Approved 12/22/08

November 25, 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 6:32 P.M. Clerk Valerie eilweil read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Kovacs (arrived 6:33 P.M.), Sheridan (arrived 6:34 PM), Hill, Bolte, Ortman, Walling, Mayor Bergen. Others present: Mr. Wisniewski, Borough Attorney and Borough Administrator Wright.

RESOLUTION

1. Resolution No. 242-08, Closed Meeting - Personnel, Contract Negotiations

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:
   - DPW negotiations
   - PBA negotiations
2. Potential Litigation:
   - Rice Notices to Applicants for Sergeant Position

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 Personnel 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: Hill, Seconded by: Bolte

Roll Call Vote: Ayes: Councilmembers Kovacs, Sheridan, Hill, Bolte, Ortman, Walling
Nays:
Absent:
Abstain:

Mayor Bergen called the meeting to order at 7:14 P.M. and the Borough Clerk read the Sunshine Law Notice. The Pledge of Allegiance was said and there was a moment of silence.

Reg. Meet

111776

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

PRESENTATIONS

1. Recognition to the members of the Keyport Public School Environmental Club

Rowland Seckinger presented the certificates to the Environmental Club, along with Mayor Bergen and Councilman Sheridan.

Mr. Chudzik spoke on behalf of the students who participated in the club.

2. Recognition to the members of the Keyport Indians Pee We Cheerleaders on placing 1st in the Eastern Region Championship Pee We Large Novice

Mayor Bergen and Councilman Sheridan presented the certificates to the Pop Warner Pee Wee Cheerleaders for placing first in the Easter Region Championship Pee Wee Large Novice.

Mayor stated will vote later in the meeting on a $750 contribution for the cheerleader's trip to compete in Florida.

Ten Minute recess @7:38 P.M. returned at 7:43 P.M.

PROCLAMATION

Mayor read Proclamation declaring December 2008 Drunk & Drugged Driving Prevention Month

APPROVAL OF MINUTES

September 16, 2008 - Closed Session
October 7, 2008 - Work Session

Motion to approve the minutes listed above, moved by Mr. Sheridan, second by Ms. Bolte, with Ayes by all present.

COMMUNICATIONS AND PETITIONS

1. Request from "The Key", Keyport High School, regarding advertising in the School yearbook

Add resolution to consent agenda.

Motion to approve same as last year moved by Mr. Sheridan, second by Mr. Hill with ayes by all present.

2. Letter from Keyport Engine Co. No. 1 regarding the termination of Stephen Adamskis' membership and letter from Keyport Engine Co. No. 1 notifying the Borough that Scott Van Jura was made an active member.

Motion to receive and file moved by Mr. Sheridan, second by Mr. Kovacs with ayes by all present.

3. Borough's 2009 Calendar of Events for Approval

Councilwoman Bolte stated that the Firemen are moving the date of their Firemen's Fair - would like to add June 28 with a Rain date of June 27th

Motion to approve moved by Mr. Sheridan, second by Ms. Bolte with ayes by all present.

4. Application for a Raffle License from St. Joseph Church for an Off-Premise 50/50 Cash Raffle to be held on May 31, 2009

5. Application for a Raffle License from St. Joseph Church for an On-Premise 50/50 Cash Raffle to be held nightly May 27th, 28th, 29th 30th and 31st, 2009

6. Application for a Raffle License from St. Joseph Church for an On-Premise Non-Draw Raffle Game to be held on May 27th, 28th, 29th 30th and 31st, 2009

7. Application for a Bingo License from St. Joseph PTA to be held Sundays from January 4, 2009 through December 27, 2009

8. Application for a Bingo License from St. Joseph Church to be held Wednesdays from January 7, 2009 through December 30, 2009

Motion to approve #4 - #8 moved by Mr. Sheridan, second by Mr. Kovacs with ayes by all present.

9. Letter from Keyport Indians Pee-Wee Cheerleaders requesting a donation for the cheerleaders to travel and compete in the National competition.

Add resolution to consent agenda to contribute $750.00

Motion to approve moved by Mr. Hill, second by Mr. Kovacs with ayes by all present.

10. Letter from Interfaith Neighbors, Inc. requesting a donation for its "Meals on Wheels" program

Motion to refer to Administrator to look at donation of at least $500 from Celebration of Public Events money, moved by Mr. Kovacs, second by Mr. Hill with ayes by all present.

11. Letter from Brownie Troop #1293 requesting to display a wish-tree in the Borough Lobby for "Project Little Soldier"

Motion to coordinate with Business Administration moved by Mr. Kovacs, second by Ms. Bolte with ayes by all present.

12. Letter from NJDOT Commissioner, Kris Kolluri, notifying the Borough that Keyport has been selected to receive funding from the NJDOT Fiscal Year 2009 Municipal Aid Program for Various Roads "Beers Street Area Improvements," Phase II, in the amount of $225,000.00

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

13. Letter from the Pastors of both First and Second Baptist Churches inviting the Mayor and Council and their families for a combined Thanksgiving Eve service on Wednesday, November 26, 2008 at 7:30PM at Second Baptist Church

Motion to receive and file moved by Mr. Sheridan, second by Mr. Kovacs with ayes by all present.

14. Letter from Keyport PBA Local #223 requesting a donation to help families in need, support our school programs and assist other exceptional Keyport organizations

Motion to refer to Administration to see what money we have; moved by Mr. Kovacs, second by Mr. Sheridan with ayes by all present.

15. Email notification from KBA's Joe Wedick inviting all to participate in this year's Tree Lighting ceremonies on Saturday, November 29, 2008 at 5PM (Main & West Front)

Motion to receive and file moved by Mr. Kovacs, second by Mr. Sheridan with ayes by all present.

REPORTS OF DEPARTMENTS

1. Borough Clerk's Monthly Report for October 2008
2. Tax\Water\Sewer Collector's Report for October 2008
3. Monthly Report for Building Department for October 2008
4. Minutes of September 9, 2008 and October 14, 2008 Board of Healt Meeting and Treasurer's Reports for September and September 2008
5. Property Maintenance Report for October 2008
6. Municipal Court's Monthly Cashbook Report for October 2008
7. Tax Collectors Tax Sale Report for 2008

All reports are on file in the Borough Clerk's Office for review.

Motion to receive and file all reports as read, moved by Mr. Kovacs, second by Mr. Sheridan with Ayes by all present.

COMMITTEE REPORTS

Councilman Kovacs; Building and Grounds and Library: Mr. Kovacs read the Library report, stated the he is concerned the bathroom is not completed and there is no heat in that room.

Mayor Bergen added that the alarm system needs work as well. Ms. Wright stated that she is looking into alternatives to heat the bathroom. Ms Wright has a meeting set up with the Director and Chair of Library.

Councilman Sheridan; Fire, First Aid & Emergency Services: Mr. Sheridan reported that the Fire Department had smoke training on Sunday 11/2. Thanked Chief Vaughn for the good job keeping trucks maintained. Mr. Sheridan thanked First Aid Cadets for their comedy night. December 3rd is the election for the Fire Department.

Councilman Hill; Health and Recreation: Mr. Hill reported that the Recreation Commission is preparing an events calendar for 2009.

Councilwoman Bolte; Finance, Grants and Redevelopment: Ms. Bolte reported that she met with Rutgers PHD regarding storm water drain pipes for our Waterfront plan for more rain garden areas. Rutgers will assist with design project. Ms. Bolte spoke with Administrator regarding ambulance specs. Believes we need a new ambulance; would like a bond ordinance introduced by next meeting. Ms. Bolte stated that we will have to go out to bid.

Mayor asked Administrator to look at SCI report regarding specs on safety equipment.

Councilman Ortman; Police: Mr. Ortman mentioned the Proclamation an stated that Keyport is number one in Monmouth County in DWI arrests; third statewide. Mr. Ortman mentioned the Sergeants position vacancy, and stated he would like to bring it to a conclusion to make Detective Hafner the new Sergeant. He made a motion to add a resolution to the agenda promoting Detective Hafner to Sergeant. Councilman Walling made the second with ayes by all except Mr. Kovacs and Ms. Bolte who abstained.

Councilman Walling; Public Works/Recycling/Property Maintenance: Mr. Walling reported on the following:

- Property maintenance report has been received and filed
- Recycling pamphlets are done and will go out in the next few weeks
- DPW Superintendent and staff is working on leaf pick up
- Recycling Committee meeting; Mr. Walling thanked Councilman Sheridan for his daughter's help.

ADMINISTRATOR'S REPORT

Administrator Wright reported on the following:

- 11/19 - issued a purchasing freeze. Will review each purchase on a case by case basis. Met with CFO
- Engineering requirements have changed. Will proceed as budget allowed

Administrator spoke about

- Library
- 2009 Paris Grant - to provide records needs assessment. We can get it done through County grant, then we will begin purging.
- Close out paper work - William Ralph Pier
- Leaf recycling
- USDA application
- KBA streetscape
- Department budget requests

ATTORNEY'S REPORT

Mr. Wisniewski mentioned the Ordinance of Open Burning - that came from the Fire Official. The purpose is to set regulations for open burning, i.e., fire pit and chimneas. Mayor Bergen is looking to list for the next meeting.

UNFINISHED BUSINESS

Regarding the Uptown disciplinary hearing, the Mayor instructed the Clerk to get a date set and speak to the Prosecutor.

NEW BUSINESS

Mr. Sheridan thanked Keyport for 68% voter turnout. He welcomed Council-elect Susie Sefcik.

Mr. Walling wants a resolution to accept a Durango - He requested amending the agenda to include accepting this vehicle. Lieutenant Casaletto will be using it.

Ms. Bolte would like to bring Community Development Coordinator in to attend meetings on a monthly basis.

Ms. Bolte spoke about violations of the KBA election process. She also mentioned no official budget from this year or last year and that the KBA charged for events when some do get in for free. Ms. Bolte stated she is resigning as liaison to KBA. Discussion ensued regarding KBA violations of the election in regard to the by-laws.

Ms. Bolte would like attorney to review the BID Ordinance.

Mayor congratulated Mr. Sheridan and Ms. Sefcik.

Mayor stated that discretionary application for Improvement for Broad Street U-turn is being submitted to DOT.

Mayor Bergen spoke regarding his position of Superior Officers. He feels the Chief and one Lieutenant should be able to manage the Police Department. He would like a Detective Sergeant put on the road and feels this promotion is not needed. He also feels the process is unfair and wants his position on the record. In addition he opposes another Durango in the Police Department fleet, as well as having a Lieutenant be able to take a municipal vehicle home.

ADJOURNMENT

..otion was made and carried to adjourn at 9:16 P.M.

Time of Adjournment: 9:16 P.M.

RESOLUTIONS

2. Resolution No. 243-08 Releasing the Performance Guarantee for Joseph Fischler - 10 Luppatatong Avenue
3. Resolution No. 244-08 Payment of Bills
4. Resolution No. 245-08 Keyport High School Ad - the Key
5. Resolution No. 246-08 Pee Wee Cheerleaders contribution
6. Resolution No. 247-08 Interfaith neighbors contribution
7. Resolution No. 248-08 Authorizing Mark Hafner promotion to Sergeant
8. Resolution No. 249-08 Accept Durango Vehicle for Police Department
9. Resolution No. 250-08 Change December meeting dates to the 9^{th} and 22

PUBLIC COMMENT PORTION

The Meeting is opened to the public for comments or questions at 8:47 P.M.

Mr. Lane, 51 First Street, attended the Bayshore watershed committee - spoke about dredge spoil sites. Mr. Lane distributed a copy of NJ DEP approval plan for dredge spoil site. He would like the Borough to take a position on Brown's Point Marina dredge spoil site application which is planned by First Street.

Mr. Lane also spoke about the following

- KCCC By Laws - would like Council to consider amending them
- Article 12 - would like it stricken from Certificate of Incorporation
- Board of Trustees - wants an explanation as to who they are
- Would like the Council to determine who the Trustees are, not the Board of Trustees.
- Wants to implement pay-to-play reform for this committee

There being no one further from the audience who wish to be heard, the meeting was closed to the public at 9:07 P.M.

APPROVAL OF RESOLUTIONS

Motion on the Consent Agenda. Motion was made and carried to vote on Resolution #7 separately Authorizing Mark Hafner's promotion to Sergeant.

Motion moved by Mr. Sheridan, second by Ms. Bolte.

Roll Call Vote: Ayes: Councilmembers Kovacs, Sheridan, Hill, Bolte, Ortman, Walling
Nays:
Abstain:
Absent:

Resolution No. 247-08 Authorizing Mark Hafner's Promotion to Sergeant voted on separately.

Motion made by Mr. Walling, second by Mr. Ortman

Roll Call Vote: Ayes: Councilmembers Sheridan, Hill, Bolte, Ortman, Walling
Nays:
Abstain: Kovacs
Absent: