

Oceanport, New Jersey
August 20, 1992

REGULAR MEETING: The regular meeting of the Oceanport Mayor and Council was called to order on August 20, 1992 at 8:05 P.M.

MEMBERS PRESENT: Councilpersons Clark, Terra, Filippone, Miller, Taylor, Wolfe 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 July 16, 1992 had been made available for review by the members of the Governing Body, Councilman Wolfe moved to waive the reading of same and approve the minutes as presented by the Clerk. It was seconded by Councilman Taylor and approved by Council, with the exceptions of Councilpersons Terra and Filippone who abstained from voting since they were not present at that meeting.

Mayor Cavanagh then opened the meeting to the public for any comments or questions with regard to the amendments made to the 1992 municipal budget.

As no one from the public wished to be heard on this matter, Mayor Cavanagh closed the public hearing on same and asked the Clerk to read resolution R-92-59 adopting the 1992 Municipal Budget, after which it was approved by Councilman Miller and seconded by Councilman Wolfe.

The Clerk called the roll:

AYES: Councilpersons Clark, Terra, Filippone, Miller, Taylor and Wolfe.
NAYS: NONE.
ABSENT: NONE.
ABSTAIN: NONE.

CLERK'S REPORTS:

1. Police report for the month of JULY, 1992 and a copy will be posted on the Bulletin Board.
2. Application for membership to the Oceanport Hook & Ladder Fire Co. made by Daniel P. Caffyn.

Councilman Terra moved to approve the application. It was seconded by Councilman Clark and unanimously approved by Council.

3. Raffle applications made by the following:
 - a] Monmouth Pk. Charity Fund, to be held 9/5/92, 50/50 raffle.
 - b] Monmouth Pk. Charity Fund, to be held 9/7/92, prize- mink coat.

Since the Clerk advised that all paperwork was found to be in order and the required fees had been paid, Councilman Wolfe moved to approve these raffle applications. It was seconded by Councilman Taylor and unanimously approved by Council.

COMMITTEES:

COUNCILMAN CLARK: Councilman Clark commented as he had reported at our last meeting, because of a change in the federal regulations we can no longer dispose of appliances that contain freon gas, such as air conditioners, refrigerators and freezers and the freon must be removed prior to disposal. He stated we are going to continue to collect these appliances, but keep them separate until we have a dumpster load, we will have them disposed of at an increased cost to the Borough. Councilman Clark asked that any resident who will be replacing any appliance that contains freon gas, to request the old one disposed of by the business from which they are making the purchase. He stated that the Borough will continue to pick up these items at no charge to the homeowner for the present time, but if the costs become excessive, we will have to look at that possibility.

Councilman Clark advised that our recycling effort for the 2nd quarter totals 370.9 tons, which breaks down to 237 tons of newspapers; 72 tons of bottles and cans; 18 tons of scrap metal; 44 tons of other items and shows a good effort by all the residents and he thanked Mr. Remski for coordinating that information.

Councilman Clark also reported that we have been notified by the recycling center that they will no longer accept any White Malibu Rum bottles in the recycling containers because they are considered ceramic so he asked that those be disposed of in the trash.

Councilman Clark stated there was a recycling meeting scheduled for tomorrow morning sponsored by Monmouth County and he will be attending.

Councilman Clark reported that Cub Scouts sign up will be held on September 11 at Wolfhill School and anyone interested, should be at the school.

ORD. #624 COUNCILMAN TERRA: Councilman Terra called for the second reading and public hearing of the 1992 salary ordinance 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 "AN ORDINANCE TO FIX AND DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED ON MARCH 16, 1939.

Mayor Cavanagh opened the meeting to the public for any comments on this subject only.

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

Councilman Terra moved to adopt this ordinance on final reading and to advertise same in accordance with law. It was seconded by Councilman Taylor.

The Clerk called the roll:

AYES: Councilpersons Clark, Terra, Filippone, Miller,
Taylor and Wolfe.
NAYS: NONE.
ABSENT: NONE.
ABSTAIN: NONE.

Councilman Terra then called for the introduction of an ordinance amending the present Substance Abuse Committee ordinance and asked the Clerk to read the proposed ordinance by title only as follows: AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "THE SUBSTANCE ABUSE COMMITTEE ORDINANCE" OF THE BOROUGH OF OCEANPORT PASSED AND APPROVED ON OCTOBER 20, 1988.

Councilman Terra moved to approve this ordinance on first reading. It was seconded by Councilman Taylor.

The Clerk called the roll:

AYES: Councilpersons Clark, Terra, Filippone, Miller,
Taylor and Wolfe.
NAYS: NONE.
ABSENT: NONE.
ABSTAIN: NONE.

Councilman Terra then moved to hold the public hearing on this ordinance at the next regular meeting scheduled to be held on September 3, 1992 and to advertise same in accordance with law. It was seconded by Councilman Taylor.

The Clerk called the roll:

AYES: Councilpersons Clark, Terra, Filippone, Miller,
Taylor and Wolfe.
NAYS: NONE.
ABSENT: NONE.
ABSTAIN: NONE.

Councilman Terra advised that the Police Report for the month of July once again shows the patrols were out in force as usual and logged over 10,000 miles and complimented the Chief and members of his Department.

Councilman Terra noted that attached to the report was a certification stating that Patrolman Steven A. Tagerty has been certified to instruct other members of the Department in the application of Oleoresin Capsicum Hand Held Aerosol Restraints.

Councilman Terra offered his compliments to Patrolman VanBrunt and Detective Sutton regarding their responding to a call for an individual who was quite ill and apparently went into cardiac arrest as Patrolman VanBrunt arrived at the scene. He continued that both Patrolman VanBrunt and Detective Sutton applied all necessary emergency procedures and were able to stabilize the individual until help arrived and was then taken to the hospital and commended their fine efforts.

Councilman Terra also offered his compliments to the Fire Department and stated that July was a very busy month for that department as well and

he has received many favorable comments from Borough residents with regard to response time and asked the Chiefs who were in the audience to bring back the comments to the members of the Department.

Councilman Terra stated that he wanted to briefly comment on the OpSail Celebration and reported that it went off beautifully and thanked all the members of the Oceanport community who helped out from Joe Buccieri who put up the notice on the Community Events Sign to Cheryl Moore and Michelle Gruskos and a host of others who helped make this so successful. He continued that the celebration involved 50 Spanish sailors who were entertained at the Shrewsbury Sailing and Yacht Club in Oceanport and everyone had a terrific time and the Captain of the ship was very gracious in extending his gratitude to all of us and stated that his midshipmen and officers had the best time since they left Spain some 15 months ago.

COUNCILWOMAN FILIPPONE: Councilwoman Filippone reminded the Oceanport residents that we are in the midst of a rabies problem and there has been a case confirmed in West Long Branch and as of July 17, 1992 there were 150 positive cases of rabies within Monmouth County and she again wanted to urge all parents to keep their children away from strange animals and if you observe any animal acting suspiciously, stay away from them.

Councilwoman Filippone also wanted to remind residents that we are in the middle of the Lyme's disease season and it is not something to be taken lightly and if you are bitten by a tick, you should see your doctor immediately for treatment.

Councilwoman Filippone also wanted to remind the residents that the Oceanport First Aid Squad is conducting their annual fund drive and she understands that these are tough economic times, but urged everyone to do what they can because this is a major fund raiser for the Squad.

Councilwoman Filippone reported that the Squad responded to 32 calls during the month of July, of which 16 were emergency calls, 8 were fire calls and the rest were transportation and mutual aid calls and performed a total of 177 man/woman hours.

Councilwoman Filippone noted that Chick Walling, who is a Charter Member of the Oceanport First Aid Squad, is in the hospital after suffering a heart attack and is recuperating and she offered the Council's best wishes on a speedy recovery.

Councilwoman Filippone noticed Patrolman VanBrunt in the building tonight and she was aware that he had not been feeling well and was pleased to see him back.

Councilwoman Filippone stated on a personal note, she recently had reason to contact the Police Department and complimented Patrolman Cioffi for his tremendous expertise and professionalism in the manner that he handled the situation, as well as the Dispatcher who was on duty. She also complimented Patrolman Baldanza and Sgt. Bebout for their assistance and thanked them all for their help.

COUNCILMAN MILLER: Councilman Miller reported under Recreation, the Summer's End Festival will be held on Sunday, Sept. 13 with a rain date set for Sunday, Sept. 20. He continued the Fort Monmouth Army Band will be there starting at 6:00 P.M. and there will be softball games, food vendors, tailgate picnics ending with fireworks at dark. He commented that we have now collected in the fireworks fund \$4,200 and this is ahead of any other year and in these economic times, it is really surprising and the

cost is approximately \$4,500, so based upon other years, we normally receive money after the fireworks as well, so we will have seed money for next year. He thanked all the residents and businesses of the Borough on behalf of the Recreation Committee for their donations.

Councilman Miller advised that soccer will begin on Sept. 5 and continue to October 24 and we have approximately 250 children from Oceanport who have signed up for this program.

Councilman Miller reported that the Oceanport Action Camp is over and they had 168 children signed up this year.

Councilman Miller commented under the Waterways and Water Watch Committees he posted the latest results on the front door, but unfortunately we do not have any results from last Saturday or Tuesday because of the rainy weather, but on August 1 the Water Watch Committee did their ambient testing and by and large, except for Branchport Creek and four other sites, the water quality index was average. He continued that the testing done strictly in Branchport Creek for the Monmouth County Board of Health, which is done by the Waterways Committee, the numbers ranged from 1,600 at Casa Comida Bridge down to 80 at the Atlantic Avenue Bridge and what that tells him is that the sewer project completed in Long Branch is working out well as far as the river is concerned, because other areas of the river were not good. He commented that we went through a very dry spell and then had very wet weather, so that everything that would have been collected in the storm drains, lawns, etc. was washed into the river by all the rain.

Councilman Miller stated that samples were taken this morning and even with all the rain, it was phenomenal to see the small amount of debris floating in the river, which is one large plus that has taken place and the comments that have been in the area newspapers are beginning to show dividends as far as keeping floatables out of the river.

Councilman Miller thanked the Board of Health for a very nice letter to the Waterways and Water Watch Committees for their efforts in the water sampling as well as to the reporters for the fine articles they have been running.

Councilman Miller asked the Clerk to read resolution R-92-60 appointing a Coordinator and Assistant Coordinator under the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973, after which Councilman Miller moved to approve same. It was seconded by Councilman Taylor and unanimously approved by Council.

COUNCILMAN TAYLOR: Councilman Taylor announced that the Oceanport Drug Alliance will be meeting on September 3, 1992 at 7:30 P.M. at the Maple Place School and we will be working on some fund raising activities that will be coming up and on September 1, 1992 he will be attending a meeting in Freehold to see if we will be receiving any grant money for the projects we have submitted.

COUNCILMAN WOLFE: Councilman Wolfe commented on the parks in the Borough stating that another major improvement has been completed and back in June there was some dangerous fence conditions noticed at the hard ball field at Blackberry Bay Park and he and Councilman Taylor went out and got some price quotes on repairs and Walter Treacy, who is a resident and owner of a fence company, he coordinated a volunteer effort to install the fencing after it was purchased and we saved well over \$1,500 to the Borough.

Councilman Wolfe offered his thanks and appreciation to Mr. Treacy and to Councilman Taylor, Don Ross and his own son Brian who helped out as well with this project.

R-92-61 Councilman Wolfe asked the Clerk to read resolution R-92-61 granting an extension of the grace period for 3rd quarter tax payments, after which he moved to approve same. It was seconded by Councilman Clark and unanimously approved by Council.

Councilman Wolfe commented on the storm this past Monday evening and he thanked the Police, Fire and First-Aid Departments for their spontaneous response when the flooding started and Public Works was called in and Superintendent Guirlando was here putting up barricades and the thanked everyone involved for a well coordinated effort on everyone's part.

Councilman Wolfe stated that the last of the water warning signs has been installed and that project is now completed and thanked the Public Works Department for their cooperation in getting the signs up.

MAYOR CAVANAGH: Mayor Cavanagh explained that the resolution we just passed regarding the grace period extension is an attempt on our part to acknowledge the fact that due to the reason stated in the resolution, such as the State Aid figures not being known and other absent factors, the State has been approving budgets late and the County has yet to strike a tax rate because they must receive all the municipal budgets before they can come up with the 1992 rate. He continued that we asked the residents in the Borough to please pay their third quarter based upon the second quarter amount because we could not give them a correct third quarter amount. He stated it was our considered opinion that if the tax payers came in and paid the tax amounts they were asked to pay, it seemed inequitable to then say that if the new tax bill results in a larger charge being affixed and we were unable at the time, to tell them the larger amount, that they would then be assessed a penalty on the money due, so in our own way we are trying to make Government seem like it understands what people have to deal with on their own and we appreciate the cooperativeness of the residents in the Borough who have come forward and paid the amount requested and therefore, we are not going to penalize them for the fact that their State Government was unable to deliver the documents to allow a third quarter tax bill to be completed.

Mayor Cavanagh stated that by affixing a date in the resolution for the end of the grace period, that when the tax bills go out, which is anticipated for early September and hopefully not later than September 15, and then everyone will be given several weeks then to take care of the balance in question without incurring any kind of an interest payment.

Mayor Cavanagh also advised in this regard we have been advised by the County that after adopting this resolution, since we had written to the County previously and stated in light of the continuing circumstances, if we could defer the payment of our County taxes until a time sufficient to raise the money through the system we just discussed and we received notification from the Director of Finance of the County that the payment date for our County taxes would be extended until the date we just fixed in the resolution of September 30, 1992.

Mayor Cavanagh extended publicly the appreciation of the entire Governing Body to the County for being cooperative in this situation.

Mayor Cavanagh announced that according to our fireworks donation collector, we have reached a fairly desirable number for this year's event

and we are close to the top, which is encouraging news who will be attending our annual Summer's End Festival ending with the fireworks display and asked anyone who has not yet sent in their donation, to please do so because we are still accepting them and if there is money left over it will be used as seed money for next year.

Mayor Cavanagh then opened the meeting to the public for any comments they might wish to make.

PETITIONS FROM THE PUBLIC:

Rick Sweger, 1244 Turf Drive asked if the Borough has been advised yet if the State has approved their budget for 1992, to which Mayor Cavanagh stated that the State has approved the budget and the Governing Body adopted the 1992 amended budget earlier this evening, so we are waiting for the County to fix a tax rate and then we can advise you as to what the new tax rate will be.

Mr. Sweger asked if in his position as Fire Chief, the money he has been spending so far this year is now covered, to which Mayor Cavanagh stated the money was covered during the year by a temporary budget which had been amended all along, but we did ask everyone to use a little restraint in spending only for necessities so that we did not have to borrow money to pay the bills and it appears we have successfully averted that problem.

As no one else from the public wished to be heard, Mayor Cavanagh closed the public portion of the meeting.

Mayor Cavanagh stated that before Councilman Wolfe moves to pay the bills, he felt that since the County was good enough to advise us that they will allow us to defer paying the County Taxes, the allocations due the County are listed on this meeting's Voucher Register, which are items we could approve, but delay payment until September 30, 1992 and requested of the Chief Financial Officer that if money had to be transferred to pay these bills, to have it put back for the thirty days so we can earn more interest.

Councilman Wolfe moved, with the above provisions regarding the bills due the County of Monmouth, that the bills as listed on the Voucher Register dated August 20, 1992 be approved for payment. It was seconded by Councilman Taylor and approved by Council with the exceptions of Councilman Terra who abstained from voting on those vouchers due Ed Brister and Councilman Wolfe who abstained from voting on the vouchers due Trico/Coastline Equipment. TOTAL 1992 VOUCHERS \$955,862.96. TOTAL 1992 VOUCHERS PAID THIS MEETING \$86,215.83. TOTAL 1992 OPERATING FUND \$1,042,078.79. TOTAL TRUST ACCOUNT \$4,587.26. TOTAL CAPITAL ACCOUNT \$31,107.00. TOTAL MONEY MARKET ACCOUNT \$1,055,000.00. TOTAL FIREWORKS TRUST ACCOUNT \$2,219.20. TOTAL RECREATION TRUST ACCOUNT \$1,411.99. TOTAL PUBLIC ASSISTANCE II TRUST \$764.92. TOTAL DOG REGISTRY ACCOUNT \$724.46. TOTAL GENERAL LEDGER-SHORE REGIONAL HIGH SCHOOL \$145,544.60. TOTAL GENERAL LEDGER-FIRE PREVENTION \$40.00. TOTAL GENERAL LEDGER-REFUND C.O. FEE \$25.00. TOTAL GENERAL LEDGER-3RD PARTY REDEMPTION \$9,121.31. TOTAL GENERAL LEDGER-RECORD LIENS \$12.00. (SEE VOUCHER REGISTER)

Councilman Wolfe commented that listed on the voucher register are bills due Mercury Oil Company, who picks up the used motor oil from our recycling drop off center and during the past six week period, they have emptied the 275 gallon oil tank which amounts to 1100 quarts and over the

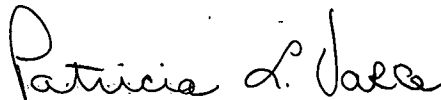
six week period we have recycled over 3,300 quarts of oil and wondered where all that oil went to before we began recycling the used motor oil.

At 8:44 P.M. Councilwoman Filippone moved to go into Executive Session to discuss a personnel matter. It was seconded by Councilman Miller and unanimously approved by Council.

At 9:25 P.M. Mayor Cavanagh called the regular meeting back into session and advised for the record that all Councilmembers were present on the dais and there would be no discussion regarding the personnel matter.

Councilwoman Filippone moved to adjourn the meeting until the next regular meeting scheduled to be held on September 3, 1992 at 8:00 P.M. It was seconded by Councilman Terra and unanimously approved by Council.

Respectfully submitted,



PATRICIA L. VARCA
BOROUGH CLERK