January 1, 2005
Keyport, New Jersey

Minutes of a Reorganization Meeting of the Mayor and Council, Borough of Keyport, held on the above date in the All Purpose Room, Central School, Broad Street, Keyport, N.J. pursuant to the adoption of Resolution #370-04 at the Work Meeting of December 7, 2004 in accordance with the requirements of the Open Public Meetings Law, P.L. 1975, Ch. 231. Notices were filed with the Borough Clerk, posted on the Bulletin Boards, forwarded to the Asbury Park Press, the Courier, the Two River Times, The Star Ledger and the Independent.

Mayor Merla called the meeting to order at 12:04 P.M. and read the Sunshine Law Notice.

ROLL CALL - 2004 COUNCIL

On Roll Call the following were present: Mayor Merla, Councilmembers Wedick, Bergen, Doyle, Atkins, Strang. Absent: Councilman Hyer.

Mayor Merla asked the residents to help the Police Department solve the December 23, 2004 bomb scare at the school. The children were scared. The Police are investigating the incident and are working with the phone company.

PRESENTATIONS TO OUTGOING COUNCILMEMBERS

Councilman Brian T. Stalter
Councilman George J. Strang
Councilman Robert L. Hyer

Councilmembers Stalter and Hyer were absent. Mayor Merla acknowledged Mr. Strang's service to the Borough, noting that his term was the shortest term of councilman in the history of Keyport. He was thanked for his dedication and that the Borough was grateful. Mayor Merla said he was proud to serve with Mr. Strang. He presented Councilman Strang with an engraved clock/plaque.

UNFINISHED BUSINESS

OATH OF OFFICE ADMINISTERED BY MOTHER-IN-LAW MARGARET KORNITAS TO NEWLY ELECTED COUNCILMEMBER GEORGE J. WALLING, SR.

The Bible was held by Mr. Walling's wife Karen. In attendance, children George, Jessica and Laura

OATH OF OFFICE ADMINISTERED BY WIFE BARBARA HASSMILLER TO NEWLY ELECTED COUNCILMEMBER RICHARD J. HASSMILLER

The Bible was held by Mr. Hassmiller's mother Caroline Hassmiller. In attendance, sister Joyce Williams, son Richard Hassmiller, grandsons Ryan and Sean Hassmiller, son-in-law Thomas Antonucci, daughter, Kelly Antonucci, granddaughter Cassidy Antonucci and grandson Thomas Antonucci.

ROLL CALL - 2005 COUNCIL

On Roll Call the following were present: Mayor Merla, Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller.

INVOCATION

Mayor Merla said he asked Reverend Williams, who recently became the Minister for the Second Baptist Church, to give the Invocation and to show a partnership between the church and the Borough. Mayor Merla told Reverend Williams that he should be proud of his family and colleagues.

SALUTE TO THE FLAG

Police Chief Theodore Gajewski, Cub Scout Pack 364 and Scout Troop 364 led the Pledge of Allegiance.

Mayor Merla advised that there are some appointments that will be held over for 30 days.

APPOINTMENT OF BOROUGH ATTORNEY

Mayor Merla announced the appointment of John S. Wisniewski, Esq., as the Borough Attorney for the term of one year, from January 1, 2005 to December 31, 2005.

1. Resolution #1-05, Appointment of Borough Attorney

WHEREAS, there exists a need for legal services in the Borough of Keyport, County of Monmouth, and

WHEREAS, funds are or will be available for that purpose, and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution awarding the contract shall state the supporting reasons and be printed in a newspaper of general circulation no more than ten days after the passage of the Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Keyport, County of Monmouth, that the appointment for the year 2005, by the Mayor, be and the same is hereby confirmed. The person hereby appointed, John S. Wisniewski, Esq., is a member of the legal profession and it is not possible to obtain competitive bids.

BE IT FURTHER RESOLVED that a copy of this Resolution be published in the Courier, as required by law, within ten days of its passage.

Offered for adoption by Mr. Bergen, seconded by Mr. Wedick

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

APPOINTMENT OF BOROUGH PROSECUTOR

Mayor Merla announced the appointment of Patrick Healy, Esq. as the Borough Prosecutor for the term of one year, from January 1, 2005 to December 31, 2005.

2. Resolution #2-05, Appointment of Borough Prosecutor

WHEREAS, there exists a need for a Borough Prosecutor in the Borough of Keyport, County of Monmouth, and

WHEREAS, funds are or will be available for that purpose, and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)requires that the Resolution awarding the contract shall state the supporting reasons and be printed in a newspaper of general circulation not more than ten days after the passage of the Resolution.

WHEREAS, pursuant to P.L. 1996, c.95, subsection 14, a municipality may employ an attorney at law as a prosecutor under the supervision of the Attorney General or County Prosecutor, who may represent the state, county or municipality in any matter within the jurisdiction of the Municipal Court.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Keyport, County of Monmouth, that the appointment for the year 2005, by the Mayor, be and the same is hereby confirmed. The person hereby appointed, Patrick Healy, Esq., is a member of the legal profession and it is not possible to obtain competitive bids.

BE IT FURTHER RESOLVED this appointment is made pursuant to the authority conferred by P.L. 1996, c. 95, subsection 14; and

BE IT FURTHER RESOLVED that a copy of this Resolution be published in the Courier, as required by law, within ten days of its passage.

Offered for adoption by Mr. Wedick, seconded by Mr. Doyle

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

APPOINTMENT OF ALTERNATE BOROUGH PROSECUTOR

Mayor Merla announced the appointment of Alan Falk, Esq. as the Alternate Borough Prosecutor for the term of one year, from January 1, 2005 to December 31, 2005.

3. Resolution #3-05, Appointment of Alternate Borough Prosecutor

WHEREAS, there exists a need for an Alternate Borough Prosecutor in the Borough of Keyport, County of Monmouth; and

WHEREAS, funds are or will be available for that purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution awarding the contract shall state the supporting reasons and be printed in a newspaper of general circulation not more than ten days after the passage of the Resolution.

WHEREAS, pursuant to P.L. 1996, c. 95, subsection 14, a municipality may employ an attorney at law as an alternate prosecutor under the supervision of the Attorney General or County Prosecutor, who may represent the state, county or municipality in any matter within the jurisdiction of the

Municipal Court.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Keyport, County of Monmouth, that the appointment for the year 2005, by the Mayor, be and the same is hereby confirmed. The person hereby appointed, Alan Falk, Esq., is a member of the legal profession and it is not possible to obtain competitive bids.

BE IT FURTHER RESOLVED this appointment is made pursuant to the authority conferred by P.L. 1996, c. 95, subsection 14; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be published in the courier, as required by law, within ten days of its passage.

Offered for adoption by Mr. Walling, seconded by Mrs. Atkins

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen
Wedick, Walling,
Hassmiller

APPOINTMENT OF MUNICIPAL PUBLIC DEFENDER

Mayor Merla announced the appointment of Thomas W. Barlow, Esq. as the Municipal Public Defender for the term of one year, from January 1, 2005 to December 31, 2005.

4. Resolution #4-05, Appointment of Municipal Public Defender

WHEREAS, pursuant to the laws of the State of New Jersey and Borough Ordinance there exists a need for a Municipal Public Defender in the Borough of Keyport, County of Monmouth; and

WHEREAS, funds are or will be available for that purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution awarding the contract shall state the supporting reasons and be printed in a newspaper of general circulation not more than ten days after the passage of the Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Keyport, County of Monmouth, that the appointment for the year 2005, by the Mayor, be and the same is hereby confirmed. The person hereby appointed, Thomas W. Barlow, Esq., is a member of the legal profession and it is not possible to obtain competitive bids.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be published in the Courier, as required by law, within ten days of its passage.

Offered for adoption by Mr. Bergen, seconded by Mr. Wedick

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen
Wedick, Walling
Hassmiller

APPOINTMENT OF BOROUGH AUDITOR

Mayor Merla announced the appointment of Robert S. Morrison as the Borough Auditor for the term of one year, from January 1, 2005 to December 31, 2005.

5. Resolution #6-05, Appointment of Borough Auditor

WHEREAS, there exists the need for an Auditor to advise Mayor and Council on financial matters in the Borough of Keyport, County of Monmouth; and

WHEREAS, funds are or will be available for that purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq.) requires that the Resolution awarding the contract shall state the supporting reasons and be printed in a newspaper of general circulation not more than ten days after the passage of the Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Keyport, County of Monmouth, that the appointment for the year 2003 by the Mayor, be and the same is hereby confirmed. The person hereby appointed, Robert S. Morrison is a Registered Municipal Accountant and it is not possible to obtain competitive bids.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be published in the Courier, as required by law, within ten days of its passage.

Offered for adoption by Mr. Hassmiller, seconded by Mr. Bergen

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

APPOINTMENT OF BOROUGH ENGINEER

Mayor Merla announced the appointment of Donald J. Norbut as the Borough Engineer for the term of three years, from January 1, 2005 to December 31, 2007.

6. Resolution #7-05, Appointment of Borough Engineer

WHEREAS, there exists a need for engineering services in the Borough of Keyport, County of Monmouth; and

WHEREAS, funds are or will be available for that purpose; and

WHEREAS, the Local Public Contracts Law (NJSA 40A:11-1 et. Seq.) requires that the Resolution awarding the contract shall state the supporting reasons and be printed in a newspaper of general circulation no more that ten days after the passage of the Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Keyport, County of Monmouth, that the appointment for the years 2005 through 2007, by the Mayor, be and the same is hereby confirmed. The person hereby appointed, Donald J. Norbut is a member of the engineering profession and it is not possible to obtain competitive bids.

BE IT FURTHER RESOLVED that a copy of this Resolution be published in the Courier, as required by law, within ten days of its passage.

Offered for adoption by Mr. Walling, seconded by Mr. Bergen

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

ANNUAL NOTICE

Notice is hereby given that effective January 1, 2005, the Keyport Borough Council will hold its Work Agenda Meetings on the 1st Tuesday of the month at 7:00 P.M. in the Council Chambers, Municipal Complex, 70 W. Front Street, Keyport, New Jersey and its Regular Agenda Meetings on the 3rd Tuesday of the month at 7:00 P.M. in the Council Chambers, Municipal Complex, 70 W. Front Street, Keyport, New Jersey with the following exceptions listed below. Formal action may be taken at these meetings. This notice is provided in accordance with the requirements of P.L. 1975, Ch. 231, Open Public Meetings Act (Sunshine Law Notice).

EXCEPTION: The January 4, 2005 Meeting will be held on January 11, 2005, the April 19, 2005 meeting will be held on Monday, April 18, 2005, the June 7, 2005 meeting will be held on Monday, June 6, 2005 and the November 8, 2005 meeting with be held on Monday, November 7, 2005

NOTE: 7:00 P.M.-Closed Meeting-Public excluded
8:00 P.M.-Regular Business-Public included

7. Resolution #8-05, Annual Notice

BE IT RESOLVED by the Keyport Borough Council that the Notice of its Agenda Work Meetings which will be held the 1st Tuesday of the month in the Council Chambers, 70 W. Front Street, Keyport, New Jersey at 7:00 P.M. and its Regular Meetings which will be held on the 3rd Tuesday of the month at 7:00 P.M. in the Council Chambers, 70 W. Front Street, Keyport, New Jersey be posted on the Bulletin Boards, in the Keyport Borough Hall, be mailed to the Asbury Park Press, the Two River Times, the Courier, the Newark Star Ledger and the Independent and be filed in the office of the Borough Clerk.

Offered for adoption by Mr. Bergen, seconded by Mr. Doyle

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

COUNCIL PRESIDENT

Mayor Merla announced the election of Joseph E. Wedick as Council President for the year 2005.

8. Resolution #9-05, Appointment of Council President

WHEREAS, it is necessary that a member of the Council be elected President of said Council to fulfill the duties of Mayor during his absence.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Keyport that Joseph E. Wedick, a member of said Council, be elected President.

Offered for adoption by Mr. Bergen, seconded by Mr. Hassmiller

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling Hassmiller

COUNCIL COMMITTEES

Mayor Merla announced the appointments to Council Committees for the year 2005.

POLICE	1.	Joseph E. Wedick, Chairman
	2.	John E. C. Doyle
	3.	June E. Atkins
FIRE	1.	Richard J. Hassmiller, Chairman
	2.	George J. Walling, Sr.
	3.	Robert J. Bergen
FINANCE	1.	Robert J. Bergen, Chairman
	2.	Richard J. Hassmiller
	3.	John E. C. Doyle
HEALTH/RECREATION/PARKS	1.	June E. Atkins, Chairman
	2.	Joseph E. Wedick
	3.	George J. Walling, Sr.
PUBLIC WORKS/RECYCLING/ PROPERTY MAINTENANCE	1.	George J. Walling, Sr., Chairman
	2.	Robert J. Bergen
	3.	Richard J. Hassmiller
BUILDING & GROUNDS/ LIBRARY	1.	John E. C. Doyle, Chairman
	2.	June E. Atkins
	3.	Joseph E. Wedick

9. Resolution #10-05, Appointment of Council Committees

BE IT RESOLVED by the Council of the Borough of Keyport that the foregoing appointments of Committees, as made by the Mayor, for the year 2005 be and the same are hereby approved and confirmed.

Offered for adoption by Mr. Bergen, seconded by Mr. Walling

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

OFFICIAL NEWSPAPERS

10. Resolution #11-05, Designate Official Newspapers

BE IT RESOLVED that this Borough Council hereby designates The Asbury Park Press, Neptune, N.J., The Two River Times, Red Bank, N.J., The Courier, Middletown, N.J., The Star Ledger, Newark, N.J. and the Independent, Freehold, N.J. as the Newspapers to receive notice of meetings required by P.L. 1975, Chapter 231, Open Public Meetings Act for the year 2005.

Offered for adoption by Mr. Wedick, seconded by Mr. Doyle

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

NAMING OFFICIAL DEPOSITORIES
FOR THE BOROUGH OF KEYPORT
FOR THE YEAR 2005

11. Resolution #12-05, Designate Official Depositories

WHEREAS, N.J.S.A. 40A:5-14 mandates that the governing body of a municipal corporation shall, by resolution passed by a majority vote of the full membership thereof, designate as a depository for its monies a back or trust company having its place of business in the state and organized under the laws of the United States or this state.

NOW, THEREFORE, BE IT RESOLVED on the 1st day of January 2005 by the Council of the Borough of Keyport, County of Monmouth, State of New Jersey that:

1. Bank of America, Wachovia Bank, Sovereign Bank of New Jersey, Shrewsbury State Bank, Two River Community Bank and the New Jersey Cash Management Fund be and the same are hereby designated as the Depository Banks for the funds of the Borough of Keyport for 2005; and

2. Prior to the deposit or any municipal funds in the above mentioned depositories, said bank shall file with the Chief Financial Officer a statement indicating that the bank is covered under the Governmental Unit Deposit Protection Act (R.S. 17:9-41).

3. Said banks are hereby authorized and directed to honor checks drawn upon said banks signed by three of the following five, the Mayor, Borough Administrator, Borough Clerk, Chief Financial Officer, and/or Treasurer. In the absence of the Mayor, Council President, or Finance Chairman, and in the absence of the Borough Clerk, the Deputy Borough Clerk, shall be an authorized signator.

Offered for adoption by Mr. Bergen, seconded by Mrs. Atkins

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen Wedick, Walling, Hassmiller

APPOINTMENT OF FIRE INSPECTORS

Mayor Merla announced, with the advice and consent of the

Council, the appointments of the following named persons as Fire Inspectors in the Borough of Keyport for the term of one year, from January 1, 2005 to December 31, 2005.

Harry Aumack II
William Larkin
Kenneth Marr, Jr.
Dean Stoppiello
Paul Murphy

12. Resolution #13-05, Appointment of Fire Inspectors

BE IT RESOLVED by the Council of the Borough of Keyport that the appointments of the aforementioned persons as Fire Inspectors, be and the same are hereby confirmed.

Offered for adoption by Mr. Doyle, seconded by Mrs. Atkins

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

APPOINTMENT OF FIRE MARSHALS

Mayor Merla announced, with the advice and consent of the Council, the appointments of the following named persons of the Board of Fire Wardens of the Keyport Fire Department as Fire Marshals, whose term shall expire on December 31, 2005.

Chuck Pfleger	William Vaughn	March Thalheimer
Larry Stonerock	Kenneth Goble	Pedro Santiago
Robert Ferry	Nick DeVincenzo	Jay Gordon
Vito Esposito	Joseph Konish	Thomas Gallo
David Sims	James Burke	Jason Miller

13. Resolution #14-05, Appointment of Fire Police

BE IT RESOLVED by the council of the Borough of Keyport the appointments of the foregoing named persons of the Board of Fire Wardens of the Keyport Fire Department be and the same are hereby confirmed as Fire Marshals, each term to expire December 31, 2005.

Offered for adoption by Mrs. Atkins, seconded by Mr. Doyle

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

APPOINTMENT OF SPECIAL POLICE OFFICERS

Mayor Merla announced, with the advice and consent of the Council, the appointments of the following named persons as Special Police Officers, whose terms shall expire on December 31, 2005.

CLASS II
Michael Handler
Frank Currier
Eugene Eng
David Osuch
Peter Torterell
CLASS I
Roger Olmstead

Timothy Regan

14. Resolution #15-05, Appointment of Special Police Officers

BE IT RESOLVED by the Council of the Borough of Keyport that the appointments of the foregoing named persons be and the same are hereby confirmed as Special Police Officers whose terms shall expire December 31, 2005.

Offered for adoption by Mr. Bergen, seconded by Mr. Wedick

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

POLICE MATRON

Mayor Merla announced, with the advice and consent of the Council, the appointment of Jacqueline Shipley as Police Matron, whose term shall expire on December 31, 2005.

15. Resolution #16-05, Appointment of Police Matron

BE IT RESOLVED by the Council of the Borough of Keyport that the appointment of the foregoing named person be and the same is hereby confirmed as Police Matron, whose term will expire on December 31, 2005.

Offered for adoption by Mr. Bergen, seconded by Mrs. Atkins

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

SCHOOL CROSSING GUARDS

Mayor Merla announced, with the advice and consent of the Council, the appointments of the following named persons as School Crossing Guards, whose terms shall expire on December 31, 2005.

Alice Albrecht	Paul Albrecht	Emily Burlew
Linda Connors	Linda Corbett	Sonia Perno
Janine Popovich	George Sprague	John Yard

Substitutes

Catherine Cobb Harry Kneute

16. Resolution #17-05, Appointment of School Crossing Guards

BE IT RESOLVED by the Council of the Borough of Keyport that the appointments of the foregoing named persons be and the same are hereby confirmed as School Crossing Guards, each term to expire on December 31, 2005.

Offered for adoption by Mrs. Atkins, seconded by Mr. Doyle

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

APPOINTMENT OF EMERGENCY MANAGEMENT COORDINATOR

John J. Merla, Mayor announced the appointment of Ken Marr, Jr., as Emergency Management Coordinator for a three year term from January 1, 2005 to December 31, 2007.

Councilman Wedick asked that the appointment by the Mayor be referred to the Borough Attorney for investigation and report back. There could be a conflict between Mr. Marr's duties as a Police Office (under the Police Chief) and the duties as Emergency Management Coordinator. Mayor Merla said it is a Mayoral appointment and he had no problem with referring the appointment to the Borough Attorney. Councilman Wedick said with the appointment of Deputy, the person is eminently qualified.

APPOINTMENT OF DEPUTY EMERGENCY MANAGEMENT COORDINATOR

Ken Marr, Jr., Emergency Management Coordinator announced the appointment of James Lawson, as the Deputy Emergency Management Coordinator for a one year term which will expire on December 31, 2005.

TREASURER

Mayor Merla announced, with the advice and consent of the Council, the appointment of Keri Stencel, as the Borough Treasurer for the term of one year, January 1, 2005 to December 31, 2005.

17. Resolution #18-05, Appointment of Treasurer

BE IT RESOLVED by the Council of the Borough of Keyport that Keri Stencel is hereby appointed as Treasurer for the calendar year 2005.

Offered for adoption by Mr. Bergen, seconded by Mr. Doyle

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

OFFICIAL COLLECTOR OF WATER & SEWER UTILITY RENTS

Mayor Merla announced the appointment of Keri Stencel as Official Collector of Water & Sewer Utility Rents, for a term of one year, from January 1, 2005 to December 31, 2005.

18. Resolution #19-05, Appointment of Official Collector of Water & Sewer Utility Rents

BE IT RESOLVED by the Council of the Borough of Keyport, that the appointment of Keri Stencel as Official Collector of Water & Sewer Utility Rents be and the same is hereby confirmed.

Offered for adoption by Mr. Hassmiller, seconded by Mrs. Atkins

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

RECYCLING COORDINATOR

Mayor Merla announced, with the advice and consent of the Council, the appointment of Thomas Gallo, Jr. as the Recycling Coordinator for a term of one year, from January 1, 2005 to December 31, 2005.

19. Resolution #20-05, Appointment of Recycling Coordinator

BE IT RESOLVED by the Council of the Borough of Keyport that the appointment of Thomas Gallo, Jr as Recycling Coordinator in the Borough of Keyport for a term of one year, January 1, 2005 to December 31, 2005 be and the same is hereby confirmed.

Offered for adoption by Mr. Bergen, seconded by Mr. Doyle

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

DEPUTY RECYCLING COORDINATOR

The appointment was held for 30 days.

APPOINTING MEMBERS TO RECYCLING COMMITTEE

20. Resolution #21-05, Appointment of Recycling Committee Members

WHEREAS, the Mayor and Council of the Borough of Keyport did, by Resolution, duly adopted on March 24, 1992, create a Recycling Committee to oversee recycling activities throughout the Borough of Keyport; and

WHEREAS, the initial resolution #140-92 provided for an appointment of an eight (8) member committee, with each member being appointed for a term of two (2) years; and

WHEREAS, the Mayor and Borough Council have determined that the Recycling Committee should continue to oversee recycling activities within the Borough of Keyport, but that the terms of appointment should be staggered to provide for continuity in the Committee which is determined to be beneficial to the residents of the Borough of Keyport; and

WHEREAS, the Mayor and Council have determined that three members shall be appointed to a three (3) year term, two members appointed to a two (2) year term; and one appointed to a one (1) year term, the latter appointment to include a Council Representative; and

WHEREAS, the Mayor and Council have determined that effective January 1, 2004 there shall also be one (1) alternate member whose term shall be for one (1) year.

WHERAS, the Mayor and Council have determined that all appointments shall be effective January 1, 2005.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Keyport that the following members are hereby appointed to the Recycling Committee and shall serve the following terms:

Thomas Gallo, Jr., Coordinator, for a one (1) year term, expiring December 31, 2005.

This appointment was held for 30 days, Assistant Coordinator for a term of one (1) years expiring December 31, 2005.

George Walling, Council Representative, for a one (1) year term expiring December 31, 2005;

Joseph Sheridan, Alternate Member, for a one (1) year term expiring December 31, 2005.

Offered for adoption by Mr. Wedick, seconded by Mr. Hassmiller

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

MONMOUTH COUNTY COMMUNITY DEVELOPMENT REPRESENTATIVE

Mayor Merla announced, with the advice and consent of the Council the appointment of Kevin Graham as the Monmouth County Community Development Representative for the year 2005.

21. Resolution #22-05, Appointment of Monmouth County Community Development Representative

BE IT RESOLVED by the Council of the Borough of Keyport that the appointment of Kevin Graham, as the Monmouth County Community Development Representative for the year 2005, be and the same is hereby confirmed.

Offered for adoption by Mr. Bergen, seconded by Mr. Wedick

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

MONMOUTH COUNTY COMMUNITY DEVELOPMENT ALTERNATE REPRESENTATIVE

Mayor Merla announced, with the advice and consent of the Council the appointment of Robert Bergen, as the Monmouth County Community Development Alternate Representative for the year 2005.

22. Resolution #23-05, Appointment of Monmouth County Community Development Alternate Representative

BE IT RESOLVED by the Council of the Borough of Keyport that the appointment of Robert Bergen, as the Monmouth County Community Development Alternate Representative, for the year 2005 be and the same is hereby confirmed.

Offered for adoption by Mr. Wedick, seconded by Mrs. Atkins

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen,

Wedick, Walling,
Hassmiller

APPOINTMENT OF
ENVIRONMENTAL COMMISSION MEMBERS

WHEREAS, The Mayor and Council of the Borough of Keyport have established, by Ordinance, an Environmental Commission consisting of seven members; and

WHEREAS, the Ordinance provides that the Mayor shall appoint all members of the Commission.

NOW, THEREFORE, BE IT RESOLVED that I, John J. Merla, Mayor of the Borough of Keyport, do hereby appoint the following members of the Environmental Commission for a three year term.

1. Robert Ludwig 1/1/05 to 12/31/2007
2. Jennifer Henning 1/1/05 to 12/31/2007
3. Andrew Willner 1/1/05 to 12/31/2007

HARBOR COMMISSION MEMBER

Mayor Merla announced, with the advice and consent of the Council, the appointment of John Olsen as a member of the Harbor Commission for a term of five years, from January 1, 2005 to December 31, 2009.

23. Resolution #24-05, Appointment of Harbor Commission Member

BE IT RESOLVED by the Council of the Borough of Keyport that the foregoing appointment of John Olsen as a member of the Harbor Commission be and the same is hereby confirmed.

Offered for adoption by Mr. Doyle, seconded by Mrs. Atkins

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen,
Wedick, Walling,
Hassmiller

HARBOR COMMISSION COUNCILMEMBERS

Mayor Merla announced the appointment of Councilmembers Joseph Wedick, and George Walling, members of the Governing Body, to the Harbor Commission for the year 2005.

24. Resolution #25-05, Appointment of Harbor Commission Councilmembers

BE IT RESOLVED by the Council of the Borough of Keyport that the foregoing appointments to the Harbor Commission for the year 2005, Joseph Wedick, and George Walling be and the same are hereby confirmed.

Offered for adoption by Mr. Bergen, seconded by Mrs. Atkins

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen,
Wedick, Walling,
Hassmiller

BOARD OF HEALTH MEMBER

Mayor Merla announced, with the advice and consent of the Council, the appointment of Eloise Schanck as a member of the Board of Health for a term of four years, from January 1, 2005 to December 31, 2008.

25. Resolution #26-05, Appointment of Board of Health Member

BE IT RESOLVED by the Council of the Borough of Keyport that the foregoing appointment of Eloise Schanck as a member of the Board of Health be and the same is hereby confirmed.

Offered for adoption by Mrs. Atkins, seconded by Mr. Doyle

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen Wedick, Walling, Hassmiller

MAYOR'S APPOINTMENT OF MEMBERS OF THE HISTORIC PRESERVATION COMMISSION

WHEREAS, the Mayor and Council of the Borough of Keyport have established, by Ordinance, a Historic Preservation Commission consisting of five members; and

WHEREAS, the Ordinance provides that the Mayor shall appoint all members of the Commission.

NOW, THEREFORE, I. JOHN J. MERLA, Mayor of the Borough of Keyport, do hereby appoint the following members of the Historic Preservation Commission for the terms designated:

Class C Member, John Doyle,	term expiring on 12/31/2008
Class C Member, Desiree Iosue	term expiring on 12/31/2008
Alternate #1, Vacancy	term expiring on 12/31/2006

LIBRARY BOARD OF TRUSTEES MEMBER

Mayor Merla announced with the advice and consent of the Council, the appointment of Mark Sessa, as a member of the Library Board of Trustees to fill a five year term which will expire on December 31, 2009.

26. Resolution #27-05, Appointment of Library Board of Trustees Member

BE IT RESOLVED by the Council of the Borough of Keyport that the appointment of Mark Sessa, as a member of the Library Board of Trustees to fill a five year term which will expire on December 31, 2009 be and the same is hereby confirmed.

Offered for adoption by Mr. Hassmiller, seconded by Mr. Doyle

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

PLANNING BOARD MEMBERS

Mayor Merla announced the appointment of George Sappah as a Class II member of the Planning Board to fill a one year term which will expire on December 31, 2005.

Mayor Merla announced the appointment of John Kovacs as a Class IV member of the Planning Board to fill a four year term which will expire on December 31, 2008.

Mayor Merla announced the appointment of Douglas Lane as a Class IV member of the Planning Board to fill a four year term which will expire on December 31, 2008.

Mayor Merla announced the appointment of Robert Devino as Alternate #1 member of the Planning Board to fill a two year term which will expire on December 31, 2006.

PLANNING BOARD COUNCILMEMBER

Mayor Merla announced the appointment of Richard Hassmiller, a member of the Governing Body, to the Planning Board as a Class III member for the year 2005.

27. Resolution #28-05, Appointment of Planning Board Councilmember

BE IT RESOLVED by the Council of the Borough of Keyport that the foregoing appointment to the Planning Board for the year 2005, as a Class III member, Councilmember Richard Hassmiller be and the same is hereby confirmed.

Offered by Mr. Bergen, seconded by Mr. Doyle

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

RECREATION COMMISSION MEMBER

Mayor Merla announced with the advice and consent of the Council, the appointment of George Strang as a Recreation Commission member for a term of five years, from January 1, 2005 to December 31, 2009.

28. Resolution #29-05, Appointment of Recreation Commission Member

BE IT RESOLVED by the Council of the Borough of Keyport that the appointment of George Strang to the Recreation Commission be and the same is hereby confirmed.

Offered for adoption by Mr. Bergen, seconded by Mrs. Atkins

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

RECREATION COMMISSION MEMBER

Mayor Merla announced with the advice and consent of the Council, the appointment of Ezra Hill as a Recreation Commission member for a term of five years, from January 1, 2005 to December 31, 2009.

29. Resolution #30-05, Appointment of Recreation Commission Member

BE IT RESOLVED by the Council of the Borough of Keyport that the appointment of Ezra Hill to the Recreation Commission be and the same is hereby confirmed.

Offered for adoption by Mrs. Atkins, seconded by Mr. Bergen

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

BOROUGH PHYSICIAN

30. Resolution #31-05, Appointment of Borough Physician

WHEREAS, the Borough is desirous of having a Borough Physician to send employees to for medical services when necessary.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council this 1st day of January 2005 that Hazlet Health Care be and hereby is appointed as Borough Physician for the year 2005 and that they be compensated for each employee referred to them for examination.

Offered for adoption by Mr. Bergen, seconded by Mr. Walling

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling Hassmiller

APPOINTMENT OF BOND COUNSEL

31. Resolution #32-05 Appointment of Bond Counsel

WHEREAS, there exists a need for specialized legal services in connection with the authorization and issuance of bonds and other obligations and other matters relating to capital financing by the Borough of Keyport, County of Monmouth, New Jersey (herein the "Borough"); and

WHEREAS such specialized legal services can be provided only by a recognized Bond Counsel firm, and the law firm of McManimon & Scotland are so recognized by the financial community; and

WHEREAS, the services to be performed are "professional services" as defined in the Local Public Contracts Law, N.J.S.A. 40A:11-2(6) and therefore are excepted from the Local Public Contracts Law requirements for competitive bidding, pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Local Public Contract Law, N.J.S.A. 40A:11-5(1(a)(i), requires the public advertisement of notice with respect to contracts for professional services awarded without competitive bids; and

WHEREAS, funds are or will be available for this purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY AS FOLLOWS:

1. That the Borough Council hereby appoints the firm of McManimon & Scotland, to serve as Bond Counsel for the year 2005 to the Borough in connection with the financing of capital projects, and awards the contract which is annexed hereto and made a part hereof (the "Contract") in accordance with N.J.S.A. 40A:11-1 et seq.

2. That the Mayor or other appropriate official of the Borough, on behalf of the Borough, is hereby authorized and directed to execute the Contract and the Clerk is hereby authorized and directed to attest to the execution of said Contract for professional services in connection with the preparation of all bond ordinances and the authorization and issuance of all bonds, bond anticipation notes, tax anticipation notes or similar obligations and related matters of capital and debt financing by the Borough.

3. That no appropriation of funds is required at this time, payment coming from the proceeds of the sale of bonds, bond anticipation notes and tax anticipation notes or similar obligations or from capital authorizations or other appropriate budgeted items in accordance with the attached Contract.

4. That this Contract is awarded without competitive bidding as a professional service under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i), because legal services are a recognized profession licensed and regulated by law.

5. That a notice in accordance with this resolution and the Local Public Contracts Law, shall be published in the official newspaper or newspapers of the Borough.

6. That an executed copy of the Contract between the Borough and McManimon & Scotland and a copy of this resolution shall be filed in the Office of the Clerk and be available there for public inspection in accordance with law.

7. That this resolution shall take effect immediately.

Offered for adoption by Mr. Bergen, seconded by Mr. Walling

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

DESIGNATE PUBLIC AGENCY COMPLIANCE OFFICER

32. Resolution #33-05, Designate Public Agency Compliance Officer

BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that Judith L. Poling is hereby designated Public Agency Compliance Officer (P.A.C.O.) For the year 2005.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the State Division of Contract Compliance.

Offered for adoption by Mr. Walling, seconded by Mr. Doyle

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

APPOINTMENT OF SMOKE DETECTOR INSPECTOR

33. Resolution #34-05, Appointment of Smoke Detector Inspector

WHEREAS, the Mayor and Council adopted Ordinance #21-98 establishing the position of Smoke Detector Inspector in the Borough of Keyport; and

WHEREAS, the Ordinance established said position provided that the initial term shall be for the remainder of the year 1998; and

WHEREAS, Anthony Vecchio was appointed as the Smoke Detector Inspector for the Borough of Keyport effective December 2, 1998, for the initial term for such position to expire as of December 31, 1998 and has been reappointed to this position each consecutive year.

NOW, THEREFORE, BT IT RESOLVED by the Mayor and Council that Anthony Vecchio is appointed Smoke Detector Inspector for the Borough of Keyport effective January 1, 2005 for a one (1) year term which shall expire on December 31, 2005.

Offered for adoption by Mr. Atkins, seconded by Mr. Doyle

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

WATER PLANT OPERATOR POSITION

34. Resolution #35-05, Water Plant Operator Position

WHEREAS, the Borough of Keyport is required to have a licensed operator of it's Water Treatment Facility; and

WHEREAS, Edward Rainer is qualified and holds a license as a Water Treatment Facility Operator.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council as follows:

1. Edward Rainer is hereby retained as the licensed operator of the Keyport Water Treatment Facility effective from January 1, 2005 to December 31, 2005.

2. Edward Rainer shall be compensated for said services at the rate of $5,260.00 per annum.

3. Said services shall include the preparation and filing of all operation reports, performance of all services required by the State of New Jersey and any other regulatory bodies of a licensed operator of the Keyport Water Treatment Facility. In the event of an emergency and services are required outside the scope of this agreement that require on site supervision of Edward Rainer, he shall be compensated with an additional rate of $25.00 per hour for said services but shall not receive any other benefits or compensation.

4. The Mayor and Borough Clerk are authorized to enter into an agreement with Edward Rainer providing for the

performance of said professional services.

Offered for adoption by Mr. Bergen, seconded by Mr. Wedick

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

RETENTION OF PROFESSIONAL SERVICES
LICENSED WASTEWATER COLLECTION SYSTEMS OPERATOR
AND
LICENSED WATER DISTRIBUTION SYSTEMS OPERATOR

35. Resolution #36-05, Licensed Wastewater Collection Systems Operator and Licensed Water Distribution Systems Operator

WHEREAS, the Borough of Keyport is presently in need of the professional services of a duly licensed "Wastewater Collection System Operator" and "Water Distribution System Operator"; and

WHEREAS, these professional services include the preparation of filing of all operation reports, performance of all services required by the State of New Jersey and other regulatory bodies of persons so licensed; and

WHEREAS, Edward Rainer has offered these professional services for which he is qualified, pending additional licensing, for a cost of $2,500 per license per annum; and

WHEREAS, the Borough has reached an agreement with the International Union of Operating Engineers, Locals 68-68A-68B to allow for the retention of these professional services from Edward Rainer, in accordance with the Memorandum of Agreement attached hereto; and

WHEREAS, the Chief Financial Officer has certified that funds for same are available.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport as follows:

1. The Borough hereby retains the professional services of Licensed Wastewater Collection Systems Operator and Licensed Water Distribution System Operator from Edward Rainer, for a term of January 1, 2005 through December 31, 2005 at a rate of $2,500 per annum for each license.
2. This retention is conditioned upon Edward Rainer performing all of the duties and responsibilities of a Licensed Wastewater Collection System Operator and Licensed Water Distribution System Operator in according with all laws and regulations pertaining to same and the obtaining of all necessary licenses to perform said duties.
3. The Mayor and appropriate Borough officials are authorized to execute any necessary documents pertaining to same.
4. This action is approved without competitive bids, nor the solicitation of competitive price quotes, in accordance with State Law.
5. A notice of this award shall be advertised as

required by law.

Offered for adoption by Mr. Bergen, seconded by Mrs. Atkins

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

36. Resolution #37-05 Appointing Acting Code Enforcement Officer

WHEREAS, it is necessary to have an acting Code Enforcement Officer available to replace the designated Code Enforcement Officer in the event that said officer is absent from the Borough or from his office; and

WHEREAS, Harry Aumack is qualified to perform the duties of the Code Enforcement Officer and has agreed to serve as acting Code Enforcement Officer in the absence of the Code Enforcement Officer.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport as follows:

1. Harry Aumack is designated as acting Code Enforcement Officer in the absence of the designated Code Enforcement Officer for the purpose of performing Certificate of Occupancy Inspections.

2. For said services in serving as acting Code Enforcement Officer and performing Certificate of Occupancy Inspections, Harry Aumack shall be paid at the rate of Twenty ($20.00) Dollars per inspection, said amount to be due and payable yearly for services rendered during the calendar year.

3. The term of the Acting Code Enforcement Officer shall be for one (1) year from January 1, 2005 to December 31, 2005, or until a successor is appointed.

Offered for adoption by Mr. Doyle, seconded by Mrs. Atkins

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

APPOINTING SPECIAL LEGAL COUNSEL

37. Resolution #38-05, Appointing Special Legal Counsel

WHEREAS, the Mayor and Council of the Borough of Keyport have determined the need for the appointment of Special Legal Counsel to handle certain matters as may be designated by the Borough Attorney or the Mayor and Council based upon circumstances arising, including conflict, as the case may be; and

WHEREAS, the Mayor and Council of the Borough of Keyport have considered the qualifications of Gordon Litwin, Esq., Special Redevelopment Counsel; Genova Burns, Special Labor Relations Counsel; and Wesley Kain, Special Transition Counsel and have determined that these attorneys are admitted to the practice of law in the State of New Jersey and otherwise qualified to handle any legal work requested by the Borough of Keyport; and

WHEREAS, the Mayor and Council of the Borough of Keyport are mindful of the requirements of N.J.S.A. 48:11-5 of the Local Public Contracts Law and deem it necessary and appropriate to act in accordance therewith.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, County of Monmouth and State of New Jersey as follows:

1. The aforementioned attorneys are hereby appointed Special Legal Counsel for the Borough of Keyport for the year 2005.

2. Special Legal Counsel shall be paid the rate and shall bill at the rate established for the Borough Attorney.

3. Public Notice of this Resolution shall forthwith be published in the Courier.

4. Copy of the Resolution between the Borough of Keyport and Special Counsel shall be kept on file with the Borough Clerk and shall be available for inspection upon request.

Offered for adoption by Mr. Bergen, seconded by Mr. Walling

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

NEW BUSINESS

Mayor Merla reported on December 23, 2004 there was a bomb scare at the school, the children were scared. The police investigated and worked with the phone company. He said George Strand was dedicated, that he was grateful and proud to serve with him. Mayor Merla said Mr. Strang had the shortest term as a Councilman in the history of Keyport. Mayor Merla said he asked Reverend Williams, in a show of partnership, to give the Invocation and told Rev. Williams he should be proud of his family and colleagues. The Mayor advised that there were some appointments being held over for 30 days.

PRESENTATIONS

Police Chief Theodore Gajewski said on 9-11 Ken Tjin of the Port Authority lost his life. He had given children gifts and his family has kept the tradition going. On Christmas, 100 bicycles were present to the sick youth of New York and made a donation to the police for i.d. cards for school children. Chief Gajewski presented a plaque. The program has expanded to toys for over $14,000., there will be BBQ in Hazlet and purchase of an i.d. machine.

Mayor Merla presented the 2004 Volunteer of the Year award to the Keyport Ministerium Food Service who not only serves Keyport but other municipalities. Messrs. John Reed and Isaiah Cooper accepted the award. They said that St. Mary's Church has a great group of volunteers. Factories are closing down, it is hard to keep a standard of living and to keep families together. There are 110 families being served and the food pantry needs a larger facility. They can be reached at www.keyportfoodpantry.org.

RECREATION COMMISSION HOLIDAY LIGHTING AWARDS

Mayor Merla announced the following awards:

1st Place: Kevin & Tina Mann, 10 Chingarora Avenue
2nd Place: Henry & Dawn Young, 418 Main Street
3rd Place: Donald &n Naomi Connallon, 32 Cedar Street

Honorable Mentions:

Natanael Martinez, 212 Broadway
Benjamin Basch, 195 Atlantic Street
Theresa Hester, 19 Maple Place
Paul A. Young, 48 Pine Street
Thomas & Kim Rose, 158n Broadway
William Siegel, 192 Kearney Street
Steve & Judy Piccini, 103 Therese Street
Michael & Kathaleen Shaw, 95 Elisabeth Street

Mayor Merla applauded the residents, that the Borough looked beautiful.

PRESENTATION OF EX-CHIEFS BADGE

2004 Fire Commissioner George Strang presented the Ex-Chiefs Badge to Roy Jimenez.

2005 FIRE DEPARTMENT CHIEFS

Mayor Merla announced the 2005 Fire Department Chiefs and asked that they assemble to take their Oaths of Office to be administered by the Borough Clerk.

CHIEF OF THE DEPARTMENT:	MICHAEL W. WALLING
FIRST ASSISTANT CHIEF:	TIMOTHY E. REGAN
SECOND ASSISTANT CHIEF:	WILLIAM LARKIN
THIRD ASSISTANT CHIEF:	WILLIAM VAUGHN

2005 FIRST AID SQUAD OFFICERS

Mayor Merla announced the 2005 First Aid Squad Officers and asked that they assemble to take their Oaths of Office to be administered by the Borough Clerk.

CAPTAIN:	KENNETH KROHE
1ST LIEUTENANT:	DEE KERAN
2ND LIEUTENANT:	PEARL DIXON
3RD LIEUTENANT:	ANDREW FISCHLER

RESOLUTIONS

37. Resolution #38-05, 2005 Rate of Interest for Non-Payment of Taxes and Assessments

WHEREAS, N.J.S.A. 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for non-payment of taxes or assessments subject to any abatement or discount for the late payment of taxes as provided by law; and

WHEREAS, N.J.S.A. 54:4-67 has been amended to permit the fixing of said rate of 8% annum on the first $1,500.00 of the delinquency and 18% per annum on any amount in excess of $1,500.00 an allows an additional penalty of 6% be collected against a delinquency in excess of $10,000.00 on properties that fail to pay the delinquency prior to the end of the calendar year.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, County of Monmouth, State of New Jersey as follows:

1. The Tax Collector is hereby authorized and directed to charge 8% per annum on the first $1,500.00 of taxes becoming delinquent after the due date and 18% per annum on any amount of taxes in excess of $1.500.00 becoming delinquent after due date and if a delinquency is in excess of $10,000.00 and remains in arrears beyond December 31st an additional penalty of 6% shall be charged against the delinquency.

2. Effective January 1, 2005 there will be a ten (10) day grace period of quarterly tax payments made by cash, check or money order.

3. Any payments not made in accordance with paragraph two of this Resolution shall be charged interest from the due date as set forth in paragraph one of this Resolution.

4. A certified copy of this Resolution shall be provided by the Borough Clerk to the Tax Collector, Borough Attorney and Borough Auditor for the Borough of Keyport.

BE IT FURTHER RESOLVED that said letter of interest rates shall become effective January 1, 2005.

Offered for adoption by Mr. Bergen, seconded by Mr. Doyle

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling Hassmiller

39. Resolution #40-05, 2005 Rate of Interest for Non-Payment of Water & Sewer Charges

BE IT RESOLVED that pursuant to the authority N.J.S.A. 54:4-67 the rate of interest to be charged for the nonpayment of water and sewer charges on or before the date when they would become delinquent be and the same is hereby fixed in the Borough of Keyport at 8% per annum on the first $1,500.00 of the delinquency, and 18% per annum on any amount in excess of $1,500.00; and

BE IT FURTHER RESOLVED that no interest shall be charged if payment on any installment is made within ten days of the date upon which the same became payable. After the 10 day "grace period" interest will revert back to the due date.

BE IT FURTHER RESOLVED that said interest rates shall become effective January 1, 2005.

Offered for adoption by Mr. Bergen, seconded by Mr. Doyle

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

40. Resolution #41-05, Authorize Payroll/Emergencies for the year 2004.

BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that the Chief Financial Officer is hereby authorized and directed to pay Payroll as it becomes due and any emergencies which may arise during the year 2005 without future Resolution of the Mayor and Council.

BE IT FURTHER RESOLVED that the Chief Financial Officer is to report to the Mayor and Council at the next Council Meeting following, all Payroll and emergency payments made, so that it becomes part of the official minutes.

Offered for adoption by Mr. Bergen, seconded by Mr. Doyle

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

41. Resolution #42-05, Authorization for Tax Assessor to File Tax Appeals with the County

WHEREAS, statutory provision is made for review and correction of errors prior to certification of an assessment list; and

WHEREAS, provision is also allowed for the discovery and correction of errors after establishment of the tax rate; and

WHEREAS, changes in property ownership at times necessitates adjustments in the veterans and/or senior citizen deductions allowed on the assessment list; and

WHEREAS, responsibility for maintenance and correction for assessments and the assessment list rests with the local Tax Assessor subject to laws and regulations.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Keyport that the Tax Assessor fulfilling the duties and requirements of his office, be authorized to file with the Monmouth County Board of Taxation such appeals as may be necessary to maintain accuracy and equality in the assessment list of the Borough of Keyport; and

BE IT FURTHER RESOLVED that the Tax Assessor is hereby authorized to execute stipulations of Settlement on behalf of the Borough of Keyport; and

BE IT FURTHER RESOLVED that the Tax Assessor is hereby authorized to file complaints on behalf of the Borough of

Keyport based upon farmland rollback procedures; and

BE IT FURTHER RESOLVED that the Tax Assessor is hereby authorized to file cross petitions of appeal and counterclaims.

Offered for adoption by Mr. Bergen, seconded by Mr. Doyle

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen,
Wedick, Walling,
Hassmiller

42. Resolution #43-05, Authorize Purchasing Under State Contracts

WHEREAS, in the past, the Borough of Keyport has availed itself of the right to purchase materials, supplies and equipment under contracts for such materials, supplies and equipment entered into on behalf of the State of New Jersey by the Division of Purchase and Property in the Department of Treasury pursuant to N.J.S.A. 40A:11-12; and

WHEREAS, it is desirable from time to time to obtain materials, supplies and equipment under contracts for such materials, supplies and equipment entered into on behalf of the State by the said Division without the necessity of advertising for bids, or in the cases where no bids have been received; and

WHEREAS, it is contemplated that it will be necessary or desirable to obtain materials, supplies and equipment under such contract or contracts entered into on behalf of the State of New Jersey by said Division during the year 2005.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Keyport, County of Monmouth and State of New Jersey, as follows:

1. That the purchases by the Borough of Keyport, through several municipal department shall be purchased under a contract or contracts for such materials, supplies or equipment entered into on behalf of the State of New Jersey by the Division of Purchase and Property in the Department of the Treasury, in those cases where it is desirable and in the best interest of the Borough of Keyport, and in those cases where bids have been sought by advertisement therefore and no bids are received.

2. That a copy of the Resolution be forwarded to the Borough Administrator, all Department Heads of the Borough of Keyport, and the Chief Financial Officer and any other party in interest.

Offered for adoption by Mr. Bergen, seconded by Mr. Doyle

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen,
Wedick, Walling,
Hassmiller

43. Resolution #44-05, Authorize Investment of Idle Funds

WHEREAS, it is desirable that idle funds of the Borough of Keyport be invested in legal investment vehicles at all times; and

WHEREAS, it is occasionally necessary to transfer funds for the purpose of meeting current Borough expenses for the purpose of effecting investments.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Keyport, County of Monmouth, that it does hereby authorize the Chief Financial Officer and/or Treasurer to request bids and to place orders for the investment of idle funds solely in legally authorized investment vehicles, such investments to the investing institution; and

BE IT FURTHER RESOLVED that the above named Chief Financial Officer and/or Treasurer is hereby authorized to transfer funds by wire solely for the following purposes and subject to all pertinent regulations:

1. To or from Borough checking or savings accounts to other Borough Accounts.

2. To or from Borough checking or savings accounts to or from accounts and investment accounts specified by banks or to the State of New Jersey Cash Management Fund and any other legal investment vehicle solely for the purpose of investing for the account of the Borough of Keyport.

Offered for adoption by Mr. Bergen, seconded by Mr. Doyle

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

44. Resolution #45-05, Adoption of Cash Management Plan

WHEREAS, it is in the best interest of the Borough of Keyport to earn additional revenue through the investment and prudent management of its cash receipts; and

WHEREAS, P.L. 1983, Chapter 8 approved January 18, 1983 is an act concerning the Local Fiscal Affairs Law and amends N.J.S.A. 40A:5-2 and N.J.S.A. 40A:5-14; and

WHEREAS, this law requires that each local unit shall adopt a cash management plan.

NOW, THEREFORE, BE IT RESOLVED that the following shall constitute the Cash Management Plan for the Borough of Keyport and the Borough shall manage its funds pursuant to this plan.

<u>Definitions</u>

1. Treasurer and CFO shall mean the Treasurer and Chief Financial Officer of the Borough of Keyport.
2. Fiscal Year shall mean the twelve months ending December thirty one.
3. Cash Management Plan shall mean the plan as approved by this resolution.

<u>Designation of Depositories</u>

At least once each fiscal year the governing body shall by resolution designate the depositories for the Borough of Keyport in accordance with N.J.S.A. 40A:5-14.

Audit Requirements

The Cash Management Plan shall be subject to the annual audit conducted pursuant to N.J.S.A. 40A:5-14.

Authority to Invest

The governing body shall pass a resolution at its first meeting of the fiscal year designating the Borough Official(s) who shall make and be responsible for municipal deposits and investments.

Investment Instrument

The designated Borough Official(s) shall invest at his discretion in any investment instrument as approved by the State of New Jersey in accordance with N.J.S.A. 40A:5-15.2.

Records and Reports

1. The Treasurer shall report all investments in accordance with N.J.S.A. 40A:5-15.2.
2. At a minimum the Treasurer shall:
   a. Keep a record of all investments
   b. Keep a cash position record which reveals, on a daily basis, the status of the cash in its bank accounts.
   c. Confirm investments with the governing body as to the status of cash balances in bank accounts, revenue collection, interest rates and interest earned.

Cash Flow

1. The Treasurer shall ensure that the accounting system provides regular information concerning the cash position and investment performance.
2. All moneys, shall be turned over to the Treasurer and deposited in accordance with N.J.S.A. 40A:5-15.
3. The Treasurer/CFO is authorized and directed to invest surplus funds of the Borough of Keyport as the availability of the funds permit. In addition, it shall be the responsibility of the Treasurer to minimize the possibility of idle cash by depositing the moneys in interest bearing accounts whenever practical and in the best interest of the Borough of Keyport.
4. The CFO shall ensure that funds are borrowed for Capital projects in a timely fashion.

Offered for adoption by Mr. Bergen, seconded by Mr. Doyle

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

45. Resolution #46-05, Authorize Tax Collector to Issue Duplicate Tax Sale Certificates

WHEREAS, P.L. 1997, Chapter 99, requires the authorization of the Governing Body for replacement and issuance of a duplicate tax sale certificate held by a third party lien holder which has been destroyed or lost.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, County of Monmouth, State of New Jersey, hereby authorizes the Tax Collector, for the year 2005 upon receipt of the appropriate affidavits from owner of the certificates, prepare replacement certificates for Tax Sale Certificates and issue to original lien holder

BE IT FURTHER RESOLVED that these replacement certificates, duplicated in original form, shall be marked as "duplicate" and a $100 fee per duplicate certificate be assessed to the original lien holder for the preparation of said duplicate certificates.

BE IT FINALLY RESOLVED that a Certified copy of said duplicate certificates shall be maintained by the Tax Collector and issued to the lien holder.

Offered for adoption by Mr. Bergen, seconded by Mr. Doyle

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

46. Resolution #47-05, Temporary Budget

(See full copy of Resolution attached hereto and made part of these minutes)

Offered for adoption by Mr. Bergen, seconded by Mr. Doyle

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

47. Resolution #48-05, Temporary Debt Service Budget

(See full copy of Resolution attached hereto and part of these minutes)

Offered for adoption by Mr. Bergen, seconded by Mr. Doyle

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

48. Resolution #49-05, Payment of Bills

(See full copy of Resolution attached hereto and part of these minutes)

Offered for adoption by Mr. Bergen, seconded by Mr. Doyle

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Wedick, Walling, Hassmiller

REMARKS OF MAYOR AND COUNCIL

Councilman Bergen: Mr. Bergen wished everyone a Healthy, Happy and Prosperous New Year. He thanked all members of Boards and Commissions, First Aid, volunteer services and organizations. He welcomed Councilmembers George Walling and Richard Hassmiller and is looking forward to working with the full council. He said Keyport is going through a transformation and redevelopment. He welcomed his friends from Carteret, that he has gained from their knowledge. He thanked everyone for coming and said to call him if needed.

Councilman Wedick: Mr. Wedick thanked Mr. Bergen for his short remarks, wishing everyone a Happy New Year. He thanked the volunteers on the appointments, and the emergency services.

Councilwoman Atkins: Mrs. Atkins wished everyone a Happy, Healthy New Year. She thanked Brian Stalter and Robert Hyer, that they were an asset and also George Strang for stepping in. She congratulated Richard Hassmiller and George Walling. The said the Borough is grateful for the grants received, that there will be a new bulkhead in the spring. The councilmembers will continue to work together and hoped new residents will come to the Borough.

Councilman Doyle: Mr. Doyle wished everyone a Healthy New Year and said he is looking forward to working with Councilmembers Hassmiller and Walling in the coming years. Smart Growth will begin to happen and that more citizen committees will be formed.

Councilman Hassmiller: Mr. Hassmiller said this is the first time for speaking in public. Six months ago, Mr. Bergen and Mr. Wedick said to give out an award in school and I had to speak. He said he doesn't know what he said. He thanked the voters and that he will work with both the Democrats and Republicans. He said his wife Barbara knows this is time consuming and she allowed him to run. He will put up or shut up. He apologized to Jennifer Hemming. He thanked everyone for their help, including his son-in-law Thomas Antonucci who is a former Councilman. He said he has received mail addressed Honorable Richard Hassmiller and that after his term, he hoped he would be honorable.

Councilman Walling: He thanked his wife Karen and wished everyone a happy 2005. He said the last time he sat here for three years. He thanked the voters, the system works, he thanked his mother-in-law and everyone who supported and worked on the campaign. He thanked his family members for attending, saying his heart is in Keyport.

Mayor John Merla: Mayor Merla said the leadership comes and goes and he has worked in the majority and minority. If you focus, you can do it. Combined, the Councilmembers have 68 years of experience. He reflected back on 200: the soap box derby was brought back after 30 years, there were 40 new businesses who opened, there were 10 events during the summer which brought people and business to Keyport. We finally moved into a new Municipal Building, streets and sidewalks were repaved. Many grants were received in the Borough including the Fire Department. The Borough and State signed an agreement to go out to bid for a new bulkhead. There were tragedies during the year, but there was much success because of Council leadership, volunteers and residents. He thanked all who were involved. In 2004 the foundation was laid for finding a new location for the Public Works Facility, signing an agreement to replace the current municipal pier, replacing 1800 feet of bulkhead and securing funding to replace and repair streets, sidewalks and curbs. Applying for grants for new recreational equipment, refinancing bonds for a better financial rate, authorizing televising of the sewer lines to look for infiltration to enable fixing the problems to reduce costs, working with volunteers and a planner to put together a redevelopment plan as well as changing current zoning and planning laws.

In 2005 the Mayor said we can expect a good year and he has been assured by Councilman Bergen. The new administration and he wants to move forward. Issues will be debated, some will not be supported but everyone will work together after a vote is taken to ensure process and progress moved Keyport forward. He looks to the new administration to work and build Keyport together. There has always been mutual respect for one another. Once the election is over there are so many areas to move on and to funnel our energy and the issues around us. With new leadership comes new ideas, new issues and new energy and working together as a team will make it easier for all. To the residents, he said he hopes they entrust the elected officials to move Keyport in the right direction, that their help and guidance in needed throughout the process. He wished the outgoing Councilmembers Stalter, Hyer and Strang and their families the best in the future and to the 2004 retirees to enjoy their life and families. To the newly elected Councilmembers he with both good luck and said he is eager to working with both of them and if all work hand in hand the best days are ahead of us. He wished everyone a Blessed and Healthy New Year.

PUBLIC COMMENT

Mayor Merla opened the meeting up to the public for any comments or questions. Thomas Antonucci thanked all the people sitting on Council, they are great people and work hard. On behalf of the Keyport Democratic Club he welcomed the two new Councilmembers, Messrs. Hassmiller (his father-in-law) and Walling and presented gifts. Margaret Montanari congratulated everyone who came and the awards. She gave recognition to Judith Poling as the Borough Clerk for 21 years.

ADJOURNMENT

Motion to Adjourn moved by Mr. Walling, seconded by Mrs. Atkins with Ayes by all present.

Time of Adjournment: 1:14 P.M.

Respectfully submitted,

Judith L. Poling

Judith L. Poling, RMC/CMC
Borough Clerk

Keyport, New Jersey
January 11, 2005

Minutes of the Work Meeting of the Mayor and Council held on the above date in the Keyport Municipal Complex, 70 West Front Street, Keyport, N.J. pursuant to the Annual Notice on file with the Borough Clerk, forwarded to the Asbury Park Press, Courier, Independent, Newark Star Ledger and Two River Times and posted on the Bulletin Boards in accordance with the Open Public Meetings Act, P.L. 1975, Ch. 231.

Mayor Merla called the meeting to order at 7:10 P.M. and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Atkins, Bergen, Walling, Hassmiller. Absent: Councilmembers Doyle (arrived 7:18 P.M.) and Wedick. Others present were: Mr. Wisniewski, Borough Attorney and Mr. Palamara, Borough Administrator.

RESOLUTIONS

1. Resolution No. 50-05, Closed Meeting – Personnel, Litigation and Contract Negotiations

WHEREAS, the Mayor and Council of the Borough of Keyport propose to discuss the following subjects:

Personnel
1. Position of Public Works Supervisor
2. Construction Code Office
3. Legal Representation of Police Officer

Litigation
1. Marrone Disposal

Labor Relations

Contract Negotiations
1. Revaluation
2. Atlantic Street Improvements
3. Municipal Complex
4. Catamaran Lease

WHEREAS, the Governing Body has determined that within the provisions of the Open Public Meetings Law, the Public should be excluded from the discussion of said subjects.

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 Senior Citizen Center Meeting Room for the purpose of discussing the following subjects:

Personnel, Litigation and Contract Negotiations

BE IT FURTHER RESOLVED that the discussions on Personnel, Litigation and Contract Negotiations 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 Mrs. Atkins, second by Mr. Walling

Roll Call Vote: Ayes: Councilmembers Atkins, Bergen, Walling, Hassmiller
Nays: None
Abstain: None
Absent: Councilmembers Doyle and Wedick

Council went into closed session at 7:12 P.M. and this meeting was reconvened at 7:48 P.M. On Roll Call the following were present: Councilmembers Atkins, Bergen, Walling, Hassmiller. Absent: Doyle (arrived 7:18 P.M.) and Wedick.

2. Resolution No. 50A-05, Closed Meeting – Personnel and Labor Relations

WHEREAS, the Mayor and Council of the Borough of Keyport propose to discuss the following subjects:

Personnel
1. Grievance/Barbara Hassmiller

Litigation

Labor Relations
1. PBA Negotiations

Contract Negotiations

WHEREAS, the Governing Body has determined that within the provisions of the Open Public Meetings Law, the Public should be excluded from the discussion of said subjects.

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 Senior Citizen Center Meeting Room for the purpose of discussing the following subjects:

Personnel and Labor Relations

BE IT FURTHER RESOLVED that the discussions on Personnel and Labor Relations conducted at said Closed Session shall be disclosed when the matters discussed are resolved and with regard to Labor Relations when negotiations are completed and a contract executed and this meeting shall continue in approximately 20 minutes.

Offered for adoption by Mr. Bergen, second by Mrs. Atkins

Roll Call Vote: Ayes: Councilmembers Atkins, Doyle, Bergen, Walling, Hassmiller
Nays: None
Abstain: None
Absent: Councilman Wedick

Council went into closed session at 7:49 P.M. and this meeting was reconvened at 7:53 P.M.

Mayor Merla called the meeting to order at 8:00 P.M. and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Atkins, Doyle, Bergen, Walling and Hassmiller. Absent: Councilman Wedick. Others present were: Mr. Wisniewski, Borough Attorney, Mr. Norbut, Borough Engineer and Mr. Palamara, Borough Administrator.

PRESENTATIONS

Mayor Merla had two plaques to present; one to outgoing Councilmember, Brian Stalter and the other to outgoing Councilmember Robert Hyer. Mayor Merla said Councilman Stalter could not make the meetings on January 1st or this evening. Councilman Hyer was unable to make the Reorganization Meeting on January 1st, but is here this evening.

Mr. Hyer said he missed the Reorganization Meeting because he was in Hershey Park. He said he enjoyed the time and opportunity he served on Council. He thanked his wife for backing him up during his term. He said it was a great pleasure to serve Keyport.

Mayor Merla also had presentations for the Recreation Lighting Contest; some winners were unable to attend the Reorganization Meeting. He presented an award to the Young Family on Pine Street. The other awards will be given out later in the meeting.

APPROVAL OF MINUTES

Minutes of the Special Meeting of December 14, 2004 and Closed Meeting of December 14, 2004 were approved as read on motion of Mr. Walling, second by Mrs. Atkins with Ayes by all present except Councilmembers Hassmiller and Walling who abstained.

COMMUNICATIONS AND PETITIONS

1. Letter from Consulting Planner to Century Land Group, LLC, contract purchasers of the Keyport Aeromarine Facility to the Monmouth County Planning Board requesting a Planning Area Amendment to include tract within Planning Area 1, Metropolitan Planning Area.