Approved 8/19/08

January 15, 2008
Keyport, New Jersey

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

Mayor Bergen called the meeting to order at 6:30 P.M. Clerk Valerie Heilweil read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Kovacs, Sheridan, Hill, Bolte (arrived 6:50 p.m.), Ortman, Walling. Others present: Mr. Wisniewski, Borough Attorney and Borough Administrator Valesi. Absent: Mayor Bergen.

RESOLUTION

1. Resolution #54-08, Closed Meeting - Personnel, Litigation, Labor Relations and Contract Negotiations

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, Mayor and Council of the Borough of Keyport are of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss:

- o Litigation - Syntec Settlement Agreement
- o Personnel - Administration

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that a meeting of the Mayor and Council shall be held forthwith from which the public shall be excluded in the Council Chambers, Borough Hall, for the purpose of discussing the above-mentioned items.

BE IT FURTHER RESOLVED that discussions conducted at said Closed Session shall be disclosed when the matters discussed are resolved and this meeting shall continue in approximately 20 minutes.

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

Roll Call Vote: Ayes: Councilmembers Kovacs, Sheridan, Hill, Bolte, Ortman, Walling
Nays:
Abstain:
Absent:

Mayor Bergen called the meeting to order at 7:08P.M. and read the Sunshine Law Notice. The Pledge of Allegiance was said and there was a Moment of Silence.

APPROVAL OF MINUTES

January 16, 2007 - Special

Offered for adoption by Mr. Ortman, second by Mr. Sheridan with Ayes by all present.

COMMUNICATIONS AND PETITIONS

1. Request for Street Opening from NJ Natural Gas for 27 Main Street for the purpose of an oil conversion.

Motion to approve moved by Mr. Sheridan, second by Mr. Hill with Ayes by all present. Request for Street Opening from NJ Natural Gas for 39 Fifth Street for the purpose of an oil conversion

Motion to approve moved by Mr. Sheridan, second by Mr. Hill with Ayes by all present.

2. Request for Raffle License from Keyport First Aid Squad for raffle to be held weekly from March 13, 2008 - March 12, 2009 at the Keyport First Aid Squad. In addition, they are requesting all Borough fees be waived.

Motion to approve moved by Mr. Kovacs, second by Mr. Sheridan with Ayes by all present.

3. Request for Bingo License from Keyport First Aid Squad to be held Thursday evenings from March 13, 2008 through March 12, 2009. In addition, they are requesting all Borough fees be waived.

Motion to approve moved by Mr. Kovacs, second by Mr. Sheridan with Ayes by all present.

4. Request for Raffle License from St. Joseph School PTA for an off-premise draw raffle to be held June 7, 2008

Motion to approve moved by Mr. Kovacs, second by Mr. Sheridan with Ayes by all present.

REPORTS OF DEPARTMENTS

1. Borough Clerk's Monthly Report for December 2007
2. Tax\Water\Sewer Collector's Report for December 2007
3. Monthly Report for Building Department for November and December 2007
4. Board of Health Treasurer's Report for December 2007, Yearly Report for 2007, and minutes of the December 11, 2007 meeting.
5. Property Maintenance Monthly Report for December 2007 and Yearly Report for 2007
6. Municipal Court's Monthly Cashbook Report for December 2007
7. Keyport Recreation Commission Minutes of January 3, 2008

All reports are on file in Borough Clerk's Office for review.

Motion to approve moved by Mr. Walling, second by Mr. Sheridan with Ayes by all present.

COMMITTEE REPORTS

Councilman Kovacs; Building and Grounds and Library: Mr. Kovacs reported that he attended a meeting of the Library Board.

Councilman Sheridan; Fire, First Aid & Emergency Services: Mr. Sheridan reported that First Aid ws up to sixty (60) calls. OEM generator quote - want to power squad in event of emergency. Mr. Valesi believes it would be around $75,000 he would work up a new quote. Mayor suggests they look into Homeland Security to see if there are any grants.

Councilman Hill; Health and Recreation: Mr. Hill has had a request from Aberdeen/Matawan Softball league to use Cedar Street Field. Recreation is looking into charging $100.00 for use of lights.

Recreation is holding a Pasta Dinner on February 9th from 5-8 PM. Mayor would like to amend Ordinance for fee for Baseball fields for the season.

Councilwoman Bolte; Finance, Grants and Redevelopment: Ms. Bolte asked about replacing the snow fence along promenade. Mr. Valesi states that people are always going to go thru. It could be tightened up. Ms. Bolte submitted to Council a Pay-to-Play Ordinance. Will get on February 5th meeting. There was a NPP work plan meeting. There is a lot of positive feedback. Once the work plan has been accepted it will be posted on the website.

Garden Club kick off meeting is January 27th at 7PM, wants to come back with a process for mercantile license. A fee, a screening process, also a fingerprinting and identification processing.

Councilman Ortman; Police: Mr. Ortman received a letter of thanks from 180 Turning Lives around. Would like commend Chief Mitchell for his attempt to secure grants. He received a grant for a portable video surveillance system.

Councilman Walling; Public Works/Recycling/Property Maintenance: Mr. Walling reported that the recycling center is open all Saturdays. Mr. Walling gave some numbers from the Property Maintenance Report. Harbor Commission had their first meeting last night; the Mayor will give names of appointees.

ADMINISTRATOR'S REPORT

Mr. Valesi reported on the following: Waterfront Park Project meeting to review details on utility relocation. Will be meeting with utility company to possibly eliminate poles along waterfront. Union Negotiation meetings held with all three units over the last month. Bids for ADA accessible bathroom Resolution on agenda - low bid $52,000. Budgets are being compiled and reviewed for preliminary. RFQ Aeromarine currently reviewing qualifications. Resolutions for soil testing on street sweepings plan to allow us to reuse for fill. Harbor Commission working on reconfiguration on the boat ramp. Would like to have Council approve at next meeting. Reval proposal is complete. Tanks removed from boat ramp.

Mr. Ortman asks about the schedule for demolition of sewerage treatment facility. Mr. Valesi replies that it is a resolution on tonight's agenda to get rid of property in the building.

Mayor Bergen thanked NPP committee for all their work. Borough will get $25,000 to do a study over the next five (5) years. Mayor would like to get a plan in place for the waterfront park.

ATTORNEY'S REPORT

Borough Attorney had nothing to report at this time.

NEW BUSINESS

44 East Front Street- met with Spanish American Club regarding liquor license. Ordinance would have to be adopted to increase number of licenses. Would like to introduce the Ordinance at next meeting. Would like to know if anyone is opposed? Reduced the number after Masonic temple let their license lapse. No objections heard, attorney will prepare the Ordinance.

Mr. Walling asked about the lighting on First Street. Mr. Valesi responded that lights are ordered and are waiting to be installed. Was soil tested when tanks were removed? Yes, Mr. Valesi explained procedure. Over burdened soil not contaminated. Still needs to test beneath the saturated level.

Mr. Sheridan, voting district 6 staying at Liberty. Regarding the Governor's toll hike plan, wants to make a motion for a Resolution condemning the plan.

Mayor - work with clerk to get something on for next week.

Mr. Hill - invited to serve on a committee, Improvements to Keyport football field. Three sports (football, baseball and track). Locker room is in terrible condition.

RESOLUTIONS

1. Resolution # 55-08 Salary Resolution
2. Resolution #56-08 Authorizing Hatch Mott MacDonald to Perform Soil Sampling Analysis and Reporting
3. Resolution #57-08 Authorizing Execution of Contract with the Visiting Nurse Association of Central Jersey
4. Resolution #58-08 Appointing Special Legal Counsel
5 Resolution #59-08 Appointing Consulting Engineer and/or Planning Services Consultant
5. Resolution #60-08 Authorizing Acceptance of a Grant for Funding of the Bayshore DWI Saturated Patrols
6. Resolution #61-08 Awarding Contract to Helios Construction, Inc. for ADA Accessibility Improvements to the Library and Authorizing Execution of the Contract
7. Resolution #62-08 Appointing Crossing Guard
8. Resolution #63-08 Authorizing Disposal of Certain Personal Property Not Needed for Public Use
9. Resolution #64-08 Authorizing Syntech Settlement Agreement
10. Resolution #65-08 Authorizing Execution of Access Agreement - Aeromarine
11. Resolution #66-08 Payment of Bills

Mayor, Resolutions #5&6 Legal Counsel, Engineer and Planning Request For Qualification was advertised for.

Motion to approve moved by Mr. Walling, second by Mr. Sheridan with Ayes by all present.

PUBLIC COMMENT PORTION

The Meeting is opened to the public at for comments or questions at 7:52 P.M.

Mike Lane, First Street, supports the proposal for a Resolution against toll hikes. Parking lots on Church and first marked off with pink paint.

Mr. Valesi, this was due diligence on the part of a real estate transaction - BDA designated property.

Bob Ludwig, 50 Beers Street, asked about the status of approvals for inspections on the Apollo Sewer Property. Mr. Valesi replied did not have it. Mr. Ludwig questioned Council about this. We don't have any legal right to force it on them. DEP has certain legal rights, feels some testing could be done from the street. Mr. Valesi, Brownfields Committee has tried to exhaust every means possible to gain access to the site under "friendly" terms. Attorney stated right now the Borough has no ability to force the issue. Not a simple process, property rights held in high esteem.

Bob Ludwig, talked about last nights Environmental Commission meeting regarding NRI. Mentioned three considerations! 1. Study impact of global warming 2. how can extend wildlife and flower inventory 3. state level classifications for historic district.

Al DeGracia feels the athletic field at the school is in poor condition. Would it serve public better if we could lease the use of the fields? Mr. Hill, the land is owned by the Board of Education.

Eleanor Cosgrove, 72 First Street, noticed street signs at First and Church. When will a sign be at Broad and First? Mayor will take a look at into it.

There being no further comments or questions the meeting was closed to the public at 8:12 P.M.

ADJOURNMENT

At 8:12 P.M. Motion to adjourn was made and carried with Ayes by all present.