

REGULAR MEETING MINUTES

Oceanport, New Jersey
June 21, 2001

- REGULAR MEETING:** The Regular Meeting of the Oceanport Mayor and Council was called to order on June 21, 2001 at 8:00 P.M.
- MEMBERS PRESENT:** Councilpersons Apruzzi, Gatta, Lyons, Wolfe, McGann, Silkworth 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:** Mayor Gemma led the audience and members of the Council in the flag salute.

As copies of the minutes from the special emergency meeting held on May 29 and the regular meeting held on June 7, 2001 had been made available to 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 Councilwoman Gatta and unanimously approved by Council, with the exception of Councilman Lyons who abstained from voting on the minutes of May 29th since he was not present.

Mayor Gemma stated he was going to leave the regular order of business listed on the Agenda and introduce Peter Deller, Jr. of the Lions Club and asked him to come forward and make his presentation.

Mr. Deller first introduced the other members of the Lions Club the audience: Norman Palmer, President; Ralph Striano, Joe Buccieri and Len Longo and then commented that as the Lions hold their annual Strawberry Festival and Fair each year, it gets bigger and bigger and more and more traffic problems arise. He stated the Sgt. Cioffi, on his own time, put together a traffic flow chart and report, a copy of which he gave to the Council to review at their leisure, stating it was an excellent job and he was very grateful to Sgt. Cioffi.

He also commented that Sgt. Cioffi also helped to guide them as to the type of signage needed to help the traffic flow and avoid any confusion or problems and even assisted in putting up the signs and taking them down each night, again on his own time and he and the members of the Lions Club were very appreciative of his efforts.

Mr. Deller said that as a way of honoring Sgt. Cioffi's volunteerism to the Lions Fair, they wanted to present him with a check to the Oceanport PBA in the amount of \$500 as their way of saying thank you and Sgt. Cioffi accepted the check and thanked everyone.

Mr. Deller reported to the Council that as a result of the past six Lions Fairs that have been held, the Lions have been able to donated \$6,100+ to the Police and PBA; \$7,900+ to the Fire

Department including the Fire Police; \$8,400+ to the First Aid Squad; \$5,100+ to the Recreation Committee and \$41,000+ in scholarship money to Oceanport schools.

Mayor Gemma, on behalf of the Council and the Borough, thanked Mr. Dellera and the Lions Club members for their contributions to the Borough organizations.

CLERK'S REPORTS:

The Clerk read resolution **R-01-50** renewing the liquor license of Arthur & Alvina, Inc. for the 2001/02 licensing period, after which Councilman Wolfe moved to approve same. It was seconded by Councilman Apruzzi and unanimously approved by Council.

Mrs. Varca reported that following a meeting earlier with week and a discussion with Mayor Gemma, a new procedure would be put into place with regard to all awards of contracts whereby the Borough Attorney, Engineer, Chief Financial Officer and where applicable, the Chief of Police will review the specifications and check off their approval of same prior to the Council voting on these matters.

Mayor Gemma commented that this is in an effort to stop any unknown problems from occurring, which we have experienced in the past and hopefully with these procedures there will be no unwanted surprises.

COMMITTEES:

COUNCILMAN APRUZZI: Councilman Apruzzi congratulated Sgt. Cioffi for his work with the Lions Club and hoped the Lions will have better weather at next year's event.

Councilman Apruzzi also congratulated the graduates from Maple Place School as well as the students who won awards and commented the ceremony was very nice and the students had a beautiful night.

Councilman Apruzzi advised that the Community Events sign outside Borough Hall is asking for fireworks donations and he stated that we are in need of almost \$5,000 or else the Committee will not hold the event, since there are no tax dollars used for this, only donations. He urged everyone to please send in their donations so that we may continue this tradition of our Summers End Festival fireworks display.

COUNCILWOMAN GATTA: Councilwoman Gatta commended the Lions Club for the fine work they do in the Borough.

Councilwoman Gatta stated the First Aid Squad's report for May shows they received fifty emergency calls and expended 508 man/woman hours. She also reported that the First Aid Squad will be conducting a Blood Drive at the First Aid Building on Pemberton Ave. on July 11 from 6-9 p.m. and urged everyone who is able to give blood especially since there is a shortage at the present time.

Councilwoman Gatta also announced that the First Aid Squad has received an EMT Grant from the State in the amount of \$3,000 to off set the cost of another defibrillator and that equipment has been received and is in use in the Squad.

Councilwoman Gatta then asked the Clerk to read resolution **R-01-51** regarding a REDI grant in the amount of \$15,000 between the Borough and Board of Education for a feasibility study for possible shared services, after which she moved to approve same. It was seconded by Councilwoman Silkworth and unanimously approved by Council.

COUNCILMAN LYONS: Councilman Lyons reported this morning he and Councilwoman Gatta together with members of the local Board of Health met and toured the stable area of Monmouth Park Race Track with regard to their manure containment practices and commented that they are doing a responsible job in this regard in keeping the storm drains free of any debris, etc.

Councilman Lyons stated at the last meeting he had commented on a problem the Borough Offices, including the Police Department, were having with the internet system and stated that he and Councilman Apruzzi are looking into the various options we have including digital service and what ComCast can perhaps offer the Borough, but we are going to have to budget funds for this service in the next budget, since we are going to have to accept the fact that this is a necessary service for our employees and we will have to budget funds for this purpose

COUNCILMAN WOLFE: Councilman Wolfe asked the Clerk to read resolution **R-01-52** appointing Helen J. Ward to a full four year term as the Borough's Tax Assessor, after which he moved to approve same. It was seconded by Councilman Apruzzi and unanimously approved by Council.

Councilman Wolfe asked the Clerk to read resolution **R-01-53** refunding an overpayment of property taxes for Block 19, Lot 9 after which Councilman Wolfe moved to approve same. It was seconded by Councilman Lyons and unanimously approved by Council.

Councilman Wolfe asked the Clerk to read resolution **R-01-54** approving emergency appropriations in the 2001 budget, after which Councilman Wolfe moved to approve same. It was seconded by Councilman McGann.

The Clerk called the roll:

AYES: Councilpersons Apruzzi, Gatta, Lyons, Wolfe, McGann and Silkworth.
NAYS: None.
ABSENT: None.
ABSTAIN: None.

Councilman Wolfe then asked the Clerk to read resolution **R-01-55** authorizing the submission of a DOT grant for funds for Wardell Circle, after which he moved to approve same. It was seconded by Councilwoman Gatta and unanimously approved by Council.

Councilman Wolfe asked the Clerk to read resolution **R-01-56** authorizing the submission of a DOT grant for funds for Port-au-Peck Avenue, after which he moved to approve same. It was seconded by Councilman McGann and unanimously approved by Council.

Councilman Wolfe asked the Clerk to read resolution **R-01-57** authorizing the submission of a DOT grant for funds for Burnt Mill Circle, after which he moved to approve same. It was seconded by Councilman McGann and unanimously approved by Council.

COUNCILMAN MCGANN: Councilman McGann called for the second reading and public hearing of a capital improvement ordinance and asked the Clerk to read the Affidavit of Publication and the proposed ordinance by title only, as follows: **AN ORDINANCE AUTHORIZING \$20,000 FOR THE BALANCE OF THE ROAD IMPROVEMENT PROGRAM FROM THE CAPITAL IMPROVEMENT FUND.**

Mayor Gemma opened the meeting to the public for any comments or questions on this subject only, but on hearing none, Councilman McGann moved to close the public hearing on this matter. It was seconded by Councilman Apruzzi and unanimously 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 Silkworth.

The Clerk called the roll:

AYES: Councilpersons Apruzzi, Gatta, Lyons, Wolfe, McGann and Silkworth.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

Councilman McGann reported that there was a meeting at the Sewer Authority this week with regard to work that will begin on Monday in two different locations on Port-au-Peck Avenue, one being near the entrance of Blackberry Bay Park and the other near the intersection of Ticonderoga Avenue. He commented that residents should be aware that the Park entrance may be closed for a day and driving routes would have to be altered while the work was taking place.

The Clerk advised that she would contact someone in the Lions Swim Club and advise them of the pending work to be done and perhaps they could post some signs since it might affect the members of the Swim Club since it opens on Saturday, June 23, 2001.

COUNCILWOMAN SILKWORTH: No Report.

MAYOR GEMMA: Mayor Gemma echoed the congratulations to the graduates at Maple Place and to the Lions Club for all of their efforts to our community, as well as to Helen Ward on her re-appointment as the Borough's Tax Assessor.

Mayor Gemma then opened the meeting to the public for any comments or questions they might wish to make.

PETITIONS FROM THE PUBLIC:

Alan Schneider, Horseneck Point Road thanked the Governing Body for having the Public Works come out and repair the very large pot hole, but advised that it was starting to open up again and asked that it be filled again in the near future.

Mr. Schneider also advised that the utility company had dug up a portion of Leonard Avenue to install water service for Fort Monmouth for fire safety purposes, the roadway was left in a very poor condition and after corresponding with the Commanding General at the Fort, was pleased to announce that the roadway had recently been repaired.

Mr. Schneider then stated that his street held their annual block party on Sunday, June 10 at the easterly end of the street and complained that there were contractors working on two new homes during the entire time their picnic was held. He continued that after speaking with Walter Joyce, Construction Official and Zoning Officer, he learned that the Borough has no ordinance restricting building on Sundays nor are there limited hours for construction and/or grass cutting. He felt this was something the Borough should consider, since these items are regulated in other towns.

Mayor Gemma stated that this is something the Borough Council can look into but pointed out in towns where they have restricted construction work on Sundays, it has an adverse affect on those homeowners who cannot afford to hire a contractor and must do the work themselves, but the Mayor asked the Clerk to reach out to surrounding communities and request samples of their ordinances in these regards and then the Council can discuss the pros and cons and advise Mr. Schneider of our decision.

Stu Briskey, 46 Werah Place questioned why volunteers were being charged for the delivery of compost, when the Borough ordinance states that Borough fees will be waived to which the Clerk advised that everyone was being charged the \$10 to help offset the cost to deliver the five yards of compost, which was free to all residents.

Mr. Margalotti, Borough Attorney explained to Mr. Briskey that the fees that are mentioned in this ordinance are dealing more with permits fees for construction projects and this type of a fee, which the Clerk had explained, is merely to help the Borough offset the delivery charge of the compost, which includes the loading and use of the truck as well as Borough personnel and is not being used to make a profit and he felt the Borough had the right to charge under certain circumstances.

Mr. Briskey stated he did not agree and felt that although it was a minor fee, it was a slap in the face to the volunteers.

Mayor Gemma questioned how a small fee of \$10 could be an insult and advised that the Council would discuss this matter in work shop and decide if this type of fee should be waived or not.

Councilman McGann advised that this is a very modest fee for five yards of compost delivered to your home and we are only attempting to re-capture some of our costs in doing this service for our residents, who have been very appreciative of this program.

Councilman Lyons felt that the ordinance does not convey the proper language, since every time the Borough imposes a new fee, there is a question raised about whether it is waived or not and felt that under the present ordinance, it seemed to him that the fees should be waived and the Borough Clerk and the staff should have a clear understanding of what fees are charged and not have to check with the Attorney and suggested that perhaps the ordinance should be reviewed.

Jim Gallo, Bradley Avenue reported that a recent call that the Fire Department responded to which turned out to be due to a carbon monoxide alarm going off and the family, which included a young child, were taken to the hospital due to complaints of headaches. He stated the carbon monoxide came from a gas fired hot water heater and commented that if it had not been for the detector they had, they might not be here and he wanted to urge everyone to install a carbon

monoxide detector. Councilwoman Silkworth asked Jim to prepare something that we can put into the next Bulletin in order to alert our residents for the need for this important and life saving alarm.

Mr. Gallo also advised that a jet ski had been donated to the Department from Mr. Reagor to assist in any water rescues and he commented that this equipment will be under the Emergency Management Office, to which Mayor Gemma confirmed that the use of this equipment would be for all of our safety personnel, to which Mr. Gallo stated it would be available to all safety related Departments.

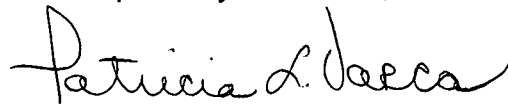
Mayor Gemma also requested a copy of the proposed emergency plan for this type of equipment be forwarded to the Governing Body for their review and approval, to which Mr. Gallo stated he would see that a copy is forthcoming.

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

Councilman Wolfe moved to approve the bills listed on the Bill Register dated June 21, 2001. It was seconded by Councilman Apruzzi and unanimously approved by Council. 2001 VOUCHERS PAID \$89,988.19. 2001 VOUCHERS PAID THIS MEETING \$38,442.02. TOTAL 2001 VOUCHERS \$128,430.21. TOTAL RECREATION TRUST \$2,125.00. TOTAL TRUST \$1,923.00. TOTAL CAPITAL \$10,079.50. (SEE BILL LIST)

At 8:43 p.m. Councilwoman Silkworth moved to adjourn this meeting until the next regular meeting scheduled to be held on July 19, 2001 at 8:00 P.M. It was seconded by Councilman McGann and unanimously approved by Council.

Respectfully submitted,



PATRICIA L. VARCA
BOROUGH CLERK