

Approved 3/1/02

January 31, 2002
Keyport, New Jersey

Minutes of a Special 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 Resolution #65-02, in accordance with the Open Public Meetings Act. Notices were faxed to the Courier, Asbury Park Press, Independent and Two River Times and posted on the Bulletin Boards.

Mayor Graham called the meeting to order at 6:18 P.M. and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Atkins, Merla, Hyer, Stalter. Absent: Councilmembers Bergen and Ashmore. Others present: Wesley Kain.

RESOLUTION

1. Resolution #65-02, Appointment of Borough Attorney - Wesley M. Kain, Esq.

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Keyport, County of Monmouth, that the appointment for the year 2002, by the Mayor, be and the same is hereby confirmed. The person hereby appointed, Wesley M. Kain, Esq., is a member of the legal profession and it is not possible to obtain competitive bids.

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

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

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

UNFINISHED BUSINESS

1. Ordinance #1-02, Mayor's Veto

Mayor Graham said that after Ordinance #1-02 was adopted on January 15, 2002, he declined to sign the Ordinance and vetoed it. He submitted his reasons for the veto to the Council in writing.

Motion to refer to the Borough Attorney to prepare a Resolution for the February 5, 2002 Council Meeting to override the Mayor's Veto moved by Mr. Merla, seconded by Mrs. Atkins. Roll Call Vote: Ayes: Councilmembers Atkins, Merla, Hyer, Stalter. Absent: Councilmembers Bergen and Ashmore.

Mayor Graham said that he would appreciate being able to discuss his issues with the Ordinance on February 5, 2002. Mr. Merla said that per the Statutes, the Council does not have to allow this, but the matter will be addressed on February 5th.

COMMUNICATIONS AND PETITIONS

1. Request from Army Corp of Engineers to Access GIS Information

Motion to Approve their request and waive the fees moved by Mr. Merla, seconded by Mr. Hyer with Ayes by all present.

2. Resignation from Harry Aumack, Fire Official (effective 1/31/02).

Mrs. Atkins read a letter that was received from Fire Chief Marr regarding Mr. Aumack and she recommended accepting Mr.

Aumack's resignation. Mayor Graham concurred with the sentiments expressed. Mrs. Atkins said that a recommendation that Anthony Vecchio be appointed Fire Official was received from Fire Chief Marr. Per a letter from Mr. Vecchio, he can handle the position.

Motion to accept Mr. Aumack's resignation with regret moved by Mr. Merla, seconded by Mrs. Atkins with Ayes by all present.

UNFINISHED BUSINESS

2. **Second and Church Street Lot.** Mr. Merla said that Mr. Foley sent a letter regarding the lot on the corner of Second and Church Streets. Mr. Merla spoke with Mr. Bergen about a single family ranch being constructed. Whoever buys this lot would go before the Planning Board; the lot could be subdivided and two homes be built. Mr. Merla asked that Mr. Foley submit something in writing. This matter will be relisted on the February 5th Agenda.
3. **Insurance.** Mr. Merla said that an Insurance packet was submitted for review. There will be a new Broker of Record; this will be acted on at the February 5th Agenda.
4. **Fire Museum Property.** Mrs. Atkins said that a letter was received from Mr. Litwin regarding the Museum property. Mr. Litwin and Mr. Kain recommended that a Phase I Environmental Study to be conducted. A proposal is needed. This matter will be listed on the February 5th Agenda.

RESOLUTIONS

2. Authorize Execution of Borough Engineer's Contract. This was deleted from the Agenda. Mr. Merla said that he would like the Borough Attorney to review the contract.
3. Resolution #66-02, Approve Acceptance of DEDR Funds

WHEREAS, the Monmouth County Division of Alcohol and Drug Abuse Services has advised the Borough that there is additional funding in the amount of \$750.00 to be used for the continuing Education of members and staff of the Keyport Alliance to Prevent Alcoholism and Drug Abuse; and

WHEREAS, notice of acceptance of these funds was due no later than January 31, 2002.

NOW, THEREFORE, BE IT RESOLVED that the Borough Clerk/Administrator's acceptance of these funds on January 18, 2002 is hereby approved.

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

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

4. Resolution #67-02, Appointment of Fire Official, Effective February 1, 2002

WHEREAS, a vacancy exists in the position of Fire Official; and

WHEREAS, it is the desire of the Mayor and Council to fill this position; and

WHEREAS, funds are provided in the Budget for this position.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that Anthony Vecchio is hereby appointed Fire Official, effective February 1, 2002 at the annual salary now in effect for this position.

BE IT FURTHER RESOLVED that the appointment is provisional pending Department of Personnel testing and certification.

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

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

ADJOURNMENT

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

Time of Adjournment: 6:34 PM

Respectfully submitted,

Judith L. Poling/RMC

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

Allyson M. Cinquegrana

per Allyson M. Cinquegrana, RMC
Deputy Borough Clerk

