Approved 11/1/05

November 17, 2003
Keyport, New Jersey

Minutes of the Regular 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 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 Board in accordance with the Open Public Meetings Act, P.L. 1975, Ch. 231.

Mayor Merla called the meeting to order at 7:12 P.M. and read the Sunshine Law Notice.

**ROLL CALL**

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

**RESOLUTION**

1. Resolution No. 393-03, 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. Tax Office
2. Borough Clerk's Office

**Litigation**

1. Washington Street Reconstruction Phase III
2. Grandon vs. Borough of Keyport Planning Board
3. Magic Touch vs. Borough of Keyport

**Labor Relations**

1. PBA Negotiations
2. Administrative and Non Union Agreements

**Contract Negotiations**

1. New Municipal Complex

**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 Center Meeting Room for the purpose of discussing the following subjects:

Personnel, Litigation, Labor Relations and 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 Mr. Hyer, second by Mr. Stalter

Roll Call Vote: Ayes: Councilmembers Hyer, Stalter, Doyle
Nays: None
Abstain: None
Absent: Councilmembers Bergen, Atkins, Green

Council went into Closed Session at 7:13 P.M. and this meeting was reconvened at 7:57 P.M.

Mayor Merla called the meeting to order at 8:03 P.M. and read the Sunshine Law Notice. Councilman Doyle led the Pledge of Allegiance and Moment of Silence.

## ROLL CALL

On Roll Call the following were present: Councilmembers Hyer, Stalter, Doyle. Absent: Councilmembers Bergen (arrived at 8:25 P.M.) and Atkins (arrived at 8:07 P.M.), Green. Others Present: Mr. Kain, Borough Attorney and Mr. Hilla, Borough Engineer's Office.

## APPROVAL OF MINUTES

Minutes of the Closed Meeting of January 21, 2003 were approved as read by Mr. Doyle, second by Mr. Stalter with Ayes by all present.

## HEARING ON ORDINANCE

1. Ordinance No. 34-03, Vacate a Portion of a Public Street, Vitt Street

The Clerk reported that the Ordinance was published as introduced in the Courier, issue of November 6, 2003, 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 AND SUPPLEMENTING AN ORDINANCE ENTITLED "REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT" ADOPTED BY THE MAYOR AND BOROUGH COUNCIL AND AMENDED FROM TIME TO TIME AFTER VACATING A PORTION OF A PUBLIC STREET WITHIN THE BOROUGH OF KEYPORT**

The Hearing was opened to the public for comments or questions at 8:07 P.M. There being none, the Hearing was closed to the public at 8:07 P.M.

Offered for adoption by Mr. Hyer, second by Mr. Doyle

Roll Call Vote: Ayes: Councilmembers Hyer, Stalter, Doyle
Nays: None
Abstain: Councilwoman Atkins
Absent: Councilmembers Bergen and Green

1a. Motion authorizing the Clerk to publish the Ordinance as adopted according to law, in the Courier, issue of November 20, 2003 moved by Mr. Stalter, second by Mr. Doyle with Ayes by all present.

## INTRODUCTION OF ORDINANCE

1. Ordinance No. 35-03, Bond Ordinance Amending Ordinance No. 28-02

The Clerk read the Ordinance by Title:

**BOND ORDINANCE AMENDING BOND ORDINANCE NO. 28-02 (WHICH PROVIDES FOR THE ACQUISITION OF FIRE TRUCKS, EQUIPMENT AND NON PASSENGER VEHICLES) HERETOFORE FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY ON OCTOBER 1, 2002, AS AMENDED BY BOND ORDINANCE NO. 14-03 HERETOFORE FINALLY ADOPTED BY THE BOROUGH COUNCIL ON MAY 20, 2003 TO REALLOCATE APPROPRIATIONS AND AUTHORIZATIONS THEREIN**

**BE IT ORDAINED AND ENACTED** by the Borough Council of the Borough of Keyport, in the County of Monmouth, State of New Jersey (not less than two thirds of all members affirmatively concurring), as follows:

**SECTION 1.** The Bond Ordinance of the Borough of Keyport, in the County of Monmouth, State of New Jersey (the "Borough") heretofore finally adopted by the Borough Council on October 1, 2002, numbered 28-02 and entitled, "Bond Ordinance Providing for Acquisition of Fire Trucks, Equipment and Non Passenger Vehicles by and for the Borough of Keyport, in the County of Monmouth, State of New Jersey (the "Borough"); Appropriating $837,000 therefor and authorizing the issuance of $792,000 Bonds or Notes of the Borough to Finance Part of the Cost Thereof" as amended by Bond Ordinance No. 14-03 heretofore finally adopted by the Borough Council on May 20, 2003 (collectively the "Original Ordinance") is hereby amended to reallocate appropriations and authorizations contained therein.

**SECTION 2.** Section 3 of the Original Ordinance is hereby amended with the effect and to the extent as follows:

"Section 3 (a) The improvements hereby authorized and purposes for the financial of which said obligations are to be issued are as follows:

| Description | Appropriation | Authorization | Down Payment | Useful Life |
|---|---|---|---|---|
| (i) the acquisition of two (2) fire trucks for the Keyport Fire Patrol, a volunteer organization and one (1) pumper fire truck for the Raritan Hose Company No. 1, a volunteer organization, the title to which fire truck shall remain with the Borough and which appropriation for such fire trucks shall be controlled and disbursed by the Borough | $514,000 | $489,500 | $24,500 | 10 years |
| (ii) the acquisition of equipment and non passenger vehicles for the Borough's Department of Public Works, including but not limited to a street sweeper, dump truck and a lift truck; and | $280,000 (including $5,000 from the reserve for a public works vehicle in the general capital fund) | $261,600 | $13,400 | 10 years |
| (iii) the acquisition of a backhoe for the Borough's Department of Public Works | $ 43,000 | $ 40,900 | $ 2,100 | 7 years |
| **TOTALS** | **$837,000** | **$792,000** | **$40,000** | |

(b) The above improvements and purposes set forth in section 3(a) shall also include all work, materials, equipment, labor and appurtenances as necessary therefore or incidental thereto.

(c) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is $792,000.

(d) The aggregate estimated cost of said improvements or purposes is $837,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefore being the aggregate amount of $792,000 is the Reserve Monies in the amount of $5,000 and the aggregate down payments for said improvements or purposes in the amount of $40,000."

**SECTION 3.** In the event the United State of America and/or the State of New Jersey make a contribution or grant in aid to the Borough for any of the general capital improvements authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 of the Original Ordinance, as amended hereby, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United State of America and/or the State of New Jersey. In the event, however, that any amount so contributed or granted by the United State of

America and/or the State of New Jersey shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 of the Original Ordinance, as amended hereby, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

**SECTION 4.** The purpose of this amendment is to modify and expand the purposes for Capital projects provided for in the Original Ordinance and to reallocate appropriations for such modified or expanded purposes. No additional appropriation, down payment or issuance of bonds or notes, over and above the respective appropriation, down payment or issuance of bonds or notes authorized by the Original Ordinance as adopted, is hereby made or authorized. The supplemental debt statement required by the Local Bond law was duly made and filed at the time of introduction of the Original Ordinance. No additional or amended supplemental debt statement is required to be filed at this time.

**SECTION 5.** The Capital Budget of the borough is hereby amended to conform with the provisions of this amendatory bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, shall be filed in the Office of the Clerk of the Borough and shall be available for public inspection.

**SECTION 6.** The average period of usefulness of the improvements or purposes set forth in Section 3 of the Original Ordinance, as amended hereby, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by the Original Ordinance, as amended hereby, is 9.84 years.

**SECTION 7.** Except as expressly amended hereby, the Original Ordinance shall remain in full force and effect.

**SECTION 8.** This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Offered for adoption by Mrs. Atkins, second by Mr. Stalter

Roll Call Vote: Ayes: Councilmembers Atkins, Hyer, Stalter, Doyle
Nays: None
Abstain: None
Absent: Councilmembers Bergen and Green

1a. Motion authorizing the Clerk to publish the Ordinance as introduced in the Courier, issue of November 20, 2003 for a Hearing to be held on December 2, 2003 moved by Mrs. Atkins, second by Mr. Doyle with Ayes by all present.

2. Amend Chapter 14, Quarterly Charges for Water Service

The Ordinance was held. The Chief Financial Officer and Borough Attorney will work on a rate schedule.

Thomas Fallon, Chief Financial Officer, said he issued a memo that the referendum on the ballot was defeated and the budget projection showed the Borough would have to produce $830,000 in revenue. Mr. Doyle asked if this has happened before the rate increase. CFO Fallon said last year a memo was issued that the rate increase would be 12% effective January 1, 2003 based on projections. This matter has been discussed for the last 2-3 years. The Financial Stability in 2001 started to decrease and it was brought to Council's attention. Mayor Merla said this matter goes back to 1999. In 2001, there were two special meetings held. CFO Fallon said the BRSA is the driving factor; their annual appropriations have increased for rates and flow adjustments.

In 2004, CFO Fallon said there will be an increase on flows in the amount of $424,000 unless we have a lot of rainy weather. In 2004, the BRSA's fees will be $1,870,000 (since 1994 there has been an increase of 123%). CFO Fallon commended Council for keeping the rates stable for the last 10 years. Mayor Merla said last year to this year there has been a $750,000 increase. He said he, Mrs. Atkins and Mr. Stalter met with Rob Fisher to find out how the BRSA structured their rates; research went back to 1977. The BRSA's budget hearing will be held on December 15th. It was asked how much of the BRSA bill is debt – 68%. The $56 million expansion debt will retire in 2013.

Mayor Merla said Keyport's 8 million gallons has doubled to 16 million. Aberdeen Township had to pay a $1 million connection fee. Mrs. Atkins said there was $700.00 in surplus last year. There are projections for the 2004 budget with revenues of $1400. She said in 2005, she hopes the BRSA costs go down (it depends on the flows – rain). Mr. Stalter said if the Borough takes out the capital improvements, the rate would still increase. CFO Fallon said there is $20,000 in the fund now plus another $20,000. We have authorized $800,000 in improvements. CFO Fallon said he needs authorization to draft specifications on the leak detection program. It was asked if there is an emergency break, where would the money come from, and if it would come from excess revenue. Yes, to keep the rates stable. There is a projection that the rate increase is less than anticipated.

Mr. Bergen arrived at the meeting at 8:25 P.M.

Mayor Merla said CFO Fallon has made projections. The ballot had an approximate rate in the question. There is now a 34.5% increase and sewer charge is 160%. An Ordinance for a rate change should be introduced on December 3, 2003 to become effective January 1, 2004.

Mayor Merla asked Councilman Bergen if he had any questions. Mr. Bergen asked if this includes any policy decisions of the Mayor and Council? No. CFO Fallon said there are salaries allocated between water and sewer (various percentages of salaries also); this can be reviewed, but we want to keep it fair. The Mayor asked if the percent budgeted is fair? CFO Fallon said yes, he can give Mayor and Council figures by employee. He said $36,500 can raise taxes one cent. Mr. Bergen asked if there was $20,000 in the Improvement fund? CFO Fallon said the 2002 Debt Statement show the percentage of debt. He said the calculation would have to be done; the utility is self liquidating; in 2002 it was not so a down payment was needed. Mr. Bergen said in 2003 the Utility Capital Fund balance had to be put back into the operating fund to balance the budget. Last year there was a $180,000 credit plus the fund was low budgeted on flows. The credit was used to offset the appropriation. The Mayor asked if the State would allow the Borough to reserve credit?

Mr. Bergen said there is a quarterly minimum charge per account. The Finance Committee is going to review the amount of cubic feet that the minimum quarterly charge is charged. A formula has to be followed with regard to the connection fees. Mr. Bergen said the large accounts should be looked at. Mayor Merla said Union Beach looked at residential vs. commercial. Mr. Bergen said we should look at excess charges also. CFO Fallon said there are no guaranteed fees.

Mr. Bergen asked if the cellular tower leases are dedicated revenues? CFO Fallon said the monies are an offset in taxes. Mr. Bergen said in Closed Session he would like to discuss BRSA flows; the numbers are off. The Borough should look at the surcharge for 2004 and the connections including sump pump connections. Mayor Merla said if there is a surcharge and the Borough knew they were tied in there could be a problem and we should look at taking the money out of the sewer program. There are still over 500 tied in. Mr. Bergen said the Borough should work with the DEP.

Mayor Merla asked if there were any guarantees that the DEP would say we must remain with the program until 2013 to buy water and further restrict. Engineer Hilla said probably not; the DEP could shut us down. Mr. Bergen said his biggest concern is the BRSA. CFO Fallon said other towns are increasing their rates. Mayor Merla requested Attorney Kain research the Aberdeen Interconnection.

Mayor Merla recommended this matter be referred to the Finance Committee to meet with CFO Fallon prior to the December 2nd Council meeting where an Ordinance should be introduced regarding the rates. CFO Fallon said if the Ordinance is not done by January 1, 2004, then there will be another 25% increase. He spoke with the BRSA requesting a portion of the flow be deferred. Mr. Fisher said this has never been done before. Mr. Bergen said various factors will reduce the rate increase.

## REPORT OF COMMITTEES

**Councilman Bergen; Police.** Mr. Bergen thanked the Public Works and Police Departments for the signs that were changed. He also thanked everyone who voted.

**Councilwoman Atkins; Fire.** Mrs. Atkins reported there were 15 General Alarms, 4 still alarms, 10 drills and 1255.5 man hours reported for the Fire Department. She attended the First Aid meeting; there were 713 calls in October. The First Aid needs help. There are 70 cadets in training to be First Aiders. The Borough needs a Chapter 159 for the vehicles and gear for the Fire Department. Mayor Merla thanked the Fire Department for their help during the funeral (Church and 182 Broad Street). She congratulated Mr. Bergen and Mr. Wedick on their win.

**Councilman Hyer; Public Works/Recycling/Property Maintenance:** Mr. Hyer congratulated Mr. Bergen and Mr. Wedick. An auction of Borough property was held. There was minor vandalism at Cedar Street Park; a slide was repaired. A Board of Health inspection was done and we were given a conditional O.K. The Recycling Yard received approval. Frances Street was also approved. Messrs. Gallo and Currier have worked on the 2004 Recycling Brochure. We currently have a 20 yard dumpster, Mr. Gallo is requesting approval to purchase two 6 yard dumpsters through the County Brush has piled up; a quote has been received for removal. The Borough is not going to pursue the purchase of a jet ski. Mr. Hyer made a recommendation that the Borough Attorney be authorized to recoup funds on the sewer blockage (bills were submitted). The Mayor said the Board of Health is suppose to inspect the grease traps, document history, write a report and forward bills. Mr. Hyer said documentation is needed. The Borough Attorney and the Board of Health are working on a Bulk Ordinance. The door hangers are out for quote. The Mayor said Mr. Hendricks sent a thank you regarding the tree.

**Councilman Stalter; Health/Recreation/Parks.** Mr. Stalter said the Recycling Yard is run efficiently and neat. At the Recreation Meeting, discussed the Cedar Street wall and how nice it looks, but more backfill is needed. A walk through of the parks will be scheduled. There is a tournament being played at Cedar Street and there is a concern that the soccer games being played on the field is causing the field to be torn up. The Borough Attorney was asked if the activities could be limited and if permits should be obtained. A trip to see the Blue Claws play next year is being planned; it is intended to go to an early game and to get together with other groups. A meeting will be held with Kathy Shaw and the businesses to set up tables. High School baseball can be played on the High School field. The Recreation Committee is interested in the program that the Keyport Yacht Club has for adult sailing. The Recreation Christmas party will be held on December 13th at the Central School from 9 AM – 12 Noon.

**Councilman Doyle; Finance.** Mr. Doyle said for the last few months the Finance Committee has been working on hiring a Deputy Tax Collector. Mrs. Redmond has been having second thoughts about retiring in April 2004. On December 2, 2003 there will be a Resolution to hire a Deputy Tax Collector with a three month trial period.

**Councilman Green; Buildings & Grounds/Library.** Mr. Green was absent.

**Administrator Poling.** Mrs. Poling reported that the October 29, 2003 Payment of Bills will be reported on at the December 2nd meeting. The DOT denied the Manchester Parking request. Mayor Merla said Green Grove Avenue is a County Road that we plow and sweep. Other streets are not as wide with parking on both sides. The other end of the street has parking on both sides. It was asked if it is a wholly contain street? The Mayor said the street is 26 feet wide and asked if should be made a one way. Green Grove Apartments came before the Planning Board informally to redo the lawn area for parking; they will be before the Board again on December 18th. It was requested they put a fence up. Chief Gajewski said he would distribute a letter to the residents regarding Manchester Avenue.

No bids were received for the Ferry Service. The Public Auction that was held on November 15th brought in $19,200. The 1995 Chevy will be rebid.

**Engineer Freda.** Mr. Freda submitted his October report to Mayor and Council.

**Attorney Kain.** Mr. Kain said a complaint was received from Mr. and Mrs. Grandon naming the Planning Board and Borough. The Summary Judgment for Magic Touch will be heard on December 5th with a trail date in January 2004. No bids were received for the Ferry Service; the Mayor asked that rebidding be held until after January 2004 (dredging is not in place). The Receipt of Bids for the Charter Fishing Boat Lease will be on November 26th; there were two typos in the specifications; there was a question on fueling. Mr. Hyer made a motion to rebid the sale of the 1995 Chevy, second by Mrs. Atkins with Ayes by all present.

**Mayor Merla.** Mayor Merla reported the BRSA authorized, by a 4-0 vote, health benefits for its Directors. He would like Council to support opposition and forward it to the Bayshore Regional Sewerage Authority. The BRSA's budget hearing will be held on December 15th at 7 PM. A NJ American Water hearing will be held on December 10th at 7 PM at Eatontown's Borough Hall. He will attend the ribbon cutting of the Northbound Convenience Store this Saturday at 11 AM. The Mayor commended the High School Football team; they will play South River.

The Borough needs 90 day lead time for the Garbage Contract; Council is looking to rebid vs. outside contractors. Union Beach has a contract with Marpal. The Borough Attorney will review the current garbage contract. The Board of Health and Recycling Committee need to give their input. Mr. Bergen said the weight slips need to be reviewed.

With regard to the PBA Contract, Council should respond to Mr. Bergen. The PBA Attorney should be told that 5:00 P.M. is O.K. with Mr. Bergen.

Smart Growth gave the Borough's Planner a head start to do the past work, etc. The Planner will meet with Mayor and Council.

The Bayshore YMCA and 180 (Women's Center) did not receive any County Funds.. The County Budget shows $70,000 in outpatient services. The Administrator was asked to write to the County to redistribute funds in 2004, evenly, so that they will get their fair share.

The pipes are a nightmare in town. The sewer line breaks are hurting the fishing and clamming that is done in town; the Mayor has spoken with the Baykeeper and Littoral Society. The trunk lines should be examined for infiltration. The lines in Keyport are TV'd only one per year or every four years. The DEP should mandate TVing yearly Aberdeen's Interconnect to Union Beach's interconnect. The First Street line is just starting to settle; Support from communities is needed.

There was a Brownsfield Program meeting on November 6th and there was another meeting today. The Borough will file an application by December 9th. Every marina and the Aeromarine should apply for the grant also. There is $94 million in the Federal Budget; now public and private entities can apply. The Mayor is a member of the Advisory Committee. (this matter should be referred to Councilmembers Green and Hyer and the Harbor Commission).

The Baykeeper is looking at the old Public Works site on American Legion Drive for their operation.

The Raritan Bay Power Squadron will help on the Boat US Grant and the Borough will take them up on their offer.

Mayor Merla congratulated Mr. Bergen and Mr. Wedick on their election win.

## REPORTS OF DEPARTMENTS

**April 2003**

1. Treasurer's Report

| | |
|---|---|
| CURRENT CHECKING | $ 210,600.02 |
| ASSESSMENT TRUST | 621.33 |
| FEDERAL AND STATE GRANTS | 588.11 |
| ANIMAL CONTROL | 1,484.13 |
| TRUST CHECKING | 15,478.00 |
| TRUST SAVINGS | 134,738.09 |
| RECREATION BAYFRONT TRUST | 84,535.45 |
| UNEMPLOYMENT TRUST | 60,325.39 |
| RECREATION COMISSION | 8,579.13 |

| | |
|---|---|
| GENERAL CAPITAL | 759,051.07 |
| ESCROW TRUST | 174,101.53 |
| LAW ENFORCEMENT | 9,349.17 |
| SELF HEALTH | 2,149.14 |
| PUBLIC ASSISTANCE TRUST | 3,605.90 |
| WATER SEWER CHECKING | 4,906.46 |
| WATER SEWER SAVINGS | 102,215.38 |
| WATER SEWER INVESTMENT | 4,322.62 |
| WATER CAPITAL CHECKING | 4,257.76 |
| WATER CAPITAL INVESTMENT | 85,120.87 |
| GENERAL CAPITAL INVESTMENT | 1,503,125.59 |

INTEREST EARNED ON INVESTMENT FOR APRIL 2003

CURRENT - $ 2,931.88
WATER - $201.12

Submitted by Pauline Redmond, Treasurer

**May 2003**

2. Treasurer's Report

| | |
|---|---|
| CURRENT CHECKING | $1,213,253.56 |
| ASSESSMENT TRUST | 621.33 |
| FEDERAL AND STATE GRANTS | 588.11 |
| ANIMAL CONTROL | 1,180.82 |
| TRUST CHECKING | 14,059.80 |
| TRUST SAVINGS | 134,738.09 |
| RECREATION BAYFRONT TRUST | 82,311.10 |
| UNEMPLOYMENT TRUST | 61,866.99 |
| RECREATION COMISSION | 8,579.13 |
| GENERAL CAPITAL | 715,829.31 |
| ESCROW TRUST | 179,335.09 |
| LAW ENFORCEMENT | 9,219.17 |
| SELF HEALTH | 2,149.14 |
| PUBLIC ASSISTANCE TRUST | 3,605.90 |
| WATER SEWER CHECKING | 4,906.46 |
| WATER SEWER SAVINGS | 52,106.75 |
| WATER SEWER INVESTMENT | 4,325.74 |
| WATER CAPITAL CHECKING | 4,257.76 |
| WATER CAPITAL INVESTMENT | 85,183.07 |
| GENERAL CAPITAL INVESTMENT | 1,504,224.36 |

INTEREST EARNED ON INVESTMENT FOR MAY 2003

CURRENT - $ 1,678.07
WATER - $ 167.07

Submitted by Pauline Redmond, Treasurer

**June 2003**

3. Treasurer's Report

| | |
|---|---|
| CURRENT CHECKING | $ 494,090.98 |
| ASSESSMENT TRUST | 621.33 |
| FEDERAL AND STATE GRANTS | 588.11 |
| ANIMAL CONTROL | 1,352.51 |
| TRUST CHECKING | 12,583.80 |
| TRUST SAVINGS | 135,577.67 |
| RECREATION BAYFRONT TRUST | 85,409.43 |
| UNEMPLOYMENT TRUST | 62,621.33 |
| RECREATION COMISSION | 9,629.13 |
| GENERAL CAPITAL | 311,317.39 |
| ESCROW TRUST | 185,223.53 |
| LAW ENFORCEMENT | 8,384.17 |

| | |
|---|---|
| SELF HEALTH | 2,149.14 |
| PUBLIC ASSISTANCE TRUST | 3,605.90 |
| WATER SEWER CHECKING | 74,492.89 |
| WATER SEWER SAVINGS | 12,002.28 |
| WATER SEWER INVESTMENT | 4,328.73 |
| WATER CAPITAL CHECKING | 4,257.76 |
| WATER CAPITAL INVESTMENT | 85,243.29 |
| GENERAL CAPITAL INVESTMENT | 1,505,288.13 |

INTEREST EARNED ON INVESTMENT FOR JUNE 2003

CURRENT - $ 2,629.76
WATER - $ 93.03

Submitted by Pauline Redmond, Treasurer

**July 2003**

4. Treasurer's Report

| | |
|---|---|
| CURRENT CHECKING | $ 297,823.29 |
| ASSESSMENT TRUST | 621.33 |
| FEDERAL AND STATE GRANTS | 588.11 |
| ANIMAL CONTROL | 1,113.60 |
| TRUST CHECKING | 12,437.80 |
| TRUST SAVINGS | 135,577.67 |
| RECREATION BAYFRONT TRUST | 68,395.19 |
| UNEMPLOYMENT TRUST | 62,601.66 |
| RECREATION COMISSION | 13,574.13 |
| GENERAL CAPITAL | 161,924.41 |
| ESCROW TRUST | 204,037.67 |
| LAW ENFORCEMENT | 8,384.17 |
| SELF HEALTH | 2,149.14 |
| PUBLIC ASSISTANCE TRUST | 3,605.90 |
| WATER SEWER CHECKING | 16,682.26 |
| WATER SEWER SAVINGS | 77,451.78 |
| WATER SEWER INVESTMENT | 4,331.46 |
| WATER CAPITAL CHECKING | 4,257.76 |
| WATER CAPITAL INVESTMENT | 85,296.88 |
| GENERAL CAPITAL INVESTMENT | 1,504,234.28 |

INTEREST EARNED ON INVESTMENT FOR JULY 2003

CURRENT - $ 1,689.58
WATER - $ 239.58

Submitted by Pauline Redmond, Treasurer

5. Traffic Safety Report

Total Amount Collected $539.00

Submitted by Theodore Gajewski, Police Chief

**August 2003**

6. Detective Bureau Report

Total Amount Collected $ 33.00

Submitted by Theodore Gajewski, Police Chief

7. Traffic Safety Report

Total Amount Collected $573.00

Submitted by Theodore Gajewski, Police Chief

**September 2003**

8. Board of Health Report

| | |
|---|---|
| **TOTAL COLLECTED IN THE BOARD OF HEALTH OFFICE** | **$2882.00** |
| DOG LICENSES | 92.00 |
| CAT LICENSES | -0- |
| MARRIAGE LICENSES | 56.00 |
| BURIAL PERMITS | 29.00 |
| DEATH CERTIFICATES | 1300.00 |
| MARRIAGE CERTIFICATES | 160.00 |
| BIRTH CERTIFICATES | 5.00 |
| POOL PERMITS | -0- |
| PLAN REVIEW | 100.00 |
| FOOD HANDLERS | 290.00 |
| MISCELLANEOUS | 850.00 |

DISBURSEMENTS

| | |
|---|---|
| Check #2766 – Borough of Keyport Misc. Account | 2740.00 |
| Check #2767 – Borough of Keyport Trust Account | 50.00 |
| Check #2768 – Borough of Keyport Dog Account | 71.00 |
| Check #2769 – NJ State Department of Health | 21.00 |

Submitted by Anne R. Biagianti, Treasurer

9. Municipal Court Report

| | |
|---|---|
| STATE FINES | $ 854.00 |
| STATE SURCHARGE | 327.00 |
| STATE UNINSURED | 180.62 |
| COUNTY FUNDS | 1,368.88 |
| COUNTY FINES | 4,377.23 |
| MUNICIPAL FINES | 4,377.16 |
| MUNICIPAL COSTS | 4,406.99 |
| MUNICIPAL PARKING | 1,712.50 |
| MISCELLANEOUS | 2,195.62 |

Submitted by Kathie Coffey, Court Administrator

**October 2003**

10. Borough Clerk's Report

**WATER/SEWER ACCOUNT**

| | | |
|---|---|---|
| WATER CONNECTION | $ 1,000.00 | |
| WATER METER | 61.86 | |
| TURN ON CHARGE | 40.00 | |
| SEWER CONNECTION | -0- | |
| SEWER/POOL PERMIT | 15.00 | |
| WATER METER W/TO | -0- | |
| **TOTAL WATER/SEWER** | **$ 1,116.86** | **CK#3580** |

**CURRENT ACCOUNT**

| | |
|---|---|
| BINGO LICENSE | -0- |
| FIREARM & FINGERPRINTING | 20.00 |
| LIMO LICENSES | 40.00 |
| PHOTOCOPIES | 71.00 |
| POSTAGE | .37 |
| RAFFLE LICENSE | 210.00 |
| TAXI LICENSE, DRIVER | -0- |
| TAXI LICENSE, OWNER | -0- |
| POLICE DEPT. ACCIDENT REPORT | 431.00 |
| SEARCHES | -0- |

| | | |
|---|---|---|
| VENDING LICENSE | 360.00 | |
| PEDDLAR LICENSE | -0- | |
| LIQUOR LICENSE | -0- | |
| STREET OPENING | 300.00 | |
| FISH AND GAME | -0- | |
| RECYCLING PERMITS | 360.00 | |
| PARKING PERMITS | 30.00 | |
| **TOTAL CURRENT** | **$ 1,822.37** | **CK#3582** |

**ESCROW ACCOUNT**

| | | |
|---|---|---|
| CASH REPAIR | $ 315.00 | CK #3581 |

**RECREATIONAL BAYFRONT IMPROVEMENT TRUST**

| | |
|---|---|
| BOAT LAUNCHING PASSES | -0- |
| BAIT | -0- |
| ICE | -0- |
| ICE CREAM | -0- |
| SODA | -0- |
| **TOTAL RBIT** | **-0-** |

**TOTAL RECEIPTS $3,254.23**

Submitted by Judith L. Poling, Borough Clerk

11. Municipal Court Report

| | |
|---|---|
| STATE FINES | $ 484.00 |
| STATE SURCHARGE | 280.00 |
| STATE UNINSURED | 250.00 |
| COUNTY FUNDS | 1,331.12 |
| COUNTY FINES | 5,338.50 |
| MUNICIPAL FINES | 5,338.50 |
| MUNICIPAL COSTS | 4,802.50 |
| MUNICIPAL PARKING | 1,567.00 |
| MISCELLANEOUS | 1,563.38 |

Submitted by Kathie Coffey, Court Administrator

12. Building Department Report

| PERMIT TYPE | NO. ISSUED | AMOUNT |
|---|---|---|
| State DCA Fee | 67 | $ 554.00 |
| Construction Certificates | 1 | 25.00 |
| Plumbing | 34 | 2118.00 |
| Electrical | 21 | 1676.00 |
| Building | 31 | 2863.00 |
| Fire Sub Code | 22 | 1180.00 |
| Code Enforcement Cert of Occu. | 63 | 1625.00 |
| Transfer Title | 15 | 585.00 |
| Smoke Detectors | 63 | 1260.00 |
| Zoning | 12 | 120.00 |
| 200 Ft. Property List | 2 | 20.00 |
| Miscellaneous | 6 | 145.00 |
| Copies | 3 | 2.25 |
| Const. Debris Deposit | 8 | 400.00 |
| Const. Violations | 0 | -0- |
| Reinspection | 0 | -0- |
| **Total Amount** | | **$12,573.25** |

## ACCOUNTS PAYABLE

Amount Paid to Borough: Check NO. 2430 $11,619.25
State Fee Due $554.00, paid quarterly

Submitted by Annette Kovacs, Senior Permit Clerk

13. Fire Department Report

Report on File in Borough Clerk's Office.

Submitted by Harry M. Aumack, III, Fire Chief

Motion to Accept the Reports as read moved by Mrs. Atkins, second by Mr. Hyer with Ayes by all present.

## COMMUNICATIONS AND PETITIONS

1. BRSA 2004 Preliminary Budget/2004 Monmouth County Bayshore Outfall Budget

   Motion to Receive and File and to attend the Hearings moved by Mrs. Atkins, second by Mr. Hyer with Ayes by all present.

2. Petition of New Jersey American Water for increase in rates for water and sewer service and other tariff modifications.

   Motion to Prepare a Resolution to oppose moved by Mr. Stalter, second by Mr. Hyer with Ayes by all present.

3. Request to install gas service at 205 Washington Street (street reconstructed in 2003 and moratorium on street openings went into effect November $15^{th}$)

   Motion to Approve moved by Mrs. Atkins, second by Mr. Stalter with Ayes by all present.

4, Request to install gas service at 308 Main Street (moratorium went into effect November $15^{th}$).

   Motion to Approve moved by Mrs. Atkins, second by Mr. Stalter with Ayes by all present.

5. Notice of Green Acres Program application submittal.

   Motion to Receive and File moved by Mr. Bergen, second by Mr. Stalter with Ayes by all present.

6. Street Opening Application from Anthony Vecchio, Washington Street (moratorium went into effect November $15^{th}$).

   Motion to Approve moved by Mrs. Atkins, second by Mr. Stalter with Ayes by all present

## PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions at 9:50 P.M. Mary Allen, Maple Place, asked if Santa would be put in the gazebo. The Department of Public Works has done a wonderful job with the décor and paving a section of Atlantic Street.

Raymond Weber, Williamson Street, asked if Green Grove Avenue was restripped in the middle? He asked if there were any County plans to widen Green Grove Avenue? No. Mr. Weber said Green Grove Apartments has 57 open parking spaces and others are not utilizing what they were given.

Mike Lane, First Street, asked who authored the Redevelopment Plan? Kathy Shaw through Smart Growth. He asked if there were three areas? Mr. Doyle said Council is not prepared to answer questions on Redevelopment tonight. Mr. Lane asked if there were 7 criteria; Mr. Doyle said he will call him. Mr. Bergen said he would e-mail the Statute. Mr. Lane asked that Council define bad and poor structures. Mr. Doyle said he will advise. Mr. Bergen said it is a question of using acquisition or condemnation once a market analysis is done. Mr. Doyle said it pertains to commercial properties. It was asked if the stakeholders were defined; this will be done by the Planner. It was asked if there would be validation and inclusion in the waterfront. Mr. Doyle said the Committee would define this. Mr. Lane asked if Ordinance #5-03 pertained to the validation/inclusion process. Mr. Bergen said Council should put together the Committees, not the Planner. Mr. Bergen said he is concerned with those who will be impacted will not be included. The Mayor asked about the Army Corps of Engineers Plan. Mr. Lane said they sent him a letter and he was included; all property owners should be included. Mayor Merla said the Planner advised the State would be watching and overseeing this matter. Mr. Lane said whoever pays has a lot of direction; people do not know the "ball is rolling". The Mayor said the Planner only recommends and the Borough through the State makes the determination. Mr. Lane said the Borough started out doing the Master Plan and it became a redevelopment study.

Kathy Shaw is the co-author of both applications. The 1st is a strategic revitalization plan and was revised to an application that would study the downtown and waterfront for redevelopment. There will be public meetings. The newsletters went out four times (4000 each). Mrs. Shaw served on the interview process for a Planner. The Borough would address deteriorated properties on the waterfront. Mrs. Shaw said public participation is important. Mr. Lane said the scope of work defines what the Borough is doing. Mr. Bergen said this should be focused back to the Council level and not driven by the KBA. Mr. Doyle said the first meeting with the Planner will be with Mayor and Council. Mayor Merla said the Planner will meet with Mayor and Council and he hopes the Planner will get public input regarding this matter. Mr. Lane said there should be balanced representation of the Waterfront Property owners.

Terry Parker, 135 First Street, said the Borough needs to broaden the consensus of the community to make it work. There are blighted areas that the Planner would need to define. With regard to the water meter size, a key should be added in usage. The sign ordinance on the books is bad and the Borough needs to pass an Ordinance to control. The Ordinance does not define highway vs. downtown. Mayor Merla said there is an awning on West Front Street and a change in standards is needed. Mr. Kain should review the Ordinances.

Sam Minor, First Street, asked how many workable fires there have been this year or for the past 5 years? The Borough keeps adding more trucks. Mrs. Atkins said the Borough does a lot of mutual aid and the pumper is for Fire Patrol. The Police Department should be the first response. Mrs. Atkins said over a certain age, the trucks will not be certified. Mr. Minor asked if there are riparian rights on the waterfront?

The meeting was closed to the public at 10:34 P.M.

## RESOLUTIONS

2. Resolution No. 394-03, Payment of Bills

See full copy of Resolution as pages - of these minutes.

Offered for adoption by Mr. Doyle, second by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Hyer, Stalter, Doyle
Nays: None
Abstain: None
Absent: Councilman Green

3. Resolution No. 395-03, Authorize Tax Collector to conduct Annual Tax Sale

**WHEREAS,** there remains on the records and books of the Borough of Keyport delinquent taxes, water/sewer charges owing as of December 31, 2002; and

**WHEREAS,** the statutes of the State of New Jersey, expressly NJSA 54:5 et seq. provide for the enforcement and collection of such delinquencies through a tax lien sale; and

**WHEREAS,** the Tax Collector is empowered by statute to conduct and preside over the sale of liens.

**NOW, THEREFORE, BE IT RESOLVED** that the Tax Collector is authorized to conduct a tax lien sale for 2002 delinquent taxes, utility and other Municipal charges on or before December 31, 2003.

Offered for adoption by Mr. Doyle, second by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Hyer, Stalter, Doyle
Nays: None
Abstain: None
Absent: Councilman Green

4. Resolution No. 396-03, Authorize purchase by State Contract for Fire Department ($30,216.01) Ultra Gear Coats and Pants

**WHEREAS,** the Fire Department needs to purchase gear for the Fire Department volunteers; and

**WHEREAS,** the Personal Protection Equipment Specialists has a State Contract for this type of clothing.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Keyport that a Purchase Order be issued to Personal Protection Equipment Specialists, 109 Liberti Lane, Lincoln University, Pa 19352 for 23 sets of coats and pants for a total cost of $30,216.01.

Offered for adoption by Mr. Doyle, second by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Hyer, Stalter, Doyle
Nays: None
Abstain: None
Absent: Councilman Green

5. Award of Contract/2003 Road Program – This Resolution was held

6. Resolution No. 397-03, Amend November 3, 2003 Payment of Bills

**WHEREAS,** November 3, 2003, the Mayor and Council of the Borough of Keyport passed a Resolution for the Payment of Bills; and

**WHEREAS,** additional bills were added to the payment of bills approved.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Keyport to amend the balances of the following accounts to read.

| | |
|---|---:|
| **Current** | **$1,061,294.24** |
| **Water and Sewer** | **8,144.82** |
| **General Capital** | **142,194.50** |
| **RBIT** | **4,277.25** |

Offered for adoption by Mr. Doyle, second by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Hyer, Stalter, Doyle
Nays: None
Abstain: None
Absent: Councilman Green

7. Resolution No. 398-03, Oppose Health Benefits for the Directors of the BRSA

**WHEREAS,** the Borough of Keyport is a municipal customer of the Bayshore Regional Sewerage Authority and as such pays thousands of dollars each year for the treatment of wastewater generated from the Borough of Keyport which is funded by Municipal Tax Dollars; and

**WHEREAS,** many municipalities, including the Borough of Keyport, are facing public scrutiny and accountability regarding the use of public tax dollars; and

**WHEREAS,** Mayor and Council of the borough of Keyport have been advised that the Bayshore Regional Sewerage Authority proposes to provide health insurance benefits, at public expense, to the municipal directors of the authority appointed from Hazlet, Holmdel and Union Beach, at an estimated cost in excess of Forty Thousand ($40,000) Dollars which must be paid from revenues paid by local taxpayers including residents of the Borough of Keyport; and

**WHEREAS,** the Mayor and Council of the borough of Keyport, a non-voting member of the within Authority, believes such a determination is not in the best interests of any taxpayer who must pay to sustain the operation of the Authority including the hardworking taxpayers of the Borough of Keyport; and

**WHEREAS,** the Mayor and Council strongly believe that Bayshore Regional Sewerage Authority should immediately reconsider this determination which is detrimental to all taxpayers and municipalities served by the Authority.

**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 strongly oppose the decision of the Bayshore Regional Sewerage Authority to supply health benefits, funded by public tax dollars, to the Directors appointed from Hazlet, Holmdel and Union Beach, which will further increase the tax burden on working families serviced by the Authority including those taxpayers located in the Borough of Keyport.

2. The Mayor and Council of the Borough of Keyport strongly call upon the Bayshore Regional Sewerage Authority to reconsider this decision which will result in associated costs in excess of Forty Thousand ($40,000.00) Dollars being levied upon all municipal customers of the Authority while benefiting a handful of appointees.

3. The Borough Clerk shall forward copies of the within Resolution to the Executive Director of the Bayshore Regional Sewerage Authority, Township of Hazlet, Township of Holmdel, Borough of Union Beach, Borough of Matawan and Township of Aberdeen and the Borough Clerk shall retain a copy of the within resolution for public inspection.

Offered for adoption by Mr. Doyle, second by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Hyer, Stalter, Doyle
Nays: None
Abstain: None
Absent: Councilman Green

8. Resolution No. 399-03, Change Order No. 15/New Municipal Complex/Bump Out

**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 for a change order for the municipal complex as it relates to the drainage, replacement of curbing and concrete relative to the "bump out" situated directly in front of the new municipal complex to be performed by the general contractor, A&K Excavating; and

**WHEREAS,** the Mayor and Council have reviewed the proposed change order which consists of the removal of curbing, installation of new curbing with drainage improvements in connection with respect to the construction of the "bump out" set forth in Change Order No. 15 as submitted by the General Contractor, A&K Excavating, Holmdel, New Jersey, and approved by the project architect; and

**WHEREAS,** based upon the review of the Mayor and Council and their commendation of the project architect, the Mayor and Council are inclined to authorize the change order for the additional work relative to repaving the rear of the municipal complex in the amount of $11,907.00; and

**WHEREAS,** the Mayor and Council desire to memorialize the within Resolution approving the Change Order and authorize the project architect to proceed with the within change to the municipal complex as set forth in Change Order No. 15 to the Keyport Municipal Complex, without any further extensions to the completion date for the municipal building complex.

**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 approves the change order request, designated Change Order No. 15 submitted and recommended by the project architect consisting of replacement of curbing, concrete and drainage improvement to the "bump out" located in the front of the municipal complex.

2. The Mayor and Council hereby approve the change order in the amount of $11,907.00 as it relates to the removal and replacement of curbing, concrete and drainage improvements to the "bump out" in front of the municipal complex.
3. That the within contract sum of the construction of the within municipal complex is hereby increased to $3,421,520.94, inclusive of Change Order No. 15.

4. The within Resolution is specifically contingent upon the Certification of the Municipal Finance Officer as to the available funds within the appropriate bond ordinance adopted by the Mayor and Council and amended thereafter.

5. That a copy of this Resolution, duly certified, be forwarded to the Project Architect, General Contractor, A&K Excavating, Clerk of the Works, Borough Engineer, Consulting Engineer and the Municipal Finance Officer.

6. Copies of the within Resolution shall be retained in the Office of the Borough Clerk for public inspection.

Offered for adoption by Mr. Doyle, second by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Atkins, Hyer, Stalter, Doyle
Nays: Councilman Bergen
Abstain: None
Absent: Councilman Green

9. Resolution No. 400-03, Amend Charter Fishing Boat Specifications

**WHEREAS,** the Mayor and Council have previously authorized the receipt of bids for the lease of a portion of Block 21, Lot 49R (also known as Lot 49.01) as located on American Legion Drive for use in connection with the operation of a charter fishing boat from the Borough of Keyport which promotes recreational activity consistent with the mission of the Green Acres Program; and

**WHEREAS,** the advertisement for receipt of bids was accomplished in accordance with the previous resolution of the Mayor and Council and bids are scheduled to be received on November 26, 2003; and

**WHEREAS,** it appears to the Mayor and Council that two (2) amendments to the bid specifications must be authorized as it relates to the passenger capacity and the ability of the charter fishing boat to fuel from the municipal boat slip; and

**WHEREAS,** the Mayor and Council desire to authorize such amendments to be prepared by the Borough Attorney and to provide for the publication of the within amendments to the proposed charter fishing boat lease agreement incorporated as part of the bid specifications.

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

1. The Mayor and Council further authorize the Borough Attorney to prepare appropriate amendments to the Charter Fishing Boat Bid Specifications relative to the fueling and capacity of any proposed boat and to notify any perspective bidders of the within amendments.

2. The Borough Clerk is directed to advertise the within amendments to the charter fishing boat specifications for bids to be received on November 26, 2003.

3. A copy of the within Resolution shall be forwarded to the Harbor Commission, Borough Attorney, Municipal Finance Officer and a copy shall be maintained in the Office of the Borough Clerk for public inspection.

Offered for adoption by Mr. Doyle, second by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Hyer, Stalter, Doyle
Nays: None
Abstain: None
Absent: Councilman Green

10. Resolution No. 401-03, Authorize Administrator to send letter to Monmouth County Freeholders regarding distribution of 2004 Grants

**WHEREAS,** the Monmouth County Board of Chosen Freeholders have awarded all substance abuse grants for 2004 to CPC Behavioral Healthcare of Middletown; and

**WHEREAS,** 180 Turning Live Around in Hazlet and Community YMCA Family Services Branch in Matawan who have received funding in the past will receive no funding in 2004.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council that the Administrator is hereby authorized to send a letter to the Board of Chosen Freeholders requesting they revisit the distribution and also that funds for the year 2004 be provided to the two organizations who were denied in the amounts requested.

Offered for adoption by Mr. Doyle, second by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Hyer, Stalter, Doyle
Nays: None
Abstain: None
Absent: Councilman Green

11. Resolution No. 402-03, Oppose Rate Increase by NJ American Water

**WHEREAS,** New Jersey American had filed a petition (BPU Docket No. WR03070511/OAL Docket No. PUCRL07279-2003N) requesting an overall increase in revenues of 21.4% with a 9% increase in rates charged to the Manasquan Customers Group; and

**WHEREAS,** even its own cost of service study filed by New Jersey American in the above application concludes that the Manasquan Customers Group is already being charged 112.2% of the cost of service; and

**WHEREAS,** the cost of service study performed by the Manasquan Customers Group indicates that Manasquan Customers Group is already being overcharged in present rates by approximately 25%.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough of Keyport on behalf of all of its citizens, believes that the only fair ruling by the New Jersey Board of Public Utilities in the above set forth rate petition would be to roll back the Manasquan Customers Group rates by 25%.

Offered for adoption by Mr. Doyle, second by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Hyer, Stalter, Doyle
Nays: None
Abstain: None
Absent: Councilman Green

**ADJOURNMENT**

Motion to Adjourn moved by Mr. Doyle, second by Mrs. Atkins with Ayes by all present.

Time of Adjournment: 10:35 P.M.

Respectfully submitted,

Judith L. Poling

Judith L. Poling, RMC/CMC
Borough Clerk

Allyson M. Cinquegrana

per Allyson M. Cinquegrana, RMC
Deputy Borough Clerk