

June 21, 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 7:04), Sefcik, Chamberlain, Sheridan, Ambrose, Toggia, Mayor McLeod. Others present: Borough Administrator Ms. Wright, John T. Lane, Borough Attorney

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

PUBLIC HEARING

Uptown Bar & Grille renewal application

Attorney explained that 2008 and 2010 renewals are still pending. Recommends denying renewal without prejudice and consolidate with the current AOL matter. Attorney Lane agreed that would be the more appropriate place to be heard. Attorney for applicant will file an appeal.

Mike Lane stated that the last resolution denying renewal did not spell out the reasons for denial for both the ABC director and the Judge. Concurs with possessory interest being turned over to the Judge.

Would like violation of allowing patrons to drink outside the bar on 3/19/11 presented to Council. Would like to see a violation imposed for allowing that to occur.

Concerned about the lack of security by the Uptown in having patrons outside the bar. Attorney Lane will check whether a citizen can make a complaint.

Motion to deny renewal without prejudice moved by Mr. Sheridan, second by Mr. Chamberlain

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

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.)

R167-11 Payment of Bills

R168-11 Appointing Professional Risk Management Consultant for the Year 2011

R169-11 Appointing Employee Benefits Consultant for the Year 2011

R170-11 Recognizing the Junior Police Explorer Program in the Borough of Keyport

R171-11 Accept Hazard Communication Plan

R172-11 Accept Emergency Action Plan

R173-11 Accept Fire Prevention Plan

Administrator Wright explained some of the resolutions for the benefit of the public.

PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions at 7:31P.M moved by Mr. Sheridan, second by Mr. Chamberlain with ayes by all present.

Ed Burlew, 59 West Front Street, asked what the savings is on the new health care program.

Administrator replied approximately \$100,000.

Ms. Bolte mentioned that most municipalities are trying to get out of the State Benefit Plan. Mayor felt that Mr. Sweeney is concerned too many people are entering the State Health Care Program.

Mr. Burlew asked who is running the website; Administrator replied that Carla Cefalo is until June 30th and then we will have our own webmaster do it at a cost of \$200.00 a month.

George Walling, Second Street, asked why Lt. Casaletto has not yet been promoted to Chief. Mr. Sheridan stated there is a process going on. Mr. Walling feels it would save the Borough \$40,000. Urges the Council to make a motion tonight.

Dennis Fotopoulos, 77 Beers Street, would like confirmation that the cost of the web master would be \$200. Feels, from a consulting point of view, \$200 monthly is too much; should be \$99.00 a month.

Mike Lane forwarded Bayshore Regional Sewage Authority file showing transport of wind turbine to Union Beach through Keyport. Detailed drawings of route and turns were available for Union Beach. Urges Council to obtain same data for Keyport. Maps show transport through Main Street and Maple Place.

Attorney Lane recommends T&M provide the same for Keyport. Mr. Lane asked Administrator to make that request from T&M.

Matt Salvatore requested Council to consider the Police Department Structure.

There being no more comments or questions from the public, the meeting was closed to the public at 7:47 P.M.

APPROVAL OF RESOLUTIONS

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

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

RESOLUTION R-164-11 Liquor License Renewals

Ms. Sefcik spoke of police reports and Fantasies having several patrons on a warrant.

Motion to remove Suburban Wine and Liquor t/a Smith's Liquor Shop from the resolution and require an Ad Interim permit, made by Ms. Bolte, second by Mr. Sheridan

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

Motion to remove Fantasies from the resolution and require an Ad Interim permit made by Ms. Sefcik, second by Mr. Sheridan

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

Pass Resolution #164-11 as amended with removal of Suburban Wine and Liquor and Fantasies

Motion made by Mr. Sheridan, second by Ms. Sefcik

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

Nays:

Abstain:

Absent:

Public hearing on the renewal of Fantasies and Suburban Wine and Liquor will be held at the next meeting.

COMMUNICATIONS AND PETITIONS

1. Letter from Elizabeth Harbison of 305 First Street regarding invoice for clearing blocked sewer

Mayor recommends reimbursement because sewer was blocked on the other side of her property line. Administrator concurs.

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

- 2 Letter from Civil Service Commission regarding approval of Donated Leave Plan

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

3. Letter from Keyport First Aid Squad requesting the use of a dozen picnic tables for their (previously approved) picnic to be held at Veterans Park on August 6, 2011 from 11AM to 6PM

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

4. Application for membership in the Keyport Fire Department/Lincoln Hose) contingent upon State approval) from Brendon Parker and letter advising the acceptance of the resignation of Scott Hicks

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

5. Application for an Extension of Licensed Premise for the Bayside Grill for an event to be held June 25th, 2011 from 12Noon to 10PM

Ms. Bolte stated this has only been approved in connection with special events. Ms. Bolte stated that the Bayside should come in with a transfer to extend the licensed premises. Also, said all applications are all the same.

Nathan Scali, 276 Main Street, manager of Bayside, they are not all the same; first one is for International Fest.

Ms. Sefcik would like him to address the frequency of the events.

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

6. Application for an Extension of Licensed Premise for the Bayside Grill for an event to be held July 2nd, 2011 from 12Noon to 10PM

Withdrawn by applicant

7. Application for an Extension of Licensed Premise for the Bayside Grill for an event to be held July 3rd, 2011 from 12Noon to 10PM

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

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

REPORTS OF DEPARTMENTS

1. Borough Clerk's Monthly Report for May 2011
2. Tax/Water/Sewer Collector's Report for May 2011
3. Building Department Monthly Report for May 2011
4. Board of Health Monthly Treasurers Report for May 2011
5. Municipal Court's Monthly Cashbook Report for May 2011

It was noted that the Property Maintenance report is missing.

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. Chamberlain with ayes by all present

COMMITTEE REPORTS

Councilwoman Bolte: Public Works/Recycling/Property Maintenance: Ms. Bolte asked about the flyer that went out with water bills. Mentioned that she has problems contacting the property maintenance officer. Ms. Bolte asked about the web site.

Administrator Wright explained how the process could work. Ms. Bolte would like a procedure set up with how to communicate posting of items on website. Ms. Wright explained the only one with full access to web is Carla.

Councilwoman Sefcik: Health and Recreation: Ms. Sefcik reported Summer Recreation is beginning as well as beach volleyball.

Councilman Chamberlain: Fire/First Aid/Emergency Services: Mr. Chamberlain read First Aid and Fire Department call reports. Ten members graduated from Fire Fighter I Class

Councilman Sheridan: Police: Mr. Sheridan reported:

- Police report and Click It or Ticket arrests
- Historical Society presentation Monday, July 11 at 7:30 pm Steamboat Dock Museum.
- Still looking for homes to add to December 11th Holiday House Tour.

Councilwoman Ambrose: Finance/Grants/Redevelopment: Ms. Ambrose stated she is concentrating on the website.

Councilman Toglia: Buildings/Grounds/Library: Mr. Toglia reported:

- Library put together a "Read" sign made of bricks and flower planting.
- Still waiting for Library audit
- Asked Administrator for update of old Borough Hall

Administrator - will report in closed session and have action at next meeting.

UNFINISHED BUSINESS

Ms. Bolte spoke about a sign in KBA Business Office this week stating "Bolte the Obstructionist" said this is also against the sign ordinance.

Ms. Sefcik asked whether KBA must remain non-partisan to maintain non-profit status.

Attorney – Mayor stated this is a personal attack on Councilwoman Bolte which she brings up where only she has the forum.

Ms. Bolte pointed out that there is another public portion.

Mayor – does not want this to become a long discussion. Mayor agreed that this is not a valid way of expressing disapproval with someone.

Discussion of Police Department Structure

Mr. Sheridan explained the proposed Ordinance which eliminates the Capitan.

Mr. Chamberlain – contacted friends and PBA attorneys. Believes Borough must make a petition to civil service along with compelling argument for doing this. Otherwise Borough may be accused of an unfair labor practice. Stated another lawsuit will come of this.

Administrator – stated Ordinance should be introduced first then submitted to the Merit System Board.

Ms. Bolte asked what about the Referendum where residents wanted us to explore Administrators in the Police Department outside the Borough?

Mayor spoke of on-going consolidation efforts with Union Beach and Hazlet. Thinks it is time to move forward since Lt. Casaletto has been doing the position of Chief for twenty-two months. Recommends disposing of the Lieutenant position rather than the Capitan's position

Mr. Sheridan stated that we cannot afford three administrative personnel in the Police Department.

Ms. Ambrose would like a Chief and a Lieutenant.

Add for Introduction – Ordinance eliminating Capitan to agenda for July 5th

Motion made by Mr. Sheridan, second by Ms. Ambrose

Roll Call: Ayes: Councilmembers Sheridan, Ambrose, Toggia, Mayor

Nays: Councilwoman Bolte, Sefcik, Chamberlain

Abstain:

Absent

ATTORNEY'S - None

PUBLIC COMMENT PORTION

The Meeting is opened to the public for comments or questions at 8:58 pm

Ed Burlew, 59 West Front Street, asked why we cannot vote on a Chief tonight.

Mr. Sheridan replied that interviews will take place July 5th.

Chris Matarese, 158 Therese Street, thinks it is disgusting how some Council speak to Councilwoman Bolte.

Jennifer Henning agrees with Chris Matarese. Feels those Council who did not speak up are beneath their dignity.

Christopher Salus, Chingarora, active member of KBA. Feels he is part of the KBA. Thinks all KBA members should not be labeled for what happened with the sign issue.

Elmer Graham Jr., 22 St. Peters Place, stated that Ed Burlew has done a lot for Keyport. Asked about the possibilities of security cameras at the waterfront.

Administrator has been discussed. Putting together financing.

Mike Lane, spoke of water laying under planking and not draining out. Concerned about mosquito condition. Proposed moving Historic Museum to Old Borough Hall and having a restaurant where the museum now is.

George Walling spoke of past practice of Police Structure. Mentioned Police Department moral has gone right out the window.

Nathan Scali spoke of the last two telephone poles opposite boat ramp. One is leaning, feels one should be removed.

Administrator instructed Mr. Scali to call her.

Lt. Casaletto, Keyport PBA 223, stated that \$330,000 from three employees leaving or retiring has been saved in the Police Department and never come back to that department. Spoke of loss of service to the community. Feels it is a shame to go any lower than 17 men. Proposes 2 ½ Administrators with one being in charge of Detective bureau.

Mayor mentioned average Police Department for a borough of this size is 16-17 so we are not understaffed, although averages are instructive and not determinative.

Matt Salvatore, delegate Keyport PBA Local 223, PBA opposed the elimination of Capitan

There being no more comments or questions from the public, the meeting was closed to the public at 9:20 P.M.

At 9:21pm, motion to take a two-minute break prior to reconvening for closed session was made by Mr. Sheridan, second by Mr. Chamberlain with ayes by all present.

CLOSED SESSION

R174-11 Closed Session Resolution:

RESOLUTION NO. 174-11 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:

- § Contract Negotiations
- § Sale and Acquisition of Municipal Property

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 Contract Negotiations, Sale and Acquisition of Municipal Property 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:

Meeting returned to open session at 10:12pm.

ADJOURNMENT

Motion to adjourn was made by Mr. Sheridan, second by Ms. Sefick with ayes by all present at 10:12 pm

