REGULAR MINUTES

Oceanport, New Jersey
July 18, 1996

REGULAR MEETING: The regular meeting of the Oceanport Mayor and Council was called to order on July 18, 1996 at 8:15 P.M.

MEMBERS PRESENT: Councilpersons McGee, Filippone, Taylor, Wolfe, Silkworth and Mayor Cavanagh.
Councilman Miller took his place on this Dais at 8:28 P.M.

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 of the Regular Meeting held on June 20, 1996 and the Special Meeting held on July 1, 1996 had been made available for review by 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 approved by Council, with the exception of Councilwoman Filippone who abstained from voting on the minutes from the meeting held on June 20, 1996 because she was not present.

CLERK'S REPORTS:

1. Police report for the month of JUNE, 1996 and a copy will be posted on the Bulletin Board.

COMMITTEES:

COUNCILMAN MCGEE: Councilman McGee advised that the first meeting of the Oceanport Safety Committee was recently held with a Loss Control Consultant from the Statewide Worker's Compensation Fund and the purpose of this meeting was to try to provide more input from the workers in order to make a safer work environment for the Borough. Councilman McGee stated that he attended the meeting together with Chief Joyce, Tom Crochet representing both the Fire Company and the Public Works Department and Carole Connor from the First Aid Squad. He reported that it was decided at this initial meeting that this Committee would meet quarterly to discuss any safety issues, claims, etc. in order to improve the Borough's work environment.

Councilman McGee stated that the next worker's compensation seminar is scheduled to be held on August 14 and will be on self inspection and hazard identification.

Councilman McGee reported on the Lions Club Fair commenting that it was a great success and thanked everyone involved with the overall effort which reflected well on all of Oceanport. He wanted to specifically thank Pete Dellera, Jr. for all his cooperation in providing the required paperwork in a very efficient manner and it was appreciated and he looks forward to a second annual Lions Club Fair.

Councilman McGee extended his condolences to the family of Pat Heffernan Wersinger who passed away on July 5 and had served the Borough in the past as the Attorney to the Zoning Board and he had presented an application before that Board while she was serving in that capacity and found her to be very fair and an excellent representative for the Borough.

Councilman McGee suggested that we all say a prayer for the families of the victims of TWA Flight 800.

COUNCILWOMAN FILIPPONE: Councilwoman Filippone called for the introduction of an amendment to the Police Department ordinance and asked the Clerk to read the proposed ordinance by title only as follows: **AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED "THE POLICE DEPARTMENT ORDINANCE OF THE BOROUGH OF OCEANPORT" PASSED AND APPROVED DECEMBER 1, 1938.**

Councilwoman Filippone moved to approve this ordinance on first reading. It was seconded by Councilman McGee.

The Clerk called the roll:

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

Councilwoman Filippone then moved to hold the public hearing on this ordinance at the regular meeting scheduled to be held on August 15, 1996 beginning at 8:00 P.M. It was seconded by Councilman McGee.

The Clerk called the roll:

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

Councilwoman Filippone called for an amendment to the 1996 Salary Ordinance and asked the Clerk to read 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 6, 1939.**

Councilwoman Filippone moved to approve this ordinance on first reading. It was seconded by Councilman McGee.

The Clerk called the roll:

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

Councilwoman Filippone then moved to hold the public hearing on this ordinance at the regular meeting scheduled to be held on August 15, 1996 beginning at 8:00 P.M. It was seconded by Councilman Wolfe.

The Clerk called the roll:

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

Councilwoman Filippone gave the Oceanport First Aid Squad's Captain's Report for the month of June, 1996 stating that it was a very busy month for the Squad for a total of people hours of 403; 35 calls; 21 emergencies, 6 motor vehicle, 2 fire, 6 other, 2 mutual aid and 1 drill. She also made note of the fact that the Squad is presently undertaking their annual fund drive and so far they are not doing well, with only 35% of the residents responding and raised approximately $19,000, so if anyone has not already donated, she urged everyone to please give as generously as possible, since they need funds for maintaining and purchasing the equipment necessary. Councilwoman Filippone reminded everyone that the Squad is there for all of us 24 hours a day, seven days a week and she hoped everyone would donate to this most worthy organization.

Councilwoman Filippone stated that one of our long time residents, Joe Burke, died recently and he and his family have been vital members of this community and he was a very fine gentleman and he and his wife raised three fine sons.

Councilwoman Filippone commended Pete Dellera, Jr. for the fine job he did with the Lions Club Fair and it really was a credit to this town and she also commended all the other people involved in making this such a successful event.

COUNCILMAN MILLER: NO REPORT.

COUNCILMAN TAYLOR: Councilman Taylor reported under Recycling, telephone books may be recycled at the Drop Off Center where we have a special dumpster for this use and it will be there through July.

Councilman Taylor also commended the excellent job done with the Oceanport Lions Club Carnival by all the volunteers involved.

COUNCILMAN WOLFE: Councilman Wolfe asked the Clerk to read resolution **#R-96-42** authorizing the Tax Collector to refund a tax overpayment for Block 52, Lot 8, after which Councilman Wolfe moved to approve same. It was seconded by Councilman Taylor and unanimously approved by Council. #R-96-42

Councilman Wolfe asked the Clerk to read resolution **#R-96-43** authorizing the Tax Collector to refund a tax overpayment for Block 60, Lot 3, after which Councilman Wolfe moved to approve same. It was seconded by Councilwoman Silkworth and unanimously approved by Council. #R-96-43

#R-96-44 Councilman Wolfe asked the Clerk to read resolution **#R-96-44** granting a senior citizens tax deduction to Maria Havens at Block 52, Lot 6, after which Councilman Wolfe moved to approve same. It was seconded by Councilman Taylor and unanimously approved by Council.

#R-96-45 Councilman Wolfe asked the Clerk to read resolution **#R-96-45** regarding the purchase of a surplus vehicle from the Township of Middletown, which is a 1983 Ford Dump Truck in the amount of $2,000, after which Councilman Wolfe moved to approve same. It was seconded by Councilwoman Silkworth and unanimously approved by Council.

Councilman Wolfe explained that this vehicle that the Township of Middletown was using in its daily operations and it is a 5-6 yard dump truck that can be equipped with a snow plow and it was going to either be traded in or auctioned off by Middletown, and it is in good operating condition and we have had several test runs with the vehicle and it is going to be a truck which will not only augment the daily operations of the Public Works Department, but in the winter time it will be one of the back bones of the snow fighting equipment because of its size. He continued that a similar type of truck either a left over 95 or a new 96 would cost the Borough somewhere in the neighborhood of $38,000, so obviously although it is a used vehicle, for $2,000., the tires are in good to excellent condition and would be worth that amount.

Councilman Wolfe moved to authorize the Borough Engineer to prepare plans and specifications for the 1996 Road Improvement Program and to advertise and receive bids for same. It was seconded by Councilman Taylor and unanimously approved by Council.

Councilman Wolfe stated in light of this motion regarding the road program, he is in receipt of the monthly report from the Public Works Foreman, Tom Crochet, which show that they have been doing a lot of road work over the past month and they have not only been filling in pot holes, but have been putting down some overlays, which include Tecumseh, Pocahontas and Main Street and he has looked at the roadways when they are completed, and they are doing a very professional job and he commended both the Road Department and Mr. Hansen who is assisting Tom Crochet and his crew to make sure they carry out these projects in a very professional manner, since blacktop is a tricky job.

Councilman Wolfe stated we have now brought back into house something that we have not done for many years in overlaying some of the smaller streets and by doing it ourselves, it only takes manpower and purchasing the black top at $26 per ton.

COUNCILWOMAN SILKWORTH: Councilwoman Silkworth reported that plans and specifications are being prepared by our volunteer architect, Eric Wagner, for the replacement of the ceiling tiles in the corridors of this building as well as planning for more energy efficient lighting. She thanked Eric Wagner of the Oceanport Wagners for his volunteer efforts with this project, which is saving the Borough money.

Councilwoman Silkworth also extended her congratulations to the Lions Club and to Pete Dellera, Jr. for a job well done on the recent Carnival.

MAYOR CAVANAGH: Mayor Cavanagh commented that Mr. Hansen is in the audience this evening and he wanted to also mention that he and Mr. Crochet were very active in securing this truck and researching this matter, which the Mayor felt was going to be a real boom for the town and it is one of several reasons that the decision that the Council made earlier in the year regarding

hiring Mr. Hansen and his role with Mr. Crochet's continuing development concerning the Public Works Department is bearing fruit already and he is very pleased with the results and how is it working and extended his thanks on behalf of the Council to both Don Hansen and Tom Crochet.

Mayor Cavanagh stated that he wanted to express his thoughts on TWA Flight 800 and commented that for anyone who has ever put their child on an airplane, which he did several years ago when his daughter flew to Europe on a Shore Regional trip, very similar to the children from Pennsylvania, to say it is tragic is silly, since it is almost obscene and for those parents whose children were in the French Club and on their way to Paris, he felt we could all identify with what is happening with them and hoped everyone would just say a prayer for everyone involved. He also stated that the Borough's Sewer Authority Representative and Planning Board Member, Elwood Baxter, flew to Paris about three weeks ago and he is not sure if it was the same flight or airline, but he was in the same type of scenario and it is incredible that these types of things happen and we all join in sending our condolences to all of those people effected by this terrible event.

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

PETITIONS FROM THE PUBLIC:

Mrs. Gina Rescinio Dunn, 43 Pocahontas Ave. wanted to know if there were any plans to upgrade the playground equipment at Blackberry Bay Park and noticed that recently, one of the pieces has been removed and some of the equipment appears to be quite old and is starting to rust.

Mayor Cavanagh asked Councilman Miller, who is the Recreation Liaison to respond to Mrs. Dunn's comments.

Councilman Miller advised that this past Spring he, Councilman Wolfe and a member of the Recreation Committee who is up on handicap access, made a survey of all the parks and there were certain pieces of equipment which were not in compliance with safety regulations and that is the reason the one piece of equipment was removed from Blackberry Bay Park. Councilman Miller continued that they are in the process of putting together a 2-4 year plan, depending upon the amount of money allocated for this purpose, to upgrade the present equipment in the parks.

Councilman Miller reported that the Public Works Department has recently removed a 10' slide which was considered unsafe as well as equipment where the sandy area was not large enough to protect a child if they were to be thrown off the equipment. He stated that we are looking to upgrade one of the parks, possibly the Community Center Park or Blackberry Bay Park by removing the present equipment and replacing it with something safer and more attractive. He stated he has been asked why we cannot have something like Little Silver has, but that cost approximately $60,000-$70,000 and they had a much larger area, but we will try to improve the facilities on a smaller scale.

Mrs. Dunn stated she was looking for something more appropriate for the younger children and stated that a lot of the equipment is geared for older children, since there are items to climb on, etc., to which Councilman Miller stated it is going to take us several years to complete this type of project because we have tennis courts starting to deteriorate and there is only so much money allocated for recreation purposes and we are trying to balance out the needs.

Councilman Miller again stated that we now have a member on the Recreation Committee who is involved in handicap access, which is a plus for the Borough.

Mayor Cavanagh suggested that after the meeting, Councilman Miller take Mrs. Dunn's phone number and perhaps when the proposal is being put together, she can be given an opportunity to give her suggestions directly to the person in charge, to which Mrs. Dunn thanked the Mayor and Councilman Miller.

Kerwin Slattery, 10 Elliott Place stated he was here this evening to request an apology and an explanation with regard to a situation which arose several months ago where interviews were held for the position of a police officer for the Borough and he was one of the people who was interviewed. He continued that two days prior to his interview, Councilman Miller took it upon himself to inform his wife, at her place of business, that he felt that Kerwin did not have a chance and that the reason he was being interviewed was because of who his father was in the Borough and not because of his qualifications from the Long Branch Police Department. Mr. Slattery stated after hearing this from Councilman Miller, his wife was quite upset and he wanted to know how something like that could have been said to her and he understands fully that the Council hired a gentleman who is highly qualified and he has no problem with that and he understands why he was not hired. Mr. Slattery also raised the question of if these feelings were apparent to Councilman Miller prior to his interview, why he was allowed to be included in the interview process, since he had a conflict of interest with Mr. Slattery being hired.

Councilman Miller stated that all his life he has taken responsibility for the good, bad and the ugly and when he does something good, you rarely get a pat on the back, but when you do something bad, you hear about it. He commented that he wished that several of the people who made telephone calls to the Mayor, had contacted him directly because the Mayor is not his father and does not have to answer for anything he does as a Councilman and felt that if he had been contacted directly, this entire situation could have been ironed out.

Councilman Miller reported that as he remembers this meeting he was trying to not make Mrs. Slattery feel bad and he has known her for many years and thinks very highly of her, as he does Kerwin because he has watched both of them grow up and he would never intentionally hurt either of them and his intention was that in the past, he wanted to make it plain to you that there were times that the Council felt that there were people in town that should have been interviewed and were not given the chance and his statement to Mrs. Slattery, as he remembers it was that we were not going to do that this time and there were three at the time from the Borough that were going to receive an interview, even though their qualifications were not quite what the advertisement required. Councilman Miller then informed Mrs. Slattery, because he did not want either her or Mr. Slattery to get their hopes up, that unless you came in and interviewed as one of the top candidates, that it would be difficult for us to recommend you because you did not have the required qualifications.

Councilman Miller also stated that during this conversation he did say that it was kind of ironic that Mrs. Slattery's husband was the son of someone who Councilman Miller held in high esteem, but he was not being interviewed for that reason, but was being interviewed because he was a citizen of Oceanport and the other person was not in that position and that is what he meant to say.

Councilman Miller stated that if what he said did not come out the way he intended it to and he hurt their feelings, he publicly apologized and nothing was decided at that point in time. Councilman

Miller also advised that there were three other people who came in above Mr. Slattery who we recommended and he was not the only person involved in the selection process.

Mrs. Slattery stated she wanted to explain why she did not contact Councilman Miller following their conversation, and continued that what upset her the most was the statement that he made stating that we already know who we are going to hire, which when he used the word we, represents the entire Borough Council, so she went right to the top and contacted the Mayor.

Councilman Miller stated it would have been very stupid of him to make a statement to her advising that we already knew who we were going to hire, to which Mrs. Slattery agreed with him, but she stated that is why she is here this evening.

Mrs. Slattery also asked for an explanation as to why, following her conversation with the Mayor advising him why she was so upset, that Councilman Miller was still allowed to be involved with the interview process and direct questions to her husband, to which Councilman Miller stated that he was not aware of her being upset at that time and was not aware of the conversation she had with the Mayor until about two weeks ago, to which Mayor Cavanagh agreed, since his conversation with Mrs. Slattery was the day after the interviews.

Councilman Miller stated that the Mayor had asked him to contact the Slattery's and he was quite upset and told him that he would not because they did not call him about this matter and felt it was not right.

Mr. Slattery felt that what his wife stated was exactly what he had said to her and there were several other people who had heard the same type of statement, to which Councilman Miller stated that if he was misunderstood in what he said, he had already apologized and did not know what else he could do.

Mr. Slattery stated that he felt that Councilman Miller had been speaking on behalf of the rest of the Council members, but he now feels that they were not aware of what was going on or who was going to be hired, to which Councilman Miller stated he did not know who was going to be hired either. Mr. Slattery commented that according to his wife following their conversation, Councilman Miller stated to her that we already know who is going to be hired and he already works for the town and he is in the Academy and he will be out in June, to which Councilman Miller stated he did not remember making that statement.

Mayor Cavanagh commented to Mrs. Slattery that the gentleman that was hired does not work for the town already, to which Mr. Slattery reiterated that he is not here this evening because he was not hired and was fine with the fact that the gentleman has better qualifications and he is sure that this was not a decision made by one person.

Mayor Cavanagh stated he is trying to let this conversation stay within certain perimeters because we are close to getting into a personnel matter with this discussion and did not want to have any names used in this conversation and did not want to have anyone think he was trying to cut them off, but we have to be careful during this discussion.

Mr. Slattery stated he just wanted to make sure that everyone understood that he was not here this evening because he was not hired and he has a job working with his father's company, where he has a future as well as working as a Police Dispatcher for the City of Long Branch, where

unfortunately, they will only hire you as a Police Officer and send you to the academy if you live in town, which he does not and he lives in Oceanport and wanted to be a Police Officer as his career.

Councilman Miller commented to Mr. Slattery that the next time there is an opening and if he is presently in the Police Academy or have already completed the Academy, you would probably be next in line and would be a very good candidate.

Mayor Cavanagh reiterated to Kerwin that he was not interviewed because Jim is his father, although the Mayor and Jim have been friends for many years, but this had nothing to do with the interview and explained further that he was interviewed because he was a resident of this Borough and the Council had decided a while back that anyone who applies from town, should be given the courtesy of an interview for a position and felt it is now policy on the part of the Governing Body.

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 July 18, 1996 with Councilman McGee requesting that the bill for Ralph's Carpet be amended to be charged to the AdHoc Account and Recreation Trust and not any portion from Buildings & Grounds, which was agreed upon earlier. It was seconded by Councilwoman Filippone and unanimously approved by Council. TOTAL 1995 VOUCHERS PAID THIS MEETING $4,576.94. TOTAL 1996 VOUCHERS $543,149.65. TOTAL 1996 VOUCHERS PAID THIS MEETING $86,501.53. TOTAL 1996 OPERATING FUND $629,651.18. TOTAL TRUST ACCOUNT $3,084.28. TOTAL PUBLIC ASSISTANCE II ACCOUNT $2,357.50. TOTAL DOG REGISTRY ACCOUNT $43.20. TOTAL RECREATION TRUST FUND ACCOUNT $577.71. TOTAL GENERAL LEDGER-MIDDLE DEPT. INSPECTION AGENCY $276.00. TOTAL GENERAL LEDGER - MARRIAGE LICENSES $175.00. (SEE VOUCHER REGISTER).

At 8:50 P.M. Councilman McGee moved to adjourn this meeting until the next regular meeting scheduled to be held on August 15, 1996 at 8:00 P.M. It was seconded by Councilwoman Filippone and unanimously approved by Council.

Respectfully submitted,

Patricia L. Varca

PATRICIA L. VARCA
BOROUGH CLERK