December 1, 2009
Keyport, New Jersey

Minutes of the Regular Meeting of the Mayor and Council, Borough of Keyport, held on the above date in the Borough Hall Council Chambers, Keyport, N.J., pursuant to the adoption of the Annual Notice on file with the Borough Clerk, forwarded to the Asbury Park Press, Courier, Independent, Two River Times and Newark Star Ledger and posted on the Bulletin Board in accordance with the Open Public Meeting Act, P.L. 1975, Ch. 231.

Council President Sheridan called the meeting to order at 6:35 P.M. Clerk Valerie Heilweil read the Sunshine Law Notice.

**ROLL CALL**

On Roll Call the following were present: Councilmembers Bolte, Sefcik, Hill, Sheridan, Kovacs, Walling. Others present: Ms. Wright. Borough Administrator (arrived 6:36pm), Borough Attorney, Eric Winston. Absent: Mayor Bergen (arrived 6:36pm)

**RESOLUTION 262-09**

1. Resolution # 262-09 Closed Session Meeting

**WHEREAS,** the Open Public Meetings Act, P.L. 1975, Chapter 231, permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS,** Mayor and Council of the Borough of Keyport are of the opinion that such circumstances presently exist; and

**WHEREAS**, the Governing Body wishes to discuss:

- Litigation – DTV

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body that a meeting of the Mayor and Council shall be held forthwith from which the public shall be excluded in the Council Chambers, Borough Hall, for the purpose of discussing the above-mentioned items.

**BE IT FURTHER RESOLVED** that discussions on Litigation and Personnel be conducted at said Closed Session shall be disclosed when the matters discussed are resolved and this meeting shall continue in approximately 20 minutes.

Offered for adoption by Mr. Walling, seconded by Mr. Hill

Roll Call Vote: Ayes: Councilmembers Bolte, Sefcik, Hill, Sheridan, Walling, Kovacs
Nays:
Absent:
Abstain:

Council went into closed session at 6:37PM and this meeting was reconvened at 7:00PM

**PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE**

**PROCLAMATION**

Mayor read Drunk & Drugged Driving Prevention Month

**APPROVAL OF MINUTES**

September 1, 2009 – Work Session

Offered for adoption by Mr. Sheridan, seconded by Ms. Bolte

Roll Call Vote: Ayes: Councilmembers Bolte, Sefcik, Hill, Sheridan, Walling, Kovacs
Nays:
Absent:
Abstain:

Mr. Kovacs asked about the manifest for the sludge that was removed at waterfront park. Amend minutes *footnote: - “Administrator reported incorrectly” that she had the manifest.

Mr. Sheridan moved to accept with revision, Ms. Bolte second with ayes by all present.

## COMMUNICATIONS AND PETITIONS

1. Keyport Cultural Celebration Committee (KCCC) 2010 Calendar of Events. 12 noon start for Memorial Day Parade changed from last year’s calendar.

Motion to approve was made and carried with ayes by all present.

## UNFINISHED BUSINESS

Waterfront Park work schedule was discussed.

Contractor will want the Borough to be responsible if we ask to have it opened before it is ready. Ms. Sefcik asked Administrator for an update.

Administrator stated that it is in the Borough’s best interest to come to an agreement with the contractor before opening.

## ADMINISTRATOR’S REPORT

Mr. Walling asked for KCCC report.

Will distribute to Council and put hard copy in Mr. Walling’s box. January 1st – December 31st for 5 years (2014)

## ATTORNEY'S REPORT

## NEW BUSINESS

Discussion Items:

1. Steamboat Dock Museum Lease

## RESOLUTIONS

2. Resolution No. 263-09 Authorizing Sale of $100,000 Special Emergency Note to General Capital Fund
3. Authorizing Award of Contract – Beer Street Phase II (PENDING)
4. Authorizing the Award of Contract – Rt. 35/36 Jughandle (PENDING)
5. Resolution No. 264-09 Payment of Bills
6. Resolution No. 265-09 Closing DTV from December 10th – 15th for ABC violations
7. Appointing Matt Farapan as Fire Department Mechanic – annual appointment (previously approved under 231-09)

## PUBLIC COMMENT PORTION

The Meeting is opened to the public for comments or questions at 7:21 pm

Maureen asked about Open space on agenda. Mayor explained that there will be a Special Election 11/12/10 but the Open Space Referendum cannot be put on until November election.

Ed Burlew asked about soliciting for Engineers and Attorneys, six engineers & eight attorneys, is that what we have?

Mayor stated we now have 4 attorneys. Mayor stated that they are appointed at the beginning of the year so that we may call on them at any time. Ms. Bolte stated their fees are about 1% of the budget.

Ed Burlew asked if Clay Pearlman was asked to give any money for any projects. Mayor stated not that he can recall. He thinks he hay have posted escrow for consideration of DEP Green Acres program to buy development rights. Asked Borough to attend meetings at DEP for expansion of his marina.

Mr. Burlew asked if he gave any money for the alleyway by Berkowitz? Ms. Bolte stated he is working with the Baykeeper and DEP to work on a buy back for wetlands and encroachment. Did not ever plan out to anything other than one meeting with the Baykeeper.

Mike Lane, 51 First Street, asked about making any contact with the County about concerns on First Street.

Discussion ensued about placement of the crosswalk.

Sam Minor, asked why some get free sidewalks and others don't. Mayor stated that the Borough will sign an agreement that IF the County gives a Grant to redo the sidewalks, the Borough will reimburse him for the cost of replacing the sidewalk. Mayor invited Mr. Minor to attend a County Freeholders meeting with him.

Mayor instructed Administrator to draft letter and invite County Freeholders to hold their meeting here.

Gene, 2 Octavia Place, feels that Burtina Place onto Hurley Street is an unsafe situation, feels the yellow line on Hurley Street should be extended.

Resident, 1 Burtina Place – Green Grove apartment traffic is on her side of the street. Can't understand why there can't be "resident only" parking. Street is no longer quiet.

Mayor stated he wants to look into a resident only ordinance in January.

There being no more comments or questions from the public, the meeting was closed at 7:39 P.M.

## APPROVAL OF RESOLUTIONS

Motion on the Consent Agenda made by Mr. Sheridan, second by Ms. Bolte

Roll Call: Ayes: Councilmembers Bolte, Sefcik, Hill, Sheridan, Kovacs, Walling
Nays:
Abstain:
Absent:

## ADJOURNMENT

Motion to adjourn was made by Mr. Sheridan, second by Mr. Hill with ayes by all present at 7:55 PM.