

REGULAR MINUTES

Oceanport, New Jersey
October 6, 1994

- REGULAR MEETING:** The regular meeting of the Oceanport Mayor and Council was held on October 6, 1994 at 8:07 P.M.
- MEMBERS PRESENT:** Councilpersons Clark, Filippone, Miller, Taylor, Wolfe and Mayor Cavanagh.
- MEMBERS ABSENT:** Councilman McGee.
- OFFICIALS PRESENT:** Borough Clerk, Patricia L. Varca and Borough Attorney, Francis A. Margalotti.
- PLEDGE OF ALLEGIANCE:** Mayor Cavanagh led the audience and members of the Council in the flag salute.

As copies of the minutes from the regular meeting held on September 12, 1994 had been made available for review by the Governing Body, Councilman Wolfe moved to waive the reading of same and approve the minutes as presented by the Borough Clerk. It was seconded by Councilman Taylor and approved by Council.

CLERK'S REPORTS:

1. Police report for the month of September, 1994 and a copy will be posted on the Bulletin Board.
2. Application for membership to the Port-au-Peck Chemical Hose Fire Co. made by Gary M. Livechi.

Councilman Wolfe moved to approve the application to the fire company. It was seconded by Councilman Taylor and approved by Council.

COMMITTEES:

COUNCILMAN CLARK: Councilman Clark commented that in his capacity as Scout Master of Troop 58, he urged everyone to support the Scout's fund raiser which is a spaghetti dinner scheduled to be held on October 14, 1994 and hoped everyone would attend.

Councilman Clark advised that he had signed the Borough up to the Jersey Central Power & Light power savings program and was pleased to announce that we have received a check in the amount of \$185 back as a refund for 1994.

Councilman Clark then called for the second reading and public hearing of an ordinance regarding the vacation of Malden Way and asked the Clerk to read the Affidavit of Publication and the proposed ordinance by title only as follows: **AN ORDINANCE ABANDONING, VACATING, RELEASING AND EXTINGUISHING ANY AND ALL PUBLIC RIGHTS IN AND TO AN UNIMPROVED STREET APPEARING ON THE OFFICIAL TAX MAP AS MALDEN WAY, IN THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY.**

ORD. #660

Mayor Cavanagh opened the meeting to the public for any comments or questions they might have on this subject only.

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

Councilman Clark 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 Clark, Filippone, Miller, Taylor and Wolfe.

NAYS: None.

ABSENT: Councilman McGee.

ABSTAIN: None.

R-94-60

Councilman Clark asked the Clerk to read resolution **R-94-60** granting a veteran's tax deduction, after which he moved to approve same. It was seconded by Councilman Taylor and approved by Council.

COUNCILMAN MCGEE: ABSENT.

R-94-61

COUNCILWOMAN FILIPPONE: Councilwoman Filippone asked the Clerk to read resolution **R-94-61** appointing a dog warden for the Borough, after which she moved to approve same. It was seconded by Councilman Miller and approved by Council.

Councilwoman Filippone reported that the First Aid Squad's recent fund drive did not go as well as they had hoped and they have received \$9,000 less than last year and urged anyone who has not donated yet this year, to please do so because the funds are important in order to sustain the requirements of the Squad. Councilwoman Filippone reminded everyone that the Squad members are available to the resident's needs 24 hours a day, 7 days per week and she hoped people would respond to their needs.

Councilwoman Filippone reported that the Borough will again to having flu shots through the Monmouth County Board of Health and they are scheduled to be held on Friday, October 21, 1994 at the Old Wharf House with registration being held between 10:30-11:30 AM and the shots will be given out from 11:30 AM to 12:30 PM. She also reminded everyone that these shots are open to anyone who is interested and the cost for the shot is \$5.00 and if someone cannot make this date, she will be posting other communities who will be also giving out flu shots later in the month.

R-94-62

COUNCILMAN MILLER: Councilman Miller asked the Clerk to read resolution **R-94-62** authorizing an A-1 Consent by Government form be signed by Mayor Cavanagh, after which he moved to approve same. It was seconded by Councilman Taylor and approved by Council.

Councilman Miller reported under the Shade Tree Committee, last Saturday morning, he and Bill Sullivan, Chairman of the Shade Tree Committee and Mike Giordano, A/Superintendent of Public Works walked through Old Wharf Park and determined the trees that need to be removed and the bushes and shrubs that will be added. He stated these are being funded through monies given to the Borough by the water company for conservation purposes.

Councilman Miller reported that the basketball court at the Community Center has been completed and the Borough awarded the low bid for resurfacing and these funds were allocated last year out of grant money, so it was not done with taxpayers funds and follows along with our maintenance program and completes the maintenance projects for this year.

Councilman Miller advised that this year's Action Camp run by John Kerwin, Recreation Director, reached an all time high of 202 children and was quite a successful program and due to the increased number of children, it was necessary to hire two more assistants. He also commented that we enjoyed a new experience with a young boy who was placed in the program for the first time, who had some attention deficit problems and the Learning Disabilities Specialist at the school felt this type of program would be good for him and it turned out very well for everyone.

Councilman Miller reported that the fireworks fund has \$2,870 which was collected and by next summer, we will hopefully reach the \$5,000 amount, since this is what the fireworks cost and again, these are paid for through donations and no tax dollars and he realizes that we are competing with very worthy causes such as the First Aid and Fire Departments, but a little bit of fun is necessary as well and this year the fireworks were about the best we have ever had.

Councilman Miller stated under the Water Watch Committee, they elected their officers for the coming year and they are as follows: Chairman, Richard Gruskos; Vice Chairmen, Kevin Kubik and Brian Schwartz; Recording Secretaries, Jody Steinhilber and Josh Coleman; Publicity, David Gruskos and Regan Kelly; Computer reports, Bill Sverapa; Coliform Sampling of Branchport Creek, Chris Widdis and Steve Briskey and Boat Maintenance, Steve Remaley.

Councilman Miller advised that there was a regional meeting on September 19, 1994 where the Monmouth County Planning Board passed a resolution to recognize the North Coast Region as a Planning Council for doing water testing and the County has been divided up into 9 environmental regions and each region must go through a work shop to train everyone to take the samples in the correct manner and then the results are forwarded on to the County so as to get a more complete picture of water quality of all the bodies of water in Monmouth County and this will be very helpful in future planning. Councilman Miller stated he was proud that each of the groups involved in this program has been modeled after the Oceanport group.

Councilman Miller commented that the last water sampling in the Shrewsbury River on September 10 shows that the river is coming back because most of our water qualities were in the high averages and fecal coliform counts were well below 200 except for up by Old Wharf Park, but that is because of the many geese and ducks that are there.

Councilman Miller advised that the last water sampling done on September 13, which was 13 days after the track closed, still shows effects of the horse problem at the Casa Comida bridge area which had fecal coliform counts of 900 and Troutman's Creek and Atlantic Ave. bridge was 500 and all of the numbers were relatively high and it just shows that we really need the hook up with the sewer treatment plant by next June and by next September, he hopes to be able to say that we have had numbers all summer long that have been under 200.

Mayor Cavanagh stated that we have received the final consent order and the time period has run and went without substantial comment and the way he read the order, they have permission to begin.

COUNCILMAN TAYLOR: Councilman Taylor reported under Drug Alliance, on November 1 at Red Bank Regional High School they will be hold the 2nd Annual Youth and Community Dialogue Night and Ed Kelly and Linda Magnotta of Shore Regional will be the leaders that evening during the discussion and they do an excellent job and are now doing this on a County level.

Councilman Taylor also advised that he attended the third Annual Governor's Summit today in New Brunswick and did some networking with other communities and shared ideas from other Alliances throughout the State.

Councilman Taylor reported that the last hazardous waste day held by the County of Monmouth is scheduled for Saturday, October 22, 1994 in Upper Freehold Township.

Councilman Taylor reported under the Board of Education, he announced that on October 17, 1994 at 7:30 P.M. the PTO who started programs with Guest Speakers last year, will continue this program and will feature Mr. Robert Lento speaking on developing more positive communications between parents and school.

Councilman Taylor stated also under the Board of Education the Strategic Planning meeting was held on September 22 and the final Committee Reports were given out and there were many ideas and solutions that had been reviewed over the summer and the five Committees were Public Relations, Professional Staff Development, Education Programs and Services, Facilities and Technology. He has a copy of their report and it will now go before the Board of Education for their review of the requests made by these Committees.

Councilman Taylor announced that on October 20, 1994 Mr. R.E. Cycle will be at the Wolfhill School at 10:15 A.M. and he is a Magician and will work with the children regarding recycling and this is being funded through the Clean Communities Program.

Councilman Taylor thanked Councilman Clark for attending a Clean Communities meeting for him regarding the 1995 funding, which application is due on November 30, 1994 and the funding has been cut approximately 14% from last year and we will be receiving \$5,356 as compared to \$6,206 received in 1994.

COUNCILMAN WOLFE: Councilman Wolfe moved to award the bid for the purchase of a leaf vacuum to ODB Municipal Products Co., Inc., from Richmond, VA in the amount of \$13,425 and to return the bid bonds to the unsuccessful bidders. It was seconded by Councilman Clark and approved by Council.

Councilman Wolfe stated with that award of the bid, we will be receiving the new leaf machine within the next 30 days and in the mean time, the machine we have been using for the last 25 years is still operational and some repairs have been done and he thanked the Public Works Department and Mike Giordano, who is the A/Superintendent, for all their efforts with this machinery as well as getting the shop up to speed. He continued that the Public Works Department is presently completing installation of snow fencing throughout various locations in the Borough and getting the sanders and plows ready for winter. He also advised that leaf pick up will begin the week of October 17, 1994 and will run through the end of December and he asked residents to please rake leaves out to the curbs and to make sure that the leaves are free of debris and branches. Councilman Wolfe stated any leaves that have branches mixed in will be left at the curb and pointed out that when there

is debris mixed in with the leaves, it becomes very dangerous for the men who are working picking up the leaves when debris starts flying around.

Councilman Wolfe also advised that the Litterbug was removed from the water on Sunday at about 9:00 A.M. with the help of himself and Bill Stine, Doug White and Councilman Miller and it is heading for the marina to have the motor winterized and stored for the winter in the Public Works yard.

Councilman Wolfe reminded everyone that the 1994 Road Improvement Program will be beginning and today was the Pre-Construction Conference and work will begin shortly and should be completed during the month of October. He stated that there will be 9 roads receiving an overlay and it is probably one of the largest road improvement programs the Borough has undertaken since the early to mid eighties, when Port-au-Peck Avenue was widened. He stated the reason we are able to undertake this extensive program was due to the bids coming in very favorably and the cost of asphalt has come down since last year and we are getting 30-35% more work for our dollars. He also advised that we will be putting up the roads to be done on the Community Bulletin Board several days prior to work commencing, in order to give the residents some notice.

MAYOR CAVANAGH: Mayor Cavanagh offered the name of Diane Morley to fill a vacancy on the Recreation Committee, which term expires December 31, 1996. Councilman Miller moved to approve this appointment. It was seconded by Councilman Clark and approved by Council.

Mayor Cavanagh stated he has received a letter from a resident commending Patrolman Donald Ross for his involvement at the scene of an accident and wanted the Mayor to know how appreciative she was for his concern and efforts on her part.

Mayor Cavanagh also commented that attached to the Police Report was a certificate noting that Patrolman Frank VanBrunt completed a course on Environmental Offenses sponsored by the Monmouth County Police Academy.

Mayor Cavanagh stated that two weeks ago the Asbury Park Press had a front page story which provided an overview and analysis of municipal services, rates, spending and income and someone must have done an awful lot of work because it was very involved and included all the towns in both Monmouth and Ocean Counties. He stated that the population growth had been catalogued between 1990 and 93, the tax levy and how it changed during this time period, the rateable base and then divided the residents by the tax levy to get a per capita number for what towns spent per resident to provide police, garbage, fire, etc. Mayor Cavanagh stated that although all statistics have to be taken somewhat with a grain of salt, he wanted to note for the record that according to the figures, the Borough of Oceanport certainly finished very favorably in this analysis and by the calculation of the Press, our tax levy for the three years grew five and one half per cent, which is about 1.8% per year, which is substantially less than inflation and despite the fact that the Press statistics show that our rates were reduced over four million dollars during that same time period. Mayor Cavanagh stated the population growth was almost a constant during this time period showing a 1% increase over the 3 years and the per capita numbers, which is the cost per resident for all municipal services based on the tax levy calculates out to 4.6% over the three years or one and one half per cent each year, which again is less than inflation. He stated that when you compare the per capita costs of the Borough to other towns of similar size and population, etc., you will find that Oceanport finishes very, very favorably on the extreme low end of the calculation.

Mayor Cavanagh commented that everyone has probably noticed that many of the surrounding towns have been giving some consideration to what is going on in Trenton with the Legislation known as Megan's Law and the local ordinances that other towns are considering regarding this issue. He advised that we have asked and received copies of Edison's ordinance and should be receiving Neptune's ordinance shortly and will review them and he has asked the Borough Attorney to take a look at the State Legislation, which may end up pre-empting the municipalities and they will make an appropriate decision in this matter, in the relatively near future and he wanted everyone to know that the Council has noted the problem and are in the process of deriving a solution to this matter.

At 8:41 P.M. Councilwoman Filippone moved to adjourn into Executive Session to discuss the Police Negotiations. It was seconded by Councilman Miller and approved by Council.

The meeting was reconvened at 9:16 P.M. and Mayor Cavanagh commented that there was no action to be taken at this time.

Councilman Clark moved to pay the bills as listed on the Voucher Register dated October 6, 1994. It was seconded by Councilman Wolfe and approved by Council. TOTAL 1994 VOUCHERS \$583,644.10. TOTAL 1994 VOUCHERS PAID THIS MEETING \$48,463.11. TOTAL 1994 OPERATING FUND \$632,107.21. TOTAL MONEY MARKET ACCOUNT \$360,000.00. TOTAL TRUST ACCOUNT \$784.32. TOTAL RECREATION TRUST ACCOUNT \$21.10. TOTAL FIREWORKS TRUST ACCOUNT \$2,500.00. TOTAL WATERWATCH TRUST ACCOUNT \$66.48. TOTAL CAPITAL ACCOUNT \$913.80. TOTAL PUBLIC ASSISTANCE I ACCOUNT \$1,500.00. TOTAL PUBLIC ASSISTANCE II ACCOUNT \$65.00. TOTAL DOG REGISTRY ACCOUNT \$285.20. TOTAL GENERAL LEDGER-OCEANPORT BOARD OF EDUCATION \$359,752.60. TOTAL GENERAL LEDGER-MIDDLE DEPARTMENT INSPECTION AGENCY \$958.00. TOTAL GENERAL LEDGER-MARRIAGE LICENSES \$500.00. TOTAL GENERAL LEDGER-FIRE PREVENTION \$154.76. TOTAL GENERAL LEDGER-LIEN REDEMPTION \$11,323.59. (SEE VOUCHER REGISTER)

At 9:17 P.M. Councilwoman Filippone moved to adjourn this meeting until the next regular meeting scheduled to be held on October 20, 1994. It was seconded by Councilman Clark and approved by Council.

Respectfully submitted,



PATRICIA L. VARCA
BOROUGH CLERK