

July 19, 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, Sefcik, Chamberlain, Sheridan, Ambrose, Toglia (arrived 7:05pm), Mayor McLeod. Others present: Borough Administrator Ms. Wright, John T. Lane, Borough Attorney.

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

Mayor asked Administrator Wright to give explanations for R189-11 and R190-11 as well as resolution authorizing temporary help.

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.)

- R188-11** Payment of Bills
- R189-11** Authorizing the Borough of Keyport Tax Collector to Prepare and Mail
Estimated Tax Bills in Accordance with P.L. 1994. C. 72
- R190-11** Setting the Last Date to Pay Third Quarter 2011 Taxes Before Interest Will Accrue
- R191-11** Authorizing a Wedding to Be Held on May 19, 2012 at the Waterfront Park Gazebo
- R192-11** Authorize Temporary Clerical Help for Administration
- R193-11** Application for a Raffle License – Keyport Indians, Inc. – 50/50 Cash – 9/24/11
- R194-11** Application for a Raffle License – Keyport Indians, Inc. – Tricky Tray – 9/24/11

PUBLIC COMMENT PORTION

Motion was made by Councilman Sheridan, carried by Councilwoman Bolte to open the meeting to the public for comments or questions at 7:04 P.M.

Ed Burlew, 59 West Front Street, asked about Ye Cottage Inn parking lot. Stated it has been two years and this should be completed.

Administrator Wright responded that she has asked Engineer for cost to repair another survey in order to address gores or overlaps.

(7:05pm Councilman Toglia arrived)

Mayor concurred that this could not be completed by a non-professional.

Ed Burlew, asked about garbage ordinance. When will it be introduced? Would like to address recycling next.

There being no more comments or questions from the public, motion was made by Mr. Sheridan, carried by Ms. Sefcik to close the meeting to the public at 7:08 P.M.

APPROVAL OF RESOLUTIONS

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

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

APPROVAL OF MINUTES

May 17, 2011 – Regular
June 14, 2011 – Work Session

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

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

RESOLUTION R-195-11 Authorize Advertisement for Bid for USDA project – Sanitary Sewer System

Offered for adoption by Ms. Bolte, seconded by Mr. Toglia

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

RESOLUTION R-196-11 Authorize Advertisement for Bid for Benjamin Terry Park

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

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

RESOLUTION R-197-11 Appointment of Provisional Chief of Police

Ms. Bolte asked Mayor to explain “provisional” status.

Mayor explained a test may be given.

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

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

PUBLIC HEARINGS/ADOPTION OF ORDINANCES

1. Ordinance #13-11 – Property Maintenance Officers

The Clerk reads the Ordinance by Title:

AN ORDINANCE ESTABLISHING THE OFFICES OF PROPERTY MAINTENANCE OFFICER AND ASSISTANT PROPERTY MAINTENANCE OFFICER IN THE REVISED GENERAL ORDINANCE SOF THE BOROUGH OF KEYPORT

Motion was made by Mr. Sheridan, second by Mr. Chamberlain with ayes by all present to open the Hearing to the public for comments or questions at 7:11 P.M.

Lois Reilly asked for an explanation of the Ordinance.

Mayor explained some of the changes to this Ordinance.

There being no more comments or questions from the public, the hearing was closed at 7:11 P.M.

Motion to adopt Ordinance was made by Mr. Sheridan, second by Mr. Chamberlain

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

Motion authorizing the Clerk to publish the Ordinance as adopted moved by Mr. Sheridan second by Ms. Sefcik

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

2. Ordinance #14-11 – Fire Department

The Clerk reads the Ordinance by Title:

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER III, ARTICLE II, “FIRE DEPARTMENT” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT

Motion was made by Mr. Chamberlain, second by Mrs. Sefcik with ayes by all present to open the Hearing to the public for comments or questions at 7:12P.M.

There being no more comments or questions from the public, the hearing was closed at 7:11 P.M.

Motion to adopt Ordinance was made by Mr. Chamberlain, second by Mr. Sheridan

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

Motion authorizing the Clerk to publish the Ordinance as adopted moved by Mr. Sheridan second by Mr. Chamberlain

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

COMMUNICATIONS AND PETITIONS

1. Notice from NJDEP regarding an extension of the Public Comment Period for Proposed Amendment to the Monmouth County Water Quality Management Plan

Administrator suggested that letter be sent to property owners whose properties are subject to environmental restrictions due to where the “line” is. Would not want homeowners subject to environmental rules and regulations.

Motion to have Administrator to prepare letter in consultation with Environment Commission and Borough Engineer as necessary moved by Mr. Sheridan, second by Mr. Chamberlain with ayes by all present.

2. Letter of Resignation from Municipal Court Administrator Kathie Coffey

Administrator Wright stated what a professional employee Ms. Coffey was.

Administrator and Mayor said very positive comments about Municipal Court Administrator Kathie Coffey.

Motion to accept with considerable regret and best wishes moved by Mr. Sheridan, second by Ms. Sefcik with ayes by all present

3. Notice from the Keyport Indians requesting support through the purchase of an ad in their 2011 program book

Administrator suggested this request be considered for 2012. This year funds are not available. No funds are available this year.

Suggestion was made that all Council contribute; asked for confirmation what was donated last year.

Ms. Sefcik would ask the school to submit their fundraising requests at the beginning of the year.

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

4. Letter from Keyport Ghost Tours/Jersey Shore Ghost Tours

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

5. Letter of resignation from Part-Time Dispatcher Grace Lawler

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

6. Letter from Arts Society of Keyport regarding the creation of a mosaic mural on a wall to be constructed at Waterfront Park

Motion to receive and approve with Administrator to coordinate all groups moved by Ms. Sefcik, second by Mr. Sheridan with ayes by all present.

7. Letter from the Environmental Commission regarding proper discharge of sump pumps

Motion to refer to Engineer and Attorney to coordinate with DPW and Engineer moved by Ms. Bolte, second by Mr. Sheridan with ayes by all present.

8. Letter of resignation from Senior Center employee Martha Yanick

Motion to receive and file and discuss position in closed session moved by Ms. Bolte, second by Ms. Sefcik with ayes by all present.

REPORTS OF DEPARTMENTS

1. Borough Clerk's Monthly Report for June 2011
2. Tax/Water/Sewer Collector's Report for June 2011
3. Building Department Monthly Report for June 2011
4. Board of Health Monthly Treasurers Report for June 2011
5. Municipal Court's Monthly Cashbook Report for June 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 Mr. Chamberlain with ayes by all present.

Maryann McKay, 1025 Woodmere Drive, explained the Art Society of Keyport's (ASK) vision of commissioning artist Isaiah Ragar to create a mosaic mural on a six paneled wall in front of the trailer at the boat ramp.

Ed Carew explained the construction and materials to be used for this project. Rough dimension of frames would be 8' x 8'. Bottom panel will be 16" off the ground so that water can pass underneath. Many organizations, including school children, will be working on this. It will be a community project. Historical Society is willing to help. Target date for completion is September 22nd.

Councilman Sheridan expressed his approval with the project.

Councilwoman Sefcik expressed her concern with the unsightness of the trailer. Encourage them to stay in communication with the Harbor Commission.

COMMITTEE REPORTS

Councilwoman Bolte: Public Works/Recycling/Property Maintenance: Ms. Bolte reported there was a problem getting a quorum. They could not take action but Mayor explained garbage ordinance. Will be meeting with Bob Burlew regarding property maintenance issues.

Councilwoman Sefcik: Health and Recreation: Ms. Sefcik reported on the following:

- Halfway through Summer Recreation program
- Volleyball has begun and beach has been cleaned
- Movie night – August 2nd
- 5K race still looking for sponsors and runners

Councilman Chamberlain: Fire/First Aid/Emergency Services: Mr. Chamberlain reported on the following:

- Firemen's Fair this week
- Read Fire Department report – 53 calls for June
- Read First Aid report
- Using mutual aid a lot lately

Councilman Sheridan: Police: Mr. Sheridan stated it was his honor to appoint Lt. Casaletto as Chief of Police. He also reported on the following:

- Unhappy that it cost \$105.00 to have an emergency vehicle towed from the Parkway.
- Read June 2011 Police PATROL STATS – 33 DWI so far in 2011

Councilwoman Ambrose: Finance/Grants/Redevelopment: Ms. Ambrose reported that she will call a meeting with the finance department and CFO to get a picture of where we are right now with the budget.

Councilman Toggia: Buildings/Grounds/Library: Mr. Toggia reported that we are looking to sell old Municipal Building – going out to bid

UNFINISHED BUSINESS

1. Discussion of Public Notice for small LED sign

Administrator Wright – Borough received approval for NJDOT permit but public hearing must be held before the Planning Board (third Thursday in August) Borough places the text on the sign, so Borough would have full control of the content. This will be replacing the sign in front of the IHOP.

2. Discussion of Donated Sick Time

Administrator Wright – when policy was put in to place she learned that this could be suspended at any time. Would like to suspend that effective August 1st. This mirrors the State's policy. We have a policy in place but we are suspending it which would allow the Council to evaluate each instance. No motion is needed. Administrator has the authorization and is just advising the Council.

3. Discussion of Proposed Ordinance Authorizing Sale of Certain Property Owned by the Borough of Keyport by Open Public Sale at Auction as Authorized by N.J.S.A.40A:12-13(a)

Administrator Wright – September 9th is the Bid Opening date for sale of Old Municipal Building. Bids can be rejected even if they are above the minimum.

Attorney reminded Council that they can't put stronger restrictions on the sale than your zoning ordinance allows.

Consensus is to put Ordinance on first meeting in August.

ADMINISTRATOR'S REPORT

- Senior Center distributed 75 food vouchers
- Water Plant pump (drive for a clarifier) needs to be repaired – not to exceed \$15,000
- Borough Hall remediation – architect has cad drawings – PEOSHA has been apprised of each step.
- Met with wind turbine people, along with Police Department and Public Works. Three sections coming through the Borough. We will be given 30 day written notice as to when this will happen.

Mr. Sheridan asked Fire Department and First Aid be notified regarding wind turbine
Ms. Bolte asked for status of Spaulding on the Waterfront promenade.

Administrator Wright – The State does not have a bond for promenade.

ATTORNEYS REPORT

None

PUBLIC COMMENT PORTION

Motion made by Mr. Sheridan, carried by Mr. Chamberlain to open the meeting to the public for comments or questions at 8:16P.M.

Andy Willner, 85 Osborne Street, cannot allow sump pump water to go into the sanitary sewer or the storm water system.

Administrator Wright – new ordinance requires sump pump discharge to run into a dry well and be contained on site.

Mr. Willner, State has changed its policies on Brownfield remediation. Asked whether anyone has come forward expressing interest in the Aeromarine project.

Ed Burlew, 59 West Front Street, followed up on his question regarding the Bayside Bar.

Attorney Lane explained that at the Bayside Bar incident, Officer Sorber went inside around closing time to see why people were in the bar and it became a First Aid call. Accident occurred before 2AM closing.

Mr. Burlew asked Attorney to read Officer Sorber's report. Stated he believes there is a cover-up

George Walling, 54 2nd Street, asked Councilmembers Bolte and Sefcik why they voted "no" on the appointment of the Chief.

Ms. Sefcik stated that since we are involved in merging services she thinks that the town would appear more attractive to a merger without a Chief. Would like to keep options open.

Jennifer Henning, 102 Main Street, mentioned that Union Beach is looking for an Administrator. Ms. Henning asked whether there could be a merger of services of an Administrator.

Mayor - position of Administrator has not been discussed formally with Union Beach. Union Beach is on a fiscal year's budget. Union Beach does not seem to be reaching out for consolidation despite their financial woes.

Elmer J. Graham, Jr. 22 St Peter Place, followed up on his question regarding security cameras at the promenade.

Administrator stated she has been looking into vendors.

Bob Burlew, 64 Chandler Ave, asked cost to Borough for mosaic project.

Ms. Ambrose stated that the KBA has donated \$5,000

Nathan Scali – regarding the mosaic walls, he is concerned about large objects bouncing off sound and light.

There being no more comments or questions from the public, the meeting was closed to the public at 8:21 P.M.

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

CLOSED SESSION

R195A -11 Closed Session Resolution:

RESOLUTION NO. 195A-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
- § Contract Negotiations
- § 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 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 Ms. Sefcik

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

Reconvened at 9:28 PM

Motion was made to go out to bid for a Billboard moved by Ms. Bolte, second by Mr. Sheridan ayes by all present

ADJOURNMENT

Motion to adjourn the meeting at 9:30pm was made by Mr. Sheridan, second by Mr. Chamberlain with ayes by all present.