

REGULAR MINUTES

Oceanport, New Jersey
September 5, 1996

- REGULAR MEETING:** The regular meeting of the Oceanport Mayor and Council was called to order on September 5, 1996 at 8:10 P.M.
- MEMBERS PRESENT:** Councilpersons McGee, Filippone, Miller, Taylor, Wolfe, Silkworth and Mayor Cavanagh.
- 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 August 15, 1996 had been made available for review by the members of the Governing Body, Councilman McGee moved to waive the reading of same and approve the minutes as prepared by the Borough Clerk. It was seconded by Councilwoman Silkworth and approved by Council, with the exception of Councilman Miller who abstained from voting since he was not present at that meeting.

CLERK'S REPORTS:

1. Police report for the month of AUGUST 1996 and a copy will be posted on the Bulletin Board.
2. Raffle license application made by the Oceanport PTO for a 50/50 cash raffle, to be held 12/7/96.

The Clerk reported that the application was found to be in order and the required fees had been paid, after which Councilman Wolfe moved to approve said raffle application. It was seconded by Councilwoman Silkworth and unanimously approved by Council.

COMMITTEES:

COUNCILMAN MCGEE: Councilman McGee reported under the Police Committee that the School Crossing Guards were requalified by attending an eight hour refresher course given by Sgt. John Connor at Borough Hall.

Councilman McGee stated under the Insurance Committee, he will be meeting next week with the Borough's Insurance Agent to review our coverages and make certain that the values contained in the policies are adequate and correct. He also advised that he will be attending two additional seminars this Fall, which is a requirement of participating in the Statewide Workers Compensation Fund.

Councilman McGee stated he has received a copy of a letter of resignation from Reverend Tavener and wanted to say that over the last year and a half he has enjoyed having him serve the community and wished him well in his future endeavors.

ORD. #683 COUNCILWOMAN FILIPPONE: Councilwoman Filippone called for the second reading of an amendment to the Oceanport Zoning Ordinance with regard to school districts 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 "BOROUGH OF OCEANPORT ZONING ORDINANCE" PASSED AND APPROVED JULY 3, 1969.**

Mayor Cavanagh 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 on this matter, Councilwoman Filippone moved to close the public hearing. It was seconded by Councilman Wolfe and unanimously approved by Council.

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

The Clerk called the roll:

- AYES:** Councilpersons McGee, Filippone, Miller, Taylor, Wolfe and Silkworth.
- NAYS:** NONE.
- ABSENT:** NONE.
- ABSTAIN:** NONE.

ORD. #684 Councilwoman Filippone called for the second reading of an ordinance authorizing the Mayor to sign a certification regarding lobbying and excessive force and asked the Clerk to read the Affidavit of Publication and the proposed ordinance by title only as follows: **ORDINANCE AUTHORIZING THE MAYOR TO SIGN A CERTIFICATION PROHIBITING THE USE OF EXCESSIVE FORCE AND THE CERTIFICATION PROHIBITING THE USE OF FEDERAL FUNDS FOR LOBBYING.**

Mayor Cavanagh 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 on this matter, Councilwoman Filippone moved to close the public hearing. It was seconded by Councilman McGee and unanimously approved by Council.

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

The Clerk called the roll:

- AYES:** Councilpersons McGee, Filippone, Miller, Taylor, Wolfe and Silkworth.
- NAYS:** NONE.
- ABSENT:** NONE.
- ABSTAIN:** NONE.

Councilwoman Filippone called for the second reading of an ordinance authorizing the Mayor and Borough Clerk to execute an agreement for Community Development funds in the amount of \$31,300 and asked the Clerk to read the Affidavit of Publication and the proposed ordinance by title only as follows: **ORDINANCE AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A PROJECT AGREEMENT WITH MONMOUTH COUNTY FOR PERFORMANCE AND DELIVERY OF FY 1995 COMMUNITY DEVELOPMENT PROJECTS.**

Mayor Cavanagh 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 on this matter, Councilwoman Filippone moved to close the public hearing. It was seconded by Councilman McGee and unanimously approved by Council.

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

The Clerk called the roll:

AYES: Councilpersons McGee, Filippone, Miller, Taylor, Wolfe and Silkworth.
NAYS: NONE.
ABSENT: NONE.
ABSTAIN: NONE.

Councilwoman Filippone then gave the Oceanport First Aid Squad Captain's Report, submitted by Robert Shaw for the month of August and stated they had a total of 42 calls; 21 emergencies; 7 motor vehicles; 15 stand bys and 1 EMT call.

Councilwoman Filippone congratulated the First Aid Squad members on the work they put into the magnificent afghan which is on sale through any of the Squad members at a cost of \$50 and especially thanked Laura Reyes, Linda Fujimoto, Edie Ryan, Carole Connor and Doris Agaman and urged everyone to try and purchase one of these from the Squad.

Councilwoman Filippone wished Reverend Tavener the best and she has worked very closely with him on both the Memorial Day Parade and the Veteran's Day ceremonies for the past several years and he has always been there for the Borough.

Councilwoman Filippone also wished to make note that the flu shots will be given on Friday, October 25, 1996 from 11:30 AM to 1:00 PM and the cost is \$5.00 or if you have Medicare B, it is free and the program is open to anyone over the age of eighteen and it will be at the Old Wharf House on East Main Street.

Councilwoman Filippone offered her congratulations to both Mayor Cavanagh and Patti Varca, Borough Clerk for the award they both received during the public portion of the last Council meeting for their dedication to their positions and they received this from the NJ Mayors Association and she felt it was a very nice award for this Borough to receive.

COUNCILMAN MILLER: Councilman Miller echoed the sentiments expressed by Councilwoman Filippone with regard to Reverend Tavener working with us and he also wished him well and also

expressed his congratulations to both Mayor Cavanagh and Mrs. Varca on the awards they received at the last meeting.

Councilman Miller reported under the Shade Tree Committee that we have pine trees available in the tree nursery that can be transplanted now as well as some deciduous trees, which are the kind with leaves and not needles, which can be transplanted in November and anyone interested should contact either Bill Sullivan or Arlene Mullen of this Committee and their phone numbers are listed in the Borough Directory.

Councilman Miller advised that under Recreation, this Sunday, Sept. 8, 1996 will be the Summer's End Festival which will include two bands, food will be sold by local vendors, the PTO will have a Field Day from 1 - 4 PM, Fire Police and First Aid will have a softball game and a picnic beginning at 11 AM and ending at 1 PM and there will be fireworks at dark and there is a rain date scheduled for Sunday, Sept. 15, 1996.

Councilman Miller reported that the Oceanport Roller Hockey will be holding a Casino Night on Friday, Sept. 27, 1996 at the Fairway Manor beginning at 7:30 P.M. and the cost is \$30 per person that there will be tumbling dice dealers from Atlantic City and any information for tickets can be received from Patrolman Steve Tagerty.

Councilman Miller reported under the Water Watch Committee that the latest sampling shows improvement in the water quality especially regarding fecal coliform numbers, but since July the fecal coliform numbers at the Casa Comida Bridge have been relatively high both by the Water Watch Committees and also the Waterways sampling which is done every two weeks and taken to the Monmouth County Board of Health. He continued that after speaking with Sue Williams of the Monmouth County Board of Health, she feels that these numbers are due to the high concentration of wild life west of the bridge and also on the infield pond, which storm drain is the only one emptying into Branchport Creek. He stated that continued monitoring of the storm drains from the stable areas by the Monmouth County Board of Health leads Mrs. Williams to believe that the new hook up is working because the numbers are tremendously lower than they have been in the past.

Councilman Miller continued that he was in contact with Mrs. Williams today who gave him two contact persons in the DEPE, one of which will supply information on when a walk through will happen as to the new hook up, which was supposed to happen in the spring and the other contact might help answer some questions about why our river has such an ice tea color to it, while in other neighboring towns also on the Shrewsbury, the river is much clearer.

Councilman Miller advised there will be a meeting at the Monmouth County Board of Health on Sept. 18, 1996 to discuss a stream lining of grant proposals for pump out facilities at public marinas and we have two marinas in town and there are very few of these facilities in the area with none in the Shrewsbury River and one in the Navesink River at Marine Park and letters are supposed to be going out this week and he hoped that our two marina owners would attend this meeting.

Councilman Miller moved to reject all bids received for the proposed walking track at Blackberry Bay Park and to return the bid bonds. It was seconded by Councilman Wolfe and unanimously approved by Council.

Councilman Miller explained that the Engineer's estimate had been approximately \$25,000 but the bids came in with the lowest being higher than \$31,000 and the Recreation Committee will be reviewing this matter in the near future, since we do not have enough funding at this point.

Councilman Miller moved to award a bid for ballfield improvements at the Community Center to the low bidder, D & D Landscaping, Inc., Long Branch, NJ in the amount of \$9,600. It was seconded by Councilman Wolfe and unanimously approved by Council.

COUNCILMAN TAYLOR: Councilman Taylor wished Reverend Tavener the best of luck in his new endeavors and commented that he was also a member of the Drug Alliance and had lent his support to this program.

Councilman Taylor reported that under the Board of Education, he wanted to remind all the residents that September 17 is the Special Referendum Election for additions to both the Wolfhill and Maple Place Schools and he urged everyone to please come out and vote and the hours will be from 3:00 - 9:00 P.M.

Councilman Taylor asked the Clerk to read resolution **R-96-48** authorizing the purchase of a recycling vehicle for the Public Works Department, after which he moved to approve same. It was seconded by Councilman Wolfe and unanimously approved by Council. #R-96-48

Councilman Taylor also commented that this truck is being purchased at no cost to the taxpayers and it is from funds received when newspapers and junk mail were bringing in a lot of money on a regular basis and will be a great help and time saving device for the Public Works, since they now make at least three trips per recycling pick up day over to the recycling drop off, and with this vehicle they will only have to make one.

COUNCILMAN WOLFE: Councilman Wolfe also wished Reverend Tavener well in his future endeavors.

Councilman Wolfe offered his thanks to Tom Crochet and his Public Works Department for getting Blackberry Bay Park ready for Summer's End this Sunday.

Councilman Wolfe also commented that under Public Works, about a month ago he asked Tom Crochet and Don Hansen to conduct a Boroughwide survey of the streets in the Borough as far as the condition of each street and they are about half way done and it is a very comprehensive analysis of each roadway and they are measuring the road and rating it as to what its structural integrity is and this will be a valuable document which we can update on a regular basis and it will also be available for Borough residents to review and see where their street is listed and what its condition has been rated at for future needs.

Councilman Wolfe asked the Clerk to read resolution **R-96-49** regarding an overpayment of property taxes, after which he moved to approve same. It was seconded by Councilwoman Silkworth and unanimously approved by Council. #R-96-49

Councilman Wolfe then asked the Clerk to read resolution **R-96-50** correcting an erroneous tax assessment for 1996 property taxes, after which he moved to approve same. It was seconded by Councilwoman Silkworth and unanimously approved by Council. #R-96-50

COUNCILWOMAN SILKWORTH: Councilwoman Silkworth reminded everyone that the Bulletin deadline is Sept. 7, 1996 and asked that every effort be made to have material in on time because once the editing process begins, it gets hard to make adjustments in the copy.

Councilwoman Silkworth advised that we are presently awaiting bids for the replacement of the ceiling and lighting in our corridors and she and Councilman McGee will be doing a Fall check of all the Buildings & Grounds to see what needs to be done before the winter comes.

Councilwoman Silkworth also wished Reverend Tavener well and thanked him for his spiritual guidance.

MAYOR CAVANAGH: Mayor Cavanagh hoped that we have good weather for Sunday's Summer's End Festival, since last year we had to cancel the fireworks because of a lack of rain and now we are worried about having rain on Sunday.

Mayor Cavanagh reported that the Monmouth County Highway Department will be paving Monmouth Boulevard on Sept. 9 and 10, 1996 and it will be closed to traffic on those two days and he asked the Press to please report that in the paper so that everyone will be aware of that closing.

Mayor Cavanagh wished all of the Jewish residents of the Borough a happy Rosh Hashanah, which begins at sundown next Friday evening.

Mayor Cavanagh stated that on behalf of all the members of the Governing Body, we all wish a speedy recovery for Mayor "Clint" Sorrentino and hope that he is back to work on the Council in West Long Branch in the near future and we are all very fond of him and wish him all the best.

Mayor Cavanagh opened the meeting to the public for any questions or comments anyone might care to make.

PETITIONS FROM THE PUBLIC:

Ken Koenig, 40 Morris Place stated he came this evening to see if he can get some assistance from the Council and explained that at 42 Morris Place the house appears to have been abandoned for over a year and the property has not been maintained and he has submitted pictures, which he thinks the Council has seen and he has had several conversations with Mr. Kirk, the Borough's Zoning Officer as far back as May 29 of this year and nothing has been done.

Mayor Cavanagh stated that we have discussed this matter Tuesday evening at our work shop meeting as well as some other matters and we have summoned both Mr. Joyce and Mr. Kirk to attend our next work shop meeting to find out what is going on and we will be addressing this matter.

Mr. Koenig stated that he wanted to advise that he also spoke with Mr. Kirk on July 17, 1996 and was told it was in the hands of the Borough Attorney, which he has now found out not to be true, to which Mayor Cavanagh stated it was his understanding that due to Mr. Kirk's new position, it was not possible for him to appear in Court, which is held during the day time and he was going to investigate with the Judge if it would be possible to hold a night session in order to clear up a number of code violations, but this will be discussed along with a number of other matters at the next work shop meeting.

As no one else 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 September 5, 1996. It was seconded by Councilman Taylor and unanimously approved by Council. TOTAL 1996 VOUCHERS \$121,692.06. TOTAL 1996 VOUCHERS PAID THIS MEETING \$50,937.75. TOTAL 1996 OPERATING FUND \$172,629.81. TOTAL RECREATION TRUST ACCOUNT \$1,313.85. TOTAL DOG REGISTRY ACCOUNT \$55.20. TOTAL GENERAL LEDGER-SHORE REGIONAL HIGH SCHOOL \$174,879.60. TOTAL GENERAL LEDGER-TAX OVERPAYMENT \$317.20. TOTAL GENERAL LEDGER-FIRE PREVENTION \$448.22. (SEE VOUCHER REGISTER)

At 8:35 P.M. Councilman Miller moved to adjourn this meeting until the next regular meeting scheduled to be held on September 19, 1996 at 8:00 P.M. It was seconded by Councilman McGee and unanimously approved by Council.

Respectfully submitted,

Patricia L. Varca

PATRICIA L. VARCA
BOROUGH CLERK