

Approved 4/14/08

Keyport, New Jersey
February 20, 2007

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

Mayor Bergen called the meeting to order at 7:03 P.M. Mayor Bergen read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Mayor Bergen, Councilmembers Hassmiller, Walling, Ortman (arrived 7:05P.M.), Bolte, Sheridan. Others present: Mr. Valesi, Borough Administrator and Mr. Ebner, Borough Attorney Absent: Councilman Hill

RESOLUTION

1. Resolution No. 98-07, Resolution of the Mayor and Council of the Borough of Keyport Appointing Valerie T. Heilweil as Borough/Elections Clerk and Borough Official Assessment Searcher

WHEREAS, the Mayor and Council of the Borough of Keyport have created the position of Borough Clerk pursuant to N.J.S.A. 40A:9-133, and

WHEREAS, the position of Borough Clerk is set forth in Keyport Borough Ordinance ``2-3.1 (Ord. No. 19-75, ``1 and 2; 1972 Code `2-1; Ord. No. 37-89, ``1, 11; Ord. No 26-95, `1) and provides that the Borough Clerk shall be appointed by the Mayor and Council for a term of three (3) years, and

WHEREAS, the incumbent Borough Clerk has resigned and it is necessary to make an appointment of a new Borough Clerk, and

WHEREAS, the Mayor and Council hereby appoint Valerie Heilweil as Borough Clerk at an annual salary of forty-eight thousand dollars (\$48,000.00) per annum, and

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

1. Valerie Heilweil, appointment on February 20, 2007 as the Borough Clerk of the Borough of Keyport is at an annual salary of forty-eight thousand dollars (\$48,000.00) per annum retroactive to February 14, 2007.
2. The appointment is for a term of three (3) years with an initial ninety (90) day probationary period at which time the governing body will evaluate Ms. Heilweil's performance and consider increasing the annual salary to fifty thousand dollars (\$50,000.00) per annum.
3. Copies of the within Resolution shall be forwarded to Valerie Heilweil, Borough Clerk, the Municipal Finance Officer and the Borough Clerk, who shall retain a copy for public inspection.

Offered for adoption by Mr. Sheridan, second by Mr. Hassmiller

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Bolte,
Sheridan, Ortman

Nays: None
Abstain: None
Absent: Hill

2. Resolution No. 99-07, Closed Executive Session

WHEREAS, the Open Public Meetings, Act, P.L. 1975, Chapter 231, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, Mayor and Council of the Borough of Keyport are of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss:

A. Personnel

- Police Department
- Borough Clerk

B. Litigation

- Parking Ordinance

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that a meeting of the Mayor and Council shall be held forthwith from which the public shall be excluded in the Council Chambers, Borough Hall, for the purpose of discussing the above-mentioned items.

BE IT FURTHER RESOLVED that discussions on Personnel conducted at said Closed Session shall be disclosed when the matters discussed are resolved and this meeting shall continue in approximately 20 minutes.

Offered for adoption by Mr. Sheridan, second by Mr. Hassmiller

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Bolte,
Sheridan, Ortman

Nays: None
Abstain: None
Absent: Hill

Motion to adjourn 8:11 P.M. by Mr. Ortman

Mayor Bergen called the meeting to order at 8:18. Borough Clerk, Valerie Heilweil read the Sunshine Law Notice. Followed by the Pledge of Allegiance and a Moment of Silence.

ROLL CALL

On Roll Call the following were present: Mayor Bergen, Councilmembers Hassmiller, Walling, Hill (arrived 7:14 P.M.), Ortman, Bolte, Sheridan. Others present: Mr. Valesi, Borough Administrator and Mr. Ebner, Borough Attorney

APPEARANCE AND DISCUSSION

Dan Blachford, Superintendent of Schools - Presentation on School Programming and Preliminary Budget.

Mr. Blachford gives presentation on key priorities. State Aid to education has been flat for five years while there have been raises, pensions and increases.

Mr. Medlin, Vice President of Central School would like to bring New Jersey History into the Central School starting in the 4th grade. Mr. Medlin also would like to see teaching more project-based rather than factual memorizing. American Culture should be included in studies.

Gail, Director of Curriculum Instructions - College credits that are being earned through Brookdale includes a computer forensics course. The Challenge program includes business department, AP Physics 2007-2008 which will include financial mathematics and political science.

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Walling,
Hill, Ortman, Bolte

Nays: None

Abstain: None

Absent: None

The Hearing was closed at 8:56 P.M. for comments or questions.

INTRODUCTION OF ORDINANCES

1. Control of Soil Removal or Soil Fill

The Clerk reads the Ordinance by Title:

**AN ORDINANCE AMENDING CHAPTER IVII, SOIL AND SOIL REMOVAL OF THE
ORDINANCE OF THE BOROUGH OF KEYPORT**

Offered for adoption by Mr. Ortman, second by Mr. Hill

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Walling,
Hill, Ortman, Bolte

Nays: None

Abstain: None

Absent: None

Motion authorizing the Clerk to publish the Ordinance as introduced, in the Courier, February 22, 2007 issue, for a Hearing to be held on March 6, 2007.

Offered for adoption by: Mr. Ortman, second by Mr. Hill

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Walling,
Hill, Ortman, Bolte

Nays: None

Abstain: None

Absent: None

COMMUNICATIONS AND PETITIONS

1. Annual Report of Historian Jack Jeandron
2. Monthly report of the borough Clerk's Office - January 2007
3. Monthly report of the Office of Emergency Management - December 2006
4. Monthly report of the Office of Emergency Management - January 2007
5. Monthly report of the Water/Sewer Department - January 2007
6. Monthly Property Maintenance Report - January 2007
7. Monthly Cashbook report - January 2007

Motion to accept all listed above was made with Ayes by all present.

8. Memo to Rowland Seckinger, Chair of Environmental Commission, regarding their aerial surveillance and treatment program.

Motion to Approve moved by Mr. Walling with Ayes by all present.

Rowland Seckinger states that salt water mosquitoes do not carry west Nile. Aerial spraying done over marshes.

9. Letter from Monmouth County Mosquito Extermination Commission regarding their aerial surveillance and treatment program.

Motion to Approve moved by Mr. Walling with Ayes by all present.

10. Letter and Resolution from Township of Middletown regarding Property Tax Relief

Motion to Approve moved by Mr. Sheridan, second by Mr. Walling with Ayes by all present.

Breakdown on school budget 52% of school budget comes from Keyport residents, \$366,053 from a Grant called No Child Left Behind this totaling \$1,251,144 in Grant monies.

Mayor asks if fully funded No Child Left Behind, what would we get?

\$50,000 budget out translates to \$25 per year per household
\$10,765 per year to educate CD district

Presentation ended 8:47 P.M.

PROCLAMATION

National Education Association - Read Across America

APPROVAL OF MINUTES

- Minutes of the Special Meeting of April 25, 2006
- Minutes of the Work Meeting of May 2, 2006 amended

Offered for adoption by Mr. Walling, second by Mr. Hassmiller

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Walling,
Hill, Ortman

Nays: None

Abstain: Bolte

Absent: None

HEARING ON ORDINANCE

Ordinance No. 5-07, AMENDING ORDINANCE NO.20-06 (PERMIT PARKING ON CERTAIN STREETS AT CERTAIN TIMES) OF TRAFFIC REGULATIONS OF THE BOROUGH OF KEYPORT

The Clerk reports that the Ordinance was published and introduced in the Courier, issue of January 11, 2007 that the Affidavit of Publication is on file in the Borough Clerk office, that copies were posted on the Bulletin Board and made available to the public.

The Clerk reads the Ordinance by Title:

**AN ORDINANCE AMENDING ORDINANCE NO. 20-06
(PERMIT PARKING ON CERTAIN STREETS AT CERTAIN TIMES) OF TRAFFIC
REGULATIONS OF THE BOROUGH OF KEYPORT**

The Hearing was opened to the public at 8:51 P.M. for comments or questions.

Meg - 176 7th Street - wants to know about visitor parking. Mayor wishes to produce visitor parking by Resolution. Capitan says notes can be put on cars.

Offered for adoption by Mr. Sheridan, second by Mr. Walling

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Walling,
Hill, Ortman, Bolte

Nays: None

Abstain: None

Absent: None

1a. Motion authorizing the Clerk to publish the Ordinance as finally adopted according to law in the Courier, issue of February 22, 2007.

Offered for adoption by: Mr. Sheridan, second by Mr. Walling

11. Letter from Bayshore Pump Out Boat Committee requesting Keyport (along with several other municipalities along the Bayshore) to pledge funds for the State of NJ Lean Vessel Act.

Motion to Approve moved by Ms. Bolte, second by Mr. Hassmiller with Ayes by all present.

REPORTS OF COMMITTEES

Councilman Sheridan, Fire, First Aid & Emergency Services: Read Fire, First Aid & Emergency Reports.

Councilman Hassmiller, Buildings and Grounds, and Library: Library - Side wall starting to crack on children's side.

Councilman Hill, Health and Recreation: Skate Park has two possible locations. Recreation setting up a meeting with Matt Schwartz to discuss future of director.

Councilman Ortman, Police: Second Bloodborne pathogen meeting for first aid, February 28th.

Councilman Walling, Public Works: Public works to be commended for snow removal job. Read Property Maintenance report. Harbor Commission doing a walk a boat ramp March 10th at 10 A.M.

Councilwoman Bolte, Finance, Grants, and Redevelopment: Department heads and Chairs given budget requests. Redevelopment and Finance discussed pay-to-play ordinance. Attending Smart Growth Redevelopment forum tomorrow. Borough website up.

Borough Administrator: Talked about interim payment of Bills, bulkhead/pier project hampered by weather. Electrical services changes on pier to phase project. Joint meeting March 6th with Harbor Commission. Website launched February 15th.

Mayor asks Councilmembers to look at their respective committee budgets. Thanked Tom Antonucci for website effort. Budget to be introduced at March 20th meeting.

Mr. Sheridan thanks Administrator for Website.

Had a question on Emergency Repair

What is the process for choosing a contractor? Administrator explains - done out of knowing capable contractors

3:30 identified leak

5:30 still pumping water out of hole

9:30 could not get excavation stabilized - too much water - could not locate a valve

6:30 Administrator arrive at scene - blown service another break under street. Another leak on Monmouth St.

D&D had leak fixed by 12 noon.

Mayor states that one of the reasons Mr. Valesi was hired was because he knows how to handle situations like this.

Times and rates matched on their bill ½ DPW (line stop machine) - ½ Emergency contractor funds.

Mr. Walling would also like to commend Mr. Valesi on the way he handled the water main break.

Borough Attorney has nothing to report.

Mayor Bergen: Asks for better control of public participation process. Asks residents not to argue amongst themselves. A reporter complained about treatment from residents.

NEW BUSINESS

Joe Sheridan

Osprey platform
Step-Up program - Thanked Maggie Cunningham
Wednesday, February 28th meeting.

RESOLUTIONS

1. Resolution #100-07 Adopting Procedures in Conjunction with the Rehabilitation Process

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT
ADOPTING PROCEDURES IN CONJUNCTION WITH THE REHABILITATION PROCESS**

Offered for adoption by Mr. Sheridan seconded by Mr. Hassmiller

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill, Ortman,
Walling, Bolte

Nays:
Absent:
Abstain:

2. Resolution #101-07 Payment of Bills

RESOLUTION FOR THE PAYMENT OF BILLS

Offered for adoption by Mr. Sheridan seconded by Mr. Hassmiller

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill, Ortman,
Walling, Bolte

Nays:
Absent:
Abstain:

3. Resolution #102-07 Authorizing Birdsall Engineering, Inc. to Revise the Project Plans for the American Legion

**RESOLUTION OF THE MAYOR AND COUNCIL AUTHORIZING
BIRDSALL ENGINEERING, INC. TO REVISE THE PROJECT PLANS FOR
THE AMERICAN LEGION DRIVE BULKHEAD PROJECT**

Offered for adoption by Mr. Sheridan seconded by Mr. Hassmiller

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill, Ortman,
Walling, Bolte

Nays:
Absent:
Abstain:

4. Resolution #103-07 Authorizing Emergency Repair to water Main at Broad and Warren Streets

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT AUTHORIZING
EMERGENCY REPAIRS TO WATER MAIN ON BROAD AND MAIN STREET**

Offered for adoption by Mr. Sheridan, second by Mr. Hassmiller

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill, Ortman,
Walling, Bolte

Nays: None

Absent: None

Abstain: None

5. Resolution #104-07 Authorizing the Preparation of a Request for Qualifications Pertaining to the Redevelopment of the Aeromarine Redevelopment Area in Accordance with the Aeromarine Redevelopment Plan

**RESOLUTION AUTHORIZING THE PREPARATION OF A REQUEST
FOR QUALIFICATIONS PERTAINING TO THE REDEVELOPMENT OF
THE AEROMARINE REDEVELOPMENT AREA IN ACCORDANCE WITH
THE AEROMARINE REDEVELOPMENT PLAN**

Offered for adoption by Mr. Sheridan, second by Mr. Hassmiller

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill, Ortman,
Walling

Nays:

Absent:

Abstain: Bolte

6. Resolution #105-07 Designating the Borough of Keyport as an "Area in Need of Rehabilitation"

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT
DESIGNATING THE BOROUGH OF KEYPORT AS AN "AREA IN NEED OF
REHABILITATION"**

Offered for adoption by Ms. Bolte, second by Mr. Hassmiller.

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill, Ortman,
Walling, Bolte

Nays:

Abstain:

Absent:

Vision Statement for Resolution #105-07 Designating the Borough of Keyport as an "Area in Need of Rehabilitation"

**STATEMENT OF MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT
ACCOMPANYING RESOLUTION NO. 105-07.**

7. Resolution 106-07 Authorizing Special Counsel to Prepare Final Bid Specs for a Lease for Signage on the Borough's Water Tower and Advertising the Receipt of Public Bids

**RESOLUTION AUTHORIZING SPECIAL CUNSEL TO PREPARE FINANL BIDS
SPECIFICATIONS FOR A LEASE FOR SIGNAGE ON THE BOUROUGH'S WATER TOWER
AND ADVERTISING FOR THE RECEIPT OF PUBLIC BID'S**

Offered for adoption by Mr. Ortman, seconded by Mr. Hassmiller

Roll Call Vote: Ayes: Councilmembers Sheridan, Hassmiller, Hill,
Ortman, Walling, Bolte

Nays: None

Absent: None

Abstain: None

PUBLIC COMMENT PORTION

The meeting is opened to the public for comments or questions.

Rowland Seckinger, Environmental Commission chair would like to revise comment on Borough Website. There are two training programs coming up they are Stormwater Management/Regulations and Walkable/Bikeable Facilities program. The public will be invited to attend. Starting February 24th every other Saturday from 9-10 AM, Girl Scout Troop 1698 will do clean up on Broad Street and Maple Place. Environmental Commission has a vacancy and would like to remove one member.

Mr. Valesi, Borough Administrator - Channel 22 will announce Keyport Website.

Joe Wedick said that there is lead leaking into the tower. Mayor replies there was lead paint but it is not leaking into the water. Deterioration of tank further would have lead to lead in the water. Mayor asked Mr. Wedick why he voted on water tower advertising. He answered advertising money was to be used to paint water tower. Mayor said he felt he was there to make a political statement.

Jack Jeandron, 80 Main Street, feels that residents should be able to speak without interruptions.

Bob Ludwig, 50 Beers Street, Rehabilitation plan should wait two weeks. Asked Mr. Wisniewski to amend Environmental Commission Ordinance in the same way Recreation Commission ordinance was amended. Wants to increase from five to seven members. Currently five members plus two alternates. Regarding Woodmont-Hovnanian - what does one do when project is not in compliance with plans? Can project be stopped? Mayor wants to get a hold of approved plans.

Denise Nellis, Hobart Avenue, concerned about not spraying for mosquitoes.

Chief Bill Larkin, Keyport Fire Department, Sunday, March 18th 2nd annual St. Patrick Day Parade. Sherry Hill is going to be Grand Marshall.

Bob Ludwig, 50 Beer Street, complimented Councilwoman Bolte for Redevelopment work.

Public comment portion was closed at 9:54 P.M.

ADJOURNMENT

Motion to adjourn was made and carried at 9:57