

REGULAR MEETING

Oceanport, New Jersey
June 6, 1991

- REGULAR MEETING:** The regular meeting of the Oceanport Mayor and Council was called to order on June 6, 1991 at 8:08 P.M.
- MEMBERS PRESENT:** Councilpersons McGee, Terra, Filippone, Miller, Rodman, Wolfe and Mayor Cavanagh.
- OFFICIALS PRESENT:** Borough Clerk, Patricia L. Varca and Borough Attorney, Francis A. Margalotti.
- INVOCATION:** The invocation was given by Rabbi Daina.
- 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 May 16, 1991 had been made available for review by the Governing Body, Councilman Miller moved to waive the reading of same and approve the minutes as presented by the Clerk. It was seconded by Councilman Wolfe and unanimously approved by Council.

CLERK'S REPORTS:

1. Police report for the month of MAY, 1991 and a copy will be posted on the Bulletin Board.
2. Applications for raffle licenses made by the Mental Health Association of Monmouth County, to be held on June 9, 1991, one raffle will be a 50/50/ cash prize and the other will be for assorted prizes.

The Clerk reported that all required fees had been paid and the documents were found to be in order, after which Councilman Rodman moved to approve the raffles as listed above. It was seconded by Councilman Miller and unanimously approved by Council.

3. Applications for membership to the Oceanport Hook & Ladder Fire Co. made by Richard Arlt and Robert J. Howie.

Councilman Terra moved to approve the above listed applications. It was seconded by Councilman Miller and unanimously approved by Council.

COMMITTEES:

COUNCILMAN MCGEE: Councilman McGee offered his congratulations to Councilman Terra on a splendid job with the Memorial Day parade and all the people who participated in it to make it such an event and it was indeed memorable.

COUNCILMAN TERRA: Councilman Terra called for the introduction of an ordinance repealing the Borough's Code of Ethics ordinance and asked the Clerk to read the proposed ordinance by title only as follows: **AN ORDINANCE TO REPEAL AN ORDINANCE ENTITLED THE "CODE OF ETHICS ORDINANCE OF THE BOROUGH OF OCEANPORT" PASSED AND APPROVED ON DECEMBER 20, 1984.**

Mayor Cavanagh commented that the repeal of this ordinance is not an indication of a change in policy in terms of what we are doing, but as most people probably are aware, the State Legislature has recently passed a Statewide Act which requires all local codes of ethics to comply with the Act itself or to at least be able to be equal or more binding than the Code of Ethics that was recently passed. He continued that our purpose in repealing our ordinance is to come in line with what the State mandates with the new, more stringent standards and therefore, the Act requires us to repeal any ordinance which is inconsistent with or requires less than the Act does.

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

The Clerk called the roll:

AYES: Councilpersons McGee, Terra, Filippone, Miller,
Rodman and Wolfe.
NAYS: NONE.
ABSENT: NONE.
ABSTAIN: NONE.

Councilman Terra moved to hold the public hearing on this ordinance at the next regular meeting scheduled to be held on June 20, 1991 and to advertise same in accordance with law. It was seconded by Councilman Wolfe.

The Clerk called the roll:

AYES: Councilpersons McGee, Terra, Filippone, Miller,
Rodman and Wolfe.
NAYS: NONE.
ABSENT: NONE.
ABSTAIN: NONE.

Councilman Terra commented on the Police Report and pointed out that our Police Department has been patrolling in their usual fashion and has covered over 10,000 miles in May and he wanted the public to realize that the Police Department is conscientious and sometimes the Department does not always receive the recognition that it deserves. He also reported that Don Ross completed a course in Crash Injury Management and First Responder Re-Certification.

Councilman Terra thanked both Chief Joyce and Captain Budinski for the excellent job they did with traffic control during the Memorial Day Parade along with the members of the Department.

Councilman Terra requested the Press to print some of the information in the latest Bulletin regarding the changes in the speed limits near the race track and certain other traffic regulations that are changed when the race track is in operation.

Councilman Terra thanked Sandra Mealey for attending a recycling seminar for him and brought back some very valuable information primarily concerning how the County is going to deal with the disposal of grass clippings in the future and within the next year or two, they will probably not allow grass clippings to be thrown away and he wanted to encourage all citizens to either compost the grass or allow the clippings to remain on the grass after cutting and it makes an excellent fertilizer for the lawn.

Councilman Terra reported we recently had an inspection of our recycling drop off site by the Monmouth County Board of Health and they found the site to be clean and well organized and Ms. Maureen Kelly of the Department liked the idea that we have recycled an old mail box to house the recycled batteries. Councilman Terra thanked Mike Giordano and his Public Works Department for keeping the recycling area clean and orderly.

Councilman Terra reported that there are residents who are continually sweeping grass, branches, twigs, etc. into the street and he wanted to remind everyone that branches must be properly tied and bundled and the grass clippings must be either put into bags or into the trash cans if they are going to be thrown away and then the garbage contractor will pick them up, but building materials, stumps, logs and bulkhead type materials are items that must be disposed of privately and not placed at the curb with the trash for pick up because the garbage collector will not take these types of items.

Councilman Terra advised the public that anyone who observes piles of debris or grass clippings which is either a hazard because it is on the street or because it is unsightly, should contact the Borough Hall and make a complaint about it and it will be forwarded on to the Zoning Enforcement Officer.

Councilman Terra commented that he was advised today by Mrs. Varca that we have received our 1989 recycling grant in the amount of \$3,663.68 and she did some quick calculations which he wanted to pass on and he continued that the cost of the recycling program in Oceanport is surprisingly low and reported that our major expenses involve the payment of the rental for the two dumpster containers which is \$7,200 annually. He continued that as a result of our income from the recyclables such as newspapers, bottles and cans and the recycling grant we really expect to take in approximately \$6,200 which means that the entire recycling program in the Borough will cost approximately \$1,000 and he did not feel that anyone in the county or State could match that and he also commented that we are down one man in the Public Works Department and they have still managed to do a splendid job.

Councilman Rodman pointed out that the cost just explained by Councilman Terra does not include the time of the Public Works people picking up the recycling, which Councilman Terra stated was true.

Councilman Wolfe commented though that the Public Works people would be working anyway, but Councilman Rodman stated that they would be working at other jobs rather than recycling and he felt that you have to factor in the time spent by those workers and the depreciation and the benefits paid to those workers, to which Councilman Terra stated was a true statement, but the Public Works Department personnel are still managing to do all the other work that needs to be done.

At this point, Mayor Cavanagh asked if there was to be further debate on this subject, that it go through the Chair, which is the proper procedure.

Councilman Terra stated he left his comments on the parade for last and he did not want to be remiss in thanking all of those people who were responsible for helping him and he asked everyone to be patient and allow him to name the people who were such a big part in making the parade such a success. Councilman Terra thanked the representatives of the VFW, in particular Cliff Hepburn; the Recreation Committee, in particular John

Kerwin, Lee Poole, Nancy Sheridan and Chris Reisner; the Fire Department represented by George Ottino and Tom Braumuller; the Police Department represented by Chief Joyce; Councilman Wolfe and in addition, the Boy Scouts for delivering the notices about the parade; Chuck Wolfe of the Oceanport Hook & Ladder Fire Co. for posting all the parade route signs, which he will personally remove on Saturday morning; many members of the Oceanport Hook & Ladder were extremely helpful with traffic control at Blackberry Bay Park; Rabbi Daina, Pastor Jones and Reverend Tavenor who took part in the ceremonies; Kevin Pryor of the Shore Regional High School Band for the excellent job he did in conducting both the Maple Place Band and the Shore Regional Band; Col. Gust, Sgt. Major Nelson and Sgt. Deanda who were our guests; Mrs. Varca for preparing the proclamation and in addition to thanking the troops who participated, he thanked the Oceanport Veterans who marched at the head of the parade and he felt it was a very significant and meaningful time for many people and he thanked everyone for helping out.

COUNCILWOMAN FILIPPONE: Councilwoman Filippone just had one item and stated that she had received a telephone call from Ed Ryan, Captain of the First Aid Squad tonight and he asked her to make particular note of the efforts that Patrolmen Baldanza and Murphy made this week in applying CPR to one of our Borough residents until the Squad could get there, since the Police are always first at the scene and they both did an exemplary job and as a result the resident was alive when he was brought into the hospital, but unfortunately he died several days later in the hospital. She stated that Captain Ryan wanted to commend both these officers for their efforts.

COUNCILMAN MILLER: Councilman Miller reported under Water Watch and Waterways Committees, which have become a kind of dual committee, that our last test results which were two weeks ago this Saturday, we encountered high phosphate, high nitrate and relatively low dissolved oxygen and that does not look good for the future. He continued that they also saw the beginnings of an algae bloom and in fact, the following week we did experience an algae bloom and he started to get reports of fish kills Wednesday and Thursday and many more over the weekend. He advised that in each case of a phone call, he had requested the caller telephone the hot line of the Monmouth County Board of Health and in each case, Sue Williams of that office came out and took tests at each reported site and confirmed what our amateur results showed, that we had in fact had oxygen depletion.

Councilman Miller stated the next water sampling is scheduled for this Saturday and we will have visitors with us from the Holmdel Environmental Commission at that next meeting.

Councilman Miller suggested that there are some remedies to prevent some of the algae blooms and as Councilman Terra reported earlier about not leaving the grass clippings out on the street, because they get washed into the storm drains and when they decompose, the organic matter gives off especially nitrates. He stated there was an excellent article in the Asbury Park Press several days ago which was an environmental reminder in which they suggested that people go easy on pesticides because anything that ends in cide means that it kills; mow higher and instead of bagging the clippings, you can allow the clippings to fall and they themselves will act as a fertilizer and if that is not to your liking, there are fertilizers out on the market that are quickly assimilated and do not lay around and therefore, when it rains they will not wash off which is part of the nitrate and phosphate problem in the storm drains which comes from the run off of the fertilizer and these are

some of the things we are all going to have to start doing in the Borough and the surrounding towns if we want our rivers and streams to come back and not have these types of periodic fish kills.

Councilman Miller commented on the fish kill situation and reported that he has spoken with Bill Simmons of the Monmouth County Board of Health Department and Mr. Simmons informed him that there was an algae bloom in Raritan Bay, one in the Navesink and one out in the ocean and all the signs we had such as the warm water very early in the season and it may mean that these weather patterns do not bode very well and it may mean we are going to have a situation like we had back in 1976 where we had extreme algae blooms that led to red tides, but he hoped that would not happen.

Councilman Miller reported that last Friday Sue Williams took coliform and other tests at eight different sites inside the track and outside the track and he summarized that the up stream site close to the Oceanport Bridge had coliform counts of approximately 400, but all of the sites inside the track were extremely high at 160,000+ and downstream near Casa Comida were around 3400 which is a large jump in the numbers. He stated that last Wednesday Brian Nason from DEP and Sue Williams got to the track early and took a walk through with the Monmouth Park Environmental Officer and the problem is that although they ordered 85 dumpsters and none of the concrete pads are being used, they have only received 64 and they now feel that they need 100 dumpsters, so the problem leading to the high coliform numbers is the fact that the dumpsters are being over loaded and the leachate unfortunately is going into the storm drains which winds up in the river. He further continued that Monmouth Park is looking to prioritize which dumpsters should be removed first and possibly more than one time every day. He continued that the big barn which was constructed to house the manure is operating properly and there is a lower usage of water due to the use of nozzles on the hoses, but there needs to be more clean up around the barns prior to washing the horses.

Councilman Miller stated that in general, the DEP representative was rather disappointed but there is hope because if they had received the correct number of dumpsters they had ordered, the numbers would have been down some and it is a positive factor that they now have an Environmental Officer at the track and he has fined quite a few trainers for violating the rules and regulations that are now posted in all the barns and it seems that the fines seem to be working since there are less violations. He stated they still have some problems with washing some of the tack from the horses and they are doing that in buckets and that is not good, however they are looking to put back the washing machines but they are going to hook up the machines to the sanitary sewer.

Councilman Miller reported that Metcalf and Eddy, Engineers, will be doing a dye test of the sanitary sewer system to see if there are any problems concerning the sewer system and the storm drains.

Councilman Miller commended the job being done by our Health Officer, Sue Williams and she has been on the scene whenever there has been any type of call and he is very pleased that we have switched over to the Monmouth County Health Department.

Councilman Miller reported that the work scheduled for the parks has been just about completed and Tom Vollers who has joined the Public Works Department in April is a very creative and colorful painter in our parks.

Councilman Miller stated we have had some preliminary talks with our new sanitation contractor and we will have more information in the near future and they will be attending our next work shop meeting to discuss some ideas they have regarding garbage service for the Borough. He stated one of the things he did like was that they plan to have a representative of their company stop in once a week to Borough Hall checking with Mrs. Varca to see if there were any problems and he felt that was a plus.

Mayor Cavanagh commented that he was also pleased to hear that the new contractor will have a radio in each of the trucks so that if there is a problem, they can be contacted which was a problem with our present contractor.

Councilman Miller reported that he will be posting signs that we have been given by the Health Department that states "Danger Polluted Water-No Bathing" and our Health Officer has requested we post these signs.

COUNCILMAN RODMAN: Councilman Rodman reported that he wanted to bring everyone up to date on John Gruskos who was our 8th Grade Student from Maple Place and was the NJ representative to the National Geographic's Geography Contest in Washington recently and John did very well, although he did not finish in the top three, which were college scholarships for the top three prizes which ranged from \$50,000, \$25,000 and \$10,000 so it was worthwhile and he received \$100. He continued that the students were put into smaller groups and had he been in almost any other group, he would have made it to the finals, but he scored higher than most of the other kids, but was outscored by the eventual winner, who had been a finalist the year before from 7th Grade and won the top prize. Councilman Rodman stated that we are all very proud of John Gruskos and he made a fine showing in representing the State as a product of the Oceanport Schools.

Councilman Rodman extended his thanks and congratulations to Councilman Terra on the Memorial Day Parade and it was an outstanding event and he stated that at one point, Councilman Terra had mentioned that in setting up the difficult arrangements that he had encountered some bi-partisan difficulties, so he wanted to give him some bi-partisan praise for setting up a very nice event.

COUNCILMAN WOLFE: Councilman Wolfe personally wanted to thank Councilman Miller on behalf of the Council and the Oceanport Waterways Committee for the time he donated painting the bottom of the Litterbug by himself.

Councilman Wolfe informed everyone that the Public Works Department is in the process of building a new off street parking area near Sommers Park for six to eight cars to make the park more accessible for the residents since the only place to park is on the roadway.

Councilman Wolfe thanked the Public Works Department personnel for the great job they have done on the park work list which was made up by the Recreation Committee and Mr. Giordano has taken care of all the items on that list and the parks are ready for the summer.

Councilman Wolfe asked the Clerk to read resolution R-91-39 waiving permit fees for the Oceanport Board of Education for work to be done at the Wolfhill, after which he moved to approve same. It was seconded by Councilman Rodman and unanimously approved by Council.

R-91-39

R-91-40 Councilman Wolfe asked the Clerk to read resolution R-91-40 waiving permit fees for the Oceanport Lions Swim Club for the installation of an additional sun shelter at Blackberry Bay Park, after which he moved to approve same. It was seconded by Councilman Miller and unanimously approved by Council.

R-91-41 Councilman Wolfe asked the Clerk to read resolution R-91-41 authorizing the submission of an application for 1992 grant from the NJ Dept. of Transportation for Hiawatha Avenue, after which he moved to approve same. It was seconded by Councilman Rodman and unanimously approved by Council.

R-91-42 Councilman Wolfe asked the Clerk to read resolution R-91-42 authorizing the submission of an application for 1992 grant from the NJ Dept. of Transportation for Seneca Place, after which he moved to approve same. It was seconded by Councilman Miller and unanimously approved by Council.

Councilman Wolfe moved to authorize the Borough Engineer, Tom Rospos to prepare plans and specifications for the 1991 Road Program and to advertise and receive bids for same. It was seconded by Councilman Rodman and unanimously approved by Council.

Councilman Wolfe commented that this is the second year of our five year road improvement program and last year we were able to add an additional section of road beyond the initial scope of the project due to the reduced costs in the paving market and this year we are going to go out for bid on Ticonderoga and Oneida Avenues and possibly an addition of the final leg of Shrewsbury Avenue.

MAYOR CAVANAGH: Mayor Cavanagh commented on the parade and wanted to join with everyone else in congratulating Councilman Terra on the parade he put together and enjoyed sharing the day with everyone and there was an excellent attitude that you do not often duplicate and perhaps it is the nature of the times and circumstances, but it was a very enjoyable day.

Mayor Cavanagh stated as a follow up, on June 14, 1991 at Fort Monmouth will be a very large welcome home rally being put together by Sgt. Major Nelson for the troops from Desert Storm and the entire Governing Body will be participating in the service we have been asked to perform and that is to act as waiters and waitresses for the Desert Storm Troops and the Sgt. has promised us we will receive special tee shirts which say something along the lines of "We Serve Those Who Served" and we are all looking forward to that day which will end with fireworks.

Mayor Cavanagh commented that as far as the water situation is concerned, personally he wanted to point out the kind of time commitment that comes from Council people that are directly involved in this area day after day and continued that Councilman Miller is working with the Monmouth County Department of Health, the DEP, Monmouth Park and other interested groups as this develops. He stated that Councilman Miller monitors every two weeks and he must communicate as frequently as possible with the County people and the residents and we had promised that when the summer started we would monitor the situation in as comprehensive a fashion as we could and he feels that Councilman Miller is certainly fulfilling that promise and he is very appreciative of his efforts. He stated other members of the Council are also participating in various ways.

Councilwoman Filippone stated she would also like to say how lucky we are to not only have Councilman Miller to do this, but to have his chemistry background which really adds a dimension to this situation which we never had before.

Mayor Cavanagh stated the point he wants to make is that it takes a lot of effort and knowledge and commitment to continually involve yourself in the middle of a situation and keep it vibrant and what we are doing is continuing to become involved and press for a solution and he is hopeful that we will get the system ironed out and get the help we need from both the County and the State.

Mayor Cavanagh reported that we have not had a public meeting since he attended the service at the Synagogue and it was written up in the newspapers, but by way of a personal commentary he stated that as everyone probably knows, several weeks back someone who's identity is unknown at this time, painted a swastika on the Synagogue in Rumson as well as satanic symbols on the Catholic Church across the street. He continued that the Rabbi from the Rumson Synagogue was so appalled at what went on that he decided he would try and put on a service composed of Public Officials and Religious Leaders from all different denominations and religions in an attempt to say that the solidarity that we were going to express would indicate to people what we felt was an appropriate response to a hideous thing. He reported that he attended the service and the Governor was there as well as Senator Lautenberg, Congressman Pallone, most of the local Mayors, Board of Education Presidents, and it was an incredible turn out with approximately 1,000 people in attendance. He commented that there were 21 members of the cloth in attendance in full dress and the Rabbi was a very dynamic speaker and it was a very impressive service and it was the kind of thing that does not happen very often and he was happy to be a part of this and it was a very up lifting experience and he will look back on this event years from now thinking not only how much he enjoyed it, but that he was proud to have a part in it representing the people of Oceanport to say to the people who did such a horrible thing for whatever reason, that this society will not tolerate that kind of an act and that we will, rather than ignore it, be drawn closer together in condemning it and that is an important message.

Mayor Cavanagh then opened the meeting to the public for any comments anyone might care to make.

PETITIONS FROM THE PUBLIC:

Mr. Charles Caparn, 34 Wardell Circle questioned a voucher being paid for transportation for Shore Regional High School students, since he thought that was an expenditure that was voted on as part of the school budget.

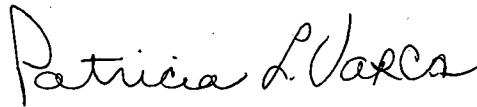
Mayor Cavanagh stated that two years ago, the Attorney for the Shore Regional Board of Education after being approached about the problem, did some research and determined that bus service could not be paid for by the School Board inside of a certain radius and we had children who were inside the radius and the option would be to have children crossing Highway 36 by foot because there would not be bus service provided and as a group, the Council felt that to have children at age 13 or 14 racing across Highway 36 was a bad idea. Mayor Cavanagh also explained that it is the same money, because they took that expenditure out of their budget and gave it to us, so you would have been paying it to Shore Regional in the past.

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 June 6, 1991. It was seconded by Councilman Terra and approved by Council, with the exception of Councilman Miller who abstained from voting on the voucher made payable to him for reimbursement of funds. TOTAL 1991 VOUCHERS \$84,662.63. TOTAL 1991 VOUCHERS PAID THIS MEETING \$50,008.24. TOTAL 1991 OPERATING FUND \$134,670.87. TOTAL TRUST ACCOUNT \$5,386.91. TOTAL DOG REGISTRY ACCOUNT \$93.00. TOTAL GENERAL LEDGER - FIRE PREVENTION \$9.75. TOTAL GENERAL LEDGER - JBL ENTERPRISES \$1,200.00. TOTAL GENERAL LEDGER - KELLEY & SONS \$2,280.00. (SEE VOUCHER REGISTER)

At 8:55 P.M. Councilwoman Filippone moved to adjourn the meeting until the next regular meeting scheduled to be held on June 20, 1991 at 8:00 P.M. It was seconded by Councilman Rodman and unanimously approved by Council.

Respectfully submitted,



PATRICIA L. VARCA
BOROUGH CLERK