

REGULAR MEETING MINUTES

Oceanport, New Jersey
July 17, 2003

- REGULAR MEETING:** The Regular Meeting of the Oceanport Mayor and Council was called to order on July 17, 2003 at 8:00 P.M. with Council President Gatta stating the meeting had been properly advertised in accordance with law.
- MEMBERS PRESENT:** Councilpersons Mahon, Gatta, McGann, and Cooper.
- MEMBERS ABSENT:** Councilpersons Kahle, Apruzzi and Mayor Gemma.
- OFFICIALS PRESENT:** Borough Clerk, Patricia L. Varca and Borough Attorney, Francis A. Margalotti.
- INVOCATION:** Borough Chaplain Berry gave the invocation.
- 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 June 19, 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 Mahon and approved by Council.

CLERK'S REPORTS:

1. Police report for the month of JUNE, 2003 and a copy will be posted on the bulletin board.
2. Raffle applications made by the following:
 - a) Aslan, Inc. to be held on 9/20/03, cash 50/50 raffle, off premise.
 - b) Middlesex County Bar Assn., to be held on 7/25/03, 50/50 on premise cash raffle.

The Clerk reported that all of the paperwork on both applications was found to be in order and the required fees had been paid, after which Councilman McGann moved to approve same. It was seconded by Councilman Mahon and approved by Council.

COMMITTEES:

COUNCILWOMAN KAHLE: Absent.

COUNCILMAN MAHON: Councilman Mahon asked the Clerk to read resolution **R-03-53** appointing a Class I Special Police Officer in the Oceanport Police Department after which he moved to approve same. It was seconded by Councilman McGann and approved by Council.

Councilman Mahon reported in Councilwoman Kahle's absence that the Water Watch Committee takes samples of the surrounding waterways during the spring and summer months and the latest testing showed higher than normal levels in some locations and he just want to make

everyone aware of the situation and added that although the areas are not locations where people would be swimming, he felt that jet skiers and boaters should know of the situation.

Councilman Mahon advised that he has been in contact with the Monmouth County Mosquito Commission with regard to complaints received from 4 Wolfhill Avenue with regard to mosquito problems as well as on Fiore Court due to poor drainage and he commented that people should try and be aware of any standing water that is on their property, which is usually the cause of the problems.

Councilman Mahon reported that earlier this evening our Fire and First Aid Squad responded to a call on Sagamore Avenue where there was some smoke evident, but it turned out to be a fault with a new refrigerator and he was pleased to advise that everyone was back and no problems occurred from this call.

COUNCILMAN APRUZZI: Absent.

COUNCILMAN McGANN: Councilman McGann called for the 2nd reading and public hearing of an amendment to the fee ordinance regarding increasing the charge for returned checks and he 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 FEES ORDINANCE" PASSED AND APPROVED ON DECEMBER 16, 1999.**

Council President Gatta opened the meeting to the public for any comments on this subject only.

Mr. Stu Briskey, 46 Werah Place asked if this amount covered the fee charged by the bank, to which Mr. Margalotti advised that normally the Borough is not charged, but this is relative to the amount of paperwork required in the Finance Office involving a returned check.

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

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

The Clerk called the roll:

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

Councilman McGann then called for the 2nd reading and public hearing of an amendment to the Housing Code ordinance raising the cost for certificates of occupancy and asked the Clerk to read the Affidavit of Publication and the proposed ordinance by title only as follows: **AN ORDINANCE T AMEND AN ORDINANCE ENTITLED THE "BOROUGH OF OCEANPORT HOUSING CODE ORDINANCE" PASSED AND APPROVED ON FEBRUARY 7, 1985.**

Council President Gatta 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 McGann moved to close the public hearing on this ordinance. It was seconded by Councilman Mahon and approved by Council.

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

The Clerk called the roll:

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

Councilman McGann then called for the 2nd reading and public hearing on an amendment to the zoning ordinance relative to the Village Center Zone and asked the Clerk to read the Affidavit of Publication and the proposed ordinance by title only as follows: **AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED THE "BOROUGH OF OCEANPORT ZONING ORDINANCE" PASSED AND APPROVED ON JULY 3, 1969.**

Council President Gatta 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 McGann moved to close the public hearing on this ordinance. It was seconded by Councilman Mahon and approved by Council.

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

The Clerk called the roll:

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

Councilman McGann stated he wanted to offer his thanks and appreciation to the Planning Board on all the work they did in developing this ordinance and commented that the Mayor and Council did make a few minor changes, but the ordinance is basically 90% of what the Board had recommended.

Councilman McGann then called for the introduction of an ordinance amending the Uniform Construction Code to raise some of the building fees in accordance with law and asked the Clerk to read the proposed ordinance by title only: **AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED THE "BOROUGH OF OCEANPORT UNIFORM CONSTRUCTION CODES ORDINANCE" PASSED AND APPROVED ON MARCH 2, 1995.**

Councilman McGann moved to approve this ordinance on first reading. It was seconded by Councilwoman Cooper.

The Clerk called the roll:

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

Councilman McGann then moved to hold the public hearing on this ordinance at the next Council meeting scheduled to be held on August 21, 2003. It was seconded by Councilwoman Cooper.

The Clerk called the roll:

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

Councilman McGann then called for the introduction of an amendment to the Recreation Committee regarding membership and asked the Clerk to read 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.**

Councilman McGann moved to approve this ordinance on first reading. It was seconded by Councilwoman Cooper.

The Clerk called the roll:

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

Councilman McGann then moved to hold the public hearing on this ordinance at the next Council meeting scheduled to be held on August 21, 2003. It was seconded by Councilman Mahon.

The Clerk called the roll:

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

Councilman McGann moved to authorize the Borough Engineer to advertise and receive bids for the 2003 Road Program, which includes Mohican and Pocahontas Avenues. It was seconded by Councilwoman Cooper and approved by Council.

Councilman McGann moved to authorize the Borough Engineer to advertise and receive bids for the improvements to Cayuga Avenue and Gooseneck Point Road with regard to correcting the

flooding problems in those two locations through a \$300,000 grant from the Federal Highway Department. It was seconded by Councilman Mahon and approved by Council.

Councilman McGann offered his thanks and appreciation to the efforts of our Borough Engineer, Tom Rospos, who met with both the residents of Cayuga and Gooseneck Point Road regarding these two projects.

Councilman McGann moved to award a bid for a dump truck with removable snowplow made by Cambria Automotive Company, Edison, NJ and the bid was for \$83,574. It was seconded by Councilman Mahon and approved by Council.

Councilman McGann continued that there was a bond ordinance for this truck adopted in 2003 for \$80,000 and the bids came out a little higher, so there is a differential of \$3,574, however, through the Front Office investigation, we have determined that there is an old bond ordinance which was adopted in 1989 with a balance of approximately \$24,000. He stated that we also had a Alternate B bid in our specifications for a spreader which would be a great help to the Public Works Department during a heavy snow storm and that would be an additional cost of \$6,002 and there are more than adequate funds available from the older bond ordinance from 1989.

Councilman McGann then moved to accept the Alternate "B" bid for the spreader for an additional \$6,002, making the entire bid for this truck a total of \$89,576. It was seconded by Councilman Mahon and approved by Council.

Councilman McGann stated it was his pleasure to make a motion appointing Parrish Hills to a full time position in the Public Works Department as a Helper III effective July 17, 2003. It was seconded by Councilman Mahon and approved by Council.

Councilman McGann added that Parrish has worked for the Borough for the past five years as a seasonal/part time employee and has begun doing a lot of mechanical work on our equipment as well as being a great asset to the Borough and he was pleased to have him on board as a full time employee.

COUNCILWOMAN COOPER: Councilwoman Cooper moved to appoint Councilman McGann temporarily to the Finance Committee for the purpose of signing the vouchers. It was seconded by Councilman Mahon and approved by Council.

Councilwoman Cooper asked the Clerk to read resolution **R-03-54** regarding a senior citizens' tax deduction after which she moved to approve same. It was seconded by Councilman McGann and approved by Council.

Councilwoman Cooper asked the Clerk to read resolution **R-03-55** regarding a veteran's tax deduction for a surviving spouse, after which she moved to approve same. It was seconded by Councilman McGann and approved by Council.

Councilwoman Cooper asked the Clerk to read resolution **R-03-56** authorizing the refund of several overpayments of property taxes after which she moved to approve same. It was seconded by Councilman McGann and approved by Council.

Councilwoman Cooper reported that the Comment Cards have been printed which is a follow up to the surveys submitted by the residents and they will be distributed in various offices in the Borough Hall for the citizens to fill out in the very near future.

MAYOR GEMMA: Absent.

COUNCIL PRESIDENT GATTA: Council President Gatta reported that the Borough has received bids for the Blackberry Bay Park Phase I Field Improvements and we will be conducting a special meeting on Tuesday, July 29th to discuss the bids with our Borough Engineer and asked the Council to please review the Engineer's correspondence prior to the meeting.

Council President Gatta reported that the First Aid Squad has begun its annual fund drive and responses are coming in and she urged anyone who has not as yet donated this year, to please do so and to be as generous as possible. She continued that in June the Squad responded to 55 calls and 10 mutual aid calls to West Long Branch, Eatontown and Monmouth Park. She also pointed out that the Squad will be re-certifying the members of the Oceanport Hook & Ladder Company in CPR and reminded everyone that tickets are on sale for the 50/50 cash raffle which will be held in December at their bazaar and all proceeds are going to their building fund.

Council President Gatta also mentioned that upon hearing about the improvements the Squad is trying to raise money for their building, the Senior Citizens have gotten together and are running a circus at Monmouth Park parking lot between August 13th through the 15th and the Clyde Beatty Circus will be in town and all proceeds will be given to the Squad.

Council President Gatta expressed her thanks to the Oceanport Board of Education for donating 18 chairs and 3 tables to the Oceanport Library and there are also three new computer tables on wheels, which was done through the generosity of Sal Gentile, who left a sum of money in his will to the Library and plaques will be placed on the tables in his memory.

Council President Gatta reminded everyone that the Oceanport Hook & Ladder Ladies Auxiliary cookbooks are on sale and available in the Clerk's Office in Borough Hall and are filled with good recipes and great hints and are \$10.

Council President Gatta advised that the Drug Alliance is once again going to be having the Community Calendars available but we are starting with a brand new data base so anyone interested in either getting a calendar next year and/or adding in some dates, should pick up the required forms which are available in the Borough Hall and the cost is \$5.00.

Council President Gatta was pleased to announce that a date has been settled for Oceanport Community Day and it is set for October 25 in conjunction with Make a Difference Day and this is an outcome from the Women's Program and it is her hope that all our Committees and Organizations will be present in order to let our residents know what is available in the Borough and hopefully, we will get more volunteers for our organizations.

Council President Gatta advised that on Monday, August 4th we will be having National Night Out which will begin at Borough Hall with a bike tour through the Borough and that will be followed by various games for the children, a tour of the Police Department facility, our emergency services will be providing food and there will be representatives from the Drug Alliance, Monmouth Medical Center, Recreation, etc. and it is a night to get to know your neighbors which is the best defense against crime. She advised that the rain date is the next evening, August 5th.

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. Schlick, 16 Comanche Drive presented photographs of 14 Comanche Drive showing the grass very overgrown, small trees growing in the gutters and the house in very bad condition with boarded up windows in some areas and asked when something could be done about this situation. He continued that he has investigated through the Tax Office and found that the owner of the property lives in North Carolina and wanted to know what can be done to at least have the grass cut.

Mr. Margalotti commented that this is something that will have to be done through our Zoning Enforcement Officer, Mr. Kirk and he will have to first send letters to the owner giving a limited amount of time in which to have the grass cut or summonses will be issued. He noted that the problem is that this owner is now residing in another State, but the Borough must show that we have attempted to notify the owner of what needs to be done and if it is not, then we can have the Borough take care of it and have the Superintendent of Public Works certify the costs incurred by the Borough in cutting the grass and follow that with a lien for that amount placed on the taxes.

Councilman McGann advised that he spoke with Mr. Kirk about this matter and requested that he begin issuing summonses in an attempt to move this process along.

Mr. Schlick asked what kind of time frame will this take, since he really would like to see the grass cut and Mr. Margalotti explained that we must follow proper channels and advised that if he found out a definite address for the owner to please notify the Clerk's Office with the information.

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 July 17, 2003. It was seconded by Councilman McGann and approved by Council. TOTAL CAPITAL TRUST \$9,045.68. TOTAL DOG REGISTRY \$24.60. TOTAL ESCROW TRUST ACCOUNT \$2,943.00. TOTAL LAW ENFORCEMENT TRUST \$1,035.00. 2002 VOUCHERS PAID \$90,932.80. 2002 VOUCHERS PAID THIS MEETING \$900.00. TOTAL 2002 VOUCHERS \$91,832.00. 2003 VOUCHERS PAID \$6,422,543.49. 2003 VOUCHERS PAID THIS MEETING \$1,189,874.11. TOTAL 2003 VOUCHERS \$7,612,417.60. (SEE BILL LIST)

Councilman Mahon commented that there had been several duplicate bills received from one of the vendors and he wanted to compliment the Finance Office for picking up on those billing errors. Council President Gatta asked the Clerk to advise the Finance Office of the Council's appreciation of their efforts in this regard.

At 8:42 p.m. Councilman McGann moved to adjourn this meeting until the next regular meeting scheduled to be held on August 21, 2003 at 8:00 P.M. It was seconded by Councilman Mahon and approved by Council.

Respectfully submitted,



PATRICIA L. VARCA
BOROUGH CLERK