

Approved 1/20/09

April 1, 2008
Keyport, New Jersey

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

Mayor Bergen called the meeting to order at 6:38 P.M. and the Borough Clerk read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Kovacs, Sheridan, Hill, Ortman, Walling, Others present were Mayor Bergen, Mr. Valesi, Borough Administrator, and Mr. Wisniewski, Borough Attorney. Councilwoman Bolte was absent.

RESOLUTION

1. Resolution #120-08 Closed Session Meeting - Personnel, Contract Negotiations

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:

- Personnel
- Contract Negotiations

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 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. Walling, second by Mr. Ortman

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

Nays: None
Abstain: None
Absent: Bolte

Council went into closed session at 6:40 P.M. and this meeting was reconvened at 7:11 P.M. by Mayor Bergen. The Municipal Clerk read the Sunshine Law Notice, which was followed by the Pledge of Allegiance.

ROLL CALL

On Roll Call the following were present: Councilmembers Kovacs, Sheridan, Hill, Ortman, Walling. Others present were Mayor Bergen, Mr. Valesi, Borough Administrator and Mr. Wisniewski, Borough Attorney. Councilwoman Bolte was absent.

PROCLAMATION

Mayor read Proclamation - Alcohol Awareness Month 2008

INTRODUCTION OF ORDINANCE

1. **ORDINANCE - Amending salary range for Blood Borne Pathogen Officer**
The Clerk reads the Ordinance by Title:

ORDINANCE NO: 13-08

AN ORDINANCE AMENDING THE BOROUGH OF KEYPORT
ORDINANCE NO. 23-05 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

WHEREAS, the Mayor and Borough Council wish to amend Ordinance No. 23-05 fixing the salaries of the various officers, clerks and employees of the Borough of Keyport to reduce the salary for the Bloodborne Pathogen Officer.

BE IT ENACTED by the Mayor and Council of the Borough of Keyport that the Code of the Borough of Keyport, Ordinance No. 23-05, Section 2 is hereby amended as follows:

Bloodborne Pathogen Officer
\$6,000 annually

~~\$2,500~~ \$500

If any part or parts of the Ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this Ordinance.

All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency.

This Ordinance shall become effective immediately upon its final passage and publication as required by law.

Motion to Introduce Ordinance moved by Mr. Walling, second by Mr. Ortman

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

Nays: None
Abstain: None
Absent: Bolte

Motion was made and carried authorizing the Clerk to publish the Ordinance as introduced, in the Courier, April 3, 2008 issue.

COMMUNICATIONS AND PETITIONS

1. Application for Raffle License , On-Premise Merchandise, from St. Joseph School for a raffle to be held May 16, 2008
2. Application for Raffle License, Off-Premise Merchandise, from Jesus the Lord Parish for a raffle to be held November 18, 2008
3. Application for Raffle License - Pull-Tab Machine - from American Legion Post #23 Raritan for the licensing period from 5/1/08 - 4/30/09
Motion to receive and file made by Mr. Kovacs, second by Mr. Hill with ayes by all present.
4. Application for a Red Light Siren Permit for James L. Lawson of Keyport OEM
Motion to refer to Administration and Chief Mitchell moved by Mr. Kovacs second by Mr. Hill with ayes by all present.

5. Letter with attachments from Michael Lane regarding Public Contracting Pay-to-Play Reform

Motion to turn over to Attorney moved by Mr. Kovacs, second by Mr. Walling with ayes by all present.

UNFINISHED BUSINESS

Mayor's Appointment of Planning Board Member - Devin Daly

Attorney stated there is no holdover status on a Land Use Board. Mr Kovacs requested that Gaylee Benedict be an alternate.

ADMINISTRATOR'S REPORT

Administrator Valesi reported on the following:

- Waterfront paving of the parking lot is pretty much complete. Pier not yet attached to bulkhead. Not a safe place to launch right now.
- Tank site now complete - DPW will take care of yard hydrant next to electric box

Mayor asked about getting rid of old DWI trailer.

- Pole at Cedar Street and First Street - will be pouring our old concrete around that area.
- Therese/Beach Park bids will be rejected, will rebid in the next week or so. Have to see revised T&M plan trimming costs down.

Mayor asked about the schedule of Rules and Regulations with the summer coming. Administrator stated that he will send email to Council and Harbor Commission regarding rules he has come up within five to seven days.

- Meeting with USDA (used to be Farmer's Home Admin) - deals with municipalities under 10,000 people - Key on infrastructure, Keyport is a good candidate. Our filtration and Inflo reduction plan makes us a prime candidate. Can bond over long period of time at very aggressive rates.

Key is to get projects in place reducing our inflo. Meeting was promising. USDA really looks into financial benefit of the project to the community. Encouraging us to apply. First phase would be a manhole rehabilitation project.

ATTORNEY'S REPORT

Attorney Wisniewski had nothing to report.

NEW BUSINESS

Mayor stated this is an innovative program for Keyport. Startup business with environmental sensitivity. He also spoke of a relocated building as part of a welcoming center. Dropped off a prospectus of the program.

Mayor spoke regarding how to increase efficiency in your home to reduce energy costs. Some utility companies give free fluorescent bulbs. Mayor stated that he will look to find away to get it started.

RESOLUTIONS

2. Resolution #121-08 Awarding Contract for Revaluation
3. Resolution #122-08 Authorizing Reduction of Sewer Fees due to Broken Pipes
4. Resolution #123-08 Endorsing the Submission of the 2007 Recycling Tonnage Grant Application
5. Resolution #124-08 Reducing Salary for the Blood Borne Pathogen Officer
7. Resolution #126-08 Authorizing Submission of Application for DCA's Smart Growth Grant

8. Resolution #127-08 Awarding Additional Tax Map Services for Coordination with Division of Taxation
9. Resolution #128-08 Authorizing Leave of Absence for Borough Employee
10. Resolution #129-08 Authorizing the Award of a Contract for Lawn Chemical Services for the Borough Parks and Ball Fields
11. Resolution #130-08 Authorizing Employee Discipline
12. Resolution #131-08 Payment of Bills

Mr. Kovacs asked if there is money in budget for revaluation. Mayor replied yes; 20% share is in the budget. There is \$250,000 over a five year period.

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

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

Nays: None
Abstain: None
Absent: Bolte

Motion was made and carried to vote on Resolution #6 separately.

6. Resolution #125-08 Approving Revised Payment Plan - Keyport Trinity

Resolution #125-08 Payment Plan - Trinity total amount of arrears is about \$14,000 - \$15,000. Property owner says that he will bring account up to date by late April. No further notice would be made. Lien would then be sold to general public with 18% interest. Mayor asks Council's pleasure.

Administrator - Lien could be placed now but would rather collect the money

Mr. Kovacs makes motion to give to May 1, 2008, second by Mr. Ortman

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

Nays: None
Abstain: None
Absent: Bolte

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments or questions at 7:41 P.M.

Mike Lane thanked Council for action on his letter. He asked about Trinity's payment plan. Administrator Valesi went over the details of the new plan. Mr. Lane questioned why if owner of building has a lease, he unable to pay the bill. He further stated that 17 Atlantic Street is owned by Jo-Jo Merla. He advertises a separate summer cottage which was once a garage. Planning Board denied that application for the summer cottage. Why is it still advertised that way and will this payment plan give some leverage to that situation? Attorney Wisniewski stated that the creation of the unit and advertising it for sale is not a violation of the law. Only using it as a living space is a violation. Mr. Lane stated that he would like it converted back to a garage. Mayor stated that the Zoning Officer better never issue a Certificate of Occupancy to occupy that space. Mayor Bergen requested he give that information to establish probable cause.

Mr. Lane asked whether NJDEP applications (CAFRA, wetland applications) could be posted on the website? Administrator Valesi explained that this would be difficult because the public would assume it was a complete list and we would be doing a disservice if list was not complete. A disclaimer could be posted. Mr. Lane said that would be acceptable.

Nora Sanborn, 140 First Street, stated that she is upset about the garbage around town. There are no signs regarding the littering ordinance. Wants to know why this is not enforced. Ms. Sanborn stated that she would be willing to volunteer.

Peggy Hayes, 55 First Street, stated that she hasn't seen signs saying "curb your dog". Also hasn't seen any litter patrol for a couple of years. Ms. Hayes further stated that she hasn't seen the street sweeper lately.

Administrator Valesi reported that the schedule is on the website. Mayor stated he would like to try to do what Sandy Hook does where you take your garbage with you. We do hire young people in the summer but will be hiring fewer employees due to budget cuts.

Ms. Hayes stated that she is amazed to hear sewerage bill addressed tonight. She pays \$200 - \$300 a quarter for one person. Sewerage bill is 60% of your water bill.

Eleanor Cosgrove, 72 First Street, spoke regarding garbage situation; Ms. Cosgrove would like to see cars off the street on county street sweeping days. Mr. Kovacs suggested alternate side parking. Mayor stated County would not let Keyport do it.

Ms. Cosgrove stated she would like to see kids at the school be taught about littering and clean up.

Ann Marie Reedy, 42 First Street, felt there are not enough garbage cans at Beach Park.

Mayor Bergen mentioned the Park Ranger Program would like to start on the Waterfront.

Ann Marie Reedy mentioned the house on Broad Street; feels it is getting larger. Mayor stated that if existing setback not violated, he can build up. Resident is within his legal rights.

Jack Jeandron, 80 Main Street, stated that the parking lot on Main Street, near Third, always seems to have a lot of litter. Mayor asked Mr. Valesi to put a garbage container there.

Bob Ludwig, asked about the status of the preliminary study for Sautee Bay. Sautee Bay property was filled again. Who filled it and were permits obtained? Administrator Valesi stated that the Borough did notice property owner regarding standing water.

Mr. Ludwig felt that enforcement prerogatives do exist if construction of Merla Cottage affected adjacent property owners - block view, etc.

Mike Lane stated that he feels Mr. Merla is in violation of Uniform Construction Code. He had neither permits nor use variances.

Artie Bamberg, asked how many garbage hauling companies there are. He feels they are doing a good job. Mayor replied that no one is critical of the garbage hauler.

Bob Ludwig does not want to see budget cuts affecting police patrol.

Resident, 22 First Street, stated they would like to see an increase of police presence between 11P.M. and 2 A.M.

Merlyl, 201 7th Street, spoke about loitering at the 7-Eleven store.

Isaiah Cooper stated that you can't put a policeman everywhere all the time.

There being no one further from the audience who wish to be heard, the meeting was closed to the public at 8:40 PM.

ADJOURNMENT

Motion to adjourn was moved by Mr. Kovacs, second by Mr. Hill with ayes by all present.

Time of Adjournment: 8:45 P.M.