December 10, 2001 Approved 1/15/02
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 8:07 P.M. and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Merla, Atkins, Bergen, Pedersen. Absent: Councilmembers Ashmore and Antonucci. Others present: Mr. Litwin, Borough Attorney and Mr. Kriskowski, Borough Engineer, Councilmen-Elect Robert Hyer and Brian Stalter.

PUBLIC PARTICIPATION

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

Mayor Graham said the adoption of the PBA Salary Ordinance-was tabled because of two issues; an Article in the contract regarding personnel files and where they are to be kept (Mr. Loccke withdrew this article from the contract) and the other matter was a minor issue. Mr. Litwin said that there was a language omission regarding clothing allowance; usually there is a signed contract and then Council adopts the salary Ordinance. Mr. Loccke assured everything in the Contract verbally and Mr. Litwin said that it was O.K. with him. The Salary Ordinance can be adopted and the contract will go through next week. Mr. Merla asked does a change in Health benefits have to be equal or better; Mr. Litwin said yes and requires 30 days notice.

HEARING ON ORDINANCE
RESOLUTION

1. Resolution #351-01, Amend Ordinance to include changes to PBA Salary Ordinance

WHEREAS, on November 5, 2001, the Mayor and Council of the Borough of Keyport introduced Ordinance 20-01, entitled "An Ordinance Amending Ordinance Fixing the Salaries of Various Employees of the Police Department of the Borough of Keyport in the County of Monmouth and State of New Jersey; and

WHEREAS, this Ordinance, as introduced, contained the following two inadvertent errors:

i. In Section 1 (1B), the salary for the "In Academy" classification to be effective on 01/01/03, was incorrectly listed as "$33,949" instead of "33,499"; and

ii. In Section 2(b) the first step for longevity was incorrectly stated as "After 5 years of service" Instead of "After 7 years of service"; and

WHEREAS, said inadvertent errors have been corrected and said corrections do not constitute substantial alterations of Ordinance #20-01.

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

1. That Ordinance #20-01, as amended to include the foregoing changes, is hereby adopted.

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

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

ORDINANCE

1. Ordinance #20-01, PBA Salary Ordinance

The Clerk reported that the Ordinance was published as introduced in the Courier, issue of November 8, 2001, that the Affidavit of Publication is on file in her office, that copies were posted on the Bulletin Boards and made available to the public.

The Clerk read the Ordinance by Title:

AN ORDINANCE AMENDING AN ORDINANCE FIXING THE SALARIES OF VARIOUS EMPLOYEES OF THE POLICE DEPARTMENT OF THE BOROUGH OF KEYPORT IN THE COUNTY OF MONMOUTH AND STATE OF NEW JERSEY

BE IT ORDAINED by the Mayor and Council of the Borough of Keyport, in the County of Monmouth and State of New Jersey as follows:

SECTION 1. The following salaries are hereby fixed and determined for the following officers and employees as follows:

1A. The salary schedule for 2001, 2002, and 2003 for all officers employed prior to January 1, 1998 shall be as follows:

Classification	Effective 1/1/01	Effective 7/1/01	Effective 1/1/02	Effective 7/1/02	Effective 1/1/03	Effective 7/1/03
Captain of Police	$74,276	75,762	77,277	78,823	84,419	86,107
Lieutenant	70,624	72,036	73,477	74,947	80,268	81,873
Sergeant	66,964	68,303	69,669	71,062	76,108	77,630
Detective Sergeant	66,964	68,303	69,669	71,062	76,108	77,630
Detective	61,343	62,570	63,821	65,097	69,719	71,114
Patrolman 1st Class	60,449	61,658	62,891	64,149	68,704	70,078
Patrolman 2nd Class	49,932	50,931	51,949	52,988	56,750	57,885
Patrolman 3rd Class	40,248	41,053	41,874	42,712	45,744	46,659
Patrolman 4th Class	30,100	30,702	31,316	31,943	34,210	34,895
In Academy	29,474	30,063	30,665	31,278	33,499	34,169

1B. The salary schedule for 2001, 2002 and 2003 for all officers employed after January 1, 1998 shall be as follows:

Classification	Effective 1/1/01	Effective 7/1/01	Effective 1/1/02	Effective 7/1/02	Effective 1/1/03	Effective 7/1/03
Captain of Police	$74,276	75,762	77,277	78,823	84,419	86,107
Lieutenant	70,624	72,036	73,477	74,947	80,268	81,873
Sergeant	66,964	68,303	69,669	71,062	76,108	77,630
Detective Sergeant	66,964	68,303	69,669	71,062	76,108	77,630
Detective	61,343	62,570	63,821	65,097	69,719	71,114
Patrolman 1st Class	60,449	61,658	62,891	64,149	68,704	70,078
Patrolman 2nd Class	53,692	54,766	55,861	56,978	61,024	62,244
Patrolman 3rd Class	47,656	48,610	49,582	50,573	54,164	55,247
Patrolman 4th Class	42,046	42,886	43,744	44,619	47,787	48,743
Patrolman 5th Class	36,434	37,163	37,906	38,664	41,410	42,238
Patrolman 6th Class	30,100	30,702	31,316	31,943	34,210	34,895
In Academy	29,474	30,063	30,665	31,278	33,499	34,169

SECTION 2. Longevity. Retroactive to January 1, 1997, the above base salaries shall be increased for longevity by set percentages of base salary to based upon date of hire and years of service.

a. For all officers and employees hired before January 1, 1995, the above base salaries shall be increased for longevity by the following percentages of base salary:

	2001	2002	2003
After 5 years of service	1%	1%	1%
After 10 years of service	3.5%	3.5%	3.5%
After 15 years of service	5%	5%	5%
After 20 years of service	6.5%	6.5%	6.5%
After 25 years of service	7%	7%	7%

b. For all officers and employees hired on or after January 1, 1995, the above base salaries shall be increased for longevity by the following percentages of base salary:

	2001	2002	2003
After 7 years of service	1%	1%	1%
After 10 years of service	3.5%	3.5%	3.5%
After 15 years of service	5%	5%	5%
After 20 years of service	6.5%	6.5%	6.5%
After 25 years of service	7%	7%	7%

SECTION 3. Inconsistent Ordinances. All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION 4. Severability. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 5. Effective Date. This Ordinance shall take effect upon its passage and publication according to law.

The Hearing was opened to the public for comments or questions at 8:11 PM. There being none, the Hearing was closed to the Public at 8:11 P.M.

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

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

1a. Motion authorizing the Clerk to publish the Ordinance as finally adopted according to law in the Courier, issue of December 13, 2001 moved by Mr. Merla, seconded by Mrs. Atkins with Ayes by all present.

Mrs. Poling advised Mayor and Council that the Ordinances listed for introduction tonight cannot be adopted at the December 18, 2001 Council Meeting because of time frame and either a Special Meeting would be needed to adopt these Ordinance before the end of this year or Council could move the December 18th Agenda to the 21st. Mr. Litwin said that the BD Ordinance is of concern. Council will hold a special meeting on Friday, December 21, 2001 at 5:30 P.M. in the Council Chambers to adopt the three Ordinances.

INTRODUCTION OF ORDINANCE

1. Ordinance #21-01, Fire Prevention Ordinance

The Clerk read the Ordinance by Title:

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER XIII, ENTITLED "FIRE PREVENTION" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT

BE IT ORDAINED, by Mayor and Council of the Borough of Keyport, a municipal corporation of the State of New Jersey, located in Monmouth County, thereof as follows:

<u>Section 1.</u> Chapter XII, entitled "Fire Prevention" of the Revised General Ordinances of the Borough of Keyport, is hereby amended and supplemented as follows:

13-1.1 Local Enforcement. Pursuant to Section 11 of the Uniform Fire Safety Act, PL 1983, c.383 NJSA 52:27D-192 et. seq. the New Jersey Uniform Fire Code NJAC 5:70 et. seq., shall be locally enforced in the Borough of Keyport.

13-1.2 Agency Designation. There is hereby established within the Fire Department a Fire Prevention Bureau which shall be the local enforcing agency.

13-1.3 Duties. The Fire Prevention Bureau shall enforce the Uniform Fire Safety Act, the Uniform Fire Code, in all building, structures and premises within the boundaries of the Borough, other than owner-occupied one or two family dwellings, and such buildings, structures and premises as may be otherwise excluded from such enforcement by statutes of the State of New Jersey, and shall faithfully comply with the requirements of said Act and regulations. Penalties assessed by the Bureau shall be enumerated in the Uniform Fire Code, NJAC 5:70-2.12 or equivalent section.

13-1.4 Life and Hazard Uses. The Fire Prevention Bureau shall carry out the periodic inspections of life hazard uses required by the Uniform Fire Code on behalf of the Commissioner of Community Affairs.

13-1.5 Organization. The Fire Prevention Bureau shall be part of the Fire Department and shall be under the direct supervision and control of the Fire Official who shall report to the Board of Fire Chiefs.

13-1.6 Appointments; Term of Office; Removal.

a. *Fire Official.* The Fire Official shall be certified by the State and appointed by the Mayor and Council of the Borough. The Board of Fire Chiefs shall recommend persons to be appointed to the Mayor and Council, which recommendation shall be advisory only. In no event shall the office of Fire Official and Fire Chiefs be held simultaneously by the same persons.

b. *Term of Office.* The Fire Official shall serve a term of one (1) year, provided if the position is subject to Civil Service appointment, there shall be no term of office.

c. *Inspectors and Employees.* Such inspectors and other employees as may be necessary in the local enforcing agency shall be appointed by the Mayor and Council. The Board of Fire Chiefs shall recommend persons for such appointment, which recommendation shall be advisory only. All life hazard use inspectors shall be certified by the State of New Jersey.

d. *Removal from Office.* Fire Official, Inspectors and other employees of the local enforcing agency shall be subject to removal by the Mayor and Council for inefficiency and misconduct. Each person to be so removed shall be afforded an opportunity to be heard by the appointing authority or a designated hearing officer.

13-1.7 Board of Appeals. Pursuant to Sections 15 and 17 of the Uniform Fire Safety Act, any person aggrieved by an order of the local enforcing agency shall have the right to appeal to the Construction Board of Appeals of Monmouth County.

13-1.8 Additional Required Inspection and Fees. In addition to the inspection and fees required pursuant to the Act and regulations of the Department of Community Affairs, the following additional inspections and fees shall be required:

Except as indicated below, for inspections required by local ordinance, but not under the Uniform Fire Code: $25

These non-life hazard use inspections shall be conducted on an annual basis.

13-1.9 Permits. The permit fee shall be as established by the Uniform Fire Code.

13-2 ADDITIONAL FEES.

a. Use or storage of paints, oils, varnishes or similar flammable liquids in excess of five (5) gallons, or where such use or storage is for the purpose of sale or use in business or industry: thirty five ($35) dollars. This fee does not apply to storage or use subject to life hazard use registration or State permit requirements.

b. Use of a flame-producing device to heat a tar or asphalt kettle: thirty-five ($35) dollars.

13-3 STORAGE AND HANDLING OF HAZARDOUS MATERIALS.

The storage and handling of hazardous materials shall be in accordance with the Uniform Fire Code.

13-4 PERMITS FOR NEW MATERIAL, PROCESSES OR OCCUPANCIES.

The Mayor, the Chief of the Fire Department and the Fire Official shall act as a committee to recommend to Borough Council any new materials, processes or occupancies which shall require permits, in addition to those now enumerated in the Code. The Fire Official shall post any such recommendations in a conspicuous place in his/her office and distribute copies to interested persons. Any new permit requirement shall be established by duly promulgated ordinance of Borough Council.

Section 2. All ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed as to the extent of such inconsistencies.

Section 3. If any section, subsection, part clause or phrase of this Ordinance shall be declared invalid by judgement of any Court of competent jurisdiction, the section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of this Ordinance.

Section 4. This Ordinance shall take effect immediately following final passage and publication as required by law.

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

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

1a. Motion authorizing the Clerk to publish the Ordinance as introduced in the Courier, issue of December 13, 2001 for a Hearing to be held on December 21, 2001 moved by Mr. Pedersen, seconded by Mrs. Atkins with Ayes by all present.

2. Ordinance #22-01, Salary Ordinance-Recreation Commission Secretary

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, IN THE COUNTY OF MONMOUTH AND STATE OF NEW JERSEY

WHEREAS, it is the desire and intent of the Mayor and Council of the Borough of Keyport to have prepared and adopt a salary ordinance which will have properly served their purposes, but which will be economical to adopt; and

WHEREAS, the following ordinance has been prepared with salary ranges therein for the positions listed, wherein the ranges give the minimum salary for the position as well as the maximum for the position, and the exact salary to be paid to each employee as determined by a resolution duly adopted by the Mayor and Council of the borough of Keyport must be within the ranges given in the Ordinance, and the purpose is to save money in preparation and publication costs by making the ranges sufficiently wide to last for several years, and also to give greater flexibility, should a position be vacated and it is desired to start a new employee with less experience at a lower salary, since the new salary may simply be set by a resolution of the Mayor and Council.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Keyport, in the County of Monmouth and State of New Jersey as follows:

SECTION 1. The following salary ranges are hereby fixed and determined for the following part time officers and employees retroactive to September 6, 2001:

	MINIMUM SALARY	**MAXIMUM SALARY**
Recreation Secretary	$1,000	$3,000

SECTION 2. Inconsistent Ordinances. All ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

SECTION 3. Severability. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

SECTION 4. Effective Date. This ordinance shall take effect upon its passage and publication according to law.

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

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

2a. Motion authorizing the Clerk to publish the Ordinance as introduced in the Courier, issue of December 13, 2001 for a Hearing to be held on December 21, 2001 moved by Mr. Pedersen, seconded by Mr. Merla with Ayes by all present.

3. Ordinance #23-01, Amend BID Ordinance

The Clerk read the Ordinance by Title:

AN ORDINANCE AMENDING THE LIST AND DESCRIPTION OF ALL ASSESSED PROPERTIES IN THE BUSINESS IMPROVEMENT DISTRICT

WHEREAS, Ordinance #25-99, as amended, contains a schedule listing all Class 4 properties (including Class 4c properties) and non-Class 4 properties supporting a commercial outdoor advertisement use within the Business Improvement District, which are subject to assessment thereunder; and

WHEREAS, the Borough Tax Assessor has recommended the exclusion of Block 39, Lot 44 (34 Main Street) because same is a Class 2 property and therefore is not subject to any such assessment.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Keyport, pursuant to NJSA 40:56-65 et seq as follows:

Section 1. Schedule B of Ordinance #25-99, as last amended by Ordinance #24-00 is hereby amended and replaced by the attached "Schedule B" which conforms in all material respects to said Ordinance as amended.

Section 2. All Ordinances and provisions thereof inconsistent with the provisions of the Ordinance shall be and are hereby repealed as to the extent of such inconsistencies.

Section 3. If any section, subsection, part, clause or phrase of this Ordinance shall be declared invalid by judgment of any Court of competent jurisdiction, the section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of this Ordinance.

Section 4. This Ordinance shall take effect immediately following final passage and publication as required by law, however, any assessments made hereunder shall not become effective until January 1, 2002.

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

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

3a. Motion authorizing the Clerk to publish the Ordinance as introduced in the Courier, issue of December 13, 2001 for a Hearing to be held on December 21, 2001 moved by Mrs. Atkins, seconded by Mr. Pedersen with Ayes by all present.

COMMUNICATIONS AND PETITIONS

1. Request from Haven Off The Bay to remove a dumpster and require individual garbage cans for garbage removal.

The garbage contract will have to be amended.

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

2. Fire Department Membership Application/Engine Company/from Kevin Hemenway (contingent upon State approval).

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

3. Request from St. Joseph Church to hold a Fair from May 22, 2002 to June 2, 2002 and to close a portion of Geran Street.

In the approval letter, St. Joseph's will be advised to notify the Borough 60 days prior to any fireworks display.

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

4. Bingo License Application from Raritan Post #23, American Legion for the year 2002.

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

5. Bingo License Applications from St. Joseph:
   a. St. Joseph PTA (Sundays)
   b. St. Joseph Church (Wednesdays)
   c. St. Joseph Parish Council (Fridays)

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

6. Request from Baykeeper to make a presentation for possible use of Borough owned buildings on the waterfront.

   Motion to invite them to the January workshop meeting moved by Mr. Merla, seconded by Mr. Pedersen with Ayes by all present.

7. Request from Fire Chief Stonerock to purchase a repeater system for the Department and obtain a Hold Harmless Agreement for its installation.

   Mr. Litwin will prepare a letter of Indemnification.

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

8. Fire Department Election Results.

   2002 Fire Chief - Kenneth Marr, Jr
   1st Assistant Chief - Roy Jimenez
   2nd Assistant Chief - Harry Aumack, III
   3rd Assistant Chief - Michael Walling

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

UNFINISHED BUSINESS

1. **Taxi License/Georgine Soriano.** Mr. Litwin said that the Borough could grant the license subject to Ms. Soriano applying for variances. Motion to have Anthony Vecchio, Code Enforcement/Zoning Officer submit a report to Mayor and Council as to what variances would be needed and notifying Ms. Soriano moved by Mr. Pedersen, seconded by Mrs. Atkins with Ayes by all present.

2. **Block 92, Lots 1, 1.01 and 2 (Church and Second Streets).** Mrs. Atkins said that she does not believe that the reports received from the Police and Fire Departments stating there would be no impact. Mr. Bergen asked if the Borough should sell these lots as one or two. Mrs. Atkins said that it will cost the Borough if two houses are built in this area; they will create quality of life issues. Mr. Bergen said that if sold, the Borough could restrict the sale of the two lots together. There was discussion on what could be done with the lots once they were sold. Mr. Bergen recommended selling the lots as two pieces. Mrs. Atkins said that she is taking a stand; this is a quality of life issue. This will be relisted on the December 18th Agenda.

3. **Interfaith Neighbors Lease.** There is a Resolution listed on the Agenda for approval.

4. **Boat Launching Ramp.** Mr. Litwin said that the ramp is closed for the season and is chained off and that Green Acres would like the Borough to justify why it has been closed; this matter could be handled by signage or a movable fence. Mr. Pedersen said that removable barrels could be put out vs a chain. Mr. Merla said that he could not believe Green Acres. Mr. Pedersen said that a gate system could be installed. Mr. Litwin said that a sign could be posted "Open dawn to dusk" and orange barrels could be put out which could be moved. Green Acres will be advised of this plan.

ADMINISTRATOR'S REPORT

Mrs. Poling reported on the following. November 27th Payment of Bills: **CURRENT - $103,637.72, WATER/SEWER - $16,694.89 AND ESCROW - $5,576.21.** The December 4th Payment of Bills: **CURRENT - $252,758.29 and WATER/SEWER - $67,239.50.** Cablevision started installing the hook ups in the Firehouses, Borough Hall, etc. Alaska Services was the sole bidder for janitorial services for 2002 (Borough Hall, Senior Center and Annex buildings); Mr. Litwin had some concerns regarding insurance coverage. Names are needed as to who will serve on the Committee for the Shuttle service; the Committee would meet on Wednesdays at 7:00 P.M. Mr. Merla, Mrs. Atkins, Mr. Bergen and the Mayor will serve on the Committee also BID Members and Public Works Officials. Per Mr. Cerase, Chairman of Historic Preservation, Rebecca Schneider, a Class C, member resigned from the Commission; her term expires on December 31, 2003 (this is a Mayor's appointment).

ENGINEER'S REPORT

Mr. Kriskowski reported on the following. Comments were received from the DEP three weeks ago regarding the Bulkhead; he is working on them. Last week additional information was sent. The project is moving forward. Mr. Bergen asked that the relocation of American Legion Drive be dealt with also.

ATTORNEY'S REPORT

Mr. Litwin reported on the following. Green Acres has approved extending the license on the pier for the spud barge; there will be a new license fee.

NEW BUSINESS

1. **Union and Atlantic Streets/15 minute parking zones.** Mr. Bergen said that they should be 20 minutes. Mr. Merla said that there are other issues besides parking like no Certificates of Occupancy. An Ordinance would be introduced January 2002. Mr. Bergen said that a parking ordinance is needed around the area of Green Grove Apartments; Chief Gajewski is working on this, but has not submitted any information as of this date. Mr. Merla said that this will cause problems with the residents/guests. The Ordinance should be sent to the DOT up front first. Mr. Merla said that this is not fair to the residents. Mr. Bergen said that Green Grove Apartments must find more space.

2. **Canine School.** Mr. Merla said that on behalf of Mrs. Ashmore, Chief Gajewski recommends that Officer McCartin attend canine school as there is an opening. This matter will be listed on the December 18th Agenda. Chief Gajewski will be asked for more details.

3. **Beers Street Lot.** Mr. Pedersen said that there was one Proposal to do the survey in the amount of $1,050. Mr. Kriskowski was asked to submit a proposal.

4. **Ferry.** Mr. Pedersen asked the status on the lease of Ferry boats; Mr. Cummins should be asked.

5. **Fire Museum.** Mr. Litwin said that action may be taken after the closed meeting. Mr. Merla said that the museum is ready to meet with the seller of the property (Friday meeting). Mr. Litwin said there has to be a legal connection before turning on the gas and electric. A contractual arrangement is needed. It was asked who does the title search; Mr. Litwin said that the Borough needs to be protected. The attorney for Mr. Remsen is Mr. Trame, for the Museum - Mr. McLeod and for the Borough-Mr. Litwin. Mr. Litwin asked if there is asbestos; the building was once a fire house and then it became a thrift shop. DEP approval is needed; the building cannot be transferred without it. An application must be filed and a Phase I study conducted.

6. **Fire Department Requisitions.** Mr. Litwin said that a Resolution has been requested by the Borough Administrator and Chief Financial Officer to pay a vendor if reasonable value, according to procedure this was not handled properly. A resolution will be listed on the December 18th Agenda.

Motion to list on the next meeting the Bond Counsel's Water Plant proposal moved by Mr. Merla, seconded by Mrs. Atkins with Ayes by all present.

RESOLUTIONS

2. Resolution #352-01 Appoint Part Time Public Safety Telecommunications Operator, Harry Hunter

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that Harry Hunter is hereby hired as a Part Time Public Safety Telecommunication Operator at a rate of $6.00 per hour effective December 5, 2001. When Harry Hunter is fully trained, the rate per hour will be increased to $8.00.

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

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

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

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

3. Resolution #353-01, Authorize Borough Clerk/Administrator to dispose of items not sold at November 10th Property Sale

WHEREAS, on Saturday, November 10, 2001, the Borough conducted a public auction for the sale of office equipment and other personal property no longer needed for public use, in accordance with the Local Public Contract Law, N.J.S.A.40A:11-36; and

WHEREAS, no offers were received for some of the office equipment; and

WHEREAS, the Borough is authorized by NJSA 40A:11-36(4) to sell the unsold property at private sale without further publication or notice thereof, provided that same are sold for their "fair estimated value" as defined by NJSA 40A:11-36(4); and

WHEREAS, the Borough desires to so dispose of the unsold property.

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

1. The Borough Clerk/Administrator is hereby authorized to sell all office equipment and other personal property offered but not sold on November 10, 2001, by private sale for their "fair estimated value" as provided by the Local Public Contracts Law, NJSA 40A:11-36(4);

2. In the event the Borough Administrator determines that considering storage costs the property has no value and cannot be sold, she is hereby authorized to dispose of same.

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

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

4. Resolution #354-01, Special Meeting - January 1, 2002, 12 Noon, Central School (Reorganization)

WHEREAS, the Mayor and Council of the Borough of Keyport have determined it is necessary to schedule meetings of the Governing Body on the following dates and times:

Tuesday, January 1, 2002, 12:00 Noon in the Central School All Purpose

Room, Broad Street, Keyport, New Jersey for the purpose of Reorganization, appropriate appointments and such other matter as are normal to a Reorganization Meeting; and

WHEREAS, the Open Public Meetings Law requires that "48 hour notice" of such meetings be given as required by said law.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Keyport shall hold Special Meetings as stated in the Central School All Purpose Room, Broad Street, Keyport, N.J.

BE IT FURTHER RESOLVED that notification of said meetings be mailed forthwith to the Asbury Park Press, the Courier, and the Two River Times.

BE IT FURTHER RESOLVED that notice of said meetings be posted on the bulletin board in the Borough Hall and that a copy of said notice be filed with the Borough Clerk and also furnished to any person who has requested, in writing, that the Governing Body furnish a copy of any regular meetings scheduled or revisions thereof, and any advanced written notice of any regular, special or rescheduled meetings of the Governing Body as required by law.

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

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

5. Resolution #355-01, Payment of Bills

See full copy of Resolution as pages 15-17 of these minutes.

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

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

6. Resolution #356-01, Interfaith Neighbors Lease - 2002

WHEREAS, the Borough of Keyport is the owner of the property located at 110 Second Street, Keyport, N.J. which is more commonly known as the Keyport Senior Center; and

WHEREAS, Interfaith Neighbors, Inc., is an entity with a principal location of 1206 Main Street, Asbury Park, desiring to continue its location in Keyport from which to operate a Nutrition Program funded by either the County of Monmouth, State of New Jersey, or the United States of America; and

WHEREAS, Interfaith Neighbors, Inc., Mr. Joseph Marmora, Executive Director and Treasurer acting as its agent, desires to rent specific portions of the Keyport Senior Center, in Keyport for the purpose of operating a Nutrition Program; and

WHEREAS, the Mayor and Council have reviewed and considered the renting of the Keyport Senior Center to Interfaith Neighbors, Inc for the purpose as previously stated, and have determined this rental to be appropriate; and

WHEREAS, the Mayor and Council are satisfied with the terms and conditions as set forth in the Lease Agreement reviewed by the Borough Attorney for the time period from January 1, 2002 to December 31, 2002; and

WHEREAS, pursuant to N.J.S.A. 40A:12-14 it has been determined that Interfaith Neighbors, Inc. as Lessee is a non-profit corporation for a public purpose and the following factors have been established.

1. The consideration for the lease shall be the payment of $ $300.00 per month rental and the performance of the obligations required of Lessee as set forth in the lease.

2. The public purpose served by the Lessee will be furnishing a nutrition program to persons within the community.

3. Approximately 500 persons will benefit from the public purposes served by the Lessee.

4. The term of the lease shall be for one year commencing January 1, 2002 as aforesaid.

5. The Borough Administrator shall be responsible for the enforcement of the conditions of the lease in consultation with the Mayor and Council.

6. Interfaith Neighbors, Inc., shall as a condition of the lease submit by December 1, 2002, a report to the Borough Administrator setting out the use to which the leasehold was put during the term of the lease; the activities of Interfaith Neighbors, Inc., undertaken in furtherance of the public purpose for which the leasehold was granted; the approximate value or cost, if any, of such activities in furtherance of such purpose, and an affirmation of the continued tax exempt status of the non-profit corporation pursuant to both State and Federal Law.

NOW, THEREFORE, BE and it is HEREBY RESOLVED by the MAYOR and BOROUGH COUNCIL of the BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY as follows:

1. That the Mayor and Borough Clerk are authorized to execute the lease for specific portions of the Keyport Senior Center to Interfaith Neighbors, Inc. for the purpose of operating a Nutritional Program as per the terms and conditions specified in the proposed Lease Agreement.

2. That upon adoption, the specific portions of the Senior Center will be leased to Interfaith Neighbors, Inc. as per the terms and conditions specified in the proposed Lease Agreement.

3. A copy of this resolution duly certified by the Borough Clerk shall be forwarded to Interfaith Neighbors, Inc. and the Keyport Senior Center upon adoption.

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

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

7. Resolution #357-01, Closed Meeting - Personnel, Litigation and Labor Relations

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

<u>Personnel</u>
1. Board of Health

<u>Litigation</u>
1. Magic Touch

<u>Labor Relations</u>
1. Administrative and Non Union Employees
2. Part Time Employees
3. 27 Pays

<u>Contract Negotiations</u>
1. Water Plant

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

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

Personnel, Litigation, Labor Relations 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. Pedersen

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

8. Resolution #358-01, Special Meeting/December 21, 2001, 5:30 PM

WHEREAS, the Mayor and Council of the Borough of Keyport have determined it is necessary to schedule meetings of the Governing Body on the following dates and times:

December 21, 2001, 5:30 P.M. in the Council Chambers at the Borough Hall, Keyport, NJ for the purpose of discussing the following matters: to adopt the following Ordinances and any other business which may come before the governing body: Ordinance #21-01, Amend Fire Prevention Ordinances, #22-01, Salary Ordinance/Recreation Commission Secretary and Ordinance #23-01, Amend BID Ordinance.

WHEREAS, the Open Public Meetings Law requires that "48 hour notice" of such meetings be given as required by said law.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Keyport shall hold Special Meetings as stated in the , Keyport, N.J.

BE IT FURTHER RESOLVED that notification of said meetings be mailed forthwith to the Asbury Park Press, the Courier, and the Two River Times.

BE IT FURTHER RESOLVED that notice of said meetings be posted on the bulletin board in the Borough Hall and that a copy of said notice be filed with the Borough Clerk and also furnished to any person who has requested, in writing, that the Governing Body furnish a copy of any regular meetings scheduled or revisions thereof, and any advanced written notice of any regular, special or rescheduled meetings of the Governing Body as required by law.

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

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

9. Resolution #359-01, Award #2 Fuel Oil Contract

WHEREAS, on December 3, 2001, the Borough of Keyport accepted bids in accordance with the Local Public Contracts Law, NJSA 40A:11-1 et seq. for the supply and delivery of approximately 14,500 gallons of #2 Fuel Oil to various public buildings in the Borough of Keyport; and

WHEREAS, the sole bidder, Cal Corp, Inc. t/a Stultz Fuel Co., 213 Broad Street, Keyport, New Jersey 07735 has submitted a base bid of $0.195 over the posted "rack price" per gallon for the supply and delivery of #2 Fuel Oil pursuant to the terms and conditions of the bid applications, for a one year period with an option for the Borough to renew for a second year; and

WHEREAS, the Borough Clerk/Administrator and the Borough Attorney have reviewed said bid; and

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

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

1. The bid of Cal Corp, Inc. t/a Stultz Fuel Co., 213 Broad Street, Keyport, New Jersey to supply and deliver approximately 14,500 gallons of #2 Fuel Oil at a price of $0.195 over the posted "rack price" per gallon for the year beginning December 23, 2001 and ending on December 22, 2002

with an option for a second year, all as set forth in the specifications for said bid, is accepted.

2. The Mayor and Borough Clerk/Administrator are authorized to prepare and execute an Agreement for said purchase.

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

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

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

10. Resolution #360 -01, Award Janitorial Service Contract

WHEREAS, the Borough of Keyport attempted to solicit multiple price quotations for a one year contract to render janitorial services at the Borough Hall, Borough Annex and Keyport Senior Center; and

WHEREAS, only one quotation was received by the Borough, and was for an amount that does not require public bidding; and

WHEREAS, Alaska Services, P.O. Box 602, Belmar, New Jersey 07719-4128 submitted the one quotation that responded to the terms set forth by the Borough; and

WHEREAS, the Mayor and Council have reviewed said matter; and

WHEREAS, funds are available for said award.

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

1. The attached one year agreement for janitorial services for the Borough Hall, Borough Annex and Keyport Senior Center, is hereby awarded to Alaska Services, 706 Tenth Avenue, P.O. Box 602, Belmar, New Jersey 07719 at a cost not to exceed Seventeen Thousand Four Hundred Ninety three dollars ($17,493.00); and

2. The Borough Administrator is authorized to take such steps as may be required to implement said action.

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

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

11. Resolution #361-01, Authorize GovConnect Application

WHEREAS, the State of New Jersey has developed an Internet site, known as GovConnect, to facilitate interaction and the exchange of information between and among State and local governments; and

WHEREAS, in order to participate in GovConnect, it is necessary to have certain computer equipment and Internet access; and

WHEREAS, the State has made funds available to eligible local units in order to enable those units to procure such computer equipment, Internet access and training that is needed to participate in GovConnect; and

WHEREAS, such funding is being administered by the Department of Community Affairs (DCA) in the form of grants to each eligible local unit, the amount of which may not exceed $1,500; and

WHEREAS, in order to receive a GovConnect grant, an eligible local unit must submit an application to the DCA in a format prescribed by the Department in the application package; and

WHEREAS, it is hereby affirmed that the Borough of Keyport is an eligible local unit, as defined in the GovConnect grant application; and

WHEREAS, the Borough of Keyport is in need of funding to procure computer equipment, Internet access and training for Thomas P. Fallon, Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Keyport that the Borough of Keyport does hereby agree to submit an application to DCA for a GovConnect grant, in the amount of $1,500.00.

BE IT FURTHER RESOLVED that, if approved, the Borough of Keyport does hereby accept the grant of $1,500.00 to purchase computer equipment, Internet access and training.

BE IT FURTHER RESOLVED that, if approved, the Borough of Keyport also agrees to accept and uphold the terms and conditions assigned to the grant, as set forth in the application package and Grant Agreement Form.

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

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

PUBLIC PARTICIPATION

The Meeting was opened to the public for comments or questions at 10:05 P.M. Mary Allen, Maple Place, said that the decorations in town look great. She commended Mayor and Council for always being accessible. Chief Stonerock received computers from the school and asked about cable hookups. Cablevision will be contacted to find out what equipment is being installed and if the firehouses are getting modems. The Meeting was closed to the public at 10:10 P.M.

Council went into closed session at 10:12 P.M. and this meeting was reconvened at 10:35 P.M. On Roll Call the following were present: Councilmembers Ashmore, Antonucci, Merla, Atkins, Bergen, Pedersen.

RESOLUTION

12. Resolution #362-01, Administrative and Non-Union 2001 Salary

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 #24-99.

SECTION I.	Effective 1/1/2001
Tax Collector	53,930.00 annually
Borough/Election Clerk	48,169.00 annually
Deputy Borough Clerk	28,478.00 annually
Borough Administrator	13,632.00 annually
Court Administrator	31,567.00 annually
Supt. of Public Works	67,600.00 annually
Administrative Clerk	38,724.00 annually
Treasurer	11,142.00 annually
Senior Ctr Program Dir	31,937.00 annually
Deputy Court Administrator	21,632.00 annually

SECTION II. The above annual salaries do not include the appropriate longevity where applicable, which is as follows:

Years of Service	Percentage
5-10 years	1% increase above base pay
10-15 years	2% increase above base pay
15-20 years	4% increase above base pay
20-25 years	5% increase above base pay
25 years	6% increase above base pay

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

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

ADJOURNMENT

Motion to Adjourn moved by Mr. Pedersen, seconded 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/Administrator
Per Allison M Cinquegrana