Approved 4-19-04

January 6, 2004
Keyport, New Jersey

Minutes of a Work Meeting of the Mayor and Council, held on the above date in the Keyport Senior Center, 110 Second Street, Keyport, N.J. pursuant to 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 Boards in accordance with the Open Public Meetings Act, P.L. 1975, Ch. 231.

Mayor Merla called the meeting to order at 7:00 P.M. and read the Sunshine Law Notice.

ROLL CALL

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

RESOLUTION

1. Resolution #57-04, Closed Meeting - Personnel, Litigation, Labor Relations and Contract Negotiations

(SEE FULL COPY OF RESOLUTION ATTACHED HERETO AND MADE PART OF THESE MINUTES.)

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

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

Council went into closed session at 7:05 P.M. and this meeting was reconvened at 8:15 P.M.

Mayor Merla called the meeting to order at 8:23 P.M. and read the Sunshine Law Notice. He welcomed back Councilmembers Wedick and Bergen.

ROLL CALL

On Roll Call the following were present: Councilmembers Wedick, Bergen (arriving at 7:53 PM), Doyle, Atkins, Stalter, Hyer. Others present: Mr. Kain, Borough Attorney and Mr. Freda, Borough Engineer.

COMMUNICATIONS AND PETITIONS

1. KBA 2004 Calendar of Events.

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

2. Request from Keyport Fire Dept/Hook & Ladder Company to place ad in program booklet.

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

3. Letter from Borough of Matawan regarding Interlocal for Health Services.

Motion to receive and file, moved by Mrs. Atkins, seconded by Mr. Stalter, with Ayes by all present.

4. Copy of Monmouth County Development Regulations.

Motion to refer to Unified Planning Board, moved by Mrs. Atkins, seconded by Mr. Stalter, with Ayes by all present.

5. Resolution from Township of Mount Holly opposing State's actions concerning the property tax reimbursement program.

   Motion to receive and file, moved by Mr. Wedick, seconded by Mr. Hyer with Ayes by all present.

6. KBA request to close W. Front Street from Main to Broad on January 17-19, Noon to 2 PM.

   Mr. Doyle said the ad was not well read, the frozen chickens were not given to the food pantry and this year is specific.

   Motion to approve, moved by Mr. Doyle, seconded by Mr. Stalter, with Ayes by all present.

7. Letter from the Keyport First Aid requesting use of the Senior Center bus for events.

   Motion to refer the matter to the Borough Attorney to check insurance requirements, moved by Mrs. Atkins, seconded by Mr. Stalter with Ayes by all present.

8. Letter from Shorelands Water Co. regarding Manasquan Customers Group proposed settlement.

   Motion to accept the settlement, moved by Mr. Bergen, seconded by Mr. Wedick, with Ayes by all present.

UNFINISHED BUSINESS

1. MCCD Program. Mrs. Atkins reported there will be a Monmouth County Community Development meeting for year 2005 at Brookdale College on January 28, 2004 at 9:30 AM.

2. Day Laborers. Mayor Merla reported that the day laborers at the 7-11 are a concern to residents and the Borough. The Mayor spoke with Father Cioffi on 1/1/04 about using St. Joseph Church. The Mayor will check further and will speak with the Police Chief and Police Captain. There would be liability on the church. Mr. Bergen asked Chief Gajewski if the vehicles are being checked for seat belts, etc. Chief Gajewski will meet with Father Cioffi.

3. School Calendar. The calendar has been completed and it received a 2003 award of merit.

4. 180 Center. They have sent the Borough a letter of thanks for the Resolution the Borough sent to the Freeholders regarding their funding.

5. Army Corp. Mayor Merla sent them a letter and they responded that they will do a study to deepen the channel. A meeting date will be set up. The last dredging was in 1990 and should be done again in 2007.1 Senator Corzine's office has been thanked for their direction. This has to go through Section 107. Last time the spoils were dumped at the mud site in the Atlantic Ocean. Mr. Bergen said the marinas and Harbor Commission should be included in the meeting. The study will take 4-6 weeks.

ADMINISTRATOR'S REPORT

Mrs. Poling reported on the following. #2 Fuel Oil Bids; There were no bids. Motion to rebid, moved by Mr. Hyer, seconded by Mr. Wedick, with Ayes by all present. Cellular Tower Bids; this was the third time for bids. Mr. Kain is to negotiate with the individual and report back.

ENGINEER'S REPORT

Mr. Freda reported on the following. Therese Street Project: Monmouth County Community Development is reviewing the bids. Benjamin Terry Bulkhead: if the bulkhead is removed, permits are not needed. If part is left by the old plant pump station, or if something new is put in, then permits are needed. The DEP will review and advise. The Borough has to keep filling in the depressions. Mr. Freda asked for direction, should he file for permits which would cost approximately $4,000. Rough costs for removal and grading - $90,000. The type of materials which could be used was discussed. Mr. Bergen asked about the area being fenced off to the public. There was further discussion on what should be done and at what cost. Mr. Freda said to build a new one in front of the old one would run $150-200,000. If it was taken down and graded it would cost the same amount. Mayor Merla recommended referring the matter to Councilmembers Hyer, Bergen and Stalter to meet on site and to come back on January 20, 2004 with a recommendation. Mr. Bergen asked about running whalers and Mr. Freda said he would have to check the site. Mayor Merla recommended caution on where they dig. The Engineer is to contact the Borough Clerk to set dates for meeting on site.

ATTORNEY'S REPORT

Mr. Kain reported on the following. Magic Touch vs Borough of Keyport, depositions will be held Friday, 1/9/04. Charter Fishing Boat Lease, Mr. Kain recommended that this be held over to the 1/20/04 meeting pending completion of Lt. Mitchell's investigation.

NEW BUSINESS

1. Drug Alliance. Mrs. Atkins reported that there will be a meeting on January 19, 2004 at 7 PM in the Senior Center. There is a new County Director and she asked residents to attend. Redevelopment, the will be a special meeting with the Planner and it has been posted on Channel 22 and flyers will be distributed.

PUBLIC COMMENT

The Meeting was opened to the public at 8:55 P.M. for comments or questions. Robert Swingraft, 36 Cedar Street said that at the December 16, 2003 meeting John Doyle said he would make a recommendation to remove residentials from the Redevelopment Plan. Mr. Doyle said he said he would look at it. Mayor Merla said they want to meet with the Planner. Joseph Wedick was curious as to why. Mayor Merla said the committee formulated vision. Mr. Bergen said there is no plan yet. Mr. Swingraft asked what is the vision. Mayor Merla said the vision is the Master Plan and that they want to hear from the Planner as why the areas are being studied so that the Council can make a decision. Mr. Wedick said letters were sent to the residents. Mr. Bergen asked Kathy Shaw where did the areas come from. Mrs. Shaw said the areas were decided through the plan application and what fits Smart Growth through consultation with Schoor DePalma, KBA and the Borough. They closed in on the waterfront and an arbitrary study line was drawn from the water. Mr. Bergen said a number of things were considered. Mrs. Shaw said at all the meetings there was the concern of the Borough moving forward without knowing how the roads connected, and looking at the impact of getting from one place to another. The vision is what the community puts forward. Mayor Merla said the biggest challenge is getting public input. A 12 member committee will be appointed and a 50 member citizen task force. When the Planners were interviewed they said this is only Phase I. The recommendations made by the

Planner may or may not be accepted by the Council. Payments are made in increments according to the Smart Growth review. Mr. Swingraft said the more he reads he believes these people have tremendous power. Mayor Merla said the Council has the final say. Mr. Bergen said the Statute provides tremendous power. Once an area is decided it then goes to the Planning Board and then to the Mayor and Council and then a redevelopment plan is adopted. Mr. Bergen said he wants to talk with the Planner. When an area is designated it has to be decided if it should be modified. Mayor Merla said the meeting with the Planner is an opportunity to ask why this area; the Planner will review all the data. Mr. Bergen said there are to be charts for the 1/15/04 meeting. Mr. Wedick asked about a letter to Mayor Merla and a letter to the residents. Mr. Swingraft said the rip rock is washing out at the Aeromarine. Mrs. Shaw said the historical homes on First Street are an asset and preservation of these homes come under the land use regulations and design standards. It was asked about the signs in the Business District and design standards. Joanne Staeger, Main Street said she didn't know there was an issue with people by the 7-11. Mayor Merla said residents have come to the Council meetings with complaints and have also called his office. Mrs. Staeger said this is discrimination and that she hasn't has any issues. Mayor Merla said there are safety issues like going into a locked box truck. There are out of state vehicles; there is overcrowding under the Landlord Registration Act. The Police Department have sent memos. Mrs. Staeger asked if the garbage company was advised of the new recycling schedule. Mayor Merla said part of the fault was the garbage company and part was the Borough; the coding was changed on the schedule. There will be a meeting with the garbage company and the new schedule is on Channel 22. Mr. Hyer said it will be rectified by tomorrow. Mr. Bartell, East Front Street asked what time does the garbage company start, that there have been a few times at 4 AM. Mayor Merla said 6 AM according to the contract. Police Chief Gajewski said it could have been a private hauler/dumpster. Sid Becnel, 22 Myrtle Avenue asked about the Mayor and Council homes on the redevelopment list, who defines "common good" for Keyport (DCA speaking about common good), creating a vertical, and the residential area of Walnut to Broad. He said this is an underhanded maneuver and resident will have much to say on 1/15/04. George Walling, 54 Second Street asked about the Borough Hall move and would the KBA chicken event at the same time interfere. Mr. Kain said the move would be based on obtaining a Certificate of Occupancy. Bill Perry, KYAL President said they have received $200.00 in the past two year from the Recreation Commission and the are in need of money. They have 225 children and Mr. Jiminez said there is no money. Mayor Merla said the budget process starts now. Mrs. Atkins said the Recreation Meeting is on 1/8/04 at the Senior Center and Mr. Perry should come and make a presentation; in prior years safety equipment was bought. Motion to approve $100.00 from the temporary Recreation budget, moved by Mr. Bergen, seconded by Mr. Hyer, with Ayes by all present. Mayor Merla said there are 88 business units from Beers to Broad. On Broad Street there were 64 plastic garbage bags, no garbage cans, and that they have to follow the rules. If the garbage is not in cans, where was it stored for a week. According to the Board of Health Ordinance there is a three can limit. The Public Comment portion of the meeting was closed at 9:45 PM.

RESOLUTIONS

(FULL COPIES OF RESOLUTIONS ARE ATTACHED HERETO AND MADE PART OF THESE MINUTES.

2. Resolution #58-04, Payment of Bills

3. Resolution #59-04, Contribution to Keyport Fire Department for Ad in Program Booklet
4. Resolution #60-04, Extend Date to January 19, 2004 to pay Water/ Sewer Bills due to late mailing
5. Resolution #61-04, Revised Annual Notice
6. Resolution #62-04, Revised Salary Resolution - Various Employees
7. Resolution #63-04, New Municipal Complex Change Order No. 16
8. Resolution #64-04, New Municipal Complex Change Order No. 17
9. Resolution #65-04, Accept Proposal regarding Manasquan User Group
10. Resolution #66-04, Special Meeting January 15, 2004, 7PM, First Aid Building, Redevelopment
11. Resolution #67-04, Accept Check from Yellow Rose Diner pertaining to sewer backup

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

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

ADJOURNMENT

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

Time of Adjournment: 9:50 P.M.

Respectfully submitted,

Judith L. Poling

Judith L. Poling, RMC/CMC
Borough Clerk

RESOLUTION FOR THE PAYMENT OF BILLS

58-04

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
	CURRENT:		
#16017	03096 Conrad Mary E. & Matthew	9001.912	3,046.88
16018	03094 Frizpatrick, John P.	9001.912	1,035.33
16019	03101 Countywide	9001.912	979.06
16020	03095 Presedo, Amaro & Maria	9001.912	1,368.88
		Total Current..........$	**6,430.15**
	WATER AND SEWER:		
	GENERAL CAPITAL:		
	TRUST:		
2321	Raritan Realty Corp	Trust	2,759.10
		Total Trust............$	**2,759.10**

Passed January 6, 2004

Approved January 6, 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, BERGEN, DOYLE, ATKINS, STALTER, HYER
NAYS: NONE
ABSTAIN: NONE
ABSENT: NONE

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 6, 2004

Judith L. Poling, RMC
Borough Clerk

RESOLUTION

60-04

EXTENDING THE DATE TO PAY WATER/SEWER BILLS TO JANUARY 19, 2004 DUE TO LATE MAILING OF BILLS

WHEREAS due to the delayed mailing of the January 1, 2004 water/sewer bills the date for interest accrual for non-payment has been set for January 19, 2004.

WHEREAS, N.J.S.A. 54:4-67 further provides that any payment received after the date upon which the same became payable, interest will revert back to the due date of January 1, 2004.

BE IT FURTHER RESOLVED that no interest shall be charged if payment is made by January 19, 2004.

Offered by: Mr. Hyer 2nd By: Mr. Stalter

Roll Call Vote:

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

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 COUNCIL MEETING HELD JANUARY 6, 2004.

Judith L. Poling

JUDITH L. POLING, RMC/CMC
BOROUGH CLERK

RESOLUTION
59-04
APPROVING CONTRIBUTION TO
THE KEYPORT FIRE DEPARTMENT

WHEREAS, the Keyport Fire Department is located in the Borough of Keyport and County of Monmouth and conducts activities that benefit the public good; and

WHEREAS, the Keyport Fire Department has requested that the Borough of Keyport contribute the sum of $100.00 for an advertisement in the 126th annual Ball Program Booklet

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, that the sum of $100.00 is hereby approved as a contribution for a full page ad in the Fire Department Annual Ball Program Booklet and the Mayor and Chief Financial Officer are authorized and directed to pay said sum.

OFFERED BY: Councilman Hyer 2ND BY: Councilman Stalter

ROLL CALL VOTE:

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

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 6, 2004.

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

RESOLUTION

62-04

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF KEYPORT AMENDING AND SUPPLEMENTING RESOLUTION 58-03 FIXING THE ANNUAL SALARIES FOR EMPLOYEES OF THE BOROUGH OF KEYPORT

WHEREAS, the Mayor and Council did by Resolution 58-03 determine and fix the annual salaries for employees of the Borough of Keyport; and

WHEREAS, based upon further review it appears that the previous resolution failed to address the issue of employees hired after January 1, 2002, which salaries were fixed at the time of appointment; and

WHEREAS, the Mayor and Council are resolved to modify and amend the previous resolution and to fix the annual salaries of the employees of the Borough of Keyport to correctly reflect their annual salaries in accordance their appointing resolutions and increases negotiated as part of collective bargaining.

NOW, THEREFORE, BE and it is HEREBY RESOLVED by the Mayor and Borough Council of the Borough of Keyport, that the following annual salaries are hereby established for the indicated positions as filled by the present named employees effective January 1, 2002 or the effective date of hire or transfer, whichever is later, in accordance with the salary ordinances currently in effect:

1. SECTION 1.

TITLE/ EMPLOYEE	EFFECTIVE 1/1/2002	EFFECTIVE 1/1/2003	EFFECTIVE 1/1/2004
Senior Account Clerk (Hoffman/Negron)	$31,501.17	$32,761.22	$34,071.67
Senior Account Clerk (Hassmiller)	open	$31,200.00	$32,448.00
Administrative Secretary (McLane)	$38,229.70	$39,758.89	$41,349.25
Police Records Clerk (Royster)	$30,354.57	$31,568.75	$32,831.50
Police Records Clerk (Andrews)	open	$28,144.40	$29,270.18
Sr. Permit Clerk/Typist (Kovacs)	$23,516.77	$24,457.44	$25,435.73

ANNUAL NOTICE

Notice is hereby given that effective February 3, 2004, the Keyport Borough Council will hold its Work Agenda Meetings on the 1st Tuesday of the month and its Regular Agenda Meetings on the 3rd Tuesday of the month at 7:00 P.M. in the Municipal Complex Council Chambers, 70 W. Front Street, Keyport, N.J. with the following exceptions listed below. Formal action may be taken at these meetings. This notice is provided in accordance with the requirements of P.L. 1975, Ch. 231, Open Public Meetings Act (Sunshine Law Notice).

Exceptions: April 20, 2004 - Meeting will be held on Monday, April19, 2004
November 2, 2004 - Meeting will be held on Monday, November 1, 2004

Note: 7:00 P.M. - Closed Meeting-Public excluded
8:00 P.M. - Regular Business-Public may attend and comment

RESOLUTION

61-04

BE IT RESOLVED by the Keyport Borough Council that the Notice of its Agenda Work Meetings which will be held the 1st Tuesday of the month in and its Regular Meetings which will be held on the 3rd Tuesday of the month at 7:00 P.M. in the Municipal Complex, Council Chambers, 70W. Front Street, Keyport, N.J. be posted on the Bulletin Boards, in the Municipal Complex be mailed to the Asbury Park Press, the Two River Times, the Courier, and the Star Ledger and be filed in the Office of the Borough Clerk.

OFFERED BY COUNCILMAN HYER, SECONDED BY COUNCILMAN STALTER
ROLL CALL VOTE:

AYES:	COUNCILMEMBERS WEDICK, BERGEN, DOYLE, ATKINS, STALTER, HYER
NAYS:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

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 6, 2004.

Judith L. Poling

JUDITH L. POLING, RMC/CMC
BOROUGH CLERK

RESOLUTION

RESOLUTION NO: 63-04

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT APPROVING CHANGE ORDER NO: 16 WITH A & K EXCAVATING RELATIVE TO INSTALLATION OF ADDITIONAL INTERIOR LIGHT SWITCHES AND "FAIL SAFE" LIGHTING WITHIN THE NEW MUNICIPAL COMPLEX

WHEREAS, the Mayor and Council of the Borough of Keyport have previously authorized the construction of a new Municipal Complex, and

WHEREAS, the Mayor and Council have received a written request from the project architect recommending approval of Change Order No: 16 for the Municipal Complex as it relates to the contractor, A & K Excavating, and

WHEREAS, the Mayor and Council have reviewed the proposed change order request and have determined to approve the change order request relating to the installation of additional light switches in the Meeting Room and the addition of certain "fail safe" lighting in the police area located within the new municipal complex as submitted by the General Contractor, A & K Excavating, Holmdel, New Jersey; and

WHEREAS, based upon the review of the Mayor and Council and the recommendation of the project architect, the Mayor and Council are inclined to authorize Change Order No: 16 relating to the installation of additional light switches in the Meeting Room ($850.00) and the addition of "fail safe" lighting in the police area ($2,832.50) within the new municipal for a combined additional sum of Three Thousand, Six Hundred Eighty-Two Dollars and Fifty Cents ($3,682.50); and

WHEREAS, the Mayor and Council desire to memorialize the within Resolution approving the change order and authorizing the project architect to proceed with the within change to the Municipal Complex as set forth in Change Order No. 16 to the Keyport Municipal Center dated January 5, 2004, with the understanding that the within change order is not required in order to fulfill the requirement of substantial completion of the municipal complex.

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

The Mayor and Council of the Borough of Keyport hereby approve Change Order No: 16, as recommended by the project architect consisting of the installation of additional light switches in the Meeting room and the installation of "fail safe" lighting in the new municipal complex based upon a change order dated January 5, 2004.

Sr. Permit Clerk Typist (Cerase)	open	$23,400.00	$24,336.00
Registrar of Vital Statistics Secretary, Bd. Of Health (Purcell)	22,880.00	$23,795.20	$24,747.01

2. All additional terms and conditions of the Resolution 58-03, including salaries and longevity, not expressly modified herein are hereby confirmed

3. A copies of the within resolution shall be forwarded to the Municipal Finance Officer and a copy shall further be maintained in the Office of the Borough Clerk for public inspection.

OFFERED: COUNCILMAN HYER

SECONDED: COUNCILMAN STALTER

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

I, Judith L. Poling, certify that the foregoing is a true and an accurate copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at its meeting on the **6th** day of **January, 2004**.

Judith L. Poling

JUDITH L. POLING, RMC/CMC
BOROUGH CLERK

RESOLUTION

RESOLUTION NO: 64-03

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT APPROVING CHANGE ORDER NO: 17 WITH A & K EXCAVATING RELATIVE TO INSTALLATION OF A SMOKE DETECTOR IN CELL BLOCK AND FIRE ALARM AT ANNUNCIATOR PANEL IN DISPATCH CONSOLE WITHIN THE NEW MUNICIPAL COMPLEX

WHEREAS, the Mayor and Council of the Borough of Keyport have previously authorized the construction of a new Municipal Complex, and

WHEREAS, the Mayor and Council have received a written request from the project architect recommending approval of Change Order No: 17 for the Municipal Complex as it relates to the contractor, A & K Excavating, and

WHEREAS, the Mayor and Council have reviewed the proposed change order request and have determined to approve the change order request relating to the installation of a smoke detector in the cell block and the installation of a fire alarm at annunciator-panel located in the dispatch console located within the new municipal complex as submitted by the General Contractor, A & K Excavating, Holmdel, New Jersey; and

WHEREAS, based upon the review of the Mayor and Council and the recommendation of the project architect, the Mayor and Council are inclined to authorize Change Order No: 17, relating to the installation of a smoke detector in cell-block and the installation of a fire alarm at annunciator panel located at dispatch console in the new municipal for a combined additional sum of Three Thousand, Three Hundred and Eleven Dollars and Eighty-Eight Cents ($3,311.88); and

WHEREAS, the Mayor and Council desire to memorialize the within Resolution approving the change order and authorizing the project architect to proceed with the within change to the Municipal Complex as set forth in Change Order No. 17 to the Keyport Municipal Center dated January 5, 2004, with the understanding that the within change order is not required in order to fulfill the requirement of substantial completion of the municipal complex.

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

The Mayor and Council of the Borough of Keyport hereby approve Change Order No: 17, as recommended by the project architect consisting of the installation of a smoke

The Mayor and Council hereby approve the change order in the amount of $3,682.50 and further authorize the project architect to proceed with modified Change Order No: 16, based upon the written proposal submitted for the items herein approved. The total current contract between the Borough of Keyport and A & K Excavating is hereby further amended to reflect an increase in the sum of $3,682.50. The total new contract sum is increased to the sum of $3,417,161.44.

The within Resolution is specifically contingent upon the certification of the Municipal Finance Officer as to the availability of funds within the appropriate Bond Ordinance adopted by the Mayor and Council and amended thereafter.

4. The within change order is not required in order to fulfill the contractual requirement relative to substantial completion and the date fixed for substantial completion shall remain unchanged as a result of the within change order.

That a copy of the within Resolution, duly certified, be forwarded to the General Contractor, Project Architect, Clerk of the Works, Borough Engineer, Consulting Engineer, and Municipal Finance Officer.

Copy of the within resolution shall be retained in the office of the Borough Clerk for public inspection.

OFFERED:	COUNCILMAN HYER
SECONDED:	COUNCILMAN STALTER
AYES:	COUNCILMEMBERS WEDICK, BERGEN, DOYLE, ATKINS, STALTER, HYER
NAYS:	NONE
ABSENT:	NONC
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 6, 2004.

Judith L. Poling

Judith L. Poling, RMC/CMC
Borough Clerk

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT ACCEPTING PROPOSED SETTLEMENT WITH NEW JERSEY AMERICAN AS MEMBER OF MANASQUAN USER GROUP

RESOLUTION NO: 65-04

WHEREAS, the Mayor and Council of the Borough of Keyport have previously opposed the proposed water rate increase sought by New Jersey American Water, which application has been pending before the Board of Public Utilities; and

WHEREAS, the Mayor and Council have joined neighboring municipalities opposed to an increase as it effects those municipalities serviced as part of the Manasquan Service Group; and

WHEREAS, as the result of negotiations, a tentative agreement has been reached whereby the Manasquan Service Uninterruptible rate will not be increased to any of the participating municipalities including the Borough of Keyport; and

WHEREAS, the Mayor and Council of Borough of Keyport have determined to accept the within proposed settlement on behalf of the Borough of Keyport as recommended by professionals retained by the Manasquan Customers Group to represent the collected interests of the affected municipalities..

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

1. The Mayor and Borough Council hereby

detector in the cell block and the installation of a fire alarm at the annunciator panel located at the dispatch console in the new municipal complex based upon a change order dated January 5, 2004.

The Mayor and Council hereby approve the change order in the amount of $3,311.88 and further authorize the project architect to proceed with Change Order No: 17, based upon the written proposal submitted for the items herein approved. The total current contract between the Borough of Keyport and A & K Excavating is hereby further amended to reflect an increase in the sum of $3,311.88. The total new contract sum is increased to the sum of $3,420,473.32.

The within Resolution is specifically contingent upon the certification of the Municipal Finance Officer as to the availability of funds within the appropriate Bond Ordinance adopted by the Mayor and Council and amended thereafter.

The within change order is not required in order to fulfill the contractual requirement relative to substantial completion and the date fixed for substantial completion shall remain unchanged as a result of the within change order.

That a copy of the within Resolution duly certified, be forwarded to the General Contractor, Project Architect, Clerk of the Works, Borough Engineer, Consulting Engineer, and Municipal Finance Officer.

Copy of the within resolution shall be retained in the office of the Borough Clerk for public inspection.

OFFERED:	COUNCILMAN HYER
SECONDED:	COUNCILMAN STALTER
AYES:	COUNCILMEMBERS WEDICK, BERGEN, DOYLE, ATKINS, STALTER, HYER
NAYS:	NONE
ABSENT:	NONE
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 6, 2004.

Judith L. Poling

Judith L. Poling, RMC/CMC

RESOLUTION
66-04

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 15, 2004, 7:00 pm

in the Keyport First Aid Building, 1927 Atlantic Street, Keyport, N.J. for the purpose of:

providing information on the Smart Growth Redevelopment Area Study and Plan for the Borough Waterfront

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 a Special Meeting as stated in the Central School All Purpose Room, Broad Street, Keyport, N.J.

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

BE IT FURTHER RESOLVED that notice of said meetings be posted on the Bulletin Boards 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 re-scheduled meetings of the Governing Body as required by law.

OFFERED BY: Councilman Hyer 2ND BY: Councilman Stalter

ROLL CALL VOTE:

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

I, JUDITH L. POLING, DO HEREBY CERTIFY THIS TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND COUNCIL AT A MEETING HELD ON JANUARY 6, 2004

Judith L. Poling

JUDITH L. POLING, RMC/CMC
BOROUGH CLERK

accept the proposed settlement recommended in the matter off the Petition of New Jersey American Water for an Increase in Rates for Water and Sewer Service and Other Tariff Modifications, which application is presently before the Board of Public Utilities and which proposed settlement will result in no rate increase in water rates for the Manasquan Customers Group.

2. A copy of the within Resolution shall be forwarded to Michael P. Walsh, President, Shorelands Water, all municipalities comprising the Manasquan Customers Group and the Municipal Finance Officer and a copy of the within Resolution shall be retained in the Office of the Borough Clerk for public inspection.

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

I, Judith L. Poling, do hereby certify this to be a true copy of a Resolution adopted by Mayor and Council of the Borough of Keyport at a meeting held on the 6th day of January, 2004

Judith L. Poling

Judith L. Poling, RMC/CMC
Borough Clerk

RESOLUTION OF THE
MAYOR AND COUNCIL OF THE
BOROUGH OF KEYPORT
AUTHORIZING ACCEPTANCE
OF REIMBURSEMENT FOR GREASE
TRAP SEWER
BLOCKAGE FROM YELLOW ROSE
DINER

RESOLUTION NO: 67-04

WHEREAS, the Mayor and Council of the Borough of Keyport previously authorized the Borough Attorney to demand reimbursement from the Yellow Rose Diner for costs and expenses incurred by the Borough of Keyport as the result of a grease trap blockage occurring on or about September 10, 2003; and

WHEREAS, the Mayor and Council have been advised by the Borough attorney that the Yellow Rose Diner has tendered to the Borough of Keyport a check in the sum of $666.11 as reimbursement for all costs and expenses incurred by the Borough of Keyport associated with grease blockage; and

WHEREAS, the Mayor and Council of Borough of Keyport have determined to accept the within sum paid by the Yellow Rose Diner in full compensation of costs incurred to the Borough of Keyport as the result of the grease blockage on September 10, 2003.

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

1. The Mayor and Borough Council hereby accept the payment of $666.11 from the Yellow Rose Diner as full reimbursement for costs and expenses due to the Borough of

Keyport associated with the grease blockage of September 10, 2003.

2. A copy of the within Resolution shall be forwarded to the Municipal Finance Officer and Superintendent, Department of Public Works and a copy of the within Resolution shall be retained in the Office of the Borough Clerk for public inspection.

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

I, Judith L. Poling, do hereby certify this to be a true copy of a Resolution adopted by Mayor and Council of the Borough of Keyport at a meeting held on the 6th day of January, 2004

Judith L. Poling

JUDITH L. POLING, RMC/CMC
BOROUGH CLERK