Approved 10/16/01

October 2, 2001
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.

In Mayor Graham's absence, Council President Pedersen called the meeting to order at 7:05 P.M. and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Ashmore, Antonucci, Merla, Atkins, Bergen, Pedersen. Others present were Mr. Litwin, Borough Attorney.

RESOLUTION

1. Resolution #303-01, Closed Meeting - Personnel, Litigation, Labor Relations and Contract Negotiations

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

Personnel
1. Police Department
2. Election Clerk
3. Recreation Commission

Litigation
1. Magic Touch

Labor Relations
1. PBA Negotiations
2. IUOE Clerical Contract
3. IUOE Public Works/PSTO Contract

Contract Negotiations
1. Sale of Property
2. Purchase of Property
3. Garbage Contract
4. Shore Graphics

WHEREAS, the Governing Body has determined that within the provisions of the Open Public Meetings Law, the Public should be excluded from the discussion of said subjects;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that a meeting of the Mayor and Council shall be held forthwith from which the public shall be excluded in the Senior Citizen Center Meeting Room for the purpose of discussing the following subjects:

Personnel, Litigation, Labor Relations, Contract Negotiations

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

Offered for adoption by Mrs. Atkins, seconded by Mrs. Ashmore

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Merla
Atkins, Bergen, Pedersen

Council went into closed session at 7:06 P.M. and this meeting was reconvened at 8:27 P.M. On Roll Call the following were present: Councilmembers Ashmore, Antonucci, Merla, Atkins, Bergen, Pedersen.

Mayor Graham arrived at 8:10 P.M.

Mayor Graham called the meeting to order at 8:35 P.M. and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Ashmore, Antonucci, Merla, Atkins, Bergen, Pedersen. Others present: Mr. Litwin, Borough Attorney and Mr. Kriskowski, Borough Engineer.

PUBLIC PARTICIPATION

The Meeting was opened to the public for comments or questions regarding agenda items at 8:35 P.M. There being none, the Meeting was close to the public at 8:35 P.M.

HEARING ON ORDINANCE

1. Ordinance #15-01, Establish a Handicapped Parking Space/108 Church Street

The Clerk reported that the Ordinance was published as introduced in the Courier, issue of September 18, 2001, that the Affidavit of Publication is on file in her office, that copies were posted on the Bulletin Boards and made available to the public.

The Clerk read the Ordinance by Title:

AN ORDINANCE TO ESTABLISH HANDICAPPED PARKING SPACE ON A MUNICIPAL ROAD

The Hearing was opened to the public for comments or questions at 8:36 P.M. There being none, the Hearing was closed at 8:36 P.M.

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

Roll Call Vote: Ayes: Councilmembers Ashmore, Merla, Atkins Bergen, Pedersen
Abstain: Councilman Antonucci

1a. Motion authorizing the Clerk to publish the Ordinance as finally adopted according to law in the Courier, issue of October 4, 2001 moved by Mr. Pedersen, seconded by Mr. Merla with Ayes by all present.

2. Ordinance #16-01, Establish a Drop off-Pick up Zone/Broad Street

The Clerk reported that the Ordinance was published as introduced in the Courier, issue of September 18, 2001, that the Affidavit of Publication is on file in her office, that copies were posted on the Bulletin Boards and made available to the public.

The Clerk read the Ordinance by Title:

AN ORDINANCE AMENDING CHAPTER VII, TRAFFIC OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT

The Hearing was opened to the public for comments or questions at 8:37 P.M. Mr. Merla asked if the Chief met with the Board of Education Safety Committee. Chief Gajewski said that there were a few meetings and the Committee was in favor of this Ordinance. Mr. Hyer asked if there was a proposal for no parking across the street; no just the east side of Broad Street. The Hearing was closed to the public at 8:37 P.M.

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

Roll Call Vote: Ayes: Councilmembes Ashmore, Antonucci, Merla Atkins, Bergen, Pedersen

2a. Motion authorizing the Clerk to publish the Ordinance as finally adopted according to law in the Courier, issue of October 4, 2001 moved by Mrs. Atkins, seconded by Mrs. Ashmore with Ayes by all present.

COMMUNICATIONS AND PETITIONS

1. Letter from Kenneth Krohe, Liberty Hose Company #3 Secretary, advising that John McCleaster will be the company candidate for Third Assistant Chief.

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

2. Letter from Michael Walling, Liberty Hose Company #3, advising of

his intention to run as an independent candidate for Third Assistant Chief.

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

3. Letter from Clean Ocean Action regarding their 17th Annual Fall Beach Sweep on October 27, 2001 from 9:00 AM-12:30 P.M.

Mr. Merla requested that Public Works and the Environmental Commission be advised of this event.

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

4. Letter from Verizon requesting an Easement for West Front Street to replace a defective aerial cable.

West Front Street is a County Road. Mr. Litwin said that the Borough can only authorize an easement for Borough owned property. Verizon should draft an easement for the Borough Attorney's review.

Motion to authorize the Borough Administrator to advise Verizon that the Borough can only authorize an easement for Borough owned property and County approval would be needed if work is being done on West Front Street and request a draft easement for Attorney review moved by Mr. Merla, seconded by Mrs. Atkins with Ayes by all present.

5. Correspondence from Jersey Professional Management regarding Monmouth County Shared Services Consortium (see Resolutions)

Motion to list a supportive Resolution moved by Mr. Bergen, seconded by Mr. Antonucci with Ayes by all present.

6. Monmouth County Planning Board correspondence regarding the Rail Station Feeder Bus Service Plan.

Mr. Antonucci said that he is a commuter and sees what goes on at the train station. He supports this idea.

Motion to authorize the Borough Administrator to fill out the study moved by Mr. Bergen, seconded by Mr. Merla with Ayes by all present.

7. Request from VFW Post 4247 Ladies Auxiliary to hold the Annual Halloween Parade on October 28, 2001, 3:00 PM and for a donation (please see resolutions).

Motion to Receive and File moved by Mr. Bergen, seconded by Mr. Antonucci with Ayes by all present.

8. Memo from the Board of Health requesting Donna Markowitz be appointed as a Board of Health Member.

Motion to add an appointing resolution to the agenda moved by Mr. Merla, seconded by Mrs. Atkins with Ayes by all present.

9. Letter from the Keyport-Aberdeen Softball League requesting use of the Cedar Street Ballfield on Wednesday nights from 6:30-10:30 PM for make up games.

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

10. Request from First Presbyterian Church to hold their Annual Crop Walk on October 21, 2001.

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

UNFINISHED BUSINESS

1. **Permit Parking/Broad Street.** Mr. Bergen asked why a measurement limit was put on what dwellings can apply for a parking sticker. He requested that the limit be moved to the end of the block. Mr. Antonucci and Mr. Merla agreed. Motion to amend the Ordinance to extend the limit to just before the Seaport Diner moved by Mr. Bergen, seconded by Mr. Antonucci with Ayes by all present.

2. **Bulk Permits/Landlord Registration.** Mr. Merla said that this matter is regarding Bulk Permits vs. Landlord Registration. Mr. Merla said that he opposes Ordinance #16-97 which was recommended by the Recycling Committee. There are a lot of bulk items being picked up without stickers. The Board of Health opposed this ordinance. Mr. Merla reviewed the history since the Ordinance was adopted. The landfill around the time of this Ordinance gave a substantial decrease in tipping fees. Mr. Merla said that the Ordinance brings in money, but there are expenses (staff, cost of stickers, etc.). He spoke with Mr. Gallo who agreed that the Ordinance is not working 100%, but requested it be given a chance. The Odinance is not being enforced and the residents are not educated enough about the sticker program. The garbage men are being paid by the residents to take items. This is not a financial issue, but an enforcement issue. Mr. Merla recommended that the Certificate of Occupancy fees be raised. He said that Public Works is being taken away from their job to pick up items. He is not opposed to charging for white metals. There was discussion at the beginning of the year to give free permits to residents. James Poling, Property Maintenance Officer, suggested a Spring and Fall clean up each year. Mr. Merla said that Ordinance #16-97 is not working after four years and it is time to try something different. Tony Vecchio, Code Enforcement Officer, has been doing a great job with Certificate of Occupancy. A lot of time and money has been spent on the Recycling Program. Mr. Pedersen said that Mr. Merla was invited to attend the Recycling meeting to discuss his ideas and he did not attend. Mr. Pedersen agreed that enforcement is a problem, but he would like to sit down and talk about it. Mr. Merla said that there are several people he would have to meet with. There were kids on the Recycling Committee that should have been 18 years old. Mr. Merla said that he met with George Sappah and Tom Gallo to discuss this matter. Mrs. Ashmore said that the Ordinance is not working and this is not a political issue; people will not admit that it is not working. Council discussed whether the program is working or not. Mr. Bergen said that the Garbage Contractor is picking up more bulk items than garbage. Mr. Antonucci said that the Recycling Ordinance should be kept in place, but the Certificate of Occupancy fees should be increased; the Ordinance should be looked at not abolished. Mr. Merla said that the Borough has a better chance with the Code Enforcement Officer enforcing Ordinances by raising the Certificate of Occupancy fee. Mr. Bergen said that the recycling fees are "user fees" which offset tipping fees; taxes could go up if the Ordinance is abolished. Mr. Merla said that two pick ups a year can be established for clean ups. Mr. Antonucci recommended that this matter be referred to the Recycling Committee to really look at the Ordinance and address problems. Mr. Merla said that the Ordinance should be abolished; he did his research. Mr. Litwin said that if the Ordinance is abolished, the Borough would have to negotiate with the garbage contractor to pick up bulk items. Mayor Graham said that the contractor could get picky about how much they will take (the Ordinance states three 30 gallon cans per household). The Mayor said that the Ordinance has not been a complete success, but it has not been a failure either. The Police are on duty 24 hours, 7 days a week and can advise residents about the sticker program. The Recycling brochure is specific as to the amounts and items requiring stickers. The Ordinance could be better, but should not be discarded. Keyport has a good system; there has been a dramatic reduction of trash from landlord properties. All laws are created to be obeyed. There are a lot of issues to be worked out. Mr. Merla said that fees should be increased to generate revenue. The Police should be out protecting the Borough and not be garbage men. Mr. Antonucci reiterated his position; both (recycling stickers and increase of CO fees) should be used as a tool. Mayor Graham agreed that the Ordinance could be better and suggestions should be taken under consideration. This matter should be referred back to the Recycling Committee. Mr. Antonucci said that the guidelines and time periods should be enforced and this matter needs to be addressed. Mr. Pedersen said that if the Ordinance is abolished, something is needed in its place. The Mayor asked that the Administrator do a survey of Certificate of Occupancy fees of the surrounding towns. Mr. Merla said that he gave Mrs. Poling a survey that he did at the beginning of the year. Mr. Merla said that he will meet with the Recycling Committee before their monthly meeting. Mr. Bergen requested that an advertisement be put in the newspaper for people to serve on all Boards and Commissions. Motion authorizing the Clerk to place an ad in the newspaper moved by Mr. Bergen, seconded by Mr. Merla with

Ayes by all present. Motion to refer the Recycling Ordinance matter to Mr. Pedersen, Recycling Liaison moved by Mr. Pedersen, seconded by Mr. Merla with Ayes by all present. The Clerk will be advised when to relist this matter.

3. **Street Light/Center Street.** Allyson Cinquegrana, Deputy Borough Clerk advised Mayor and Council that she spoke with Jackie DeFelice of GPU who recommended a street light with 50-100 watts in a residential neighborhood. She also advised them that the Contributed Installation cost of $259 is a one time fee with a 5 year pay back. There was discussion on what type of wattage there should be; we can start with 50 watts and if it needs to be increased, it can be. Motion to authorize a 50 watt street light with the contributed installation cost moved by Mr. Bergen, seconded by Mrs. Atkins with Ayes by all present.

4. **Parking/Green Grove Apartments.** Mayor Graham said that last week he, Mr. Pedersen and Mr. Merla met with the Eighth Street residents. It was a good meeting with good ideas. Green Grove Apartments changed their parking procedure and designated spaces (one space per apartment) and other cars are parking in the surrounding neighborhoods. It was suggested that the garbage dumpsters be moved to acquire more parking spaces and that a survey be done for additional parking. Mayor Graham said that he spoke with Mr. Kurtz of the Kamson Corporation. A letter was received today by Mr. Kurtz who visited Green Grove Apartments and suggested that a lot be used for more parking. Mr. Merla said that there are not as many problems as there were. Snow plowing will be a problem in the winter if apartment tenants are parking on Borough streets; cars will be towed. Mr. Merla suggested that Mr. Kurtz change the parking procedures back to the way they originally were. Mayor Graham said that the letter from Mr. Kurtz is the first step toward a solution. Mr. Kurtz was made fully aware of the problem and he has concerns for his residents. Mr. Merla recommended that a time line be given to Mr. Kurtz before a crisis occurs. Mr. Bergen recommended that Mrs. Poling draft an Ordinance for the October 16th meeting. Police Chief Gajewski said that he researched the matter as far as the DOT criteria to ban parking. He will request the DOT's criteria for this type of situation and relay the information to Mayor Graham. Mr. Litwin said that spaces cannot be stipulated. Mayor Graham said that Mr. Kurtz will consider all suggestions. Daniel Bach said that when Harborview Condos were built, the builders were advised how many parking spaces are required for each unit. Mayor Graham said that he would have to go back to the Planning Board to find out what was required of Green Grove Apartments when they were being built. Chief Gajewski will research the law and this matter should be relisted on the October 16th Agenda. Mayor Graham said that he and Mrs. Poling met with Mr. Leight of Green Grove Apartments in the summer. Several residents in the area of Green Grove Apartments spoke of their concerns with the parking situation. They feel that the complex should go back to the old parking procedure.

5. **Waiver of Fire Hydrant Fee/Harborview.** Mr. Bergen said that there is a Water/Sewer Utility meeting next week; an answer cannot be given tonight. Daniel Bach of Harborview said that he drove through town and looked at the fire hydrants. Harborview consists of 24 units and pays $120,000 in taxes. Gull Way and Haven Off The Bay have been waived of this fee already and Mr. Bach felt that Harborview should be waived as well. Mr. Merla said that there are 19 accounts and $8900 in revenue has been brought in with the Fire Hydrant fee. Mr. Bergen said that the Condo Agreements were negotiated per the condo law. Mr. Merla said that he felt that this is discriminatory and that Harborview's fee should be waived. Flushing Hydrants is a problem with private property. Mr. Merla said that he will ask Mrs. Redmond to submit a letter regarding how the waiving of these fees affects her budget. Mr. Bergen said that the fees are set by ordinance. Mr. Bach felt that this was unfair and requested the fee be waived. Mr. Bergen advised again that there was a water/sewer utility meeting next week and the fees are set by Ordinance. Mr. Bach said that the condos are going to form a coalition. Mr. Merla said that there are 1996 letters to the other two condos on the waiver of fees and felt that all 19 should be waived of this fee. This matter will be relisted under Unfinished Business on the next Work Agenda. Mr. Pedersen said that he understood what Mr. Bergen has said, but a change should be made for next year. Mrs. Atkins said that she would have to review the matter because she cannot recall all of the facts. Mr. Litwin said that this is a long pending issue. Mr. Merla requested that

Mr. Litwin forward a copy of the Kelly Bill to the new Councilmembers. Mr. Bergen said that the garbage collection fees will go up next year because the Borough will be picking up the apartment complexes.

6. **Signs**. Anthony Vecchio, Code Enforcement Officer, requested a sign ordinance be put into effect. Council should review this matter and list under Unfinished Business on November 5th.

7. **Sale of Property**. This matter was discussed in Closed session.

8. **Ferry Service.** Michael Cummins, Fast Ferry, said that the ferry is going to arrive in a week to week and a half. He requested permission to berth the ferry over night. The have a small ferry that is 85 feet (the original ferry is 135 feet). Mr. Cummins said that there will be two runs with 350 passengers each run(700 total); they would use a 150 passenger boat to get the service going and have a second boat with 200 passengers. This would break up the service a little initially, but then they would go to one boat next year. They would like to moor the smaller boat along side of the barge in the evenings (Monday through Friday); not on weekends. Mr. Cummins requested extending the yellow line for the shuttle bus (safety issues). Mr. Litwin said that this matter went to Green Acres stating that the ferry will not moor overnight; the Borough would have to go back to Green Acres and notify them that they will be mooring two boats overnight so that they can be approved. Mr. Litwin asked what would happen to the pier if the boats were moored overnight and we had a storm. Mr. Cummins said that Fast Ferry will not stop their service if they cannot moor overnight. Mr. Cummins said that Acting Governor DiFrancesco has been helping push approvals through. Mr. Cummins asked if Council would like a detailed request from Fast Ferry. Mayor Graham said that it would be needed before the Governing Body acted on anything. Mr. Merla suggested that Mr. Cummins check with Green Acres first (less expensive way to go). Mr. Litwin said that the Borough would need a proposal, in writing, to be provided to Green Acres. The consensus of Council was to let Fast Ferry moor the boats in the winter. Mr. Bergen asked about parking; spots could be designated. Mr. Cummins said that they received the Planning Board's approvals, but there is a lot of work to be done. Mr. Litwin asked if there would be an attendant like Highlands has; yes.

9. **Drainage/Second and Waverly Streets.** Mr. Merla inquired about the status. Mr. Pedersen said that the drain was done; it was a storm drain. Mr. Sappah said that Public Works jetted Waverly Street from Second Street; it was packed. Roy Jimenez asked if Fulton Street could be done by the County. Mr. Sappah said that he has a meeting with Lee Homiyak of the County.

10. **Health Insurance**. Mrs. Ashmore asked about health insurance quotes for next year. No, they are being worked on now. Mr. Bergen said that if any of the Councilmembers know someone in the insurance business, they should contact Mrs. Poling. The Borough can also have the State come in regarding insurance.

ADMINISTRATOR'S REPORT

In Mrs. Poling's absence, Allyson Cinquegrana, Deputy Borough Clerk reported on the following. She spoke with Mr. Etor who advised the work on the Maple Place Bridge will done by a Contract after October 7th. The work should take one week. Mr. Etor will advise the Borough in writing when the project has been set up (contractor, date). The September 25th Payment of Bills: **CURRENT-$71,524.59, WATER/SEWER-$918.79 AND GENERAL CAPITAL-$32,496.11.** Police Chief Gajewski and Police Captain Dayback requested the appointment of Jennifer Kimberly Fox as Part Time Public Safety Telecommunications Operator. Motion to list an appointing resolution moved by Mrs. Ashmore, seconded by Mrs. Atkins with Ayes by all present.

ENGINEER'S REPORT

Mr. Kriskowski reported on the following. The Cedar Street Light specifications were amended and sent to Mr. Litwin for review. A notice was placed in the newspaper and the bids will be opened on October 18th. A fax was received from Mrs. Poling regarding a letter Fabco, Inc. requesting use of 176 Seventh Street for an in site remediation (discharge). Schoor DePalma has been involved and this matter should be forwarded to Public Works; there is a safety issue. Normally this is discharged in the street. The

Mayor asked what would have to be done to get this matter moving. Motion to refer to the Public Works Superintendent moved by Mr. Merla, seconded by Mr. Pedersen with Ayes by all present. Mr. Merla asked about the Bulkhead Project; nothing has been received from the State.

ATTORNEY'S REPORT

Mr. Litwin reported on the following. Oral argument on the New Municipal Complex is scheduled for November 5th before the Appellate Division; it will take 3-6 weeks for an opinion. Briefs were submitted; there will be no further Hearings. After the opinion is rendered, it could be appealed to the Supreme Court.

NEW BUSINESS

1. **Bethany Manor Crossing.** Motion to refer to Mr. Litwin to prepare an Ordinance moved by Mr. Bergen, seconded by Mrs. Atkins with Ayes by all present.

2. **Library Employee Parking.** The Clerk was advised to speak with Jacqueline LaPolla, Librarian about the employees parking in the Division Street Lot or Main Street Lot. Mayor Graham suggested that they use two spaces for the Borough Employees, but they will have to park elsewhere when the new Municipal Building construction begins.

3. **Drug Alliance.** Mrs. Atkins said that a meeting was held last week and there are two grants available. One is in the amount of $1500 with a $375 match by the borough and the other is a $5,000 grant with a $1,250 match by the Borough. This would be DEDR funds for 2002. The Drug Alliance would like to purchase Fatal Vision goggles for their program; all of the money goes to school programs. Motion to list two resolutions on the October 16th Agenda moved by Mr. Antonucci, seconded by Mr. Pedersen with Ayes by all present.

RESOLUTIONS

2. Resolution #304-01, Authorize Donation to Keyport VFW Post 4247 Ladies Auxiliary for Halloween Parade/$500.00

WHEREAS, the Keyport VFW Post 4247 Ladies Auxiliary is an organization located in the Borough of Keyport which conducts activities that benefit the public good; and

WHEREAS, the Keyport VFW Post 4247 Ladies Auxiliary has requested that the Borough of Keyport contribute the sum of $500.00 for the purpose of the Annual Halloween Parade.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that the sum of $500.00 is hereby approved as a contribution to the Keyport VFW Post 4247 Ladies Auxiliary and the Mayor and Chief Financial Officer are authorized and directed to pay said sum.

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

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Merla
Atkins, Bergen, Pedersen

3. Resolution #305-01, Amend September 18th Payment of Bills

WHEREAS, on September 18, 2001, the Mayor and Council of the Borough of Keyport passed Resolution #296-01 for the Payment of Bills; and

WHEREAS, on the Payment of Bills in the Current Account Section, the Fleet Services bill was added on for payment in the amount of $3,249.86; and

WHEREAS, on the Payment of Bills in the RBIT Account Section, there was listed a payment to James Newman in the amount of $100.00, this was deleted.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that the Current Account balance be amended to read $703,242.42 and the RBIT Account balance be amended to read $3,565.70

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

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Merla
Atkins, Bergen, Pedersen

4. Resolution #306-01, Payment of Bills

See full copy of Resolution as pages 11-12 of these minutes

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

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Merla
Atkins, Bergen, Pedersen

5. Award Proposal for Repair of Porch and Handicap Ramp/Senior Center-This resolution was held. There was a concern regarding how the bids went out; the specifications should have been more detailed. Mrs. Atkins said that Mayor and Council should hold off if they are not comfortable with the bids or results. Mr. Litwin said that there should be mention of spacing between boards, types of nails. Mrs. Atkins said that the Construction Code Official made recommendations. Mr. Pedersen said that the Borough should take time to work out the details. Mayor Graham said that the Construction Code Official should put together a detailed specification. Mayor and Council can act on the matter at the October 9th or 16th meeting. Roy Jimenez suggested that the High School trade students build the porch; there would be liability issues. Mr. Litwin said that he has nothing to work with. Proper specifications should be done for this type of job. Someone should draw up more detailed specifications and Mrs. Tooker should go back to the three bidders and have them rebid.

6. Resolution #307-01, Purchase Front-End Loader with Backhoe/Public Works

WHEREAS, the Department of Public Works of the Borough of Keyport (the "Borough") is presently in need of a Front-End Loader with Backhoe; and

WHEREAS, the Borough has received the attached proposal from Seely Equipment and Supply Company, Inc. ("Seely") having a business address of 1325 Highway 34, Farmingdale, New Jersey, for the purchase of a New Holland LB75 Backhoe having the following options:

Four Wheel Drive;
Four in One Bucket;
Extendable Backhoe; and
Dual Batteries ("the Backhoe")

WHEREAS, the Local Public Contracts Law permits a municipality to purchase, without advertisement, any good or service under any State Contract for same; and

WHEREAS, Seely has a State contract under which the Borough may purchase the Backhoe for a total cost of $46,805.20 (F.O.B. Keyport); and

WHEREAS, the Mayor and Council have examined said proposal from Seely and deem it to best meet the requirements of the contracting unit at the lowest price; and

WHEREAS, the Chief Financial Officer has certified that funds for same are available.

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

1. The Mayor and appropriate Borough officials are hereby authorized and directed to execute the attached contract with Seely for the purchase of the Backhoe in accordance with the annexed proposal and State Contract specifications.

2. This action is approved without competitive bids, nor the solicitation of competitive price quotes, in accordance with state law.

3. A notice of this award shall be advertised as required by law.

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

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Merla Atkins, Bergen, Pedersen

7. Resolution #308-01, Hire Part Time Public Safety Telecommunications Operator - Jennifer Kimberly Fox

WHEREAS, there is a present need for Part Time Public Safety Telecommunications Operators; and

WHEREAS, sufficient funds have been provided in the 2001 Budget for this Part Time position; and

WHEREAS, Police Captain John Dayback has recommended Jennifer Kimberly Fox be hired for the position of Part Time Public Safety Telecommunications Operator.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that Jennifer Kimberly Fox is hereby hired as a Part Time Public Safety Telecommunication Operator at a rate of $6.00 per hour effective October 3, 2001. When Jennifer Kimberly Fox is fully trained, the rate per hour will be increased to $8.00.

BE IT FURTHER RESOLVED that since this is a part time position there are no benefits.

BE IT FURTHER RESOLVED that the maximum number of hours per week is not to exceed 22 hours.

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

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Merla Atkins, Bergen, Pedersen

8. Resolution #309-01, Authorize Mayor and Borough Administrator to participate in Jersey Professional Management

WHEREAS, the 53 municipalities within Monmouth County are interested in providing cost effective and efficient delivery of governmental services to their citizens; and

WHEREAS, it is believed that sharing services provided by various municipalities will be cost effective and efficient; and

WHEREAS, there is a need to facilitate the sharing of governmental services; and

WHEREAS, Jersey Professional Management has proposed to the 53 municipalities of the County of Monmouth that they will provide services to facilitate the sharing of municipal and governmental services within the County, including with and between the municipalities and the Monmouth County government.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Governing Body of the Borough of Keyport does actively support discussing and researching possible new and enhanced Shared Services between one or more neighboring towns, the County government and/or the local school district(s); and

BE IT FURTHER RESOLVED that the following representatives of the Borough of Keyport, Kevin Graham, Mayor and Judith L. Poling, Borough Clerk/Administrator are hereby authorized and encouraged to participate in all meetings of the Monmouth County Shared Services Consortium for the purpose of reaching a consensus on the best opportunities for Shared Services among these; and

BE IT FURTHER RESOLVED that the Governing Body acknowledges and appreciates the County of Monmouth funding this effort on behalf of the Municipalities for the first year.

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

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Merla Atkins, Bergen, Pedersen

9. Resolution #310-01, Appoint Board of Health Member-Donna Markowitz

WHEREAS, there exists a vacancy on the Board of Health; and

WHEREAS, the Mayor and Council are desirous of filling this vacancy.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that Donna Markowitz is hereby appointed as a member of the Board of Health to fill a four year unexpired term which will expire on December 31, 2003.

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

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Merla
Atkins, Bergen, Pedersen

10. Resolution #311-01, Accept Pearl of the Bayshore Logo (KBA)

BE IT RESOLVED that the Mayor and Council of the Borough of Keyport hereby accepts and adopts the "Pearl of the Bayshore" logo.

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

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Merla
Atkins, Bergen, Pedersen

PUBLIC PARTICIPATION

The Meeting was opened to the public for comments and questions at 11:34 P.M. Candy Carey said that she and her husband were relocating to a two family home in Keyport and it required a variance. The Planning Board approved the variance (30'X20' addition). Mrs. Carey said that she received the Borough Engineer's statement which is paid through escrow; the bill is outrageous (it stated that it took two people 4 and 3/4 hours to review). Mr. Kriskowski said that Mrs. Carey should come to him to discuss the bill and then she could go to Council if she was not satisfied with the explanation she was given. Mrs. Carey said that it took the Planning Board 15 minutes to review. Mrs. Carey said that she is glad that Keyport runs its own water and asked if the Borough could continue to pump its own water (NY Attack and biological warfare). Mr. Bergen said that the Borough would have to go to the State to get special permission; we have a contract that forces us to buy Reservoir water. The Meeting was closed to the public at 11:45 P.M.

Mr. Merla asked why the stop work order was lifted at 108 Broad Street; he requested that the Construction Code Official be asked about this matter.

ADJOURNMENT

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

Time of Adjournment: 11:46 P.M.

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