REGULAR MEETING MINUTES

Oceanport, New Jersey
August 21, 2003

REGULAR MEETING: The Regular Meeting of the Oceanport Mayor and Council was called to order on August 21, 2003 at 8:00 P.M. with Council President Gatta stating the meeting had been property advertised in accordance with law.

MEMBERS PRESENT: Councilpersons Kahle, Mahon, Apruzzi, Gatta, McGann and Cooper.

MEMBERS ABSENT: Mayor Gemma.

OFFICIALS PRESENT: Borough Clerk, Patricia L. Varca.

OFFICIALS ABSENT: Borough Attorney, Francis A. Margalotti.

PLEDGE OF ALLEGIANCE: Council President Gatta led the audience and members of the Council in the flag salute.

As copies of the minutes from the regular meeting held on July 17 and the Special Meeting held on July 29, 2003 had been made available to the members of the Governing Body, Councilman McGann 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 with the exceptions of Councilwoman Kahle abstaining from approval on both meetings due to do her absence and Councilman Apruzzi abstaining from voting on the July 17th minutes due to his absence.

CLERK'S REPORTS:

1. Police report for the month of JULY, 2003 and a copy will be posted on the bulletin board.

COMMITTEES:

COUNCILWOMAN KAHLE: Councilwoman Kahle reported under Water Watch as she mentioned at the last public meeting the fecal colonies were high in various parts of the Shrewsbury River including the Oceanport Creek, Blackberry Bay, Branchport Creek and Turtle Mews Creek but the major bay of the Shrewsbury River looked good. She continued that the data collected was forwarded over to the Monmouth County Board of Health and the DEP for any follow-up. She also advised that since the areas tested are not swimming areas, there will be no signs posted in those areas and the next testing is scheduled for August 23, 2003.

Councilwoman Kahle stated there have been some traffic complaints received with regard to speeding on Asbury Avenue and Burnt Mill Circle and the residents have requested a four way stop at the intersection of Milton and Asbury Aves. She commented that she has spoken with Traffic Safety Officers Chenoweth and Kelly to look into this situation and make their recommendations back to the Council. She continued as for Burnt Mill Circle, after speaking with the Traffic Safety Officers, she has written a letter to the Department of Traffic and Engineering in Freehold regarding the possibility of having a "no left turn" sign during morning rush hours and again in the afternoon during

racetrack traffic. She advised that from here they will conduct a study and get back to the Council with their findings.

Councilwoman Kahle announced that soccer season is rapidly approaching and to that end, she met with Tom Crochet, Superintendent of Public Works and they walked the fields at Blackberry Bay Park and made a plan to get the fields ready for play for the soccer season.

Councilwoman Kahle publicly thanked Tom Crochet for the professional job he and his Public Works team did on the rear parking lot at Borough Hall and he and his men quickly and competently patched the parking area and she knows that the rest of the Council and the members of the Police Department join her in thanking him and his department for a job well done and she added that the entire parking area is slated to be paved after January 1, 2004.

COUNCILMAN MAHON: Councilman Mahon reported under the Fire Committee that the ordinance committee is nearing completion of its work on the revisions to the Fire Department ordinance and once these changes have been reviewed by the Borough Attorney and brought back to each of the companies for their approval, the Mayor and Council can move forward to adopt these provisions this fall. He added that the officers in the Fire Department who make up the Fire Committee, the Executive Board Members of each fire company, have also been conducting themselves in the best interests of the Department and the Borough and the Mayor and Council can be confident that the affairs of the Fire Department are in capable hands.

Councilman Mahon announced that the Fire Department has recently received a new Chief's command vehicle and the Port-au-Peck Chemical Hose Fire Company has also purchased with funds raised by donations from our residents, two jet skis that are ready to respond on a trailer, which can be hitched to several vehicles that we have in the fleet. He also commented on some of the equipment purchased with funds donated by our residents which include portable radios, paying for the installation of a stand-by generator and an overhead door operator at the Hook & Ladder Fire Company and Port-au-Peck has also refurbished a room within the fire station, made repairs to the roof of the rear storage building, fixed various code violations within the structure and the purchase of the jet skis for water rescue. He added that the Fire Department also participated in National Night Out held on August 4th and prepared the food and refreshments for the event and commented that these are some of the good things being done with the funds that the Borough residents give them each year and some of them are things that we as a government should be funding, but they chipped in and have done a good job.

Councilman Mahon commented that the Office of Emergency Management also participated in National Night Out and on display were the various pieces of equipment that OEM volunteers maintain and are ready to use in any emergency. He explained that OEM is the lead agency in preparing the grant application due on August 29th for Local Domestic Preparedness Funds and we applied for this grant last year but were turned down and we are hoping to get approval this year and it is a combination of funding for fire, police and first aid and the application is limited to $150,000.

Councilman Mahon announced that the Borough has received reimbursement from FEMA from last winter's blizzard and the nearly $11,000 represents 70% of our actual expenses from that storm and our Public Works Department budget was the hardest hit by the blizzard and hopefully the reimbursement will likely replace some needed funds to that department. Councilman Mahon thanked Captain Sutton for getting everyone together and completing the necessary paperwork to get this money back.

Councilman Mahon continued that OEM has also been the lead agency in the preparation of the draft Emergency Services Impact Assessment which is a committee headed up at the request of the Mayor by himself, Councilpersons Gatta and Apruzzi and the assessment deals with the impact of the sale of Monmouth Park Race Track on the police, fire, EMS and OEM services that the Borough must provide and he acknowledged the efforts of the OEM Director, Captain Sutton and Police Chief Bebout for compiling the report from the data provided by the other emergency services. He advised that the Council received a copy of this report last Monday and have just begun to evaluate its conclusions.

Councilman Mahon stated we have been doing some work on the sirens and have reduced the number of hours of operations for fire and first aid and in addition we tried to experiment with putting a muffler on the siren by the Community Center but we have learned from our electrician that this will not work because it causes too much heat and causes the fuses to blow so we are going to try and switch a smaller siren which is near the Port-au-Peck Fire House with the larger one at the Community Center and we are getting cost estimates to see if this is feasible.

Council President Gatta asked when this might be done to which Councilman Mahon stated as soon as we get the quotes in order to see if it is feasible and to see where the funding will come from and will most likely be a shared cost.

Councilman Mahon wanted to comment on the Haskell Day at the track and stated we had a crowd of approximately 53,000 people and the Police Department with some help from the County and State Police moved these 53,000 people in and out of the Borough without any problems and it was a job well done. He stated that Haskell Day and National Night Out have convinced him more than ever that as a Borough, we need to address several issues in the Police Department such as outdated weapons, lack of space and bare bone staffing and we have to explore all funding options that are available to us in order to achieve our public safety goals with as little impact on our taxpayers as possible.

Councilman Mahon reported he has received a grant application form from the Mayor for library improvements from the State and he advised Mrs. Chaump, who is in the audience, that they should speak with the Librarian since the grant is for a maximum of $75,000 and it appears we are eligible and the latest plan was estimated to be a $60,000 renovation and he will meet with the Library Association and get the grant submitted in a timely manner.

COUNCILMAN APRUZZI: Councilman Apruzzi asked the Clerk to read resolution **R-03-57** regarding the fireworks at the Summer's End Festival, after which he moved to approve same. It was seconded by Councilman McGann and approved by Council.

Councilman Apruzzi moved to award a bid for the well and electric for Blackberry Bay Park improvements to the low bidder, Tiger Construction Services, Corp. in the amount of $89,639 and to return the bids bonds to the unsuccessful bidders. It was seconded by Councilman McGann and approved by Council.

Councilman Apruzzi explained back in July we went out to bid for the entire right side of Blackberry Bay to be renovated and we received bids back with the lowest bid being more than the funding we had available for this project in our capital fund. He continued that a special meeting was held on July 29th to discuss what we needed to do and the first thing was to reject the bids received and to review our options and it was agreed to first concentrate on getting the well completed since we must have water for the improvements to the fields. He stated we will go out to bid for the remainder of the work on that side of the park in 2004.

Councilman Apruzzi commented on the Police Report for July which shows our Dispatchers received 1,070 calls of which our Police Officers responded to 634 incidents and within these calls there were three family disturbances which might be categorized as domestic situations and recently we have received a letter from Chief Bebout concerning a State mandated Domestic Violence Crisis Intervention Team and Oceanport will become part of this team along with Eatontown and West Long Branch. He continued that we will have a Crisis Intervention Team tailor made for our Borough and the people on this team will be trained in crisis intervention. Councilman Apruzzi stated that we are looking into getting grant funds in order to do the required training and we are also looking for volunteers from the Borough who might be interested in serving on this panel and asked anyone interested to contact either himself or Chief Bebout.

Councilman Apruzzi advised that the antennae outside has been refurbished which will give us another five to ten years of service and at the same time, the new County hot line antennae was installed and should give us better communications with the County.

Councilman Apruzzi announced that we have received notice from Chief Bebout that the East Main Street bridge will be closed around September 8th for approximately nine months and signs will be installed shortly with detours and we had asked the County to put this off until after the race track season is over, but it will go on two weeks into September this year.

Councilman Apruzzi reported that we are doing some safety checks with regard to the new traffic light at Monmouth Blvd. and Myrtle Ave. and we have asked our Safety Officers to look at the timing of the lights as well as if turning right on Monmouth Blvd. is causing additional problems to people coming out of Gooseneck Point Road and if any problems are reported we will take them up with the County Officials.

Councilman Apruzzi reminded everyone that Summer's End Festival will be held on Saturday, September 6th with lots of festivities including several bands, rides for the kids and a possible 2K run if possible and ending with the fireworks.

Councilman Apruzzi also advised that the Recreation Committee is working on a grant application for the continued work to be done at Blackberry Bay Park through the State.

Councilman Apruzzi wished everyone a safe and happy Labor Day.

COUNCILMAN McGANN: Councilman McGann asked the Clerk to read resolution **R-03-58** regarding a contractor for the DOT project at Lake Drive and Riverview Ave., after which Councilman McGann commented that the original contactor, Little Rascals, apparently became insolvent and failed to attend a pre-construction meeting for this project so we contacted their bonding company who has paid the difference between their original bid and the second lowest bid and this work will now be done by Meco and the funding for this project is through a DOT grant and hopefully this work can be done by this fall or at the very latest, next spring.

Councilman McGann then moved to approve this resolution. It was seconded by Councilman Mahon and approved by Council.

Councilman McGann then asked the Clerk to read resolution **R-03-59** regarding additional Blue Acres funding in the amount of $28,943.25 after which he commented that this deals with acquisition the Borough made on some land at the end of Horseneck Point Road several years ago and we were able to accumulate some of the bills that were not covered at the time and seek

reimbursement for some of those expenditures. He then moved to approve this resolution. It was seconded by Councilman Apruzzi and approved by Council.

Councilman McGann then asked the Clerk to read resolution **R-03-60** regarding additional Green Acres funding for the acquisition of Block 88, Lot 26.02 after which he explained this is the property owned presently by Monmouth Park and the Borough does have matching funds through a bond ordinance we did some time ago and we just received a sign off from the DEP as to environmental issues on this site so the funds will be released shortly and we anticipate closing on this property mid September of this year. He then moved to approve this resolution. It was seconded by Councilman Apruzzi and approved by Council.

Councilman McGann moved to return a cash bond in the amount of $900 for Block 65, Lot 3.03 located on Port-au-Peck Avenue per the recommendation of the Borough Engineer. It was seconded by Councilwoman Cooper and approved by Council.

Councilman McGann called for the 2nd reading & public hearing of an ordinance amending the Construction Code ordinance with regard to fees 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 UNIFORM CONSTRUCTION CODE ORDINANCE" PASSED AND APPROVED ON MARCH 2, 1995.**

Council President Gatta opened the meeting to the public for any comments on this subject only, but hearing none, Councilman McGann moved to close the public hearing on this matter. It was seconded by Councilman Mahon and approved by Council.

Councilman McGann moved to adopt this ordinance on 2nd and final reading and to advertise same in accordance with law. It was seconded by Councilwoman Kahle.

The Clerk called the roll:

AYES: Councilpersons Kahle, Mahon, Apruzzi, McGann and Cooper.
NAYS: None.
ABSENT: None.
ABSTAIN: None.

Councilman McGann then called for the 2nd reading and public hearing of an amendment to the Recreation Committee ordinance regarding membership 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 "RECREATION COMMITTEE ORDINANCE OF THE BOROUGH OF OCEANPORT" PASSED AND APPROVED ON JANUARY 20, 1977.**

Council President Gatta opened the meeting to the public for any comments on this subject only, but hearing none, Councilman McGann moved to close the public hearing on this matter. It was seconded by Councilman Apruzzi and approved by Council.

Councilman McGann moved to adopt this ordinance on 2nd and final reading and to advertise same in accordance with law. It was seconded by Councilman Mahon.

The Clerk called the roll:

AYES: Councilpersons Kahle, Mahon, Apruzzi, McGann and Cooper.
NAYS: None.
ABSENT: None.
ABSTAIN: None.

Councilman McGann reported that the construction has concluded on both Wardell Circle and Wyandotte Avenue and paving and curbs were re-done on Wardell Circle and the contractor did a very good job and we are quite pleased with the outcome and there some minor punch list items that need to be addressed.

Councilman McGann advised that the specifications for reconstruction of Cayuga Ave. from Port-au-Peck Ave. to the end which is a cul-de-sac and a portion of Gooseneck Point Road have been submitted to the DOT for their review and approval and these projects are being undertaken through a $300,000 Federal Highway Transportation grant.

Councilman McGann also reported that we are about to advertise for bids for the repaving of Mohican Avenue and Pocahontas Avenue under the 2003 road program and we anticipate receiving bids in the very near future.

COUNCILWOMAN COOPER: Councilwoman Cooper asked the Clerk to read resolution **R-03-61** requesting insertion of items of revenue into the 2003 budget after which she moved to approve same. It was seconded by Councilman McGann and approved by Council.

Councilwoman Cooper then asked the Clerk to read resolution **R-03-62** authorizing the Collector to refund an overpayment of property taxes for Block 122, Lot 17 in the amount of $1,408.73, after which she moved to approve same. It was seconded by Councilwoman Kahle and approved by Council.

Councilwoman Cooper advised that she had requested our CFO to prepare a variance report within the different departments for year to date and everything looks good with the exceptions of streets and roads, which is due to the harsh winter that we had and we have received the FEMA reimbursement funds, so that should help in that area but the other area is the gas utility and we are at 81% of our budget due to the cold winter and a notice will be going out to all departments to keep the heat down in the coming months.

Councilwoman Cooper reported on the comment cards that are out and about in the different departments and it is a continuation of our survey and basically asking everyone how we are doing and where we can make improvements, if there is a need to do so and they are coming in, so she is pleased to advise that we are getting some positive feedback.

MAYOR GEMMA: Absent.

COUNCIL PRESIDENT GATTA: Council President Gatta stated in Mayor Gemma's absence she appointed David Gruskos as a Class IV member on the Planning Board to fill a vacancy, which term expires on December 31, 2004.

Council President Gatta reported that the Community Day has been scheduled for Saturday, October 25 from 9:00 a.m. to 3:00 p.m. at the Old Wharf House and she is hoping to let the

community know of the many services, organizations and clubs that are available to them in the town and it is also Make a Difference Day and it fits in with what we are trying to do and letters will be going out shortly to all the various committees, organizations and clubs in the town asking for their participation in this event.

Council President Gatta advised that yesterday she had the privilege of attending both the Senior's meeting and the First Aid Squad meeting and as everyone is aware, the circus came to town last week and offered her thanks to the seniors who hosted the circus under the Chairmanship of Peter Dellera, Sr., which event generated $12,000 for the First Aid Squad to help with their building fund. She commented that it was a wonderful effort by the seniors and the First Aid and special thanks must also go to the NJ Sports & Exposition Authority for allowing us to use the field and to Chief Bebout for working very closely with Mr. Dellera in scheduling the men and having it covered at all times. She stated there have been many positive comments made about the circus from not only residents of Oceanport, but from people all over and we are looking to do this again next year.

Council President Gatta commented that this is the second time since she has been on the Council that the seniors have had a major fund raiser for the First Aid Squad, the first was several years ago where they had a spaghetti dinner and generated $6,000 for the First Aid to purchase two defibrillators and the seniors are certainly wonderful neighbors to all of us in the Borough.

Council President Gatta reported at last nights First Aid meeting it was reported that in July there were 80 calls, which equals to date 442 calls that they have responded to, which included 8 mutual aid calls and equated to 615 man/woman hours and it has been a very busy August so far, as well.

Council President Gatta read a letter, which was received by the First Aid, and although she did not mention any names, it thanked the First Aid Squad members for saving this person's life as well as the lives of seven other people due to their quick thinking and fast assessment of the situation.

Council President Gatta stated it was reported at the First Aid meeting that their fund drive has received 37% participation and she urged anyone who has not as yet donated, to please do so.

Council President Gatta stated that our National Night Out was great and everyone went out and looked at all our emergency services and their equipment that was on display, talked with representatives of our Coastal Alliance and from Monmouth Medical Center and obviously brought the community together. She advised that there was an article in the newspaper stating that not many communities had participated in this National Night Out this year, which is their anniversary year and she was quite pleased that we took part in this event as a community. She especially wanted to acknowledge the efforts of Sgt. Steve Tagerty and Patrolman Mike Kelly in making this a very successful event. Council President Gatta also commented on the picture in the Link of Tom Crochet with his daughter at National Night Out, saying that a picture is worth a thousand words.

Council President Gatta ended her report on a positive note, reminding everyone that two years ago, an Oceanport resident, Dora Cook, turned 100 years old and this past Saturday, she celebrated her 102nd birthday and she went to visit her, but had to go in the afternoon since she was having lunch at the Molly Pitcher. Council President Gatta stated that Mrs. Cook had the need to call the First Aid Squad a while back and was astounded by how quickly they responded to her call and she is very appreciative of our emergency services.

Council President Gatta then opened the meeting to the public for any comments or questions they might wish to make.

PETITIONS FROM THE PUBLIC:

Mr. Ed Ryan, 24 Willow Court stated that several months ago he read in the newspaper about other towns getting grants from the County and he approached a member of the Council about this, who got in touch with him. He said that since then, he has heard that a member of the Council has been saying that he wanted to go through the County, but the other Council members did not want to go through the County. Mr. Ryan felt that when the Council discusses something with regard to funding that is available from the County, it should be discussed at the regular meeting to inform the public that it was the decision of the entire Council that it was not a good idea. Mr. Ryan stated he is saying this because with election time coming up, he felt that everyone should tell the truth and not make it sound like the Borough did not try to get funding since he read a letter from the auditor which said that it was not in the best interest for the Borough to go through the County.

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

Councilwoman Cooper moved to approve the vouchers on the Bill List dated August 21, 2003. It was seconded by Councilman Apruzzi and approved by Council. TOTAL CAPITAL TRUST $44,030.20. TOTAL DOG REGISTRY $6.00. TOTAL ESCROW TRUST $3,722.50. TOTAL FIREWORKS TRUST $318.00. 2002 VOUCHERS PAID $91,832.80. 2002 VOUCHERS PAID THIS MEETING $4,616.56. TOTAL 2002 VOUCHERS $96,449.36. 2003 VOUCHERS PAID $8,455,038.98. 2003 VOUCHERS PAID THIS MEETING $490,680.09. TOTAL 2003 VOUCHERS $8,945,719.07. (SEE BILL LIST)

At 8:40 p.m. Councilman McGann moved to adjourn this meeting until the next regular meeting scheduled to be held on September 4, 2003 at 8:00 P.M. It was seconded by Councilman Apruzzi and approved by Council.

Respectfully submitted,

Patricia L. Varca

PATRICIA L. VARCA
BOROUGH CLERK