Approved 7/20/04

March 18, 2003
Keyport, New Jersey

Minutes of a Regular 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 Merla called the meeting to order at 7:03 P.M. and read the Sunshine Law Notice.

ROLL CALL

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

RESOLUTION

1. **Resolution #124-03, 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. Police Department
2. Tax Office
3. Inter-local with Union Beach

Litigation

1. Revaluation
2. PBA vs Borough of Keyport
3. Magic Touch vs Borough of Keyport

Labor Relations

1. Grievance/Senior Permit Clerk

Contract Negotiations

1. Water/Wastewater Facilities
2. Public Works Facility Lease
3. New Municipal Complex

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that a meeting of the Mayor and Council shall be held 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, 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. Hyer, seconded by Mr. Green

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

Council went into closed session at 7:05 P.M. and this meeting was reconvened at 8:00 P.M.

Mayor Merla called the meeting to order at 8:06 P.M. and read the Sunshine Law Notice. Councilman Hyer led the Pledge of Allegiance and Moment of Silence.

ROLL CALL

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

BUSINESS IMPROVEMENT BUDGET

RESOLUTION

2. **Resolution #125-03, Business Improvement District 2003 Budget**
SECTION 1. BID Budget of the Business Improvement District, Borough of Keyport, County of Monmouth, for the Year 2003:

BE IT RESOLVED that Keyport Business Alliance, the district management corporation of the business improvement district, approved the 2003 BID Budget, after notification according to the By-Laws to all commercial property and business owners, at the March 3, 2003 annual meeting and elections;

BE IT RESOLVED that the following statement of revenues and appropriation shall constitute the BID Budget for the year 2003;

BE IT FURTHER RESOLVED that the Budget to be published in the Courier, in the Issue of April 24, 2003;

The Governing Body of the Borough of Keyport does hereby approve the following as the BID Budget for the Year 2003.

KEYPORT BUSINESS IMPROVEMENT DISTRICT
JANUARY 1, 2003 - DECEMBER 31, 2003
Year Three

PROGRAM BUDGET **YEAR 2003 EXPENSES**
COMMERCIAL PROPERTIES **VISUAL IMPROVEMENT - $51,000.00**

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* Welcome Signs & Lighted Message Reader $ 8,000.00
* Supplemental Public Area Maintenance $ 9,000.00
* Capital Improvement concept planning $12,000.00
* Streetscape amenities $ 5,000.00
* Holiday Decorations $10,000.00
* Keyport Plaza Holiday Decorations $ 7,000.00

MARKETING - $75,400.00

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* Network Commercial Production & Video Photo Shots
* Web download, DVD or CD-Rom of all commercial production $26,000.00
* Digital Assets Library for print, cable, Web marketing
* KBA Newsletter direct mailed to all residents, commercial and business owners $14,000.00
* Commercial Media Buy $25,000.00

* Advertising Template (print advertising)	$ 2,400.00
*Website Infusion/E-Commerce	$ 8,000.00

EVENT PRODUCTION & IMPLEMENTATION - $36,990.00

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* Destination Special Event collateral materials	$ 5,000.00
* Public Relations/Event Productions	$24,000.00
* Banners, Signs, Event promotion	$ 2,990.00
* KBA Web Maintenance	$ 5,000.00

ADVERTISING - $17,000.00

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* Professional consulting district management services	$53,335.00
* Legal	$ 3,000.00
* Certified Audit/Accounting	$ 2,000.00
* Insurance	$ 1,500.00
* Postage	$ 800.00
* Education/Training	$ 875.00
* Phone	$ 1,000.00
* Supplies	$ 800.00

TOTAL BUDGET - $243,700.00

AMOUNT RAISED BY ASSESSMENTS - $220,000.00

(PROPOSED REVENUES) - ($23,700.00)

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* New Jersey Travel & Tourism	($5,000.00)
* Event & Sponsorship Cash Income	($18,000.00)

January 1, 2003 - December 31, 2003 (12 months) $220,000 Annual Budget Assessment Rate .2534 cents per $100 of assessed value

Notice is hereby given that the BID Budget was introduced and approved by the Governing Body of the Borough of Keyport, County of Monmouth, on March 18, 2003, which shall constitute a first reading under the statute. A Hearing on the BID Budget will be held at the Senior Center, 110 Second Street, on May 6, 2003 at which time and place objections to said Budget for the Year 2003 may be presented by taxpayers or other interested persons.

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

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

HEARING ON ORDINANCES

1. **Ordinance #4-03, Salary Ordinance - CCO Dept. Employees, CEO/Zoning Officer**

The Clerk reported that the Ordinance was published, as introduced, in the Courier, issue of February 27, 2003, 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, N.J. IN THE

COUNTY OF MONMOUTH AND STATE OF NEW JERSEY

The Hearing was opened to the public for comments or questions at 8:10 P.M. There being none, the Hearing was closed at 8:10 P.M.

Offered for adoption by Mr. Hyer, seconded by Mr. Green

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

1a. Motion authorizing the Clerk to publish the Ordinance, as finally adopted according to law, in the Courier, issue of March 20, 2003 moved by Mrs. Atkins, seconded by Mr. Doyle, with Ayes by all present.

2. **Ordinance #5-03, Amend Chapter XXV, Land Use Regulations, Section 25:1-9, GC and GMC Regulations**

Response from the Keyport Planning Board requesting an extension of time to review the Ordinance.

The Clerk reported that the Ordinance was published, as introduced, in the Courier, issue of February 27, 2003, 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 COUNCIL AND AMENDED FROM TIME TO TIME THEREAFTER CHAPTER XXV, LAND USE REGULATIONS, SECTION 25:1-9, GENERAL COMMERCIAL DISTRICT (GC) AND GENERAL MARINE COMMERCIAL (GMC) REGULATIONS

Mayor Merla said that the Hearing will be held for comments and questions. The Hearing was opened to the public for comments or questions at 8:15 P.M. The Hearing was interrupted for the following.

PRESENTATION

1. To Monmouth County Sheriff Joseph Oxley for Inmate Painting Program/Keyport Senior Citizen Center

Sheriff Oxley acknowledged Sgt. Gaviness and Officer Morrison. He said that local officials have a tough job and are on the line. Not many people attended the budgets of the State, County and Middletown Township. Although the country is on the brink of war, American is a wonderful place with many rights, that tonight's meeting is a prime example. The Sheriff Department volunteered 19,000 hours last year and he said he appreciated the presentation.

The Hearing was continued. (See full copy of comments and questions attached hereto and made part of these minutes.) The Hearing was closed at 9:55 PM.

Motion to hold the Ordinance for adoption until April 1, 2003, moved by Mr. Hyer, seconded by Mr. Green, with Ayes by all present.

INTRODUCTION OF ORDINANCE

1. **Ordinance 6-03, Repeal of Ordinance 1-03 Amending and Supplementing Chapter XXV, Land Use Regulations, Article III, Section 25:3-1, Land Use Procedures**

Mayor Merla said this is a repeal only and there will be no referendum.

The Clerk read the Ordinance, as Amended, by Title:

AN ORDINANCE REPEALING AN ORDINANCE ENTITLED ZONING ORDINANCE OF THE BOROUGH OF KEYPORT, ADOPTED BY THE MAYOR AND COUNCIL ON JANUARY 21, 2003 NUNC PRO TUNC

BE IT ORDAINED by the Mayor and Council of the Borough of Keyport, that a certain ordinance Amending Chapter XXV, Land Use Regulations, Article III, Section 25:3-1, Land Use Procedures, duly adopted by the Mayor and Council as Ordinance No. 1-03 on January 21, 2003, be and the same is hereby repealed *Nunc pro tunc*.

Section 1: Declaration: The Mayor and Council have determined that Borough Ordinance No. 1-03, which amended the Land Use Regulations of the Borough of Keyport, so as to reconstitute the Zoning Board of Adjustment was adopted in error in light of current New Jersey Statutes. The Mayor and Council are determined to repeal Ordinance No. 1-03, Amending and Supplementing Chapter XXV, Land Use Regulations, Article III, Section 25:3-1, Land Use Procedures, *Nunc pro tunc*.

Section 2: Repealer: The Mayor and Council of the Borough of Keyport do hereby repeal Ordinance No. 1-03, Amending and Supplementing Chapter XXV Land Use Regulations, Article III, Section 25:3-1, Land Use Procedures, *Nunc pro tunc*.

Section 3: All Ordinances and Provisions are consistent with the provision of this Ordnance shall be in the same or hereby repealed to the extent of such inconsistencies.

Section 4: If any Section, Sub-Section, Part, Clause or Phrase of this Ordinance shall be declared invalid by a judgment of any Court of competent jurisdiction, the Section, Sub-Section, Part, Clause or Phrase shall be severable from the remainder of the Ordinance.

Section 5: This Ordinance shall take effect immediately upon final passage and publication is required by law.

Offered by Mr. Hyer, seconded by Mr. Green

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

1a. Motion authorizing the Clerk to publish the Ordinance, as introduced, in the Courier, issue of March 20, 2003 for a Hearing to be held on April 1, 2003 moved by Mrs. Atkins, seconded by Mr. Hyer, with Ayes by all present.

2. **Ordinance #7-03, Establish Handicapped Parking Space Williamson Street, Trailer #8**

The Clerk read the Ordinance by Title:

AN ORDINANCE TO ESTABLISH HANDICAPPED PARKING SPACE ON A MUNICIPAL ROAD

BE IT ORDAINED by the Borough of Keyport, in the County of Monmouth and State of New Jersey that:

Section I: In accordance with Section 7-12, Handicapped Parking Schedule XXI, Parking Areas for Handicapped Persons and pursuant to the authority granted to the Municipality by N.J.S.A. 39:4-197, the following locations are hereby designated as restricted parking spaces for use by persons who have been issued special vehicle identification cards by the Division of Motor Vehicles. No other person shall be permitted to park in these spaces.

NAME OF STREET	SIDE	LOCATION
Williamson Street	South	Beginning at a point 317 feet East of the easterly curb line of Green Grove Avenue and continuing 25 feet east therefrom.

Section II: Inconsistent Ordinances. All Ordinances or part thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

Section III: 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 IV: Effective Date. This Ordinance shall take effect upon its passage and publication according to law.

Offered by Mrs. Atkins, Seconded by Mr. Hyer
Roll Call Vote: Ayes: Councilmembers Atkins, Hyer, Stalter
Doyle, Green
Absent: Councilman Bergen

2a. Motion authorizing the Clerk to publish the Ordinance, as introduced, in the Courier, issue of March 20, 2003 for a Hearing to be held on April 1, 2003 moved by Mr. Hyer, seconded by Mr. Green, with Ayes by all present.

3. **Ordinance #8-03, Bond Ordinance Therese Street**

The Clerk reports that the Supplemental Debt Statement has been filed in her office prior to Ordinance Introduction.

The Clerk read the Ordinance by Title:

See full copy of Ordinance attached to and made part of these minutes.

Offered by Mrs. Atkins, seconded by Mr. Stalter

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

3a. Motion authorizing the Clerk to publish the Ordinance as introduced in the Courier issue of March 20, 2003 for a Hearing to be held on April 1, 2003 moved by Mr. Hyer, seconded by Mr. Green with ayes by all present.

REPORTS OF COMMITTEES

Councilman Bergen; Police: Councilman Bergen was absent.

Councilwoman Atkins; Fire: Mrs. Atkins reported on the following. There were 1712 man hours for February in the Fire Department. The Fire Department dug out fire hydrants and were manning the Fire Houses. She attended the First Aid and the First Aid Cadets meetings; there were 102 in attendance. She attended the services and blessing of the fire trucks and memorial service. She also attended the BID meeting.

Councilman Hyer; Public Works/Recycling/Property Maintenance: Mr. Hyer reported on the following. He distributed his report. The garbage company will pick up cardboard, newspaper and junk mail together. He recommended that house numbers be changed to 5" high and submitted a draft ordinance. The Engineer has submitted a proposal for the Public Works facility and he recommended moving forward; having our own facility versus paying $56,000 in rent. Mayor Merla said to wait until the budget is adopted.

Councilman Stalter; Health/Recreation/Parks: Mr. Stalter reported on the following. The next Recreation meeting will Wednesday at 7:00 PM and they will discuss the plans for the skatepark at Cedar Street Park. Requests have been made and approved by the Recreation Commission for use of the parks and will be listed on the April 1st meeting. The time to renew dog licenses has been extended. A meeting will be held with Mrs. Poling, the KBA and the Web Site developer to put info on the Web Site, Mr. Stalter will set it up. He said the old letterhead was sent out to the County.

Councilman Green; Building & Grounds/Library: Mr. Green reported on the following. The Library is ADA non compliant and requested that Ms. Claude Solomon of the Library be listed on the April 1st agenda. There will be a Building and Grounds Committee meeting with Mrs. Atkins and Mr. Gaunt, Architect regarding the new municipal complex. Traffic Safety has recommended that the bump out be reduced down from 8' to 7'.

Administrator, Mrs. Poling: Mrs. Poling reported on the following. A Safety and Health Meeting is being scheduled. There were no bids received on March 14th for the Billboard Lease and requested authorization to rebid (see resolutions).

Engineer, Mr. Freda: Mr. Freda reported on the following. He submitted his Engineering Status Report for the month of February. He is working on the contracts for the Fire trucks. He requested a response from the architect regarding the bump out in front of the new Municipal Complex; there could be a problem with the County regarding Captain Dayback's recommendation. An extension has been given regarding the Stormwater regulations. George Sappah is looking for old maps and Keyport already is doing some of the requirements. Digital photos will give an idea and there is a deadline with the DEP. Mayor Merla said the Borough should look to rebuild or build a new fishing pier and to put in an application to Green Acres for a new pier. Mr. Freda said he will put the application together which is lengthy. He will check about the April 1st deadline and report back. The application should include letters of support and requires a Resolution of the Mayor and Council. Mr. Freda asked about engineering fees. Mrs. Atkins said the Borough should move forward.

Attorney, Mr. Kain: Mr. Kain reported on the following. Mr. Kain submitted a draft ordinance to the Recreation Commission for comment and it will be listed on the April 1st agenda. Depositions will be taken in the Magic Touch case on March 19th, Discovery should be in August with a December trial date. Mayor Merla asked about the pumping station and Mr. Kain will send a copy of the memo. Mayor Merla asked if it were permissible to enter into an Interlocal with Union Beach for collection of garbage. Their contract is for 5 years (three years with a 2 year option). Mr. Kain will look at the present contract and research the matter and he will need a copy of the Union Beach contract.

Mayor Merla: Mayor Merla reported on the following. The Mayor and Mr. Hyer attended the ceremonies for the Keyport High School Red Raiders Football Team where they presented a plaque to the Borough. Keyport utilized Howell's fields which they worked on all week. All did a great job to solicit funds for rings and the dinner. The team won 11 games on the road. The Chamber of Commerce has requested that the taxi signs be removed on W. Front Street. The Smart Growth has maxed out and now a Planner is needed. The Construction Code Official, Zoning Officer and Property Maintenance Officer should attend meetings. The Mayor contacted Green Acres and asked if engineering fees related to the waterfront can be charged against the Recreational Bayfront Improvement Trust account and if Green Acres will approve the Borough hiring a Planner for the waterfront. Mr. Hyer attended the Bayshore Conference of Mayors meeting with Mayor Merla; the speaker was Matthew Watkins, Director of the Division of Local Government Services in the DCA who spoke on financial matters. The Library has requested space in the Newsletter for articles. Under the Smart Start Program, New Jersey Natural Gas Co. looked at the Library and they would look at other Borough buildings. The Governor passed a law that allows pooling energy resources (municipalities and schools) and to pool purchases. Information can be obtained from Gable Associates. Ms. Solomon said she has BPU contacts. Regarding the raffle submitted by St. Joseph, the lost their I.D. with Legalized Games; there is a copy on file. William Terry of the KYAL is hosting a charity basketball team with the Mayor and Council. The Borough received the annual franchise tax payment from Cablevision in the amount of $19,000. The Borough benefitted by the last contract. An artist's rendering for painting the water tower has been submitted; the KBA thinks it can be done by sponsorships. Request from Clean Ocean Action to sweep the beach will be listed on the April 1st agenda. He referred to the Borough Engineer the matter of signs on the State Highway right of ways. The Mayor, Mrs. Atkins, Mr. Freda and Mr. Kain will attend a meeting in Toms River regarding the bulkhead.

REPORT OF DEPARTMENTS

2002 Annual Reports:

1. Tax Collector's Report
   Submitted by Pauline Redmond, Tax Collector

2. Borough Historian's Report
   Submitted by Jack Jeandron, Historian

February, 2003:

3. Borough Clerk's Report
   Submitted by Judith L. Poling, Borough Clerk

4. Tax Collector's Report
   Submitted by Pauline Redmond, Tax Collector

5. Building Department's Report
   Submitted by Annette Kovacs, Senior Permit Clerk

6. Librarian's Report
   Submitted by Jacqueline LaPolla, Librarian

7. Board of Health's Report
   Submitted by Ann Biagianti, Treasurer

8. Municipal Court's Report
   Submitted by Kathy Coffey, Court Administrator

9. Code Enforcement/Zoning Office Report
   Submitted by Robert Burlew, CCO

January & February 2003

10. Property Maintenance Report
    Submitted by William Cerase, PMO

11. Property Maintenance Year End Report
    Submitted by William Cerase, PMO

(All reports on file in Borough Clerk's Office for review)

Motion to accept all reports, moved by Mrs. Atkins, seconded by Mr. Stalter will Ayes by all present.

COMMUNICATIONS & PETITIONS

1. Street Opening Permit Application from Environmental Management Associates for 174 Seventh Street (2" borings not to exceed 1 sq. ft.)

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

2. Off Premise Cash Raffle Application from Keyport Senior Citizen Advisory Committee, May 15, 2003.

   Motion to approve moved by Mr. Stalter, seconded by Mr. Green, with Ayes by present except Mrs. Atkins who abstained.

3. Membership Application for Keyport Fire Department/Eagle Hose Co. from Kurt Nellis (contingent upon State approval)

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

4. Request from Jesus The Lord Church to hold procession on Palm Sunday, April 13, 2003 and Good Friday, April 18, 2003

   Motion to approve moved by Mrs. Atkins, seconded by Mr. Stalter, with ayes by all present.

5. Street Opening Application/New Jersey Natural Gas/Oil Conversion 234 Main Street

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

6. Saint Joseph On Premises Raffle (License No. RL 3-04)

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

UNFINISHED BUSINESS

1. Keyport Kiwanis Flea Market. Mr. Doyle spoke with the Kiwanis and posting in Escrow $100 to cover clean up. Keyport Kiwanis is celebrating their 80th anniversary.

2. Section of Beers Street off Highway 35 near Tom's Ford. Hazlet and Keyport residents have complained and asked that it be fixed or the street vacated. There is no curbing. The BID has asked for a priority list of road repairs.

PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions at 10:55 P.M. Terry Parker, 135 First Street, asked about the Smart Growth application process, the Planner, engineer and attorney, Traffic consultant, setting up an escrow account and setting up a schedule. He asked about the Fishing Pier and incorporating the Smart Growth committee recommendations (add dingy boats) anchor boats, water taxis and pumping out boats. Mr. Willner said he has information on pumping out boats on the moorings. Roy Cadoo asked about the New Municipal Complex. He asked were the footings put where they were supposed to be and Mayor Merla said yes. Mr. Cadoo asked if it had been inspected. Mayor Merla said there is litigation pending. Mr. Cadoo asked if it has been turned over to the builder; no. Mayor Merla said Frank Grabowski, Clerk of the Works has been doing a great job. Mr. Cadoo asked if there is a gas generator'; yes. Mayor Merla said consultants were hired to advise the Borough on tele-communications and furniture which cost was not included in the original bond ordinance. Mr. Cadoo said the computers need back-up. He related to an article in the newspaper, individual comments, innuendo and that an apology is due. Mayor Merla said he would not comment on politics. He met with State officials, the Planning Board meets once a month and he though it was a good idea to go back and create two boards, zoning and planning. The Zoning Board would address zoning ordinance changes and the Planning Board would address the Master Plan and redevelopment.

Mr. Cadoo said the school has to control the tax increase; the School is going up 15 cents. Mayor Merla said the previous administrations tried their best to control increases and costs have been absorbed over the years. Mr. Cadoo said that they are not plowing to the curb on Washington Street and Mayor Merla said it is impossible to do curb to curb, that there is a lot of snow and the Public Works Department did the best they could with their men and equipment. Joseph Wedick, Therese Street, asked about the Cablevision franchise, if Therese Street will have sidewalks and curbs; yes, and if a survey was taken of the residents, that some are concerned about things being ripped out. Mr. Freda said he met with residents regarding the design and Changes can be implemented. Mr. Wedick said Mr. Bennett was Appointed Special Council on January 1st and will he be removed; Mr. Bennett has not been called by the Borough for services.

RESOLUTIONS

3. **Resolution #126-03, Payment of Bills**

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

Offered for adoption by Mr. Doyle, seconded by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Atkins, Hyer, Stalter*
Doyle, Green
*Mr. Stalter abstained on payments to Wesley Kain, Borough Attorney
Absent: Councilman Bergen

4. **Resolution # 127-02, Authorization for Emergency Repairs**

WHEREAS, on February 5, 2003 the ceiling collapsed in the Borough Clerk's Office, and the two computers and their related equipment, which were damaged due to water; and

WHEREAS, it was necessary to have the computers replaced immediately for the office to function and for the protection and integrity of the files; and

WHEREAS, due to the emergency quotes were unable to be obtained as per the Local Public Contracts Law (any amount over $2,625.00 required three (3) quotes).

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Keyport do hereby authorize the payment of $4,590.43 to Bits N' Bytes America, Inc., 227 Route 33E-Patriots Part, Manalapan, New Jersey 07726 for emergency replacement of computer equipment in the Borough Clerk's Office.

Offered for adoption by Mr. Doyle, seconded by Mr. Hyer
Roll Call Vote: Ayes: Councilmembers Atkins, Hyer, Stalter
Doyle, Green
Absent: Councilman Bergen

5. **Resolution #128-03, Authorizing Additional Temporary Employment as Clerk of the Works for the New Municipal Complex**

WHEREAS, the Mayor and Council of the Borough of Keyport did by Resolution No. 224-02 appointing a Clerk of the Works for the purposes of overseeing and monitoring the construction of the New Municipal Complex; and

WHEREAS, the Mayor and Council did authorize an extension of an additional three (3) months of work for the temporary, at-will employee, identified as the Clerk of the Works for the New Municipal Complex, by Resolution No. 400-02, through April 2, 2003; and

WHEREAS, pursuant to the terms of the previous Resolutions, the Mayor and Council have retained the Clerk of the Works, as a temporary, at-will employee of the Borough of Keyport, at the rate of $60.00 per hour for a minimum of ten (10) hours per week to a maximum of fifteen (15) hours per week during the course of construction of the Municipal Complex, at the pleasure of the Mayor and Council, which position has been extended through April 2, 2003; and

WHEREAS, the Resolution was duly adopted by the Mayor and Council on December 23, 2002; and

WHEREAS, the time permitted under the current Resolution for the temporary position of Clerk of the Works will expire on April 2, 2003 pursuant to the terms of the Resolution duly adopted by the Mayor and Council; and

WHEREAS, the Mayor and Council are aware that the Municipal Construction project will not be completed on April 2, 2003, and further desire to extend the time of the appointment of the temporary, at-will employee, Clerk of the Works, for an additional period of time.

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

i. The Mayor and Council hereby attend Resolutions No. 224-02 and 400-02 to provide for additional three (3) months of work for the temporary, at-will employee, identified as the Clerk of the Works for the new Municipal Complex, through July 2, 2003.

ii. The Mayor and Council further authorize additional payments for the Clerk of the Works consistent with the terms of the Resolutions adopted by the Mayor and Council on July 2, 2002 and extended through December 23, 2002 during the additional three (3) month extension as provided in the within Resolution, ending July 2, 2003, under the same terms and conditions.

iii. The Municipal Finance Officer having certified to the Mayor and Council that there will be funds available for the payment of the within temporary, at-will employee.

iv. That copy of the within Resolution, duly certified, by the Borough Clerk, be served upon the Project Architect, Clerk of the Works, Frank Grabowski, Borough Engineer, Consulting Engineer, and Municipal Finance Officer.

v. Copy of the within resolution shall be retained in the office of the Borough Clerk for public inspection.

Offered for adoption by Mr. Doyle, seconded by Mr. Hyer

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

6. **Resolution #129-03, The 2003 Temporary Capital Budget of the Borough of Keyport by inserting therein capital projects**

WHEREAS, the Borough of Keyport desires to constitute the 2003 Temporary Capital budget of the said municipality by inserting therein capital projects;

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

Section 1. The 2003 Temporary Capital Budget of the Borough of Keyport is hereby constituted by the adoption of a schedule to read as follows:

Temporary Capital Budget of the
Borough of Keyport
County of Monmouth, New Jersey
Project Scheduled for 2003 and
Method of Financing

Project	Estimated Cost	Capital Imp. Fund	Grants in Aid	Bond and Notes Auths.
Improvement to Therese Street	$500,000.	$14,365.	$199,635.	$286,000.

Section 2. The Borough Clerk, be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after the adoption of this project for the 2003 Temporary Capital Budget, to be included in the 2003 Permanent Capital Budget as adopted.

Offered for adoption by Mr. Doyle, seconded by Mr. Hyer

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

7. **Resolution #130-03, Reserve Transfers**

WHEREAS, various 2002 bills have been presented for payment this year, which bills were not covered by order number and/or recorded at the time of transfers between the 2002 budget appropriation in the last two months of 2002; and

WHEREAS, *N.J.S.A.* 40A4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances to balances which are expected to be insufficient during the first three months of the succeeding year;

NOW, THEREFORE, BE IT RESOLVED by the council of the Borough of Keyport that the transfers in the amount of $25,200.00 be made between the 2002 budget appropriation reserves as follows:

Budget Appropriation	**From**	**To**
Legal Services and Costs	$	$3.700.00
Engineering Services and Costs		1,400.00
Fire -E/O		100.00
Garbage & Trash Removal - S&W	5,000.00	
Garbage & Trash Removal - O/E	1,500.00	
Garbage & Trash Removal - Contracted		20,000.00
Public Buildings & Grounds - O/E	1,000.00	
Streets & Roads - S & W	8,000.00	
Street Lighting	5,000.00	
Recreation - S&W	2,000.00	
Recreation - O/E	2,700.00	
	$25,200.00	$25,200.00

Offered for adoption by Mr. Doyle, seconded by Mr. Hyer

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

8. **Resolution #131-03, Urging Governor and State Legislature to introduce the "Smart Bill" to reform the inequitable property tax system used to fund schools in the State of New Jersey**

WHEREAS, the Borough of Keyport having studied and investigated propose alternatives to the current property tax system has determined that property tax reform must be considered on a statewide basis; and

WHEREAS, it appears that changes to the property tax system can be implemented by way of new legislation. We recommend that the Legislature investigate the feasible alternative of property tax reform known as the "Smart Bill" proposed by the New Jersey Coalition of Property Tax Reform, a statewide grass roots citizen organization; and

WHEREAS, it s in the best interest of our taxpayers to find a fair method to fund our schools, we ask that the Governor and the State Legislature introduce legislation known as the "Smart Bill" to reform the inequitable property tax system used to fund schools in the State of New Jersey; and

WHEREAS, the Smart Bill shifts 90% of school taxes paid by residential homeowners and tenants to a State school tax surcharge based on income. The net effect of this revenue neutral tax shift reduces the tax burden of over 90% of middle income residential homeowners by $1,500.00 annually; and

WHEREAS, the return of several billion dollars to our middle-income taxpayers will result in an economic revitalization of our municipalities. The increase in consumer spending will create jobs, increase production and provide the state with a much-needed increase in sales and income revenues. Additional information can be found on www.reformschooltaxes.com; and

WHEREAS, New Jersey has the highest property taxes in the nation and uses over 50% of property tax revenue to fund our schools, compared to the national average of 30%; and

WHEREAS, 74% of New Jersey voters indicated in a December, 2002 Quinnipiac University poll that they would be in favor of an income tax increase instead of an increase in their most despised tax, the property tax; and

WHEREAS, it has now been more than 55 years since the State of New Jersey fully reviewed the way the state taxes its citizens and spends their money; and

WHEREAS, the Borough of Keyport firmly believes that 55 years is too long a length of time to have passed without such a review being conducted by way of new legislation; and

WHEREAS, the Borough of Keyport believes that a ground-swell of support is provided in support of property tax reform by those cities, towns and municipalities which form the State of New Jersey; and

WHEREAS, the Borough of Keyport urges all cities, towns and municipalities in New Jersey to support the Smart Bill so that an antiquated tax system which has been in existence for 55 years without any prior reforms be changed to meet the needs of the public.

NOW, THEREFORE, BE IT RESOLVED THIS 18th day of March 2003 that the Mayor and Council of the Borough of Keyport unequivocally support the Smart Bill as proposed by the New Jersey Coalition of Property Tax Reform and urges all municipalities in New Jersey to adopt similar resolutions in support thereof.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the following:

1. Governor James McGreevey
2. All Monmouth County Legislatures
3. All Monmouth County Municipalities
4. Mr. William Dressel, New Jersey League of Municipalities.

Offered for adoption by Mr. Doyle, seconded by Mr. Hyer

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

9. **Resolution #132-03, Authorize/Emergency Apollo Sewer/Sanitary Sewer Main Repair**

WHEREAS, an emergency existed on March 1, 2003, arising out of the break in a 10" sanitary sewer main located on Monroe Street, in the Borough of Keyport; and

WHEREAS, this emergency affected the public health, safety and welfare and required immediate action; and

WHEREAS, the immediate need to repair the broken 10" sanitary sewer main on an emergency basis could not have been reasonably foreseen and exceeded the amount set forth in N.J.S.A. 40A:11-6.1; and

WHEREAS, the Superintendent of Public Works, in furtherance of his duties and responsibilities, authorized acceptance of a proposal from Apollo Sewer of Keyport, New Jersey to repair the broken 10" sanitary sewer main on a time and materials basis which work was performed at a total cost of up to $8,541.99; and

WHEREAS, the Borough Engineer has reviewed the matter and the scope of the work performed and is satisfied that there was an emergent condition.

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

1. The prior authorization to Apollo Sewer of Keyport, New Jersey to perform emergent work to repair a broken 10" sanitary sewer main on Monroe Street in the Borough of Keyport on and about March 10, 2003 in the total amount of $8,541.99 is approved.

2. The appropriate Borough Officials are authorized to sign such documents as may be required to effectuate the foregoing.

3. A certificate of availability of funds is annexed hereto.

Offered for adoption by Mr. Doyle, seconded by Mr. Hyer

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

10. **Resolution #133-03, Amending Resolution #115-03 Appointment of Deputy Borough Clerk**

WHEREAS, Joanne Clemente was appointed Deputy Borough Clerk effective March 24, 2003; and

WHEREAS, it is necessary to change the effective date.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that Joanne Clemente is hereby appointed Deputy Borough Clerk, effective March 17, 2003, to fill a three (3) year unexpired term which will expire on December 31, 2004, at the annual salary of $25,500.00.

BE IT FURTHER RESOLVED that there is a 90 day probation period which will expire on June 17, 2003.

Offered for adoption by Mr. Doyle, seconded by Mr. Hyer

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

Mr. Stalter asked Chief Gajewski is a speed trap could be placed on First Street.

11. **Resolution #134-03, Resolution of the Mayor and Council of the Borough of Keyport Authorizing the Mayor and Appropriate Borough Officials to Execute a Contract for Construction of Washington Street Reconstruction, Phase IV with Lucas Brothers, Inc.**

WHEREAS, the Mayor and Council of the Borough of Keyport did authorize receipt of bids for the Washington Street Reconstruction Phase IV for the Borough of Keyport; and

WHEREAS, based upon the low bid submitted, the Mayor and Council did authorize, by Resolution #68-03, the award of a contract for the Washington Street Reconstruction, Phase IV to Lucas Brothers, Inc. at their meeting of January 21, 2003; and

WHEREAS, it has become necessary for the Mayor and appropriate Borough Officials to execute the contract for the Washington Street Reconstruction Phase IV; and

WHEREAS, the appropriate Borough professionals have reviewed the appropriate contract for the Washington Street Reconstruction, Phase IV and the Municipal Finance Officer has certified the availability of funds for the within contract;

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

1. The Mayor and Council hereby authorize the Mayor and appropriate Borough Officials to execute a contract for the Washington Street Reconstruction, Phase IV for the Borough of Keyport in the gross amount of $188,501.94 with Lucas Brothers, Inc., based upon their bid submission.

2. Copies of the within Resolution shall be forwarded to the successful bidder, municipal finance officer, Borough Engineer and Borough Attorney and a copy shall be retained in the office of the Borough Clerk for public inspection.

Offered for adoption by Mr. Doyle, seconded by Mr. Hyer

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

12. **Resolution #135-03, Accept Transfer of Vehicle From Monmouth County**

WHEREAS, Anthony Vecchio, Fire Marshall, submitted a request to Monmouth County for a surplus vehicle to be used by the Fire Prevention Bureau; and

WHEREAS, Monmouth County desires to transfer a 1990 Ford Bronco, VIN #1FMCU 14TL UA262 27.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that the Borough of Keyport hereby accepts said surplus vehicle in an "as is" condition and fully relieves the County from any and all responsibility for any condition of the vehicle.

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute an agreement between the Borough of Keyport and the County of Monmouth regarding transfer of said vehicle.

Offered for adoption by Mr. Doyle, seconded by Mr. Hyer

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

13. **Resolution #136-03, Appointment of Police Records Clerk**

WHEREAS, a vacancy has existed in the position of Police Records Clerk; and

WHEREAS, the position was advertised in the newspapers, posted in-house, and applications were submitted; and

WHEREAS, Police Chief Theodore Gajewski has submitted a recommendation.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that Casey Andrews is hereby appointed to the position of Police Records Clerk, effective March 19, 2003, provisionally, pending Department of Personnel testing and certification at the annual salary of $27,061.92.

BE IT FURTHER RESOLVED, that there is a 90 day probation period which will expire on June 19, 2003.

Offered for adoption by Mr. Doyle, seconded by Mr. Hyer

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

14. **Resolution #137-03, Appointment of Public Safety Telecommunications Operator**

WHEREAS, a vacancy exists in the position of Public Safety Telecommunications Operator; and

WHEREAS, Police Chief Theodore Gajewski has submitted a recommendation.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that Jennifer Trimmer (Fox) is hereby appointed to the position of Public Safety Telecommunications Operator, effective March 19, 2003, provisionally, pending Department of Personnel testing and certification at the annual salary of $23,400.00.

BE IT FURTHER RESOLVED, that there is a 90 day probation period which will expire on June 19, 2003.

Offered for adoption by Mr. Doyle, seconded by Mr. Hyer

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

15. Resolution #138-03, Appointment of Senior Account Clerk

WHEREAS, a vacancy has existed in the position of Senior Account Clerk; and

WHEREAS, the position was advertised in the newspapers, posted in-house and applications were submitted; and

WHEREAS, Tax Collector, Pauline Redmond has submitted a recommendation.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that Barbara Hassmiller, Permanent Part Time Account Clerk is hereby promoted to Senior Account Clerk, effective March 24, 2003, provisionally, pending Department of Personnel testing and certification at the annual salary of $30,000.00.

Offered for adoption by Mr. Doyle, seconded by Mr. Hyer

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

16. **Resolution #139-03, Award of Contract Allied Control Services, Inc. Instrument Engineering and Service Agreement**

WHEREAS, there are certain items of Allied Control Services instrumentation/equipment at the Water Plant; and

WHEREAS, the instrumentation/equipment must be calibrated by Allied Control Services as per the March 18, 2003 memo from Edward Rainer, Licensed Water Treatment Plant Operator, attached.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Keyport that a service contract is awarded to Allied Control Services, Inc. for 2003-2004 at $444.00 per day, for a three-day annual calibration visit. The annual lump sum price is $1,665.00 (extra time for start up and shut down of plant will be at the rate of $72.00 per hour, plus mileage and expenses at .55 cents per mile, as annexed hereto).

Offered for adoption by Mr. Doyle, seconded by Mr. Hyer

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

17. **Resolution #140-03, Resolution of Mayor and Council of the Borough of Keyport, Approving Change Order to Municipal Complex for Acquisition and Installation of Technology Equipment**

WHEREAS, the Mayor and Council of the Borough of Keyport have previously authorized the construction of a new Municipal Complex; and

WHEREAS, the Mayor and Council have received a written request from the project architect for a change order for the Municipal Complex; and

WHEREAS, the Mayor and Council have reviewed the proposed change order which consists of the purchase, acquisition and installation of various technological improvements which consists of the purchase, acquisition and installation of various technological improvements to the municipal complex relative to sound / intercommunications / video system / courtroom work and installation of Panel E-1 and line voltage as set forth in the change order and drawings, inclusive of labor and materials, as required by the police and municipal court which will utilize the municipal facility, as submitted by A & K Excavating, Inc., Colts Neck, New Jersey, and

WHEREAS, based upon the review of the Mayor and Council and the recommendation of the project architect, the Mayor and Council are inclined to authorize the change order for the purchase, acquisition and installation of various technological improvements to the new municipal complex in the additional sum of Two Hundred Twenty-five Thousand Eighty ($225,080.00) Dollars, which is specifically subject to the certification of the Municipal Finance

Officer as to the availability of funds within the appropriate bond ordinance; and

WHEREAS, the Mayor and Council desire to memorialize the within Resolution approving the change order and authorizing the project architect to proceed with the within required change to the Municipal Complex as expeditiously as practical and to further authorize the Mayor to execute the within change order as presented.

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

1. The Mayor and Council of the Borough of Keyport hereby approve the change order request recommended by the project architect consisting of the purchase, acquisition and installation of various technological improvements to the new municipal complex relating to sound / intercommunications / video system courtroom work and installation of Panel E-1 and line voltage as set forth in the change order and drawings submitted.

2. The Mayor and Council hereby approve the change order in the amount of $225,280.00, submitted by A & K Excavating, Inc. and further authorize the project architect to proceed with the change order, based upon the written proposal submitted, subject to the written certification from the Municipal Finance Officer as to the availability of funds within the appropriate bond.

Offered for adoption by Mr. Doyle, seconded by Mr. Hyer

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

18. **Resolution #141-03, Resolution of the Mayor and Council of the Borough of Keyport Authorizing Receipt of Bids for Billboard Lease Located on State Highway 35 in the Borough of Keyport and Further Identified as Lot 19, Block 33, of the Tax Map of the Borough of Keyport.**

WHEREAS, the Mayor and Council have previously authorized a lease agreement affecting the property located at Lot 19, Block 33, located on State Highway 35, Keyport, New Jersey, for the purpose of accessing and maintaining an outdoor billboard at the within location; and

WHEREAS, the Mayor and Council did by previous resolution, authorize the extension of the lease agreement on the within property through May 30, 2003 and further directed the lease agreement be offered for public bidding; and

WHEREAS, an initial bid was advertised for receipt of bids on March 14, 2003, at the Borough Hall, which produced no actual bids in accordance with the public notice; and

WHEREAS, the Mayor and Council of the Borough of Keyport desire to authorize and direct the receipt of bids for an additional five (5) year lease on the within project; and

WHEREAS, the Mayor and Council have further authorized a minimum bid in the sum of $8,500.00 as rent for said Billboard location together with an additional fifteen (15%) percent of the gross revenues for leasing space on said Outdoor Sign computed pursuant to a formula previously adopted; and

WHEREAS, the Mayor and Council desire to finalize this resolution and authorize the additional receipt of the bids and further authorize the Borough Attorney to prepare appropriate amendments to the previous bid specifications to be received and opened at the Keyport Borough Hall at a date to be fixed upon Public Advertisement.

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

1. The Mayor and Council further authorize the Borough Attorney to prepare appropriate amendments to bid specifications and to re-advertise for receipt of bids for a five (5) year lease of the property identified as Lot 19, Block 33, on the Tax Map of the Borough of Keyport, for the purposes of accessing and maintaining a billboard outdoor sign.

2. The Mayor and Council having previously determined pursuant to *N.J.S.A.* 40a:12-14 to authorize the lease of certain property having further determined that the lands described herein are hereby determined to be not needed for public use and area hereby authorized and directed to be leased at public auction to the highest bidder and subject to the terms and conditions of the within resolution, and any other ordinance adopted to support that purpose.

3. The Mayor and Council authorize the receipt of bids within an effective term date to run five (5) years, commencing June 1, 2003 and expiring May 31, 2008.

4. 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 for adoption by Mr. Doyle, seconded by Mr. Hyer

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

19. **Resolution #142-03, Resolution of the Mayor and Council of the Borough of Keyport Authorizing the State of New Jersey Department of Environmental Protection Green Acres Enabling Resolution**

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit and conservation purposes; and

WHEREAS, the Borough of Keyport desires to further the public interest by obtaining a loan of Six Hundred Eighty-one Thousand Four Hundred ($681,400.00) Dollars from the State to fund the following project(s): Replacement of the William A. Ralph Municipal pier at the Green Acres site on American Legion Drive.

NOW, THEREFORE, the governing body/board resolves that John J. Merla, or the successor to the office of Mayor, is hereby authorized to:

(a) Make application for such a loan and/or such a grant;

(b) Provide additional application information and furnish such documents as may be required;

(c) Act as the authorized correspondent of the above-named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above-named project;

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

1. That the Mayor of the above-named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as the William A. Ralph Municipal Pier; and

2. That, in the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project; and

3. The applicant agrees to comply with all applicable federal, state and local laws, Rules and Regulations in its performance of the project; and

4. The application has notice of a public hearing on the within application to be held on April 1, 2003 to solicit the comments of the public to the within application; and

5. That this resolution shall take effect immediately.

Offered for adoption by Mr. Doyle, seconded by Mr. Hyer

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

20. **Resolution #143-03, Resolution of the Mayor and Council of the Borough of Keyport Authorizing Borough Engineer to Undertake Preliminary Investigation for Bulkhead Replacement, American Legion Drive**

WHEREAS, the Mayor and Council of the Borough of Keyport have previously authorized the submission of an application and plans to the New Jersey Department of Environmental Protection relative to the replacement and construction of the bulkhead located on American Legion Drive.

WHEREAS, the Mayor and Council have, by previous resolution, authorized the current Borough Engineer to assume all duties and responsibilities relative to the above referenced project from the former engineer, Schoor DePalma; and

WHEREAS, the Borough Engineer has submitted a written cost proposal to the Mayor and Council for the preliminary investigation of the bulkhead replacement project along American Legion Drive; and

WHEREAS, pursuant to the terms of the written proposal, the Borough Engineer agrees to review all existing documents, including, but not limited to, cost estimates, soil logs, geotechnical investigation reports, survey and control points, hydro-survey and tidal data, design calculations and assorted maps, surveys and documents as set forth in his proposal, coordinate meetings with the Department of Environmental Protection, Army Corp of Engineers and Green Acres relative to the within project and prepare a detailed report relative to the previous work performed by the former engineer and the scope of the remaining work or issues necessary to complete the within project; and

WHEREAS, the Borough Engineer has proposed to complete the preliminary investigation, as set forth herein and in the written proposal, for a fee not to exceed the sum of Seven Thousand Five Hundred ($7,500.00) Dollars; and

WHEREAS, the Mayor and Council have reviewed the proposal prepared by the Borough Engineer and are inclined to authorize the Borough Engineer to undertake this preliminary investigation in accordance with the proposal in conjunction with the replacement of the bulkhead along American Legion Drive, as expeditiously as practicable.

NOW, THEREFORE, BE IT and the same is hereby resolved by the Mayor and Council of the Borough of Keyport as follows:

1. The Borough Engineer is authorized to conduct a preliminary investigation relative to the replacement and construction of the bulkhead located along American Legion Drive in accordance with the proposal submitted on March 18, 2003;

2. The Borough Engineer shall review all current information, including, but not limited to, cost estimates, soil logs, geotechnical investigation reports, survey and control points, hydro-survey and tidal data, design data and assorted maps, data and documents as specified in his written proposal, coordinate meetings with the Department of Environmental Protection, Army Corp of Engineers and Green Acres, and prepare a detailed report relative to the previous work performed by the former engineer and the scope of the remaining work or issues necessary to complete the within project, for a fee not to exceed Seven Thousand Five Hundred ($7,500.00) Dollars, as specified in his written proposal, subject to certification from the Municipal Finance Officer as to the availability of funds either from a bond ordinance or a general account of The Borough of Keyport.

3. That a certified copy of this Resolution be forwarded to the Borough Engineer, Municipal Finance Officer and Borough Attorney and that a copy of the within Resolution be retained in the office of the Borough Clerk for public inspection.

Offered for adoption by Mr. Doyle, seconded by Mr. Hyer

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

ADJOURNMENT

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

Time of Adjournment: 11:55 P.M.

Respectfully submitted,

Judith L. Poling

Judith L. Poling, RMC/CMC
Borough Clerk

RESOLUTION
124-03
CLOSED MEETING

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

Personnel

1. Police Department
2. Tax Office
3. Interlocal with Union Beach

Litigation

1. Revaluation
2. PBA vs Borough of Keyport
3. Magic Touch vs Borough of Keyport

Labor Relations

1. Grievance/Senior Permit Clerk

Contract Negotiations

1. Water/Wastewater Facilities
2. Public Works Facility Lease
3. New Municipal Complex

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that a meeting of the Mayor and Council shall be held (x) Forthwith, ( ) at the conclusion of this meeting, ( ) immediately following the adoption of the Resolution Portion of this meeting from which the public shall be excluded in the ( ) Mayor's Office, ( ) Council Chambers, ( ) Conference Room, (x) Senior Citizen Center Meeting Room for the purpose of discussing the following subjects:

(x) Personnel (x) Litigation (x) Labor Relations (x) Contract Negotiations

BE IT FURTHER RESOLVED that the discussions on (x) Personnel, (x) Litigation, (x) Labor Relations (x) Contract Negotiations conducted at said Closed Session shall be disclosed when (x) the matters discussed are resolved, (x) and with regard to Labor Relations when negotiations are completed and a contract executed, (x) and this meeting shall continue in approximately 20 minutes.

OFFERED BY: Councilman Hyer 2ND BY: Councilman Green

ROLL CALL VOTE:

AYES:	Councilman Atkins, Hyer, Stalter, Doyle, Green
NAYS:	None
ABSTAIN:	None
ABSENT:	Councilman Bergen

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 MARCH 18, 2003.

Judith L. Poling

JUDITH L. POLING, RMC/CMC
BOROUGH CLERK

Ordinance 5-03, Amending Chapter XXV, Land Use Regulations, Section 25:1-9, GC and GMC Regulations

Response from the Keyport Planning Board requesting an extension of time to review the Ordinance. The Planning Board meeting will be held on March 27, 2003.

Motion to hold the Ordinance for adoption until April 1, 2003, moved by Mr.Hyer, seconded by Mr. Green, with Ayes by all present.

The Hearing was opened to the public for comments or questions at 8:15 PM. Mayor Merla advised comments will be taken tonight. Mayor Merla informed the public that the Business Improvement District in soliciting developers was approached by Woodmont Properties of Parsippany who were interested. The owner of the property and the developer met regarding a proposal and a committee was put in place. Ordinance 5-03 was introduced on February 25, 2003. The Council referred the Ordinance to the Planning Board who held a Special Meeting and formed a sub committee. The next meeting of the Planning Board is March 27, 2003. The adoption of the ordinance is subject to public hearing and Planning Board input. Mr. Michael Lane, First Street said there were two meetings between the developer and Council and one meeting with the Planning Board. The Ordinance includes the whole GC and GMC zones. The Ordinance was built to meet the developer's needs. There are no requirements for front, back or side set backs. The Woodmont project will be 330' long, 60' high on the property line and the ordinance doesn't just apply to this property, there is no limit on length. Mr. Lane objected to Ordinance #5-03. The ordinance does not require landscaping, there is no distance between buildings, there are no parking requirements, no recreational space, no buffer zones, no requirement for compatibility. The building will cloak Beach Park in the winter. The Master Plan calls for enhancement of the marinas. Mr. Lane requested that the Borough Attorney re-draft the ordinance, that the 35' height requirement be retained, that there be no planned development without set backs or recreational requirements or harmony with the surroundings, and that it support the marinas. John Murphy, Kearney Street supported Mr. Lane. Joseph Wedick, Theresa Street asked what impact the 42 unit project would have on schools and the water system. Mayor Merla said the units would be owner occupied, although that would not guarantee there would be no children, there also could be age restrictions. The Borough is in the process or selling the water/sewer systems and there will be a public referendum question on the November ballot. If the Borough keeps the systems, rates could be raised 60%. Mr. Wedick asked how old the pipes were. Mayor Merla said the purchaser would inspect the pipes, some of which were put in around 1910. Mr. Wedick asked about the shadow that would be cast. Mr. Kain, Borough Attorney said this type of project would only be allowed in the GC and GMC zones and would require a minimum lot size of 75,000 sq ft. Jennifer Henning, Main Street said there are no studies on the impact of the project, if it should happen and people will use Keyport to park. Candy Carey, Main Street agreed with Ms. Henning. She asked why an ordinance versus variances. Mayor Merla said it has to be re-zoned to a mixed use. Ms. Carey said there are many things to think about, how property is developed is important and questioned building line to line. Mr. Kain said this would only be in the GC and CMC zones. The GC zone contains certain requirements, and there are no set backs, this ordinance will permit mixed use in the zones. Mr. Carey asked about time frames. Mr. Kain said the Planning Board will be putting recommendations together. Zoning ordinances have to be referred to the Planning Board who has 35 days to make recommendations. Ms. Carey said she could see an ordinance for mixed use, but not increased height or property line to property line, that the ordinance can have height restrictions, that it can be tailored. Mayor Merla advised that when the Planning Board sends the ordinance back to the Council, it can be adopted as is or with changes and the ordinance can be amended. Peggy Hayes, First Street asked about the zoning on First Street and Historic Districts and having to conform. The Borough has to develop sensibly. Ms. Hayes objected to the new municipal building being close to the street and she agreed with the other speakers. Al Ciecierski said 90% of the buildings in Keyport are 2 or 3 stories high. Mr. Kain said if a project complies with the ordinances, it can be built. Mr. Ciecierski asked why 5 story condo, that it is opening a door. Jack Jeandron, Main Street said he has served on the Zoning and Planning Boards. Right now in the GC zone you can build commercial from border to border. For residential, the requirements don't apply with commercial. If the GC zone is changed to mixed use, the ordinance should take into account residential requirements (set backs, recreational). Height of building (exception are the Senior Citizen High Rises, only case of over 3 stories). The commercial district is not doing well, businesses have come and gone. A developer could buy several properties and build. Mr. Jeandron objected to over 3 stories and that this should be taken into account. A resident of Second Street said she moved to Keyport 2 ½ years ago. The ordinance would change the height from 35' to 60'. A 5 story building could be built in the marinas which would change the waterfront and ruin the Borough. There are no studies on the impact. She supported the other speakers and supported the ordinance being revised (re setbacks, etc). Donna Barkowitz, Beers Street said the ordinance would pave the way for other developers, that most developers give back, what will Woodmont give back? Mayor Merla said the Borough could ask for off-site amenities. Height and set backs are issues. Ms. Barkowitz said Keansburg is developing on their waterfront and asked if the Fire and Police Departments can handle the increase. Mayor Merla said the Planning Board will recommend changes. The Master Plan was adopted in 1965 and revised in 1989. A Planner is needed to codify the Master Plan. Ken Swartz, W. Front Street said the historic integrity should be maintained and maybe the project should not be 5 stories high. The downtown has an impact on residential values. Some business people have invested in their properties. Resident of Broad Street, draft an ordinance with set backs & height restrictions and variances would have to be obtained. Greg Kemp, Elizabeth Street said the project would raise value of homes, that he came back to Keyport because of the downtown development and that once the new municipal complex is completed it will be nice. A resident said that an Ad Hoc Smart Growth Committee was formed. An application was submitted for a $180,000. This is an interim matter. Ordinance 5-03 will invoke CAFRA and Ordinance 5-03 doesn't meet CAFRA requirements. Developers should not be offered false hope, they will need other approvals. If the Borough approves, CAFRA could knock it down. Put the Smart Growth plan together, and sit down with the DEP for their approval. Robert Zwingraft, Cedar Street said the developer went to the Council to have the Zoning changed, why didn't he go to the Planning Board for variances. Mr. Freda said residential is now allowed, condo's, 2 family, etc. are a prohibited use. Mr. Zwingraft asked about charging impact fees. Mayor Merla said this is not legal in New Jersey and it should be looked at with regard to the Master Plan. Ms. Walling, Washington Street asked if the wetlands would be impacted in the marina area and was there an impact on sprawl. Mayor Merla said there are two developers interested in the Browns Point Marina which has wetlands restrictions. The State Master Plan shows Keyport as a Green Zone for development. The Smart Growth Committed did the job of identifying assets and liabilities creating a vision. Now a Planner is needed and the Master Plan needs to be revised. The Borough is working with the State and County for creating tools. The Council took the recommendations of the Planning Board two years ago. There is a Bayshore Region plan. Paul McKeefry said mixed use will kill the Borough. The KBA is trying to attract businesses, that the Borough should attract businesses that will survive and to develop incentives. A resident of Division Street said she lived on Long Island and that similar towns should be checks for experience. Mayor Merla said he has met with other towns and that Keyport is unique. The Smart Growth committee has done comparisons and that funding has to be found through State agencies. Michael Lane, First Street asked when the Planning Board will meet, and that people should attend; the meeting is March 27th. A copy of these minutes are to be sent to the Planning Board. Eleanor Cosgrove, First Street said the is potential and charm in the Historic District. Her concern was traffic, that the street is 28' wide and has parking on one side. She lives in the last house in the GC zone by the old West Furniture property where engines are left running. She said this is a flood zone, with flooding on First Street. She asked where will people park. Mayor Merla said the prior Master Plan recommended First Street one way and Second Street one way. Joanne Staeger, Main Street asked when would the matter be listed after the Planning Board meeting on March 27th; it will be listed on April 1st and the meeting could be moved to a larger site because there were too many people here tonight. Mayor Merla commended the people who disseminate the information out to the people. A resident asked if things will be addressed and Mayor Merla said the minutes will go to the Planning Board. A resident asked that the Borough consider the effect on the infrastructure. Councilman Hyer thanked the residents. Mr. Back, First Street said he concurred with all comments and said not to offer up on site for expediency. He also advised that there is a storm sewer and major drainage system in the area and you cannot put a building over a storm sewer. Mayor Merla thanked everyone for a civilized meeting, that the residents concerns have been heard and that the Council will make a decision everyone can live with. The Hearing was closed at 9:55 PM.

BOROUGH OF KEYPORT
BOND ORDINANCE NUMBER 8-03

BOND ORDINANCE PROVIDING FOR THE RECONSTRUCTION AND RESURFACING OF THERESE STREET, BY AND IN THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING $500,000 (INCLUDING A MONMOUTH COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT IN THE AMOUNT OF $199,635) THEREFOR AND AUTHORIZING THE ISSUANCE OF $286,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the Borough of Keyport, in the County of Monmouth, State of New Jersey (the "Borough"). For the said improvement or purpose stated in Section 3, there is hereby appropriated the sum of $500,000, which sum includes a Monmouth County Community Development Block Grant to be received in the amount of $199,635 (the "Grant") and $14,365 as the amount of down payment for said improvement or purpose required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). Said down payment is now available therefor by virtue of provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the part of said $500,000 appropriation not provided for by application hereunder of said Grant and down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of $286,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding $286,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvement hereby authorized and purpose for the financing of which said bonds or notes are to be issued is the reconstruction and resurfacing of Therese Street, such reconstruction and resurfacing to include, but is not limited to, roadway excavation, milling, paving and resurfacing such roadway, and the repairing, replacement and/or installation, as applicable of curbs, curb ramps, sidewalks and driveway aprons, drainage work, sewer main and lateral replacement and/or rehabilitation, water main and service replacement and/or rehabilitation, roadway painting, and also including all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is $286,000.

(c) The estimated cost of said improvement or purpose is $500,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor, being the amount of $214,000, is the Grant and the down payment for said improvement or purpose.

SECTION 4. Except for the Grant, in the event the United States of America, the State of New Jersey, and/or the County of Monmouth make a contribution or grant in aid to the Borough, for the improvement and purpose authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Monmouth. Except for the Grant, in the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Monmouth, shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement which the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by $286,000 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding $100,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purpose or improvement hereinbefore described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Borough, or any member of the same "Controlled Group" as the Borough, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury

Regulation Section 1.150-2, and no further action (or inaction) will be an abusive arbitrage device in accordance with Treasury Regulation Section 1.148-10 to avoid the arbitrage yield restrictions or arbitrage rebate requirements under section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Borough for any expenditures toward the costs of the improvement or purpose described in Section 3 hereof will not be used directly or indirectly (i) to "refund" an issue of governmental obligations within the meaning of Treasury Regulation Section 1.150-1(d), (ii) to create, within one year, following the reimbursement of any expenditures of bond proceeds "replacement proceeds", within the meaning of Treasury Regulation Section 1.148-1 of the bonds, or any other bond issue, or (iii) to reimburse the Borough for any expenditure or payment that was originally paid with the proceeds of any obligation of the Borough (other than borrowing by the Borough from one of its own funds or the funds of a member of the same "Controlled Group" within the meaning of Treasury Regulation Section 1.150-1(e)). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvement or purpose described in Section 3 hereof will be issued in an amount not to exceed $286,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code and Treasury Regulation Section 1.150-1. This provision will take effect immediately, but will be of no effect with regard to expenditures for costs paid outside the permitted reimbursement period set forth in Treasury Regulation Section 1.150-2(d)(2).

SECTION 10. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ADOPTED ON FIRST READING
DATED: March 18, 2003

Judith L. Poling

JUDITH L. POLING, RMC/CMC,
Clerk of the Borough of Keyport

ADOPTED ON SECOND READING
DATED: APRIL 1, **2003**

Judith L. Poling

JUDITH L. POLING, RMC/CMC,
Clerk of the Borough of Keyport

APPROVAL BY THE MAYOR ON THIS 3RD **DAY OF** APRIL**, 2003**

JOHN J. MERLA,
Mayor

Offered by: Councilman Stalter

Seconded by: Councilman Hyer

Roll Call Vote:

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