

July 20, 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 6:33P.M. Clerk Valerie Heilweil read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Gross, Sefcik, Bolte, Sheridan (arrived 7:31pm), Kovacs, Mc Peek, Mayor Bergen Others present: Borough Attorney, Richard Rybak and Borough Administrator Ms. Wright

RESOLUTION No. 166-10

1. Resolution #166-10 Closed Session Meeting Litigation and 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:

Litigation
Personnel – Various Departments

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: Ms. Sefcik, Seconded by: Mr. McPeek

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

Council went into closed session at 6:35 PM and this meeting was reconvened at 7:36PM

ROLL CALL

On Roll Call the following were present: Councilmembers Gross, Sefcik, Bolte, Sheridan, Kovacs, Mc Peek, Mayor Bergen. Others present: Borough Attorney, Rich Ryback, 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 7:37P.M.

Ed Burlew – what is the difference in the current ordinance as opposed to the proposed ordinance?

Mayor – to mirror the statute with regard to special assessment.

Mr. Burlew would like public to speak into microphone; hard to hear on the tapes.

Mr. Ludwig – would like people to identify themselves and their addresses.

First week of August – Mayor is on vacation will miss the meeting.

Motion made to reschedule 3rd meeting to the 17th moved by Ms. Bolte, second by Mr. McPeek

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

There being no more comments or questions from the public, the meeting was closed at 7:41P.M.

APPROVAL OF MINUTES

February 13, 2010 – Special	March 16, 2010 - Closed
Jan. 19, 2010 – Closed	April 6, 2010 - Closed
Feb. 2, 2010 – Closed	April 27, 2010 - Closed
Feb. 13, 2010 – Closed	May 4, 2010 - Closed
Feb. 16, 2010 – Closed	May 18, 2010 - Closed
March 2, 2010 – Closed	June 1, 2010 – Closed
March 6, 2010 – Closed	June 7, 2010 - Closed

INTRODUCTION OF ORDINANCES

1. Ordinance – Police Department Administration

The Clerk reads the Ordinance by Title:

AN ORDINANCE AMENDING CHAPTER III OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT WITH REGARD TO THE ADMINISTRATION OF THE POLICE DEPARTMENT

Motion to introduce Ordinance moved by Ms. Bolte, second by Ms. Sefcik

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

Motion authorizing the Clerk to publish the Ordinance as introduced, in the Asbury Park Press for a Hearing to be held on August 3, 2010 **Did not Pass**

2. Ordinance – Amend BID Ordinance

The Clerk reads the Ordinance by Title:

AN ORDINANCE AMENDING CHAPTER XXI, BUSINESS IMPROVEMENT DISTRICT, SECTION 21 OF THE ORDINANCES OF THE BOROUGH OF KEYPORT

Motion to introduce Ordinance moved by Ms. Sefcik, second by Ms. Bolte

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

Motion was made and carried authorizing the Clerk to publish the Ordinance as introduced, in the Asbury Park Press for a Hearing to be held on August 17, 2010.

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

COMMUNICATIONS AND PETITIONS

1. Letter from Temple Shalom requesting to conduct a family service at the Waterfront Park on Friday, September 10, 2010 at 11AM

Motion to refer to Administration and Parks Committee for whatever they deem take out appropriate moved by Mr. Sheridan

2. Application for a Raffles License from the Keyport Indians for On-premise 50/50 cash raffle to be held on August 28, 2010

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

3. Application for a Raffle License from the Keyport Cultural Celebration Committee (KCCC) for an on-premise 50/50 cash raffle to be held on September 11, 2010

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

4. Email from Christine Bennett requesting the use of electricity and permission to sell food during the Thursday night hours of Beach Volleyball (6:30PM-9PM)

Motion to refer to administration moved by Mr. Sheridan, second by Mr. Kovacs with ayes by all present.

5. Letter from the Harbor Commission opposing attempts to curtail the oyster projects of the NJ Baykeeper

Motion to forward to DEP moved by Mr. Sheridan

6. Request from Recreation Commission President, George Strang, regarding Recreation's Outdoor Movie Night to be held on Saturday, August 14th

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

7. Application for a Raffle License from Keyport Indians, Inc. for a Tricky Tray to be held August 28, 2010 and letter from Keyport Indians President Joseph Vecchio requesting the Borough waive the local license fee for this event

Motion to deny waiving fee was made by Mr. Sheridan, second by Ms. Sefcik with ayes by all present

Motion to approve raffle was moved by Mr. Sheridan, second by Ms. Sefcik with ayes by all present.

8. Letter from Gerry Nani regarding his intention to sublet the Waterfront Park hot dog lease and Harbor Commission's letter of recommendation to sublet the lease to Frank Liegel. Fees must be paid up-to-date to sublet – paid prior to approval.

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

REPORTS OF DEPARTMENTS

1. Borough Clerk's Monthly Report for June 2010
2. Tax\Water\Sewer Collector's Report for June 2010
3. Building Department Monthly Report for June 2010
4. Property Maintenance Report for June 2010
5. Board of Health Monthly Treasurer's Report for June 2010
6. Municipal Court's Monthly Cashbook Report for June 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

Councilman Gross: Police: Mr. Gross reported on the following:

- Looking to get gas from the county
- Comp time has saved \$30,000, comp time for PD has gone down
- Fair budget is around \$4,000.00

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

- Recreation Commission is planning a movie night for August 14th
- Volley ball games expanding
- Skate event being held at Country Jamboree being scaled back
- Recreation members helping with Fireman's Fair

Councilman Bolte: Public Works/Recycling/Property Maintenance: Ms. Bolte reported on the following:

- Working on picture map for waterfront binoculars
- Requested that benches be put in the gazebo
- Fishing signs – need some on promenade fencing – get rid of temporary signs, should be secured to railings
- Working to get wooden pier
- DPW – 3 days worked on beach volley ball courts

Councilman Sheridan: Fire/First Aid/Emergency Services: Mr. Sheridan reported on the following:

- First Aid had a successful blood drive – 77 pints of blood collected
- Fireworks Thursday and Saturday for the Fireman's Fair
- Went to Freeholders meeting, Borough received Pike Award for Waterfront Park – very prestigious

Councilman Kovacs: Finance/Grants/Redevelopment: Mr. Kovacs stated that the Mayor made a statement about parking cars on grass. Fire Department now can not park on Cummings property. Can Fire Department Park there now? Mayor replied that he will call Mr. Cummings.

Would like people to be able to park on both sides of Beers Street for the Fireman's Fair. Would like Ordinance temporarily waived.

Councilman McPeck: Buildings/Grounds/Library: Mr. McPeck stated that the Library got fire alarm inspection and passed.

UNFINISHED BUSINESS

Discussion regarding KBA's Macabre Mansion

Macabre Mansion – independent contractor would not be able to purchase workman's compensation, but could provide a general liability policy.

Borough got special discretionary grant for Maple Place project. There are areas where macadam is not in good condition. Borough advised to submit an additional application to make supplemental request to DOT.

Mr. Gross stated that Council previously decided to allow take home car for detective on duty; would like Patrolman Ruth to be able to have a car because he has the drug dog.

Mayor stated he is concerned if no dog, and car is taken anyway, then that officer will grieve that he is always entitled to it and will seek compensation.

Mr. Gross made the motion and Mr. Sheridan moved it, subject to an agreement in the form acceptable to the Borough Attorney.

ADMINISTRATOR'S REPORT

No Report

ATTORNEY'S REPORT

No Report

RESOLUTIONS

2. Resolution No. 167-10 Authorizing Drug Grant Application
3. Resolution No. 168-10 Requesting Approval of Items of Revenue and Appropriation NJSA 40A:4-87
4. Resolution No. 169-10 Setting the Last Date to Pay Third Quarter 2010 Taxes Before Interest Will Accrue
5. Resolution No. 170-10 Appointing Senior Clerk Typist
6. Resolution No. 171-10 Bills List
7. Resolution No. 172-10 Approving extension of Swift lease subject to terms approved by Borough Attorney
8. Resolution No. 173-10 Authorizing submission to DOT for Supplemental Grant Money for Maple Place
9. Resolution No. 167-10 Authorizing Patrolman Ruth to use Police Vehicle for Canine transportation subject to agreement in the form acceptable to Borough Attorney.

PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions at 8:27PM

Joe Ruth, Keyport PBA President 223, Borough is required to pay transportation, vet bills and food bills for the dog under the Garcia rule. Mr. Ruth stated that he does not ask for any of that, but entered into a gentleman's agreement with the Council. Mr. Ruth feels the dog is not safe in his personal vehicle as a working dog.

Has any headway been made on the structure of the Police Department?

Mr. Ruth asked if there will be a Chief of Police; Mr. Gross would like to put that before Council.

Sandra Shevlin, 314 Beers Street, needed clarification about August meeting dates. BID hearing date is August 17th. Ms. Shevlin asked about missing parking spaces at the Waterfront Park and allowing parking on both sides of Beers Street for Fireman's Fair. Would like clarification about parking on the grass and the Waterfront Park for Special Events.

Mayor stated that there will be no parking on the grass for this event.

Ms. Shevlin spoke of canine unit and a working dog needing to be transported in a police vehicle for safety. Ms. Shevlin stated that the Officer himself said it was a 30 second trip.

Andy Willner, 85 Osborne Street, has been trying to research the KBA's IRS status. Mayor stated it is a 501-C4. Mr. Willner stated that no organization has been filing 990's in Keyport

Resident, 70 Green Grove, thinks it is unfair to make fishing on the Waterfront Pier in such a small area

Ed Burlew, 59 West Front Street, Borough owns Ye Cottage Inn parking lot – 27 spaces are available there.

Joe Ruth asked about fishing on the Pier. Signs need to be placed in order to be able to enforce no ball playing on the grass.

Ms. Bolte replied that they are allowed to fish on the Pier but not on the promenade.

There being no more comments or questions from the public the meeting was closed at 9:12 PM

APPROVAL OF RESOLUTIONS

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

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

Nays:

Abstain:

Absent:

ADJOURNMENT

Motion to adjourn the meeting at 9:12 PM was made and carried with ayes by all present.