

June 15, 2010
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.

Mayor Bergen called the meeting to order at 6:08 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 (arrived 6:42 pm). Others present: Borough Attorney, Richard Rybak and Borough Administrator Ms. Wright

RESOLUTION No. 147-10

1. Resolution #135-10 Closed Session Meeting Personnel

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:

Personnel – Police Department Procedure

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 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: Ms. Sefcik, 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 7:45PM

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, Borough Administrator, Ms. Wright

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions at 7:44P.M.

Nancy Carew, 64 Broadway, the center of the rain garden retaining too much water and some plants are starting to die. Any plans for improvement next to Ye Cottage Inn. Sand there is getting slippery.

Councilman McPeek explained the problem there. Mayor stated that he will have George Sappah look at it. Mayor asked for a plan from the Garden Club for the area next to Ye Cottage Inn,

Ms. Bolte thanked the Garden Club for plantings by the Post Office.

PUBLIC HEARINGS/ADOPTION OF ORDINANCES

1. Ordinance # 11-10 Bond Ordinance for Beers Street, Phase III

The Clerk reads the Ordinance by Title:

**BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO BEERS STREET
PHASE III IN AND BY THE BOROUGH OF KEYPORT, IN TB COUNTY OF MONMOUTH,
NEW JERSEY, APPROPRIATING \$330,000 THEREFOR AND AUTHORIZING
THE ISSUANCE OF \$105,000 BONDS OR NOTES OF THE BOROUGH
TO FINANCE PART OF THE COST THEREOF**

Motion was made by Mr. Sheridan, second by Ms. Sefcik with ayes by all present to open the Hearing to the public for comments or questions at 7:50P.M.

There being no more comments or questions from the public, the hearing was closed at 7:50 P.M.

Motion to adopt Ordinance made by Mr. Sheridan second by Ms. Bolte with ayes by all present.

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

Nays:

Absent:

Abstain:

Motion authorizing the Clerk to publish the Ordinance as adopted moved by Mr. Sheridan, second by Ms. Sefcik

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

Nays:

Absent:

Abstain:

2. Ordinance # 12-10 Designated smoking areas at Waterfront Park

The Clerk reads the Ordinance by Title:

**AN ORDINANCE OF THE BOROUGH OF KEYPORT IN MONMOUTH COUNTY,
AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH
OF KEYPORT, BY ADDING CHAPTER 4-26 PROHIBITING SMOKING AT
WATERFRONT PARK EXCEPT IN DESIGNATED AREAS –
areas subject to change by resolution**

Motion was made by Mr. Sheridan, second by Ms. Sefcik with ayes by all present to open the Hearing to the public for comments or questions at 7:53P.M.

Amend Ordinance #2 moved by Mr. Sheridan, second by Mr. McPeek with ayes by all present to have areas subject to change by resolution.

Mike Lane, 51 First Street, asked about what cost of enforcement will be. Mayor stated that there hasn't been any cost analysis

Sam Minor – stated that dog waste violations are not being enforced at Waterfront Park – how is this going to be enforced.

There being no more comments or questions from the public, the hearing was closed at 7:58 P.M.

Motion to adopt Ordinance made by Mr. Sheridan second by Ms. Bolte.

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

Motion authorizing the Clerk to publish the Ordinance as adopted moved by Mr. Sheridan, second by Ms. Sefcik

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

3. Ordinance # 13-10 Amend Salary Ordinance

The Clerk reads the Ordinance by Title:

**AN ORDINANCE AMENDING AND SUPPLEMENTING AN ORDINANCE
FIXING THE SALARIES OF THE VARIOUS OFFICERS, CLERKS AND
EMPLOYEES OF THE BOROUGH OF KEYPORT, N.J. IN THE COUNTY OF
MONMOUTH AND STATE OF NEW JERSEY**

Motion was made by Mr. Sheridan , second by Ms. Sefcik with ayes by all present to open the Hearing to the public for comments or questions at 7:59P.M.

Isora Rocano asked about what the increase would be. Mayor explained that there would be no increase in salary – just need to create a senior clerk typist salary range because the Borough doesn't currently have one.

There being no more comments or questions from the public, the hearing was closed at 8:00 P.M.

Motion to adopt Ordinance made by Mr. Sheridan second by Ms. Bolte with ayes by all present.

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

Motion authorizing the Clerk to publish the Ordinance as adopted moved by Mr. Sheridan, second by Ms. Bolte

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

4. Ordinance # 9 10– Landlord Registration

The Clerk reads the Ordinance by Title:

**AN ORDINANCE AMENDING CHAPTER 12-14.7 OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF KEYPORT WITH REGARD TO LANDLORD
REGISTRATION FEES**

Public Hearing held May 18, 2010

Motion was made by Mr. Sheridan, second by Ms. Sefcik with ayes by all present to open the Hearing to the public for comments or questions at 8:04 P.M.

Isora Rocano asked what landlord registrations fees are; Mayor explained.

There being no more comments or questions from the public, the hearing was closed at 8:04 P.M.

Motion to adopt Ordinance made by Mr. Sheridan second by Ms. Sefcik with ayes by all present.

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

Motion authorizing the Clerk to publish the Ordinance as adopted moved by Mr. Sheridan, second by Mr. McPeek

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

COMMUNICATIONS AND PETITIONS

1. Letter from the Keyport-Matawan Elks #2030 regarding their annual Lodge picnic to be held on September 11, 2010 and requesting permission to close the road directly behind the Elks Lodge (Chingarora)

Motion to approve and give to Business Administrator and Police Chief moved by Mr. Kovacs, second by Ms. Sefcik with ayes by all present.

2. Email from Isaiah Cooper of the Keyport Food Pantry requesting a letter of support or endorsement for their CDBG application

Motion to approve – Administrator to get letters of support from KCCC and KBA moved by Mr. Sheridan, second by Mr. Kovacs with ayes by all present.

3. Letter from the Monmouth County Planning Board regarding a July 19th Public Hearing on the Coastal Monmouth Plan

MM: 2nd. Roll Call: Gross, Sefcik, Bolte, Sheridan, Kovacs, McPeek

4. Email from Christine Bennett requesting to use the Waterfront beach on First Street for a summer beach volleyball court on Thursday evenings from 6PM until dusk. – Check with Keansburg for Beach Sweeper

Motion to approve and refer to Recreation to check time, moved by Mr. Kovacs, second by Mr. Sheridan with ayes by all present.

5. Letter from Cub Scout Pack 364 requesting the use of Cedar Street Park on Sunday, July 18th from 3:30PM to 8:00 for a softball game and family picnic

Motion to approve and refer to Recreation to check on time moved by Mr. Kovacs, second by Mr. Sheridan with ayes by all present.

6. Letter from Community Development regarding presentation to be held on Wednesday, August 18th, 2010 at 9:15AM

Motion to receive and file moved by Mr. Sheridan

REPORTS OF DEPARTMENTS

1. Borough Clerk's Monthly Report for May 2010
2. Tax\Water\Sewer Collector's Report for May 2010
3. Building Department Monthly Report for May 2010
4. Property Maintenance Report for May 2010
5. Board of Health Treasurer's Report for May 2010 and Minutes of the May 11, 2010 Meeting
6. Municipal Court's Monthly Cashbook Report for May 2010

On file in Borough Clerk's office for review.

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

COMMITTEE REPORTS

Mayor spoke about being awarded Pike's Award for the Waterfront Park.

Councilman Gross: Police: Mr. Gross read Police Department report

Councilwoman Sefcik: Health and Recreation: Ms. Sefcik reported on the following:

- summer recreation program will start in July - information on Borough website.
- Volleyball night at Beach Park

Councilman Bolte: Public Works/Recycling/Property Maintenance: Ms. Bolte reported that she is working on Property Maintenance Overhaul with Marjorie Seckinger and Tony Neibert

Councilman Sheridan: Fire/First Aid/Emergency Services: Mr. Sheridan read the Fire and First Aid reports, mentioned the Fireman's fair

Councilman Kovacs: Finance/Grants/Redevelopment: Mr. Kovacs had no report

Councilman McPeck: Buildings/Grounds/Library: Mr. McPeck reported that the AC unit was serviced at the library. July 7th Historical Society Art Show and Sale

UNFINISHED BUSINESS

Mayor would like to move Anchor by bank on the highway – need to reach out to the bank to see if they are interested. Ms. Bolte suggested moving the one at Terry Park.

Discussion of Outdoor Musical Entertainment

Mayor – currently have an ordinance preventing live entertainment – now require windows to be closed at 9:00 PM

Mayor spoke of having a committee, will check for League Ordinances.

Ms. Bolte – Farmers Market, would like to begin next week. Police would need to put out cones.

Mayor spoke of letter regarding fire boat repairs. Administrator will notify that it will be on payment of bills.

Mayor spoke of Parks and Playground rules to be established by Administrator. Concerned about organized soccer games being conducted there and tearing up grass.

ADMINISTRATOR'S REPORT

Administrator Wright reported on the following:

- Monmouth County Health Department came in and spoke to our Board of Health
- FEMA was here and we are putting in the last of our submissions
- 48 Walnut Street – Park tree fell, \$750.00 to have it removed

Mr. Sheridan asked about lights on West Front Street. Goose lights are still lit. Mayor wants to not pay for this month since we requested this last month. Mayor stated that he is not happy with grass cutting; would like to see the contract. Maybe could have college kids cut the grass.

Ms. Bolte asked for status of the road projects.

RESOLUTIONS

2. Resolution No. 148-10 Liquor License Renewals
3. Resolution No. 149-10 Bills List
4. Resolution No. 150-10 Authorizing Fire Department Boat Repairs
5. Resolution No. 151-10 Authorize Farmers Market to begin next week (Thursday)
6. Resolution No. 152-10 Authorizing Keyport Yacht Club to park at Church and Second Street

PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions at 8:39 PM

Ed Burlew, 59 West Front Street, needs a trailer by the 24th for outdoor concerts.

KBA got a letter from Lorene addressed to Ed Burlew, wants to know if Council has a copy of it. Mr. Burlew wants communications to go the Post Office box. It is regarding Haunted Mansion wants to know if KBA can use the Old Municipal Building for the Haunted Mansion.

Mayor – Last year KBA didn't comply with the terms of use. This year there will be a written agreement for the terms of use. Mayor is concerned about individuals running the Macabre Mansion without workman's compensation insurance; thinks we should be able to work thru the issues. Mayor will reach out to them.

Ed Burlew – ribbon cuttings scheduled for June 25th; KBA usually did the ribbon cutting.

Nancy Carew, 64 Broadway, is there a tank truck available thru DPW for watering. Ms. Carew asked who owns retaining wall between Mike's Subs and the Post Office. Mayor stated that the Post Office leases the property so any improvements would belong to the Post Office.

Ms. Carew asked about the status on the Solar Farm for Aeromarine? Mayor replied that the Borough is looking to have an RFP for a developer.

Tom Mitchell – tree is being replaced on West Front. Disappointed at lack of response for extension of mini-park.

Mayor replied that he wants to help volunteers but Borough has an obligation to protect the tax payers. Anything build must be in ADA compliance. Feels KBA starts projects and then the Borough has to fix them in the middle.

Isora Rocano, talked about money being spent in the Borough but needs money to fix up her house.

Isaiah Cooper – suggested Habitat for Humanity.

Sam Minor – asked how many fires are reported. Mr. Sheridan replied 175 to date this year.

Mayor – vast majority of calls are not fires but responses to alarm calls.

Bob Ludwig, 50 Beers Street – speaking as corresponding secretary of Environmental Commission – regarding Keyport Oyster controversy

Isaiah Cooper, 135 Atlantic Street, spoke of available services for those in need.

Mike Lane, 51 First Street, approved raffle for Keyport Yacht Club – reported how much was raised.

- Items (chin-up bar) missing from Beach Park
- Ballot resolution for August
- Asked about concrete float – Neptune paid \$1500

- Would like to see restrictions or conditions put on liquor licenses. Encouraged Council to get Uptown lease issue resolved

Terry Bolte, 65 Elizabeth Street, had questions regarding anchor. Concerned members of Council are willing to compromise their positions. Feels Historical Society is prime property and could be used for something else. Asked about Cheryl Hill property.

Administrator to review Ordinance with Construction Office.

Bob Ludwig, observed kids playing dangerously on Cheryl Hill property.

There being no more comments or questions from the public the meeting was closed at 9:51 PM

APPROVAL OF RESOLUTIONS

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

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

Nays:

Abstain:

Absent:

ADJOURNMENT

Motion to adjourn the meeting at 9:54 PM was made and carried with ayes by all present.