

Approved 2/10/09

October 21, 2008  
Keyport, New Jersey

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

Mayor Bergen called the meeting to order at 6:33 P.M. Clerk Valerie deilweil read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Sheridan, Hill, Bolte, Walling, Mayor Bergen. Others present: Mr. Wisniewski, Borough Attorney and Ms. Wright, Borough Administrator. Absent: Councilman Kovacs and Councilman Ortman

RESOLUTION 228-08

**TITLE: CLOSED EXECUTIVE SESSION**

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

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

**WHEREAS**, the Governing Body wishes to discuss:

1. Personnel
2. Litigation
  - A&K Litigation
  - Captain John Lease
  - Uptown Bar & Grill
3. Labor Relations

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

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

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

Roll Call Vote: Ayes: Councilmembers Sheridan, Hill, Bolte, Walling

Nays:

Absent: Councilmember Kovacs, Ortman

Abstain:

Council went into Closed Session at 6:34 P.M. and this meeting was reconvened at 7:09 P.M.

Mayor Bergen called the meeting to order at 7:09 P.M. and the Borough Clerk read the Sunshine Law Notice. The Pledge of Allegiance was said and there was a moment of silence.

On Roll Call the following were present: Councilmembers Sheridan, Hill, Bolte, Walling, Mayor Bergen. Others present: Mr. Wisniewski, Borough Attorney and Ms. Wright, Borough Administrator. Absent: Councilman Kovacs and Councilman Ortman

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PROCLAMATION

Mayor Bergen read Red Ribbon Week Proclamation

PRESENTATIONS

Mayor Bergen presented certificates to the parents of Bridget McCann, Keyport High School's Central Jersey Group I State Discus Champion and to her coach.

Councilmen Sheridan and Hill presented Certificates of Recognition to the members of Keyport High School Bowling Team.

Chief Mitchell spoke on behalf of Keyport Business Alliance and made a Presentation regarding Repairs and Renovation to West Front Street Streetscape. Items to be done include:

- improve brick border along West Front Street
- remove all trees from West Front Street
- Grind all tree stumps below ground level
- Remove all light poles
- Replace all electrical conduit
- Install new bases for light poles
- Install new pavers (3 ft wide)
- Plant new trees suitable for sidewalk location (offset from curbline)
- Install new street lights consistent with mini-park lighting
- Repair sidewalks as required

Chief Mitchell said the Plan calls for three (3) trees between each streetlight - approximately 18-20 trees. The cost for entire project will be between \$60,000 - 70,000. Chief Mitchell would like to begin in February or March. The money is to come out of KBA's visual improvement fund.

Councilwoman Bolte asked Administrator Wright to have property maintenance look at buildings once trees are removed. Ms. Bolte asked for higher ampage on the lights for events and decorations.

APPROVAL OF MINUTES

February 19, 2008 - Work Session

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

Roll Call Vote: Ayes: Councilmembers Sheridan, Hill, Bolte, Walling

Nays:

Absent: Councilmember Kovacs, Ortman

Abstain:

COMMUNICATIONS AND PETITIONS

1. Application for membership into the Eagle Hose Company from Philip Santiago (contingent upon State approval) and letter regarding resignation of Terrance Groffie, as an active member

Motion to receive and file made by Mr. Sheridan, second by Ms. Bolte with Ayes by all present.

2. Letter from Keyport Police Explorer Post 267 thanking Mayor and Council for donating the bikes auctioned

Motion to receive and file moved by Mr. Sheridan, second by Mr. Walling with Ayes by all present.

3. Application for a Raffle License from St. Joseph School PTA for an On-Premise Merchandise (gift card) Raffle to be held on December 19, 2008
4. Application for a Raffle License from St. Joseph School PTA for an Off-Premise 50/50 Cash Raffle to be held on January 29, 2009

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

- Letter from Edward Burlew, Events Chairperson for the Keyport Business Alliance, requesting to begin the Macabre Mansion event at 6:30PM rather than the currently scheduled 7PM.

Motion to accept moved by Mr. Sheridan, second by Ms. Bolte with Ayes by all present.

#### REPORTS OF DEPARTMENTS

1. Borough Clerk's Monthly Report for September 2008
2. Tax\Water\Sewer Collector's Report for September 2008
3. Monthly Report for Building Department for September 2008
4. Minutes of June 10, 2008 Board of Health Meeting and Treasurer's Reports for June, July and August 2008
5. Property Maintenance Report for September 2008
6. Minutes of Keyport Recreation Commission meeting of September 4, 2008
7. Municipal Court's Monthly Cashbook Report for September 2008

Motion to accept all reports as read and file, moved by Mr. Sheridan, second by Ms. Bolte with Ayes by all present.

#### COMMITTEE REPORTS

Councilman Kovacs; Building and Grounds and Library: Absent

Councilman Sheridan; Fire, First Aid & Emergency Services: Mr. Sheridan thanked the Fire Department for their support with the Macabre Mansion. Mr. Sheridan gave report on ambulances. First Aid is in need of another ambulance; many calls are made to surrounding towns especially Keansburg.

Councilman Hill; Health and Recreation: Mr. Hill reported that Saturday, November 8<sup>th</sup> is the Board of Health Rabies Clinic. Regarding Waterfront Pet Waste - would like park rangers to have people curb their dog.

Councilwoman Bolte; Finance, Grants and Redevelopment: Ms. Bolte reported that she had a meeting with Borough Engineer to implement storm water management procedures for Waterfront Park. Ms. Bolte attended Beach Clean Up on October 18<sup>th</sup>. Commended the Chief that woods on Cedar Street were in good condition. Raised \$460.00 for recreation through selling cotton candy, raised \$200.00 for the Food Pantry from the cake, ie and jam contest. Ms. Bolte stated that the Farmer's Market has mums to be donated to the Garden Club to plant on public spaces. Ms. Bolte thanked the First Aid for using their bus to take Seniors home.

Councilman Ortman; Police: Absent

Councilman Walling; Public Works/Recycling/Property Maintenance: Mr. Walling stated that Bob Poling Jr. will not continue next year as Deputy Recycling Coordinator.

ADMINISTRATOR'S REPORT

Ms. Wright stated that the Waterfront Park bids came in about \$400,000 lower than estimated. There were 19 bids received, 30 picked up. Ms. Wright had a letter recommending Manzo Maroba Inc. from Borough Engineer and letter from Borough Attorney.

Mr. Sheridan asked for a summary of the Waterfront costs. Ms. Wright replied that Mr. Valesi will finalize and have it posted on website. Mr. Sheridan asked about revaluation. Ms. Wright reported a letter will be sent out with current assessments and projected assessments as well as tax rate.

Ms. Bolte stated that she would like general numbers on illegal conversions. Ms. Bolte asked about the Kiwanis Flea Market, particularly the garbage problem. Also reported that there are squatters who sell items when flea market is not in season.

Mayor Bergen thanked Carla Cefalo, Councilwoman Bolte as well as Councilman Sheridan and Councilman Hill for their help with the Country Jamboree. Mayor stated that he was happy about the Waterfront bids that came in.

ATTORNEY'S REPORT

Attorney Wisniewski had no report.

UNFINISHED BUSINESS

Mr. Walling stated that he walked around with residents who complained about the garbage. He doesn't feel there will be a happy medium.

Mr. Walling would like a synopsis of litter ordinance posted on website and put in water bills.

NEW BUSINESS

Mr. Hill stated that the High School invited Mayor and Council on October 25<sup>th</sup> from 9 -11 AM to the Keyport High School Cafeteria to discuss the roof on the Central School, solar power and athletic field.

Mr. Walling stated that he looked into shared services for Engineer to bring up at the Mayors Conference.

RESOLUTIONS

2. Resolution No. 229-08 Authorizing Emergency Repairs to the Sewer Main on Broad Street

Offered for adoption by Mr. Sheridan, second by Ms. Bolte

Roll Call Vote: Ayes: Councilmembers Sheridan, Hill, Bolte, Walling  
Nays:

Absent: Councilmember Kovacs, Ortman  
Abstain:

3. Resolution No. 230-08 Awarding Contract for Waterfront Park - Phase One Improvements

Offered for adoption by Mr. Sheridan, second by Ms. Bolte

Roll Call Vote: Ayes: Councilmembers Sheridan, Hill, Bolte,  
Nays: Councilman Walling

Absent: Councilmember Kovacs, Ortman  
Abstain:

4. Resolution No. 231-08 Authorizing Release of Performance Bond - 19 Division Street, LLC
5. Resolution No. 232-08 Authorizing Release of Performance Bond - Hendrickson/Arnella
6. Resolution No. 233-08 Authorizing change in Curfew for Minors on October 30<sup>th</sup> and 31<sup>st</sup>
7. Resolution No. 234-08 Payment of Bills

Offered for adoption by Mr. Sheridan, second by Ms. Bolte

Roll Call Vote: Ayes: Councilmembers Sheridan, Hill, Bolte, Walling

Nays:

Absent: Councilmember Kovacs, Ortman

Abstain:

#### PUBLIC COMMENT PORTION

The Meeting is opened to the public at 8:14 P.M. for comments or questions..

Bob Ludwig stated that he is concerned about gum on West Front Street, wants choice of materials linked to remedying that problem, spoke about the draining water from buildings into the streetscape. Also feels that the KBA should be restructured and asked how the rate is determined for the KBA assessment.

Resident stated that he thought the Country Jamboree was a huge success. Also thought the Chili contest was well done. Asked about posting of notice for September's special meeting.

Mike Lane, 51 First Street, stated that the meeting was not put on ebsite on that Friday although papers were notified. Also spoke about Woodmont Property having an extra dumpster and trash can. Administrator Wright reported punch list items for that property, should be resolved by the end of the week.

Mr. Lane also asked about:

- Status of Uptown Bay and Grill disciplinary hearing
- Board of Directors for KCCC
- Comp time for Borough Employees working events
- Corporate sponsors of events

There being no one further from the audience who wished to be heard, the meeting was closed to the public at 8:53 P.M.

#### ADJOURNMENT

Motion was made and carried with Ayes by all present to adjourn at 8:54 P.M.