

October 19, 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.

Council President Sheridan called the meeting to order at 6:34 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 (arrived at 6:40PM). Others present: Borough Attorney, John Wisniewski and Borough Administrator Ms. Wright. Absent: Mayor Bergen

### **RESOLUTION No. 211-10**

#### 1. Resolution #211-10 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 Updates  
Potential 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 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. Bolte, Seconded by: Ms. Sefcik

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

Council went into closed session at 6:36 PM and this meeting was reconvened at 7:01PM

### **ROLL CALL**

On Roll Call the following were present: Councilmembers Gross, Sefcik, Bolte, Sheridan, Kovacs, Mc Peek, Mayor Bergen (arrived 7:16 P.M.). Others present: Borough Attorney, John Wisniewski, and Borough Administrator Ms. Wright

### **PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE**

### **.PROCLAMATION**

Red Ribbon Week (Keyport Drug Alliance

Council President Sheridan read the Red Ribbon Week Proclamation. Barbara Hilliard came up to accept the Proclamation and to say a few words.

### **PUBLIC COMMENT PORTION**

The meeting was opened to the public for comments or questions at 7:06 P.M.

Raymond Hayducka, Police Chief of South Brunswick, 2<sup>nd</sup> VP of NJ State Chiefs – Letter was sent on May 18<sup>th</sup> requesting a meeting regarding the issue of Police Chief. Stated Mayor never responded. Mr. Hayducka has a question regarding the Referendum on the subject of the Police Chief. Says all operating procedures are not universal. He believes the Chief would be set up for failure. Feels Keyport would be better-served by having a Police Chief.

Raymond Lee, 225 Division Street, former Police Officer stated every patrolman's dream is to reach the top thinks we should have a Chief of Police

Ed Burlew, 59 West Front Street, asked why we are not making a Police Chief would like a vote tonight.

Ms. Sefcik stated there is a non-binding question on the ballot.

(7:16 PM Mayor Bergen arrived)

Peggy Wilson, asked how much money will be saved by not having a Police Officer

Mayor explained we have without one since October 2009. Doesn't know exactly how much we could save. Mayor read referendum question.

Mike Lane – thinks the interpretive statement on the ballot question leads someone to believe that there is a half million dollar cost savings if we don't know what it is? Doesn't remember the resolution being passed regarding this question.

Lt. Anthony Gallo – wants to say some words on behalf of the Police Department. Said he made a mistake on the salary (Resolution No. 245-09). Resolution salary amount of Chief did not include longevity; said Chief's salary was negotiated with Chief and members of the Council yet he feels Council is angry with the Police Department.

Raymond Hayducka – addressed the Mayor. Stating that he would make \$115,000 as the Chief but now makes \$125,000 with overtime; asked about letter sent to Mayor and said he would still like to meet with the Mayor. Spoke of Chief's loyalty to his own town in the instance of a shared service.

George Casaletto – spoke about the ballot question. It says he asked for two additional administrators when he did not.

Motion was made at 7:58PM by Mr. Sheridan, second by Ms. Sefcik to take a quick break. The meeting reconvened at 8:00PM.

### **APPROVAL OF MINUTES**

September 21, 2010 – Regular Session

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

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

Nays:

Absent:

Abstain: Councilmember Kovacs

### **COMMUNICATIONS AND PETITIONS**

1. Application for a Raffle License from Keyport-Matawan Elks Lodge No. 2030 for a pull-tab machine
2. Application for a Raffle License from Raritan Post 23 American Legion for a pull-tab machine

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

3. Application for membership in the Keyport Fire Department/Lincoln Hose from Ryan S. Francis (contingent upon State approval) and letter advising Council that Lincoln Hose Company has accepted the resignation of Russell Surdi

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

4. Email from Lt. Anthony Gallo regarding Keyport Halloween Emergency Services Parade scheduled for Saturday, October 30, 2010 at 12:30PM

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

5. Letter from KBA President requesting a discussion and vote on the KBA Borough Mini-Park project

Mayor thinks engineer needs to look at the project to be sure we are not taking on an ADA problem.

Motion made by Mr. Gross, second by Ms. Bolte

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

6. Application for membership in the Keyport Fire Department/Hook & Ladder Company from Bora Aykin (contingent upon State approval) and letter advising Council that Hook & Ladder Company has accepted the resignation of Edward Beaulieu

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

7. Letter from Keyport Fire Department Secretary advising that Hook & Ladder accepted the resignation of David Quinn on October 14<sup>th</sup> and also accepted Glenn Leonard into membership

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

8. Letter from Head Trustee of American Legion Post 23 regarding collection of needed items for our overseas troops and requesting the Municipal Building as a drop-off point

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

### **REPORTS OF DEPARTMENTS**

1. Borough Clerk's Monthly Report for September 2010
2. Tax/Water/Sewer Collector's Report for September 2010
3. Building Department Monthly Report for September 2010
4. Property Maintenance Report for September 2010
5. Board of Health Treasurer's Report for September 2010 and Minutes of the June 8, 2010 Board of Health Meeting
6. Municipal Court's Monthly Cashbook Report for September 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 Mr. McPeek with ayes by all present.

### **COMMITTEE REPORTS**

Councilman Gross: Police: Mr. Gross spoke of the 5K race and the Country Jamboree. Mr. Gross read the numbers of Officers on duty for the events.

Councilwoman Sefcik: Health and Recreation: Ms. Sefcik stated the Board of Health meeting for September was canceled. There were over 200 participants in the 5K race.

Administrator asked Attorney if Board of Health Ordinances of the County – Attorney will check it out.

Councilman Bolte: Public Works/Recycling/Property Maintenance: Ms. Bolte said the Country Jamboree was a great success. Handled out package she received in the mail regarding conduct of two Keyport Police Officers. Sergeant Hafner one of the two Officers, testified that he and the other officer had gone to lunch with three of the witnesses. A mistrial was declared by Judge English. No one on Council was made aware that a major case was dismissed two years ago due to the conduct of our own officers. Feels this compromises the integrity of the Police Department.

Councilman Sheridan: Fire/First Aid/Emergency Services: Mr. Sheridan read the Fire Department and First Aid report. Mr. Sheridan thanked all for the 5K and Country Jamboree. Mr. Sheridan also thanked Skate Park people as well.

Mayor asked Officer in Charge Casaletto about packet. Lt. Casaletto referred it to be an internal investigation.

Councilman Kovacs: Finance/Grants/Redevelopment:

Councilman McPeek: Buildings/Grounds/Library: Mr. McPeek stated that Library meeting was canceled, and that Claude Solomen had resigned.

### **DISCUSSION**

1. KBA Election
2. KBA Mini-Park project
3. Police Department Vehicle
4. Proposed Police Salary Ordinance and Arbitrator's Decision

Mayor went over Police arbitration decision. Mayor asked clerk about KBA election. Clerk reported ballots were mailed out today; due back November 1<sup>st</sup>. Schedule will be posted on KBA website.

Mr. Gross – Police Committee believes a Crown Vic is the right vehicle at this time.

Ms. Bolte – believes there needs to be a permanent procedure for purchasing police fleet vehicles.

Salary Ordinance Introduction.

Mr. Gross – makes a motion to have a resolution for Acting Chief for a six-month period at \$108,842.00

Motion made by Mr. Gross, second by Mr. Kovacs

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

### **ADMINISTRATOR'S REPORT**

No report

### **ATTORNEY'S REPORT**

Ordinance Introduction – New Police Salary

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

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

Attorney made his report in closed session.

### **RESOLUTIONS**

2. Resolution No. 212-10 Designating Target Enforcement Zones in the Borough of Keyport
3. Resolution No. 213-10 Authorizing Release of Performance Bond for Woodmont Properties
4. Resolution No. 214-10 Declaring Surplus property (Fire Department Turn-Out Gear)
5. Resolution No. 215-10 Authorizing Temporary Appointment of Part Time Interim Planning/Zoning Board Secretary
6. Resolution No. 216-10 Bills List
7. Resolution No. 217-10 Authorize Borough Attorney to prepare an RFP for Management Services for Borough bill board
8. Resolution No. 218-10 Authorizing Purchase of Police Cruiser under State Contract
9. Resolution No. 219-10 Accept Arbitrator's decision for PBA

### **PUBLIC COMMENT PORTION**

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

Bob Ludwig, 50 Beers Street, wants property lines pinpointed when mini-park is worked on,

Isora Rocano, 326 First Street, wants help with her property taxes. Thinks \$108,000 is a lot of money for police.

Ed Burlew, 59 West Front Street, spoke about Ye Cottage Inn letter. Felt it was unprofessional, stated the letter included his name and Gordon Litwin negotiation to sell this property for \$1.00. Lots 15-19 are owned by Ye Cottage Inn. They do not own lots 20& 21. Mr. Burlew's point is the signs do not belong there.

Mr. Burlew asked Councilman McPeek if his was involved in an incident at the Passport after house. Councilman McPeek responded "you would have to ask her"; Mr. Burlew then asked Councilwoman Bolte the same question.

Mike Lane, 51 First Street, spoke of Planning Board and conditions not being met. Saw Tony Neibert and filled out a complaint form as the Mayor instructed him. Said he has gotten feedback that it was know he made the complaint.

Terry Bolte, 65 Elizabeth Street, asked who is in violation if a bar is open after-hours. Mayor answered "the Liquor license Establishment".

Mr. Kovacs asked about the "swamp water" from the taps in Keyport. Would like more chlorine added to the water.

### **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 9:22PM was made by Mr. Sheridan second by Mr. Gross by all present.