

March 1, 2011
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, 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 McLeod called the meeting to order at 7PM. and Borough Clerk read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Bolte, Sefcik, Chamberlain, Sheridan, Toglia, Mayor McLeod. Others present: Borough Administrator Ms. Wright, John T. Lane, Borough Attorney (arrived at 7:06PM) Absent: Councilwoman Ambrose

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

PROCLAMATIONS

Arc Awareness Month
NEA's Read Across America

Mayor McLeod read the Proclamations.

APPROVAL OF MINUTES

December 21, 2010 – Regular
January 1, 2011 – Reorganization
January 11, 2011 – Work Session
January 18, 2011 - Regular

Offered for adoption by Ms. Sefcik, seconded by Mr. Chamberlain

Roll Call Vote: Ayes: Councilmembers Sefcik, Bolte, Sheridan
Nays:
Absent: Councilwoman Ambrose
Abstain: Councilmembers Chamberlain, Toglia

CONSENT AGENDA

(All resolutions listed hereunder are considered to be routine in nature and will be enacted in one motion. Any person may request that an item be removed for separate consideration.)

- R85-11 Payment Of Bills
- R86-11 Authorizing Approval of Raffle License – Organization for the Unity of the Puerto Ricans of Keyport, NJ, Inc. – Super Grande 50/50
- R87-11 Appointment of Environmental Commission Member
- R89-11 Authorizing Approval of Raffle License – St. Joseph Church – On Premise 50/50
- R90-11 Authorizing Approval of Raffle License – St. Joseph Church – On-Premise Non-Draw Carnival Games
- R91-11 Authorizing Approval of Raffle License – St. Joseph Church –Off-Premise 50/50
- R92-11 Authorizing Approval of Raffle License – Keyport Central School PTA – Off-Premise Merchandise

PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions at 7:05 P.M.

Ed Burlew, 59 West Front Street, asked if first public comment portion is open to all business or only what is on the agenda

Eric Guarowski, 43 Atlantic Street, has a mother/daughter legal 2 family. Asked about evicting a tenant

Mayor advised him to seek an attorney

John McCleaster, 97 Perry Street, First Assistant Chief, spoke of 1978 vehicle that needs replacement and shortage of Fire Department members

In 2006, Fire Department was asked to get three bids for a truck. They got four and submitted them to Council. Doesn't know what happened after that. Mr. McCleaster spoke of necessary repairs to this 1978 vehicle.

Cost of truck has increased \$75,000 in the last nine years. Realizes there is no money in the budget but wants to know WHEN? Fire Department has had 66 calls this year alone.

Mayor responded that he googled pumper engine and fire department. Mayor read a memo he prepared on Pumper statistics, specifically ratio of pumper trucks to population. Reason for currently having six pumpers is historical.

Says he cannot vote on the acquisition of a truck in the event of a vote, since he is a member of the Fire Department.

Total cost in 2010 for the Fire Department is \$250,000 which is roughly 3% of the total tax burden.

CFO stated it is about \$81.00 a year for an average residential assessment of \$274.00

Tony Vecchio, 141 Washington, would hope that Council comes to see him when they start making their figures. Says we cannot count on other towns' equipment or men. Housing stock in this town is 100+ years old including the commercial downtown. Spoke of increasing insurance costs to residents if equipment is not purchased and Fire Departments are consolidated.

Sam Minor, First Street, spoke of Fire Department and the need for consolidation. Council is working to consolidate Police and Fire department as well.

Bert Aumack, 2nd Assistant Chief, apparatus response is less than three minutes. Says none of the high rise buildings are suppressed. Says if Fire Department doesn't get their equipment, firemen cannot do their jobs. Aerial is 22 years old. Would like a replacement plan put in place. Mr. Aumack asked if this issue will be lost.

Isora Rocano said she has not seen one big fire in all the years she has lived here. Asked why six fire trucks are needed to respond to the recent car fire.

Mayor reminded all that the Fireman are volunteers whose labor is free. The Fire Department is not just a bunch of people making demands. Only reward the fire department members get is death benefits.

CFO spoke of the PFRS which we contribute pension only for Police Department. We do not even have a LOSAP program for the Fire Department.

MD Ambromowitz, 75 First Street, has spent time in a burn unit and feels Fire Department should be given what they need.

There being no more comments or questions from the public, the meeting was closed to the public at 7:38 P.M.

APPROVAL OF RESOLUTIONS

Motion on the Consent Agenda

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

Roll Call: Ayes: Councilmembers Bolte, Sefcik, Chamberlain, Sheridan, Toglia

Nays:

Abstain:

Absent: Councilwoman Ambrose

INTRODUCTION OF 2011 MUNICIPAL BUDGET

1. Resolution 88-11 Introducing the 2011 Municipal Budget

The Clerk reads the Budget by Title:

2011 MUNICIPAL BUDGET OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, FOR THE YEAR 2011

Motion made by Mr. Sheridan, second by Mr. Chamberlain

Roll Call: Ayes: Councilmembers Bolte, Sefcik, Chamberlain, Sheridan, Toglia

Nays:

Abstain:

Absent: Councilwoman Ambrose

Motion authorizing the Clerk to publish the Budget Summary as introduced for a Public Hearing to be held on April 12, 2011

Motion authorizing the clerk to publish the Budget Summary as introduced for a Public Hearing to be held on April 12, 2011 was made by Mr. Sheridan, second by Ms. Sefcik

Roll Call: Ayes: Councilmembers Bolte, Sefcik, Chamberlain, Sheridan, Toglia

Nays:

Abstain:

Absent: Councilwoman Ambrose

Mr. Sheridan asked about line item for crossing guard jackets.

CFO explained that \$1,000 can be found. This is an \$8.5 million dollar budget. There is a line item it can be taken from.

INTRODUCTION OF ORDINANCES

1. Ordinance – COLA Rate Ordinance

The Clerk reads the Ordinance by Title:

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

Motion to introduce Ordinance moved by Mr. Sheridan, second by Ms. Sefcik

Roll Call Vote: Ayes: Councilmembers Bolte, Sefcik, Chamberlain, Sheridan, Toglia

Nays:

Absent: Councilwoman Ambrose

Abstain:

Motion authorizing the Clerk to publish the Ordinance as introduced, in the Asbury Park Press for a Hearing to be held on April 12, 2011 was made by Mr. Sheridan, second by Ms. Sefcik

Roll Call Vote: Ayes: Councilmembers Bolte, Sefcik, Chamberlain, Sheridan, Toglia

Nays:

Absent: Councilwoman Ambrose

CFO explained that this Ordinance allows us to bank the cap going forward.

COMMUNICATIONS AND PETITIONS

1. Request from Stultz Fuel, as a part of the Check-Mate Inc., for a waiver of permit fees for the installation of a new boiler at 195 Second Street for the Delucia Family

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

2. Email from Boat Safe US, LLC regarding NJ Boat Safety Classes to be held at the Keyport/Matawan Elks Lodge 2030

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

3. Notice regarding Spaghetti Dinner Fund Raiser to be held by Cub Scout Troop 364 at the VFW Hall on Saturday, April 9, 2011 from 4PM-8PM

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

4. Notice regarding Volunteers Needed at Sea Bright Beach for their Dune Grass Planting on Public Beach March 5th at 8AM (Rain date March 6th)

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

5. Petition to Extend Licensed Premises [EP] from Kurtis Enterprises, d/b/a Bayside Grill, (6 Broad St.) on Saturday, March 13, 2011 from 12Noon-10PM

Ms. Sefcik feels these should be reserved for special event days. Not against this fundraiser but something to keep in mind.

Motion to approve moved by Mr. Sheridan, second by Mr. Toggia

Roll Call Vote: Ayes: Councilmembers Bolte, Chamberlain, Sheridan, Toggia

Nays:

Absent: Councilwoman Ambrose

Abstain: Councilwoman Sefcik

6. Email from Monmouth County Community Development Director Virginia Edwards regarding substantial cuts being proposed to the Community Development Block Grant (CDBG) Program for federal fiscal years 2011 and 2012 and requesting the sample letter be sent to the Chairmen and Ranking Minority Members of the House Committee on Appropriations and Subcommittee on Transportation and Housing and Urban Development and members of the New Jersey Legislative Delegation

Motion to have CDC put together a plea and send draft letter along with how this grant has been used in the past moved by Mr. Sheridan, second by Ms. Bolte with ayes by all present

7. Email from George Strang of the Recreation Commission requesting the use of the Waterfront Park and partial road closure for the Recreation Commission's Annual Easter Egg Hunt to be held on Saturday, April 16th (Rain date April 17th) from 1PM-4PM

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

8. Letter from Harbor Commission Chair regarding the purchase of the trailer at the boat ramp

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

9. Letter from Harbor Commission Chair regarding the renewal of the Kayak lease at Waterfront Park for a seasonal rental of \$300.00 (\$50 increase over 2010 rate)

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

10. Letter from Harbor Commission Chair recommending the renewal of the hot dog lease with Frank Liegel for seasonal rental of \$3050.00 (*same rate as 2010*)

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

11. Letter from resident Sam Minor regarding the Keyport Fire Department vehicles

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

UNFINISHED BUSINESS

None.

ADMINISTRATOR'S REPORT

- USDA project nearly ready (sewer rehab) to go to bid
- Hatch Mott MacDonald USDA proposal for water improvements

ATTORNEY'S REPORT

None.

NEW BUSINESS

Discussion regarding inconsistency in Revised General Ordinances of Landlord Registration Section 12-14.3 and Ordinance 9-10 (adopted 6/15/10) specifically regarding owner-occupied two-family homes

Mayor asked if anyone had questions as to what the problem is.

Page 1243 Resident Residential Unit. There is an inconsistency in the Ordinance that conflicts with the revised version adopted June 15, 2010.

Decision for the Council is to repeal the owner-occupied two-family homes or to change the definition.

12-4.3 – eliminate single family homes

Motion made by Ms. Bolte, second by Mr. Sheridan to amend Section 12-4.3 to eliminate reference to 2 family homes from the last line.

Roll Call Vote: Ayes: Councilmembers Bolte, Sefcik, Chamberlain, Sheridan, Toglia
Nays:
Absent: Councilwoman Ambrose
Abstain:

Ordinance will be introduced at the March 15th meeting.

PUBLIC COMMENT PORTION

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

John Olsen, Keyport Harbor Commission, March 12th the Harbor Commission will be doing a walk-thru at the boat ramp.

Dennis Fotopolos, 77 Beers St, asked that the final copy of the agenda be posted on the website before the meeting.

Dick Stryker, Keyport Kiwanis, looking for Guidance in having their flea market a success.

Administrator stated she had spoken to Jack Caddle – needs a traffic plan and a parking plan as well as a certificate of insurance. Mr. Stryker said hours are April 3rd to December 11th from 7am – 3pm. Administrator asked if hours could be shortened Mr. Stryker said “Absolutely not.” Stated they maintain the parking lot and keep things clean. He would like a formal letter.

Would like to use the parking lot on event day rain date when the rain date is not used.

Councilwoman Bolte stated if the event takes place on a Saturday then he would know if the rain date needs to be used.

Mr. Stryker will contact the Administrator.

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

Motion made by Mr. Sheridan, second by Ms. Ambrose with ayes by all present

CLOSED SESSION

R93-11 Closed Session Resolution:

RESOLUTION NO. 93-11 CLOSED EXECUTIVE SESSION

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:

Sale of Borough Property
Negotiations of Leases
Redevelopment Agreement
Police Department Structure
Municipal Court Structure
Property Maintenance Department Structure
Shared Services

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 Sale of Borough Property, Negotiation of Leases, Redevelopment Agreement, Police, Municipal Court and Property Maintenance Department Structure and Shared Services 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. Sheridan, Seconded by: Ms. Sefcik

Roll Call Vote: Ayes: Councilmembers Bolte, Sefcik, Chamberlain, Sheridan, Toglia
Nays:
Absent: Councilwoman Ambrose
Abstain:

Came out of closed session at 9:21 PM

ADJOURNMENT

Motion to adjourn was made and carried at 9:21 pm