February 17, 2004
Keyport, New Jersey

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

Mayor Merla called the meeting to order at 7:00 P.M. and read the Sunshine Law Notice.

ROLL CALL

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

RESOLUTION

1. Resolution #90-04, Closed Meeting - Personnel, Litigation, Labor Relations and Contract Negotiations

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

Personnel
1. Tax Office-Part Time Account Clerk and Deputy Tax Collector/Deputy Treasurer

Litigation
1. Transfer of Liquor License
2. Master Plan Reexam

Labor Relations
1. Hearing on Grievance-Various Employees
2. PBA Negotiations
3. PBA Grievance
4. Barbara Hassmiller Grievance

Contract Negotiations
1.

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 Municipal Complex Council Chambers for the purpose of discussing the following subjects:

Personnel, Litigation, Labor Relations, 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. Wedick, seconded by Mr. Hyer

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

Council went into Closed Session at 7:02 P.M. and this meeting was reconvened at 8:04 P.M.

Mayor Merla called the meeting to order at 8:04 P.M. and read the Sunshine Law Notice. Councilman Bergen led the Pledge of Allegiance and Moment of Silence.

ROLL CALL

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

PUBLIC HEARING
DIVERSION TO OPERATE FERRY SERVICE

Mayor Merla opened the Hearing to the public for comments or questions at 8:05 PM. Paul McKeefer, 107 Maple Place asked if it fit in with the Master Plan and that he was concerned about traffic. John Olsen, 73 E. Front Street asked what was the diversion. Mr. Kain said to allow a ferry to berth off the bulkhead with a barge which requires an additional application. Mr. Olsen asked what space was needed and Mr. Kain said the size of the barge was not know at this time. Mr. Olsen asked if this would be carried over to the new bulkhead and was it part of the bid specs. Mr. Bergen asked how was this application (permanent) was different from the prior two years applications and Mr. Kain said to attach a barge to the bulkhead. Mr. Bergen said some lots are not on the Green Acres inventory. Mr. Wedick asked if the Harbor Commission reviewed the application, that they should endorse the application. Andrew Willner, 85 Osborn Street asked about finding an equivalent if the property was not on the inventory and Mr. Kain said no that it will be off the bulkhead. Mr. Willner asked about negative effects and was there a follow up meeting (Mr. Hyer said the meeting was postponed and Mr. Doyle said the matter was put aside until the planner was hired). Mr. Willner said he was in favor of the ferry but was concerned about a spud barge, that an Army Corp permit was required and that there has been a lot of activity going on. George Walling, Second Street asked about the sign "Burlews Marina" still there on the bulkhead and Mayor Merla said the matter is in litigation. Mr. Kain said the Tidelands Counsel voted in favor of the Borough and the Magic Touch litigation is coming to an end. Michael Lane, First Street asked what was the diversion. Mr. Kain said the prior ferry was in conflict with Green Acres (recreational). This application can be for up to 5 years and the Borough will solicit bids for a ferry off the bulkhead; the size of the barge can be controlled. Mr. Bergen asked were certain sections of the pier to be used and were certain sections of parking to be used. Mr. Kain said the diversion is for a ferry off the bulkhead, where it will be located and how it will be constructed. There is only a 2 year diversion now and the Borough is submitting other applications to pursue a ferry. Mr. Bergen said that a ferry company has to be attracted for a longer lease. Mr. Merla said off-site parking would be incorporated into the lease. Mr. Lane asked about the 2 year diversion on the parking and Mr. Kain said there were 39 spots in Firemen's Parking Lot and 150 spots in the American Legion Drive Parking Lot. Mr. Lane asked how does this relate to the plans for behind the bulkhead. Mr. Freda said the map doesn't show, there is space behind the old sewer plant area which can accommodate 80-85 spaces, that a parking garage could be constructed. Mr. Lane asked about paving, that a rigorous planning process is needed, that there has to be a compelling public need and what was the time frame, there will be no American Legion Drive while the bulkhead work is going on. Mr. Kain said the Borough complied with the Public Notice as per Green Acres. Mr. Lane said notices have to be sent to the Planning Board, Environmental Commission and others and also to property owners within 200". Mr. Kain said the Borough is seeking the application to see if they can move forward, can the Borough bring in a ferry service without using the pier and deal better with Green Acres. If the State House denies or approves the application, then other aspects can be addressed. Mr. Bergen asked what will operate and how, that he would rather see an office building then a ferry service, that the workers would patronize the businesses. Mr. Lane said the Borough does not have a plan and asked about the diversion, for what. 750 cars needs Planning Board approval, 2 ferries have failed, will the Borough pay for the parking garage and another pier. He questioned putting a barge off a new bulkhead. Mr. Lane said he attended the Harbor Commission meeting; that the bulkhead project will take 9-12 months. He asked

how compatible will it be with the ferry and a barge; that the application is premature and the Borough does not have a plan. Michel Venick, 85 First Street said a ferry needs at least 600 passengers a day to break even or a service won't come in, that this should be planned better. He asked who is responsible for the ferry and Circle Line will not come in with these limits. As a ferry captain, I think there should be residency requirements to work for a ferry company. Terry Parker, 135 First Street said parking is a red herring, that there are different ways to come to the ferry; they can park, be dropped off or come on jitney buses. The County wants jitney bus service to ferry services. Jitney buses could run from the train stations in Matawan and Hazlet, there are many ways to feed the service. A resident of 65 E. Front street asked of what benefit is a ferry service to Keyport, that it will not bring business to the Borough. Mayor Merla said the lease/bid is more recreational and will bring jobs and business. People have moved to Keyport because of the ferry. The failure of the two prior ferry services was not due to the Borough. The Borough has applied to replace the pier. The lack of a ferry service effected the Borough's application for designation as a Transit Village, it was denied. There are pros and cons to a ferry service and there are benefits. Mr. Kain said there is FTA money available and having a ferry gives the Borough a leg up. Mr. Bergen said a decision has to be made to be, or not be a ferry terminal, and that the Borough should look at all possible uses. Mayor Merla said they should wait to see if the Borough is granted the diversion. Mr. Bergen said it looks like they are going piece meal and that the ferry will need a lot of parking on the waterfront. Mayor Merla said language can be put in the lease. Circle Line wants to know what will be approved (39 + 150 spaces). The bulkhead may lose some. Mr. Kain said a commercial building is not recreational. Mr. Wedick asked if the Borough would have to bond for the parking garage. Kenneth Swartz, commercial property owner, said potential tenants ask about the ferry, that he takes care of his property and tries to bring hope to the Borough. Alan Deeken, 100 First Street asked if a plan has to be given and is there a time limit to implement. He asked what was the cost to submit the application. Mr. Kain said no fees only legal expenses (approximately $500). Candy Carey, Main Street commended Mr. Swartz on his properties but she did not see the connection of a ferry to building up the Borough. She asked what benefit is a ferry to her as a resident, taxpayer and property owner, that she did not think a ferry will make the Borough better. Mr. Bergen said parking spaces could be worth $1,000 each times 300 spaces = $300,000., and questioned giving up open space for parking and a garage, that a Transit Village designation scares him. Kathaleen Shaw, Keyport Business Advocate said from a business point of view, ferry transportation is important, that Transit Village designation will make businesses grow and that commercial properties pay 2 ½ time the tax base. James White, 74 Atlantic Street said he did not understand about the diversion, that a plan is needed and that the residents should be able to comment on the plan. Mayor Merla said in the past he was asked about the diversion (business to recreational facility) and now it is to be put in another location, that a plan would be immature before the ferry. Mr. White asked about the diversion of park land, how much of the bulkhead was given up and how much Green Acres property as given up, that parkland is dedicated to the residents. Mr. Kain said the diversion is for off the bulkhead, that approval or denial is needed in order to go to the next step. Mr. Bergen said this should be thought out before applying. Mayor Merla said the last ferry lease contained 39 spots and the ferry was implemented due to 9-11. James Hetzel, Church Street said if the diversion is approved that the Borough goes to the next step and if it's denied then that's the end. A resident of 55 First Street said everyone should write questions down, develop an attitude and make their plans known to the Mayor and Council, write what you want and what you don't want, there are historic districts in the Borough. There are old pilings by the Steamboat Dock Museum and it was asked if there are under Green Acres. Mayor Merla said no, but it was a benefit that they were not removed. A resident said they could use jitneys, but did not like a parking garage. Sandra Shevlin, Business owner said if the diversion is granted, the Borough does not have to use it and something should be there that looks good. Steven Reed, 251 Atlantic Street said he worked for the last ferry and talked with the commuters and that he is for the diversion. Michael Reedy, 42 First Street said the Borough is lacking vision and they don't have a plan. Jeffrey Fink, W. Front Street, business owner said that in the last 5 years things have changed, that the Borough received a Smart Growth grant, that this is an opportunity not to be passed up. He was glad to see the people participating in the discussion. Jennifer Henning said the perception is the ferry is a catalyst, that her concerns are the parking spaces, that the Belford site is expanding. She said the last ferry did not use off site spots and did not use a jitney, that there were over 300 cars, that they did not run recreational trips and that ferries pollute more than cars. Mr. Bergen said he supports the ferry, trips and that it generates revenue. He said the Borough has had two diversions for the past two years, now the Borough is applying for a permanent diversion and it is for a longer period of time and a ferry company will want parking. Jack Jeandron, 80 Main Street asked if the Borough was seeking a permanent diversion for a barge for a ferry service before they will offer a lease and he was answered yes. He asked if the diversion was granted, would the residents be granted a chance to comment. Mayor Merla said there have been prior ferry meetings and at that time there was opposition to the location, not the concept. Mr. Bergen said the Borough needs to know what the ferry company needs. Mayor Merla said this is the first step to see if Green Acres will allow the Borough to go to the next step. Mr. Jeandron said if the diversion is approved, the Borough doesn't have to use it and discussion should take place with a ferry company that doesn't require dredging. Terry Musson asked about putting a non binding question on the ballot. Greg Kemp, Elizabeth Street said a ferry would be great for the Borough, that first, find out is we can have a ferry then address the parking. A resident asked if the diversion is approved who will regulate the issues. The minutes will be sent to Green Acres and residents should voice their concerns. Matthew Montanari said the diversion is not specific on location, that the ferry is a good idea and should be worked out. Bob Swingraft, Cedar Street said the former spud barge was an eye-sore, that there were traffic and school children concerns. Mayor Merla said Keyport is a natural hub. A resident said many many years ago there were boats docked only in the winter. George Walling asked where will the boat ramp trailers park. Mayor Merla said construction on the bulkhead will start in September and the overflow of trailers can use the Division Street parking lot. Mr. Walling said the body shop is still parking their cars in that lot. Mayor Merla thanked everyone for coming and that the Mayor and Council will make a decision. The Hearing was closed to the public at 10:04 PM.

HEARING ON TRANSFER OF LIQUOR LICENSE 1322-33-003-007

Mayor Merla advised that residents within 200' of the location were advised of the Hearing which will be opened to the public. Mr. Kain advised that the applicant Elio Martinez and his Counsel Antonio L. Cruz, Esq. were present and Mr. Cruz will respond. The Hearing was opened at 10:06 PM. Gail Strauss, 17 Osborn Street stated she lived across from the parking lot and there have been complaints regarding the patrons, there have been police calls, intoxication, alcohol inside and outside the premises, cars have been egged in the parking lot and the owners are not friendly neighbors. Mr. Bergen asked if the police were called. Ms. (Guerin) Abramowitz, 75 First Street said their restaurant is excellent but that they should clean the sidewalks (beer bottles). She said the establishment is near a church and in the past there were problems with another establishment in the area, "Celebrations". Terry Musson, E. Front Street asked if there are ordinances pertaining to the location. Mayor Merla said the liquor license is governed by the A.B.C. and is a permitted use in the zone and the location is 230' away from a church entrance. Albert DeGracia, 23 Osborn Street was opposed to the transfer, that there are beer bottles and the property borders a residential neighborhood. Mr. Bergen asked if Mr. DeGracia heard bottles breaking. Residents in the area who don't have driveways use Garibaldi's parking lot. Mr. Reedy, 41 First Street said he asked the police to provide a drug stake out, that there are beer bottles, drunkenness and asked that the transfer be denied. Mr. Reedy said children ages 16 and 17 have been verbally accosted and asked that the transfer be denied. Michael Lane, 51 First Street asked if live entertainment is allowed. Theodore Gajewski, Police Chief said no, that other locations are grand fathered. He said there are two entrances to the building. Mr. Kain said the church can be taken into consideration outside the 200'. Mr. Lane asked about operation hours; they are governed by Ordinance. He asked that the transfer to denied. Mr. Cruz said there are other restaurants in the area. Jeffrey Fink, business owner spoke with Michael Norris, 28 E. Front Street. Mr. Fink said he knows Mr. Norris' character and as a business owner. Mr. Norris said there have been stabbings, trespass, loitering, vandalism and the important issue is the owners responsibility to the community. He asked that the transfer be denied. Mrs. Guerin, 75 First Street said children skateboard down the street in the summer. Eleanor Cosgrove, 72 First Street said there were problems with a prior establishment "Celebrations", there are beer bottles, stabbings, noise and fights and she is opposed to the transfer. Mr. Vinik, 85 First Street said he is a member of the Hook and Ladder Fire Co. and there have been first aid calls there. Mr. Wedick asked how many times. George Walling, 54 Second Street asked Mr. Fink as he is a member of the KBA, has he ever spoke with the owner and Mr. Fink said no. Mr. Walling asked about paying taxes into the BID; the property owner does. The applicant is a tenant and has been in operation for three years. Mr. Cruz, who office is in Perth Amboy, said Mr. Martinez is 24 years old. Mr. Cruz said he is not aware of any reports, except the stabbing. Originally the Detective Bureau approved the application, then there were questions, and the application went back to the Detective Bureau who again recommended the transfer. The business has a mixed clientele, renovations have been made to the business and Mr. Martinez has a long term lease. Now we are being advised of problems; conditions can be attached to the transfer. Mr. Cruz said that they have supplied information which was requested and his client should have been notified. This is not testimony, as he has not been sworn in, only comments. Mr. Kain swore in Milla Hersoha, 384 Ridge Street, Perth Amboy, interpreter and Elio Martinez. Gail Strauss, 17 Osborn Street said she has spoken with Mr. Martinez on several matters. Mr. Martinez said she never spoke with him and that residents leave trash on his premises, that there are bottles but he does not know where they come from. Resident of 23 Osborn Street said people come out of the premises drunk, there is garbage, comments made to girls. Mayor Merla said Lt. Mitchell interviewed the applicant who speaks no English. Mr. Cruz said he was in the Detective Bureau once. Mr. Bergen asked about the hours of operation; 10 am to 10 pm. Would you keep the same hours with the liquor license; 10 am to 12 am. Are you the manager; yes, 7 days a week. Will you supply security; 2 people because of problems and to avoid problems. Will you sell package goods; may not, to avoid problems. How will you handle parking; security personnel. How many spaces; 10. You have a certificate of occupancy for a restaurant; yes. Mrs. Atkins asked if there would be security outside during the summer; yes. Mr. Doyle asked Mr. Martinez if he was the manager or owner; both and he would like to purchase the building. Mr. Hyer asked about occupancy number; 65. How many entrances would be used; 2 in the front and side. Would he sell package goods; not now. Would he build a bar; yes, and the number of patrons. Where will the bar be and would it reduce the number of patrons; no. Mr. Cruz said the license covers the bar and tables and the occupancy would not increase, there will be no seats at the bar. Will patrons be served at the bar; waitress will get drinks at the bar and take to tables. Mr. Wedick asked about the first aid calls for the last three years and what type of calls were they. Mr. Cruz suggested calling the Perth Amboy Mayor, that they have a nice Mexican restaurant and if there are problems they will address the concerns. Mayor Merla asked if they had a liquor license in Perth Amboy; no. Last night the Construction Code Official was at the location and Mayor Merla asked Mr. Martinez if he was there; yes. Mayor Merla asked Mr. Martinez if he was aware that no spoke

English; they came at night. Was Mr. Martinez aware they were cited for selling alcohol without a license; yes, but he was not the owner. Mr. Kain asked Mr. Martinez if he was on site when the August 2003 stabbing took place; no, but he was advised by the victim. Mr. Kain asked Mr. Martinez if he was the owner then; he was in the process of purchasing. Mr. Kain asked Mr. Martinez if he has been the owner for the last three years; he worked there and became the owner 1 ½ years ago. In January of 2002 Mr. Martinez put down a $10,000 deposit and in 2003 the transfer of ownership occurred. (Mayor Merla left the meeting at this time: 11:15 PM) Mr. Cruz said they are a corporation, that Mr. Martinez is the sole owner, that May 9, 2003 was the incorporation date and Mr. Martinez became the owner. In 2001 the restaurant was opened and Mr. Martinez father-in-law was the owner. Mr. Martinez started as the manager and he made the last payment for ownership in July, 2003. Mr. Kain asked when three employees were cited for selling alcohol was Mr. Martinez the manager or owner. Mr. Wedick said these are the questions to be addressed at the Police Committee meeting. Mr. Kain asked Mr. Martinez was he aware that his father-in-law was issued a summons, of going to court and pleading guilty; yes. Mr. Martinez said he received threats and that the location down the street had connections to City Hall. He was asked if the Police Department was made aware and he said no, he didn't want to make trouble. Mr. Kain asked Mr. Martinez if he has been threatened by anyone public or private. Mr. Martinez said he was told that the Uptown Bar could make it difficult to acquire the license. Mr. Kain asked was Mr. Martinez told personally; was told by a patron. Mrs. Atkins asked Mr. Martinez if he was told second hand not personally; yes, did he believe the person; the person knows the owner of the bar; does he trust this person; he is only a client. Mr. Bergen asked since 2001 has Mr. Martinez been the manager and then owner; yes, was he aware that his father-in-law sold alcohol illegally; yes, was he aware of the stabbing incident in 2003; yes but he was not there, does he have any responsibility for the incidents; he doesn't know how they happened, and what will he do to prevent these incidents from happening; will have two security people. Mr. Stalter asked Mr. Martinez if they will continue as a restaurant; yes, and why have security; so no problems occur in the future. Mr. Doyle said his concern is that Mr. Martinez is not clear on his business plans and that they could be changed. Mr. Kain said there are neighbor concerns and asked Mr. Martinez if he is responsible for the beer bottles; yes, what will he do in the future to correct the problem of the beer bottles; maintain the sidewalks and put in plants. Mr. Kain asked Mr. Martinez if he will hire two security people and maintain the property; yes, did he do this before; no, since July 2003 has he hired security people or maintained the property outside; no. Motion to table the application, to refer the matter to the Police Committee and to list it on the March 2, 2004 agenda, moved by Mr. Hyer, seconded by Mr. Wedick. Roll Call Vote: Ayes: Councilmembers Wedick, Bergen, Doyle, Atkins, Stalter, Hyer. Mr. Cruz had no objections, but said the application has been pending since August, 2003. There have been two investigations by the Police Department.

APPROVAL OF MINUTES

Minutes of the Special Meeting of January 31, 2004, motion to approve as read, moved by Mr. Hyer, seconded by Mr. Wedick with Ayes by all present.

HEARING ON ORDINANCE

1. Ordinance #1-04, Salary Ordinance, Business Administrator and Buildings and Grounds Maintenance Worker

The Clerk reported that the Ordinance was published as introduced in the Courier, issue of February 5, 2004 that the Affidavit of Publication is on file in her office, that copies were posted on the Bulletin Boards and made available to the public.

The Clerk read the Ordinance by Title:

AN ORDINANCE AMENDING AND SUPPLEMENTING AN

ORDINANCE FIXING THE SALARIES OF THE VARIOUS OFFICERS, CLERKS AND EMPLOYEES OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY

The Hearing was opened to the public for comments or questions at 11:59 P.M. There being none, the Hearing was closed at 11:59 PM.

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

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

1a. Motion authorizing the Clerk to publish the Ordinance as finally adopted according to law, in the Courier, issue of February 19, 2004 moved by Mr. Stalter, seconded by Mr. Hyer with Ayes by all present.

2. Ordinance #2-04, Amend Duties of Business Administrator

The Clerk reported that the Ordinance was published, as introduced, in the Courier, issue of February 5, 2004, that the Affidavit of Publication is on file in her office, that copies were posted on the Bulletin Boards and made available to the public.

The Clerk read the Ordinance by Title:

AN ORDINANCE AMENDING AND SUPPLEMENTING AN ORDINANCE ENTITLED "REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT" ADOPTED BY THE MAYOR AND BOROUGH COUNCIL AND AMENDED FROM TIME TO TIME THEREAFTER, AMENDING AND SUPPLEMENTING CHAPTER II, ADMINISTRATION, SECTION 2-2.3, BUSINESS ADMINISTRATOR

The Hearing was opened to the public for comments or questions at 12:01 PM, February 18, 2004. There being none, the Hearing was closed at 12:01.

2a. Motion authorizing the Clerk to publish the Ordinance as finally adopted to law in the Courier, issue of February 19, 2004, moved by Mr. Hyer, seconded by Mr. Doyle, with Ayes by all present.

COMMITTEE REPORTS

Councilman Wedick; Police
Councilman Stalter; Fire
Councilman Hyer; Public Works/Recycling/Property Maintenance
Councilwoman Atkins; Health, Recreation and Parks
Councilman Bergen; Finance
Councilman Doyle; Buildings & Grounds and Library
Administrator Poling
Engineer Freda
Attorney Kain
Mayor Merla

Motion to waive the reading of all Committees Reports, moved by Mr. Bergen, seconded by Mr. Stalter, with Ayes by all present.

Borough Engineer Freda reported that there are two forms which must be submitted to the State by March 3, 2004, regarding the Stormwater Program. Motion to appoint George Sappah, Superintendent of Public Works, as the Stormwater Program Coordinator, moved by Mr. Hyer, seconded by Mr. Bergen, with Ayes by all present.

REPORTS OF DEPARTMENTS

October, 2003

1. Detective Bureau Firearm/Fingerprint Report

Total fees: $20.00

Submitted by Theodore Gajewski, Police Chief

2. Police Traffic Safety Bureau

Total Fees: $431.00

Submitted by Theodore Gajewski, Police Chief

December, 2003

3. Librarians Report

Report on file in Clerk's Office for review.

Submitted by Jacqueline LaPolla, Librarian

December 2003 & January, 2004

4. Property Maintenance Report

Report on file in Clerk's Office for review.

Submitted by William R. Cerase, PMO

January, 2004

5. Borough Clerk's Report

WATER/SEWER ACCOUNT

WATER CONNECTION	$	
WATER METER		
TURN ON CHARGE		
SEWER CONNECTION		
SEWER/POOL PERMIT		
WATER METER W/TO		
DEMOLITION		
TOTAL WATER/SEWER, CHECK #	**$**	

CURRENT ACCOUNT

BINGO LICENSE	$	
GUN PERMITS & ID'S		60.00
LIMO LICENSE		
PHOTOCOPIES		394.25
POSTAGE		.37
RAFFLE LICENSE		40.00
TAXI LICENSE, DRIVER		
TAXI LICENSE, OWNER		
POLICE DEPT ACCIDENT REPORT		407.00
SEARCHES		10.00
VENDING LICENSE		
PEDDLER LICENSE		
LIQUOR LICENSE		
STREET OPENING		75.00
FISH & GAME		
NEWSPAPER VENDING MACHINES		
RECYCLING PERMITS		320.00
PARKING PERMITS		100.00
AUCTION LICENSES		
TOTAL CURRENT, CHECK #3590	**$**	**1,414.62**

RECREATIONAL BAYFRONT IMPROVEMENT TRUST

BOAT LAUNCHING RAMP PASSES	$	
BAIT		
ICE		
ICE CREAM		
SODA		
TOTAL RBIT, CHECK #	**$**	

ESCROW ACCOUNT

CASH REPAIR DEPOSIT,	$	27.00
TOTAL ESCROW, CHECK #3591	**$**	**27.00**
TOTAL RECEIPTS	**$**	**1,441.62**

Submitted by Judith L. Poling, Borough Clerk

6. Tax Collector's Report

2000 TAXES	$
2001 TAXES	
2002 TAXES	630.92
2003 TAXES	71,856.55
2004 TAXES	1,338,146.83
2005 PREPAID TAXES	
PROPERTY REDEEMED	
INTEREST AND COSTS	3,633.15
TAX SEARCHES	20.00
POST OFFICE LAND RENT	
SENIOR CITIZEN HOUSING IN LIEU OF TAXES	13,003.52
RETURNED CHECK CHARGES	
ALL OTHER MISCELLANEOUS REVENUE	87,327.73
TOTAL CURRENT RECEIPTS	**$ 1,514,618.70**

WATER & SEWER RENTS	$ 76,705.56
INTEREST AND COSTS	1,913.46
TURN ON CHARGES	100.00
RETURNED CHECK CHARGES	12.00
POOL PERMITS	
WATER METERS/WITH TURN ON	
NEW METERS AND INSTALLATION CHARGE	
WATER & SEWER CONNECTIONS	1,800.00
METER TEST CHARGE	
FIRE SERVICE	
METER REPLACEMENT, PARTS ETC	
DEMOLITION PERMIT	
ALL OTHER MISCELLANEOUS REVENUE	5,526.72
TOTAL WATER/SEWER RECEIPTS	**$ 586,057.74**

Submitted by Pauline Redmond, Tax Collector

7. Building Department Report

PERMIT TYPE	NO. ISSUED	AMOUNT
STATE DCA FEE	27	$ 130.00
CONSTRUCTION CERTIFICATES	0	
PLUMBING	14	1,021.00
ELECTRICAL	11	1,025.00
BUILDING	8	595.00
FIRE SUB CODE	8	425.00
CODE ENFORCEMENT	47	2,245.00
CERTIFICATES OF OCCUPANCY		
TRANSFER TITLE	9	315.00
SMOKE DETECTORS	47	1,615.00
ZONING	10	100.00
200 FT PROPERTY LIST	2	20.00
MISCELLANEOUS	1	25.00
COPIES	4	3.00
CONSTRUCTION DEBRIS DEPOSIT	4	200.00
CONSTRUCTION VIOLATIONS	0	
RE-INSPECTION	0	
TOTAL		**$6,719.00**

ACCOUNTS PAYABLE

AMOUNT PAID TO BOROUGH, CHECK #2444	$6,389.00

STATE FEE DUE - PAID QUARTERLY	130.00

Submitted by Annette Kovacs, Senior Permit Clerk

8. Librarian's Report

See full copy on file in the Clerk's Office

Submitted by Jacqueline LaPolla, Librarian

9. Board of Health Report

TOTAL COLLECTED IN THE BOARD OF HEALTH OFFICE $7,060.80

DOG LICENSES	$ 2,917.40
CAT LICENSES	672.40
MARRIAGE LICENSES	84.00
BURIAL PERMITS	47.00
DEATH CERTIFICATES	2,435.00
MARRIAGE CERTIFICATES	75.00
BIRTH CERTIFICATES	5.00
POOL PERMITS	-0-
PLAN REVIEW	-0-
FOOD HANDLERS	825.00
MISCELLANEOUS	-0-

DISBURSEMENTS

CHECK #2781	- BOROUGH OF KEYPORT MISC. ACCT	$3,396.00
CHECK #2782	- BOROUGH OF KEYPORT TRUST ACCT	75.00
CHECK #2783	- BOROUGH OF KEYPORT DOG ACCT	2,932.20
CHECK #2784	- NJ STATE DEPT OF HEALTH	657.60

Submitted by Anne R. Biagianti, Treasurer

10. Fire Department Report

Report on file in Clerk's Office for review.

Submitted by Roy Jimenez, Fire Chief

Annual Report, 2003

11. Librarian Report

Report on file in Clerk's Office for review.

Submitted by Jacqueline LaPolla, Librarian

Motion to Accept reports as read, moved by Mr. Wedick, seconded by Mr. Doyle, with Ayes by all present.

COMMUNICATIONS & PETITIONS

1. Application to Amend Bingo License #1-04, Raritan Post 23, American Legion.

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

2. Letter from Monmouth County Planning Board requesting that Cross-Acceptance Delegation be designated.

   Motion to name Planning Board Chairman, Council representative, or designee, Mayor and KBA officer, moved by Mr. Bergen, seconded by Mr. Hyer, with Ayes by all present.

3. Letter from the Department of Environmental Protection advising of application process for municipal stormwater permit and grant monies that are available to implement permit requirements.

   Communication addressed under Committee Reports.

4. Memo from Police Chief Gajewski regarding Annual Inspection on May 15, 2004 and request to close W. Front Street from 8 am to 12 pm in front of Municipal Building.

   Motion to refer to the Police Committee, moved by Mr. Wedick, seconded by Mr. Hyer, with Ayes by all present.

5. Letter from Kathaleen R. Shaw, KBA Business Advocate regarding commercial trash/garbage regulations proposed ordinance changes.

   Motion to refer to the Board of Health, moved by Mr. Bergen, seconded by Mr. Stalter, with Ayes by all present.

6. Letter from Kathaleen R. Shaw, KBA Business Advocate regarding Water Tower, Hwy. #35, painting project.

   Motion to refer to the Public Works and Finance Committees, moved by Mr. Bergen, seconded by Mr. Stalter, with Ayes by all present.

7. Notice of KBA Annual Meeting and Election and related information.

   Motion to receive and file, moved by Mr. Bergen, seconded by Mr. Stalter, with Ayes by all present.

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments or questions at 12:08 A.M., February 18, 2004. George Walling, Second Street thanked Mr. Hyer for the matter of 22 Osborn Street. Mr. Walling asked about "Ring Road" (American Legion Drive)questioning some vehicles being ticketed and some not. Police Chief Gajewski said the area in question is in litigation. Mr. Kain said the Borough is waiting for the Judge's decision. Mr. Walling questioned the vehicles being ticketed and that they are still there. Mr. Walling asked if Department Reports are public information; yes. Kathaleen Shaw, KBA said the letter regarding garbage was to let the Mayor and Council know. She said the painting of the water tower will cost the Borough no money and that the specifications need to be reviewed. The Public Comment Portion was closed at 12:14 AM

RESOLUTIONS

(ALL RESOLUTIONS ATTACHED HERETO AND MAKE PART OF THESE MINUTES)

2. Resolution #91-04, Payment of Bills
3. Resolution #92-04, Award of Contract to Cal Corp., Inc. t/a Stultz Fuel Co. for #2 Fuel Oil
4. Resolution #93-04, Award of Contracts for Computers, related equipment and network services: Hewlett Packard-$34,496.00, Munidex-$68,991.00 and United Computers-$11,040.00.
5. Resolution #94-04, Hiring of Building and Grounds Maintenance Worker-Nancy Germek
6. (Held) Engineering Proposal from Birdsall-2004 Road and Drainage Improvement Program-$28,800.00. Motion to hold, moved by Mr. Bergen, seconded by Mr. Wedick. Roll Call Vote: Ayes: Councilmembers Wedick, Bergen, Doyle, Atkins, Stalter, Hyer.
7. (Held) Engineering Proposal from Birdsall-William Ralph Pier Replacement-$79,400.00. Motion to hold, moved by Mr. Bergen, seconded by Mr. Wedick. Roll Call Vote: Ayes: Councilmembers Wedick, Bergen, Doyle, Atkins, Stalter, Hyer.
8. Resolution #95-04 Release of Performance Guarantees, 417 Associates (Pine Belt Nissan)
9. Resolution #96-04 Authorize Advertisement for Receipt of Bids-Solid Waste Contract
10. Resolution #97-04 Request Planning Board to Review Redevelopment Study Maps
11. Resolution #98-04 Authorize Execution of Drug and Alcohol Agreement with County for 2004
12. Resolution #99-04 Part Time Account Clerk - Authorize 30 Day extension

All Resolutions (except held items) offered for adoption by Mr. Bergen, seconded by Mr. Hyer

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

Motion to start the March 2, 2004 Council Meeting at 6:30 PM instead of 7:00 PM, moved by Mr. Doyle, seconded by Mr. Wedick, with Ayes by all present. The Introduction of the 2004 Budget will be moved to March 9, 2004. Mayor Merla will call a Special Meeting which will begin at 6:30 PM.

ADJOURNMENT

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

Time of Adjournment: 12:26 AM, February 18, 2004

Respectfully submitted,

Judith L. Poling

Judith L. Poling, RMC/CMC
Borough Clerk

RESOLUTION FOR THE PAYMENT OF BILLS

91-04

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
check numbers attached.	CURRENT:		$331,557.39
		Total Current............	$331,557.39
See check numbers attached.	WATER AND SEWER:		$151,614.87
		Total Water and Sewer...	$151,614.87
	GENERAL CAPITAL:		
#2249	Borough of Keyport, Payroll Account	#21-99	$ 1,453.28
		Total General Capital...	$ 1,453.28
	RBIT:		
59	Jersey Central Power and Light Co.	RBIT	$ 45.65
#2059		Total RBIT..............	$ 45.65

Passed **February 17, 2004**

Approved February 17, 2004

John J. Merla, Mayor

Attest:

Judith L. Poling, RMC/CMC
Borough Clerk

OFFERED BY COUNCILMAN BERGEN, SECONDED BY COUNCILMAN HYER

ROLL CALL VOTE:

AYES:	COUNCILMEMBERS WEDICK, BERGEN, DOYLE, ATKINS, STALTER, HYER
NAYS:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

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 FEBRUARY 17, 2004

Judith L. Poling, RMC
Borough Clerk

02/18/04 FUND 01 CURRENT FUND CHECK RECONCILIATION REGISTE

CHECK #	AMOUNT	MAN	VENDOR NAME	NUMBER
016023	3800.26	M	FLEET SERVICES	02234
016024	9200.00	M	STEFFER INDUSTRIES	03120
016025	749.96	M	COSTCO WHOLESALE	00537
016026	224.00	M	OLD COUNTRY BUFFET	03138
017103	390.22		AT & T	02233
017104	201.70		AT & T	02257
~~017105~~	~~155.86~~		~~AVAYA FINANCIAL SERVICES~~	02565
017106	368.17		AVAYA, INC.	02101
017107	800.00		BAYSHORE CONFERENCE OF MAYORS	03126
~~017108~~	~~118692.13~~		~~BOROUGH OF KEYPORT, PAYROLL ACCOUNT~~	~~00294~~
017111	3937.59		DELTA DENTAL PLAN OF N.J., INC.	02787
017112	4291.59		FLEET SERVICES	02234
~~017113~~	~~9296.22~~		~~JCP&L COMPANY~~	~~00135~~
017114	2747.07		NEW JERSEY NATURAL GAS COMPANY	00184
017115	28813.68		STATE OF N. J. HEALTH BENEFITS PROGRAM	02785
~~017116~~	~~2194.48~~		~~VERIZON~~	~~02426~~
017117	138.46		VERIZON WIRELESS	02143
999999	145780.00	M	QUALITY FENCE COMPANY, INC.	00214

TOTAL	331781.39
COMPUTER	172027.17
~~MANUAL~~	~~159754.22~~

******** TOTAL COMPUTER CHECKS PRINTED 13

02/18/04 FUND 02 WATER/SEWER UTILITY CHECK RECONCILIATION REGISTE

CHECK #	AMOUNT	MAN	VENDOR NAME	NUMBER
004493	21.48		AT & T	02257
004494	19828.47		BOROUGH OF KEYPORT, PAYROLL ACCOUNT	00294
~~004495~~	~~1641.45~~		~~JCP&L COMPANY~~	~~00135~~
004496	769.12		NEW JERSEY NATURAL GAS COMPANY	00184
004497	14406.83		STATE OF N. J. HEALTH BENEFITS PROGRAM	02785
004498	257.23		VERIZON	02426
099999	5000.00	M	CHASE MANHATTAN BANK	02214
999999	109690.29	M	CHASE MANHATTAN BANK	02214

TOTAL	151614.87	
~~COMPUTER~~	~~36924.58~~	
MANUAL	114690.29	
********		TOTAL COMPUTER CHECKS PRINTED

RESOLUTION

92-04

WHEREAS, on January 26, 2004, the Borough of Keyport accepted bids in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. For the supply and delivery of approximately 11,000 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 $1.2725 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 specifications, 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 11,000 gallons of #2 Fuel Oil at the price of $1.2725 over the posted "rack price" per gallon for the year beginning December 23, 2003, and ending on December 22, 2004, 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 the award shall be advertised as required by law.

OFFERED BY: COUNCILMAN BERGEN 2ND BY: COUNCILMAN HYER

ROLL CALL VOTE:

AYES: COUNCILMEMBERS WEDICK, BERGEN, DOYLE, ATKINS, STALTER, HYER
NAYS: NONE
ABSTAIN: NONE
ABSENT: NONE

I, JUDITH L. POLING, 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 FEBRUARY 17, 2004.

Judith L. Poling
JUDITH L. POLING, RMC/CMC
BOROUGH CLERK

RESOLUTION

93-04

WHEREAS, it is necessary to update and replace computer equipment in order to network the various Departments in the Borough of Keyport; and

WHEREAS, under State Contracts, United Computer Sales and Service, Inc. has submitted the following proposals:

POLICE DEPARTMENT:

United Computer Co. quote dated February 3, 2004	
Hewlett Packard under State Contract #A81249	$22,881.00
(Reference Quote #200710	
Note United Computer's Dealer #D20674)	
Hardware to be shipped to United Computers	
Munidex under State Contract #A81215	$43,089.00
Purchase Order to be sent to United Computer	
United Computer Sales & Service, Inc. -	
Information Technology (IT) technical personnel needs	5,520.00/year

BOROUGH OFFICES:

United Computer Co. quote dated February 10, 2004	
Hewlett Packard under State Contract #A81249	$11,615.00
(Reference Quote #200138	
Note United Computer's Dealer #D20674)	
Hardware to be shipped to United Computers	
Munidex under State Contract #A81215	$25,902.00
United Computer Sales & Service, Inc. -	
Information Technology (IT) technical personnel needs	5,520.00/year

INCLUDED IN THE ABOVE A 3 YEAR EXTENDED WARRANTY

WHEREAS, the Borough Clerk/Administrator, Chief Financial Officer and the Borough Attorney have reviewed said proposal; 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 following proposals as submitted by United Computer Sales and Service, Inc. are hereby accepted:

Hewlett Packard	$34,496.00
Munidex	$68,991.00
United Computer Sales & Service	$11,040.00

2. The Borough Clerk/Administrator is authorized to submit requisitions for said purchases.

3. A Notice of the award shall be advertised as required by law.

OFFERED BY: Councilman Bergen 2^{ND} BY : Councilman Hyer

ROLL CALL VOTE:

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

I, JUDITH L. POLING, 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 FEBRUARY 17, 2004.

Judith L. Poling

JUDITH L. POLING, RMC/CMC
BOROUGH CLERK

RESOLUTION
94-04

WHEREAS, it is necessary to hire a Building and Grounds Maintenance Worker, and

WHEREAS, funds are available in the 2004 Budget for the position.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that NANCY JEAN GERMEK is hereby hired as a Building and Grounds Maintenance Worker, at $23,920.00 annually, effective Wednesday, February 18, 2004

OFFERED BY: COUNCILMAN BERGEN 2ND BY: COUNCILMAN HYER

ROLL CALL VOTE:
AYES: COUNCILMEMBERS WEDICK, BERGEN, DOYLE, ATKINS, STALTER, HYER
NAYS: NONE
ABSTAIN: NONE
ABSENT: NONE

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 JANUARY 15, 2004.

Judith L. Poling

JUDITH L. POLING, RMC/CMC
BOROUGH CLERK

RESOLUTION
95-04

RELEASE OF PERFORMANCE GUARANTEES
ACCEPTANCE OF MAINTENANCE BOND

WHEREAS, 417 Associates LLP and Rio Partners, L.P. has requested the release of their performance guarantees posted for their major site plan project, Block 51, Lots 22, 22.02, 23.103, 24, 25.02 and 25.03 and Block 52, Lots 1 and 2; and

WHEREAS, this request was referred to the Borough Engineer who by letter of February 4, 2004 approved said release.

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

1. Performance Bond (Letter of Credit) in the amount of $180,051.12 and 10% Cash Bond in the amount of $20,005.68 are hereby released contingent upon the following:

   A. Posting of a 2 year Maintenance Bond in the amount of $23,342.65 commencing on the date of this Resolution; and

   B. Posting of the amount of $500.00 as the maintenance period inspection fee and final close out at termination of maintenance period; and

   C. That all property taxes and other escrow charges being current.

OFFERED BY: COUNCILMAN BERGEN 2ND BY: COUNCILMAN HYER

ROLL CALL VOTE:
AYES: COUNCILMEMBERS WEDICK, BERGEN, DOYLE, ATKINS, STALTER, HYER
NAYS: NONE
ABSTAIN: NONE
ABSENT: NONE

I, JUDITH L. POLING, 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 FEBRUARY 17, 2004.

Judith L. Poling

JUDITH L. POLING, RMC/CMC
BOROUGH CLERK

BIRDSALL ENGINEERING, INC.
CONSULTING & ENVIRONMENTAL ENGINEERS

A BIRDSALL SERVICES GROUP COMPANY

Borough of Keyport
18-20 Main Street
Keyport, New Jersey 07735

February 4, 2004
Job No. 2-07348-110004

Attn: Judith Poling, Borough Clerk

Re: 417 Associates (Pine Belt Nissan)
Performance Guarantee Release

Dear Ms. Poling:

Please be advised that we take no exceptions to release the Performance Guarantee for the above referenced project, as all site improvements have been completed. This release is contingent upon the following as required:

- Posting a two-year Maintenance Bond in the amount of $ 23,342.65, which represents 15% of the original construction costs of $ 155615.00.
- Posting the amount of $ 500.00 as the maintenance period inspection fee and final close out at termination of maintenance period.
- All property taxes and other escrow charges being current.

Please find attached our final invoice representing our services relative to this matter. Should you have any questions or require additional information, please do not hesitate to contact this office.

Very truly yours,

BIRDSALL ENGINEERING, INC.

Carl J. Gallina

Carl J. Gallina
Vice President
Construction Services

CJG:me
Enclosure
cc: Thomas P. Fallon, Chief Financial Officer
Gerald J. Freda, P.E., Borough Engineer

FEB - 5 2004

J:\Jobs\207348110004\Performance Guarantee Release.doc

☑ 611 Industrial Way West Eatontown, NJ 07724-2213 P 732.380.1700 F 732.380.1701
☐ 529 Route 9 Barnegat, NJ 08005-2120 P 609.698.1144 F 609.698.6814

RESOLUTION

RESOLUTION NO: 96-04

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT AUTHORIZING RECEIPT OF BIDS FOR THE CONTRACT FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE AND RECYCLABLE MATERIALS WITHIN THE BOROUGH OF KEYPORT

WHEREAS, the Mayor and Council are aware that the present contract for the collection and disposal of solid waste and recyclable materials will expire on April 30, 2004; and

WHEREAS, the Mayor and Council have previously authorized the Borough Attorney to prepare specifications for the receipt of bids for a new three (3) or (5) year contract for the collection and disposal of solid waste and recyclable materials; and

WHEREAS, the within specifications have been prepared and received by the Mayor and Council; and

WHEREAS, the Mayor and Council desire to direct the Borough Clerk to advertise for the receipt of bids for the collection and disposal, of solid waste and recyclable materials within the Borough of Keyport.

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

1. The Mayor and Council authorize the Borough Clerk to advertise for receipt of bids for the collection and disposal of solid waste and recyclable materials within the Borough of Keyport with a contract date to commence on or about June 15, 2004.

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

OFFERED: COUNCILMAN BERGEN

SECONDED: COUNCILMAN HYER

AYES: COUNCILMEMBERS WEDICK, BERGEN, DOYLE, ATKINS, STALTER, HYER

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

I, JUDITH L. POLING, do hereby certify that this to be a true copy of a Resolution adopted by the Mayor and Council of the Borough of Keyport at their meeting on the 17h day of February, 2004.

Judith L. Poling

JUDITH L. POLING, RMC/CMC
Borough Clerk

RESOLUTION

RESOLUTION NO: 97-04

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF KEYPORT DIRECTING KEYPORT PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION AND HEARING AND TO PREPARE A RECCOMENDATION TO THE MAYOR AND COUNCIL AS TO WHETHER A THE AREAS IN THE ATTACHED MAPS ARE IN NEED OF REDEVELOPMENT CONSISTENT WITH THE PROVISIONS OF N.J.S.A. 40A:12A-1, ET SEQ.

WHEREAS, the Mayor and Council of Borough of Keyport have previously received a grant from the State of New Jersey, Office of Smart Growth and have retained the services of a professional planner to conduct a redevelopment study consistent with the objectives of Smart Growth: and

WHEREAS, the Mayor and Council have directed the planner to conduct a redevelopment study of the areas designated on the attached maps to determine whether these are areas in need of redevelopment under the New Jersey Redevelopment and Housing Law and thereafter to create a redevelopment plan for the within areas,

WHEREAS, the Mayor and Council of the Borough of Keyport are mindful of the statutory considerations as are contained in N.J.S.A. 40A:12A-1 et seq., which allows a municipality to adopt a Redevelopment Plan for the redevelopment or rehabilitation plan of all or part of a redevelopment area, or area in need of rehabilitation, which plan shall be sufficiently complete to indicate its relationship to definite municipal objectives as to appropriate land uses, public transportation, utilities, recreation, municipal facilities and other public improvements; and to indicate proposed land uses and building requirements in the redevelopment zone; and

WHEREAS, the Mayor and Council have retained a professional planner under Smart Growth to explore certain areas within the Borough of Keyport to study whether these potential areas are in need of redevelopment and thereafter to prepare a market-based redevelopment plan which would have long term effect on the future of the municipality; and

WHEREAS, the Mayor and Council have determined that it would be in the best interest of the Borough of Keyport to request the Keyport Planning Board to conduct a preliminary investigation and hearing(s) and thereafter to make specific recommendations to the governing body as to whether these areas are in need of redevelopment or rehabilitation, with such specific recommendations for redevelopment as contemplated under N.J.S.A. 40A:12A-1 et seq.; and

WHERERAS, the Mayor and Council are resolved to refer this matter to the Keyport Planning Board and to direct the Board to conduct a preliminary investigation as contemplated under the within statute.

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

1. The Mayor and Council hereby request the Keyport Planning Board to undertake a preliminary investigation and hearing(s) and to make specific recommendations to the governing body as to whether the areas designated in the attached maps are in need of redevelopment or rehabilitation in accordance with N.J.S.A. 40A:12A-1 et seq.

2. The Mayor and Council further request that the Keyport Planning Board make
any recommendations which it deems appropriate concerning any area or part of any area on the attached maps in need of redevelopment in accordance with the provisions of N.J.S.A.40A:12A-1 et seq.

3. That copies of all information, plans, proposals and agreements relative to
grants received under Smart Growth be forwarded to the Planning Board.

4. Copies of the within Resolution shall be forwarded to the Keyport Planning
Board, Planning Board Attorney and Engineer, Municipal Finance Officer, Borough Attorney and Borough Engineer.

5. That a copy of the within resolution be retained in the office of the Borough
Clerk for public inspection as required by law.

OFFERED: COUNCILMAN BERGEN

SECONDED: COUNCILMAN HYER

AYES: COUNCILMEMBERS WEDICK, BERGEN, DOYLE, ATKINS, STALTER, HYER

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

I, Judith L. Poling, do hereby certify that this is a true copy of a Resolution adopted by the Mayor and Council of the Borough of Keyport at their meeting held on the 17th day of February 2004.

Judith L. Poling

JUDITH L. POLING, RMC/CMC
BOROUGH CLERK

RESOLUTION

98-04

AUTHORIZE EXECUTION OF DRUG AND ALCOHOL ABUSE AGREEMENT-YEAR 2004

WHEREAS, it is desirable for the Borough of Keyport to enter into an Agreement with the Monmouth County Board of Chosen Freeholders for Alcoholism and Drug Abuse as part of the Alliance to Prevent Alcoholism and Drug Abuse.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that the Mayor and Borough Clerk are hereby authorized to execute the Alliance to Prevent Alcoholism and Drug Abuse Agreement #04A-13 for the period of January 1, 2004 to December 31, 2004 in the amount of $11,300.00 with the Monmouth County Board of Chosen Freeholders.

OFFERED BY: COUNCILMAN BERGEN 2ND BY: COUNCILMAN HYER

ROLL CALL VOTE:

AYES: COUNCILMEMBERS WEDICK, BERGEN, DOYLE, ATKINS, STALTER, HYER
NAYS: NONE
ABSTAIN: NONE
ABSENT: NONE

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 FEBRUARY 17, 2004.

Judith L. Poling
JUDITH L. POLING, RMC/CMC
BOROUGH CLERK

RESOLUTION

99-04

PART TIME ACCOUNT CLERK

WHEREAS, Susan Yundzel has been employed as a Part Time Account Clerk; and

WHEREAS, it has been determined to extend her employment.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that Susan Yundzel's employment is extended for an additional 30 days from February 19, 2004 to March 19, 2004 at the salary which is in effect for this position.

Offered by: Mr. Bergen, 2nd by Mr. Hyer

Roll Call Vote:

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

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 FEBRUARY 17, 2004

Judith L. Poling
JUDITH L. POLING RMC/CMC
BOROUGH CLERK