

REGULAR MEETING MINUTES

Oceanport, New Jersey
October 2, 2003

- REGULAR MEETING:** The Regular Meeting of the Oceanport Mayor and Council was called to order on October 2, 2003 at 8:00 P.M. with Mayor Gemma stating the meeting had been properly advertised in accordance with law.
- MEMBERS PRESENT:** Councilpersons Mahon, Apruzzi, Gatta, McGann, Cooper and Mayor Gemma.
- MEMBERS ABSENT:** Councilwoman Kahle
- 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 meeting held on September 18, 2003 had been made available to the members of the Governing Body, Councilwoman Gatta moved to waive the reading of same and approve the minutes as presented by the Borough Clerk. It was seconded by Councilman Apruzzi and approved by Council.

CLERK'S REPORTS: No Reports.

COMMITTEES:

COUNCILWOMAN KAHLE: Absent.

COUNCILMAN MAHON: Councilman Mahon reported that we applied for a Library Grant back in early September and in doing some research for that grant, we reviewed some information that had been done by former Councilman Joe Lyons and another document prepared by Eric Wagner, an architect and both of those reports provided a wealth of information that enabled us to complete the grant application in a very short period of time. He had expressed his appreciation to former Councilman Lyons and wanted to publicly commend him for this study that he did with regard to the Library improvements three years ago and hopefully we will be successful in obtaining the grant.

Councilman Mahon reported under the Environmental Commission we have received the information with regard to the lighting standards, which was provided by the Borough Engineer and when the lighting ordinance is completed and reviewed by the members of the Commission, it will be forwarded to the Governing Body and then to the Planning Board for their review and approval.

Councilman Mahon advised he has just learned about an OEM grant that is available with regard to acquisition of gas masks, etc. for our Police Officers and in the meantime there is a possibility associated with this grant that surplus masks from the State Police may be made available.

Councilman Mahon commented that a couple of months back, as far back as June and again in July, the Council considered a Village Center zoning ordinance change and over the course of the last several meetings we have had discussions as to what those changes that we adopted actually mean and it was discussed two meetings ago but we have not had the opportunity to bring it up again. He stated that he is asking the members of the Council to re-consider the recommendations that were originally presented by the Planning Board and move to make those changes and incorporate them into the VC Zone and go back and correct some of the things that are eligible for being constructed in the VC Zone going forward and he asked Mayor Gemma to consider this as early as possible.

Mayor Gemma responded that we can certainly consider that but given the context of the closing coming up, he suggested we do one thing at a time and close on the property first and then let's consider that and we can discuss the changes he is talking about in workshop.

COUNCILMAN APRUZZI: Councilman Apruzzi reported that this week Bill Sullivan who is the chairman of the Shade Tree Committee received a letter from the NJ Tree Foundation advising that the Borough has been accepted to participate in the Foundation's Make a Difference With Trees 2003 Program. He continued that the Borough will be receiving free, 20 green ashes and 20 silken dogwoods and this application was initiated by his predecessor, Councilwoman Gatta and he thanked her for doing this and thanked the Foundation for this award of 40 trees.

COUNCILWOMAN GATTA: Councilwoman Gatta mentioned that on Saturday, October 25th from 9 a.m. to 3 p.m. at the Old Wharf House, we will be having our Community Day and organizations in town and surrounding areas have received invitations to participate and we are hoping that all of our residents will partake in this day which is also Make A Difference Day. She continued that we will be planting those 40 trees on this day as part of the agreement for getting the trees and also the PTO will be conducting their used clothing drive, which will be going to the Make A Wish Foundation.

Councilwoman Gatta reported the Board of Health held their meeting last night and for everyone's information, two crows were found to be infected with the West Nile Virus out of six reported in the Borough and according to the Newark Star Ledger this morning, eighteen people in NJ have contacted this virus and we will all be vulnerable until the first frost.

Councilwoman Gatta reminded everyone that the flu and pneumonia clinic will be held on Friday, October 24th at the First Aid Building from 10 a.m. to Noon and the cost is \$15 and you must be 50 or older to receive the flu shot and we are checking on the pneumonia shot since there are some conflicting reports as to who can take the pneumonia shot.

COUNCILMAN MCGANN: Councilman McGann reported that the clean up from Hurricane Isabel is now complete and we took out about 205 cubic yards of fallen tree limbs at a cost to the Borough of approximately \$1,600.

Councilman McGann announced that leaf pick up will commence on Monday, October 6th and asked all residents to rake their leaves to the curb, free of any debris or branches.

Councilman McGann advised that we have given notice to the utility companies about the disrepair of some of their utility trenches within the Borough and NJ Natural Gas has been very cooperative and have begun some of the repairs on those prior openings.

Councilman McGann stated due to the weather conditions, the Public Works Department is still cutting grass and asked that the residents be patient since once the grass cutting stops, more effort can be put toward collecting the leaves and other projects that need to be addressed such as the snow fence around our parks and open areas.

COUNCILWOMAN COOPER: Councilwoman Cooper moved to appoint Building Inspection Underwriters, Inc. of Moorestown, NJ as the Borough's electrical inspection agency for a two-year term effective October 17, 2003. It was seconded by Councilman Apruzzi and approved by Council.

Councilwoman Cooper commented that Tom Crochet has advised that he has caulked the suspected leak in the Financial Office section of the building and hopefully that will take care of it and we will have to wait and see until we get some rain.

Councilwoman Cooper advised that she has recently attended a seminar on increased costs compliance coverage for flood management and we will be discussing this further and it is a program that can help us stay out of harms way and there is \$30,000 available for individuals to raise their homes.

Councilwoman Cooper reported that she met with Monmouth Municipal Joint Insurance Fund which is a risk sharing fund for insurance purposes with currently 33 municipalities surrounding us involved and we are seeing if we can cut some of our costs in this program.

MAYOR GEMMA: Mayor Gemma offered the name of Charles Boland to fill a vacancy on the Shade Tree Committee, which term expires December 31, 2004.

Councilwoman Gatta moved to approve this appointment. It was seconded by Councilman Apruzzi and approved by Council.

Mayor Gemma reported that we have received notice from Sgt. Don Ross that he will be retiring from the Police Department effective October 4, 2004 and he accepted that notice with regret and commented that he has been an asset to the Department and he has given many years to the Borough.

Mayor Gemma commented on the recent passing of Mrs. Mahoney who was a 1st Grade Teacher in the Borough school system and stated it is a great loss and stated that the schools were closed today in recognition of her passing.

Mayor Gemma advised that he must leave shortly to make another meeting and wanted everyone to know why he would be leaving.

Mayor Gemma then opened the meeting to the public for any comments or questions they might wish to make.

PETITIONS FROM THE PUBLIC:

Bob Howie, 20 Main Street advised he is here tonight representing the Oceanport Hook & Ladder Fire Company and as he had mentioned at the last meeting, he still feels that we need to have the ordinance passed and from what he understands, some inputs have been received and apparently the Port-au-Peck Fire Company had its meeting and has disagreed with the wording contained in the ordinance. He continued that from what he understands, it would be four to five years before anything would be agreed upon as far as the magnitude of this ordinance. Mr. Howie

commented that the Mayor had stated that this ordinance would be in place this year and he asked what could be done to get this accomplished, since he was hoping that once this was done we would have some unity between the two companies and that is not happening and he feels that there are going to be problems and dissention.

Mayor Gemma responded to Mr. Howie stating that he accepts all the responsibility because the buck does stop at his seat on the dais and continued that there was a discussion about this very issue at the workshop meeting earlier tonight and there are some that feel we should table any decision until there is an agreement and others felt that we should move forward because it has been over a year. Mayor Gemma stated that at the next workshop meeting on October 14th any and all comments about this ordinance are to be received by the Council and will be reviewed at the worship meeting and at the regular meeting on October 16th this Council will introduce the ordinance with a public hearing held on November 6th and if adopted that night, it will become effective prior to the next Fire Election.

Mr. Howie asked that the Council members focus on the spirit of what this ordinance was supposed to be and that was simply a rotation system and that to him is the key.

Mayor Gemma stated that he has requested Councilman Mahon to go back to both houses and advise them to submit any change in the wording to the Council by the workshop meeting as he mentioned earlier.

Joseph Wolf, 138 So. Pemberton Ave. stated that the Oceanport Hook & Ladder Company is looking to get the Council's permission to start a Fire Post in Oceanport through the Boy Scouts and he has looked into all the other emergency services in the Borough and none of them are interested in this program. He continued that he has someone in the audience to answer any questions the Council may have on this program.

Mayor Gemma asked why the Council would have to approve this, since it was being undertaken by the Fire Company, which the Borough Attorney also questioned, since it would be sponsored by the Hook & Ladder Fire Company versus the Oceanport Fire Department, to which Mr. Wolf stated that was correct. Mr. Margalotti pointed out that this would be an internal item that would be handled by the company and unless he or someone else could show Mr. Margalotti that sponsoring such a post organization would contravene any of your internal by-laws or rules and regulations which govern the activities of the company, he felt this was purely an internal matter.

Mr. Wolf wanted to make sure there was no problem with the insurance policies that there would not be a problem to which Mayor Gemma asked that he give the Borough Attorney the brochure he had with him and allow him to review same and to also work with Councilman Mahon on this, but more importantly with the Boy Scout leaders regarding this program.

Councilman Mahon asked Mr. Wolf if what he is talking about with this program is more like mascots, junior firemen, etc. to which Mr. Wolf indicated that is what the program is like, more or less. Councilman Mahon continued that there would be a policy as far as these scouts riding on the fire apparatus which is where the Borough insurance would most likely be involved, be outfitted with gear and grow into training positions and ultimately become volunteer firemen, to which Mr. Wolf stated that was correct. Councilman Mahon explained that this is not like regular scouting, but more like the Explorers program.

Mr. Margalotti commented that since this activity would involve possibly these participants riding on Borough owned vehicles, then certainly the Borough would have an interest there and

possibly have potential liability questions that would need to be addressed. Mr. Wolf responded that there is insurance coverage through the program and Mr. Margalotti advised that we need to review the material and also have it reviewed by our insurance carrier before making any decisions and if this program goes forward that we would have to have this program approved by the Council because it is no longer purely an internal company activity.

Greg Widmaier, 1331 Eatontown Blvd., Captain in the Oceanport Hook & Ladder Fire Company and representing the Hook & Ladder Fire Company stated that he understood that recently we got back information from Monmouth County regarding the renewal for dispatching with the County and he would like to state for the record that the Hook & Ladder Fire Company does not want to continue with County Dispatch and would like to go back to local dispatch and he has a petition in this regard with 20 signatures at the present time confirming the feelings of the Hook & Ladder Fire Company.

Mayor Gemma asked Mr. Widmaier that when he forwards the petition to the Council, to include the concerns and issues raised because of the County Dispatch and what took place previously when we had local dispatchers in order for the Council to look at the entire situation and to speak with Chief Bebout to which Mr. Widmaier stated he has spoken with the Police Chief and since we have gone to County Dispatch, the Police now have their own frequency, so as far as us dispatching back on our local frequency, there is not an issue.

Mayor Gemma asked that Mr. Widmaier give the petitions and the concerns raised to Councilman Mahon for distribution so we have a better understanding of what exactly the issues are, to which Mr. Widmaier stated he was not sure if there is a date that he needs to have this information submitted by.

Councilman Mahon advised that as part of our Interlocal Agreement with the County for the Dispatch Services, the County is due to give us a cost estimate that they will develop some time in October and we are due to have it by November 1st so that we can consider by December 1st if we are going to continue with the County Dispatch. He stated that he let the firemen know that what would help the Council in this situation is if we had a sense of their satisfaction with the overall system and he asked the Fire Chief and the members of the Fire Committee at the last meeting to survey the membership to see what that level of satisfaction was and advise us of the finding.

Mayor Gemma then turned the meeting over to Council President Gatta and asked the First Aid Squad members to come forward to make their presentations of awards at this time.

Representatives of the First Aid Squad, Captain Linda Johnson, Secretary Carole Connor and 2nd Lt., Laura Hornung presented Al DeSantis with a plaque expressing the Squad's appreciation and thanks for the support they have received from the Senior Citizens Committee with the circus fund raiser and also presented a plaque to Peter Dellera, Sr. who came up with the idea of the fund raiser circus project.

Council President Gatta stated as Council Liaison to both the First Aid Squad and the Senior Citizens Committee it is gratifying to watch them both work together and continued that the seniors are always willing to help our community and do whatever they can to assist the First Aid Squad by either passing around the hat at their monthly meetings or holding some kind of fund raiser, like they did several years ago by holding the spaghetti dinner which paid for the Squad's defibrillators. She stated that now that the First Aid has embarked on a new fundraiser for the building addition they have gotten the seniors to work with them once again. Council President Gatta commented that the circus was an extensive, labor intensive endeavor for at least two months and Peter Dellera, Sr. gave

so much of his time and talent to make it a success by doing all the legwork, putting up posters in all the area stores and helped everyone through this fund raiser and it was very successful and we will be looking forward to having this event again next year. She pointed out that this event would not have happened without the hard work of Peter Deller, Sr. and the cooperation of our seniors.

Council President Gatta stated at every meeting she attends she always says its neighbors helping neighbors and that it really what Oceanport is all about and she thanked the seniors and the First Aid members for all they do for all of us in this community.

Carole Connor also read a plaque given to the First Aid Squad from the New York City Fire Department thanking the Squad for their mutual aid ambulance resources provided to the City during the weeks following the September 11, 2001 attacks on the World Trade Center and this plaque will be hung in the Borough Hall for everyone to see and appreciate. Mrs. Connor also asked that Council President Gatta read the list of names and commented that each of the individuals received their own personal plaque.

Council President Gatta read the following names of the First Aid members who received a plaque for their assistance during the September 11th tragedy and asked them to stand if they were present in the audience: Capt. Linda Johnson, 1st Lt. Jane Ciani, 2nd Lt. Laura Hornung, Sgt. Lynn Arnold, Ray Ciani, John Connor, Carole Connor, John Long, Fred Filippone, Joe Lombardo, John Flynn, Alan Johnson, Ken Fujimoto, Kerin Slattery, Wes Sherman, Laura Tagerty and Steve Tagerty. Council President Gatta thanked all of these volunteers on behalf of the entire Governing Body and stated as always, they made us proud and represented Oceanport well and took the call of duty and this is a very special plaque and we will display it proudly and in recognition of all their fine work that they have given to the Borough of Oceanport.

As no one else from the public wished to be Council President Gatta closed the public portion of the meeting.

Councilwoman Cooper moved to approve the vouchers on the Bill List dated October 2, 2003. It was seconded by Councilman Apruzzi and approved by Council. TOTAL CAPITAL TRUST \$5,756.00. TOTAL DOG REGISTRY \$38.40. TOTAL ESCROW TRUST \$4,322.00. TOTAL FIREWORKS TRUST \$5,500.00. TOTAL 2002 VOUCHERS PAID \$96,679.06. 2003 VOUCHERS PAID \$10,231,970.56. 2003 VOUCHERS PAID THIS MEETING \$22,329.99. TOTAL 2003 VOUCHERS \$10,254,300.55. (SEE BILL LIST)

At 8:32 p.m. Councilman McGann moved to adjourn this meeting until the next regular meeting scheduled to be held on October 16, 2003 at 8:00 P.M. It was seconded by Councilman Apruzzi and approved by Council.

Respectfully submitted,



PATRICIA L. VARCA
BOROUGH CLERK