October 5, 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.

Council President Sheridan called the meeting to order at 6:44 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, McPeek. Others present: Borough Attorney, John Wisniewski and Borough Administrator Ms. Wright. Absent: Mayor Bergen

**RESOLUTION No. 205-10**

1. Resolution #205-10 Closed Session Meeting Personnel, 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:

Personnel: Contract Negotiation
Litigation

**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 Contract Negotiations, 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: Ms. Bolte

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

Council went into closed session at 6:46 PM and this meeting was reconvened at 7:00PM

**ROLL CALL**

On Roll Call the following were present: Councilmembers Gross, Sefcik, Bolte, Sheridan, Kovacs, Mc Peek, Mayor Bergen (arrived 7:06 P.M.). Others present: Borough Attorney, John Wisniewski, and Borough Administrator Ms. Wright

. **APPROVAL OF MINUTES**

September 21, 2010 – Regular Session

For next meting – Add Merla October 10 permit for Bayside abstained.

**PUBLIC COMMENT PORTION**

The meeting was opened to the public for comments or questions at 7:02 P.M.

Isaiah Cooper has left applications in Borough Hall for Habit for Humanity and another group that fixes house. Forms will be put on website.

There being no more comments or questions from the public, the meeting was closed to the public at 7:03 P.M.

Mr. Gross and Ms. Sefcik requested to take a five minute break for the Solar Group to set up. Meeting was reconvened at 7:10.

**COMMUNICATIONS AND PETITIONS**

1. Letter from KBA President regarding Mini Park plans

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

2. Notice from the Monmouth County Health Department regarding their Healthy Body, Healthy Home Fall Festival to be held October 23, 2010 at Sunset Park in Asbury

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

3. Application for membership in the Keyport Fire Department/Engine Company Hose from James Dressler (contingent upon State approval)

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

4. Application for membership in the Keyport Fire Department/Raritan Hose from Jason A. Jankovitz (contingent upon State approval) and letter advising Council that Raritan Hose Company has accepted the resignation of John Jones

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

5. Letter from First Baptist Church regarding their 170th anniversary to be held on October 17, 2010

Motion to receive and file moved by Mr. Kovacs, second by Mr. McPeek with ayes by all present

6. Letter from Keyport Fire Department Fire Marshall regarding donating turnout gear to the Hazlet Fire Prevention Bureau's Fire Official who has untaken an endeavor to ship unusable turnout gear to firefighters in Uruguay

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

**DISCUSSION**

Aeromarine Solar Field Redevelopment

Mayor gave an update of the redevelopment plan for Aeromarine. Here tonight to present a potential redeveloper. Bill Speedo of Excel Environmental

Radiant Renewable Energy LLC of New Brunswick spoke of project, size, cost and approvals, cost premiums advantages, what is required to make it work, their preliminary offer, estimated project cost $21 – 23 million

Mayor asked if Borough put in a RFP for this site would they respond; yes.

Mr. Sheridan – have you ever done this on a landfill; no, but we have done it on Brownfield property.

Is Borough responsible for the security; no.

RRE – There will be security all night long during the construction process.

Where does 21-23 million dollars come from?

RRE – private investment and solar funds will be a 20 acre site with 3 ½ **MEG**

Sefcik – How are you leasing land from us?
Mayor replied that the property owner wants to partner with the Borough. Property owner is in favor of this moving forward.

McPeek – what is the visual impact on the homes in the area after construction?

No effect from it, you may be able to see it. The highest height is 8 feet high. Construction is estimated at 21 weeks.

Kovacs – will there be trees around metal fence?

No, shade trees because we wouldn't want to block the solar.

Sefcik – Any other sites in New Jersey

Have roof mounted work but there are very few sites in New Jersey.

Ed Burlew – why is Aeromarine partnering with the town; why not do it themselves? Mayor replied because they are not in that business and can't accomplish this on their own. We are a governmental entity and have more resources

Bob Ludwig – suggested integrating their project with some of the human-use & environmental issues that have been worked on over the last several years.

Mike Lane – what is the cost to generate the RFP and was it approved by resolution.

Mayor - Borough has not approved it yet so there is no RFP

Mike Lane – wants the Council to understand what the financial benefits are before voting on this.

At 7:46 PM the presentation was over – motion was made to take a two minute break.

Meeting reconvened at 7:50 PM

## UNFINISHED BUSINESS

## ADMINISTRATOR'S REPORT

Ms. Wright reported on the following:

- can experience savings on telephone utility
- funding for 2011 – West First Street, Luppatatong, and Second
- Energy Efficiency Conservation block grants. Applications being prepared.

Mr. Kovacs asked if we are on Shorelands water now. Mr. Kovacs stated it tastes like swamp water.

Administrator replied that operation on our water plan was extended through September.

## ATTORNEY'S REPORT

Made report in closed.

## NEW BUSINESS

Ms. Bolte mentioned that this Saturday and Sunday from 11 – 6 is the Country Jamboree

Mayor spoke of proof of claim and moving ahead with Fireman's park and bulkhead at Benjamin Terry Park. Need to get in touch with FEMA to see how uncovered costs will be covered.

## RESOLUTIONS

2. Ressolution No. 206-10 Establishing a Halloween Curfew for Minors on October 30th & 31st
3. Resolution No. 207-10 Authorizing Payment to Jads Construction Inc. for Services Rendered Relative to the 2009 Year Community Development Project for the Borough of Keyport
4. Resolution No. 208-10 Payment of Bills
5. Resolution No. 209-10 Authorizing Signature of Proof of Claim for Insurance Company Borough's storm Loss
6. Resolution No. 210-10 Closed Session – Personnel

## PUBLIC COMMENT PORTION

The Meeting was opened to the Public for Comments at 7:56 PM.

Tony Gallo, representative for Keyport PBA #223, looking for clarification regarding referendum question – wants to know how it works.

Mr. Gallo questioned how some of the numbers in the interpretive statement were arrived at.

Mayor stated that the numbers were prepared by the CFO, Mayor explains the numbers.

Mr. Gallo stated that there were three Administrative Officers since the 1990's. Said we currently have two administrative officers and are currently looking for one more and not two.

Mr. Sheridan suggested getting a letter from the CFO explaining the numbers.

Mr. Gallo stated although he is optimistic when he was put second in command that all administrative work could be completed, he now sees that he cannot complete all his work. Mr. Gallo spoke of two surrounding towns were their chiefs retired and a new chief was immediately sworn in.

Nora Sandborn asked how we know that the figures are correct.

Mayor will have CFO draft a letter explaining the numbers.

Mr. Gross stated he disagreed with the two additional administrators when he was asked about it.

Mark Hafner said he feels the interpretive statement implies that they are requesting positions that require another $500,000

Mr. Gallo asked each Councilmember how they interpreted the statement.

Ed Burlew asked why they didn't replace the Chief.

Bob Burlew, 64 Chandler Avenue, said he also feels interpretive statement is misleading. Thinks the Mayor should send a letter out explaining it more accurately. Also, said he is not in favor of shared service for Police Chief.

Terry Bolte said she did not find the question confusing; asked attorney if it is legal for them to send out political literature.

Warren Chamberlain stated he is in favor of shared services but doesn't see how another town would agree to share their Chief would they be part time positions?

Pat DiNardo, 61 Chingarora, said he is favor a police chief and not shared services. Spoke of an email sent to Mr. Chamberlain saying we have recovered over $400,000 in the building litigation. Mr. DiNardo asked what has been done with that money.

Mayor stated it is in a fund. The roof has been replaced already.

Nathan Scali, Manager at 6 Broad Street, asked about a previous statement made by Councilwoman Bolte regarding additional trash pick up on the waterfront.

Mike Lane, 51 First Street, reiterated what Councilman Kovacs said about the bad taste of the water. Mr. Lane asked about Bay View Bar and Grill change of corporate structure. Municipal Clerk answered that has now been done. Mr. Lane asked if the Aeromarine presentation can be requested. He will put a request into the Borough Clerk.

Kevin Cassidy asked about the Police Chief and shared service.

Mark Hafner said there is not even a resolution stating who is in charge of the day-to-day operations. Mayor stated this is already clear in our Ordinance.

George Casaletto, KPBA #223, feels without a resolution there is not a lack of leadership but a lack of direction for the future. Feels there should be a resolution to put him in charge. Feels a shared service Police Chief would pull officers from one town to another. Since he gets to make the decision, feels he is making $125,000 with overtime anyway.

Ed Burlew, asked if we plan on appointing a Chief and Capitan soon? What are we doing about that? Why do the guys have to be in limbo?

Mayor replied because we have a ballot question asking if we should fill that position.

Ed Burlew, asked about Ye Cottage Inn letter; Administrator stated it still has not been sent out.

There being no more comments or questions from the public, the meeting was closed to the public at 9:27 P.M.

Motion was made at 9:28 PM by Mr. Sheridan, second by Ms. Bolte to go into closed session with ayes by all present.

Mayor would like to add a Resolution to Authorize a Settlement Agreement for Milowski.

Motion to go back into open session at 9:31 PM was made by Mr. Gross second by Mr. McPeek with ayes by all present.

## APPROVAL OF RESOLUTIONS

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

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

## ADJOURNMENT

Motion to adjourn at 9:32 PM was made by Ms. Sefcik, second by Mr. Sheridan with ayes by all prresent.