Approved 2/6/07

Keyport, New Jersey
January 1, 2007

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 #290-06 at the Work Meeting of September 5, 2006 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 Newark Star Ledger, and the Independent.

Mayor Merla called the meeting to order at 12:02 P.M. and read the Sunshine Law Notice.

ROLL CALL-2006 COUNCIL

On Roll Call the following were present: Mayor Merla, Councilmembers Hassmiller, Walling, Bergen, Sheridan. Absent: Councilmembers Wedick & Ortman.

PRESENTATION TO OUTGOING MAYOR

Mayor-Elect Bergen presented Mayor John J. Merla with a desk clock for his service to the Borough.

Mayor Merla thanked everyone for their support and reminisced about the history of his service. Mayor Merla said he first became Mayor when he was 28 years old. Former Mayor Dick Bergen registered him to vote. Mayor Merla said he tried to make Keyport better during his 21 years of service. He wished the incoming Council members the best of luck. He worked with Mr. Hill and Ms. Bolte. They served on boards during his term. Keyport is a great community. Mayor Merla thanked everyone who has touched his life and wished the best of luck to Mr. Bergen as Mayor. He presented Mt. Bergen with champagne and a gavel even though he will be using his fathers. Mayor Merla also presented Mr. Bergen the first jewelry box he made in Mr. Bergen's father's wood shop class.

Councilman Hassmiller took the opportunity to personally and professionally thank Mayor John Merla for his dedicated service to the Borough of Keyport. Stating he has learned a great deal from him and is certain that John Merla wants nothing more than what's best for Keyport. Mr. Bergen said he has seen first hand John Merla often put the needs of the Borough before his own or in some cases those of his family. Often it is very simple to sit on the outside looking in and judge someone's character by word on the street. Having seen John in action working for Keyport, I can tell you he truly is a one of a kind character. Mayor Merla is funny, charismatic, and, most importantly, a hard worker who would give you the shirt off his back. It's been a pleasure working with John, he has a lot to be proud of with his accomplishments here in Keyport. Councilman Hassmiller truly wished him the very best luck, he thanked and congratulated Mayor John Merla. He also presented Mayor Merla with a plaque from his family which was inscribed with the words: To Mayor Merla…With sincere gratitude for your many years of loyal and dedicated service to the Borough of Keyport. On the back side, Councilman Hassmiller printed out the dates and times of the borough council meetings and the planning board meetings just so the mayor wouldn't forget.

PRESENTATION TO OUTOING COUNCILMEMBER

Mayor Bergen stated that Councilman Wedick couldn't make the meeting today and asked his close friend Councilman Walling to say a few words.

Councilman Walling stated today was tough for Councilman Wedick. He tried to get Mr. Wedick here but he just couldn't come. He will be missed and will be a voice in the future.

UNFINISHED BUSINESS

1. It was asked if there was any Unfinished Business. The Borough Clerk said she just received Ezra Hill's resignation from the Recreation Committee.
   Motion to Accept moved by Councilman Sheridan, second by Councilman Walling with Ayes by all present.

OATHS OF OFFICE

OATH OF OFFICE ADMINISTERED TO NEWLY ELECTED MAYOR ROBERT J. BERGEN

Allyson M. Cinquegrana, Borough Clerk, administered the Oath of Office to Robert J. Bergen. The Bible was held by son and daughter Casey and Nicholas.

OATH OF OFFICE ADMINISTERED TO NEWLY ELECTED COUNCILWOMMAN CHRISTIAN BOLTE

Allyson M. Cinquegrana, Borough Clerk, administered the Oath of Office to Christian Bolte. The Bible was held by husband Alan and son Shawn.

OATH OF OFFICE ADMINISTERED TO NEWLY ELECTED COUNCILMAN EZRA HILL

Allyson M. Cinquegrana, Borough Clerk, administered the Oath of Office to Ezra Hill. The Bible was held by his family.

ROLL CALL-2007 COUNCIL

On Roll Call the following were present: Mayor Bergen, Councilmembers Bolte, Hassmiller, Hill, Sheridan, Walling. Absent: Councilman Ortman.

INVOCATION

Ray Kilroy recited two blessings.

SALUTE TO THE FLAG

Boy Scout Pack 364 led the Pledge of Allegiance.

APPOINTMENT OF BOROUGH ATTORNEY

Mayor Bergen announced the appointment of John Wisniewski, Esq. as the Borough Attorney for the term of one year, January 1, 2007 to December 31, 2007.

1. Resolution #1-07, Appointment of Borough Attorney

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

WHEREAS, the Local Public Contract Law, NJSA 40A:11-5(1)(a)(i) permits the Borough of Keyport to award a contract for legal services without public advertising for bids and bidding; and

WHEREAS, proposals were solicited through a fair and open process to publicly solicit proposals or qualifications of persons interested in being appointed Borough Attorney in accordance with NJSA 19:44A-20.5; and

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Keyport, County of Monmouth, that the appointment for the year 2007, by the Mayor, be the same is hereby confirmed. The person hereby appointed, John 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. Walling, second by Mr. Sheridan

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

APPOINTMENT OF BOROUGH PROSECUTOR

Mayor Bergen announced the appointment of Thomas Barlow, Esq. as the Borough Prosecutor for the term of one year, January 1, 2007 to December 31, 2007.

2. Resolution #2-07, Appointment of Borough Prosecutor

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

WHEREAS, the Local Public Contract Law, NJSA 40A:11-5(1)(a)(i) permits the Borough of Keyport to award a contract for legal services without public advertising for bids and bidding; and

WHEREAS, proposals were solicited through a fair and open process to publicly solicit proposals or qualifications of persons interested in being appointed Borough Prosecutor in accordance with NJSA 19:44A-20.5; 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 2007, by the Mayor, be the same is hereby confirmed. The person is hereby appointed, Thomas Barlow, Esq. as 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. Walling, second by Mr. Sheridan

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill

Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

MUNICIPAL PUBLIC DEFENDER

Mayor Bergen announced the appointment of Raymond Raya, Esq. as the Municipal Public Defender for the term of one year, January 1, 2007 to December 31, 2007.

3. Resolution #3-07, 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, the Local Public Contract Law, NJSA 40A:11-5(1)(a)(i) permits the Borough of Keyport to award a contract for legal services without public advertising for bids and bidding; and

WHEREAS, proposals were solicited through a fair and open process to publicly solicit proposals or qualifications of persons interested in being appointed Municipal Public Defender in accordance with NJSA 19:44A-20.5; 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 2007, by the Mayor, be the same is hereby confirmed. The person is hereby appointed, Raymond Raya, 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. Sheridan, second by Mr. Hassmiller

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill
Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

APPOINTMENT OF BOROUGH AUDITOR

Mayor Bergen announced the appointment of **ROBERT MORRISON** as the Borough Auditor for the term of one year, January 1, 2007 to December 31, 2007.

4. Resolution #4-07, 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, the Local Public Contract Law, NJSA 40A:11-5(1)(a)(i) permits the Borough of Keyport to award a contract for legal services without public advertising for bids and bidding; and

WHEREAS, proposals were solicited through a fair and open process to publicly solicit proposals or qualifications of persons interested in being appointed Borough Auditor in accordance with NJSA 19:44A-20.5; 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 2007, by the Mayor, be and the same is hereby confirmed. The person hereby appointed, **ROBERT 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 be published in the Courier, as required by law, within ten days of its passage.

Offered for adoption by Mr. Walling, second by Mr. Hassmiller

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

ANNUAL NOTICE

Notice is hereby given that effective January 1, 2007, 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 Chamber, Municipal Complex, 70 W. Front Street, Keyport, N.J. and its Regular Agenda Meetings on the 3rd Tuesday of the month at 7:00 P.M. in the Council Chamber, Municipal Complex, 70 W. Front Street, Keyport, N.J. 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).

EXCEPTIONS:
The January Meetings will be held on Tuesday, January 9 and Tuesday, January 23, 2007.
The April 17, 2007 Meeting will be held on Monday, April 16, 2007.
The June 5, 2007 Meeting will be held on Monday, June 4, 2007.
The November 6, 2007 Meeting will be held on Monday, November, 5, 2007.

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

5. Resolution #5-07, 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 Chamber, Municipal Complex, 70 W. Front Street, Keyport, N.J. 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 Chamber, Municipal Complex, 70 W. Front Street, Keyport, N.J. 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. Walling, second by Mr. Hassmiller

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

COUNCIL PRESIDENT

Mayor Bergen announced the election of **Richard J. Hassmiller** as Council President for the year 2007.

6. Resolution #6-07, 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 **Richard J. Hassmiller** is a member of said Council, be elected President.

Offered for adoption by Mr. Sheridan, second by Ms. Bolte

Roll Call Vote: Ayes: Councilmembers Sheridan, Hill, Walling, Bolte
Nays: None
Abstain: Councilman Hassmiller
Absent: Councilman Ortman

COUNCIL COMMITTEES

Mayor Bergen announced the appointment to the Council Committees for the year 2007.

POLICE	1. William Ortman 2. George Walling 3. Richard Hassmiller
FIRE/FIRST AID/EMERGENCY SERVICES	1. Joseph Sheridan 2. Christian Bolte 3. George Walling
FINANCE/REDEVELOPMENT/GRANTS	1. Christian Bolte 2. Richard Hassmiller 3. Joseph Sheridan
BUILDINGS/GROUNDS AND LIBRARY	1. Richard Hassmiller 2. Ezra Hill 3. Christian Bolte
PUBLIC WORKS/RECYCLING/ PROPERTY MAINTENANCE	1. George Walling 2. William Ortman 3. Ezra Hill
HEALTH AND RECREATION	1. Ezra Hill 2. Joseph Sheridan 3. William Ortman

7. Resolution #7-07, Appointment of Council Committees

BE IT RESOLVED by the Council of the Borough of Keyport that the foregoing appointment of Committees, as made by the Mayor, for the year 2007 be and the same are hereby approved and confirmed.

Offered for adoption by Mr. Hassmiller, second by Mr. Walling

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte

Nays: None
Abstain: None
Absent: Councilman Ortman

KEYPORT BUSINESS ALLIANCE LIAISON

Mayor Bergen announced the appointment of **Christian Bolte** as the Keyport Business Alliance Liaison for the term of one year, January 1, 2007 to December 31, 2007.

8. Resolution #8-07, Appointment of Keyport Business Alliance Liaison

WHEREAS, there exists a need for a council liaison to the Keyport Business Alliance in the Borough of Keyport, County of Monmouth, and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Keyport, County of Monmouth, that the appointment for the year 2007, by the Mayor, be the same is hereby confirmed. The person hereby appointed, **Christian Bolte,** will be the council liaison to the Keyport Business Alliance

Offered for adoption by Mr. Hassmiller, second by Mr. Sheridan

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

9. Resolution #9-07, 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 as required by P.L. 1975, Chapter 231, Open Public Meetings Act for the year 2007.

Offered for adoption by Mr. Sheridan, second by Mr. Hassmiller

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

10. Resolution #10-07, 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 bank 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 2007 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, Valley National Bank, Two River Community Bank and 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 2007; and

2. Prior to the deposit of 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, the Council President or Finance Chairman shall be an authorized signator and, in the absence of the Borough Clerk, the Deputy Borough Clerk shall be an authorized signator.

Offered for adoption by Mr. Hassmiller, second by Mr. Hill

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

APPOINTMENT OF FIRE INSPECTORS

Mayor Bergen 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, January 1, 2007 to December 31, 2007.

Harry Aumack II	William Larkin
Kenneth Marr, Jr.	Dean Stoppiello
Sean Donohue	Paul Murphy
Robert Kyle	Michael Marra

11. Resolution #11-07, 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. Hill, second by Mr. Walling

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

APPOINTMENT OF FIRE MARSHALS

Mayor Bergen announced, with the advice and consent of the Council, the appointments of the following named persons of Fire Patrol of the Keyport Fire Department as Fire Marshals, whose terms shall expire December 31, 2007.

James Burke	Joseph Konish
Julie Ann Csik	Jason Miller
Nick Devincenzo	Chuck Pfleger
Vito Esposito	Charles Raftery
Robert Ferry	Pedro Santiago
Thomas Gallo, Jr.	Larry Stonerock
Kenneth Goble	Marc Thalheimer
Jay Gordon	Beth Trahim

William Vaughn

12. Resolution #12-07, Appointment of Fire Marshals

BE IT RESOLVED by the Council of the Borough of Keyport the appointments of the foregoing named persons of Fire Patrol of the

Keyport Fire Department be and the same are hereby confirmed as Fire Marshals, each term to expire on December 31, 2007.

Offered for adoption by Mr. Sheridan, second by Ms. Bolte

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

APPOINTMENT OF SPECIAL POLICE OFFICERS

Mayor Bergen 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, 2007.

CLASS II
Michael Handler
Frank Currier
Eugene Eng
David Osuch
Robert Dane
Ros Lee

CLASS I
Carol Fox

13. Resolution #13-07, 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 on December 31, 2007.

Offered for adoption by Mr. Walling, second by Mr. Sheridan

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill, Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

APPOINTMENT OF POLICE MATRON

Mayor Bergen announced, with the advice and consent of the Council, the appointment of Jacquelyn Shipley as Police Matron, whose term shall expire on December 31, 2007.

14. Resolution #14-07, 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, 2007.

Offered for adoption by Mr. Sheridan, second by Mr. Hill

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

SCHOOL CROSSING GUARDS

Mayor Bergen announced, with the advice and consent of the Council, the appointments of the following named persons as School Crossing Guards, whose term shall expire on December 31, 2007.

Paul Albrecht	Ronald Dente	Sonia Perno
Emily Burlew	Guy Eamello	George Sprague
Catherine Cobb	Harry Kneute	Laurie Vanderbeck-Kopacz
Linda Corbett	Margaret LaRosa	John Yard
Laura Smolskis (substitute)		

15. Resolution #15-07, 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, 2007.

Offered for adoption by Mr. Walling, second by Mr. Sheridan

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

TREASURER

Mayor Bergen announced, with the advice and consent of the Council, the appointment of **Keri R. Stencel,** as the Borough Treasurer for the term of one year, January 1, 2007 to December 31, 2007.

16. Resolution #16-07, Appointment of Treasurer

BE IT RESOLVED by the Council of the Borough of Keyport that **Keri R. Stencel** is hereby appointed as Treasurer for the calendar year 2007.

Offered for adoption by Mr. Walling, second by Mr. Sheridan

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

OFFICIAL COLLECTER OF WATER & SEWER UTILITY RENTS

Mayor Bergen announced the appointment of **KERI R. STENCEL** as Official Collector of Water & Sewer Utility Rents, for a term of one year, from January 1, 2007 to December 31, 2007.

17. Resolution #17-07, 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 R. STENCEL** as Official Collector of Water & Sewer Utility Rents be and the same is hereby confirmed.

Offered for adoption by Mr. Walling, second by Mr. Sheridan

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

RECYCLING COORDINATOR

Mayor Bergen announced with the advice and consent of the Council, the appointment of **ROBERT M. POLING, SR.** as Recycling Coordinator for a term of one year, January 1, 2007 to December 31, 2007.

18. Resolution #18-07, Appointment of Recycling Coordinator

BE IT RESOLVED by the Council of the Borough of Keyport that the appointment of **ROBERT M. POLING, SR.** as Recycling Coordinator in the Borough of Keyport for a term of one year, January 1, 2007 to December 31, 2007 be and the same is hereby confirmed.

Offered for adoption by Mr. Walling, second by Mr. Sheridan

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

DEPUTY RECYCLING COORDINATOR

Mayor Bergen announced with the advice and consent of the Council, the appointment of **ROBERT M. POLING, JR.** as Deputy Recycling Coordinator for a term of one year, January 1, 2007 to December 31, 2007.

19. Resolution #19-07, Appointment of Deputy Recycling Coordinator

BE IT RESOLVED by the Council of the Borough of Keyport that the appointment of **ROBERT M. POLING, JR.** as Deputy Recycling Coordinator in the Borough of Keyport for a term of one year, January 1, 2007 to December 31, 2007 be and the same is hereby confirmed.

Offered for adoption by Mr. Walling, second by Mr. Sheridan

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

APPOINTING MEMBERS TO RECYCLING COMMTTEE

20. Resolution #20-07, 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 year term and three members appointed to a one (1) year term, the latter appointment to include a Council Representative; and

WHEREAS, the Mayor and Council have determined that all appointments shall be effective January 1, 2007.

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:

Robert M. Poling, Sr., Coordinator, for a one (1) year term expiring December 31, 2007;

Robert M. Poling, Jr., Assistant Coordinator, for a one (1) year term expiring December 31, 2007;

James Lawson, for a three (3) year term expiring December 31, 2009;

Al DeGracia, for a three (3) year term expiring December 31, 2009;

Hal Perry, for a three (3) year term expiring December 31, 2009;

George Walling, Council Representative, for a one (1) year term expiring December 31, 2007.

Offered for adoption by Mr. Walling, second by Mr. Sheridan

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Ortman

MONMOUTH COUNTY COMMUNITY DEVELOPMENT REPRESENTATIVE

Mayor Bergen announced, with the advice and consent of the Council the appointment of **PETER R. VALESI** as the Monmouth County Community Development Representative for the year 2007.

21. Resolution #21-07, Appointment of Monmouth County Community Development Representative

BE IT RESOLVED, by the Council of the Borough of Keyport that the appointment of **PETER R. VALESI** as the Monmouth County Community Development Representative for the year 2007 be and the same is hereby confirmed.

Offered for adoption by Mr. Walling, second by Mr. Hassmiller

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

MONMOUTH COUNTY COMMUNITY DEVELOPMENT ALTENATE REPRESENTATIVE

Mayor Bergen announced, with the advice and consent of the Council the appointment of **ROBERT J. BERGEN** as the Monmouth County Community Development Alternate Representative for the year 2007.

22. Resolution #22-07, Appointment of Monmouth County Community Development Alternative Representative

BE IT RESOLVED by the Council of the Borough of Keyport that the appointment of **ROBERT J. BERGEN** as the Monmouth County Community Development Alternate Representative for the year 2007 be and the same is hereby confirmed.

Offered for adoption by Mr. Hassmiller, second by Mr. Hill

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

HARBOR COMMISSION MEMBER

Mayor Bergen announced, with the advice and consent of the Council the appointment of **William Carey** as a member of the Harbor Commission for a term of five years, from January 1, 2007 to December 31, 2011.

23. Resolution #23-07, Appointment of Harbor Commission Member

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

Offered for adoption by Mr. Walling, second by Mr. Hassmiller

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

HARBOR COMMISSION COUNCILMEMBERS

Mayor Bergen announced the appointments of Councilmembers **George Walling and Joseph Sheridan**, members of the Governing Body, to the Harbor Commission for the year 2007.

24. Resolution #24-07, Appointment of Harbor Commission Councilmembers

BE IT FURTHER RESOLVED by the Council of the Borough of Keyport that the foregoing appointments to the Harbor Commission for the year 2007, **George Walling and Joseph Sheridan** be and the same are hereby confirmed.

Offered for adoption by Mr. Hassmiller, second by Mr. Hill

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

BOARD OF HEALTH MEMBER

Mayor Bergen announced, with the advice and consent of the Council, the appointment of **Marjorie Seckinger** as a member of the Board of Health for a term of four years, from January 1, 2007 to December 31, 2010.

25. Resolution #25-07, Appointment of Board of Health Member

BE IT RESOLVED by the Council of the Borough of Keyport that the foregoing appointment of **Marjorie Seckinger** as a member of the Board of Health be and the same is herby confirmed.

Offered for adoption by Mr. Walling, second by Mr. Sheridan

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

BOARD OF HEALTH MEMBER

Mayor Bergen announced, with the advice and consent of the Council, the appointment of **Anne Biagianti** as a member of the Board of Health for a term of four years, from January 1, 2007 to December 31, 2010.

26. Resolution #26-07, Appointment of Board of Health Member

BE IT RESOLVED by the Council of the Borough of Keyport that the foregoing appointment of **Anne Biagianti** as a member of the Board of Health be and the same is herby confirmed.

Offered for adoption by Mr. Hassmiller, second by Mr. Hill

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

LIBRARY BOARD OF TRUSTEES MEMBER

Mayor Bergen announced with the advice and consent of the Council, the appointment of **Martha Lopez** as a member of the Library Board of Trustees to fill a five year term which will expire on December 31, 2011.

27. Resolution #27-07, Appointment of Library Board of Trustees Member

BE IT RESOLVED by the Council of the Borough of Keyport that the appointment of **Martha Lopez** as a member of the Library Board of Trustees to fill a five year term which will expire on December 31, 2011 be and the same is hereby confirmed.

Offered for adoption by Mr. Sheridan, second by Mr. Hill

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

PLANNING BOARD COUNCILMEMBER

Mayor Bergen announced the appointment of **Richard J. Hassmiller**, a member of the Governing Body, to the Planning Board for the year 2007, as a Class III member.

28. Resolution #28-07, 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 2007, as a Class III member, Councilmember **Richard J. Hassmiller** be and the same is hereby confirmed.

Offered for adoption by Mr. Hill, second by Mr. Sheridan

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

RECREATION COMMISSION MEMBER

Mayor Bergen announced with the advice and consent of the Council, the appointment of **Cecil Bright** as a Recreation Commission Member for a term of five years, from January 1, 2007 to December 31, 2011.

29. Resolution #29-07, Appointment of Recreation Commission Member

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

Offered for adoption by Mr. Hill, second by Ms. Bolte

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

BOROUGH PHYSICIAN

30. Resolution #30-07, 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 2007 that **HAZLET HEALTH CARE** be and hereby is appointed as Borough Physician for the year 2007, and that he be compensated for each employee referred to him for examination.

Offered for adoption by Mr. Walling, second by Mr. Hassmiller

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

APPOINTMENT OF BOND COUNSEL

31. Resolution #31-07, 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 firms of McManimon and 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 Contracts 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 and Scotland, to serve as Bond Counsel for the year 2007, to the Borough in connection with the financing of capital projects, and awards the contracts which are 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 officials of the Borough, on behalf of the Borough, is hereby authorized and directed to attest to the execution of said Contracts 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 the 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 these Contracts are 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 state 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 and 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. Hassmiller, second by Mr. Hill

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

DESIGNATE PUBLIC AGENCY COMPLIANCE OFFICER

32. Resolution #32-07, Designate Public Agency Compliance Officer

BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that **PETER R. VALESI** is hereby designated Public Agency Compliance Officer (P.A.C.O.) for the year 2007.

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, second by Mr. Hassmiller

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

APPOINTMENT OF LICENSED WATER TREATMENT PLANT OPERATOR

33. Resolution #33-07, Appointment of Licensed Water Treatment Plant Operator

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

WHEREAS, James Mastrokalos 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. **James Mastrokalos** is hereby retained as the licensed operator of the Keyport Water Treatment Facility effective January 1, 2007 to December 31, 2007.

2. **James Mastrokalos** shall be compensated for said services 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 **James Mastrokalos**, he shall be compensated with an additional rate 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 **James Mastrokalos** providing for the performance of said professional services.

Offered for adoption by Mr. Walling, second by Mr. Hassmiller

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

APPOINTMENT OF LICENSED WASTEWATER COLLECTION SYSTEM OPERATOR AND LICENSED WATER DISTRIBUTION SYSTEM OPERATOR

34. Resolution #34-07, Appointment of Licensed Wastewater Collection System Operator and Licensed Water Distribution System 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 Operator"; and

WHEREAS, these professional services include the preparation and 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, James Mastrokalos offered these professional services for which he is qualified, pending additional licensing, for a cost of $5,000 per license per annum; 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 **James Mastrokalos** for a term of January 1, 2007 through December 31, 2007 at a rate per annum for each license.

2. This retention is conditioned upon **James Mastrokalos** performing all of the duties and responsibilities of a Licensed Wastewater Collection System Operator and Licensed Water Distribution System Operator in accordance 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. Walling, second by Mr. Hill

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

ACTING CODE ENFORCEMENT OFFICER

35. Resolution #35-07, Appointment of 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, **Michael Walling** 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. **Michael Walling** 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, **Michael Walling** shall be paid at the rate of Twenty ($20.00) Dollars per inspection, said amount to be due and payable monthly 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, 2007 to December 31, 2007, or until a successor is appointed.

Offered for adoption by Mr. Hill, second by Mr. Sheridan

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

APPOINTING SPECIAL LEGAL COUNSEL

36. Resolution #36-07, Appointment of 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 of the Mayor and Council based upon circumstances arising, including conflict, as the case may be; and

WHEREAS, the Local Public Contract Law, NJSA 40A:11-5(1)(a)(i) permits the Borough of Keyport to award a contract for legal services without public advertising for bids and bidding; and

WHEREAS, proposals were solicited through a fair and open process to publicly solicit proposals or qualifications of persons interested in being appointed Borough Attorney in accordance with NJSA 19:44A-20.5; and

WHEREAS, the Mayor and Council of the Borough of Keyport have considered the qualifications of:

Special Labor Counsel - Brian Kronick, Esq.

and determined that these attorneys are admitted to the practice of law in the State of New Jersey and are 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 attorney is hereby appointed Special Legal Counsel for the Borough of Keyport for the year 2007.

2. Special Legal Counsel shall be paid at 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. Hassmiller, second by Mr. Hill

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

NEW BUSINESS

No new business was brought before the Governing Body.

2007 FIRE DEPARTMENT CHIEFS

Mayor Bergen announced the 2007 Fire Department Chiefs, and asked that they assemble to take their Oaths of Office, to be administered by the Borough Clerk.

FIRST ASSISTANT CHIEF: William Vaughn
SECOND ASSISTANT CHIEF: David Olsen
THIRD ASSISTANT CHIEF: James McTernan

CHIEF OF THE DEPARTMENT: William Larkin

PRESENTATION OF EX-CHIEFS BADGE

TO

TIMOTHY REGAN

BY

2006 FIRE COMMISSIONER
ROBERT J. BERGEN

Mayor Bergen said he has had the pleasure of working with Mr. Regan for a few months as Fire Commissioner. Mr. Bergen thanked Mr. Regan for his work and presented him with his father Eugene Regan's Fire Chief's badge.

2007 FIRST AID SQUAD OFFICERS

Mayor Bergen announced the 2007 First Aid Squad Officers and asked that they assembled to take Oaths of Office, to be administered by the Borough Clerk.

CAPTAIN:	Kenneth Krohe
1ST LIEUTENNANT:	Mike Nevitt
2ND LIEUTENNANT:	Dee Keeran
3RD LIEUTENNANT:	Philip Santiago

Mike Nevitt and Dee Keeran were not in attendance.

PRESENTATIONS

Police Department - Mayor Bergen asked Captain Mitchell to come forward to present Police Awards. Captain Mitchell came forward and recognized Councilman Wedick as a friend to the Keyport Police Department. He said Captain Dayback retired in 2006 with over twenty-five years of service. Also retiring this year are Chief Gajewski, Sergeant Dillon, and Sergeant Wheeler, he said, "You cannot replace thier experience and this will be a challenging year." Captain Mitchell assured the public and Mayor & Council that the Keyport Police Department is up for the challenge.

The Medal of Honor was presented to: Sergeant Casaletto
Sergeant Gallo
Sergeant Ely
Patrolman Aumack
Firefighter James McTernin

Captain Mitchell said the Keyport Police Department investigated a head on collision that happened on June 3, 2006. Right after this accident happened there was a call for a fully engulfed house fire at 70 Broadway. Two residents were rescued from the house and it was reported there were two children still inside the house. After going back into the home, it was determined this statement was false. These men are being recognized for their actions.

The Drug Buster Award was presented to: Sergeant Gallo

Captain Mitchell said this award is in honor of Sergeant Gallo's undercover work. The drug problems in the world will never go away. Captain Mitchell said with honor he presents this award to Sergeant Gallo who has risen above and beyond and was the number one officer for 2006 drug arrests. Sergeant Gallo's father came forward as Sergeant Gallo received this award. It was mentioned Mr. Gallo was a Councilman for many years.

The Honorable Service Award was presented to: Detective Hafner

Captain Mitchell said a lot of work of the Detective Bureau is not recognized by. In December of 2005, there was an incident with the Pagan Motorcycle Gang. This matter was not easy to prosecute. Detective Hafner took the task to investigate the crimes and develop information. Monmouth County was also involved in the investigation and seven members of the Pagan Motorcycle Gang were arrested and charged. This was good old fashioned police work. The Police were able to get them out of hiding and all were arrested. The last member surrendered and turned himself in.

VOLUNTEER OF THE YEAR AWARD

Mayor Bergen called Mr. Isaiah Cooper of the Keyport Food Pantry to the front of the room. Mayor Bergen said Mr. Cooper never asks for help and serves many people. The Ministerium is flourishing and they are seeking to build a larger facility. Mr. Cooper thanked the Mayor and Council and Mayor Merla who worked tirelessly with him. Mr. Cooper said he has traveled the State for help for people who are down on hard times. We should not judge these people, but try to help.

RECREATION COMMISSION HOLIDAY LIGHTING AWARDS

Mayor Bergen asked George Strang to come forward and present the awards.

First Place:	Mr. & Mrs. Connallon, Cedar St.
Second Place:	Mr. & Mrs. Mann
Third Place:	Mr. & Mrs. Martinez, Broadway
Fourth Place:	Mr. & Mrs. Reedy, First St.

Honorable Mention:
Mr. & Mrs. Amato, Luppatatong Ave.
Mrs. Shaw, Elizabeth St.
Mr. & Mrs. Rose, Broadway
Mr. Borchers, Seventh St.

Mr. & Mrs. Martinez, Mr. & Mrs. Amato, Mr. & Mrs. Rose and Mr. Brochers were unable to attend.

SERVICE AWARDS

Virginia Febo, Administrative Secretary. Mayor Bergen said that he will miss Mrs. Febo and presented her with a clock plaque for her 24 years of service.

Bert Morris, Department of Public Works. Mr. Morris was in Pennsylvania.

Annette Kovacs, Code Enforcement/Zoning & Assessing Office. Mrs. Kovacs served on the Board of Health and worked in the CEO/Zoning Office. Mayor Bergen presented Mrs. Kovacs with a clock plaque for her years of service.

Alice Albrecht, Crossing Guard. Was not present at meeting.

Janene Popovich, Crossing Guard. Was not present at meeting.

Jean Zwingraf, Recreation Commission. Mrs. Zwingraf had many years of service as an Recreation Commission Member. Mayor Bergen presented Mrs. Zwingraf with a plaque for her many years of service.

Michael Norris, Keyport Business Alliance. Mr. Norris was unable to attend.

Sandra Shevlin, Keyport Business Alliance. Mayor Bergen presented Mrs. Shevlin with a plaque for her many years of service to the KBA.

RESOLUTIONS

37. Resolution #37-07, 2007 Rate of Interest for Nun-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% 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 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, 2007 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, 2007.

Offered for adoption by Mr. Hassmiller, second by Mr. Hill

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

38. Resolution #38-07, 2007 Rate of Interest for Non-Payment Water & Sewer Charges

BE IT RESOLVED that pursuant to the authority of 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 the said interest rates shall become effective January 1, 2007.

Offered for adoption Mr. Hassmiller, second by Mr. Hill

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

39. Resolution #39-07, Authorizing Payroll/Emergencies for the Year 2007

BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that the Chief Financial Officer is hereby authorized an directed to pay Payroll as it becomes due and any emergencies which may arise during the year 2007 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. Hassmiller, second by Mr. Hill

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilmembers Ortman

40. Resolution #40-07, Authorization for Tax Assessor to File Tax Appeals

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 be authorized to direct the Borough Attorney to file appeals to the New Jersey State Tax Court on behalf of the Borough of Keyport, and authorize the Borough Attorney to make settlements with respect to contested assessments.

BE IT FURTHER RESOLVED that the Tax Assessor is hereby authorized to execute stipulations of Settlements 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. Hassmiller, second by Mr. Hill

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

41. Resolution #41-07, 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 the 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 2007.

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 purchase by the Borough of Keyport, through several municipal departments 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 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. Hassmiller, second by Mr. Hill

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

42. Resolution #42-07, 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 affecting investments.

NOW, THEREORE, 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. Hassmiller, second by Mr. Hill

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

43. Resolution #43-07, 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.

Definitions
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.

Designation of Depositories
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 Officials who shall make and be responsible for municipal deposits and investments.

Investment Instrument
The designated Borough Officials 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. Hassmiller, second by Mr. Hill

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

44. Resolution #44-07, 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 2007 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, duplicate 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. Hassmiller, second by Mr. Hill

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

45. Resolution #45-07, Authorize Temporary Budget

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

Offered for adoption by Mr. Hassmiller, second by Mr. Hill

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

46. Resolution #46-07, Authorize Debt Service

WHEREAS, N.J.S.A. 40A:4-19 provides authority for appropriating in a temporary resolution the permanent debt service requirements for the coming fiscal year providing that such resolution is not made earlier than December 20 of the year preceding the beginning of the fiscal year; and

WHEREAS, the date of this resolution is subsequent to December 19, 2006; and

WHEREAS, principal and interest will be due on various dates from January 1, 2007 to December 31, 2007, inclusive, on sundry bonds and notes issued and outstanding.

NOW, THEREFORE, BE IT RESOLVED that the following appropriations be made to cover the period from January 1, 2007 to December 31, 2007 inclusive:

DEBT SERVICE - CURRENT FUND

Principal on Bonds	$255,000.00
Interest on Bonds	232,345.00
Interest on Notes	209,480.00
	$696,825.00

DEBT SERVICE - WATER/SEWER UTILITY

Principal on Bonds	$85,000.00
Interest on Bonds	37,000.00
Interest on Notes	74,400.00
	$196,400.00

Offered for adoption by Mr. Hassmiller, second by Mr. Hill

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte

Nays: None
Abstain: None
Absent: Councilman Ortman

47. Resolution #47-07, Payment of Bills

Be it resolved by the Mayor and the Council of the Borough of Keyport, New Jersey that the following numbered vouchers be paid to the person therein respectively and hereinafter named, for the amounts set opposite their respective names, and endorsed and approved on said vouchers.

NUMBER OF VOUCHERS	BANK ACCOUNT	AMOUNT
See attached listing	CURRENT	$ 74,397.05
	WATER/SEWER	$ 22,223.89
	RBIT	$ 176.83

Offered for adoption by Mr. Hassmiller, second by Mr. Hill

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill, Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

48. Resolution #48-07, Waiving of Interest Less Than Fifty (50) Cents

WHEREAS, the Municipal Collector of Taxes and Water and Sewer Utility Rents, submits for approval the waiving of interest less than fifty (50) cents on Tax and Water/Sewer payments; and

WHEREAS, the Municipal Collector of Taxes and Water and Sewer Utility Rents, suggests this resolution because it is economically sound to waive such interest due to the cost of delinquent notifications and such; and

WHEREAS, it is the desire of the Mayor and Council to approve such request:

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. Formal authorization is hereby given to waive any interest due that is less than fifty (50) cents.

BE IT FURTHER RESOLVED that said resolution shall become e effective on January 1, 2007.

Offered for adoption by Mr. Hassmiller, second by Mr. Hill

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

49. Resolution #49-07, Termination of Water Service Fee

WHEREAS, the Municipal Collector of Water and Sewer Utility Rents, submits for approval the charging of an additional fee of one hundred dollars ($100.00) at termination of service for non-payment if the Department of Public Works can not shut off service from the curb but must actually pull an individual meter; and

WHEREAS, the Municipal Collector of Water and Sewer Utility Rents, suggests this resolution because it will most likely cut down on having to terminate services for non-payment; and

WHEREAS, it is desire of the Mayor and Council to approve such requests.

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. Formal authorization is hereby given to charge one hundred dollars ($100.00) at termination of service when an individual meter must be pulled.

BE IT FURTHER RESOLVED that said resolution shall become effective January 1, 2007.

Offered for adoption by Mr. Hassmiller, second by Mr. Hill

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

50. Resolution #50-07, Appointment of Fire Inspector

WHEREAS, the Municipal Collector of Water and Sewer Utility Rents, submits for approval the charging of an additional fee of one hundred dollars ($100.00) at termination of service for non-payment if the Department of Public Works can not shut off service from the curb but must actually pull an individual meter; and

WHEREAS, the Municipal Collector of Water and Sewer Utility Rents, suggests this resolution because it will most likely cut down on having to terminate services for non-payment; and

WHEREAS, it is desire of the Mayor and Council to approve such requests.

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:

2. Formal authorization is hereby given to charge one hundred dollars ($100.00) at termination of service when an individual meter must be pulled.

BE IT FURTHER RESOLVED that said resolution shall become effective January 1, 2007.

Offered for adoption by Mr. Hassmiller, second by Mr. Hill

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill Walling, Bolte
Nays: None
Abstain: None
Absent: Councilman Ortman

REMARKS OF MAYOR AND COUNCIL

Councilwoman Christian Bolte: Councilwoman Bolte extended her thanks to everyone for their votes and for their turn out at today's meeting. She thanked her family and the past and present Mayor and Council. Councilwoman Bolte gave special thanks to the people she met while campaigning for sharing their ideas and frustrations. The residents of Keyport have the power and the voice.

Councilman Richard Hassmiller: Councilman Hassmiller gave the following remarks:
I feel honored, blessed and humbled to be here today.

I would like to take this opportunity to congratulate both of our newest Councilpersons, Christian Bolte and Ezra Hill. I look forward to working together with our new Keyport team and the residents of Keyport and to our continued success together.

I am also honored to have had the opportunity to work these last two years along side my fellow council members both past and present and to share in our common goal of making Keyport a better place to live and work. Although we do not always agree, we all share this common goal.

I feel blessed and proud that the members of my family could be here today. The values I learned growing up, the importance of faith, family, honesty and responsibility have guided me here today.

I am humbled by the success we have shared and am proud to see the hard work of both past and present councilmembers finally starting to pay off. Many of our streets are being repaved, our sidewalks replaced, our parks are getting into great shape and our library is looking better then ever. This past year the water tower which was in dire need of repainting finally got its much needed "facelift". Most importantly was the ground breaking for our new bulkhead. I truly believe that Keyport is at the crossroads for bigger and better things and I am proud to be a part of it.

However, when you reach a crossroad, there are decisions that need to be made and the right people need to be empowered to help make those decisions. The people of Keyport have chosen to entrust the responsibility and leadership, as Mayor, to Robert Bergen to help steer our town on the steadfast path of success. Mr. Bergen has worked tirelessly and unselfishly over the past fifteen years for the betterment of Keyport and I can think of no better reward than for him to be honored as Keyport's Mayor, the very position his late father Dick Bergen once held. Having worked very closely with Robbie, I can tell you that there is not a moment, love him or hate him for it, that he does not put the betterment of Keyport first. Whether its penny pinching on the budget, negotiating contracts or simply working to get the best price on goods and services, he is always working to save money for Keyport.

I would like to congratulate Robbie and wish him the best of luck as the new Mayor of Keyport and I am confident he will do a great job. I have a little gift for the new Mayor. I know he has saved his father's, but I feel Robbie should have his own gavel to use at the Council meetings and keep his father's on his office desk to remind him to be as honest and fair in his new position as Mayor of Keyport as his father was. But the real reason I got this is that Robbie has a tendency to sometimes get a little animated at council meetings and I would not like to see what his mother, Edna, would do if he should break his father's gavel.

Councilman Ezra Hill: Councilman Hill said he didn't have a prepared speech and that he would speak "off the cuff." He thanked his family and friends and also Mayor Merla for his help. Councilman Hill stated that Dick Bergen was his wood shop teacher in High School too. He said he looks forward to serving everyone and this will be a new experience.

Councilman William Ortman: Councilman Ortman was not present at the meeting.

Councilman Joseph Sheridan: Councilman Sheridan thanked his wife for getting him to this meeting. He had shoulder surgery on Friday. Councilman Sheridan also thanked Mayor Merla and Joe Wedick, and stating he learned a lot from both of them. He is looking forward to 2007 with a new council and thanked everyone who was in attendance.

Councilman George Walling: Councilman Walling wished everyone a Happy and Healthy New Year. Councilman Walling stated Council represents the people and that your best interest is the right decision for Keyport and our families. He thanked his wife and family. He said that Mayor Merla gave him a Pride of Keyport pin when he was first elected on Council and he is wearing it today. Councilman Walling said Keyport will always be his town. He also thanked Mike Lane who is a big voice and guiding light.

Mayor Robert Bergen: Mayor Bergen stated today is emotional and inspiring for him. Twenty-eight years ago his father was sworn in as Mayor. He said public service can be a noble position. He thanked his father who gave his best to the community. He said his wife and children are his "rock", as well as his sister and mother. Mayor Bergen also thanked his friends and the staff of Carteret Borough where he's Borough Attorney for attending. (Mayor, a few Councilmembers and the Borough Clerk.) He thanked former Mayor Kevin Graham. Mayor Bergen said this is an exciting time and there are exciting opportunities; a lot of challenges will be met. He thanked Councilman Hill and Councilwoman Bolte for running with him and wished everyone a Healthy and Happy New Year.

PUBLIC COMMENT

Mayor Bergen opened the meeting to the public for comments or questions at 1:15 P.M. Kevin Graham, Representative of the Keyport Democratic Club, wished everyone a Happy New Year. He congratulated Ezra Hill and Christian Bolte on winning their seats on the Borough Council and presented them with gifts.

ADJOURNMENT

Motion to Adjourn moved by Mr. Sheridan, second by Mr. Hassmiller with Ayes by all present.

Time of Adjournment: 1:22 P.M.

Respectfully submitted,

Allyson M. Cinquegrana, RMC
Borough Clerk