

January 15, 2002
Keyport, New Jersey

Minutes of the Regular Meeting of the Mayor and Council, Borough of Keyport, held on the above date in the Keyport Senior Center, 110 Second Street, Keyport, N.J., pursuant to the adoption of the Annual Notice on file with the Borough Clerk, forwarded to the Asbury Park Press, Courier, Independent and Two River Times and posted on the Bulletin Board in accordance with the Open Public Meeting Act, P.L. 1975, Ch. 231.

Mayor Graham called the meeting to order at 7:06 P.M. and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Atkins, Merla, Ashmore, Hyer, Stalter. Absent: Councilman Bergen. Others present: Mr. Kain, Borough Attorney.

RESOLUTION

1. Resolution #56-02, Closed Meeting - Personnel, Litigation, Labor Relations and Contract Negotiations

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

Personnel

1. Senior Center
2. PBA
3. Board of Health

Litigation

1. RCG Construction vs. Borough of Keyport

Labor Relations

1. IUOE Grievance
2. PBA Contract
3. IUOE Negotiations/Clerical and Public Works/PSTO

Contract Negotiations

1. Water and Wastewater Systems

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, Labor Relations, Contract Negotiations

BE IT FURTHER RESOLVED that the discussions on Personnel, Litigation, Labor Relations and Contract Negotiations 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. Merla, seconded by Mrs. Atkins

Roll Call Vote: Ayes: Councilmembers Atkins, Merla, Ashmore
Hyer, Stalter
Absent: Councilman Bergen

Council went into Closed Session at 7:07 P.M. and this meeting was reconvened at 7:50 P.M.

Mayor Graham called the meeting to order at 8:02 P.M. and read the Sunshine Law Notice. Councilmember Merla led the Pledge of Allegiance and Moment of Silence in memory of Martin Luther King, Jr.

ROLL CALL

On Roll Call the following were present: Councilmembers Bergen, Atkins, Merla, Ashmore, Hyer, Stalter. Others present: Mr. Litwin, Borough Attorney and Mr. Freda, Borough Engineer.

APPEARANCE AND DISCUSSION

1. **BID Presentation.** Kathleen Shaw distributed a list of 2001 Accomplishments and 2002 Objectives; the list was reviewed. There were visual accomplishments. Planning initiatives includes the Smart Growth Participation with the Borough (\$14,000 contribution). There was an inventory on parking. A destination based plan. An Architect was hired for the parking area for Main and Broad Streets. There was a Marketing and Advertising consultant for the Image Logo, Media/Press Kit and Capacity Brochure (for new investors). There should be a website with the Borough by the end of this month. The destination advertising has several issues. There are volunteers on committees; success requires teamwork. Executive committees take a strong role. The annual audit will be done at the end of April. The annual report will be published and provided to all people involved in the district. With regard to the 2002 budget, Mr. Fink said that there is an Executive Committee. The efforts in the first year were successful. There was a partnership with the Borough (built on a consensus). Mayor and Councilmembers participated in the meetings. Mr. Fink said that they are expanding because they have outgrown their budget; they service all of the businesses in the community. BID cannot implement goals on their current budget. The Department of Community Affairs and Monmouth County Planning Board have said that Keyport is a "destination". In November 2001, BID voted to expand the district. Mr. Merla said that the town really looked spectacular this season. Mrs. Atkins said that the House Tour last month brought in a lot of people. Mayor Graham said that the BID's first year was impressive and there is a need for a stable source of funding. The members hearts are in the right place. BID should build on the prior year's achievements. He congratulated the BID and its members. Mrs. Ashmore said that she has worked with the Keyport Business Alliance and they are dedicated people with intense interest. It is an important program because it effects the residents and homeowners besides the businesses. They are always looking for people to help. Mr. Bergen said that besides being a governing body member, he and his family enjoyed all of the events that the BID sponsored. Mr. Stalter said that the Governing Body should work along with the Keyport Business Alliance. All of the members and volunteers work hard; their efforts are outstanding and they have done a great job. Mr. Hyer said that he and his family participated in events and gave the BID credit.

APPROVAL OF MINUTES

Minutes of the Special Meeting of December 10th, Work Meeting of December 10th and Closed Meeting of December 10, 2001 were approved as read on motion of Mr. Merla, seconded by Mr. Stalter with Ayes by all present.

PROCLAMATION

Mayor Graham read a proclamation regarding School Board Recognition month.

HEARING ON ORDINANCE

1. Ordinance #1-02, Repeal Chapter 16, Article 16-7/Recycling

The Clerk reported that the Ordinance was published as introduced in the Courier, issue of January 3, that the Affidavit of Publication is on file in her office, that copies were posted on the Bulletin Boards and made available to the public.

The Clerk read the Ordinance by Title:

**AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "REVISED
GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT" ADOPTED BY THE
MAYOR AND COUNCIL AND AMENDED FROM TIME TO TIME THEREAFTER**

Mayor Graham advised the public that this Ordinance repeals the requirements for stickers to dispose of bulk items. He asked who drafted the Ordinance. Mr. Merla said that Special Counsel, Wesley Kain, of Shebell and Shebell, drafted the Ordinance at no cost. There was a question as to whether they were Special Counsel before the Ordinance was drafted. The Mayor asked who authorized Shebell and Shebell to do this; Mr. Merla said that he did.

The Hearing was opened to the public for comments or questions at 8:22 P.M. Joseph Wedick, Theresa Street, said repealing of fees will be shared by the residents. He said that he would pay for the cost of removal. Mayor Graham said that the costs will be borne by all of the residents. Mr. Wedick asked what controls will be

placed on the commercial sources or nature; Mayor Graham did not know. Mr. Wedick asked if he would be subsidized. Mr. Merla said that for construction debris, a resident would file for a dumpster permit in order to remove it. Mr. Wedick asked who controls this. Mayor Graham said that if there is out of town construction materials, a permit is needed. With this ordinance, there would be no charge. Mr. Wedick asked about absentee landlords who put items out on the curb would he have to pay. Mr. Merla said that on January 1st, he said that the Borough would implement a Landlord Registration program that would have a fee as well as new Certificates of Occupancy for 2002. All construction debris has to be removed; an Ordinance is being worked on-sample from Highlands. There would be a check list and before a Certificate of Occupancy is issued; the landlord has to comply with the check list. Mr. Wedick asked if the Landlord Ordinance should have been introduced before the repeal of the recycling fees ordinance. Mrs. Ashmore said that someone always abuses the system. Mr. Bergen asked, wasn't that there before? Mrs. Ashmore said that Recycling is not a revenue item. Terry Musson, Third Street, said that he does not approve of subsidizing and agreed that the landlord registration ordinance should have come first. Robert Zwingraf, Cedar Street, said that he does not want to absorb the cost of rental units whose landlords do not care. He said that you do not see this with the recycling permits. Regarding contractors, Keyport will pick up the fee and this is against the Ordinance. Mr. Zwingraf said that the Fire and First Aid members are entitled to free stickers and asked if they will have to pick up the fee. It was asked if tonnage went through the town; the Mayor said it did and the first year, 1100 tons were picked up. Mayor Graham said that he was going to speak as a resident stating that he remembers before and since the Ordinance. The Ordinance on the books is not perfect. Council has not rescinded the parking or litter ordinances; it is not logical. He requested that this Ordinance be tabled until a plan is put in place or the town will be "thrown wide open". Other towns do not have a Recycling Ordinance, you have to see the big picture. It is unfair for all to pay for a few. The abuse that came from out of towners who brought items into Keyport and absentee landlords (all residents paid for it) stopped when the Recycling Ordinance was adopted. The garbage contract includes bulk items with stickers; the new Ordinance changes the garbage contract (the contract says permits - 1 or 2 items). The Recycling Ordinance was not adopted to raise revenues, but revenues will be lost with the new ordinance and the Borough cannot anticipate this. Tipping fees will go up on April 1, 2002 and April 1, 2003; an alternate plan needs to be in place first. Diane Gallagher, Eighth Street, agreed with Mayor Graham that the permits work; she said that if she does construction on her house, she should pay for it. There are items that sit out and the property owner should be fined. Joanne Staeger, Main Street, asked about the new schedules; her district is loaded with debris and it is an embarrassment. She asked why the garbage company is picking up the items without stickers. Mayor Graham said that Council did not take action. Mrs. Staeger said that some residents are still not getting permits and asked what was wrong. Mayor Graham said that some residents leave items out and they are notified on what they have to do. Mrs. Staeger said that the program for items outweighs. Mayor Graham said that the garbage contractor could complain (3 garbage cans per household). Mr. Wedick asked about the BID and the garbage out on the streets and how they felt. Mayor Graham said that there was a place on First Street. Mr. Zwingraf said that he comes to buy items downtown and he sees garbage. Mr. Bergen made a motion to table the adoption of this Ordinance; there was no second. Mayor Graham went on the record that he opposed the Ordinance more strongly than any other action that has taken place in nine years. There will be severe repercussions financially. It would be an irresponsible act to take the Recycling Ordinance off of the books. Rental units in Keyport are 50% and the costs would be passed on which will detract neighbors. Costs will go up and there will be a decrease in revenues. The Mayor said that he would trade the inconvenience for the benefits; people have said that Keyport looks great. The Hearing was closed to the public at 8:45 P.M.

Offered for adoption by Mr. Merla, seconded by Mrs. Ashmore

Roll Call Vote: Ayes: Councilmembers Atkins, Merla, Ashmore
Hyer, Stalter

Nays: Councilman Bergen

Mr. Bergen said that he is opposed to the Ordinance because it

is an imposition of garbage tax. No service is free. There will be a disproportionate amount of bulk items and everyone will have to pay; this is unfair. Tipping fees will go up and revenue will go down (the program generated \$10,000 or more a year). In the landlord registration act, there is no provision that says you cannot put out items for pick up. This year the apartment complexes garbage must be picked up (20%); there will be an increase from apartments. Mayor Graham said that half of the units in Keyport are rentals. Mr. Bergen said that all residents will pay for it. Mayor Graham said that he would like to hear from supporters of this Ordinance; there was no comment. Mr. Merla said that the Mayor and past Council had 5 years to correct. Mrs. Atkins said that the Borough picks up heavy metal and the Borough pays the tipping fees. She said that many residents complain that they are paying twice for their garbage to be picked up. Mr. Merla said there are Boards and Commissions that oversee the program. Recycling and Board of Health were opposed to the present Ordinance and it has created illegal dumping. The draft Certificate of Occupancy Ordinance will require Absentee Landlords to remove all bulk items. Registering landlords (school children) will help keep accurate records; people are needed to enforce the Ordinance. Mr. Merla said that it is worth trying. He suggested that Council ask around town about illegal dumping. Tom Gallo had questions on the repeal of the Recycling Ordinance fees. Repeal the Ordinance fee and go with the Certificate of Occupancy Ordinance. Enforcement is needed. Mrs. Ashmore said that the residents are not given the heads up on these matters. Mr. Bergen asked about the Certificate of Occupancy Ordinance saying that you cannot put items out on the street. Mr. Merla said that it states all debris (bulk items) must be removed from the site; you cannot put it out on the curb. Mayor Graham said that you cannot treat rental units and homeowners differently. Mr. Bergen asked if the C of O Ordinance will state what will be required and have a list of items; yes.

- 1a. Motion authorizing the Clerk to publish the Ordinance as adopted according to law in the Courier, issue of January 17, 2002 moved by Mrs. Atkins, seconded by Mr. Merla with Ayes by all present except Mr. Bergen who was opposed.

INTRODUCTION OF ORDINANCE

1. Ordinance #2-02, Set Salaries for Property Maintenance Officer, Assistant Property Maintenance Officer and Smoke Detector Inspector

The Clerk read the Ordinance by Title:

AN ORDINANCE AMENDING AND SUPPLEMENTING AN ORDINANCE FIXING THE SALARIES OF THE VARIOUS OFFICERS, CLERKS, AND EMPLOYEES OF THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH AND STATE OF NEW JERSEY

WHEREAS, it is the desire and intent of the Mayor and Council of the Borough of Keyport to have prepared and adopt a salary ordinance which will have properly served their purposes, but which will be economical to adopt; and

WHEREAS, the following ordinance has been prepared with salary ranges therein for the positions listed, wherein the ranges give the minimum salary for the position as well as the maximum for the position, and the exact salary to be paid to each employee as determined by a resolution duly adopted by the Mayor and Council of the borough of Keyport must be within the ranges given in the Ordinance, and the purpose is to save money in preparation and publication costs by making the ranges sufficiently wide to last for several years, and also to give greater flexibility, should a position be vacated and it is desired to start a new employee with less experience at a lower salary, since the new salary may simply be set by a resolution of the Mayor and Council.

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

PLEASE NOTE THAT ALL OF THE FOLLOWING ARE NOT INCREASES IN EXISTING SALARIES, BUT ARE RANGES WITHIN WHICH SALARIES MUST FALL

SECTION 1. The following salary ranges are hereby fixed and determined for the following part time officers and employees

retroactive to January 1, 2002:

	<u>MINIMUM SALARY</u>		<u>MAXIMUM SALARY</u>
Property Maintenance Officer	4,000	-	8,000
Assistant Property Maintenance Officer	3,500	-	7,000
Smoke Detector Inspector	5,000	-	7,500

SECTION 2. Inconsistent Ordinances. All ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION 3. Severability. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

SECTION 4. Effective Date. This ordinance shall take effect upon its passage and publication according to law.

Offered for adoption by Mr. Merla, seconded by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Atkins, Merla, Ashmore
Hyer, Stalter
Nays: Councilman Bergen

- 1a. Motion authorizing the Clerk to publish the Ordinance as introduced in the Courier, issue of January 17, 2002 for a Hearing to be held on February 5, 2002 moved by Mr. Merla, seconded by Mr. Hyer with Ayes by all present except Mr. Bergen who was opposed.
2. Ordinance #3-02, Amend Chapter VII, Traffic, Parking Time Limited on Certain Streets (Union and Atlantic Streets)

The Clerk read the Ordinance by Title:

**AN ORDINANCE AMENDING CHAPTER VII, "TRAFFIC"
OF THE REVISED GENERAL ORDINANCE OF THE
BOROUGH OF KEYPORT, 1988**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AS FOLLOWS:

SECTION I. Chapter VII, "Traffic", Section 7-3.6, "Parking Time Limited On Certain Streets" and Schedule IV, "Time Limited Parking" are hereby amended to include the following:

No Person shall park a vehicle for longer than the time limit shown, at any time between the hours listed on any day, (except Sundays and holidays) upon any of the streets or parts of streets described in Schedule IV.

<u>Name of Street</u>	<u>Side</u>	<u>Time Limit</u>	<u>Hours</u>	<u>Location</u>
Union Street	North	15 min	7:30 A.M.- 3:30 P.M. Weekdays	Division Street east to Osborn Street
Atlantic Street	West	15 min	7:30 A.M.- 3:30 P.M. Weekdays	From a point 25 feet south of the southerly curbline of Union Street to a point 250 south Therefrom

SECTION II. Inconsistent Ordinances. All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION III. Severability. If any section, paragraph, subdivision, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged

and the remainder of this Ordinance shall be deemed valid and effective.

SECTION IV. Effective Date. This Ordinance shall take effect upon its passage and publication according to law, and upon the approval of the Department of Transportation of the State of New Jersey if required.

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

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Merla
Ashmore, Hyer, Stalter

- 2a. Motion authorizing the Clerk to publish the Ordinance, as finally adopted according to law, in the Courier, issue of January 17, 2002 moved by Mr. Merla, seconded by Mrs. Ashmore with Ayes by all present.

COMMITTEE REPORTS

Councilman Bergen; Buildings & Grounds and Library. Mr. Bergen reported on the following. Regarding the new Municipal Building, if Council moves forward, the Borough should hire a Clerk of the Works. This is the biggest project the Borough has had and someone should be on site full time. He will make a recommendation.

Councilwoman Atkins; Fire: Mrs. Atkins reported on the following. She agreed with Mr. Bergen regarding a Clerk of the Works. The Reorganization Meeting went well. She congratulated Fire Chief Stonerock and the Board of Chiefs. Saturday, January 19th is the Firemen's Ball at the Arts Center. Specs are being worked on for the boiler to be removed from the Senior Center and the Engineer is reviewing this. The oil tank will also be removed.

Councilman Merla; Finance: Mr. Merla reported on the following. He asked if the Architect could be the Clerk of the Works; Mr. Bergen said that it should be someone else. Mayor Graham said that the Architect's contract should be checked. The Borough is investigating its options on Water Plant services; the Bond Counsel has given some options. The Borough may lease or manage it as a business; the public will be kept abreast of this. Insurance quotes were received in December 2001. Property and Casualty would be \$95,000-\$127,000; it went up over last years cost. The Umbrella policy would be between \$4,500-\$39,000. The Finance Committee has looked around and it is recommended that the Broker of Record be changed; the Insurance company was downgraded. The current Insurance Company's umbrella policy is \$39,000 vs. \$23,000 with the new broker; Property and Casualty would have been \$127,526 vs. \$119,000. Two percent of the value for wind deductible will now be \$25,000. The Borough will go from a company with a "D" rating to an "A" rating. The Borough was in a pool for last year's umbrella coverage, this year we will be by ourselves. Mr. Merla recommended Frank J. Siracusa as Broker of Record. A meeting will be set up with Department Heads and Non-Union Employees regarding their contract. Fast Ferry lined the parking lot; Mr. Cummins was called and advised that this was not legal as it was not authorized by the Borough. Residents should be offered a discount (they will offer a 10-15% discount to the host community). He met with the Property Maintenance Officer and his assistant; the days will remain the same (8 AM-12:30 PM two days a week; they will alternate). A letter should be sent to the apartments for waste receipts and their contracts. Green Acres is coming on January 22nd to do an inspection of the Ferry. He complimented Union Beach on their Reorganization Meeting and their Mayor's 25 years of service; he, Mr. Hyer and Mayor Graham attended the meeting. Mr. Merla said that Hillary Roberts, Jackson Street, should be recognized for Project Linus. Mrs. Dupont celebrated her 103rd birthday. Budget requests were sent to the Departments who should submit how to raise revenues. Matawan's fee schedule has to be adopted. The diesel fuel problem has been taken care of. The County Sheriff Department has formed a Leadership Council and Mr. Merla has submitted Steve Dixon's, PBA President (the Council will be made up of the County, Municipalities and School Systems). The Board of Education should be complimented; test results are on the rise thanks to the School Board and Administration. Green Grove Apartments was surveyed. Mayor Graham asked about the Insurance Broker. Mr. Bergen said that it was never done by Resolution, there was an open door policy on submitting proposals. Some companies may not deal with you, less competition. There is no

benefit to the Borough to appoint a Broker. Mr. Merla said that legally the Borough does not have to, it can be done as Finance Committee. Mr. Litwin said that an Ordinance may be needed; this matter should be researched. Mayor Graham asked who prepared the Resolution; the Insurance Company did. The Mayor asked if this was discussed with the Borough Attorney; no.

Councilwoman Ashmore; Police: Mrs. Ashmore reported on the following. Regarding Court revenue, the Captain, the Chief, Mr. Merla and she met and went over proposals. Revenue has gone up \$7,000. In 1999, the Task Force brought in some revenue. The Borough should look into accepting credit cards in court. Traffic conditions have been reviewed; safety vs. convenience (street corners). Safety should be over convenience, by February 5th Police Chief Gajewski will have a report. Money should be appropriated for Crossing Guard uniforms so that appropriate attire is worn. There is speeding on Florence Avenue; when paving streets, rumble strips should be installed. The Borough Engineer will investigate. Mr. Merla said that snow plowing has to be handled differently with rumble strips. A recommendation was made that all Boards and Commissions enforce how meetings are conducted and minutes taken, etc. Mayor Graham said minutes yes, but they have liaisons. Mr. Litwin said that guidelines should be submitted.

Councilman Hyer; Public Works/Recycling/Property Maintenance. Mr. Hyer reported on the following. Cats are using sandboxes at Main Street Park creating a toxic situation; they should be removed as soon as possible. There is a Recycling Meeting on January 28th at 7 P.M. He asked about a jet vac; Mr. Litwin was preparing the specifications and Mr. Bergen was checking finances. This has not been bonded yet, so it would have to be held. Lucas Electric should be contacted regarding a start date for the Cedar Street Ballfield Lights. He has a meeting with 3M regarding fluorescent street signs; some will be done free of charge. George Sappah will address the Sewer Plant Building on American Legion Drive (fence and open windows); the windows should be boarded up. The Harbor Commission has submitted two letters which will be distributed.

Councilman Stalter; Health, Recreation and Parks. Mr. Stalter reported on the following. A skate park was discussed at the Recreation Meeting; a subcommittee was formed with residents (one resident has experience in skate parks) to do research. The Skatepark Association of USA was contacted regarding insurance questions; a location must be found and funding. At the Board of Health meeting, it was reported that Annette Kovacs, President, was given the Christopher Saccenti Award in September by the NJ Local Board of Health Association. Mr. Bergen asked about setting up an ice skating rink.

Administrator Poling: Mrs. Poling reported on the following. Payment of Bills for December 31st: **CURRENT** - \$36,251.53; January 8th Payment of Bills: **CURRENT** - \$143,018.49, **WATER/SEWER** - \$85,173.29 **AND UNEMPLOYMENT TRUST** - \$578.28. A draft fee schedule was received from Matawan. An Ordinance needs to be prepared for introduction.

Engineer Freda: Mr. Freda reported on the following. A meeting with John Kriskowski was delayed (Mr. Kriskowski had kidney stones); they will meet next Monday on various matters. Regarding the Senior Center furnace, quotes are needed (there could be asbestos); he will provide a report and proposal. There was a DEP meeting at the bulkhead today; the project should move forward. Monies could be withdrawn; they had a concern with additional work (road widening). Mayor Graham is going to meet with Mr. Kriskowski. The DEP contacted Mr. Freda. Mr. Merla thanked Mr. Freda for moving quickly on this matter.

Attorney Litwin: Mr. Litwin reported on the following. There will be a Green Acres inspection on January 22nd at 10 A.M. regarding the Ferry mooring overnight. Condemnation on the Kutschman property was filed with Judge Lawson; an Order to Show Cause is necessary. Regarding the new Municipal Building, A&K's contract was reinstated by Judge Lawson on January 9th; at the last minute, RCG filed a notice with the Supreme Court (Petition/brief). Most courts do not accept this; application was made to the Court from RCG that the court put a stay on the project. The contract award should go to A&K (there is 10 days to reply); the Court will decide. Council

should decide if it will proceed with the A&K contract. Mayor and Council determined to proceed and the Architect will be instructed to implement the contract (they can start as long as the weather is O.K.). Mayor Graham said it is about time. Mr. Merla asked if the action should be moved formally. Mr. Litwin said that the Borough is obligated to do this; a motion is not needed. Mr. Merla made a motion to move ahead with Judge Lawson's order and to move on the preconstruction notice to the Architect and A&K, seconded by Mrs. Atkins with Ayes by all present.

Mayor Graham: The Mayor reported on the following. There is a Feeder Bus Route Service Meeting at the Senior Center on January 16th at 7 P.M. with the Borough, the County and BID Representatives. The Monmouth County Conservation Foundation spoke at the Bayshore Conference of Mayor's meeting regarding open space; he will follow up. Regarding the nomination for Borough Attorney at the January 1, 2002 meeting, he nominates individuals recommended by the majority, but did not nominate a Borough Attorney. It is not that he did not have a name; the name will be put in for nomination. Mr. Litwin has been the Borough Attorney for the past 7 years and has done a magnificent job. The Borough had serious legal problems that were resolved (Adult Bookstore, super fund case). Mr. Litwin always gave sound, well thought out advice; if there was something to be cautious about, he would go to Mr. Litwin. Mr. Litwin will be missed very much; the Borough was lucky to have him. Mayor Graham nominated Mr. Litwin, moved by Mr. Bergen who said that Mr. Litwin is a Lawyer's lawyer; it was an honor to have his brief cited in law decisions, he distinguished himself), there was no second (the motion died). Mr. Litwin said that he was surprised. This is his second term; his first term was 6 years under Mayors Ralph and Bergen. Mr. Litwin said that it has been a pleasure to work with both sides without regard to political parties. He admires Keyport. Mr. Merla thanked Mr. Litwin who was the Borough Attorney in 1984 when he was a Councilman. Mr. Merla said he honestly gave Mr. Litwin credit stating that he represented the Borough very well and he appreciated all that he has done for the Borough as well as treating everyone equal. Mr. Merla submitted Wesley Kain's name as Borough Attorney effective February 1, 2002. Mayor Graham said that this will be done at the appropriate time.

REPORTS OF DEPARTMENTS

OCTOBER 2001

1. Librarian's Report

See full copy on file in the Clerk's Office

Submitted by Jacqueline LaPolla, Librarian

NOVEMBER 2001

2. Treasurer's Report

CURRENT CHECKING	\$2,327,118.62
ASSESSMENT TRUST	621.33
FEDERAL AND STATE GRANTS	588.11
ANIMAL CONTROL	410.75
TRUST CHECKING	59,108.04
TRUST SAVINGS	156,860.90
RECREATION BAYFRONT	54,731.52
UNEMPLOYMENT/DISABILITY	62,402.49
RECREATION COMMISSION	11,195.81
GENERAL CAPITAL	28,606.88
ESCROW TRUST	152,183.35
LAW ENFORCEMENT	9,589.26
SELF HEALTH INSURANCE FUND	3,616.04
WATER/SEWER OPERATING	5,000.00
WATER/SEWER SAVINGS	256,512.34
WATER/SEWER INVESTMENT	117,947.24
WATER CAPITAL CHECKING	1,301.73
WATER CAPITAL INVESTMENT	93,371.50
GENERAL CAPITAL INVESTMENT	3,186,730.23

INTEREST EARNED ON INVESTMENTS FOR NOVEMBER, 2001

CURRENT - \$7,985.35

WATER - \$ 805.02

Submitted by Pauline Redmond, Treasurer

3. Librarian's Report

See full copy of Report on file in the Clerk's Office

Submitted by Jacqueline LaPolla, Librarian

DECEMBER 2001

4. Borough Clerk's Report

<u>WATER/SEWER ACCOUNT</u>	
WATER CONNECTION	\$ -0-
WATER METER	-0-
TURN ON CHARGE	-0-
SEWER CONNECTION	-0-
SEWER/POOL PERMIT	-0-
WATER METER W/TO	-0-
DEMOLITION	300.00
TOTAL WATER/SEWER, CHECK #3470	\$ 300.00

<u>CURRENT ACCOUNT</u>	
BINGO LICENSE	\$1,990.00
GUN PERMITS & ID'S	-0-
LIMO LICENSE	200.00
PHOTOCOPIES	18.25
POSTAGE	.34
RAFFLE LICENSE	-0-
TAXI LICENSE, DRIVER	-0-
TAXI LICENSE, OWNER	-0-
POLICE DEPT ACCIDENT REPORT	503.00
SEARCHES	-0-
VENDING LICENSE	-0-
PEDDLAR LICENSE	-0-
LIQUOR LICENSE	-0-
STREET OPENING	75.00
FISH & GAME	6.00
NEWSPAPER VENDING MACHINES	25.00
RECYCLING PERMITS	672.00
PARKING PERMITS	-0-
AUCTION LICENSES	-0-
LIQUOR LICENSE APPLICATION	3.00
TOW TRUCK OPERATOR LICENSES	475.00
SEASONAL SALE LICENSE	50.00
TOTAL CURRENT, CHECK #3471	\$ 4,017.59

<u>ESCROW ACCOUNT</u>	
CASH REPAIR DEPOSIT, CHECK #3472	\$ 27.00
TOTAL RECEIPTS	\$ 4,344.59

Submitted by Allyson M. Cinquegrana, Deputy Borough Clerk

5. Tax Collector's Report

2001 TAXES	\$ 176,745.48
2000 TAXES	4,011.95
2002 PREPAID TAXES	26,753.48
PRIOR YEARS TAXES	12,613.05
PROPERTY REDEEMED	-0-
INTEREST AND COSTS	22,752.68
TAX SEARCHES	-0-
POST OFFICE LAND RENT	137.50
SENIOR CITIZEN HOUSING IN LIEU OF TAXES	33,220.00
RETURNED CHECK CHARGES	-0-
ALL OTHER MISCELLANEOUS REVENUE	222,127.82
TOTAL CURRENT RECEIPTS	\$ 498,361.96

WATER & SEWER RENTS	\$ 43,081.32
INTEREST AND COSTS	860.09
TURN ON CHARGES	40.00
RETURNED CHECK CHARGES	36.00
POOL PERMITS	-0-
WATER METERS/WITH TURN ON	-0-
NEW METERS AND INSTALLATION CHARGE	-0-
WATER & SEWER CONNECTIONS	-0-
METER TEST CHARGE	140.00
FIRE SERVICE	-0-
METER REPLACEMENT, PARTS ETC	-0-
DEMOLITION PERMIT	-0-
ALL OTHER MISCELLANEOUS REVENUE	4,215.00
SALE OF WATER	26,291.10
TOTAL WATER/SEWER RECEIPTS	\$ 74,663.51

Submitted by Pauline Redmond, Tax Collector

6. Police Department/Traffic Safety Report

Total Amount received \$503.00

Submitted by Theodore Gajewski, Police Chief

7. Board of Health Report

TOTAL COLLECTED IN THE BOARD OF HEALTH OFFICE	\$7,441.20
DOG LICENSES	\$ 11.20
CAT LICENSES	-0-
MARRIAGE LICENSES	-0-
BURIAL PERMITS	30.00
DEATH CERTIFICATES	1,275.00
MARRIAGE CERTIFICATES	95.00
BIRTH CERTIFICATES	-0-
POOL PERMITS	-0-
PLAN REVIEW	-0-
FOOD HANDLERS	6,030.00
MISCELLANEOUS	-0-

DISBURSEMENTS

CHECK #2678 - BOROUGH OF KEYPORT MISC. ACCT	\$7,430.00
CHECK # - BOROUGH OF KEYPORT TRUST ACCT	-0-
CHECK #2679 - BOROUGH OF KEYPORT DOG ACCT	7.00
CHECK #2680 - NJ STATE DEPT OF HEALTH	4.20

Submitted by Anne R. Biagianti, Treasurer

2001 YEAR END REPORT

8. Borough Clerk's Report

WATER/SEWER ACCOUNT

WATER CONNECTION	\$ 5,800.00
WATER METER	-0-
TURN ON CHARGE	80.00
SEWER CONNECTION	7,000.00
POOL PERMIT	480.00
METER WITH TURN ON	1,600.00
METER ONLY	106.18
DEMOLITION	2,700.00
TOTAL	17,766.18

CURRENT ACCOUNT

BINGO	\$ 1,990.00
GUN PERMIT AND ID	772.00
LIMO LICENSE	360.00
PHOTOCOPIES	357.50
POSTAGE	6.62
RAFFLE	920.00
TAXI DRIVER	40.00
TAXI OWNER	150.00
POLICE DEPT ACCIDENT REPORTS	5,035.00
SEARCHES	30.00
VENDING MACHINES	100.00
PEDDLAR	-0-
LIQUOR LICENSE	21,943.16
STREET OPENINGS	2,925.00
FISH AND GAME	17.00
TOW TRUCK	475.00
PARKING PERMITS	110.00
RECYCLING PERMITS	10,636.00
AUCTION PERMITS	710.00
LIQUOR LICENSE APPLICATIONS	6.00
NEWSPAPER VENDING MACHINES	350.00
SEASONAL BUSINESS LICENSE	50.00
BID SPECIFICATIONS	25.00
RETURNED CHECK CHARGES	20.00
TOTAL	\$47,448.28

RECREATIONAL BAYFRONT ACCOUNT

PASSES	\$ 27,750.00
BAIT	1,723.25
ICE	618.75
ICE CREAM	415.50
SODA	82.75

TOTAL \$ 30,590.25

ESCROW ACCOUNT
CASH REPAIR DEPOSITS \$ 4,819.50

TOTAL AMOUNT COLLECTED \$100,624.21

Submitted by Allyson M. Cinquegrana, Deputy Borough Clerk

Motion to Accept reports as submitted moved by Mr. Hyer, seconded by Mrs. Atkins with Ayes by all present.

COMMUNICATIONS AND PETITIONS

1. Request for a Resolution of Endorsement/Henry Hudson Trail Southerly Extension/Freehold Branch from the Monmouth County Board of Recreation Commissioners (See Resolutions)

Motion to Approve moved by Mr. Merla, seconded by Mr. Bergen with Ayes by all present.

2. Green Acres letter regarding 2002 Project Funding

Motion to refer to the Recreation Chairman moved by Mr. Merla, seconded by Mrs. Atkins with Ayes by all present.

3. Memo from Keyport Recreation Commission requesting an area along the Waterfront for a skate park.

Motion to refer back to Recreation moved by Mrs. Atkins, seconded by Mr. Hyer with Ayes by all present.

4. Request from ROBETH, LLC for return of their Maintenance Bond.

Motion to refer to Engineer Freda moved by Mrs. Atkins, seconded by Mr. Merla with Ayes by all present.

5. Request for donation from Keyport High School's Baseball team for Central Jersey Championship Rings.

Motion to Approve \$100.00 donation moved by Mrs. Atkins, seconded by Mr. Hyer with Ayes by all present.

6. Letter from Monmouth County Planning Board regarding NJDOT Transportation Enhancement Program applications.

Motion to Receive and File moved by Mr. Merla, seconded by Mr. Hyer with Ayes by all present.

UNFINISHED BUSINESS

1. **Parking/8th, Williamson, Manchester and Fulton.** Mayor Graham said that a memo was sent to all residents involved and responses were received (50/50). Mr. Merla commended the residents that responded; the concern is safety. In 2001, the Police received 188 calls; there was a recommendation for permit parking. There are parking problems throughout town. There was a meeting with Mr. Pomerantz of Green Grove Apartments (Captain Dayback, Mrs. Atkins, Mr. Merla and Mrs. Poling attended). They discussed permit parking. A recommendation was given to Green Grove Apartments to relocate their dumpster to create 11 new spaces. Parking could be allowed on Green Grove Avenue between Eighth Street and Williamson Street; the County said that this would be up to the Borough (this creates 25 spaces); this would provide 36 spaces which could relieve part of the problem. This is a short term solution; a long term solution would be for the pool to be filled in and parking spaces created. It was recommended that parking on Green Grove between Williamson and Eighth Street be tried before parking permits are issued. The Police Department recommended staying away from permit parking. One resident said that this will not remedy anything. Hall and Manchester Avenue had an Ordinance created years ago banning parking on the west side; spaces were striped. Mr. Bergen asked the residents if they could live with this solution for 60-90 days. A resident said that they cannot park in front of their house. Mr. Merla said that management should manage the complex and the overflow of cars should park on Green Grove Avenue. A Fulton Street resident said that the Borough should give the plan a try. John Kovacs, 33 Eighth Street, recommended lining the street for spaces. Bill Cerase, 34 Main Street, asked if Green Grove Apartments have designated parking spaces; the Mayor said

that they do. Mr. Merla said that he respects the residents opinions, as well as the Police Department's opinion; the DOT said to try other remedies before going to permit parking. Captain Dayback said that permit parking can explode and cause other problems. Mr. Hyer said that the apartments should go back to the way they were and the Borough will work with the complex to solve problems. Mr. Bergen asked Mr. Pomerantz if a consultant could be hire to reline the lot; Mr. Pomerantz said that 6 additional spots were created as of today. Raymond Weber, Williamson Street, said that it was inconsiderate that there was no communication regarding the parking problem (there was communication with the residents, but not with him). There has been harassment from Green Grove Apartments to his tenants. The west side of Green Grove Avenue floods; there were no negotiations between Green Grove Apartments and Mr. Weber. There are spaces open at 8 P.M. tonight. Mr. Weber said that the Police Department's response was inconsiderate. Mr. Bergen said that the Borough will try opening up Green Grove Avenue and check on the parking on the west side of Manchester Avenue eliminating Fulton Street and the lining of Green Grove Avenue. A resident said that on the west side of Manchester there is no parking. Roy Jimenez asked how far down Fulton Street; to Eighth Street. Mr. Pomerantz said that he manages Green Grove Apartments and there was a meeting last week with preliminary plans to alleviate the problem. There are 164 units with 174 parking spaces; the first phase would immediately alleviate some of the problem. There are 6 spots now and there will be another 6 spots by next week. A resident asked if letters would be sent to the apartment residents to park on Green Grove Avenue. Some residents come home late at night and cannot find a space to park. Mr. Weber asked for the Borough's position. Mr. Pomerantz has been the property manager for 4 months; there are 164 units with 174 spaces and there are some open spaces. Mayor Graham said that Council has to decide on how to deal with the situation and the steps mentioned will be tried. Mr. Merla said that Green Grove Avenue should be immediately opened for parking; all recommendations should be referred to the Police Department and DOT. Green Grove's manager has to come up with solutions also. Winter snow plowing has to be considered. Mr. Bergen said that additional parking spaces should be created. He asked about no parking on both sides of Eighth Street, no parking on both side of Williamson Street and Parking on Manchester Avenue (west side). The Green Grove Avenue no parking signs will be removed and any other recommendations referred to the Police Department.

2. **Church and Second Street Lot (Block 92, Lots 1, 1.01 and 2).** Mrs. Atkins made a motion to sell it as one piece of property and to advise the Planning Board that it is to be kept as one piece, seconded by Mrs. Ashmore with Ayes by all present. Mr. Foley will be notified that the Borough is not interested in selling.
3. **Water/Sewer Account-216 Atlantic Street.** A letter should be sent that the matter was investigated and there is no cause for an adjustment.

NEW BUSINESS

1. **Handicapped Parking Space-101 Williamson Street, Mobile Home #2.** Motion to prepare an Ordinance moved by Mr. Hyer, seconded by Mrs. Atkins with Ayes by all present.
2. **Special Meeting.** A special meeting will be held on January 31st at 6:00 P.M. in the Council Chambers. Appointment of Borough Attorney and the Contract for the Borough Engineer will be listed.

PUBLIC PARTICIPATION

The meeting was opened to the public for comments or questions pertaining to Agenda items at 11:35 P.M. Kathy Shaw, BID, said that there is a BID Board of Directors Meeting on January 21st and a Budget Timeline is needed. On the February 5th Agenda there should be an Ordinance listed amending the current BID Ordinance and two budgets should be listed. Mary Allen, Maple Place, said that Green Grove Apartments parking should be changed. Bill Terry, KYAL asked about setting up a snack bar at Cedar Street Park; this should be discussed with Recreation. The front house at 20 Pine Street has been abandoned. Motion to refer this matter to Tony Vecchio, CECO, to inspect as an unfit dwelling moved by Mr. Bergen, seconded by Mr. Merla with Ayes by all present. Mr. Bergen asked if the current Broker of Record will be noticed to cancel the policies. The meeting was closed to the public at 11:55 P.M.

RESOLUTIONS

2. Resolution #57-02, Authorize Contract for Borough Auditor, William Meyler

BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that:

WHEREAS, on January 1, 2002, William Meyler was appointed Auditor for the year 2002; and

WHEREAS, it is desirable to have a contract document which spells out the terms and conditions of employment of the Borough Auditor.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Keyport, County of Monmouth, State of New Jersey that the attached Contract marked Exhibit "A" for the services of William Meyler as Borough Auditor is hereby approved.

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute said Contract on behalf of the Borough of Keyport.

BE IT FURTHER RESOLVED, that a notice of this Resolution and Award of Contract shall be published once in an official newspaper of the Borough as required by law, within ten days of the passage of this Resolution.

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

Roll Call Vote: Ayes: Councilmembers Atkins, Merla, Ashmore
Hyer, Stalter

Nays: Councilman Bergen (would like to review)

3. Resolution #58-02, Authorize Contract for Bond Counsel, Wilentz, Goldman & Spitzer

WHEREAS, there exists a need for specialized legal services in connection with the authorization and the issuance of bonds and bond anticipation notes of the Borough of Keyport, in the County of Monmouth, New Jersey (the "Borough"), including the review of such proceedings and the rendering of approving legal opinions acceptable to the financial community; and

WHEREAS, such special legal services can be provided by a recognized bond counsel firm, and the law firm of Wilentz, Goldman & Spitzer, Attorneys at Law, Woodbridge and Eatontown, New Jersey and New York, New York is so recognized by the financial community; and

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

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires that notice with respect to contracts for Professional Services awarded without competitive bids must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, AS FOLLOWS:

1. The law firm of Wilentz, Goldman & Spitzer, Attorneys at Law, Woodbridge and Eatontown, New Jersey and New York, New York is hereby retained to provide the specialized legal services necessary in connection with the authorization and the issuance of bonds and notes by the Borough in accordance with an Agreement submitted to the governing body of the Borough (the "Contract").
2. The Contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a), because it is for services performed by persons authorized by law to practice a recognized profession.
3. A copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Borough.
4. A notice in accordance with the Local Public Contracts Law of

New Jersey shall be published in the legal newspaper of the Borough.

Offered for adoption by Mr. Merla, seconded by Mrs. Ashmore

Roll Call Vote: Ayes: Councilmembers Atkins, Merla, Ashmore
Hyer, Stalter

Nays: Councilman Bergen (would like to review)

4. Resolution #59-02, Appoint Alternate Municipal Prosecutor

WHEREAS, there exists a need for an Alternate Borough Prosecutor in the Borough of Keyport, County of Monmouth, 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 2001, by the Mayor, be and the same is hereby confirmed. The person hereby appointed, Paul Dappolito, 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 Mrs. Atkins, seconded by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Merla
Ashmore, Hyer, Stalter

5. Resolution #60-02, Endorse Monmouth County Parks TEA-21 Application

WHEREAS, the Monmouth County Park System is seeking additional funding for the Henry Hudson Trail Project from the Federal Transportation Equity Act (TEA-21) Transportation Enhancement's Program administered by the New Jersey Department of Transportation; and

WHEREAS, the Borough of Keyport will directly benefit from such a public amenity.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the Borough of Keyport hereby endorses the Monmouth County Park System's Transportation Enhancement's Program application for the Henry Hudson Trail Southerly Extension/Freehold Branch.

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

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Merla
Ashmore, Hyer, Stalter

6. Resolution #61-02, Payment of Bills

See full copy of Resolution as pages 17-21 of these minutes

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

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Merla
Ashmore, Hyer, Stalter

7. Resolution #62-02, Appoint Insurance Broker of Record

WHEREAS, the Borough of Keyport, upon recommendation of the

Finance Committee, routinely authorizes the appointment of an Insurance Broker of Record for the purposes of reviewing all coverage and premiums paid on insurance utilized by the Borough of Keyport; and

WHEREAS, the Finance Committee of the borough of Keyport, having reviewed the qualifications of Frank J. Siracusa and Sons Agency, Inc. of Atlantic City, New Jersey, and having determined that they are qualified to act as Insurance Broker of Record for the purposes of reviewing premiums and coverage utilized by the Borough of Keyport; and

WHEREAS, the Finance Committee has recommended to Mayor and Council appointment of Frank J. Siracusa and Sons Agency, Inc., Atlantic City, New Jersey, as Insurance Broker of Record.

NOW, THEREFORE, and IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of Keyport that Frank J. Siracusa and Sons, Agency, Inc. of 30 South New York Avenue, Atlantic City, New Jersey 08401 be and the same is hereby appointed Insurance Broker of Record for the Borough of Keyport. The Insurance Broker of Record shall review all coverage and premiums applicable to all insurance policies issued on behalf of the Borough of Keyport; and

BE IT FURTHER RESOLVED that a copy of this resolution between the Borough of Keyport and the Insurance Broker of Record should be kept on file with the Borough Clerk and available for public inspection upon request.

BE IT FURTHER RESOLVED that a copy of the within resolution shall be forwarded to Frank J. Siracusa and Sons Agency, Inc., 30 South New York Avenue, Atlantic City, New Jersey.

Offered for adoption by Mr. Merla, seconded by Mrs. Ashmore

Roll Call Vote: Ayes: Councilmembers Atkins, Merla, Ashmore
Hyer, Stalter

Nays: Councilman Bergen (no benefit)

8. Resolution #63-02, Resolve Grievance by Martha Falco

WHEREAS, Martha Falco, Registrar of Vital Statistics/Secretary to the Board of Health filed a grievance pertaining to certain claimed bereavement days wherein she sought to carry forward four (4) bereavement days to the year 2002, which grievance had been denied by the Borough Administrator, also acting as Department Head, upon the basis that there was no provision within the collective bargaining agreement to carry forward said bereavement days; and

WHEREAS, on December 18, 2001, said grievance was heard by the Mayor and Council as Step 3 in the grievance process and they determined that Ms. Falco was entitled to take bereavement leave on Wednesday, November 21, 2001 but had previously arranged for and taken a vacation day on said date and therefore Ms. Falco should be credited with an additional vacation day which, considering all of the circumstances, she would be allowed to carry over to 2002; and

WHEREAS, on January 4, 2002, Ms. Falco accepted this resolution of her grievance.

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

1. Martha Falco shall be entitled to carry forward one bereavement day from the year 2001 to the year 2002 as an additional vacation day and her grievance is, by mutual agreement between the parties, deemed so resolved and terminated.
2. The Borough Administrator is authorized to take such steps as may be necessary to implement the foregoing.

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

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Merla
Ashmore, Hyer, Stalter

9. Resolution #64-02, Special Meeting, January 31, 2002, 6 P.M.
Borough Hall

WHEREAS, the Mayor and Council of the Borough of Keyport have determined it is necessary to schedule meetings of the Governing Body on the following dates and times:

Thursday, January 31, 2002, 6:00 P.M. in the Council Chambers, 18-20 Main Street, Keyport, New Jersey for the purpose of discussing the following matters:

Appointment of Borough Attorney, Authorizing Contract with Borough Engineer and any other business which may come before Council; and

WHEREAS, the Open Public Meetings Law requires that "48 hour notice" of such meetings be given as required by said law.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Keyport shall hold Special Meetings as stated in the Council Chambers, 18-20 Main Street, Keyport, N.J.

BE IT FURTHER RESOLVED that notification of said meetings be mailed forthwith to the Asbury Park Press, the Courier, and the Two River Times.

BE IT FURTHER RESOLVED that notice of said meetings be posted on the bulletin board in the Borough Hall and that a copy of said notice be filed with the Borough Clerk and also furnished to any person who has requested, in writing, that the Governing Body furnish a copy of any regular meetings scheduled or revisions thereof, and any advanced written notice of any regular, special or rescheduled meetings of the Governing Body as required by law.

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

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Merla
Ashmore, Hyer, Stalter

ADJOURNMENT

Motion to Adjourn moved by Mr. Merla, seconded by Mr. Hyer with Ayes by all present.

Time of Adjournment: 11:59 PM

Respectfully submitted,

Judith L. Poling
Judith L. Poling, RMC/CMC
Borough Clerk/Administrator

Allyson M. Cinquegrana
per Allyson M. Cinquegrana, RMC
Deputy Borough Clerk