April 16, 2001
Keyport, New Jersey

Minutes of the Regular Meeting of the Mayor and Council, Borough of Keyport, held on the above date in the Keyport Senior Center, 110 Second Street, Keyport, N.J., pursuant to the adoption of the Annual Notice on file with the Borough Clerk, forwarded to the Asbury Park Press, Courier, Independent and Two River Times and posted on the Bulletin Board in accordance with the Open Public Meeting Act, P.L. 1975, Ch. 231.

Mayor Graham called the meeting to order at 7:08 P.M. and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Ashmore, Antonucci, Merla, Atkins, Bergen,(arriving at 7:10 P.M.) Pedersen. Others present: Mr. Litwin, Borough Attorney.

RESOLUTION

1. Resolution # -01, 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. Public Works Department
3. Tax Office
4. Health Department

Litigation
1. R.C.G. v. Borough of Keyport
2. Re-foreclosure of Block 33,Lot 15

Labor Relations
1. Administrative and Non-Union Negotiations
2. Administrative and Non-Union Grievance
3. PBA
4. IUOE

Contract Negotiations
1. Interlocal with Aberdeen Township for Construction Code Services
2. Extension of Lease with Shorelands Water Company
3. Acquisition of Property

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. Pedersen, seconded by Mrs. Atkins

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Merla
Atkins, Bergen, Pedersen

Council went into Closed Session at 7:09 P.M. and this meeting was reconvened at 8:00 P.M.

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

ROLL CALL

On Roll Call the following were present: Councilmembers

Ashmore, Antonucci, Merla, Atkins, Bergen, Pedersen. Others present: Mr. Litwin, Borough Attorney and Mr. Kriskowski, Borough Engineer.

APPROVAL OF MINUTES

Minutes of the Regular Meeting of March 20th, Special Meeting of March 26th, Work Meeting of April 3rd and Closed Meetings of March 20th, March 26th and April 3rd, 2001 were approved as read on motion of Mr. Merla, seconded by Mr. Bergen, with Ayes by all present.

PROCLAMATION

Mayor Graham read a Proclamation declaring April 29th - May 5th 2001 as Municipal Clerk's Week.

2001 BUDGET

Mayor Graham said he could not attend the last Council Meeting. The day after the meeting, the Asbury Park Press reported that the Budget was not adopted, that Councilmembers Ashmore and Merla voted No. He was surprised that they made no comments at the meeting but after the meeting Mr. Merla said that issues were not addressed. The Independent reported that Mr. Merla stated that on March 1st, the Republican Councilmembers sent a letter containing 18 issues and received no response. He asked Mr. Merla if that was an accurate description. Mr. Merla said he would not debate the Budget. The letter went to everyone. There were different issues, some were addressed and some were not and therefore he did not vote for the Budget. Mayor Graham said the minutes of March 5th reflects that issues were addressed, i.e. Chief Financial Officer. Mr. Merla said only 3 of the 18 issues were addressed. Mayor Graham said that Mr. Merla's quotes were misleading. The Chief Financial Officer's position was discussed. Mr. Merla said discussed yes, but no decision. Mayor Graham said the position of Engineer, insurance, fees & permits, selling property, Police schedule, town-wide clean up, where engineering fees were charged, demolition of 24 Main Street and the bulkhead were discussed. Mayor Graham said he had asked if there were any questions. He said Mr. Merla stated that he supported abolishing the position of Property Maintenance Officer, that there was negative feedback from the majority of the public. Mayor Graham was not in agreement. Mrs. Ashmore said the issues were not addressed. Mr. Bergen said after receipt of the memo, as Finance Chairman he addressed issues that were related to the Budget. Mrs. Ashmore said that the vote as they feel. Mr. Merla said Mr. Bergen said that having the Engineer at the Council meetings was beneficial. Mr. Bergen said he did not know the Republican Councilmembers were not going to support the Budget. Mr. Merla said Mr. Pedersen did not ask any questions and that Mr. Pedersen requested that Mr. Bergen be contacted. Mayor Graham said he respects each persons right to vote yes or no, but no one said anything, the adoption of the Budget was blocked and then the newspapers were contacted. Mr. Merla said according to the minutes, there were no decisions. Mrs. Ashmore said all are entitled to vote as they want to and Mr. Merla said they outlined their position and the only issues addressed were what the Democrats wanted. Mr. Bergen said if the Budget is not adopted then an Emergency Temporary Appropriation must be adopted and the total will have to be raised in next years budget (purchase of a backhoe would be put on hold). Mr. Merla said yes there was discussion. Mayor Graham said everyone had ample opportunity to ask questions. Mr. Bergen reviewed the 18 issues. Chief Financial Officer: the numbers are wrong, Thomas Fallon prepares the Annual Financial Statement and the Annual Debt Statement which are a savings to the Borough; he works a minimum of 12 hours per week and the salary is below range. Engineer: the Engineer is paid $300 per month, reducing down to attending one meeting a month is a savings of $1200. It is a benefit to have the Engineer at the meetings and this issue should not hold up the Budget. Fire Department Budget: stated there was a reduction of 12% and this was recognized; in 2000 the Department was given an additional $7000. Police Department: schedule is being addressed. Insurance: this year the Borough is biting the bullet and the Borough will have to be bought out of self insurance. This year, the Governing Body has to make a decision; one option is the State Plan. This has to be negotiated with the Unions. The Governing Body has to look at everything out there and plan for next year. Permits and Fees: The Administrator has recommended this; the Borough cannot anticipate new revenues in this Budget. It should be brought up in a meeting and a motion made to amend the ordinances, i.e. Fire Prevention Bureau. Borough Property: if any property is sold this year, the revenues cannot go into this Budget, they are generated for next year. PBA Schedule: Mr. Bergen will support a schedule change, but not if it will cost more money. 21 shifts have to be covered, if only 20 shifts are covered it will result in overtime. Town-wide Clean up: this has been discussed. The Borough is looking for property off the waterfront and there is money in the Budget to address this matter, if the Budget is adopted. Where bills are charged: in order to expedite the Bulkhead project, the costs have been charged to the Recreational Bayfront Improvement Trust Account and Mr. Bergen has checked this with the Bond Counsel and when funding is received the account will be reimbursed. Street Sweeping and Road Paving have been discussed. Leaf Pick Up: the Recycling Committee is looking at this matter. Recreation Committee: a walk through has been done and monies were moved. Demolition of Property: 24 Main Street (Annex), the New Municipal Complex is tied up in the Courts. Bulkhead: (amount received capped at $800,000), the Bond Ordinance was for $500,000, estimated. As a Council and community, we are moving ahead, it may cost more money, there was a chance in 1985. This should not hold up the Budget. State Aid for Municipal Complex: the Republican Councilmembers contacted Senator Kyrillos. Recycling Permits: the Governing Body should decide if they want to do away with the program or change the system, this has no direct effect on the Budget. Abolishing positions, or whether more money should be spent has no relationship to the Budget. It is up to the Police Committee if the Police Budget should be increased. Mrs. Ashmore said that Mr. Fallon, CFO prepares the salary line items. Mr. Bergen said this is based on the contracts. Regarding monies for additional hires; increasing personnel is a policy issue. Mr. Atkins said when the budget meeting was held, everyone one asked to make recommendations and she felt that she was going to get a memo back from Mr. Bergen. Mr. Bergen said he addressed Budget related issues and that there is $500,000 in the Capital Budget. Mr. Merla said last year monies were put in the budget for leaf pick up bags and it didn't happen. Mr. Bergen said several of these issues can be discussed during the course of the year. Mrs. Atkins said they gave Mr. Bergen their recommendations. Mr. Merla said their memo said if needed, that a Special Meeting be called. Mrs. Ashmore said it would have been a courtesy to respond and that Mayor Graham picked out one quote. Mayor Graham said if he made misleading quotes he would like to be advised. Mr. Pedersen requested that the Governing Body move on with the Resolution and the meeting.

RESOLUTION

2. Resolution #146-01, Adoption of 2001 Budget

See full copy of Resolution as Pages 13 and 14 Of these minutes.

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

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Merla
Atkins, Bergen, Pedersen

COMMITTEE REPORTS

Councilwoman Ashmore; Police: Mrs. Ashmore reported on the following. Regarding new hires in the Police Department, Mrs. Ashmore has spoken with the Police Chief and Police Captain and June 1st has been targeted as the date of hire. There have been lay offs in other municipalities. Mrs. Ashmore has contacted the Department of Personnel regarding the Intergovernmental Transfer Program and is awaiting advice. There are concerns which need answers regarding this program; such as the PBA contract and longevity, maximum years of service during the contract year. Mr. Litwin said a Memorandum of Agreement would have to be executed by the PBA and the Borough. There are residents who are also interested. Change in PBA schedule, Thomas Fallon, CFO is doing a cost analysis of the proposed change. The defibrilators are in service. Mrs. Ashmore referred to the problem of the intersection of Maple and Main and the difficulty in seeing to cross the street. It was suggested that the roadway be leveled off as there are dips on both sides, that the speed be reduced and that Children Crossing signs be installed. Borough Engineer John Kriskowski said that the drainage has to be maintained and Police Chief Theodore Gajewski said he does not know where the water goes. Motion to refer the matter to the Public Works Committee, moved by Mr. Merla, seconded by Mrs. Atkins, with Ayes by all present.

Councilman Antonucci; Health, Welfare, Recreation and Parks: Mr. Antonucci reported on the following. The Recreation Commission has recommended that the Cedar Street Park be closed for the safety of the children until the light poles in the basketball and tennis courts have been removed. It was also recommended that the light fixtures be removed from the poles until replacement. Mr. Kriskowski said that his structural engineer inspected and there are a number light poles that have deteriated around the base and he recommended that the lights be taken down. The poles should be removed as soon as possible until replacement. Quotes have been obtained and Mr. Kriskowski will review the information with Mr. Antonucci. The breakers are locked out. Mr. Jimenez, Recreation Commission said once the poles are down it will be pitch dark as all of the poles are on one circuit, pole to pole. Mr. Litwin recommended that the area be closed off so that no one will be in harms way and if necessary hold a Special Meeting to act on the quotes. The area will be roped off first thing in the morning and there will be an on-site meeting at 5:00 pm. Mr. Merla suggested calling the County for help with the poles.

Councilman Merla; Fire: Mr. Merla reported on the following. Mr. Merla asked Mr. Litwin about the specifications for the Fire Chief's vehicle and Mr. Litwin said he would address the matter. On May 5th at 6:00 P.M. the Fire Department Inspection will be held. The Chamber of Commerce has cancelled the Volunterism Parade and the Fire Department is considering taking it over and Mr. Merla will report back. Mr. Merla spoke with Mr. Bergen and when the meeting is set with Marrone Waste Paper and Disposal on the new garbage contract he would like to be advised as he has concerns. At the last Council Meeting Mr. Merla requested that a Special Meeting be set to discuss the Water/Sewer operation. He will speak with Mrs. Redmond, Collector of Water/Sewer Utility Rents and Mr. Sappah, Superintendent of Public Works. A meeting will be set for Tuesday, May 29th at 7:30 P.M. (See Resolutions). On Saturday the Public Works Department was called out for a grease back up on West Front Street by Pedersen's Marina. Mr. Pedersen said he believes it is coming from the restaurant. The Board of Health will be advised to inspect. Mr. Bergen asked about televising and filing a claim against someone. Mr. Merla said that three months ago he reported about a portion of fence being removed from a property that backs up to the Division Street Parking Lot and that there was a pool in the back yard and that they were using the parking lot as an ingress and egress to their property. Mr. Vecchio, CE/Zoning Officer had issued a report which stated that a letter was going out to the property owner. Mr. Vecchio is to be contacted on whether the letter went out. Mr. Pedersen said that the Public Works Department will put up a snow fence. The body shop which is next to the parking lot have vehicles on blocks and have been putting automobile parts in the garbage. They are to be advised this is not allowed. Mr. Merla asked about flushing fire hydrants in the Condominiums and Mr. Litwin advised written consent must be obtained. Mr. Merla will advise. Mr. Merla said when garbage and branches are picked up on the same day, there is confusion between the garbage company and the Public Works Dept. It made a lot of work for the Public Works. Mr. Pedersen said that Mr. Sappah, Public Works Supt. recommended changing the schedule and praised the Public Works Dept. Mr. Antonucci asked about Gil's Market and the grids in the windows. Mr. Merla said a permit was issued and that it is in a Historic Preservation District(facade). Mr. Litwin said he will check on regulations. They put up the grids because their windows were broken; this property is also in the Business Improvement District. An inquiry is to be made as to who issued the permit and under what authority.

Councilwoman Atkins; Buildings & Grounds and Library: Mrs. Atkins reported on the following. On March 31st the First Aid Cadets held a comedy night. In March, the Library circulated 1664 books and magazines,1115 residents used the Library, 99 new books were purchased, there were 1475 patrons and 171 people used the computers. On Monday, April 23rd, the Kiwanis of Keyport will hold their Annual Chicken Fry at the Town and Country Inn.

Councilman Bergen; Finance, Purchasing, Insurance and Grants: Mr. Bergen reported on the following. Mr. Bergen said he is available if there are questions on the Budget. He asked the Administrator to contact the First Aid regarding the $2500 donation to the

Cadets.

Councilman Pedersen; Public Works and Recycling: Mr. Pedersen reported on the following. There is a Resolution on the agenda for the Recycling Tonnage Grant. On Saturday, May 19th from 10AM to 3PM there will be a Hazardous Waste Disposal Day at the County yard. The Public Works Dept. are sweeping the third section of the Borough; there was a lot of sand from the winter and the area around the school was swept when school was closed. Fire Hydrant flushing has been completed.

Administrator Poling: Mrs. Poling reported on the following. Mrs. Poling asked if the Mayor and Council would consider rescheduling the July 3rd meeting due to the Holiday. Motion to list a Resolution on the next agenda rescheduling and changing the first and third meeting dates to the second and fourth Tuesday in July, moved by Mr. Pedersen, seconded by Mrs. Atkins, with Ayes by all present.

Engineer Kriskowski: Mr. Kriskowski reported on the following. The County is keeping to their schedule on opening the Amboy Avenue Bridge by Memorial Day. There was a meeting with the Business Improvement District to apply for a Smart Growth Grant for funding for the bulkhead. Mr. Bergen asked if the grant could be used for design and Mr. Kriskowski said the grant is more for planning.

Attorney Litwin: Mr. Litwin reported on the following. The Coolidge Shore Assets tax appeal was settled, input was received from Mr. Steven Rubenstein. The settlement came in between the assessed value and the sale price, resulting in a $30,000 reduction for the year 2000. There is a second appeal and the Freeze Act does not apply. In the RCG litigation, A&K filed an appeal in the Appellate Division and they also asked for a stay. The Borough will file an appeal and join in the action on the stay. A Statement of Fact was filed with Judge Lawson the the Weber Construction case. Mr. Litwin discussed this matter with the insurance company who will defend the case and retain Mr. Litwin.

Mayor Graham: The Mayor reported on the following. Councilman Pedersen and Mayor Graham attended the April Bayshore Conference of Mayors meeting; speaker was Assemblyman Samuel Thompson. Last Tuesday, Councilman Merla, Mayor Graham and the Business Improvement District held a conference regarding a Smart Growth Grant. A walk through was conducted, in attendance also were Mr. David Roberts, Smart Growth and Mr. Joseph Donald, State Planning.

REPORTS OF DEPARTMENTS

March, 2001

1. Borough Clerk's Report

WATER/SEWER ACCOUNT

WATER CONNECTION	$ 800.00
WATER METER	-0-
TURN ON CHARGE	40.00
SEWER CONNECTION	1,000.00
SEWER/POOL PERMIT	30.00
WATER METER W/TO	100.00
DEMOLITION	900.00
TOTAL WATER/SEWER, CHECK #	**$ 2,870.00**

CURRENT ACCOUNT

BINGO LICENSE	$
GUN PERMITS & ID'S	80.00
LIMO LICENSE	40.00
PHOTOCOPIES	16.75
POSTAGE	.68
RAFFLE LICENSE	-0-
TAXI LICENSE, DRIVER	-0-
TAXI LICENSE, OWNER	-0-
POLICE DEPT ACCIDENT REPORT	476.00
SEARCHES	-0-
VENDING LICENSE	-0-
PEDDLER LICENSE	-0-
LIQUOR LICENSE	-0-
STREET OPENING	300.00
FISH & GAME	-0-

NEWSPAPER VENDING MACHINES	-0-
RECYCLING PERMITS	598.00
PARKING PERMITS	-0-
AUCTION LICENSES	-0-
LIQUOR LICENSE APPLICATION	3.00
TOTAL CURRENT, CHECK #	**$ 1,514.43**

RECREATIONAL BAYFRONT IMPROVEMENT TRUST

BOAT LAUNCHING RAMP PASSES	$ -0-
BAIT	-0-
ICE	-0-
ICE CREAM	-0-
SODA	-0-
TOTAL RBIT, CHECK #	**$ -0-**

ESCROW ACCOUNT

CASH REPAIR DEPOSIT, CHECK #	$ 234.00
TOTAL RECEIPTS	$ 4,618.43

Submitted by Judith L. Poling, Borough Clerk

2. Tax Collector's Report

2001 TAXES	$110,391.44
2000 TAXES	25.628.45
2002 PREPAID TAXES	-0-
PRIOR YEARS TAXES	-0-
PROPERTY REDEEMED	-0-
INTEREST AND COSTS	7,951.62
TAX SEARCHES	-0-
POST OFFICE LAND RENT	275.00
SENIOR CITIZEN HOUSING IN LIEU OF TAXES	19,100.00
RETURNED CHECK CHARGES	-0-
ALL OTHER MISCELLANEOUS REVENUE	78,534.90
TOTAL CURRENT RECEIPTS	**$241,881.41**

WATER & SEWER RENTS	$ 48,685.18
INTEREST AND COSTS	808.33
TURN ON CHARGES	-0-
RETURNED CHECK CHARGES	-0-
POOL PERMITS	-0-
WATER METERS/WITH TURN ON	-0-
NEW METERS AND INSTALLATION CHARGE	-0-
WATER & SEWER CONNECTIONS	-0-
METER TEST CHARGE	-0-
FIRE SERVICE	-0-
METER REPLACEMENT, PARTS ETC	-0-
DEMOLITION PERMIT	-0-
ALL OTHER MISCELLANEOUS REVENUE	614.75
TOTAL WATER/SEWER RECEIPTS	**$ 50,108.26**

Submitted by Pauline Redmond, Tax Collector

3. Police Department/Traffic Safety Report

Total Amount received $ 476.00

Submitted by Theodore Gajewski, Police Chief

4. Librarian's Report

See full copy on file in the Clerk's Office

Submitted by Jacqueline LaPolla, Librarian

5. Board of Health Report

TOTAL COLLECTED IN THE BOARD OF HEALTH OFFICE	**$3,461.20**
DOG LICENSES	$ 413.00
CAT LICENSES	8.20
MARRIAGE LICENSES	224.00
BURIAL PERMITS	41.00
DEATH CERTIFICATES	1,965.00
MARRIAGE CERTIFICATES	90.00
BIRTH CERTIFICATES	15.00
POOL PERMITS	-0-
PLAN REVIEW	100.00

FOOD HANDLERS	585.00
MISCELLANEOUS	20.00

DISBURSEMENTS

CHECK #2639	- BOROUGH OF KEYPORT MISC. ACCT	$2,840.00
CHECK #2640	- BOROUGH OF KEYPORT TRUST ACCT	$ 200.00
CHECK #2641	- BOROUGH OF KEYPORT DOG ACCT	$ 364.20
CHECK #	- NJ STATE DEPT OF HEALTH	$ 57.00

Submitted by Anne R. Biagianti, Treasurer

6. Fire Department Report

Total Company runs: 19
Mileage on Chief's car: 97763

Submitted by Larry Stonerock, Fire Chief

7. Municipal Court Report

STATE FINES	$ 376.00
STATE SURCHARGE	94.00
STATE UNINSURED	232.00
COUNTY FUNDS	1,193.36
COUNTY FINES	4,430.00
MUNICIPAL FINES	4,430.00
MUNICIPAL COSTS	4,011.00
MUNICIPAL PARKING	1,212.00
MISCELLANEOUS	1,436.14

Submitted by Kathie Coffey, Court Administrator

2001 Quarterly Reports

10. Property Maintenance Officer Report, January - March, 2001

See full copy of report on file in the Clerk's Office.

Submitted by James Poling, Property Maintenance Officer

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

COMMUNICATIONS AND PETITIONS

1. Letter from Thomas Hendrickson, 23 Luppatatong Avenue regarding paving of a certain area.

   Motion to approve retroactively, moved by Mr. Merla, seconded by Mr. Pedersen, with Ayes by all present.

2. Notice from Anthony Medoro of Hearing before Planning Board, Block 17, Lot 6.

   Motion to receive and file, moved by Mr. Merla, seconded by Mrs. Atkins, with Ayes by all present except Mr. Bergen who abstained.

3. Letter from Ladies Auxiliary/Veterans of Foreign Wars advising cancellation of Easter Egg Hunt.

   Motion to receive and file, moved by Mr. Merla, seconded by Mr. Pedersen, with Ayes by all present. A letter is to be sent to the Ladies Auxiliary advising them to contact the Borough Clerk if they have a problem next year and she will put them in contact with other organizations who may assist.

4. Raffle License Application from St. Joseph Girls Softball for an Off Premise Cash Raffle, June 30, 2001.

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

5. Request from Raritan Post No. 23, American Legion for funds for Memorial Day Ceremonies. (see resolutions)

   Motion to approve $500.00 donation, moved by Mr. Merla, seconded by Mrs. Atkins, with Ayes by all present.

6. Resignation from Judith Stoll, Registrar of Vital Statistics/Secretary to Board-Commission effective April 20, 2001.

   Motion to accept, with regret, moved by Mr. Merla, seconded by Mrs. Atkins, with Ayes by all present.

7. Letter from Chamber of Commerce advising cancellation of July 1, 2001 Volunteerism Parade.

   Motion to receive and file, moved by Mr. Merla, seconded by Mr. Pedersen, with Ayes by all present.

8. Request from St. Joseph Church to close off portion of Geran Street during the Fair, May 22-27, 2001.

   Motion to approve, moved by Mr. Merla, seconded by Mrs. Atkins, with Ayes by all present. Police, Fire and First Aid Departments will be advised.

9. Request from the Chamber of Commerce that the Public Works Department hang two banners.

   Motion to approve, moved by Mr. Bergen, seconded by Mr. Pedersen, with Ayes by all present.

10. Request from St. Joseph Guadalupe Prayer Group to hold Procession around church on May 6, 2001.

   Motion to approve, moved by Mr. Merla, seconded by Mr. Antonucci, with Ayes by all present. Police Department will be advised.

UNFINISHED BUSINESS

1. Computer Use Policy. Motion to hold til next Council Meeting, moved by Mr. Merla, seconded by Mr. Pedersen, with Ayes by all present.

2. Use of Credit Cards. Mr. Merla said that the Municipal Judge in February asked about the use of credit cards to pay fines. Holmdel has this in place. The Borough would pay a service fee. Mr. Bergen said he would discuss the matter with Mr. Fallon, CFO.

3. Yacht Club Signal Cannon. Mr. Merla said at the last meeting a resident, Mrs. Abramowitz, spoke on this issue. She left samples of her art work and said anyone who wished could take them. Mr. Merla did, and after the meeting a reporter asked if this was considered a bribe. Mr. Litwin checked into the matter and sent a memo. Mr. Merla contacted Mrs. Abramowitz and paid her $1.00 for the art work and she in turn gave him a receipt. Mr. Bergen also took samples.

4. BOCA Codes. Mr. Merla said at the last meeting Mrs. Ashmore spoke about closing on a property, which was a re-sale, and the amount of garbage left behind. According to the BOCA codes, when a Certificate of Occupancy is issued, the Officer is to check and make sure all debris is collected and removed. In addition, Mr. Merla said that 22 other municipalities charge higher than Keyport for the C of O.

5. Boat Launching Ramp. Mr. Pedersen said at the last Harbor Commission Meeting, Councilmembers Ashmore and Merla suggested leasing out the concession at the ramp. The property is under Green Acres jurisdiction and they will have to be asked if the concession stand is part.

6. Ferry Service. Mr. Litwin advised that he E-mailed papers to Mr. Hennehan of Green Acres and the Borough should hear soon. He advised Mayor and Council not to compound issues (boat launching ramp and ferry service).

7.

NEW BUSINESS

There were no matters to be discussed under New Business.

PUBLIC PARTICIPATION

The meeting was opened to the public for comments or questions at 10:02 P.M. Mary Alan, 29 Maple Place said that the 15 MPH speed limit signs on American Legion Drive are no longer there. The

Public Works Department will be advised. She also reported that there is speeding on Maple Place. Ms. Roseann Lahey presented a Petition against the Yacht Club shooting off a signal cannon. This would frighten the Osprey and prohibit them from nesting. The Osprey are being rehabilitated and there is a platform 250' from the Yacht Club. The summer is the breeding season and they can lay 2-3 eggs. She said most yacht clubs don't fire signal cannons. Mayor Graham said the matter will be reviewed and considered. Mrs. Abramowitz said this effects the wildlife; ospreys, egrets and mallards and that the Audubon put up a platform. She was advised that they did not put up a platform, it is just a piling. Fire Chief Lawrence Stonerock asked when the Borough will be going out to bid for the Fire Chief's vehicle. Mr. Litwin said he will be listed on the next agenda. Chief Stonerock said someone is donating the striping. Police Chief Gajewski said the old vehicle could be used by the Police Department for outside construction work. Mr. Reedy asked about the Yacht Club. Mr. Olsen, Harbor Commission said the moorings do not effect riparian rights. There are moorings on State property and the Yacht Club needs letters from everyone with riparian rights. Mr. Litwin said this only covers Borough property. Mr. Reedy asked if they will protect the riparian rights as it pertains to the wildlife. Mr. Olsen said the piling is adjacent to the channel, which is Federal, and ospreys are adaptable to boat traffic. Mr. Merla asked if the Yacht Club has paid compensation to people with riparian rights and Mr. Quinn said no. Mr. Olsen said there are 10 moorings on Borough property. Joanne Staeger, Main Street that cars are speeding, traffic is building up and Senior Citizens have a problem crossing street and asked about a light delay at Broad Street and Highway 36. She said a Stop sign is needed coming off the highway. Mayor Graham explained that the State refused to place a Stop sign. Mrs. Staeger said the situation should be monitored by the Police Department. Mr. Merla said he agreed and that Assemblyman Samuel Thompson chairs the State Committee. Mr. Robert Hyer said that Senator Kyrillos is aware of the State Highway traffic problem and Freeholder Narozanick has interceded. Mrs. Staeger asked about speed limits signs on Raritan Avenue and about there being no handicapped ramps going into the Stop-n-Shop. Mayor Graham advised Mrs. Staeger that he has files regarding the studies on the highway and that this can be sent to the State with a cover letter. Joseph Wedick, Therese Street suggested that the Administrator prepare a letter to the owner of the property that backs up to the Division Street parking lot about the fence and pool and have the Police Department deliver it and have it signed for by the owner. Mr. Wedick said regarding the recycling permits, that whatever program there is, that it contain controls on commercial and outsiders dumping into residential garbage. Mr. Wedick asked about the proposed police schedule and would they work more hours. Overtime is allotted for in the budget. Mr. Merla said there could be 10 or 12 hour shifts and the overtime Sunday has to be accommodated. Mr. Bergen said with bulk garbage and commercial properties, the Police Department should notice violations. Mr. Wedick asked the the Police Department issued reports. Mr. Merla said Mr. Poling, the Property Maintenance Officer is doing his job, but the summons are being thrown out of court. Mr. Bergen said all departments should enforce the ordinances and suggested that a meeting be set up. Mr. Merla said recyclable items are not being picked up, that the Police should get out of their cars and knock on the doors; there are more complaints and dumping. Mr. Reedy said he leases part of 25 E. Front street and was concerned about the skateboarders (9-16 years of age) and vandalism. Mayor Graham advised Mr. Reedy to call the police department. Mr. Reedy said the Police pick up the kids and it stops and then it starts again. Councilmembers discussed the pros and cons of skateboarding. Mr. Litwin said it is a dangerous activity and claims could be filed. Motion to refer the matter of skateboarding to the Parks & Recreation Committee, moved by Mr. Merla, seconded by Mrs. Atkins, with Ayes by all present. Mr. Bergen said that Mr. Earl Swift has to patrol his property. Mr. Bergen said it was asked if the Yacht Club should be charged for the moorings and a discussion followed on where the moorings are located. The State charges $50.00 per mooring. This matter will be listed on the next meeting agenda. There being no further questions or comments the meeting was closed to the public at 11:28 P.M.

RESOLUTIONS

3. Resolution to Grant Keyport Yacht Club permission to maintain existing moorings. This resolution was held.

4. Resolution #147-01, Authorize Recycling Tonnage Grant Application

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Council of the Borough of Keyport to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that the Borough of Keyport hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Thomas D. Gallo, Jr., Deputy Recycling Coordinator to ensure that the application has been property filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Offered for adoption by Mr. Merla, seconded by Mr. Antonucci

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Merla
Atkins, Bergen, Pedersen

5. Resolution #148-01, Donation - Raritan Post No. 23, American Legion, Memorial Day Ceremonies.

WHEREAS, Raritan Post No. 23, American Legion is an organization located in the Borough of Keyport which conducts activities that benefit the public good; and

WHEREAS, Raritan Post No. 23, American Legion has requested that the Borough of Keyport contribute the sum of $500.00 for the purpose of assisting them with funds for Memorial Day Ceremonies.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, that the sum of $500.00 is hereby approved as a contribution to Raritan Post No. 23, American Legion and the Mayor and Chief Financial Officer are authorized and directed to pay said sum.

Offered for adoption by Mr. Merla, seconded by Mr. Antonucci

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Merla
Atkins, Bergen, Pedersen

6. Resolution #149-01, Payment of Bills

See full copy of Payment of Bills as pages 15-21 Of these minutes.

Offered for adoption by Mr. Merla, seconded by Mr. Antonucci

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Merla
Atkins, Bergen, Pedersen

7. Resolution #150-01, Extend Lease with Shorelands Water Company for Diversion Rights.

WHEREAS, Shorelands Water Company, Inc. ("Shorelands") leased diversion rights from the Borough of Keyport under a lease dated March 14, 1995 (hereinafter "Lease") for a five-year period through June 30, 2000; and

WHEREAS, said Lease was limited to a five-year term because Keyport and Shorelands believed that the New Jersey Department of Environmental Protection (hereinafter "NJDEP) would not approve a longer term; and

WHEREAS, the NJDEP has since approved lease of diversion rights up to ten years in duration; and

WHEREAS, Keyport has derived substantial economic benefits under the Lease by leasing its surplus diversion rights to Shorelands over the period of the Lease; and

WHEREAS, Keyport and Shorelands desire to extend the term of the Lease.

NOW, THEREFORE, be it resolved as follows:

1. Subject to approval from the New Jersey Department of Environmental Protection, the appropriate Borough officials are authorized to enter into the attached Extension of Lease of Diversion Rights Agreement between the Borough of Keyport and Shorelands Water Company, Inc. for a three-year period commencing upon approval of the New Jersey Department of Environmental Protection.

2. The Borough Administrator is authorized to take such steps as may be necessary to implement the foregoing.

Offered for adoption by Mr. Merla, seconded by Mr. Antonucci

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Merla
Atkins, Bergen, Pedersen

8. Resolution #151-01, Special Meeting, Tuesday, May 29, 2001, 7:30 P.M., Water/Sewer Operations

WHEREAS, the Mayor and Council of the Borough of Keyport have determined it is necessary to schedule meetings of the governing body on the following dates and times: Tuesday, May 29, 2001 at 7:30 P.M. in the Senior Center, 110 Second Street, Keyport, N.J. for the purpose of discussing the following matters: Discussion of the Water/Sewer Operations and any other business which may come before the Governing Body; and

WHEREAS, the Open Public Meetings Law required that "48 hour notice" of such meetings be given as required by said law;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Keyport shall hold Special Meetings as stated in the Senior Center, 110 Second Street, Keyport, N.J.

BE IT FURTHER RESOLVED that notification of said meetings be faxed forthwith to the Asbury Park Press, the Courier, the Independent and the Two River Times.

BE IT FURTHER RESOLVED that notice of said meetings be posted on the bulletin board in the Borough Hall and that a copy of said notice be filed with the Borough Clerk and also furnished to any person who has requested, in writing, that the Governing Body furnish a copy of any regular meetings scheduled or revisions thereof, and any advanced written notice of any regular, special or re-scheduled meetings of the Governing Body as required by law.

Offered for adoption by Mr. Merla, seconded by Mr. Antonucci

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Merla

Atkins, Bergen, Pedersen

ADJOURNMENT

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

Time of Adjournment: 11:29 PM

Respectfully submitted,

Judith L. Poling

Judith L. Poling, RMC/CMC
Borough Clerk/Administrator

SECTION 2 - UPON ADOPTION FOR YEAR 2001 as Amended
(Only to be Included in the Budget as Finally Adopted)

RESOLUTION
146-01

Be it Resolved by the Borough Council of the Borough of Keyport, County of Monmouth that the budget herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

(a) 2,881,635.74 (Item 2 below) for municipal purposes, and"
(b) ______ (Item 3 below) fo School Purposes in Type 1 School Districts only (N.J.S.A. 18A:9-2) to be raised by taxation and,
(c) ______ (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.
(d) ______ (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy

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

RECORDED VOTE
(Insert last name)

Ayes { Ashmore, Antonucci, Merla, Atkins, Bergen, Pedersen

Nays { None

Abstained { None

Absent { None

SUMMARY OF REVENUES

1. General Revenues			
Surplus Anticipated		08-100	567,000.00
Miscellaneous Revenues Anticipated		40004-10	1,891,503.19
Receipts from Delinquent Taxes		15-499	431,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)		07-190	2,881,635.74
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY: Item 6, Sheet 42	07-195		
Item 6(b), Sheet 13 (N.J.S. 40A:4-14)	07-191		
Total Amount to be Raised by Taxation for Schools in Type I School Districts Only			
4. To Be Added TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOL IN TYPE II SCHOOL DISTRICTS ONLY: Item 6(b), Sheet 13 (N.J.S. 40A:4-14)		07-191	
Total Revenues		40000-00	5,771,138.93

SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS	xxxxxxx	xxxxxxxxxxxxxxxxxxxx
Within "CAPS"	xxxxxxx	xxxxxxxxxxxxxxxxxxxx
(a&b) Operations Including Contingent	30001-00	4,060,290.00
(e) Deferred Charges and Statutory Expenditures - Municipal	30004-00	141,300.00
(f) Judgements	46-885	
Excluded from "CAPS"	xxxxxxx	xxxxxxxxxxxxxxxxxxxx
(a) Operations - Total Operations Excluded from "CAPS"	60023-00	554,231.19
(c) Capital Improvements	60002-00	40,000.00
(d) Municipal Debt Service	60003-00	304,306.00
(e) Deferred Charges - Municipal	60024-00	
(f) Judgements	37-480	
(n) Transferred to Board of Education for Use of Local Schools (N.J.S. 40:48-17.1 & 17.3)	29-405	85,956.00
(g) Cash Deficit	46-885	
(k) For Local District School Purposes	60008-00	
(m) Reserve for Uncollected Taxes (Include Other Reserves if Any)	50-899	585,055.74
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICTS ONLY (N.J.S. 40A:4-13)	60010-00	
Total Appropriations	30000-00	5,771,138.93

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 3rd day of April, 2001. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2001 approved budget and all amendments thereto, If any, which have been previously approved by the Director of Local Government Services.

Certfied by me this 16th day of April, 2001 Judith L Palung, Clerk

Signature

Sheet 42