
NAYS: None

ABSTAIN: Councilperson Mahon and Johnson.

ABSENT: None.

Councilman Briscione called for the introduction of an ordinance authorizing the Borough to enter into an Interlocal agreement with Eatontown and asked the Deputy Clerk to read the proposed ordinance by title only as follows: **AN ORDINANCE AUTHORIZING THE BOROUGH OF OCEANPORT TO EXECUTE AN INTERLOCAL SERVICE AGREEMENT WITH THE BOROUGH OF EATONTOWN FOR THE STORAGE OF IMPOUNDED/SEIZED VEHICLES.**

Councilman Briscione moved to approve this ordinance on first reading. It was seconded by Councilman Holden.

The Deputy Clerk called the roll:

AYES: Councilpersons Kahle, Mahon, Holden, Chaump, Johnson and Briscione.

NAYS: None.

ABSTAIN: None.

ABSENT: None

Councilman Briscione then moved to hold the public hearing on this ordinance at the meeting scheduled to be held on October 21st and to advertise same in accordance with law. It was seconded by Councilman Holden.

The Deputy Clerk called the roll:

AYES: Councilpersons Kahle, Mahon, Holden, Chaump, Johnson and Briscione.

NAYS: None.

ABSTAIN: None.

ABSENT: None.

Councilman Briscione reported that the Master Plan Review Committee met earlier this month to discuss the Master Plan Re-examination, which is mandated by the Municipal Land Use Law. The Committee will be reviewing the Master Plan, zoning regulations and development regulations. Any changes will be recommended to the Planning Board then subsequently to the Mayor and Council.

Councilman Briscione announced that the thoroughbred meet at Monmouth Park ended earlier in the month and due to casino purse supplementation, purses were at an all time high. As a result in the increases in purses, both the average daily on site handle and the average daily total handle increased.

Councilman Briscione stated that the NJSEA is currently performing a feasibility study to determine the costs involved in upgrading the physical plant and deferred maintenance that will be necessary to host the Breeders Cup in 2007. These improvements, when made, will be very important for the future success of the racetrack.

Councilman Briscione reported that with regard to the Stakeholders Committee, five non-binding proposals were received on September 29th by the Sports and Exposition Authority. Three bidders were identified: Magna Entertainment, Churchill Downs and a casino entity that was not named. Two bids were unidentified. The Authority decided to allot more time to the bid process so an additional 21 days were given and sent back all the bids unopened. Once the new bids are received and the parties are identified, there will be a meeting of the Stakeholders Committee.

Councilman Briscione stated he has had discussions with Bill Barham of Monmouth Beach regarding shared services and possibly sharing services between Monmouth Beach, West Long Branch, Sea Bright and Oceanport. One of the areas that is being explored is fleet repair costs.

MAYOR GATTA: Mayor Gatta reminded the residents to submit their pictures for the Wall of Honor. There is a nice collection already with photos dating back to WWI. There is an October 15th deadline for submission of photos, but the wall will be constructed as such that as we move forward, if any one would like to contribute a picture they will be able to.

Mayor Gatta reported that the next Town Meeting will be held on Monday, November 22nd at 7:00 p.m. here in the Council Chambers.

Mayor Gatta stated that with regard to the heart screening for the First Aid and Fire volunteers they have received letters and she would hope that everyone will schedule appointments for this free screening.

Mayor Gatta stated that at the most recent Public Safety Committee meeting a report was given by Harold Sutton in relation to protocols for different emergency transactions. The sub-committee was established with two members of the Fire Department and two members of the First Aid Squad and Harry Sutton as the Emergency Management Coordinator. Developed were response protocols for water rescue, motor vehicle accidents and extrication and what came out of the meeting was the need for joint training drills between fire and first aid and the commitment from both emergency services that they will have joint drills.

Mayor Gatta continued that the Public Safety Committee is working on acceptable guidelines for the expenditure of donated funds in order to avoid duplications of equipment.

Mayor Gatta reported that she, along with the Mayors of Eatontown and Tinton Falls have been joined by the Mayors of Little Silver and Shrewsbury in working with Jim Ott from Fort Monmouth and Jeffrey Donohoe, the consultant of the Smart Growth grant, to keep Fort Monmouth off the BRAC List.

Mayor Gatta also mentioned that the Mayors of Sea Bright, Monmouth Beach, West Long Branch and Oceanport have been meeting to discuss possible coordination of services and also the possibility of applying for a Share Grant.

Mayor Gatta reported that Oceanport has received notification that we are a Storm Ready community, one of the few communities in the State and the second in Monmouth County to be declared Storm Ready. On September 13th representatives from the National Weather Service and the New Jersey State Police Office of Emergency Management visited Oceanport to review our application for Storm Ready certification. The Mayor thanked Detective Sergeant Buzzy Buldanza and his committee for the outstanding work on this matter.

Mayor Gatta thanked Peter Dellera, Sr., for all his work on the Fall Festival that just occurred and at the last meeting we were thanking him for all his work on the circus. The Festival was a lot of work and we are grateful that the weather cooperated and they were able to, along with the Firemen, Fire Explorers and Police effectively raise \$13,000. for the Hook and Ladder. The Mayor again thanked Mr. Dellera, Sr. for all his work.

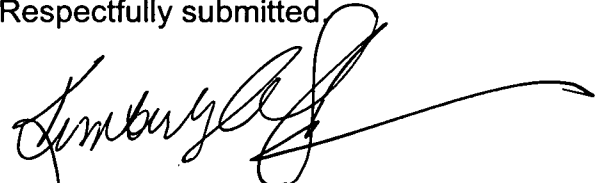
Councilman Briscione also wanted to thank Pete Deller for his efforts. He continues to be a tremendous asset in raising fund for both our seniors and volunteer services.

Mayor Gatta then opened the meeting to the public for any comments or questions they might wish to make, but seeing none, closed the public portion of the meeting.

Councilman Mahon moved to approve the vouchers on the Bill List dated October 7, 2004. It was seconded by Councilwoman Kahle and approved by Council. Capital Trust Total: \$50,506.74, Dog Registry Total \$28.80. Escrow Trust Total \$1,360.00. Open Space Trust \$635.00. Total 2003 Vouchers \$69,797.91, 2004 Vouchers Paid \$11,401,322.45. 2004 Vouchers paid this meeting \$679,436.79. Total 2004 Vouchers \$12,080,759.24. (SEE BILL LIST)

At 8:55 p.m. Councilman Mahon moved to adjourn this meeting until the next regular meeting scheduled to be held on October 21, 2004 at 8:00 P.M. It was seconded by Councilwoman Kahle and approved by Council.

Respectfully submitted

A handwritten signature in black ink, appearing to read 'Kimberly A. Jungfer', with a long, sweeping horizontal line extending to the right.

KIMBERLY A JUNGFER
DEPUTY BOROUGH CLERK