approved 11-11-02

November 4, 2002
Keyport, New Jersey

Minutes of a Work Meeting of the Mayor and Council, held on the above date in the Keyport Senior Center, 110 Second Street, Keyport, N.J. pursuant to the Annual Notice on file with the Borough Clerk, forwarded to the Asbury Park Press, Courier, Independent and Two River Times and posted on the Bulletin Boards in accordance with the Open Public Meetings Act, P.L. 1975, Ch. 231.

Mayor Graham called the meeting to order at 8:02 P.M. and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Atkins, Merla, Ashmore, Hyer, Stalter. Absent: Councilman Bergen. Others present were Mr. Kain, Borough Attorney and Mr. Freda, Borough Engineer.

Mayor Graham asked for a Moment of Silence in remembrance of John Brandauer, former Borough employee and Lucille Royster, current Borough employee who passed away.

HEARING ON ORDINANCE

1. Ordinance #30-02, Salary Ordinance, IUOE Union and Administrative/Non Union Employees

   The Clerk reported that the Ordinance was published as introduced, in the Courier, issue of October 17, 2002, that the Affidavit of Publication is on file in her office, that copies were posted on the Bulletin Board and made available to the public.

   The Clerk read the Ordinance by Title:

   AN ORDINANCE AMENDING AND SUPPLEMENTING AN ORDINANCE
   FIXING THE SALARIES OF THE VARIOUS OFFICERS, CLERKS
   AND EMPLOYEES OF THE BOROUGH OF KEYPORT, N.J.
   IN THE COUNTY OF MONMOUTH AND STATE OF NEW JERSEY

   The Hearing was opened to the public for comments or questions at 8:04PM. There being none, the Hearing was closed to the public at 8:04PM.

1a. Motion authorizing the Borough Clerk to publish the Ordinance as finally adopted according to law, in the Courier, issue of November 7, 2002 moved by Mrs. Atkins, seconded by Mr. Stalter with Ayes by all present.

COMMUNICATIONS AND PETITIONS

1. Off Premise Cash Raffle License Application from Eagle Hose Company (6/28/02).

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

2. Request from Second Baptist Church for two handicap parking spaces in front of the Church.

   Motion to refer to the Traffic Safety Department, moved by Mr. Merla seconded by Mrs. Atkins, with Ayes by all present.

3. Letter of Resignation from Allyson M. Cinquegrana, Deputy Borough Clerk, effective November 1, 2002.

   Motion to accept with sincere regret, moved by Mr. Stalter, seconded by Mr. Hyer, with Ayes by all present.

4. Letter of Resignation from Anthony Vecchio, Fire Inspector

   Motion to accept, moved by Mrs. Atkins, seconded by Mr. Merla, with Ayes by all present.

5. Certification of the Table of Equalized Valuations and Certification of Average Ratios & Common Level Ranges for Use in Tax Year 2003.

Memo received from Judith Cannon, Tax Assessor advising no complaint or appeal be filed.

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

6. Results from 2002 Tax Sale Results held on October 18, 2002.

   Mrs. Redmond was commended on a great job.

   Motion to accept as read, moved by Mr. Merla, seconded by Mrs. Atkins, with Ayes by all present.

7. Letter from Monmouth County Planning Board regarding NJDEP Targeted Brownfields Assessment Program.

   Motion to refer to the Unified Planning Board for a determination and to identify sites, moved by Mr. Merla, seconded by Mr. Stalter, with Ayes by all present.

8. Request for permission from the Keyport Senior Citizen Center to park their cars in Firemen's Parking Lot on February 22, 2003 from 9AM-6PM while on a bus trip.

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

9. Request for donation from Keyport High School to advertise in The Key Yearbook.

   Motion to approve a full page $225.00 ad, moved by Mr. Merla, seconded by Mr. Hyer, with Ayes by all present. (See Resolution #356-02)

10. Request for re-zoning of Block 80, Lot 1.01.

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

11. Off Premise Draw Raffle License Application from St. Joseph School (February 1,2003).

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

UNFINISHED BUSINESS

1. **Second and Church Street Property.** Councilman Merla said he had reported on this matter on four different occasions and that an adjacent property owner was interested in purchasing the property. The Yacht Club is also interested in leasing the property for parking (# of cars- 20 at tops). Mayor Graham said this would remove cars from the street during the summer. Mr. Merla requested feed back from the Council. The property has to be cleaned up after dogs. Mr. Merla requested that the matter be listed on the next work meeting agenda and he will provide copies of the two offers.

2. **Main Street Parking Lot.** Ken Marr, Jr., Fire Chief and George Sappah, Superintendent of Public Works responded back that the design would have no impact on their operations, copies to be provided to the KBA. Mr. Merla asked Mr. Kain about legal ramifications on closing off properties. Mr. Kain said he agreed with former Borough Attorney Gordon Litwin, that the Borough can close off properties. One small property is landlocked and would need access. Pedestrian traffic should be provided not vehicle traffic. Motion supporting the Keyport Business Alliance design of the Main/Broad Street Parking Lot, moved by Mr. Merla, seconded by Mr. Hyer, with Ayes by all present.

3. **Rumble Strips/Broad Street.** Councilman Hyer said the school will maintain the rumble strips (the County will not) and that the Borough has to accept them. They will not be put down until next spring. Joanne Staeger said the rumble strips are distracting to the neighbors. Mrs. Atkins asked if the neighbors were notified. Mr. Hyer said Captain Dayback was involved in the discussions. The rumble strips (thermal plastic lines) are not permanent, they can be removed. Mr. Merla said that they can be hit with snowplows and

that the blades will have to be raised. The school is to be contacted to provide diagrams and locations.

4. **Block 127, Lot 25.** Anthony Vecchio, Zoning/Code Enforcement Officers forwarded a memo on the matter. Mayor Graham said that a couple of weeks ago Mr. Becnel requested permission to make changes on his property and he was told no. Mr. Becnel has begun to do what he was told not to and Mayor Graham called the Police and Mr. Becnel was told to stop. Mr. Becnel has spread dirt over Borough property. He wants to change the grading and it will undermine the foundation. Mr. Becnel is to be sent a letter, certified mail, Mr. Vecchio is to be copied on the letter and Mr. Vecchio is to be asked what information he was referring to in his memo. Mr. Becnel didn't deny he was doing the work. Mr. Hyer said that Mr. Becnel did dig out, and there is a brick wall with a marker, Mayor Graham said to the railroad right-of-way. Mr. Merla said a full survey is needed before grading which could cause severe drainage on the property. There is a County storm drain there. Motion to send a letter to Mr. Becnel, Certified Mail, that he is to take no action on Borough property without the expressed permission of the Borough, moved by Mr. Merla, seconded by Mrs. Ashmore, with Ayes by all present.

5. **Block 81, Lot 20, Block 93, Lots 1, 9 & 10.** Anthony Vecchio, Zoning/Code Enforcement Officer forwarded a memo regarding the status of the property. Mayor Graham said regarding Mr. Dubleski filing complaints with the Court, he was treated by the Unified Planning Board with fairness. He wanted a Use Variance and no evidence was presented, there is no basis that he was not treated fairly. Mr. Dubleski says he will close up the windows and secure the building, he could have had approvals years ago. Mr. Merla asked Mr. Cerase, Property Maintenance Officer if he was working with Mr. Vecchio on the matter; yes. Mr. Cerase said the property has been cited several times and that Mr. Dubleski has a bad attitude on the other building. Mr. Cerase will be going back this week. Mr. Vecchio has been inside the building.

6. **Discharge of Sump Pumps.** Councilman Merla requested the matter be listed on the next work meeting. Green Grove Apartments have 28 sump pumps causing two problems, Green Grove Avenue and Williamson Street. There is ice in the winter and mosquitos in the summer. There is a lot of ground water and it was asked if it could be re-routed. Mrs. Atkins said she walked the sites. Mr. Merla said there is a 1 ½" hose which ran for 30 seconds. Mrs. Atkins said people are concerned that someone will fall and/or get hurt. Mr. Merla said that Anthony Vecchio, Zoning/Code Enforcement Officer was authorized to have the sump pumps removed prior to him issuing a Certificate of Occupancy. Mr. Freda said it is illegal, that storm drains and sanitary sewers must be separated. He recommended that the Planning Board look at not allowing basements on new construction. Green Grove Apartments have their own surcharge system(like a dry well). Mr. Merla asked if the DEP had alternatives. Mr. Freda said in Hudson County and Hoboken there are combined sewer systems. Mr. Merla asked if the Borough could apply for funding through the DOT or Monmouth County Community Development. Mr. Freda recommended picking 10-12 sites to provide sewer. Mr. Hyer said Hazlet said they will back charge to the Borough materials used on Florence Avenue. Mayor Graham asked if this is the Borough or homeowners responsibility. This matter will be listed on the next Work Meeting Agenda.

ADMINISTRATOR'S REPORT

Mrs. Poling reported on the following. October 29, 2002 Payment of Bills: Current Account-$145,359.34; Water and Sewer Account-$19,895.04; Escrow Account-$154.66; General Capital Account-$1,900.80; Recreational Bayfront Improvement Trust Account-$25.80; Unemployment Trust Account-$6,023.21; Recreation Commission Trust Account-$5,595.00.

ENGINEER'S REPORT

Mr. Freda reported on the following. 1. Fireman's Parking Lot Walkway & William A. Ralph Pier. The walkway is in good condition, but the decking needs replacement. The concrete foundations are undermined and levels need to be set. Cost estimates were not prepared. The fishing pier should be addressed quickly. The structure is not resting on the pile caps but are sitting on the edge. Bracing is missing and there are other defects. Large crowds should be kept off the pier. Mr. Hyer said float replacements should be considered next year. Mayor Graham questioned the ramp to the ferry putting stress on the pier. Mr. Freda is to prepare a cost estimate and advise what has to be done as soon as possible. Mr. Merla asked about contacting the ferry company to contribute and Mr. Freda said the lease should be reviewed. Mrs. Poling asked about the insurance company's report advising that the protruding bolts on the walkway should be addressed; Public Works is to be contacted regarding cutting them off. 2.Various Drainage Problems. Richard Gardella of Birdsall Engineering, Anthony Vecchio, Zoning/Code Enforcement Officer and George Sappah, Superintendent of Public Works inspected different sites. They looked at Florence Avenue and the effect on Hazlet, the catch basins and pipe. Surcharge systems are difficult but there are ways to do them. Sites should be packaged for funding and can be accomplished in phases. 3. Washington Street, Phase III. The DEP has given their approval and a pre-construction meeting will be scheduled. There may be one sump pump property.

ATTORNEY'S REPORT

Mr. Kain reported on the following. 1. PBA v. Borough of Keyport: A court date has been set for 12/6/02. There was a meeting with the PBA, no proposal has been submitted. 2. Kutschman Condemnation: An award was set at $125,000; the Borough offered $110,000, Kutschman wanted $150,000. They will appeal to the Supreme Court, date 11/22/02. 3. Magic Touch v. Borough of Keyport: depositions will be taken on 11/15/02. A resolution has been prepared to increase the legal fees for legal counsel on the punitive damages. 4. PBA Schedule: no response.

NEW BUSINESS

1. **Installation of Zinc Orthophosphate Feed System.** Mr. Freda reported that Mr. Rainer, Licensed Water Treatment Plant Operator made this recommendation. The Borough is in violation and had three years to put in measures (early summer of 2003). This is to protect against corrosion in the pipes. The former Borough Engineer, Schoor Engineering recommended three locations. Mr. Freda will contact Shorelands to see what they are doing. The pump feeds the chemicals. Mayor Graham said this could be a capitol expense item in year 2003.

2. **Social Services.** Councilman Merla reported that Monmouth County cut back on their services and that there is a need for a Licensed Social Worker for the Senior Center. He met with the two senior hi-rises; Bethany Manor and Keyport Legion Apartments. A social worker in the County took a buy-out and would work one (1) day a week (Friday), 8 hours @ $20.00 per hour. Bethany Manor and Keyport Legion Apartments are willing to off set the costs with the Borough (three ways). Mrs. Tooker of the Senior Center will submit information.

3. **Commendations.** Councilman Merla reported that Wilma Leone was named Bayshore Community Hospital Volunteer of the Year and Janet Gallo received NCCA Woman of The Year Award(she is a Monmouth University athlete).

4. **Dredging Application.** Councilman Merla reported the Borough's application is moving forward and is monitored by the EPA. There will be a meeting in a few weeks and the grant funds will be released.

5. **Backhoe.** Councilman Hyer reported there is a need for a second backhoe for the winter while the secondary backhoe is being refurbished. Three quotes (rental) have been obtained. Thomas Fallon, Chief Financial Officer is to be contacted regarding funding.

PUBLIC COMMENT PORTION

The Public Comment Portion was opened to the public at 9:10 PM. Tracey Dell asked about his bid for the Catamaran Lease. Mr. Kain advised he had questions and would contact Mr. Dell. Joanne Staeger, Main Street reported that Anthony Vecchio, Zoning/Code

Enforcement Officer contacted Police Chief Theodore Gajewski advising him that Mrs. Staeger's project, the School Safety Signs(25 Miles per hour)were in violation of the Borough Ordinances (signs on private property). Mayor Graham said to leave the signs until asked to remove. Mr. Merla said other municipalities have these signs. John Doyle, 69 Maple Place said the Council adopted a Resolution on Councilmembers accepting health insurance and asked Mrs. Atkins is she had accepted the insurance; Mrs. Atkins said no. The Public Comment Portion was closed to the public at 9:15PM.

RESOLUTIONS

1. Resolution #347-02, Closed Meeting-Personnel, Litigation, Labor Relations, Contract Negotiations

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

Personnel

1. Code Enforcement Office/PT Employee
2. Fire Official
3. Public Works Department
4. Borough Clerk's Office
5. Tax Office

Litigation

1. Magic Touch vs Borough of Keyport
2. Kutschman Condemnation
3. Health Insurance

Labor Relations

1. IUOE Negotiations
2. Administrative and Non Union Employees
3. PBA Shift Schedule

Contract Negotiations

1. Ferry Service
2. WFI Cellular Tower Lease
3. 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 immediately following the Resolution Portion of this meeting 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
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. Merla, seconded by Mr. Stalter

Roll Call Vote: Ayes: Councilmembers Atkins, Merla, Ashmore,
Hyer, Stalter
Absent: Councilman Bergen

2. Resolution #348-02, Authorize Solicitation of Quotes/Janitorial Services, Year 2003

BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that the Borough Clerk/Administrator is hereby authorized to solicit Quotes for Janitorial Services for the year 2003.

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

Roll Call Vote: Ayes: Councilmembers Atkins, Merla, Ashmore
Hyer, Stalter
Absent: Councilman Bergen

3. Salary Resolution - IUOE Employees (Deleted from Agenda)

4. Salary Resolution - Administrative and Non Union Employees (Deleted from Agenda)

5. Resolution #349-02, Borough Employee and Equipment Use Policy

WHEREAS, the Mayor and Council of the Borough of Keyport, receive periodic requests for the use of Borough Equipment and Borough personnel to assist various non-profit organizations, religious groups, fraternal societies, charities, citizen groups, government and quasi government entities, business, clubs and related groups at or within the Borough of Keyport, and

WHEREAS, the Mayor and Council have determined that it would be in the best interest of the Borough of Keyport to adopt a policy to clearly define the position of the Borough of Keyport with respect to the use of Borough personnel and equipment, and

WHEREAS, the Mayor and Council have reviewed a draft of a proposed Borough policy with respect to use of Borough employees and equipment and have determined that the policy is applicable to meet the needs of the Borough of Keyport, and

WHEREAS, the Mayor and Council of the Borough of Keyport have resolved to adopt a written public policy with respect to the use of Borough employees and the equipment;

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 adopt a policy with respect to the use of Borough employees and equipment when requested by various non-profit organizations, religious groups, fraternal societies, charities, citizens groups, government and quasi government entities, business clubs and related groups at or within the Borough of Keyport.

2. The purpose of the within policy is to clearly define the position of the Borough of Keyport with respect to the use of Borough personnel and equipment.

3. The within Borough policy with respect to the use of Borough employees and equipment shall take effect immediately upon adoption by the Mayor and Council.

4. The written Borough policy with respect to use of Borough employees and equipment shall be distributed to all department heads within the Borough of Keyport and shall be maintained in the office of the Borough Clerk for future reference.

5. Department heads shall post and advise all of their respective employees as to the new Borough policy with respect to the use of Borough employees and the equipment.

6. Copies of the within Borough policy shall be retained in the office of the Borough Clerk as Borough policy and placed with all other policies heretofore established by the Mayor and Council.

7. Upon the adoption of the within policy, the Borough Clerk shall promulgate forms for use by the Borough of Keyport to specify the nature of any event, activity, the date and time of the activity, the location of the activity, a description of the activity and an estimate of the number of participants, which shall detail the equipment requested from the Borough and any request for personnel.

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

Roll Call Vote: Ayes: Councilmembers Atkins, Merla, Ashmore,

Hyer, Stalter
Absent: Councilman Bergen

6. Resolution #350-02, Transfer of Appropriations

WHEREAS, NJSA 40A:4-58 permits transfers of appropriations to be made during the last two months of the fiscal year from appropriations which are in excess of the amount deemed to be necessary to fulfill the purpose of such appropriation and to those appropriations deemed to be insufficient.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Keyport that the transfers in the amount of $37,000.00 be made between the 2002 budget appropriations as follows:

Budget Appropriation	From	To
Administrative & Executive - O/E		$ 2,000.00
Municipal Clerk - O/E - Miscellaneous	$ 2,000.00	
Municipal Clerk - O/E - Codification of Ords.	2,000.00	
Assessment of Taxes - O/E - Miscellaneous		$ 1,000.00
Assessment of Taxes - O/E - Tax Map Revision	$ 1,000.00	
Engineering Services and Costs - O/E		$ 2,500.00
Public Buildings and Grounds		$ 6,300.00
Group Insurance for Employees	$23,000.00	
Liability Insurance	6,000.00	
Uniform Fire Safety Act - O/E		$10,000.00
Police - O/E		5,000.00
Parks and Playgrounds - O/E		2,000.00
Senior Center - S&W	$ 3,000.00	
Senior Center - O/E		3,000.00
Other Code Enforcement - O/E		200.00
Telephone		5,000.00
	$ 37,000.00	$37,000.00

BE IT FURTHER RESOLVED by the Governing Body of the Borough of Keyport that transfers of appropriations in the amount of $32,000.00 be made between the 2002 budget appropriations of the Municipal Water-Sewer Utility as follows:

Budget Appropriation	From	To
Other Expenses		$29.000.00
Acquisition of Water		3,000.00
Bayshore Regional Sewerage Authority	$32,000.00	
	$32,000.00	$32,000.00

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

Roll Call Vote: Ayes: Councilmembers Atkins, Merla, Ashmore, Hyer, Stalter
Absent: Councilman Bergen

7. Resolution #351-02, Accept Donation towards the New Municipal Complex Sign from Councilman Merla

WHEREAS, the Borough of Keyport paid for and installed a construction sign for the New Municipal Complex in the amount of $400.00; and

WHEREAS, Councilman John J. Merla has donated $200.00 towards the cost of the aforementioned sign; and

WHEREAS, the Borough greatly appreciates the generosity of Councilman Merla

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, County of Monmouth and State of New Jersey that:

1. A list containing this donation accepted by the Borough is hereto attached.

2. The Borough Clerk is authorized and directed to acknowledge receipt of this donation and express the Borough's appreciation to Councilman John J. Merla.

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

Roll Call Vote: Ayes: Councilmembers Atkins, Merla, Ashmore, Hyer, Stalter
Absent: Councilman Bergen

8. Resolution #352-02, Accept Donation of Groundbreaking Ceremonial Shovel from Judith L. Poling, Borough Clerk/Administrator

WHEREAS, the Borough of Keyport paid for a ceremonial shovel for the groundbreaking ceremony for the New Municipal Complex in the amount of $155.50; and

WHEREAS, Borough Clerk/Administrator Judith L. Poling has donated the full cost of the purchase; and

WHEREAS, the Borough greatly appreciates the generosity of Borough Clerk/Administrator Judith L. Poling.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, County of Monmouth and State of New Jersey that:

1. A list containing this donation accepted by the Borough is hereto attached.

2. The Borough hereby acknowledges receipt of this donation and expresses it appreciation to Borough Clerk/Administrator Judith L. Poling.

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

Roll Call Vote: Ayes: Councilmembers Atkins, Merla, Ashmore, Hyer, Stalter
Absent: Councilman Bergen

9. Amend Resolutions authorizing Legal Counsel in the Magic Touch Litigation (increase fees) (Deleted from the Agenda)

10. Resolution #353-02, Award of Contract - Telephone and Data Cabling

WHEREAS, the Borough of Keyport did advertise a request for proposals for the supply and installation of telephone and data cabling for the new municipal complex in accordance with the general requirements prepared by Lloyd Consultants, Inc., Red Bank, New Jersey, consultants retained by the Borough of Keyport relative to the design and installation of telecommunications and data systems within the municipal complex; and

WHEREAS, specific proposals were received in accordance with the Request for Proposals, which proposals were received on October 24, 2002 in the Borough of Keyport; and

WHEREAS, Lloyd Consultants, Inc. has received and reviewed certain written proposal submitted by various vendors relative to the supply and installation of telephone and data cabling within the new municipal complex; and

WHEREAS, the lowest qualified proposal was submitted by Tel-Excel, Inc., Allenhurst, New Jersey, to supply and install telephone and data cabling in the new municipal complex, including all materials and labor for the proposed sum of Sixteen Thousand, Nine Hundred Dollars ($16,900.00); and

WHEREAS, the bid proposal submitted may be awarded without public advertisement for receipt of formal bids pursuant to NJSA 40A:11-3 as the proposed contract is less than $17,500.00 as required by statute for the solicitation of formal bids; and

WHEREAS, Lloyd Consultants, Inc. did receive and review three (3) written proposals for the supply and installation of telephone and data cabling for the new municipal complex and has recommended the award of contract to the within low bidder based upon the proposal submitted; and

WHEREAS, it is the intention of the Mayor and Council of the Borough of Keyport to authorize the Mayor of the Borough of Keyport to execute a contract with Tel-Excel, Inc., Allenhurst, New Jersey for the supply and installation of telephone and data cabling at the new municipal complex in accordance with the proposal submitted.

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

1. The Mayor and Borough Clerk are hereby authorized to enter into a contract consistent with the proposal submitted by Tel-Excel, Inc., Allenhurst, New Jersey for the supply and installation of telephone and data cabling for the new municipal complex within the Borough of Keyport, County of Monmouth and State of New Jersey.

2. The within award of contract is contingent upon the certification of the Municipal Finance Officer as to the availability of funds within the applicable bond ordinance as adopted by the Mayor and Council.

3. That Notice of Award of the within contract shall be published in a legal newspaper of the Borough of Keyport, if so required, pursuant to NJSA 40A:11-1 et seq. within 10 days.

4. Upon execution, the Borough Clerk is authorized to forward a copy of the completed executed contract to Tel-Excel, Allenhurst, New Jersey.

5. The Borough Clerk shall retain the original and fully executed copy of the contract and supporting application on file in the office of the Borough Clerk.

6. Copies of the within Resolution shall be forwarded to Tel-Excel, Allenhurst, New Jersey, Lloyd Consultants, Inc., Kaplan, Gaunt & DeSantis, Municipal Finance Officer and the Borough Engineer.

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

Roll Call Vote: Ayes: Councilmembers Atkins, Merla, Ashmore, Hyer, Stalter
Absent: Councilman Bergen

11. Resolution #354-02, Award of Contract - Mechanical Broom Street Sweeper

WHEREAS, the Mayor and Council of the Borough of Keyport did authorize receipt of bids for a Mechanical Broom Street Sweeper for the Borough of Keyport; and

WHEREAS, bids were received by the Borough Clerk on September 16, 2002 at the Borough Hall, Keyport, New Jersey consistent with the advertised Notice to Bidders; and

WHEREAS, Air Brake and Equipment, Howell, New Jersey did bid to provide and furnish a Mechanical Broom Street Sweeper in the gross amount of One Hundred and Twenty Nine Thousand, Eight Hundred and Four Dollars ($129,804.00), together with a credit for trade of the Borough's 1990 "Sweeprite" Model 1100, "AS IS" in the amount of Two Thousand Dollars ($2,000.00) for a total bid of One Hundred Twenty Seven Thousand, Eight Hundred Four Dollars ($127,804.00) which constituted the lowest bid received pursuant to the specifications proposed; and

WHEREAS, the Mayor and Council are resolved to award a contract to Air Brake and Equipment, Howell, New Jersey, based upon their low bid submitted subject to the certification of the Municipal Finance Officer as to the availability of funds for the within bond ordinance adopted by the Mayor and Borough Council.

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

1. The Mayor and Council hereby award the contract for the purchase of a Mechanical Broom Street Sweeper for the Borough of Keyport, in the gross amount of One Hundred and Twenty Seven Thousand, Eight Hundred and Four Dollars ($127,804.00) to Air Brake and Equipment, Howell, New Jersey, based upon their low bid submission. The Mayor is hereby further authorized to enter into a contract with the successful bidder upon certification of the availability of funds by the Municipal Finance Officer from the Bond Ordinance adopted by the Mayor and Council of the Borough of Keyport.

2. The contract shall be contingent upon the certification of the availability of funds by the Municipal Finance Officer, prior to execution, pursuant to the Bond Ordinance, duly adopted.

3. Copies of the within Resolution shall be forwarded to the successful bidder, Municipal Finance Officer, Project Engineer and Borough Engineer and a copy shall be retained in the office of the Borough Clerk for public inspection.

4. The Borough Clerk shall provide appropriate notice to the successful bidder and the public as required under NJSA 40A:11-1 et seq. by publishing a notice of award of contract in a legal newspaper of the Borough of Keyport within 10 days hereof.

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

Roll Call Vote: Ayes: Councilmembers Atkins, Merla, Ashmore, Hyer, Stalter
Absent: Councilman Bergen

12. Resolution #355-02, Payment of Bills

General Capital, Voucher 2062, A & K Excavating, L.L.C., Ordinance #21-99, $251,979.07; Total General Capital - $251,979.07

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

Roll Call Vote: Ayes: Councilmembers Atkins, Merla, Ashmore, Hyer, Stalter
Absent: Councilman Bergen

13. Resolution #356-02, Authorize Donation to Keyport High School

WHEREAS, Keyport High School is an organization located in the Borough of Keyport which conducts activities that benefit the public good; and

WHEREAS, Keyport High School has requested that the Borough of Keyport contribute the sum of $225.00 for the purpose of assisting them with funds for advertising in the High School Yearbook.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that the sum of $225.00 is hereby approved as a contribution to Keyport High School and the Mayor and Chief Financial Officer are authorized and directed to pay said sum.

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

Roll Call Vote: Ayes: Councilmembers Atkins, Merla, Ashmore, Hyer, Stalter
Absent: Councilman Bergen

14. Resolution #357-02, Amend October 15, 2002 Payment of Bills

WHEREAS, on October 15, 2002, the Mayor and Council of the Borough of Keyport passed Resolution #334-02 for the Payment of Bills; and

WHEREAS, a payment was listed to Marrone Waste Paper and Disposal in the amount of $25,108.33 in the Current Section of the Payment of Bills; and

WHEREAS, it has been determined that this payment of $25,108.33 should not be paid.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that this check #015039 in the amount of $25,108.33 is hereby voided and the Current Section of the October 15, 2002 Payment of Bills be amended to read $768,773.00.

BE IT RESOLVED that no future payments are to be made to Marrone Waste Paper and Disposal.

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

Roll Call Vote: Ayes: Councilmembers Atkins, Merla, Ashmore, Hyer, Stalter
Absent: Councilman Bergen

Council went into Closed Session at 9:29 PM and this meeting was reconvened at 10:24 PM. On Roll Call the following were present: Councilmembers Atkins, Merla, Ashmore, Hyer, Stalter. Absent: Councilman Bergen.

RESOLUTIONS

15. Resolution #358-02 - Appointment of Fire Inspector

WHEREAS, due to a resignation, a vacancy exists in the position of Fire Inspector; and

WHEREAS, it is the desire of the Mayor and Council to fill said vacancy.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that Harry Aumack, II is hereby appointed Fire Inspector in the Borough of Keyport, retroactive back to January 1,2002.

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

Roll Call Vote: Ayes: Councilmembers, Atkins, Merla, Ashmore, Hyer, Stalter
Absent: Councilman Bergen

16. Resolution #359-02 - Salary Resolution, Chief of Police

BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that the following annual salaries be and hereby are established for the indicated positions on the effective date stated or the date of hire or transfer, whichever is later, in accordance with Salary Ordinance #18-00:

SECTION I.

	Effective 1/1/2002	Effective 1/1/2003
Chief of Police	$82,775.00	$86,086.00

SECTION II. The above base salaries shall be increased for longevity for the following percentages:

After 5 years of service	1.0%
After 10 years of service	3.5%
After 15 years of service	5.0%
After 20 years of service	6.5%
After 25 years of service	7.0%

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

Roll Call Vote: Ayes: Councilmembers Atkins, Merla, Ashmore, Hyer, Stalter
Absent: Councilman Bergen

17. Resolution #360-02 - Permanent Appointment, Fire Official

WHEREAS, Anthony Vecchio was appointed Fire Official effective February 1, 2002; and

WHEREAS, said appointment was provisional pending Department of Personnel testing and certification; and

WHEREAS, the Borough of Keyport has received the certified list from the Department of Personnel.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that **Anthony Vecchio** is hereby permanently appointed Fire Official, effective November 5,2002.

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

Roll Call Vote: Ayes: Councilmembers Atkins, Merla, Ashmore, Hyer, Stalter

Absent: Councilman Bergen

ADJOURNMENT

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

Time of Adjournment: 10:25PM.

Respectfully submitted,

Judith L. Poling

Judith L. Poling, RMC/CMC
Borough Clerk/Administrator