

REGULAR MEETING MINUTES

Oceanport, New Jersey
September 17, 1998

- REGULAR MEETING:** The Regular Meeting of the Oceanport Mayor and Council was called to order on September 17, 1998 at 8:00 P.M.
- MEMBERS PRESENT:** Councilpersons Apruzzi, Miller, Wolfe, McGann Silkworth and Mayor Gemma.
- MEMBERS ABSENT:** Councilwoman Filippone.
- OFFICIALS PRESENT:** Borough Clerk, Patricia L. Varca and Borough Attorney, Francis A. Margalotti.
- INVOCATION:** The invocation was given by Borough Chaplain Berry.
- 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 3, 1998 had been made available to the members of the Governing Body, Councilwoman Silkworth moved to waive the reading of same and approve the minutes as presented by the Borough Clerk. It was seconded by Councilman Wolfe and unanimously approved by Council.

CLERK'S REPORTS:

1. Police report for the month of August, 1998 and a copy will be posted on the Bulletin Board.

Mayor Gemma stated that we are going to go out of order this evening and begin with the Police Promotions followed by opening the meeting to the public for discussion with regard to the Burnt Mill Circle traffic study that was recently completed.

Mayor Gemma then asked Councilman Miller to make any comments regarding the promotions prior to his making the appropriate motions.

Councilman Miller stated that this evening is both happy and sad, since this will be his last official act regarding police promotions as the Police Liaison on the Borough Council. He continued that the Mayor and Council had received a letter from Sgt. John Connor advising that he would be retiring effective October 1, 1998 which would make a Sergeant's position available as well as other positions. He advised that the vacancy was posted and a letter was received back from the entire rank and file of the Police Department requesting that Detective Tagerty be promoted to the rank of Sergeant and that Patrolman Henry J. Murphy be promoted to the rank of Detective, which would be in the order of the present seniority in the Department and Michael Kelly would be promoted from Trainee to the position of Patrolman V. Councilman Miller commented that he and Councilwoman Silkworth together with Mayor Gemma felt this showed the support of the Department and with the Council's approval agreed to go forward to these promotions.

Councilman Miller then moved to promote the following officers as follows, effective October 1, 1998:

Michael Kelly to Patrolman V
Henry J. Murphy to Detective
Steven A. Tagerty to Sergeant

It was seconded by Councilwoman Silkworth and approved by those Councilmembers in attendance.

The Clerk then administered the Oaths of Office to the Officers, after which Councilman Miller presented each of them with their respective badges and congratulated them on their promotions.

Mayor Gemma reported at the work shop meeting the Council discussed what has taken place over the past several months concerning Burnt Mill Circle and the traffic problems that had been brought to his attention due mostly to residents using this street as a pass through and speeding problems. He asked the Borough Engineer to give some recommendations and to also review some of the suggestions brought forth by the residents themselves, after which he asked Police Chief Bebout to review and make any recommendations that he felt might help to resolve this problem. He and the Engineer came up with nine mechanical controls including signage, vacating one way streets, etc. which may have an impact on stopping the use of Burnt Mill Circle as a cut through and the entire list was then forwarded to the residents of Burnt Mill Circle and the adjacent streets for their thoughts.

Mayor Gemma stated when he received the responses back from the residents what he tried to do was to differentiate those who were directly impacted by the potential use of a pass through on Burnt Mill and those who would be indirectly impacted from the other side of the Circle. He continued that almost everyone agreed with simply erecting the barrier when the track let out, indicating that it was only a pass through and that was the majority of the people who responded and that was their first preference and thereafter, the least preferable mechanical solution would be the vacating or closing down one portion of the street or the other. He continued that based upon the responses received, the Council discussed this at the work shop meeting as to what other than erecting the barrier could be done to alleviate the problem of the pass through and he also wrote to the residents again advising that this matter would be discussed at the work shop meeting asking for their input.

Mayor Gemma stated after discussing this matter with the other members of the Governing Body, it was their preference to continue to erect the barrier and not to add signage or any other additions..

Mayor Gemma then opened the meeting to the public for any comments or suggestions they may wish to make on this situation.

Ted Ibex, 7 Burnt Mill Circle stated that he is in agreement with the barrier being erected and felt it was very effective and he has lived on the Circle for 29 years and he felt that this problem has been discussed many times in the past, but he has to say it has not interfered with his enjoyment of his property in the 29 years he has lived here. He also felt that more police presence in the area might help, since in the past there were problems with Reynolds Drive in Eatontown and the Police were there on a regular basis, writing tickets to residents who were using the street as a cut through and eventually, it stopped and maybe this is something that should be considered.

Mrs. Joan Scaduto, 8 Burnt Mill Circle felt that the barrier was not really working and cars are continually speeding through the area on their way to work or to Shore Regional. She commented that her son is disabled and gets on a bus each morning and at one point was almost run over by a car speeding through, passing the bus and these were adults in the car, who felt this episode was very funny. She suggested that perhaps the Borough might consider installing speed bumps on the Circle which would help slow down the speeding cars before someone gets injured.

Jack Khale, 38 Burnt Mill Circle stated that the volume of traffic is all the time, regardless of when the track is open or closed, since everyone is used to cutting through to get to the shopping areas located on Highway 36. He continued we have cars speeding through the area all the time, we have cars who pass school buses without any regard to what could happen to the children and he felt that a No Left Turn should be installed on Eatontown Blvd. into Burnt Mill Circle instead of a No Left on Evergreen, to which Mayor Gemma commented that we might have problems with this type of signage due to Eatontown Blvd. being a County Roadway and Monmouth Rd. being a State Highway.

There was some discussion with regard to residents who would resent having to go all around during time when the street might be closed, as well as a consideration regarding whether the school buses would be allow to turn into the Circle during the times posted which could cause other problems.

David Russell, 47 Burnt Mill Circle stated he has been a resident here for the past 28 years and felt that a barrier should not only be placed at the entrance off Eatontown Blvd., but also at the entrance from Evergreen Lane, since there is nothing there to prevent people from cutting through. He also stated that in Little Silver there is a condominium that has a concrete type sign which advises that only residents are allowed to enter, but the Attorney advised that unless there is some type of ordinance in place, you cannot ticket people and the condominium is private property. Mr. Margalotti stated that if the Council were to agree to some type of similar signage, it would also have to be approved by the Department of Transportation before anything could be put into effect.

Councilman McGann felt that perhaps we could erect the barriers at both sides as suggested and put up some signage if only to make people aware that they are not to use the Burnt Mill Circle area as a cut through and often times, just making them aware of the situation may help resolve some of the problems.

Councilwoman Silkworth stated that she herself was used to using the Circle as a cut through, only because she had done so for so many years, but has stopped doing this and agreed with Councilman McGann that it might help to make people aware of the problems with cutting through and perhaps an article in the Bulletin might help raise the awareness of our residents.

Mayor Gemma advised after listening to the residents and Council, he felt that we should have the two barriers at both the entrance from Eatontown Blvd. to Burnt Mill as well as one at the Evergreen Lane entrance and he will speak to the Police Chief about more police presence in the area to see if this will resolve the problem and help to enforce the speed limit.

Mr. Ibex suggested one of the speed signs which they use in Monmouth Beach on a regular basis, which shows you how fast you are going and Councilman Miller advised that we had recently borrowed one from Fort Monmouth to use on Port-au-Peck Avenue for a while and perhaps we can request it again in the near future and place it on Burnt Mill. Councilman Miller commented that

these machines cost between \$8,000 and \$12,000, which is why we don't have one in our Borough at the present time.

Ms. Johnston, 6 Burnt Mill Circle stated that the traffic through the Circle has greatly increased over the years with the build up of shopping areas on Highway 36 as well as the development of the Turtle Mews condominiums, which only adds to the increased traffic flow through this area and the people are constantly speeding through the Circle.

Mayor Gemma again reiterated that the barriers will be erected at both entrances and he will personally speak with Chief Bebout about having more police presence in the area and for the time being, see if this will help to resolve the problem. He than thanked everyone from Burnt Mill Circle for not only coming out this evening, but for responding to his questionnaire.

COMMITTEES:

COUNCILMAN APRUZZI: Councilman Apruzzi offered his congratulations to the newly promoted Police Officers and wished them continued good health and safety in their positions.

Councilman Apruzzi thanked Chaplain Berry for bringing up the Summer's End Festival and commented that the fireworks were great and he thanked Linda Gately, Chairperson of the Recreation Committee as well as the other members who did a terrific job in putting together this event. He commented that the company that did the fireworks was Serpico, which is a new company and one that we hope we will continue to use in the future. He also congratulated the PBA for winning the Mayor's Trophy at the Festival after playing both the First Aid Squad and the Fire Department and they will have the honor of having the trophy on display.

Councilman Apruzzi announced that the tennis courts at the Community Center will begin reconstruction the end of September.

COUNCILWOMAN FILIPPONE: ABSENT.

COUNCILMAN MILLER: NO REPORT.

COUNCILMAN WOLFE: Councilman Wolfe asked the Clerk to read resolution **R-98-59** waiving building permit fees for work at the Wolfhill School, after which he moved to approve same. It was seconded by Councilman Apruzzi and approved by Council. **R-98-59**

Councilman Wolfe asked the Clerk to read resolution **R-98-60** authorizing the hiring of a professional surveyor under the Local Public Contracts Law, after which he moved to approve same. It was seconded by Councilman Apruzzi and approved by Council. **R-98-60**

Councilman Wolfe asked the Clerk to read resolution **R-98-61** authorizing the insertion of items of revenue into the 1998 Municipal Budget, after which he moved to approve same. It was seconded by Councilman Apruzzi and approved by Council. **R-98-61**

Councilman Wolfe offered his congratulations to the Police Officers who were promoted this evening and thanked the employees in the Public Works Department for all their help in regard to the Summer's End Festival in setting up the necessary items for the fireworks and doing an excellent job in cleaning up the following day.

COUNCILMAN MCGANN: Councilman McGann called for the second reading and public hearing of an amendment to the Capital Improvements Advisory Committee and asked the Clerk to read the Affidavit of Publication and the proposed ordinance by title only as follows: **AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED THE "CAPITAL IMPROVEMENTS ADVISORY COMMITTEE ORDINANCE OF THE BOROUGH OF OCEANPORT" PASSED AND APPROVED APRIL 16, 1998.**

Mayor Gemma then opened the meeting to the public for any comments or questions on this subject only.

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

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

The Clerk called the roll:

AYES: Councilpersons Apruzzi, Miller, Wolfe, McGann and Silkworth.

NAYS: None.

ABSENT: Councilwoman Filippone.

ABSTAIN: None.

Councilman McGann commented there has been much discussion regarding open space in the State of New Jersey and the land presently owned by the State, of which some is being considered for sale. He continued that in a recent NY Times article, Judith Stanley who is the President of the Monmouth Conservation Foundation wrote an editorial in which she asks Governor Whitman to consider holding on to the land presently owned by the State and advised that the Monmouth Conservation Foundation is based on the principle that the last thing Monmouth County needs is more urban sprawl and traffic, which development of these properties will bring. She also raised the question as to what less expensive way is there to preserve land than to save that which is already owned by the State.

COUNCILWOMAN SILKWORTH: Councilwoman Silkworth thanked Councilman Apruzzi and the Recreation Committee for the great fireworks display at Summer's End.

Councilwoman Silkworth also congratulated all the newly promoted Police Officers as well as welcoming Patrolman Michael Kelly to the Borough.

Councilwoman Silkworth reported the new railings have been installed in front of the entrance to the Municipal Court and the lighting specifications for the Borough Offices are just about completed and ready to be sent out for bids. She also advised that quotes are being received for new carpeting at the Olde Wharf House.

Councilwoman Silkworth commented that we have been trying to reach an agreement with the State concerning a separate office for the Municipal Court and have finally received approval to use a portion of the Tax Assessor's Office for the Court and work will begin the end of this month.

Councilwoman Silkworth also reported that the facilities assessment is underway.

MAYOR GEMMA: Mayor Gemma offered his congratulations to the newly promoted Police Officers and wished them well in the future.

Mayor Gemma offered the name of Karen Apruzzi to a position on the Oceanport Historical Society.

Councilman Miller moved to approve this appointment. It was seconded by Councilman Wolfe and approved by Council, with the exception of Councilman Apruzzi who abstained from voting on this appointment, since it was his wife.

Mayor Gemma stated with regard to the comments made earlier by Councilman McGann about open space and a discussion we had at our work shop meeting on Monday evening, at the time he reported that someone was involved with a coalition was going to have a meeting on Wednesday with the Governor and an ex-official of the Borough from many years ago and that meeting did, in fact, take place. He continued that it was reported back to him that the Governor is very aware of the tracts of land that are owned by the State in Oceanport and she is looking at that. He also advised that we discussed at the work shop meeting that this property is generating \$89,000 worth of taxes annually, which was incorrect and the correct figure of the properties that the Authority plans to sell generate \$150,000 of taxes per year, which is about 5% of our budget and six cents on the tax rolls which equals about \$120 per year in taxes on a house assessed at \$200,000.

Mayor Gemma stated the point he is trying to make is that we have to consider all the aspects involved with this situation and on November 3 there will be a referendum and this is the Governor's referendum and we are putting together a resolution about how we are going to support what the Governor intends to push for on open space and this will have an impact on Oceanport. He stated that we ask that the people of Oceanport understand what this means, both the pros and the cons and then come out and voice their opinion on this referendum and this should provide the Governing Body with guidance in making our decision on going forward.

Councilman Wolfe moved to approve the bills as listed on the Voucher Register dated September 17, 1998 and to add one additional voucher from Francis A. Margalotti, Borough Attorney, in the amount of \$495. It was seconded by Councilman Apruzzi and approved by Council. TOTAL 1998 VOUCHERS \$85,448.29. TOTAL 1998 VOUCHERS PAID THIS MEETING \$48,423.15. TOTAL 1998 OPERATING FUND \$133,871.44. TOTAL FIREWORKS TRUST ACCOUNT \$5,000.00. TOTAL CAPITAL ACCOUNT \$1,827.10. TOTAL GENERAL LEDGER-SHORE REGIONAL HIGH SCHOOL \$189,108.70. TOTAL GENERAL LEDGER-OCEANPORT BOARD OF EDUCATION \$434,625.78. (SEE VOUCHER REGISTER).

At 9:00 P.M. Councilman Miller moved to adjourn this meeting until the next regular meeting scheduled to be held on October 1, 1998 at 8:00 P.M. It was seconded by Councilwoman Silkworth and approved by Council.

Respectfully submitted,



PATRICIA L. VARCA
BOROUGH CLERK