December 20, 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 7:00PM. 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 7:01pm), Mayor McLeod. Others present: CFO, Tom Fallon, Borough Administrator Ms. Wright, Borough Attorney, John T. Lane

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.)

Mayor gave an explanation of resolutions on the Consent Agenda and Mayor read Rules of Conduct at Council meetings.

R295-11 Payment of Bills
R296-11 Appointing Initial Board of Directors of Keyport Bid, Inc.
R297-11 Authorizing Emergency Purchase over Bid Threshold (Fire Truck Repairs)
R298-11 Authorizing Purchase of Police Car from Cranford Co-op
R299-11 Requiring Contributions for Health Care Benefits of Employees on Workers' Compensation, Disability or Family Leave per P.L. 2011 c. 78
R300-11 Amending Resolution 203-11 and Authorizing a Shared Service Agreement for the Purpose of Providing Staff for the Keyport Municipal Court for a Temporary Period of Time to Expire December 31, 2011 or Until Such Time as the Joint Municipal Court can be Established
R301-11 Authorizing Approval of Raffle License – Keyport Matawan Elks Lodge No. 2030– Pull-tab machine
R302-11 Appointing Public Works Laborer Trainee
R303-11 Authorizing Execution of Special Citizens Area Transportation (SCAT) 2012 Agreement
R304-11 Authorizing Change Order and Final Payment for Fireman's Park Boardwalk Improvements
R305-11 Authorizing the Award of a Contract for Sanitary Sewer System Upgrades and Inflow/Infiltration Reduction Program USDA-RD Funding Program, Phase III - Contract 3A

PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions at 7:06 P.M moved by Mr. Sheridan, second by Mr. McPeek with ayes by all present.

There being no comments or questions from the public, the meeting was closed to the public at 7:06 P.M.

APPROVAL OF RESOLUTIONS

Motion was made by Ms. Bolte, and carried by Mr. McPeek with ayes by all present.

Motion on the Consent Agenda made by Ms. Bolte, second by Mr. McPeek with the exceptions of 297-11 and 298-11 these resolutions were voted on separately.

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

Councilwoman Bolte explained regarding resolution for fire truck repairs that she feels uncomfortable voting on something that may not have been correctly done.

Administrator Wright explained all invoices for repairs were submitted after the fact. Requisition should have been prepared with estimate attached but that procedure is not being followed.

R297-11 Authorizing Emergency Purchase over Bid Threshold (Fire Truck Repairs)

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

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

Councilwoman Bolte questioned the Administrator as to why we are purchasing a Crown Victoria for the Police Department when other types of vehicles were considered.

Administrator Wright explained Council should consider what they would like the Police fleet to look like in the future. This was an unplanned purchase due to an automobile accident. This is being purchased under state contract.

R298-11 Authorizing Purchase of Police Car from Cranford Co-op

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

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

PUBLIC HEARINGS/ADOPTION OF ORDINANCES

1. **Ordinance #25-11 - Amended Joint Court**

The Clerk reads the Ordinance by Title:

AN ORDINANCE AMENDING SECTIONS OF ORDINANCES NO. 18-11 AND 19-11 CONCERNING THE EFFECTIVE DATE OF THE JOINT MUNICIPAL COURT OF HAZLET, KEYPORT AND MATAWAN

Motion made by Mr. Sheridan second by Mr. McPeek to open the hearing to the public for comments or questions at 7:41 P.M.

There being no comments or questions from the public, the hearing was closed at 7:41P.M. moved by Mr. Sheridan, second by Mr. McPeek with ayes by all present.

Motion to adopt Ordinance made by Mr. Sheridan, second by Mr. McPeek with ayes by all present.

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

COMMUNICATIONS AND PETITIONS

1. Letter of resignation from Municipal Prosecutor Gerald Massell effective November 30, 2011

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

2. Letter of resignation from Keyport Unified Planning Board member Joy-Michele Tomczak (effective December 31, 2011)

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

3. Letter of resignation from Electrical Sub-code Official and Electrical Inspector Frank Cordasco

Motion to receive and file move by Mr. Sheridan and carried with ayes by all present

4. Poster Contest flyer requesting original artwork be submitted for the Keyport Garden Walk to be held June 9-10th, 2012

Motion to receive, file, place on website and send to Superintendent moved by Mr. Sheridan and carried with ayes by all present

5. Applications for street opening permits from New Jersey Natural Gas:

   a. for the purpose of replacing pit at 55 First Street, Block 94, Lot 10 (16 sq. foot opening)

   b. for the purpose of replacing pit at 34 East Front Street, Block 79, Lot 3 (16 sq. foot opening)

   c. for the purpose of replacing pit at 16 East Front Street, Block 62, Lot 4 (16 sq. foot opening)

   d. for the purpose of replacing pit at 5 & 7 East Front Street, Block 80 Lot 5 (16 sq. foot opening)

   e. for the purpose of installing 90’ of 2” gas main to provide service to Keyport High School

   f. for the purpose of installing new 2”PL Gas Service to Keyport Central School (9 sq. foot opening)

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

REPORTS OF DEPARTMENTS

1. Borough Clerk's Monthly Report for November 2011
2. Tax/Water/Sewer Collector's Report for November 2011
3. Building Department Monthly Report for November 2011 and annual figures for 2011
4. Board of Health Treasurer's Report for November 2011
5. Municipal Court Cashbook Report for November 2011

On file in Borough Clerk's office for review.

Motion to receive and file all reports as read, moved by Mr. McPeek, second by Mr. Sheridan with ayes by all present.

COMMITTEE REPORTS

Councilwoman Bolte: Public Works/Recycling/Property Maintenance   Ms. Bolte requested DPW put snow markers for plowing at Waterfront. Ms. Bolte stated that the first BID ad hoc meeting was last week.

Councilwoman Sefcik: Health and Recreation: Ms. Sefcik wished all a Happy Holiday season and thanked all volunteers. Recreations awards for lighting will be presented at Re-Organization meeting.

Councilman McPeek: Fire/First Aid/Emergency Services: Had Fire Department election for 2012 and First Aid Election. Mr. McPeek announced the officers for 2012. New First Aid bus will be displayed at Re-Organization meeting. Fire Department had 489 calls to date.

Councilman Sheridan: Police: Mr. Sheridan read police reports of DUIs. Police Committee met and recommended a purchase of a watch for Chief Mitchell. Mr. Sheridan asked Council's pleasure on the Red Light cameras.

Mayor explained the Red Light cameras only record what people do. They are just another set of eyes for the Police Department and a valuable law enforcement tool. They do not change the behavior of the public.   Mayor asked if it is the sentiment of the Council to proceed.

Motion to proceed made by Mr. McPeek, second by Toglia with ayes by all present.

Mr. Sheridan – Police Department tazers may be a weapon for 2012. Mr. Sheridan reported Chief would like Council to be trained in how to handle a situation where a gun may be involved. Training could be done for two hours before a Council meeting.

Councilwoman Ambrose: Finance/Grants/Redevelopment: Ms. Ambrose reported that the Administrator is trying to get all budgets in. Will begin 2012 budget after Re-Organization meeting.

Councilman Toglia: Buildings/Grounds/Library: Mr. Toglia reported that the Library is still working on the audit. Should have more by the end of the month.

UNFINISHED BUSINESS

- Mayor made a motion to purchase a watch for Chief Mitchell, second by Mr. Sheridan with ayes by all present
- Ms. Ambrose – Kiosk should be on the calendar for January
- Ms. Bolte thanked Councilwoman Ambrose for her help with the survey that went out in the water bills
- Mr. McPeek spoke about radio station for Union Beach

ADMINISTRATOR'S REPORT

Spoke of Beacon Planning proposal to prepare specs for RFP and review proposals for the Old Municipal Building

Resolution 309-11 Accepting Proposal for Professional Planning Services

Motion made by Mr. Sheridan, second by Ms. Sefcik not to exceed $3,000.00 with ayes by all present.

- CDBG project – Administrator suggests project not start until March due to possible weather conditions.
- Notice of Hazard Mitigation Grant and Letters of Intent. Two locations in Keyport are listed. One behind Ye Cottage Inn and one on Green Grove Ave. Would also like to list these locations.
- Sanitary sewer pump station
- Cedar Street
- Sautee Bay property
- Put in for a Natural Gas Auction – last year went out for electric – same opportunity exists for Gas. This is a strike price auction. Price is set for one year.
- OEM requested a lap-top computer. Wanted a data plan to do wireless but unfortunately we do not have the money for the data plan (cost is $720.00 a year) and their budget is only $1,000.00 per year.
- FEMA Grant being prepared for Hurricane Irene
- Working on budget

Councilman McPeek asked if Administrator had met with DPW for pump stations. Ms. Wright stated just awarded Sanitary Sewer portion of the project. Maybe mitigation money could be used since both pumps are in flood zones. Estimating a 30% reduction in inflow.

Administrator requested Resolution Accepting Proposal for Professional Planning Services from Beacon Planning be added to the agenda.

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

ATTORNEY'S REPORT - None

PUBLIC COMMENT PORTION

The Meeting is opened to the public for comments or questions at 8:23pm moved by Mr. Sheridan, second by Mr. McPeek with ayes by all present.

Elmer Graham Jr. 22, St Peters Place, looked at a website. Stated minutes and agendas are not up to date.

Clerk stated agendas are on the website and minutes are up to date to November 2011.

Mike Lane, 51 First Street –

- asked about gas pit to be removed at 55 First Street. That is a condo building there and would only benefits those residents.
- regarding Planning Board application by Mr. Schwartz, spoke about residents having to go around the building to get to their cars.
- Made recommendations regarding the survey. Does not think one can collect usable data from the way some questions read. He would be happy to get people to do a trial run of the survey in the future.

Artie, resident of Hazlet, explained nation went to Crown Victoria's because of safety.

Nancy Carew, 64 Broadway, thanked the Council for all their hard work. Thanked Ms. Sefcik for her work; thanked Council for surveying the public and caring what they think.

Mayor explained two representatives are needed from the Garden Club for the Green Team.

There being no more comments or questions from the public, the meeting was closed to the public at 8:35P.M.

Motion was made by Mr. Sheridan and carried by Toglia at 8:36pm to going into closed after a short break.

The meeting went into closed session at 8:36 PM

CLOSED SESSION

R 306-11 Resolution Closed Session:

RESOLUTION NO. 306-11
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:

- Negations with Union
- Possible Contracts

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 Negotiations with Union, Contract 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, McPeek, Sheridan, Ambrose, Toglia
Nays:
Absent:
Abstain:

Resolution R307-11 - Appointing Provisional Police Communications Clerk - TABLED

Motion to table resolution made by Ms. Bolte, second by Ms. Sefcik with ayes by all present.

Resolution R308-11 - Appointing Electrical Sub-code Official and Electrical Inspector

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

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

Resolution R309-11 – Extension of Leave of Absence without Pay – Tabled

Motion made by Ms. Bolte, second by Ms. Sefcik

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

ADJOURNMENT

Motion to adjourn at 9:24pm was made and carried.