

May 17, 2011
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, 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 (arrived 7:01pm), Sefcik, Chamberlain, Sheridan, Ambrose, Toggia, Mayor McLeod. Others present: Borough Administrator Ms. Wright, Borough Attorney, John T. Lane, CFO, Thomas Fallon

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

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.)

R147-11 Payment of Bills

R148-11 Raffle License Application – St. Mary's RC Church –
On-Premise 50/50 Cash – Sunday June 5, 2011 noon-5PM

R149-11 Authorizing Purchase of a Dump Body Without Formal Bidding

R150-11 Authorizing Telephone Service Audit

R151-11 Accepting Donation of a Boat from John Mallon for the Keyport Fire Department

Mr. Sheridan asked for an explanatin of the Resolution regarding the Telephone Service Audit.

Administrator explained that the cost would be under the bid threshold of \$17,500. There would be no out-of-pocket cost to the Borough. Would include an audit of our services along with recommendations for savings.

CFO explained that the telephone and telecommunication budget is \$45,000

Mr. Sheridan asked for an explanation of R149-11 Purchase Dump Body.

Administrator explained that the dump body has rusted but engine is still good. This body has neven been in service, never titled, although it is considered "used."

PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions at 7:07P.M.

Andy Willner – has been executive director of two non-profits. Stated a non-profit can only be dissolved if trustees vote to dissolve it. Trustees must ask permission of the Governing Agency in order to do so. The dissolution of the KCCC puts the Garden Club in a problematic situation. He would be happy to work with Council

Mike Lane, 51 First Street, - issued a word of caution regarding auditing the telephone service. What are the side effects if reductions in capacity are recommended as a savings? Mr. Lane asked why bond service costs of the Board of Education increased so much.

Attorney – Debt service cannot be touched so that did not come up.

Kishore, First Street, asked about the kiosk resolution which had been on the original agenda.

Administrator explained why the resolution was removed. Ms. Wright stated that she needed to gather more information before bringing it back to Council.

There being no more comments or questions from the public, the meeting was closed to the public at 7:20 P.M.

APPROVAL OF MINUTES

April 12, 2011 – Work Session

Motion to approve with changes moved by Mr. Sheridan, second by Mr. Chamberlain

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

APPROVAL OF RESOLUTIONS

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

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

RESOLUTION R152-11 Authorizing Award of Bid for Firemen's Park Repairs

Preconstruction meeting is this week. Should begin some time in June.

Ms. Bolte expressed concern on having a completion date prior to the Firemen's fair.

Motion to approve moved by Mr. Chamberlain, second by Mr. Toglia

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

RESOLUTION R153-11 Offering Direct 15 as the Borough's Employee Healthcare Plan

Ms. Bolte asked the Administrator to explain what we are doing.

Ms. Wright explained that going into the State Health Benefits Program will result in a cost savings. Staying with our current dental plan. Will take the prescription program from the State. We have the same broker and are negotiating a fee for their service. We will have an agreement with the Union.

Although Keyport does not offer benefits to retired employees, retired employees would be able to purchase the health insurance at a group rate.

Motion to approve moved by Ms. Ambrose, second by Mr. Chamberlain

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

RESOLUTION R154-11 Authorizing Participation in the State Health Benefit Program effective August 1, 2011

Motion to approve moved by Ms. Ambrose, second by Mr. Toglia

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

AMENDMENT TO 2011 MUNICIPAL BUDGET

R155-11 – Resolution Amending the 2011 Municipal Budget

Mr. Sheridan – amendment approved May 3rd had a reduction of \$143,974 – Budget reduced by \$143,974 from the original introduced budget.

Ms. Ambrose stated that some of the potential layoffs would not take place due to the savings in the Health Care Plan.

Ms. Sefcik – inefficiencies in certain departments were to be addressed by the previous amendment. Now they are not being addressed.

Mr. Sheridan – police car was cut out of this year’s budget but our hybrid police car is now out of commission, although it is still under warranty. Feels we should purchase another police car.

Ms. Bolte – feels that Council is voting on a tax rate and not on the line items.

Motion to approve by moved by Ms. Ambrose, second by Mr. Chamberlain

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

Nays: Councilmember Sheridan

Abstain:

Absent:

ADOPTION OF 2011 MUNICIPAL BUDGET

R125-11 – Resolution Adopting 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 to approve by moved by Ms. Ambrose, second by Mr. Chamberlain

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

Nays: Councilmember Sheridan

Abstain:

Absent:

ADOPTION OF ORDINANCE

Bond Ordinance #10-11 – USDA Grant & Loan Project for Sewer Utility Improvements

The Clerk reads the Ordinance by Title:

**BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE #8-09
(WHICH PROVIDES FOR SANITARY SEWER SYSTEM UPGRADES) HERETOFORE
FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF KEYPORT, IN
THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ON SEPTEMBER 1, 2009, TO
INCREASE THE APPROPRIATION THEREIN BY \$1,900,000 AND TO INCREASE THE
AUTHORIZATION OF BONDS AND NOTES THEREIN BY \$1,900,000**

Public Hearing was held on April 12, 2011

Motion to adopt Ordinance made by Ms. Ambrose, second by Mr. Chamberlain

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

Nays:

Abstain:

Absent:

COMMUNICATIONS AND PETITIONS

1. Letter from St. Joseph's Church regarding their Annual parish Fair to be held June 1st through June 5th and requesting that a portion of Geran Street be closed during the fair in order to accommodate their space needs

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

2. Letter from St. Joseph's Church requesting permission to set off fireworks from their baseball field on Friday evening, June 3, 2011 (rain dates Saturday/ Sunday, June 4/5)

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

3. Permit Application for ceremony and photography for the wedding of Nicole VanLeeuwen/ Douglas Ziegler to be held at the Waterfront Park Gazebo on September 10, 2011 at 2PM

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

4. Application for a Social Affairs Permit for the Masonic Association of Keyport for a building fundraiser to be held June 25th, 2011 from 4-9PM

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

5. Letter from the Keyport Fire Department Fair Committee regarding their Annual Fireman's Fair to be held July 18 through July 23rd requesting:

- a. Exclusive use of the municipal Parking lot (corner of American Legion Dr. and W. Front)
- b. The Borough close access to that section of American Legion Dr. from West Front Street to the fishing pier from 6PM-12midnight beginning Monday, July 18 through Saturday, July 23rd. On Wednesday, July 20, 2011 to close the road one hour earlier to accommodate visiting apparatus during fireman and First –Aiders night.
- c. Suspension of the two-hour parking ordinance in the center of the business district the weekend before and during the week of the Fireman's Fair
- d. Use of public works equipment during the period of July 15th – July 24th for moving garbage and equipment to and from the parking lot at the corner of American Legion Drive and West Front Street next to Ye Cottage Inn and to the North of the Fireman's Monument and the public works lot on American Legion Drive under the direction of the Superintendent of Public work. Fire department will make arrangements and pay for a dumpster for garbage removal
- e. Use of the Borough's picnic tables and the portable stage, from July 16th to 24th

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

6. Letter from NJDEP regarding reimbursement check in the amount of \$2,900 from the State Forest Service for the funding of Keyport Borough 2006 Green Communities Grant project to develop a Community Forestry Management Plan

Administrator spoke of Rowland Seckinger's work on getting information together for a Shade Tree Commission.

Motion to receive and file, copy to Environmental Commission, Garden Club and DPW moved by Mr. Sheridan, second by Ms. Bolte with ayes by all present.

REPORTS OF DEPARTMENTS

1. Borough Clerk's Monthly Report for April 2011
2. Tax/Water/Sewer Collector's Report for April 2011 and Report of Taxes Not Collectible
3. Building Department Monthly Report for April 2011
4. Board of Health Monthly Treasurers Report for April 2011
5. Municipal Court's Monthly Cashbook Report for April 2011

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

Councilwoman Bolte: Public Works/Recycling/Property Maintenance Ms. Bolte reported that new garbage bins and recycling containers were installed at Waterfront Park

Councilwoman Sefcik: Health and Recreation: No report

Councilman Chamberlain: Fire/First Aid/Emergency Services: Mr. Chamberlain read the First Aid and Fire Department reports.

Councilman Sheridan: Police: Mr. Sheridan read April 2011 Patrol Statistics; car #6 – 27,950 miles out of service due to transmission issues. Still under warranty.

Mr. Sheridan asked the Mayor about his feelings on having the committee look into cameras at traffic lights.

Mayor replied yes; would like the committee to look into it.

Mr. Sheridan mentioned that Monday, June 6th is the Historical Society Meeting. The Historical Society is looking for houses for December 10th Candlelight House Tour

Councilwoman Ambrose: Finance/Grants/Redevelopment: Ms. Ambrose thanked Borough Administrator and CFO for their hard work on the budget. Would like suggestions on bringing more businesses to Keyport.

Councilman Toglia: Buildings/Grounds/Library: Mr. Toglia thanked a local business for donating expertise at the Library. Magic Touch remedied sewer gases coming into library.

Municipal Building for sale – have appraisals from the Borough and buyer. Hoping to agree on a price.

UNFINISHED BUSINESS

Mayor spoke of dueling garbage ordinances – one from the Code Book and one from the Board of Health. Must reconcile these Ordinances. Board of Health Ordinance never made it into the code book.

Ms. Bolte suggested forwarding it to the recycling committee.

Mr. Sheridan thanked the Mayor and all who helped in the Chingarora Creek clean up.

Ms. Sefcik asked if, at the beginning of the meeting, we can review changes to the agenda.

ADMINISTRATOR'S REPORT

Ms. Wright reported on the following:

- Met with FEMA for final closeouts on storm damage
- Met with Engineer on Beers Street and Short Street. Problem with drainage on Short Street. There is a sump pump there although we have an ordinance prohibiting discharge onto street.
- Stamped concrete walkways were not completed. Asked Engineer for cost estimate for changes on Short Street
- USDA Sewer project under review by USDA
- Ramping up for Water Plant to be open. Realized a 35% cost savings.
- NJDEP program that uses prisoners to clean up shore line
- Borough Auditor working on 2010 Audit
- Spoke of salt shed needing a door as per our insurance carrier
- Energy saving light bulbs have been installed in Borough Hall

ATTORNEY'S REPORT

None

PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions at 8:22 P.M moved by Mr. Sheridan, second by Mr. Toglia with ayes by all present.

Ed Carew, 64 Broadway, Vice President of Keyport Garden Club, would like to be present at the meeting suggested by Andy Willner.

Mr. Carew noticed the new garbage cans by Firemen's Park – thinks there should be more cans to handle to overload; asked about compacting trash containers once suggested by Councilwoman Sefcik.

Ms. Sefcik mentioned that cans do offer a chance for advertising.

Mr. Carew asked whether there are provisions to protect the quality of work on Borough Projects.

Administrator explained Borough projects have performance and maintenance bonds posted.

Mr. Carew - proposing the Read project by the Garden Club in front of the library; asking Council for a budget of \$100.00. Many supplies will be donated. Will try to involve children and get press coverage.

Donna Purcell, Registrar Vital Statistics, Secretary of Board of Health – gave history of Board of Health Ordinance.

Ed Burlew, 59 West Front Street, asked about 50 Beers Street; do they pay taxes?

CFO explained that they have a Payment in lieu of Taxes Agreement (PILOT)

Mr. Lane – change in the budget works out to 7/10 of a percent increase.

CFO – total increase is 1.4%

Mike Lane asked if library audit ever occurred

Administrator – library has contacted an auditor

CFO – Auditor doing a completion of financial statements and cannot audit his own work

Mr. Lane asked about the parking lot at Ye Cottage Inn

Administrator - nothing at this time due to other priorities. Meets and Bounds surveys being conducted

Mayor - owners of Ye Cottage provided a survey. We compared it to the tax map; there is an inconsistency in the distances of the borders. Reconciling that requires going back to the original deeds. It is on the list of things to do.

Mr. Lane asked about 2007 resolution declaring Borough as an area in need of rehabilitation.

Administrator has a meeting with a redevelopment Attorney regarding the process for rehabilitation and redevelopment. Words are being used simultaneously. Rehabilitation does not allow for eminent domain; needs to have attorney clarify the process.

Mayor stated we will be proceeding on those resolutions

Mr. Lane asked if there can be a tax abatement benefit to encourage rehabilitation.

Isaiah Cooper, 135 Atlantic Street, provided information regarding Habitat for Humanity program that helps homeowners make property improvements.

Andy Willner, 85 Osborn Street, asked about the property between Ye Cottage Inn and the Bulkhead. Is that public or private property?

There being no more comments or questions from the public, the meeting was closed to the public at 8:24 P.M.

CLOSED SESSION

R143-11 Closed Session Resolution:

RESOLUTION NO. 143-11 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:

§ Personnel

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 discussion on 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: Mr. Sheridan, Seconded by: Mr. Chamberlain

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

Came out of closed session at 8:49PM

ADJOURNMENT

Motion to adjourn was made by Mr. Sheridan, second by Ms. Sefcik with ayes by all present at 9:57 pm