

April 6, 2010
Keyport, New Jersey

Minutes of the Work 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.

Mayor Bergen called the meeting to order at 6:32 P.M. Clerk Valerie Heilweil read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Gross, Sefcik, Bolte, Sheridan, Kovacs, Mc Peek, Mayor Bergen. Others present: Borough Attorney, John Wisniewski, CFO Tom Fallon and Borough Administrator Ms. Wright

RESOLUTION No. 87-10

1. Resolution #87-10 Closed Session Meeting Special Election Litigation

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

- Special Election

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 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. Sheridan, seconded by Ms. Bolte

Roll Call Vote: Ayes: Councilmembers Gross, Sefcik Bolte, Sheridan, Kovacs, McPeek

Nays:

Absent:

Abstain:

Council went into closed session at 6:34 PM and this meeting was reconvened at 7:27 PM

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

PRESENTATION

Certificates of Achievement to Keyport Police Explorers

Officer Sorber spoke of his Police Explorers and introduced them all. One of the explorers is now 21 years old and has been an Explorer since age 14. Mr. Sorber thanked Denise Nellis for arranging a spaghetti dinner. He also thanked Cliff Moore of IHOP.

Mayor thanked Officer Sorber and his wife for all their work and presented awards to those who graduated the academy.

PRESENTATION

Monmouth County Health Department by Michael Medidis

Mr. Medidis stated they would need six months notice to withdraw from Monmouth County Health Commission. Need a resolution stating the Borough's intent.

Resident, Fulton Street asked about the free programs for the residents.

Isaiah Cooper asked about the mechanism to get any complaints back to the municipality.

Mr. Kovacs asked whether a report would be given once a month.

Mr. Medidis stated they do a very complete report. Some services could be offered inside the Borough.

Mike Lane, 51 First Street, asked for a comparison as to how things work now versus how they would work at the County.

LIQUOR LICENSE TRANSFER

Hearing on the application of a person-to-person liquor license transfer of Raysar, Inc., trading as Passport Café to Kurtis Enterprises, LLC trading as Bayside Grill

Ray Laytham Attorney for applicant and Kurt Muller appeared.

Applicant would like to make a more family friendly atmosphere. Has been in hotel business for the past 10 years. Attorney asked about 3.3 "yes" is checked. Application was submitted for entire main structure. The Main building and small out building was included in prior applications. Not seeking to have parameters changed from what was licensed before

The Hearing is opened to the public for comments or questions at 8:25pm.

Mike Lane asked about the hours of service on deck. Applicant stated it would be same as what is there right now. Applicant's Attorney requested that entire building including deck remain the same and should complaints arise that can be addressed later.

Borough Attorney stated we are only approving the transfer not the conditions of the license.

Motion was made to grant transfer by Mr. Sheridan, second by Mr. Kovacs with ayes by all present.

PROCLAMATIONS

Alcohol Awareness Month
Autism Awareness Month
National Volunteer Month

Mayor read the Proclamations

APPROVAL OF MINUTES

February 16, 2010 – Regular Session

Offered for adoption by Mr. McPeck, seconded by Mr. Sheridan

Roll Call Vote: Ayes: Councilmembers Gross, Bolte, Sheridan, Kovacs, McPeck

Nays:

Absent:

Abstain: Councilwoman Sefcik

PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions at 8:30 P.M.

There being no more comments or questions from the public, the meeting was closed at 8:30 P.M.

INTRODUCTION OF 2009 MUNICIPAL BUDGET

2. Resolution No 89-10 Introducing the 2010 Municipal Budget

The Clerk reads the Budget by Title:

2010 MUNICIPAL BUDGET OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, FOR THE YEAR 2010

Motion to Introduce was made by Mr. Kovacs second by Mr. Sheridan

Roll Call Vote: Ayes: Councilmembers Gross, Sefcik, Bolte, Sheridan, Kovacs, McPeek
Nays:
Absent:
Abstain:

INTRODUCTION OF ORDINANCES

1. Ordinance – Backflow Prevention

The Clerk reads the Ordinance by Title:

AN ORDINANCE TO IMPLEMENT BACKFLOW PREVENTION DEVICE REGISTRATION

Councilman Mc Peek explained Ordinance.

Motion to introduce Ordinance moved by Mr. McPeek, second by Mr. Sheridan

Roll Call Vote: Ayes: Councilmembers Gross, Sefcik, Bolte, Sheridan, Kovacs, McPeek
Nays:
Absent:
Abstain:

Motion authorizing the Clerk to publish the Ordinance as introduced, in the Asbury Park Press for a Hearing to be held on April 27, 2010 moved by Ms. Sefcik, second by Mr. Sheridan

Roll Call Vote: Ayes: Councilmembers Gross, Sefcik, Bolte, Sheridan, Kovacs, McPeek
Nays:
Absent:
Abstain:

2. Ordinance – COLA ORDINANCE

The Clerk reads the Ordinance by Title:

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

Motion to introduce Ordinance moved by Mr. Sheridan, second by Ms. Sefcik

Roll Call Vote: Ayes: Councilmembers Gross, Sefcik, Bolte, Sheridan, Kovacs, McPeek
Nays:
Absent:
Abstain:

Motion authorizing the Clerk to publish the Ordinance as introduced, in the Asbury Park Press for a Hearing to be held on April 27, 2010 moved by Ms. Sefcik, second by Mr. Sheridan

Roll Call Vote: Ayes: Councilmembers Gross, Sefcik, Bolte, Sheridan, Kovacs, McPeek
Nays:
Absent:
Abstain:

COMMUNICATIONS AND PETITIONS

1. Letter from Keyport Ghost Tours/Jersey Shore Ghost Tours requesting the use of the Mini-park as well as permission to place a sign at the Mini Park beginning in August

Motion to receive and file work with Administrator to approve moved by Mr. Sheridan, second by Mr. McPeek with ayes by all present.

2. Letter from Monmouth Council, Boy Scouts of America regarding their Anniversary Celebration Weekend on April 17, 2010, from 9AM to 4PM, at the Monmouth County Fairgrounds

Motion to receive and file moved by Mr. Sheridan, second by Ms. Sefcik with ayes by all present.

3. Letter from Monmouth County Police Academy requesting that Lt. George Casaletto becomes a Senior Police Academy Driving Instructor for one of their recruit classes (approximately 15 days a year)

Motion to refer to Police Commission moved by Mr. Sheridan, second by Mr. Gross with ayes by all present.

4. Letter from the Kiwanis Club of Keyport requesting the use of Firemen's Parking Lot on Sunday, April 11, 2010 and asking for dates when Firemen's Parking Lot will be used for other events

Motion to approve for April 11th. There maybe a problem with Sunday events refer to Waterfront Park Committee. Moved by Mr. Kovacs, second by Ms. Sefcik with ayes by all present.

5. Letter from Keyport Garden Club regarding the "Welcome to Keyport" signs

Motion to refer to Public Works moved by Ms. Bolte, second by Mr. Sheridan with ayes by all present.

6. Request from Local Census Bureau to use the Council Chambers during the week of April 26th, from 8AM to 4PM, for the purpose of training local Field Operations Staff for the upcoming Census Enumeration

Motion to approve, receive and file with the exception of Wednesday moved by Mr. Sheridan, second by Ms. Sefcik with ayes by all present.

7. Memo from the Harbor Commission recommending renewing the Keyport Crabbing Boat and Kayak Rental lease for the 2010 season

Motion to approve moved by Ms. Bolte, second by Mr. Sheridan with ayes by all present.

8. Message from the Keyport Ministerium Food Pantry requesting to use the Council Chambers for the purpose of a CDBG public hearing on April 13th at 12 noon. *Request has now been changed to Saturday, April 17, 2010*

Motion to approve moved by Mr. Sheridan, second by Ms. Bolte with ayes by all present.

9. Letter from Interfaith Neighbors, Inc. inviting volunteers to their annual "March for Meals" event on Thursday, April 22nd at 10AM

Motion to receive and file moved by Mr. Sheridan, second by Ms. Sefcik with ayes by all present.

- 10 Request from Espresso Joe's to use the mini-park area and electricity for the Third Annual Keyport Twilight Concert Series from May to end of September on Friday and Saturday evenings from 7PM to 9PM

Motion to refer to Parks Committee moved by Ms. Bolte, second by Mr. Sheridan with ayes by all present.

DISCUSSION / POSSIBLE INTRODUCTION

1. An Ordinance to Amend Building and Housing Landlord Registration Fee
2. An Ordinance to Amend Certificate of Occupancy Fee Schedule

Landlord Registration and Certificate of Occupancy - list for April 13th Special

UNFINISHED BUSINESS

ADMINISTRATOR'S REPORT

Administrator Wright reported on the following:

- two interns in Administration Office – working on data base and personnel manual
- FEMA Notice to Emergency Management Coordinator
- Community Development Block Grant – April 20th 5:30 Motion to move to the 27th at 7PM

Ms. Bolte asked about 45 Beers Street damage from flooding. Lots of bulk garbage out there. Wants to be sure it all gets picked up.

ATTORNEY'S REPORT

Mr. Wisniewski reported on the following:

- discussed litigation matters in closed session
- spoke of tax appeals filed

NEW BUSINESS

Mr. Sheridan stated that Troop 364 Boy Scouts is looking for a new home. They will be meeting Tuesday evenings from 7 – 8:30 at the Senior Center. They would provide the cleaning service for the Senior Center

RESOLUTIONS

3. Resolution No. 90 -10 Authorizing Tonnage Grant Application
4. Resolution No. 91 – 10 Approving the Application For \$26,704.00 Grant For DEDR Funds
5. Resolution No. 92 – 10 Authorizing Shared Service Agreement with the Borough of Union Beach to Provide Registrar and Deputy Registrar of Vital Statistics Services for the Year 2010
6. Resolution No. 93 – 10 Authorizing Renewal of Keyport Kayak and Crabbing Lease
7. Resolution No. 94 - 10 Authorizing Execution of Captain John's Lease
8. Resolution No. 95 – 10 Confirming Participation in the Aberdeen Cooperative Pricing System # 105-ATCPS – “Grass Cutting and Lawn Maintenance”
9. Resolution No. 96 – 10 Payment of Bills
10. Resolution No. 97 – 10 Authorize Borough Attorney to file action to recover Special Election Costs
11. Resolution No. 98 – 10 Authorize hiring Dispatch - Daniel Whiteman

PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions at 8:03 P.M.

Ed Carew, 64 Broadway, spoke of checklist for punch list items on the Waterfront Park. Mr. Carew had a junction cover that fell off he gave it to the Administrator.

Mr. Carew – asked about the Rain Garden. Wanted to know when Borough would like to see it finished. Ms. Bolte replied that they are tentatively looking at April 12th.

Motion to give Mr. Carew permission to maintain Borough signs made by Mr. Sheridan, second by Ms. Sefcik with ayes by all present.

Frank Mongiello thanked all for the binoculars at the Waterfront Park

Nancy Carew, 64 Broadway, would like grass tested at Waterfront Park before fertilizing.

Resident spoke of sinking bricks at the Waterfront Park.

Mike Lane, asked about the punch list for the Waterfront Park, he noticed quite a bit of marking on the concrete. Asked if it would be repaired and mentioned the flag pole is bent.

Mayor stated that the level of concrete moisture is being tested – core samples. Flag pole is on the punch list.

Mike Lane – what tax rate will be now that budget has been introduced. Mr Fallon, CFO replied that tax rate is 73.2 cent; a 1/6 cent tax increase or about 2%

Mike Lane asked about concrete dock, stated that Keyport Yacht Club has vast experience with wooden floats; also asked about site triangle painting on Broad and First, First and Green Grove.

Joe Ruth, Keyport PBA President 223, asked whether the budget includes any cuts to the Police Department. Mr. Sheridan replied yes; one position. Budget calls for an elimination of an active position. No discussion has taken place yet. Mr. Ruth asked when this elimination of position will take place. Mayor Bergen stated they have to go through Civil service and have to give a 45 day notice.

Ms. Hassmiller asked if there are any further union workers being eliminated. Only have 8 now and three were put to part time. Mayor replied yes; elimination of one position.

There being no more comments or questions from the public, the meeting was closed at 9:14P.M.

APPROVAL OF RESOLUTIONS

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

Roll Call: Ayes: Councilmembers Gross, Sefcik, Bolte, Sheridan, Mc Peek, Kovacs

Nays:

Abstain:

Absent:

10. Resolution: Authorize Borough Attorney to file action to recover Special Election Costs

Roll Call: Ayes: Councilmembers Gross, Sefcik, Bolte, Sheridan, Mc Peek,

Nays: Councilman Kovacs

Abstain:

Absent:

Council went into closed session at 9:14 PM and this meeting was reconvened at 9:19 PM

ADJOURNMENT

Motion to adjourn was made and carried at 9:19 PM.