June 14, 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   Absent: Councilwoman Ambrose

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

APPROVAL OF MINUTES

May 10, 2011 - Special

Offered for adoption by Mr. Sheridan, seconded by Mr. Toglia

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

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.)

R157- 11 Payment Of Bills
R158- 11 Application for Raffle License – Keyport Indians, Inc. – On –Premise 50/50 Cash
R159 - 11 Application for Raffle License – Keyport Business Alliance – On –Premise 50/50
R160 - 11 Application for Raffle License – Keyport Business Alliance – On –Premise 50/50
R161 - 11 Restricting Available Health Care Plan as Per Collective Bargaining Agreements
R162 – 11 Authorizing Leave Program, As Provided in NJAC 4A:6-1.22 (G)
R163 – 11 To Join New Jersey Sustainable Energy Joint Meeting
R164 – 11 Liquor License Renewals – Resolution provided

PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions at 7:03 P.M moved by Mr. Sheridan, second by Mr. Toglia with ayes by all present.

Ed Carew, 64 Broadway, Saturday 11AM there will be a celebration at the library – READ sign being planted with flowers.

Mike Lane, 51 First Street, Keyport Yacht Club had a fundraiser; raised $44,000 for Leukemia/Lymphoma Society. Mr. Lane asked that Council talk about building lawsuit & amount of money recovered.

He also spoke of his letter of objection to renewal of Uptown.

Attorney said applicant will need to be notified.

Debbie Sorber, advisor of Explorer Post and Junior Explorer Post. Junior post has existed the last two years; Junior Explorer was created incorrectly by former Administration. Ms. Sorber stated that it must be created by Ordinance; Post cannot go on planned trip to Washington DC. Ms. Sorber stated that they were advised to get their own insurance. Recreation Commission is willing to take them under their wing but must be done by Ordinance. Ms. Sorber is asking Council to honor what was previously approved and make it right.

Ms. Bolte asked how it was brought to Mrs. Sorber's attention. Discussion ensued between the Administrator and Ms. Sorber on how Jr. Explorers went last year. Administrator stated that the Sorbers' did not ask for an insurance certificate last year. Mrs. Sorber asked if she had the owness to know that she needed to obtain insurance.

Mayor stated that it is on for the next recreation meeting.

Joe Wedick stated that it is his understanding that this will be resolved at the July 7th Recreation meeting.

Mr. Chamberlain guaranteed Mrs. Sorber that this will be taken care of July 7th.

Betty Shriber, Gateway Condos, 231 Atlantic St., concerned that there is fishing being conducted along the promenade.

Mr. Sheridan stated that areas will be painted to show where fishing is allowed.

Betty Shriber, concerned about sewer system at the condo development where she lives. Would like to see it hooked up to the Borough sewer system.

Joanne Stager, 428 Main Street, has issues with the garbage carriers; has been lodging complaints to the police department. Upset with the Garbage Ordinance being enforced without informing the public. Complains that garbage men come before 6AM.

There being no more comments or questions from the public, the meeting was closed to the public at 7:37 P.M.

APPROVAL OF RESOLUTIONS

Ms. Sefcik asked for an explanation of resolutions on consent agenda. Mayor deferred to Administrator who explained the resolution on the Health Care Plan. Ms. Wright explained the NJ Sustainable Energy Joint meeting resolution as well. Ms. Wright stated she expects about a $27,000 savings for electric this year.

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

Roll Call: Ayes: Councilmembers Bolte, Sefcik, Chamberlain, Sheridan (abstain to R157-11), Toglia
Nays:
Abstain:
Absent: Councilwoman Ambrose

R162 – 11 Authorizing Leave Program, As Provided in NJAC 4A:6-1.22 (G)

Ms. Bolte stated we are now seeking Civil Service approval.

Administrator – originally thought Civil Service approval would not be needed for a one-time exception. Civil Service was asked their opinion and Administrator was told we have to meet State Guidelines and provisions. Program is for everyone. It cannot be done for a specific person. Need to pass this so that time that has been donated is valid. 30-day notice is needed to suspend or terminate the plan.

Ms. Bolte asked whether Resolution 126-11 needs to be voted on again after civil service approval. Asked whether this would be terminated after August.

Administrator stated that would be Council's pleasure.

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

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

R164 – 11 Liquor License Renewals – Resolution provided

Attorney recommeded deleting the Uptown and . We should notice applicant that a hearing will be conducted. This will be carried to the next meeting June 21st.

INTRODUCTION

1. **Redesignating Board of Health section chapters**

The Clerk reads the Ordinance by Title:

AN ORDINANCE AMENDING ORDINANCE 2-11 ADOPTING FORMER BOARD OF HEALTH ORDINANCES TO ESTABLISH CHAPTER XXIII, BOARD OF HEALTH REGULATIONS, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH FOR KEYPORT

Motion to introduce was 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 Ordinance as introduced in the Asbury Park Press for a public hearing to be held July 5, 2011.

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

COMMUNICATIONS AND PETITIONS

1. Letter from Keyport Fire Department Fair Committee Chair regarding the barge launching of fireworks display on Saturday, July 23rd

Motion to approve with a meeting between Harbor Commission and Administrator moved by Mr. Sheridan, second by Mr. Chamberlain with ayes by all present.

2. Application for a Social Affair Permit from Keyport Business Alliance for the International Festival to be held June 23, 2011 from 2PM – 10PM (Rain date 6/26/11)

Ms. Bolte expressed concern that application for Social Affairs permit was submitted so late.

Mayor explained that we are in a transition period.

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

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

3. Letter from James Dericks of Hazlet requesting a driveway easement at the Senior Center

Motion to refer to Planning Board moved by Ms. Sefcik, second by Mr. Sheridan with ayes by all present.

4. Letter from Keyport First Aid Squad and Eagle Hose Fire Company requesting permission to use Veterans Park on August 6, 2011 from 11AM – 6PM for a picnic

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

5. Application for membership in the NJ State Firemen's Association from Sean Troy (contingent upon State Approval)

6. Application for membership in the NJ State Firemen's Association from Erin Kilroy (contingent upon State Approval)

7. Application for membership in the NJ State Firemen's Association for Zachary Sappah (contingent upon State Approval)

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

8. Letter from American Legion Post 23 requesting financial assistance for floral arrangements for Memorial Day services

Motion to approve donation of $500.00 same as last year, moved by Mr. Sheridan, second by Mr. Chamberlain with ayes by all present

9. Letter from Keyport Business Alliance requesting to utilize Carla Cefalo until June 30th and amending the KBA Calendar of Events

Ms. Bolte asked if the KBA is going to pay the Borough for Carla's time.

Motion to receive and file and have Business Administrator work with Carla made by Mr. Sheridan, second by Mr. Chamberlain

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

DISCUSSION

1. Municipal Building Remediation

RESOLUTION R165 -11 Authorizing T&M to Remediate 70 West Front Street, South Wall Façade Masonry Restoration and Window Replacement

Administrator gave a summary on the history of Municipal building litigation and settlement.

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

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

UNFINISHED BUSINESS

1. Radios/Computers for DPW, Police, etc

Radios/computers for DPW, Police, etc. We have money left from an old ordinance but are not specific to electronics. Looking to purchase:

- Auto logger
- Video cameras $12,000
- Radios will become obsolete in 2013 – going from analog to digital - $25,000 for DPW mobile units
- Repeater for 500 Broad Street $3500
- Police computers – 5 year plan $50,000

CFO will total outstanding balances and will bond for the difference.

Ms. Bolte asked for the bond ordinance ahead of time.

Administrator Wright - $125,000 left over from other ordinances.

Mr. Sheridan stated the Officer in Charge getting more information on red-light cameras in order for Council to make a decision.

2. Police Department Structure

Mr. Sheridan makes a motion to table proposed Ordinance until June 21st, second by Ms. Sefcik with ayes by all present.

Ms. Sefcik asked for an update prior to the next meeting on shared services for the Police Department.

3. Solid Waste
Mayor prepared an Ordinance addressing some concerns with garbage pick-up. Would like to hold contractor to a higher standard. Suggesting a 50 gallon container.

Ms. Bolte spoke of garbage/recycling meeting where everyone left agreeing that residents need to be informed of enforcement of garbage regulations.

Mayor explained that KBA prepared two notices within the business district. Said contractor decided to enforce the ordinance, and that residents were notified in the past.

Ms. Bolte asked about requirements for a lid when putting out garbage.

Mayor stated he will have to meet with the garbage company first.

ADMINISTRATOR'S REPORT

Ms. Wright reported on the following:
- Firemen's Park Boardwalk – asked any objection to contracting working Saturdays; no

Ms. Bolte asked if it will be done in time for the firemen's fair; yes.
- Will discuss Benjamin Terry Park with Recreation
- CDBG application for Luppatatong and Chingarora
- USDA project awaiting approval will have to amend the specs to meet ADA regulations
- Wind Turbine – will be coming in three pieces through the Borough on Maple and Broad
- Received a proposal for fleet services. Borough has asked for more information and additional vendors.
- Drug Alliance – County is asking for our interest – requires a Borough match of $6,000
- Library now ready to have their audit completed
- Anchor – move to Valley National Bank location; asked whether Council would consider placing at the boat ramp
- Mini park – there was a request to move the pole
- NPP sign – purchased through a grant through their work plan. Working on the permit.
- Street sweeping resumes on the 27th . Disposal costs should be less than $5,000. Can't store sweepings for more than six months.

ATTORNEY'S REPORT

On May 27th, Assessor and Attorney took care of all tax appeals. All homeowners were offered a form of relief.

NEW BUSINESS

Mr. Sheridan read a letter from a resident at 95 Walling Terrace regarding police and First Aid squad who responded to a call to her home where her husband needed care. Her husband did pass away; however, she commends the Police Department and First Aid for their efforts.

Mr. Chamberlain spoke of the old fire department boat and how to give it back to owner who donated it. Owner is now requesting to have it returned.

PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions at 9:17 P.M moved by Mr. Sheridan, second by Ms. Bolte with ayes by all present.

Ken McPeek suggested a phone blast system to alert residents.

Tom Baldino – when KCCC was disbanded in April all events were removed from website. Concert series were not listed on website and he asked that ALL Borough events be listed on website – not just events sponsored by the Borough.

Joanne Staeger, Main Street, thinks the Borough needs to look at every avenue of communication. Notice in water bill will never get to the tenants. Not enough people look at the website.

Ed Burlew, 59 West Front Street, has been following the garbage men for the last month. Mr. Burlew stated that the town is cleaner; Business district is looking pretty good. Thinks the problem with the municipal building repairs could be handled differently,

Officer Matt Salvatore, asked the timeframe of purchasing repeater system. Officers are having problems transmitting to headquarters. Feels it is an officer safety issue.

Mike Lane, 51 First Street, asked what other streets are involved in moving the wind turbine to Union Beach; only Maple and Broad were mentioned.

Administrator – will go up Broadway

Mike Lane, suggested notifying residents on the streets used to move the wind turbine. Mr. Lane asked about Ye Cottage Inn parking lot.

Bob Burlew - wind turbine weighs 55 tons. Bridge limitation is eight tons. Feels we do not have a road that will support it, thinks we should say “no” to it.

Ken McPeek would like DPW and the water department on stand-by in case anything happens during the days the wind turbine is being transported.

John Olsen, Harbor Commission – construction will start Thursday to Firemen’s Park. Mr. Olsen asked what type of boat will be used to transport fireworks; how much is going to be closed. Capitan John wants to be released of any responsibility should they use his slip.

Lt. Casaletto, Keyport PBA 223, in reference to donated sick time. Stated it is a one-time program. Willing to donate three more days so there will be no cost to the Borough. Lt. Casaletto suggested relinquishing fines if garbage cans are purchased.

There being no more comments or questions from the public, the meeting was closed to the public at 9:44 P.M.

Motion to take a five-minute break prior to reconvening for closed session was made by Mr. Sheridan, second by Mr. Chamberlain with ayes by all present.

CLOSED SESSION

R166-11 Closed Session Resolution:

RESOLUTION NO. 166-11
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
§ Contract Negotiation
§ Potential Litigation – Solid Waste

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 Sale of Borough Property, Contract Negotiation, Potential 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. 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 10:19 PM

ADJOURNMENT

Motion to adjourn was made and carried at 10:19 pm