December 21, 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:, Mayor Bergen (arrived at 6:55PM). Others present: Borough Attorney, Rich Ryback and Borough Administrator Ms. Wright.

RESOLUTION No. 246-10

1. Resolution #246-10 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 – Public Works
Pending 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 Personnel and 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. McPeek, Seconded by: Mr. Sheridan

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 7:00 PM

ROLL CALL

On Roll Call the following were present: Councilmembers Gross, Sefcik, Bolte, Sheridan, Kovacs, McPeek, Mayor Bergen. Others present: Borough Attorney, Rich Ryback, and Borough Administrator Ms. Wright

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

PRESENTATIONS

1. Certificate of Achievement to Eagle Scout Zachary Daukshus – Zachary's brother Connor accepted Award
2. Bob Dichinson regarding the Old Municipal Building at 18-20 Main Street – *Presentation canceled.*

PUBLIC COMMENT PORTION

Motion to open to the meeting to the public at 7:04PM was made by Mr. Sheridan, second by Mr. McPeek with ayes by all present.

Motion to close the meeting to the public at 7:04PM was made by Mr. Sheridan second by Ms. Bolte with ayes by all present.
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PUBLIC HEARINGS/ADOPTION OF ORDINANCES

1. Ordinance #18-10 - Stormwater Retro-Fit Ordinance

The Clerk reads the Ordinance by Title:

PRIVATE STORM DRAIN INLET RETROFITTING

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 7:04P.M.

Mike Lane, 51 First Street, asked what prompted this ordinance. Mr. Lane measured the openings and said the vast majority of Borough drains don't meet the specification in the Ordinance.

There being no more comments or questions from the public, the hearing was closed at 7:14P.M.

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

2. Ordinance #19-10 - Vacate and Rename Access Road through Waterfront Park

The Clerk reads the Ordinance by Title:

AN ORDINANCE VACATING AMERICAN LEGION DRIVE AND RENAMING THE WATERFRONT PARK ACCESS ROAD AMERICAN LEGION DRIVE

Motion was made by Mr. Sheridan, second by Mr. McPeek with ayes by all present to open the Hearing to the public for comments or questions at 7:15P.M.

There being no more comments or questions from the public, the hearing was closed at 7:15P.M.

Motion to adopt Ordinance made 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 adopted moved by Mr. Sheridan, second by Mr. McPeek with ayes by all present.

COMMUNICATIONS AND PETITIONS

1. Application for a Raffle License from Keyport First Aid Squad for an Instant Raffle/Pull Tab Machine to be licensed from March 12, 2011 through March 11, 2012

2. Application for a Bingo license from the Keyport First Aid Squad for Bingo to be held weekly Thursdays from March 10, 2011 to March 8, 2012

3. Letter from Keyport First Aid Squad requesting all Borough licensing fees be waived for this Bingo and raffle license

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

4. Letter from Stultz Fuel, as part of the Oil Heats Cares Foundation, requesting the waiving of inspection fees for the installation of a new boiler at 129 Church Street due to hardship

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

5. Application for membership in the Keyport Fire Department/Hook and Ladder Co. from Charles F Rivera (contingent upon State approval) and letter advising Council that Hook & Ladder Company has accepted the resignation of Richard Leswing

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

REPORTS OF DEPARTMENTS

1. Borough Clerk’s Monthly Report for November 2010
2. Tax/Water/Sewer Collector’s Report for November 2010
3. Building Department Monthly Report for November 2010
4. Property Maintenance Report for November 2010
5. Municipal Court’s Monthly Cashbook Report for November 2010
6. RBIT Annual 2010 Revenue Report

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. Bolte with ayes by all present.

COMMITTEE REPORTS

Councilman Gross: Police: Mr. Gross reported on police comp time and overtime

Councilwoman Sefcik: Health and Recreation: Ms. Sefcik reported on the following:
- Recreation had their final meeting, they came in slightly under budget
- Another volleyball session this winter; Working on getting schedule together for 2011

Ms. Sefcik mentioned that the Recreation awards for house lighting will be given at Reorganization meeting

Councilman Bolte: Public Works/Recycling/Property Maintenance: Ms. Bolte reported that she met with DPW Superintendent to go over situation for snow storms. The Borough has enough salt for one storm. Received an email from Pop Poling stating he was being terminated. Thanked him for his service.

Councilman Sheridan: Fire/First Aid/Emergency Services: Mr. Sheridan read the Fire and First Aid call report. Read new officers for Fire & First Aid.

Fire Department

Raymond Kilroy – Chief
John McCLeaster – 1st Asst Chief
Robert Amack – 2nd Asst Chief
Richard Ely, Jr. – 3rd Asst Chief

First Aid

Chief – Ken Krohe
Capitan – Mike Nevitt
1st Lieutenant – Matt Salvatore
2nd Lieutenant – Dan Neff

Thanked all the volunteers, President – Tom Gallo, VP Sharon McGill and Secretary/Treasurer Robert Poling

Councilman Kovacs: Finance/Grants/Redevelopment: Mr. Kovacs stated that he held budget as tight as we could except for $30,000 worth of legal fees. Ordinances were changed to increase fees thereby increasing revenue to meet some of these items. Mr. Kovacs told Mayor Bergen he feels it was political that he rolled back fees.

Ms. Bolte spoke of invoices that were missing in October; asked Mr. Kovacs if he had brought original bills home.

Mayor explained that the new Council has the ability to, once again, raise those fees. Mayor stated he did not want fees raised after accusations of fees being raised for the Mayor to hire people from Carteret.

Mr. Kovacs wished everyone a Merry Christmas and Happy New Year.

Councilman McPeek: Buildings/Grounds/Library: Mr. McPeek stated that the Library is need of trustees.

UNFINISHED BUSINESS

Ms. Bolte thanked Mr. McPeek for filling the council position this year. Ms. Bolte feels he did wonderful work. Ms. Bolte expressed doubt about Councilman Gross residing in Keyport. She asked Councilman Gross whether he has been sleeping on his ex-wife's couch for six months. She also pointed out that he voted in his old district.

Councilman Gross stated he brought his lease and canceled checks to show he lives in Keyport; stated that he is moving but has not moved yet.

Mr. Sheridan stated that he felt Mr. McPeek did an honorable job and thanked him.

ADMINISTRATOR'S REPORT

Ms. Wright reported that the program contractor for NJ Clean Energy broke down Borough's savings in a Direct Install Program. This was free and results in a $10,000 savings.

Beers Street, Phase III – waiting till spring to do stamped concrete.

ATTORNEY'S REPORT

Thanked all for allowing his firm the opportunity to serve and wished all a Happy Holiday.

RESOLUTIONS

2. Resolution 247-10 Authorizing Execution of Licensing Agreement with 19 Division Street, LLC for property at 7 Division Street
3. Resolution 248-10 Transfer Appropriation
4. Resolution 249-10Authorizing Acceptance of T & M Proposal for Benjamin Terry Park Bulkhead Replacement
5. Resolution No. 250-10 Authorizing Acceptance of T & M Proposal for Undergroud Utility Relocation for Waterfront Park

6. Resolution No.251-10 Authorize Borough Administrator to Proceed with Hutchinson Contract
7. Resolution No. 252-10 Appointing Library Board of Trustee members
8. Resolution No.253-10Authorizing Acceptance of Hatch Mott MacDonald Proposal for Geographic Information System (GIS) Database Development and Water Syustem Hyudraulic Modeling and Analysis
9. Resolution No. 254-10Accepting the Corrective Action Plan
10. Resolution No. 255-10 Authorizing Change Order No. 1 to the Contract for Improvements to Beers Street , Phase III
11. Resolution No. 256-10 Setting and Confirming Salaries of Director of Inspection and Construction Code Official
12. Resolution No. 257-10 Bills List
13. Resolution No.. 258-10 Hire Temporary Part time DPW employee

PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions at 7:40 P.M.

John Olsen asked if the Harbor Commission will have some input on the Benjamin Terry Park work.

Mike Lane, 51 First Street, thanked members of Council for their work this year. Mr. Lane feels that this storm drain inlet will not stop garbage from reaching the bay.

Mr. Lane stated that the bulkhead for the Benjamin Terry Park has been out for five years; asked about the cost estimate and how proposal was solicited.

Mayor stated that the bulkhead was repaired on numerous occasions. Cost estimate was about 1.2 million dollars. Proposal is to replace the bulkhead. Mayor feels it is prudent to work as quickly as possible.

Mr. Lane asked about underground utility work. Is the work being redone? Mayor explained this is authorizing payment for work that was done. Mr Lane also asked about GIS.

Mrs. Bergen-Cottrell – thanked Mr. McPeek for his service and said as a resident she is proud of her son, the Mayor.

Ms. Bolte thanked Mayor Bergen for his service to Keyport and read a few words regarding his service; Councilman Sheridan presented an award to the Mayor. Ms. Sefcik thanked Mayor Bergen for his service.

Mayor said he is not going anywhere. He believes strongly in progressive government and will still be around to help; he will not be present on New Year's Day, so this is his last meeting. He will be attending meetings. Thanked everyone for all their help.

Motion to close the meeting to the public at 8:05PM was made by Mr. Sheridan second by Ms. Sefcik 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:

12. Resolution No. 257-10 Bills List

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

ADJOURNMENT

Motion to adjourn at 8:06 was made and carried by all present.