Approved 3/15/05

January 20, 2004
Keyport, New Jersey

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

Council President June Atkins called the meeting to order at 7:04 P.M. and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Wedick, Doyle, Atkins, Hyer. Absent: Councilmen Bergen, Stalter. Others present were Mr. Kain, Borough Attorney.

RESOLUTION

1. Resolution #69-04, Closed Meeting - Personnel, Litigation, Labor Relations, Contract Negotiations

(Full copy of Resolution attached hereto and made part of these minutes.)

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

Roll Call Vote: Ayes: Councilmembers Wedick, Doyle, Atkins, Hyer
Absent: Councilman Bergen, Stalter

Council went into closed session at 7:04 P.M. and this meeting was reconvened at 8:04 P.M.

Mayor Merla (arrived at 7:12 P.M.) called the meeting to order at 8:04 P.M. and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Wedick, Doyle, Atkins, Stalter (arrived at 7:10 P.M.), Hyer. Absent: Councilman Bergen. Others present: Mr. Kain, Borough Attorney and Mr. Freda, Borough Engineer.

Councilman Hyer led the Pledge of Allegiance/Moment of Silence.

REPORTS OF COMMITTEES

Councilman Wedick; Police: Mr. Wedick reported there is a PBA meeting scheduled for February 19, 2004.

Councilman Stalter; Fire: Mr. Stalter reported the new Fire truck will be delivered on Thursday; Fire Patrol will be starting an explorer group ages 15-18 years, which will meet on the third Wednesday of the month; Mr. Stalter will be attending the Board of Chiefs meeting next week.

Councilman Hyer; Public Works/Recycling/Property Maintenance: Mr. Hyer reported on the following items: Christmas Tree will be picked up; there was a water main break; Public Works is salting and sanding; there was a sump pump problem which required supplies and man hours; water meters are being read

and readings checked for high readings; a small dump truck will arrive in the Borough this week; The Borough Engineer attended the Harbor Commission Meeting; Mr. Carton, Atlantic Street and Hwy 36, had a concern which was responded to, he sent a letter regarding questions. (Mayor Merla thanked the Public Works for snow removal.)

Councilwoman Atkins; Health/Recreation/Parks: Mrs. Atkins reported on the following: She attended the First Aid meeting and stated they asked for consideration at budget time; she attended the Recreation meeting and received a list of concert dates, and reported a new director was hired; she attended the Board of Health meeting but there was no quorum; she attended the Redevelopment meeting; she attended the Drug Alliance meeting (three people showed up for meeting) and reported an assessment is needed and due to county. Kathy Shaw entered the KBA in a Tourism Awards Marketing Contest.

Councilman Bergen; Finance: Absent.

Councilman Doyle; Building & Grounds/Library: Mr. Doyle reported on our move to the new Municipal Complex over the weekend and that there were some glitches.

Administrator Poling: Mrs. Poling reported on our move to the New Municipal Complex and advised on status.

Engineer Freda: Mr. Freda reported 1) Atlantic Street design is ready and that the gas company will need an extension of time. (Mayor Merla asked if the gas line is over the sewer and he has a contact name; 2) Department of Public Works is progressing on schedule and that he is meeting with his people and George Sappah; 3) a Bulkhead meeting scheduled with Mr. Garafalo and he is getting feedback from the Borough Planner.

Attorney Kain: Mr. Kain reported 1) Magic Touch Oral Arguments were scheduled for January 9, 2005 and it went well re land owner and that Judge O'Hagan reserved his decision; 2) Therese Street Project will be awarded tonight (base bid only); and 3) a Redevelopment meeting was held Thursday night which showed courtesy, consideration and respect.

Mayor Merla: Mayor Merla apologized for being late stating he brought the meeting had been cancelled and reported on the following: He spoke with the (Redevelopment) Planner, they will modify the plan and maps, and will adopt same at the next meeting - and asked if the site of Beers Street and West Front Street should be added to the scope? If added Kara Homes can go before the Planning Board, if not, it falls within the map area and they would make an informal presentation before the Planning Board. The Planner on Planning Board also gave his recommendation. The Aeromarine is too big not to include. Pilings are needed. (Mr. Kain advised that there will be an amendment to delete the homes by the Aeromarine.) Three task forces need to be created as follows: 1) Business; 2) Residential; 3) Ad Hoc and a list of names is being prepared. Thursday night's meeting was well run. There was a 1984 article and now, twenty years later, redevelopment. Former Mayor Bergen was quoted regarding redevelopment. The Army Corp of Engineers need to dredge the harbor and the boat ramp, and the Conover property needs to be condemned. He and Councilwoman Atkins discussed the Kelly Bills, Keyport Legion Apartments: he asked Wes Kain to contact

the manager. They are asking for the garbage $2,350.00 to be deducted in lieu of taxes (is a percentage). Last month there were two police car accidents. There is a company that sells new police cars for $1.00 for sponsorship on police cars using commercial advertisements. Advertisers are checked. Last Friday night was a meeting of the Bayshore Conference of Mayors, of which Mayor Merla is the Chairman, which Lt. Mitchell attended. The Task Force has had no raise in many years plus there is a $2,500.00 fee from each town. The Task Force is successful due to the towns not the county. Ferry Service: the Borough has been approached by a company which has been in business for 70 years, that is interested in a recreational lease - they do not need a pier, they will put a barge in and front end load and are looking for a diversion. Circle Line own all the boats and will have a new boat which costs $7,000,000.00. This will be discussed at the Harbor Commission Meeting. Mr. Kain spoke with the owner and with Green Acres and they would consider diversion along the bulkhead. The Borough would have to file for a diversion and hold public meetings. The 30 X 80 barge would be enclosed in a vinyl canopy. Mr. Wedick asked about dredging. Mayor Merla said none would be required and stated the Army Corp of Engineers are to set a date to come out. This will be listed on the February 3, 2004 Agenda. Building Department December revenues have never been this high in 18 years - $22,000.00. The new Borough Hall Grand Opening is set for April, inviting dignitaries.

REPORTS OF DEPARTMENTS

September 2003

1. Police Department/Firearms/Fingerprint Report for September 2003

   Total collected: $0.00

   Submitted by Theodore Gajewski, Police Chief

2. Police Department/Traffic Safety Bureau Report for September 2003

   Total collected: $370.00

   Submitted by Theodore Gajewski, Police Chief

December 2003

3. Borough Clerk's Report for December 2003

WATER/SEWER ACCOUNT

WATER CONNECTION	$ 800.00	
TURN ON CHARGE	100.00	
WATER METER	-0-	
SEWER CONNECTION	1,000.00	
SEWER/POOL PERMIT	-0-	
WATER METER W/TO	-0-	
OTHER	-0-	
TOTAL WATER/SEWER	**$1900.00**	**CK # 3586**

CURRENT ACCOUNT

BINGO LICENSE	$ 1580.00

FIREARM & FINGERPRINTING	-0-
LIMO LICENSES	-0-
PHOTOCOPIES	107.34
POSTAGE	-0-
RAFFLE LICENSE	20.00
TAXI LICENSE, DRIVER	25.00
TAXI LICENSE, OWNER	-0-
POLICE DEPT. ACCIDENT RPT	511.00
SEARCHES	-0-
VENDING LICENSE	-0-
LIQUOR LICENSE	-0-
STREET OPENING	375.00
FISH & WILDLIFE	3.00
CFC PERMITS	280.00
PARKING PERMITS	-0-
AUCTION	-0-
OTHER TOW TRUCK LICENSES	500.00

TOTAL CURRENT $3401.34 CK# 3587

RECREATIONAL BAYFRONT IMPROVEMENT TRUST

BOAT LAUNCHING	$ -0-
BAIT	
ICE	
SODA	
ICE CREAM	
TOTAL RBIT	**$-0-**

ESCROW ACCOUNT

CASH REPAIR $351.00 CK#3589

TOTAL RECEIPTS $ 5652.34

Submitted by Judith L. Poling, Borough Clerk

4. Building Department's Report for December 2003

PERMIT TYPE	NO. ISSUED	AMOUNT
State DCA Fee	47	$ 994.00
Construction Certificates	1	$ 55.00
Plumbing	28	$3513.00
Electrical	27	$3125.00
Building	23	$9627.00
Fire Sub Code	19	$1430.00
Code Enforcement/ Certificate of Occupancy	51	$1325.00
Transfer of Title	14	$ 505.00
Smoke Detectors	51	$1020.00
Zoning	6	$ 60.00
200 Ft. Property List	2	$ 20.00
Miscellaneous	3	$ 75.00
Copies	0	$ -0-
Const. Debris Deposit	11	$ 550.00
Const. Violations	0	$ -0-
Const. Re-Inspection	0	$ -0-
TOTALS		**$22299.00**

ACCOUNTS PAYABLE

Amount Paid to Borough: Check #2438 $20755.00

State Fee Due Oct, Nov & Dec 2003 Check #2439 $ 1927.00

Submitted by Annette Kovacs, Senior Permit Clerk

5. Municipal Court's Report for December 2003

	Traffic	Criminal
State Fines	$ 436.00	$ -0-
State Surcharges	$ 793.00	$ 200.00
State Uninsured	$ 249.00	$ -0-
County funds	$1110.00	$1038.48
County Fines	$4965.50	$ -0-
Municipal Fines	$4965.50	$4553.00
Municipal Costs	$3254.00	$ 831.50
Municipal Parking	$ 786.00	$ -0-
Miscellaneous	$1310.70	$2686.02

Total of all checks disbursed:	$22206.47
Total of all Ach Disbursed:	4971.53
Total Monies Disbursed	$27178.00

Submitted by Kathryn Coffey, Court Administrator

6. Board of Health Treasurer's Report for December 2003

TOTAL COLLECTED IN THE BOARD OF HEALTH OFFICE $8128.40

Dog Licenses	$ 22.40
Cat Licenses	$ -0-
Marriage Licenses	$ -0-
Burial Permits	$ 36.00
Death Certificates	$1385.00
Marriage Certificates	$ 200.00
Birth Certificates	$ 5.00
Pool Permits	$ -0-
Plan Review	$ -0-
Food Handlers	$6480.00
Miscellaneous	$ -0-

Disbursements:

Check #2777	Boro of Keyport Misc. Acct.	$8106.00
Check #2778	Boro of Keyport Trust Acct.	$ -0- Void
Check #2779	Boro of Keyport Dog Acct.	$ 14.00
Check #2780	NJS Dept. of Health	$ 8.40

Submitted by Ann Biagiante, Treasurer

7. Tax Collector's Report December, 2003

2003 Taxes.....	$ 117,671.70
2002 Taxes.....	39,487.15
2004 Prepaid Taxes.....	31,715.19
2001 Taxes.....	-0-
Prior Years Taxes.....	-0-
Property Redeemed.....	-0-
Interest and Costs.....	14,782.42
Tax Searches.....	10.00
Post Office Land Rent.....	137.30
Sr. Citizen Housing in lieu of Taxes....	43,127.00
Return Check Charges.....	40.00

All Other Miscellaneous Revenue.....	431,707.98
Total Current Receipts.....	**$678,678.94**
Water/Sewer Rents.....	46,443.28
Interests and Costs.....	1,682.11
Turn on Charges.....	-0-
Returned Check Charges.....	-0-
Pool Permits.....	45.00
Water Meter with Turn On.....	400.00
New Meter & Installation Charge.....	-0-
Water & Sewer Connections.....	8,000.00
Water Test Charge.....	-0-
Fire Service.....	-0-
Meter Replacement, parts, etc.....	-0-
Demolition Permits.....	-0-
All Other Miscellaneous Revenue/Leases..	99,418.61
Total Water/Sewer Receipts.....	**$155,989.00**

Submitted by Pauline Redmond, CTC

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

YEAR END REPORTS

FOR YEAR 2003

8. Borough Clerk's Report for Year ending December 31, 2003:

WATER/SEWER ACCOUNT

WATER CONNECTION	$8,221.46
TURN ON CHARGE	-0-
WATER METER	455.06
SEWER CONNECTION	8,000.00
SEWER/POOL PERMIT	390.00
WATER METER W/TO	1,040.00
METER ONLY	-0-
DEMOLITION	300.00
TOTAL	**$18,406.52**

CURRENT ACCOUNT

BINGO LICENSE	$ 1,580.00
FIREARM & FINGERPRINTING	138.00
LIMO LICENSES	120.00
PHOTOCOPIES	1,139.39
POSTAGE	11.53
RAFFLE LICENSE	980.00
TAXI LICENSE, DRIVER	150.00
TAXI LICENSE, OWNER	250.00
POLICE DEPT. ACCIDENT RPT	4,930.00
SEARCHES	60.00
VENDING LICENSES	-0-
PEDDLER	670.00
LIQUOR LICENSE	21,616.30
STREET OPENING	2,250.00
FISH & WILDLIFE	15.00
CFC PERMITS	3,300.00
PARKING PERMITS	220.00
AUCTION	60.00
TOW TRUCK LICENSES	500.00
LIQUOR LICENSE APPLICATION	3.00
NEWSPAPER VENDING	250.00

SEASONAL BUSINESS LICENSE	50.00
TOTAL	**$38,293.22**

RECREATIONAL BAYFRONT IMPROVEMENT TRUST

BOAT LAUNCHING/ PASSES/PERMITS	$23,365.00
BAIT	1,477.00
ICE	705.50
SODA	260.75
ICE CREAM	2.00
TOTAL	**$25,810.25**

ESCROW ACCOUNT

CASH REPAIR	**$2,503.00**

TOTAL RECEIPTS $85,012.99

Submitted by Judith L. Poling, Borough Clerk

9. Board of Health Treasurer's Report for Year 2003

TOTAL COLLECTED IN THE BOARD OF HEALTH OFFICE $45,873.45

Dog Licenses	$ 6844.40
Cat Licenses	$ 1343.40
Marriage Licenses	$ 1316.00
Burial Permits	$ 376.00
Death Certificates	$14685.00
Marriage Certificates	$ 1420.00
Birth Certificates	$ 25.00
Pool Permits	$ 100.00
Plan Review	$ 1000.00
Food Handlers	$13350.00
Miscellaneous	$ 5413.65

Disbursements:

Check #	Boro of Keyport Misc. Acct.	$37,510.65
Check #	Boro of Keyport Trust Acct.	$ 175.00
Check #	Boro of Keyport Dog Acct.	$ 7,015.40
Check #	NJS Dept. of Health	$ 1,172.40

Submitted by Ann Biagante, Treasurer

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

COMMUNICATIONS AND PETITIONS

1. Letter from Allen Consulting regarding third annual Memorial Day Parade

Motion to approve moved by Mrs. Atkins, seconded by Mr. Hyer with Ayes by all present.

NEW BUSINESS

1. Letter from Birdsall Engineering re Proposal for records review, building inspection, letter report for six buildings (visual inspection only). See Resolutions.

2. Letter from Birdsall Engineering for services for the Improvements to Atlantic Street Phase II. See Resolutions.

PUBLIC COMMENT PORTION

The Meeting was opened to the public at 8:47 P.M. for comments or questions.
Robert Zwingraf, Cedar Street, asked about Benjamin Terry Bulkhead meeting. (Contractor was also at the meeting.) Mr. Hyer said they discussed repairs and stated the Engineer is to make a recommendation. Mr. Freda stated it is an emergency situation and they are evaluating the data. It has been fenced off for now and is being monitored. No sheathing is included, only filling and grading off is being done and he recommended that stone and dirt be used. Mr. Freda stated the initial work will cost $30,000.00 for remedial measures. It was recommended that the previous resolution be amended. George Sappah is to inspect the site. Mr. Zwingraf asked if Public Works can do the job? Mr. Freda replied, yes, but it takes away from their regular work. Mayor Merla commented it is dangerous job for Public Works. Mr. Zwingraf, asked where the cars will park for the ferry? Mayor Merla stated we need 150 spots. Mr. Zwingraf asked if they would be parked at the Bulkhead? Mayor Merla said the older sewer treatment plant could be used for a new three tier parking garage (no higher than West Front Street) that would hold 250 cars. Mr. Freda stated 80 spaces, plus 40 cars parking garage. Mayor Merla said if parking lot is used as a parking lot we have identified 39 spots. Green Acres said up to 150 spaces. Parking is an issue. George Walling, Second Street, asked about the property on Beers Street - Apollo Equipment still there. (Memo to be sent to Anthony Vecchio and Robert Burlew to remove. Mr. Walling advised there has been a gold chair on West Front Street since last Wednesday. He advised that the house on Osborn Street that had a fire in August 2003, the doors are open. (Mr. Hyer spoke with William Cerase). He asked about the use of St. Joseph's for people waiting on Maple Place for work. Chief Gajewski advised if there are over 30 officers on the Task Force Keyport has to send an officer every third year. American Legion Drive/Bulkhead, Mr. Freda said they would start in September/October and it will take 4-6 months just for the bulkhead. The lighting and promenade will take additional time. George Walling stated he and Kevin Graham were on the Municipal Complex committee and attended meetings on Borough Hall. He wants to commend everyone involved for a good job. Mrs. Atkins stated they looked at other buildings and it took time.

The Public Comment portion of the meeting was closed at 9:09 P.M.

CLOSED MEETING

Council went back into Closed Session at 9:22 P.M. and this meeting was reconvened at 9:45 P.M.

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

RESOLUTIONS

Full copies of Resolutions attached hereto and made part of these minutes.

Street

5. Person-to-Person/Place-to-Place Liquor License transfer to Garibaldi Restaurant 2 Inc/Elio Marinez (Held)
6. Resolution #73-04, Extension of Time/Atlantic Street, Gas Company
7. Resolution #74-04, Asbestos Renewal proposal by Engineer
8. Resolution #75-04, Engineer's proposal Atlantic Street Phase II
9. Resolution #76-04, Amend Resolution on Engineering Benjamin Terry Park at the Bulkhead not to exceed $30,000.00.
10. Resolution #77-04, Authorize Advertisement for Receipt of Bids/Catamaran Lease
11. Resolution #78-04, Authorize advertisement for receipt of bids for Hot Dog Stand lease
12. Resolution #79-04, Award Highest Responding Bidder for Charter Fishing Boat Lease
13. Resolution #80-04, Advertise in-house for Building & Grounds Employee
14. Resolution #81-04, Bill Diversion

All Resolutions 2-14, Offered for adoption by Mr. Hyer, seconded by Mr. Stalter

Roll Call Vote: Ayes: Councilmembers Wedick, Doyle, Atkins, Stalter, Hyer
Absent: Councilman Bergen

ADJOURNMENT

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

Time of Adjournment: 9:45 P.M.

Respectfully submitted,

Judith L. Poling

Judith L. Poling, RMC/CMC
Borough Clerk

RESOLUTION
69-04
CLOSED MEETING

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

Personnel
1. Deputy Tax Collector/Deputy Treasurer Position
2. Borough Clerk's Office
3. Building and Grounds Maintenance Worker

Litigation
1. PBA vs Borough of Keyport
2. Magic Touch vs Borough of Keyport

Labor Relations
1. Grievance-Various Employees
2. Grievance-Senior Account Clerk
3. PBA Negotiation

Contract Negotiations
1. New Municipal Complex
2. Health Services
3. Garbage Contract (First Occupational)
4. Catamaran Lease
5. Hot Dog Vendor Lease
6. Charter Fishing Boat Lease
7. Ferry Service

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 (X) Forthwith, ( ) at the conclusion of this meeting, ( ) immediately following the adoption of the Resolution Portion of this meeting from which the public shall be excluded in the ( ) Mayor's Office, ( ) Council Chambers, ( ) Conference Room, (x) Senior Citizen Center Meeting Room, ( ) First Aid Building Meeting Room, ( ) Central School Meeting Room for the purpose of discussing the following subjects:

(X) Personnel ( ) Litigation (X) Labor Relations (X) Contract Negotiations

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

OFFERED BY: Councilman Hyer 2ND BY: Councilman Wedick

ROLL CALL VOTE:

AYES:	Councilmembers Wedick, Doyle, Atkins, Hyer
NAYS:	None
ABSTAIN:	None
ABSENT:	Councilmembers Bergen, Stalter

I, JUDITH L. POLING DO HEREBY CERTIFY THIS TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT AT A SPECIAL MEETING HELD ON JANUARY 20, 2004.

Judith L. Poling

JUDITH L. POLING, RMC/CMC
BOROUGH CLERK

RESOLUTION
70-04
AUTHORIZE EMERGENCY

WHEREAS, an emergency existed on January 10, 2004 , radio communication was lost between the Keyport Water Plant and Shorelands SCADA system; and

WHEREAS, this emergency affected the public health, safety and welfare and required immediate action; and

WHEREAS, the immediate need to repair on an emergency basis could not have been reasonably foreseen and exceeded the amount set forth in N.J.S.A. 40A:11-6.1; and

WHEREAS, the Mayor, in furtherance of his duties and responsibilities, authorized acceptance of a proposal from Allied Control to effectuate the repairs in the amount of $3,885.00; and

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

1. The prior authorization to Allied Control of West Point, Penna., to perform emergent work to repair the SCADA radio system at the Keyport Water Plant on and about January 10, 2004 in the total amount of up to $3,885.00 is approved.

2. The appropriate Borough Officials are authorized to sign such documents as may be required to effectuate the foregoing.

3. A certificate of availability of funds is annexed hereto.

OFFERED BY: Councilman Hyer 2ND BY: Councilman Stalter

ROLL CALL VOTE:

AYES:	Councilmembers Wedick, Doyle, Atkins, Stalter, Hyer
NAYS:	None
ABSTAIN:	None
ABSENT:	Councilman Bergen

I, JUDITH L. POLING, DO HEREBY CERTIFY THIS TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT AT A MEETING HELD ON JANUARY 20, 2004.

Judith L. Poling
JUDITH L. POLING, RMC/CMC
BOROUGH CLERK

SHORELANDS WATER CO., INC.

1709 Union Avenue - P.O. Box 158 • Hazlet, New Jersey 07730 • (732) 264-7300 • Fax (732) 264-6154

January 12, 2004

Keyport Borough
18-20 Main Street
Keyport, NJ 07735
Attn: Mayor & Council

Re: Keyport Radio System Repair
Keyport Water Tower

Gentlemen:

On the evening of January 10th, we lost radio communication between the Keyport tank and our SCADA system, which is located at our main office. At the present time, this system is still inoperable. On January 11th, Allied Control Services investigated the problem at the Keyport tank and found that both the radio transceiver and the antenna cable need to be replaced. Allied Control has forwarded to us an estimate for this repair for $3,885. A copy of their estimate is enclosed. Without the function of this equipment, Shorelands has no way to determine the elevation of the water in the tank. At the present time, we are in communication with your personnel who are supplying us with the necessary tank levels. If this line of communication should break down, it could result in overfilling the tank, not having an adequate supply of water in tank, or over-pressurizing Keyport's water system. It is imperative that these repairs are done as soon as possible.

Shorelands needs the authorization from Keyport to proceed with this work since all of the equipment belongs to the Borough and it is the Borough's responsibility to maintain this equipment.

Sincerely,

SHORELANDS WATER CO., INC.

John T. Giblon SH

John T. Giblon
Director of Plant Operations

JTG/sh
Encl.
cc: Judith Poling/Administrator
George Sappah/Superintendent

040112JTG

1/12/04 Authorized per Mayor Merle
Advised J. Giblon
JSP

ACS
ALLIED CONTROL SERVICES, INC.
611 GARFIELD AVE. - P.O. BOX 234 - WEST POINT, PA 19486
Phone: 215-699-2855
Fax: 215-699-9030

FAX TRANSMITTAL

Date: Monday, January 12, 2004

To: Shorelands Water Company
Artie Salegna
Phone: 732-264-5510
Fax: 732-264-6154

From: Allied Control Services, Inc.
Paul C. Mamzic
Phone: 215-699-2855
Fax: 215-699-9030

Copy:

Pages (including this page): 2_____

Subject: Keyport Radio System Repairs

Artie,

Following this cover page is the quote for the Keyport system repairs. Please give me a call if you have any questions.

Paul

ACS
ALLIED CONTROL SERVICES, INC.
611 GARFIELD AVE. • P.O. BOX 234 • WEST POINT, PA 19486
Phone: 215-699-2855
Fax: 215-699-9030

January 12, 2004

Shorelands Water
P.O. Box 158
1709 Union Avenue
Hazlet, NJ 07730

Attention: Mr. Art Salegna

Reference: Keyport Radio System Repair

Dear Art:

Per your request, we are pleased to provide the following quotation for repairing the SCADA radio system at the Keyport water plant. The equipment and services to be provided are as follows:

Item	Qty	Description
1	1	½ inch Heliax antenna cable with new cable, connectors, Polyphaser lightning arrestors and antenna cable grounding kits.
2	-	Replace Modpac radio transceiver, program and test.
3	-	Furnish turnkey mechanical/electrical installation and testing for above equipment.

Total Installed Price for this site: $3,885.00
Delivery: 1 to 2 Weeks After Receipt Of Order

If you have any questions regarding the quote, please give me a call or if you would like to proceed with the work, please call Chuck Reiter, Vince Camuti or Bill Schwarz at 1-800-441-4844.

Sincerely,

Paul C. Mamzic

PCM/

CC: Quote File

Instrumentation • Electrical • SCADA • PLC-DCS • Maintenance • Repair • Calibration
Programming • Sales • Engineering • Systems Integration • Installation

RESOLUTION FOR THE PAYMENT OF BILLS

71-04

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

No. OF VOUCHER	NAME	DEPARTMENT	AMOUNT
See Attached numbers	**CURRENT:**		
	Borough of Keyport, Payroll Account Current,	Payment of Bills	$ 473,449.58
	Borough of Keyport, Payroll Account	Payroll Account	113,919.91
	Borough of Keyport, Payroll Account	Payroll Account	2,440.74
		Total Current.....	$ 589,810.23
See Attached numbers	**WATER AND SEWER:**		
	NJ Water Supply Authority Water and Sewer	Payment of Bills.....	$ 478,599.49
	1010.299		33,223.78
	Borough of Keyport, Payroll Account	Payroll Account	16,917.49
		Total Water and Sewer..	$ 528,740.76
	GENERAL CAPITAL:		
	00294 Borough of Keyport, Payroll Account	Payroll Account	1,517.87
240	00521 Asbury Park Press	Ord. # 8-03	130.88
241	02666 Birdsall Engineering, Inc.	Ord. 21-99	2,427.00
2241	02666 Birdsall Engineering, Inc.	Ord. 20-03	4,725.00
2242	01598 Gordon N. Litwin, Esquire	Ord. 6-01	2,618.75
2242	01598 Gordon N. Litwin, Esquire	Ord. 6-01	1,881.44
2244	Thornberry's Appliance & TV	Ord 21-99	820.00
2241	Birdsall Engineering, Inc.	Ord. 15-03	5,753.50
2238	Absolute Fire protection Co., Inc.	Ord. 28.02	249,994.00
2239	Applegate Moving & Storage	Ord. 21-99	13,899.00
2243	Fixtures Furnitures	Ord. 21-99	26,253.55
2236 = 2246	Borough of Keyport, Payroll Account	Payroll Account	871.97
		Total General Capital..	$ 310,892.96
	RBIT:		
55	Asbury Park Press	RBIT	63.20
2056	Jersey Central Power & Light Co.	RBIT	140.91
2057	The Treasurer, State of N. J.	RBIT	3,130.00
2058	Verizon	RBIT	23.89
		Total RBIT.....	$ 3,358.00

Voucher #	Name	Appropriation	Amount
-	**TRUST:**		
2322	Wachovia - Collateral AGT/Sass Muni IVDTR	Redemption Tax Sale	9,627.91
2323	Lee Wayne Corporation		392.41
		Total Trust.....	**$ 10,020.32**
	LAW ENFORCEMENT TRUST:		
2031	AM/PM Services		99.00
		Total Law Enf. Trust	**99.00**

Passed January 20, 2004

Approved January 20, 2004

John J. Merla, Mayor

Attest:

Judith L. Poling, RMC/CMC
Borough Clerk

OFFERED BY COUNCILMAN HYER, SECONDED BY COUNCILMAN STALTER
ROLL CALL VOTE: AYES: COUNCILMEMBERS WEDICK, DOYLE, ATKINS, STALTER, HYER
NAYS: NONE
ABSTAIN: NONE
ABSENT: COUNCILMAN BERGEN

I, Judith L. Poling, do hereby certify this to be a true copy of a Resolution adopted by the Mayor and Council of the Borough of Keyport at a meeting held on JANUARY 20, 2004

Judith L. Poling, RMC
Borough Clerk

CHECK #	AMOUNT	MAN	VENDOR NAME	NUMBER
016021	121195.19	M	BOROUGH OF KEYPORT, PAYROLL ACCOUNT	00294
016022	150000.00	M	BOROUGH OF KEYPORT, GENERAL CAPITOL ACCT	00296
016963	100.00		A.M. CHUDERSKI	02648
016964	175.00		ADRIANNE WINDEKNECHT	02562
016965	180.00		ALEXANDER CHIROPRACTIC OFFICES	03075
016966	45.00		ALLYSON M. CINQUEGRANA	01294
016967	103.51		ARCH WIRELESS	02539
016968	1259.36		ASBURY PARK PRESS - GANNETT NEWSPAPERS	00521
016969	461.88		AT & T	02233
016970	288.50		AT & T	02257
016971	155.86		AVAYA FINANCIAL SERVICES	02565
016972	612.53		AVAYA, INC.	02101
016973	594.56		BARBARA HILLIARD	02813
016974	210.00		BASE AUTO SUPPLY	00551
016975	50.00		BAUR MUNICIPAL SUPPLIES	01959
016976	251.67		BAYSHORE TRANSMISSION	00027
016977	50.00		BETTY CURTIS	03127
016978	10.00		BETTY PHILLIPS	00491
016979	10.00		BETTY SMITH	03108
016980	816.60		BEVERLY BAXTER	02600
016981	983.00		BIRDSALL ENGINEERING	02666
016982	141.79		BOARD OF RECREATION COMMISSIONERS	00561
016983	303.00		BOB'S UNIFORM SHOP	00037
016984	65.00		BOROUGH OF KEYPORT LAW ENFORCEMENT TRUST	03024
016985	50000.00		BOROUGH OF KEYPORT, GENERAL CAPITOL ACCT	00296
016986	116360.65		BOROUGH OF KEYPORT, PAYROLL ACCOUNT	00294
016989	32142.02		BRIDGE DISPOSAL	02809
016990	250.98		C & M AUTO BODY	02092
016991	101.34		CABLEVISION OF RARITAN VALLEY	03129
016992	110.00		CAROL McCALL	03125
016993	45.00		CAVANAUGH'S INC.	00773
016994	135.25		CENTURY OFFICE PRODUCTS, INC.	00052
016995	316.00		CHECK ELECTRICAL CORPORATION	00654
016996	175.00		COMMUNICATION SPECIALISTS, INC.	02320
016997	400.00		CONSOLIDATED FIRE HOUSE	01814
016998	82.66		CORI-RITE, INC.	02062
016999	700.00		DEBBIE DELLOSSO	02296
017000	210.00		DISCOUNT BRAKES & MUFFLERS	02323
017001	50.00		DOROTHY FOWLER	03123
017002	350.00		DOWN UNDER INC.	02632
017003	400.00		EAGLE HOSE COMPANY NO. 4	00779
017004	127.00		ELITE CAR WASH	01794
017005	55.00		FASTCOPY PRINTING CENTER	00090
017006	354.86		FINNEGAN'S FORMS	02353
017007	270.00		FRANK J. SIRACUSA & SONS	00819
017008	26.08		FUTURE CHEVROLET, INC.	01021
017009	102.40		FYRE TECHNOLOGY, INC.	00768
017010	170.96		GALL'S INC.	00616
017011	889.00		GRAVES FIRE EQUIPMENT	01535
017012	2158.00		HAPPY GROUP TOURS, INC.	02584
7013	135.00		HARRY M. AUMACK III	02626

01/21/04 FUND 01 CURRENT FUND CHECK RECONCILIATION REGISTER

CHECK #	AMOUNT	MAN	VENDOR NAME	NUMBER
017014	1115.00		HAZLET TOWNSHIP RECYCLING	01236
017015	750.00		HELFRICH BUS COMPANY	00655
017016	100.00		HOOK & LADDER COMPANY NO. 1	00774
017017	343.20		HUMAN RELATIONS MEDIA	03115
017018	1100.19		INTERNATIONAL SALT CO., LLC	02612
017019	192.52		J. MANZO RECYCLING CO., LLC	02355
017020	13030.83		JCP&L COMPANY	00135
017021	350.00		JR'S TREE SERVICE	02711
7022	27.30		JUDITH L. POLING	00490
7023	100.24		KALDOOR	00694
17024	327.00		KATHRYN AMIDON COFFEY	00906
017025	54.94		KEYPORT ARMY & NAVY STORE	00142
017026	400.00		KEYPORT FIRST AID	01974
017027	225.00		KEYPORT HIGH SCHOOL YEARBOOK	03128
017028	300.00		LAKESIDE MANOR	03111
017029	750.00		LAWRENCE A. CARTON, ESQ.	02883
017030	400.00		LINCOLN HOSE COMPANY NO. 1	00778
017031	138.00		LOUISA LAM, PHD	03106
017032	165.00		LUCILLE DELLERT	03069
017033	10.00		MARGE LAPLACE	03109
017034	500.00		MATAWAN - KEYPORT PRESS	00157
017035	406.50		MBL FORMS - SYSTEMS	00165
017036	135.00		MIAMI SYSTEMS	01165
017037	1000.00		MIDDLETOWN TOWNSHIP	01232
7038	170.00		MILU BUS COMPANY	02818
17039	143.10		MINOLTA	01019
017040	135.00		MINOLTA BUSINESS SYSTEMS	01869
017041	75.00		MON. & OCEAN CTY TAX COL. & TREAS. ASSOC	00534
017042	526.72		MOORE WALLACE NORTH AMERICA	03071
017043	595.00		N.J. STATE LEAGUE OF MUNICIPALITIES	00185
017044	666.66		NATIONAL PARTS SUPPLY CO.	02573
017045	1449.93		NEW JERSEY NATURAL GAS COMPANY	00184
7046	30.00		NICOLE DEVERIKOS	02407
7047	50.00		NJ STATE LEAGUE OF MUNICIPALITIES	02969
17048	35.00		NOVA INFORMATION SYSTEMS	02845
017049	14.26		ONE CALL SYSTEMS, INC.	02065
017050	10.00		PAT PRUNTY	03016
017051	32.00		PHOTO OFFSET PRINTING	00202
017052	83.14		PITNEY BOWES, INC.	02582
017053	306.25		PITNEY-BOWES, INC.	00204
017054	200.00		PLATZL BRAUHAUS	01777
017055	376.90		PROFESSIONAL EQUIPMENT	01841
017056	2525.00		PURCHASE POWER	02623
017057	393.25		QPR, A DIVISION OF LAFARGE	02841
017058	321.35		RED BANK VETERINARY HOSPITAL	03110
017059	26.00		REGISTRARS' ASSN. OF NEW JERSEY	02784
017060	10.00		RITA DRACKER	03124
017061	640.00		RITA TORRES	02896
017062	767.69		SEELY EQUIPMENT & SUPPLY COMPANY	00234
017063	180.00		SELF DEFENSE SENIORS INC.	02757
7064	53368.00		SMITH GATTA GELOK	03135

CHECK #	AMOUNT	MAN	VENDOR NAME	NUMBER
017065	287.86		STAPLES	01578
017066	119.88		STAPLES - STORE	01458
017067	108.95		STINEMAN RIBBON COMPANY	03117
017068	600.00		STUDENT HEALTH AWARENESS CENTER	03116
017069	1701.93		STULTZ FUEL OIL	00249
017070	110.00		SUZANA P. DAROCA MARTINEZ	01785
017071	2384.90		SWIFT FAMILY PARTNERSHIP, LP	00250
017072	235.00		THE COURIER	00063
017073	2400.00		THE NIA GROUP	01687
017074	618.50		THOMAS D. MITCHELL	00335
017075	725.38		TOM'S FORD	00359
017076	438.00		UNIFORM HEADQUARTERS	01762
017077	3800.80		VERIZON	02426
017078	138.66		VERIZON WIRELESS	02143
017079	1323.78		VERIZON WIRELESS	02742
017080	566.92		VESPIA AUTO SERVICE CENTERS	00749
017081	57.46		VIKING OFFICE PRODUCTS	00597
017082	606.65		VIKING OFFICE PRODUCTS	00793
017083	90.00		VIRGINIA HUHNDORF	02968
017084	182.44		WENDY W. TOOKER	01956
017085	4000.00		WESLEY KAIN	01395
017086	82.50		WOODBRIDGE MEDICAL SUPPLIES	01271
TOTAL	589810.23			
COMPUTER	318615.04			
MANUAL	271195.19			
*******			TOTAL COMPUTER CHECKS PRINTED	122

01/21/04 FUND 02 WATER/SEWER UTILITY CHECK RECONCILIATION REGISTER

CHECK #	AMOUNT	MAN	VENDOR NAME	NUMBER
004464	3.52		ARCH WIRELESS	02539
004465	28.61		AT & T	02257
004466	115.45		AVAYA FINANCIAL SERVICES	02565
004467	353731.79		BAYSHORE REGIONAL SEWERAGE AUTHORITY	00025
004468	7074.63		BAYSHORE REGIONAL SEWERAGE AUTHORITY	00526
004469	25503.13		BOROUGH OF KEYPORT, CURRENT ACCOUNT	00405
004470	16917.49		BOROUGH OF KEYPORT, PAYROLL ACCOUNT	00294
004471	1390.60		DECOTIIS, FITZPATRICK, COLE & WISLER,LLP	02309
004472	669.50		DOMINICK M. MANCO, ESQ.	03118
004473	134.81		FRANK J. SIRACUSA & SONS	00819
004474	490.59		JCP&L COMPANY	00135
004475	1984.50		LAROC PAVING	02927
004476	7744.81		MUNICIPAL ADVISORY PARTNERS, INC.	02671
004477	462.87		NEW JERSEY NATURAL GAS COMPANY	00184
004478	33223.79		NEW JERSEY WATER SUPPLY AUTHORITY	00423
004479	13142.00		SMITH GATTA GELOK	03135
004480	2384.89		SWIFT FAMILY PARTNERSHIP, LP	00250
004481	27.26		THE COURIER	00063
004482	1665.00		TREASURER, STATE OF NEW JERSEY	00514
004483	254.46		VERIZON	02426
014545	19865.31	M	BOROUGH OF KEYPORT, PAYROLL ACCOUNT	00294
014546	41925.75	M	SHORELANDS WATER COMPANY	00237

TOTAL 528740.76
COMPUTER 466949.70
NUAL 61791.06
******** TOTAL COMPUTER CHECKS PRINTED 20

RESOLUTION

RESOLUTION NO: 72-04

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT AWARDING CONTRACT FOR THERESE AVENUE IMPROVEMENTS ACE MANZO INC AND D. MANZO & SON, INC., BASED UPON LOW BID SUBMITTED

WHEREAS, the Mayor and Council of the Borough of Keyport did authorize receipt of bids for improvements to Therese Avenue, consisting of full road repavement installation of curbs, sidewalks, driveway aprons and handicapped ramps together with the removal and replacement of the water main on Therese Street based in part upon a grant received from the Community Development Block Grant Program to the Borough of Keyport, and

WHEREAS, bids were received by the Borough Clerk on December 30, 2003 at the Borough Hall, Keyport, New Jersey consistent with the advertised Notice to Bidders; and

WHEREAS, Ace Manzo, Inc., and D. Manzo & Son, Inc., did submit a bid to perform the Therese Avenue improvements, consisting of various roadway improvements including full road repavement, installation of curbs, sidewalks, driveway aprons and handicapped ramps together with the removal and replacement of the water main on Therese Avenue in the gross amount of Four Hundred and Ninety-Nine Thousand, Seven Hundred and Eighty-Six Dollars and Fifty Cents ($499,786.50), which constituted the lowest responsible bid received pursuant to the specifications proposed, which specifications contain the full nature and scope of the work to be performed; and

WHEREAS, the Mayor and Council, having reviewed the qualifications of the successful bidder, are resolved to award a contract to Ace Manzo, Inc., and D. Manzo & Son, Inc., based upon their low bid submitted, subject to the Certification of the Municipal Finance Officer as to the availability of funds for the within project and further subject to the approval of the contractor and any additional conditions imposed by the Department of Community Development.

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

1. The Mayor and Council hereby award the contract for Therese Avenue Improvements, for various roadway improvements including full road repavement, installation curbs, sidewalks driveway aprons and handicapped ramps together with the removal and replacement of the water main on Therese Avenue, in the gross amount of Four Hundred and Ninety-Nine Thousand, Seven Hundred and Eighty -Six Dollars and Fifty Cents ($499,786.50), to Ace Manzo, Inc., and D. Manzo & Son, Inc., Aberdeen, New Jersey, based upon their low bid submission. The Mayor is hereby further authorized to enter into a contract with the successful

bidder upon certification of the availability of funds by the Municipal Finance Officer and subject to review, approval and the satisfaction of any conditions imposed by the Department of Community Affairs.

2. The Contract shall be contingent upon the certification of the availability of funds by the Municipal Finance Officer and such requirements imposed by the Department of Community Affairs, prior to execution of the within contract.

3 The within award shall not include the payment of engineering fees to the Borough Engineer relative to the within project. Said fees for engineering shall be paid from additional appropriations authorized by the Borough of Keyport.

4. The Borough Clerk is hereby authorized to return bids received to all unsuccessful bidders.

5. Copies of the within Resolution shall be forwarded to the successful bidder, Municipal Finance Officer and Borough Engineer and a copy shall be retained in the office of the Borough Clerk for public inspection.

6. The Borough Clerk shall provide appropriate notice to the successful bidder and the public as required under N.J.S.A. 40A: 11-1 et. seq by publishing a notice of award of contract in a legal newspaper of the Borough of Keyport within 10 days hereof.

OFFERED: COUNCILMAN HYER

SECONDED: COUNCILMAN STALTER

AYES: COUNCILMEMBERS WEDICK, DOYLE, ATKINS, STALTER, HYER

NAYS: NONE

ABSENT: COUNCILMAN BERGEN

ABSTAIN: NONE

I, Judith L. Poling, do hereby certify that this is a true copy of a Resolution adopted by the Mayor and Council of the Borough of Keyport at their meeting on January 20, 2004.

Judith L. Poling

Judith L. Poling, RMC/CMC
Borough Clerk

CERTIFICATION OF AVAILABILITY OF FUNDS

January 20, 2004

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq. and any other applicable requirements, I, Thomas P. Fallon, Chief Financial Officer of the Borough of Keyport, have ascertained that there are available sufficient uncommitted appropriations in the General Capital Ordinance #8-03/5-04 to award a contract to Ace Manzo Inc. and D. Manzo and Son. Inc. , 436 Charles Street, Aberdeen, NJ 07747 for Improvements to Therese Street in the amount of $499,786.50.

Funds for certification are therefore being made and certified against the appropriation for the General Capital Ordinance #8-03/5-04 (2036.299) As Per Resolution 72-04.

Total Amount of Contract: $499,786.50

Amount Certified: $499,786.50

Chief Financial Officer

RESOLUTION

RESOLUTION NO. 73-04

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT REQUESTING 180 DAY EXTENSION FROM NEW JERSEY DEPARTMENT OF TRANSPORTATION TO AWARD BIDS RELATIVE TO ATLANTIC STREET IMPROVEMENTSFY 2003 DUE TO DIFFICUTIES IN THE RELOCATION OF UTLITY LINE

WHEREAS, the Borough of Keyport has previously been awarded funding in the sum of $160,000.00 from the New Jersey Department of Transportation through the New Jersey Transportation Fund Authority for improvements to Atlantic Street, which the Mayor and Council believe will afford the opportunity to undertake significant repairs for the benefit of the residents of the Borough of Keyport; and

WHEREAS, the Mayor and Council been advised the Borough Engineer of a significant delay in the process to obtain bids to undertake improvements to Atlantic Street due to location of a gas utility line directly over a municipal sewer which effects the ability of improvements to be undertaken; and

WHEREAS, the Borough Engineer has advised the Mayor and Council of the need for the utility company to relocate the gas line prior to the advertisement for receipt of bids so that the scope of the work may be clearly delineated and bids received; and

WHEREAS, the Borough Engineer has advised that the process will be delayed until the within line is relocated and therefore has recommended the Mayor and Council request of the New Jersey Department of Transportation for a 180 day extension by which to award a contract for the funding granted under FY 2003 due to this unforeseen delay in the Atlantic Street project.; and

WHEREAS, the Mayor and Council have reviewed this matter and considered the within funding vital to the interests of the Borough of Keyport and therefore are resolved to request a 180 day extension by which to advertise, receive and award bids on the within project due to the within circumstances.

NOW, THEREFORE BE IT the same is hereby resolved by the Mayor and Council of the Borough of Keyport as follows:

1. The Mayor and Council acknowledge the funding received in FY 2003 from the New Jersey Department of Transportation through the New Jersey Transportation Trust Fund Authority for improvements to Atlantic Street and respectfully request a 180 day extension by which to advertise, receive and award bids for improvements to Atlantic Street based upon unforeseen delays caused by the location of a utility gas line directly above the municipal sewer on Atlantic Street.

2. That a certified copy of this resolution be forwarded to the New Jersey Department of Transportation, Robert Werkmeister, District 3, Borough Engineer and Municipal Finance Officer, and that a copy of the within Resolution be retained in the office of the Borough Clerk for public inspection.

OFFERED: Mr. Hyer

SECONDED: Mr. Stalter

AYES: Councilmembers Wedick, Doyle, Atkins, Stalter, Hyer

NAYS: None

ABSENT: Councilman Bergen

ABSTAIN: None

I, Judith L. Poling, do hereby certify that this is a true copy of a Resolution adopted by the Mayor and Council at their meeting on the 20th day of January 2004.

Judith L. Poling

JUDITH L. POLING RMC/CMC
BOROUGH CLERK

RESOLUTION

RESOLUTION NO. 74-04

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT AUTHORIZING BOROUGH ENGINEER TO UNDERTAKE RECORD REVIEW AND BUILDING INSPECTION OF MUNICIPALLY OWNED OR OPERATED BUILDINGS TO DETERRMINE PRESENCE OF ASBESTOS CONTAINING BUILDING MATERIALS

WHEREAS, the Mayor and Council of the Borough of Keyport have reviewed a request from the Insurance Carrier of the Borough of Keyport to conduct a survey as to the presence, if any, of Asbestos Containing Building Materials (ACBM's) in the six buildings owned, controlled or occupied by the Borough of Keyport; and

WHEREAS, the Mayor and Council have concluded that such an inspection would be beneficial to the residents and employees of the Borough of Keyport who occupy the various municipal facilities; and

WHEREAS, the Mayor and Council have received and reviewed a proposal dated January 7, 2004 from the Borough Engineer for engineering and environmental project management services relative to the inspection of public buildings and the reporting of locations suspected of containing ACBM's; and

WHEREAS, Borough Engineer has proposed to review various records, conduct visual inspections of accessible areas in order to identify the presence, location and total area and/or quantity of ACBM's, if any, in the within municipal buildings, through the use of qualified accredited inspectors and thereafter to prepare a detailed summary report outlining findings, conclusions and recommendations for each listed building for a total engineering cost of $3,200.00; and

WHEREAS, the Mayor and Council have reviewed the proposal prepared by the Borough Engineer dated January 7, 2004 and have determined to authorize the Borough Engineer to undertake this proposal in conjunction with the inspection of the borough owned and occupied buildings, subject to the certification of availability of funds by the Municipal Finance Officer in the total amount of $3,200.00.

NOW, THEREFORE BE IT the same is hereby resolved by the Mayor and

Council of the Borough of Keyport as follows:

1. Borough Engineer is authorized to proceed with the engineering services required to conduct a records review and building inspection of all borough owned and occupied buildings listed in his proposal of January 7, 2004 to determine the presence of Asbestos Containing Building Material at the within locations.

2. Borough Engineer shall review the necessary records and conduct a visual inspection of all accessible areas to determine the presence, location, total area and/or quantity, if any, of ACBM's in the within listed building locations owned and occupied by the Borough of Keyport and thereafter to prepare a detailed report to the Mayor and Council outlining the results of their inspections, together with conclusions and recommendations consistent with their proposal dated January 7, 2004, for a total fee in the amount of Three Thousand Two Hundred ($3,200.00) Dollars, upon certification from the Municipal Finance Officer as to the availability of funds from the appropriate accounts or general fund account of the Borough of Keyport.

3. That a certified copy of this resolution be forwarded to the Borough Engineer and Municipal Finance Officer, and that a copy of the within Resolution be retained in the office of the Borough Clerk for public inspection.

OFFERED: COUNCILMAN HYER

SECONDED: COUNCILMAN STALTER

AYES: COUNCILMEMBERS WEDICK, DOYLE, ATKINS, STALTER, HYER

NAYS: NONE

ABSENT: COUNCILMAN BERGEN

ABSTAIN: NONE

I, Judith L. Poling, do hereby certify that this is a true copy of a Resolution adopted by the Mayor and Council at their meeting on the 20th day of January 2004.

Judith L. Poling

JUDITH L. POLING, RMC/CMC
BOROUGH CLERK

RESOLUTION

RESOLUTION NO. 75-04

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT AUTHORIZING BOROUGH ENGINEER TO UNDERTAKE AND PREPARE PROFESSIONAL ENGINEERING SERVICES RELATIVE TO ATLANTIC STREET PHASE II

WHEREAS, the Mayor and Council of the Borough of Keyport have determined to proceed with the improvement and repairs to Atlantic Street, Phase II located within the Borough of Keyport to be funded in part through a grant from the New Jersey Department of Transportation; and

WHEREAS, the Mayor and Council have concluded that the within improvements will provide a significant benefit to all residents of the Borough of Keyport who traverse the within public street; and

WHEREAS, the Mayor and Council have received and reviewed a three phase proposal from the Borough Engineer for engineering services relative Atlantic Street Improvements, Phase II, dated January 12, 2004; and

WHEREAS, Borough Engineer has proposed to prepare the necessary design drawings and bid specifications and correspond with affected utility companies for a lump sum Phase 1 cost of $19,300.00 and thereafter to provide professional services relative to the advertisement, receipt, analysis and award of bids a total Phase II cost of $5,000.00 and thereafter to provide for the construction administration of the road improvement program including a pre-construction meeting and various site inspections required in Phase III for a total lump sum cost of $19,700. 00, for a total project fee of $44,000.00 for the Improvements to Atlantic Street, Phase II.; and

WHEREAS, the Mayor and Council have reviewed the proposal prepared by the Borough Engineer dated January 12, 2004 and have determined to authorize the Borough Engineer to undertake this proposal in conjunction with the Improvements to Atlantic Street, Phase II, subject to the certification of availability of funds by the Municipal Finance Officer in the total amount of $44,000.00.

NOW, THEREFORE BE IT the same is hereby resolved by the Mayor and Council of the Borough of Keyport as follows:

1. Borough Engineer is authorized to proceed with the engineering services required to implement the Improvements to Atlantic Street, Phase II for the Borough of Keyport.

2. Borough Engineer shall prepare the necessary design drawings and bid specifications and correspond with the affected utility companies and thereafter to provide professional services relative to the advertisement, receipt, analysis and award of bids and thereafter provide the necessary construction administration, consistent with their proposal dated January 12, 2004, for a total fee, for all phases in the amount of Forty Four Thousand ($44,000.00) Dollars, broken down into various phases and options, upon certification from the Municipal Finance Officer as to the availability of funds from the appropriate bond ordinances, grants or general fund account of the Borough of Keyport.

3. That a certified copy of this resolution be forwarded to the Borough Engineer and Municipal Finance Officer, and that a copy of the within Resolution be retained in the office of the Borough Clerk for public inspection.

OFFERED: **COUNCILMAN HYER**

SECONDED: **COUNCILMAN STALTER**

AYES: **COUNCILMEMBERS WEDICK, DOYLE, ATKINS, STALTER, HYER**

NAYS: **NONE**

ABSENT: **COUNCILMAN BERGEN**

ABSTAIN: **NONE**

I, Judith L. Poling, do hereby certify that this is a true copy of a Resolution adopted by the Mayor and Council at their meeting on the 20th day of January 2004.

Judith L. Poling

Judith L. Poling, RMC / CMC
Borough Clerk

RESOLUTION

RESOLUTION NO: 77-04

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT AUTHORIZING RECEIPT OF BIDS FOR CATAMARAN LEASE

WHEREAS, the Mayor and Council have previously authorized a lease agreement for the operation of a recreational catamaran service from the municipal dock in order to promote recreational activities within the Borough of Keyport; and

Whereas, the Mayor and Council desire to advertise for receipt of bids for a recreational catamaran service to be operated from the municipal dock for the period of May 15, 2004 through September 15, 2004; and

WHEREAS, the Mayor and Council further wish to direct the Borough Attorney to prepare the appropriate specifications and lease for a recreational catamaran service for the period specified above, subject to the approval of the State of New Jersey, Green Acres Program.

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

1. The Mayor and Council authorize the Borough Attorney to prepare appropriate bid specifications and lease agreement for the operation of a charter catamaran service from the municipal dock for the period of May 15, 2004 through September 15, 2004, which the Mayor and Council believe will promote increased waterfront recreational activity for the general public.

2. Upon preparation of the bid specifications, the Mayor and Council direct the Borough Clerk to advertise for receipt of bids for the recreational catamaran lease for the period of May 15, 2004 through September 15, 2004.

3. A copy of the within Resolution shall be forwarded to the State of New Jersey, Green Acres Program, Borough Attorney and the Municipal Finance Officer and a copy shall be maintained in the office of

3. That a copy of the within resolution be retained in the office of the Borough Clerk for public inspection as required by law.

OFFERED:	COUNCILMAN HYER
SECONDED:	COUNCILMAN STALTER
AYES:	COUNCILMEMBERS WEDICK, DOYLE, ATLINS, STALTER, HYER
NAYS:	NONE
ABSENT:	COUNCILMAN BERGEN
ABSTAIN:	NONE

I, Judith L. Poling, do hereby certify that this is a true copy of a Resolution adopted by the Mayor and Council of the Borough of Keyport at their meeting held on the 20th day of January 2004.

Judith L. Poling

Judith L. Poling, RMC/CMC
Borough Clerk

WHEREAS, the Mayor and Council desire the Contractor to proceed with the revised scope of the contract in an amount not to exceed the sum of Thirty Thousand ($30,000.00) for the emergency repair specified herein, subject to the certification of the Municipal Finance Officer as to the availability of funds based upon the action of the Mayor and Council approving an emergency appropriation and/or bond ordinance.

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

1. The Mayor and Council of the Borough of Keyport hereby declare that the emergency condition relating to the municipal bulkhead located along Benjamin Terry Park continues to the date of this Resolution and further based upon the report of the Borough Engineer, the Mayor and Council are resolved to amend their previous Resolution awarding an emergency contract to Steffer Demolition, Oakhurst, New Jersey,

2. The Mayor and Council hereby authorize Steffer Demolition to undertake certain emergency repairs to the bulkhead at Benjamin Terry Park so as to fill and stabilize the area around the bulkhead with such materials, stone and earth necessary to preserve the integrity of the area surrounding the pump station. The Mayor is hereby directed to execute an amended proposal with Steffer Demolition to perform emergency repairs in accordance with the terms of this resolution.

3. The Mayor and Council hereby amend the scope of services and the amount of the award made to Steffer Demolition, Oakhurst, New Jersey, to fill, grade and stabilize the area surrounding the pump station located at Benjamin Terry Park so as to preserve the pump station in an amended amount not to exceed the sum of Thirty Thousand ($30,000.00) Dollars. The amended contract herewith let is awarded without the benefit of competitive bidding based upon the finding of an emergency under the Local Public Contracts Law.

4. The within contract is contingent on certification of the Municipal Finance Officer as to the availability of funds based upon the adoption of an emergency appropriations resolution and/or bond ordinance adopted herewith and the confirmation of said funding.

5. Copies of the within Resolution shall be forwarded to the State of New Jersey, Green Acres Program, State of New Jersey, Division of Local Government Services, Steffer Demolition, Municipal Finance Officer, Borough Attorney and Borough Engineer.

RESOLUTION

RESOLUTION NO: 76-04

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF KEYPORT AMENDING RESOLUTION AWARDING CONTRACT FOR THE EMERGENCY REMOVAL, DISPOSAL AND GRADING OF BULKHEAD LOCATED ALONG BENJAMIN TERRY PARK TO STEFFER DEMOLITION AND DIRECTING CERTAIN MODIFICATIONS TO CONTRACT TO STABILIZE BULKHEAD NEAR PUMP STATION BASED UPON AN EMERGENCY CONDITION POSING A THREAT TO PUBLIC HEALTH, SAFETY AND PROPERTY

WHEREAS, the Mayor and Council of Borough of Keyport have previously awarded a contract for the removal of the bulkhead located in Benjamin Terry Park based upon the conclusion of the Borough Engineer that the condition of the bulkhead posed a threat to public safety to the residents of the Borough of Keyport; and

WHEREAS, the Mayor and Council thereafter requested an additional inspection and recommendation from the Borough Engineer relative to the removal of the bulkhead and the replacement or stabilization of the area in and around the pump station located at Benjamin Terry Park; and

WHEREAS, following various site inspections and an analysis of a structural engineer, the Borough Engineer has recommended that the existing bulkhead remain in its current condition until such time as engineering may be authorized to permit the Borough of Keyport to advertise for the replacement of the entire bulkhead at Benjamin Terry Park

WHEREAS, the Borough Engineer has further recommended certain emergency measures to stabilized the bulkhead in the area of the pump station and for the installation of fencing to protect the general public from ground depressions resulting from the continuing decay of the bulkhead which will insure the health and safety of all pedestrians who utilize that portion of Benjamin Terry Park and further serve to secure the integrity of the area around the pump station in order to prevent damage to that facility, and,

WHEREAS, based upon the recommendation of the Borough Engineer, the Mayor and Council have determined to amend their previous resolution awarding a contract to Steffer Demolition for the removal of the bulkhead and the grading of the within area so as to authorize Steffer Demolition to grade, fill and stabilize the area around the pump station which such materials, stone and earth as recommended by the Borough Engineer to preserve the area around the pump station and damage thereto; and

the Borough Clerk for public inspection.

OFFERED: COUNCILMAN HYER

SECONDED: COUNCILMAN STALTER

AYES: COUNCILMEMBERS WEDICK, DOYLE, ATKINS, STALTER, HYER

NAYS: NONE

ABSENT: COUNCILMAN BERGEN

ABSTAIN: NONE

I, JUDITH L. POLING, do hereby certify that this to be a true copy of a Resolution adopted by the Mayor and Council of the Borough of Keyport at their meeting on the 20th day of January, 2004.

Judith L. Poling

JUDITH L. POLING, RMC/CMC
Borough Clerk

RESOLUTION

RESOLUTION NO: 78-04

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT AUTHORIZING RECEIPT OF BIDS FOR HOT DOG STAND LEASE

WHEREAS, the Mayor and Council have previously authorized a lease agreement for the operation of a hot dog stand at or about the Municipal Boat Ramp, Legion Drive in the Borough of Keyport; and

Whereas, the Mayor and Council desire to advertise for receipt of bids for the operation of a hot dog stand to be operated from a site adjacent to the Municipal Boat Ramp for the period of May 15, 2004 through September 30, 2004; and

WHEREAS, the Mayor and Council further desire to fix a minimum bid for the within lease agreement; and

WHEREAS, the Mayor and Council further wish to direct the Borough Attorney to prepare the appropriate specifications and lease for the operation of a hot dog stand for the period specified above, subject to the approval of the State of New Jersey, Green Acres Program.

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

1. The Mayor and Council authorize the Borough Attorney to prepare appropriate bid specifications and lease agreement for the operation of a hot dog stand from an area adjacent to the Municipal Boat Ramp for the period of May 15, 2004 through September 30, 2004.

2. Upon preparation of the bid specifications, the Mayor and Council direct the Borough Clerk to advertise for receipt of bids for the hot dog stand lease for the period of May 15, 2004 through September 30, 2004.

3. The Mayor and Council hereby fix a minimum of bid in the sum of Two Thousand Two Hundred & Fifty Dollars ($2,250.00).

4. A copy of the within Resolution shall be forwarded

to the State of New Jersey, Green Acres Program, Borough Attorney and the Municipal Finance Officer and a copy shall be maintained in the office of the Borough Clerk for public inspection.

OFFERED: COUNCILMAN HYER

SECONDED: COUNCILMAN STALTER

AYES: COUNCILMEMBERS WEDICK, DOYLE, ATKINS, STALTER, HYER

NAYS: NONE

ABSENT: COUNCILMAN BERGEN

ABSTAIN: NONE

I, JUDITH L. POLING, do hereby certify that this to be a true copy of a Resolution adopted by the Mayor and Council of the Borough of Keyport at their meeting on the 20th day of January, 2004.

Judith L. Poling

JUDITH L. POLING, RMC/CMC
Borough Clerk

RESOLUTION

NO: 79-04

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT AWARDING FIVE YEAR CHARTER FISHING BOAT LEASE TO JOHN CONNELL BASED UPON HIGHEST RESPONSIBLE BID SUBMITTED CONTINGENT UPON APPROVAL BY THE STATE OF NEW JERSEY, GREEN ACRES PROGRAM

WHEREAS, the Mayor and Council of the Borough of Keyport did authorize receipt of bids for the lease of the municipal boat slip by which to operate a Charter Fishing Boat, commencing on or about March 1, 2004 through February 28, 2009; and

WHEREAS, bids were received by the Borough Clerk on November 26, 2003 at the Borough Hall, Keyport, New Jersey consistent with the advertised Notice to Bidders; and

WHEREAS, John Connell did submit a bid to lease the municipal boat slip for the period commencing March 1, 2004 through February 28, 2009, with a total bid of Fifty Nine Thousand, Four Hundred and Forty Six Dollars and Fourteen Cents ($59,442.14), which constituted the highest responsible bid received pursuant to the specifications proposed, which specifications contain the proposed Charter Fishing Boat Lease Agreement; and

WHEREAS, the Mayor and Council had reviewed the high bid of Edward Kish and have concluded that the within bidder due not possess the equipment necessary to operate a charter fishing operation, any experience in the operation of a public charter fishing service nor the financial ability to secure a boat sufficient to engage in charter fishing related activities; and

WHEREAS, the Mayor and Council did review correspondence from the high bidder requesting his bid not be considered due to financial circumstances and alleged harassment by a party or parties unknown; and

WHEREAS, based upon the circumstances, the Mayor and Council have concluded that the high bid submitted by Edward Kish is not the responsible bid submitted based upon the within circumstances; and

WHEREAS, the Mayor and Council, having reviewed the qualifications of the successful bidder, are resolved to award the Charter Fishing Boat Lease to John Connell as the highest responsible bidder, for a term of five (5) years, subject to the review and approval of the State of New Jersey, Green Acres Program; and

WHEREAS, the Mayor and Council further waive any informality and inconsistency in the process and award the within bid consistent with the terms of this Resolution which is determined to be in the best interest of the Borough of Keyport.

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

1. The Mayor and Council hereby award the five (5) year Charter Fishing Boat Lease to John Connell, as the highest responsible bidder, based upon his bid submission in the gross amount of Fifty Nine Thousand, Four Hundred and Forty Six Dollars and Fourteen Cents ($59,446.14). The Mayor is hereby further authorized to enter into the within lease agreement the successful bidder upon receipt of written approval from the State of New Jersey, Green Acres Program, for the term specified herein.

2. The within Charter Fishing Boat Lease is further contingent upon approval of the State of new Jersey, Green Acres Program, as to the successful bidder and the proposed lease agreement.

3. Copies of the within Resolution shall be forwarded to the successful bidder, State of New Jersey, Green Acres Program, Municipal Finance Officer and a copy shall be retained in the office of the Borough Clerk for public inspection.

4. Upon approval of the successful bidder by the State of New Jersey, Green Acres Program, the Borough Clerk is authorized to return bids to all other bidders and to notify bidders of the award.

5. The Borough Clerk shall provide appropriate notice to the successful bidder and the public as required under N.J.S.A. 40A: 11-1 et. seq by publishing a notice of award of contract in a legal newspaper of the Borough of Keyport within 10 days hereof.

OFFERED: COUNCILMAN HYER

SECONDED: COUNCILMAN STALTER

AYES: COUNCILMEMBERS WEDICK, ATKINS, STALTER, HYER

NAYS: NONE

ABSTAIN: COUNCILMAN DOYLE
ABSENT: COUNCILMAN BERGEN

I, Judith L. Poling, do hereby certify that this is a true copy of a Resolution

adopted by the Mayor and Council of the Borough of Keyport at their meeting on January 20th, 2004.

Judith L. Poling, RMC/CMC
Borough Clerk

RESOLUTION

80-04

BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that the Borough Clerk is hereby authorized to advertise in house for the position of Building and Grounds Maintenance Worker.

Offered by Councilman Hyer, seconded by Councilman Stalter

Roll Call Vote:

Ayes:	Councilmembers Wedick, Doyle, Atkins, Stalter, Hyer
Nays:	None
Abstain:	None
Absent:	Councilman Bergen

I, JUDITH L. POLING, HEREBY CERTIFY THIS TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT AT A MEETING HELD ON JANUARY 20, 2004.

Judith L. Poling

JUDITH L. POLING, RMC/CMC
BOROUGH CLERK

RESOLUTION

RESOLUTION NO: 81-04

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT AUTHORIZING APPLICATION TO STATE HOUSE COMMISSION FOR DIVERSION IN ORDER TO ESTABLISH FERRY SERVICE ON PROPERTY LISTED ON INVENTORY OF GREEN ACRES PROGRAM

WHEREAS, the Mayor and Council have been committed to establishing a commuter ferry service with a strong recreational component to serve the residents of the Borough of Keyport; and

WHEREAS, the Mayor and Council have previously sought bids to locate a ferry service from the Municipal Pier for a period of two (2) years, which advertisement failed to produce any interested bidders; and

WHEREAS, the Mayor and Council have become aware of a ferry service which has expressed interest in establishing a commuter ferry service with significant recreational activities which would not require the utilization of the Municipal Dock, but rather would require only space along the bulkhead located on American Legion Drive by which to conduct their operations; and

WHEREAS, in order to establish this ferry service for a period greater than two (2) years from the bulkhead, the Mayor and Council have been advised that an application to State House Commission is required in order to seek a permanent diversion to locate a ferry service operation from the bulkhead located along American Legion Drive, which ferry would offer service to commuters, a significant recreational component beneficial to residents and visitors to the Borough of Keyport and which would not effect the ability of the general public to utilize the Municipal Dock;; and

WHEREAS, the Mayor and Council believe that the income from such a lease will benefit recreational development within the Borough of Keyport by providing funding to the BRIT account which is dedicated to promoting recreational and passive recreational development within the Borough of Keyport and the Keyport waterfront; and

WHEREAS, the Mayor and Council desire to authorize the Borough Attorney to proceed with an application to the State House Commission to seek a permanent diversion by which to locate a ferry service from the bulkhead situate along American Legion Drive, identified as a portion of Lot 49 Block 21.01, which property is on the current inventory of the Green Acres Program and to further authorize the Borough Clerk to advertise for the required public hearing on the within application.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the

Borough of Keyport as follows:

1. The Mayor and Council hereby authorize the Borough Attorney to proceed with an application to the State House Commission to seek a permanent diversion to locate a ferry service from the bulkhead located on American Legion Drive. The Borough Attorney is directed to file all documents necessary to facilitate such application.

2. The Mayor and Council direct the Borough Clerk to advertise the within diversion application for public hearing in accordance with requirements established and to list said hearing before the Mayor and Council as soon as practical.

3. Copies of the within Resolution shall be forwarded to the Borough Attorney and a copy shall be retained in the office of the Borough Clerk for public inspection.

OFFERED: COUNCILMAN HYER

SECONDED: COUNCILMAN STALTER

AYES: COUNCILMEMBERS WEDICK, DOYLE, ATKINS, STALTER, HYER

NAYS: NONE

ABSENT: COUNCILMAN BERGEN

ABSTAIN: NONE

I, Judith L. Poling, do hereby certify that this is a true copy of a Resolution adopted by the Mayor and Council of the Borough of Keyport on January 20, 2004

Judith L. Poling

Judith L. Poling, RMC/CMC
Borough Clerk