Approved 2/1/05
as amended

December 14, 2004
Keyport, New Jersey

Minutes of a Special Meeting of the Mayor and Council, held on the above date in the Council Chambers, Municipal Complex, 70 W. Front Street, Keyport, N.J. pursuant to the Annual Notice on file with the Borough Clerk, forwarded to the Asbury Park Press, Courier, Independent, the Newark Star Ledger and Two River Times and posted on the Bulletin Boards in accordance with the Open Public Meetings Act, P.L. 1975, Ch. 231.

Council President June E. Atkins called the meeting to order at 7:02 P.M. and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Wedick, Bergen, Doyle, Atkins, Strang, Hyer. Absent: Mayor Merla. Others present were Mr. Kain, Borough Attorney and Mr. Palamara, Administrator.

PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions at 7:03 P.M. There being none, the public comment portion of the meeting was closed at 7:03 P.M.

HEARING

1. Disciplinary Matter

RESOLUTION

1. Resolution #377-04, Closed Meeting - Personnel

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

Personnel

1. Hearing on Disciplinary Matter/Construction Code Office

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 Council Chambers, for the purpose of discussing the following subjects:

Personnel

BE IT FURTHER RESOLVED that the discussion 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 Mr. Doyle, seconded by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Wedick, Bergen, Doyle, Atkins, Strang, Hyer

Council went into closed session at 7:17 P.M. and this meeting was reconvened at 10:56 P.M.

Councilwoman Atkins called the meeting to order at 10:57 P.M.

ROLL CALL

On Roll Call the following were present: Councilmembers Wedick, Bergen, Doyle, Atkins, Strang, Hyer. Others present: Mr. Kain, Borough Attorney and Mr. Palamara, Borough Administrator.

RESOLUTIONS

2. Resolution #378-04 Broker of Record

BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that a Broker of Record letter is to be issued to G. R. Murray, O'Gorman & Young, Inc., 707 State Road, Post Office Box 83, Princeton, New Jersey 08542 is appointed our authorized Broker of Record effective January 1, 2005.

Offered by Councilman Wedick, Seconded by Councilman Doyle

Roll Call Vote:

Ayes:	Councilmembers Wedick, Bergen, Doyle, Atkins, Strang, Hyer
Nays:	None
Abstain:	None
Absent:	None

ADJOURNMENT

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

Time of Adjournment: 11:01 P.M.

Respectfully submitted,

Joanne Clemente

Joanne Clemente
Deputy Borough Clerk

RESOLUTION FOR THE PAYMENT OF BILLS

373-04

Be it resolved by the Mayor and Council of the Borough of Keyport, N. J., that the following numbered vouchers be paid to the persons therein respectively and hereinafter named, for the amounts set opposite their respective names, and endorsed and approved on said vouchers.

No. OF VOUCHER	NAME	DEPARTMENT	AMOUNT
SEE ATTACHED LIST	**CURRENT:**	**Total Current..........$**	207,153.72
		Total Current..........$	207,153.72
SEE ATTACHED LIST	**WATER AND SEWER:**	**Total ....$**	70,254.71
		Total Water and Sewer..$	70,254.71
	ESCROW ACCOUNT:		
2644	Birdsall Engineering, Inc.	Fahey	457.50
2645	Birdsall Engineering, Inc.	Browns Point Marina	722.50
2646	Birdsall Engineering, Inc.	Dubleski	564.00
2647	Birdsall Engineering, Inc.	Grandon	212.50
2648	Birdsall Engineering, Inc.	Kara Homes	1,902.50
2648	Birdsall Engineering, Inc.	Kara Homes	2,326.50
2648	Birdsall Engineering, Inc.	Kara Homes	1,549.50
2648	Birdsall Engineering, Inc.	Kara Homes	1,339.00
2649	Birdsall Engineering, Inc.	Manetto	1,039.00
2649	Birdsall Engineering, Inc.	Manetto	1,003.75
2650	Birdsall Engineering, Inc.	Musson	756.50
2651	Birdsall Engineering, Inc.	Romond	210.00
2652	Birdsall Engineering, Inc.	Sherman	876.00
2653	Birdsall Engineering, Inc.	Woodmont	1,162.50
2653	Birdsall Engineering, Inc.	Woodmont	211.00
2653	Birdsall Engineering, Inc.	Woodmont	2,087.00
2654	Birdsall Engineering, Inc.	Zampetti	250.00
2655	Brian Mullen, Esquire	Fahey	357.50
2656	Brian Mullen, Esquire	Kara Homes	2,983.50
2657	Brian Mullen, Esquire	Manetto	260.00
2658	Brian Mullen, Esquire	Musson	390.00
2659	Brian Mullen, Esquire	Neighborhood Venture,	325.00
2660	KGA Engineering	Kara Homes	932.00
2661	Lawrence A. Carton, Esquire	Hans Pedersen	247.00
2662	Pasquale Menna, Esquire	Kara Homes	250.00
		Total Escrow..........$	22,414.75

Voucher #	Name	Appropriation	Amount
	GENERAL CAPITAL:		
2388	Borough of Keyport, Payroll Account	Payroll account	$ 193.77
2387	Costco Wholesale	2031.299	221.81
		Total General Cap.$	415.58
	RBIT:		
2133	Jersey Central Power and Light Co.	RBIT	24.84
2134	Verizon	RBIT	23.85
		Total RBIT.......$	48.69

Passed December 7, 2004

Approved December 7, 2004

John J. Merla, Mayor

Attest:

Judith L. Poling, RMC/CMC
Borough Clerk

OFFERED FOR ADOPTION BY MRS. ATKINS, SECONDED BY MR. DOYLE

ROLL CALL VOTE:

AYES:	Councilmembers Bergen, Doyle, Atkins, Strang, Hyer
NAYS:	None
ABSTAIN:	None
ABSENT:	Councilman Wedick

I, Judith L. Poling, do hereby certify this to be a true copy of a Resolution adopted by the Mayor and Council of the Borough of Keyport at a meeting held on

~~December 7, 2004~~

Judith L. Poling, RMC
Borough Clerk

~~12/08/04 FUND 01 CURRENT FUND~~ ~~CHECK RECONCILIATION REGISTER~~

CHECK #	AMOUNT	MAN	VENDOR NAME	NUMBER
016615	2721.68	M	COSTCO WHOLESALE	00537
018414	89.11		AT & T	02233
~~018415~~	~~122.76~~		~~AT & T~~	~~02257~~
018416	15.05		AVAYA, INC.	02101
018417	177731.06		BOROUGH OF KEYPORT, PAYROLL ACCOUNT	00294
~~018421~~	~~90.96~~		~~CABLEVISION OF RARITAN VALLEY~~	~~03129~~
018422	1387.01		COHEN & HOWARD, LLC	03386
018423	4291.39		FLEET SERVICES	02234
~~018424~~	~~2737.32~~		~~JACQUES~~	~~02724~~
018425	9834.92		JCP&L COMPANY	00135
018426	800.00		MR. & MRS. ANTHONY DELUCIA	03364
~~018427~~	~~4522.44~~		~~NEW JERSEY NATURAL GAS COMPANY~~	~~00184~~
018428	98.66		PLATZL BRAUHAUS	01777
018429	236.00		STULTZ FUEL OIL	00249
~~018430~~	~~270.00~~		~~TWO RIVER THEATRE COMPANY~~	~~03365~~
018431	1939.72		VERIZON	02426
018432	100.16		VERIZON WIRELESS	02143
~~018433~~	~~165.48~~		~~VERIZON WIRELESS~~	~~02742~~

TOTAL 207153.72
~~COMPUTER 204432.04~~
MANUAL 2721.68
******** TOTAL COMPUTER CHECKS PRINTED 17

12/08/04 FUND 02 WATER/SEWER UTILITY CHECK RECONCILIATION REGISTER

CHECK #	AMOUNT	MAN	VENDOR NAME	NUMBER
004756	48.97		AT & T	02257
004757	26031.88		BOROUGH OF KEYPORT, PAYROLL ACCOUNT	00294
004758	1089.00		JCP&L COMPANY	00135
004759	2108.50		NEW JERSEY NATURAL GAS COMPANY	00184
004760	40656.90		SHORELANDS WATER COMPANY	00237
004761	319.46		VERIZON	02426

TOTAL 70254.71
COMPUTER 70254.71
MANUAL .00
******** TOTAL COMPUTER CHECKS PRINTED 6

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 requited 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 1,2005 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, 2005, 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 Mrs. Atkins, seconded by Mr. Doyle

Roll Call Vote: Ayes: Councilmembers Bergen, Doyle, Atkins, Strang, Hyer
Absent: Councilman Wedick

6. Resolution #373-04, Payment of Bills

(full copy of Resolution attached hereto and made part of these minutes)

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

Roll Call Vote: Ayes: Councilmembers Bergen, Doyle, Atkins, Strang, Hyer
Absent: Councilman Wedick

7. Authorize Adjustment to Water/Sewer Account, Rose Olini, 44 Walnut Street (Held)

8. Resolution #374-04, Authorize Adjustment to Water/Sewer Account #1-0708006/Strauss

WHEREAS, the Municipal Collector of Water and Sewer Utility Rents, submits a schedule of adjustments and/or refunds due for various reasons; and

WHEREAS, it is the desire of the Mayor and Council to approve these adjustments and/or refunds as recommended by the Municipal Collector of Water and Sewer Utility Rents;

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

1. Formal authorization is hereby given to adjust the 3rd quarter water/sewer since the account was being charged for two units when only one unit exists. Adjustment will be made so account is only charged for one unit usage.

ACCOUNT NUMBER:	NAME	AMOUNT	REASON
1-0708006	Strauss	85.90	Owner being charged for two units when only one exits.

2. Certified copies of this Resolution to Municipal Collector of Water and Sewer Utility Rents, Administrator and any other interested parties.

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

Roll Call Vote: Ayes: Councilmembers Bergen, Doyle, Atkins, Strang, Hyer
Absent: Councilman Wedick

9. Resolution #375-04, 2004 Christmas Holidays Designated

WHEREAS, the Mayor and Council of Borough of Keyport in consultation with municipal employees and representatives of Local 68 representing clerical and public works employees, have determined to fix a holiday schedule for the Borough of Keyport; and,

WHEREAS, the Mayor and Council are aware that the Borough of Keyport has certain contractual obligations to clerical and public works employees in accordance with collective bargaining agreements between the Borough and the respective bargaining units; and

WHEREAS, the Mayor and Council further have considered the opinions of various non-union administrative employees regarding the Christmas 2004 Holiday Season and the appropriate schedule for borough employees; and,

WHEREAS, based upon various discussions between representatives of Local 68, members under the collective bargaining units and various non-union administrative employees, the Mayor and Council desire to approve the 2004 Holiday schedule for the Borough of Keyport based upon agreement between the parties and the current collective bargaining agreements.

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

1. The borough employees of the Department of Public Works shall be entitled to observe the dates of December 23 and December 24, 2004 as their Christmas holidays. All public works employees shall return to work commencing Monday, December 27, 2004. The within dates being in accordance with the collective bargaining agreement between Local 68 and the Borough of Keyport.

2. The clerical employees of the Borough of Keyport shall be entitled to observe the dates of December 24 and December 27, 2004 as their Christmas holidays. The Borough hereby approves December 27, 2004 as the "floating holiday" selected by the clerical members of Local 68 as the "floating holiday" set forth in the current collective bargaining agreement. All clerical employees shall return to work on Tuesday, December 28, 2004.

3. All administrative non-union employees of the Borough of Keyport shall be entitled to observe the dates of December 24 and December 27, 2004 as their Christmas holidays, except for the Superintendent, Department of Public Works, who will observe December 23 and December 24, 2004, the dates observed by the employees of the Department of Public Works.

4. The within resolution shall only apply to members of Local 68 and to all administrative non-union employees of the Borough of Keyport.

5. The within Resolution shall remain applicable to the 2004 Christmas holidays and shall not apply or be construed to be applied to any future holidays or be deemed to establish any precedent binding upon the Borough of Keyport

6. A copy of the within Resolution shall be forwarded to the Business Administrator, Borough Attorney and shall be distributed to all affected borough employees and a copy of the within Resolution shall be maintained in the office of the Borough Clerk for public inspection.

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

Roll Call Vote: Ayes: Councilmembers Bergen, Doyle, Atkins, Strang, Hyer
Absent: Councilman Wedick

10. Resolution #376-04, Support of a Property Tax Reform Convention

WHEREAS, All political power is inherent in the people and government exists for the protection, security and benefit of the people; and

WHEREAS, The people of this State have reserved to themselves, as part of their intrinsic sovereignty, the right to alter or reform the State Constitution and the statutes when the public good may require it; and

WHEREAS, The current system of property taxation in this State is unfair because it is not based on the ability to pay and is applied in an inequitable and non-uniform manner; and

WHEREAS, There is a need to revise and amend the State Constitution and the statutes to lessen the dependence of local government on property taxes, reduce property taxes as a share of overall public revenue, and find alternative means of funding local government services; and

WHEREAS, The Legislature, when considering proposals for broad restructuring of revenue sources, recognizes that there is great political risk in madding recommendations which the general public might perceive as increasing taxes; and

WHEREAS, It is, therefore, essential that the citizens of New Jersey are fully engaged in the effort to restructure taxes; and

WHEREAS, The most effective way to have maximum participation is a public vote on whether or not to proceed with a tax reform process and, if this question is approved, another vote by the public to ratify the recommendations for tax reform; and

WHEREAS, The convening of a special convention for the purpose of recommending amendments to the New Jersey Constitution and changes to the statutes is the most appropriate method for building a consensus for, and implementing, reform.

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of Keyport does, hereby express its strong support for the convening of such a convention.

BE IT FURTHER RESOLVED, that we do call upon our State Senator, Joseph M. Kyrillos, Jr. and our Representatives in the General Assembly, Joseph Azzolina and Samuel D. Thompson, that they support, with voice and vote, legislation that would empower the people to express their will convening the convening of such a convention.

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to Senator Joseph M. Kyrillos, Jr., to Assembly Members Joseph Azzolina and Samuel D. Thompson, to Acting Governor Codey and to the New Jersey State League of Municipalities.

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

Roll Call Vote: Ayes: Councilmembers Bergen, Doyle, Atkins, Strang, Hyer
Absent: Councilman Wedick

ADJOURNMENT

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

Time of Adjournment: 8:59 PM

Respectfully submitted,

Judith L. Poling

Judith L. Poling, RMC/CMC
Borough Clerk