Approved 5/ /02

April 16, 2002
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 7:10 P.M. and read the Sunshine Law Notice.

ROLL CALL

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

RESOLUTION

1. Resolution #121-02, 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

Litigation
1. RCG vs. Borough of Keyport

Labor Relations
1. PBA Grievance

Contract Negotiations
1. Health Insurance
2. Garbage Contract
3. Fire Museum
4. Engineering - Bulkhead
5. Water/Sewer Utility
6. Sale of Borough Property to Swift

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 Mrs. Atkins, seconded by Mr. Stalter

Roll Call Vote: Ayes: Councilmembers Atkins, Merla, Ashmore Hyer, Stalter
Absent: Councilman Bergen

Council went into Closed Session at 7:10 P.M. and this meeting was reconvened at 8:13 P.M.

Mayor Graham called the meeting to order at 8:15 P.M. and read the Sunshine Law Notice. Councilmember Ashmore led the Pledge of Allegiance and Moment of Silence. Mr. Merla advised that Joseph DeCrane passed away.

ROLL CALL

On Roll Call the following were present: Councilmembers Bergen, Atkins, Merla, Ashmore, Hyer, Stalter. Others present: Mr. Kain, Borough Attorney, Mr. Freda, Borough Engineer and Thomas Fallon, Chief Financial Officer.

RESOLUTIONS
2002 MUNICIPAL BUDGET

2. Resolution #122-02, Authorize Borough Clerk to read the Municipal Budget by Title

WHEREAS, the Borough Clerk heretofore posted a complete copy of the approved 2002 Municipal Budget in accordance with N.J.S.A 40:56-84; and

WHEREAS, copies of said Budget were available to each and every person requesting the same during the week prior to this Hearing and at the time of this Hearing; and

WHEREAS, the Budget was advertised in the Courier on March 28, 2002, said Budget Summary was published in accordance with N.J.S.A. 40:56-84.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that the budget as advertised, posted and distributed, be read at the Public Hearing by Title.

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

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Merla
Ashmore, Hyer, Stalter

The Hearing was opened to the public at 8:19 P.M. Mr. Terry Musson, Third Street, asked about the use of surplus compared to last year. Mr. Fallon said in 2001 $567,000 was used and in 2002 $850,000. It was asked if the $850,000 will be regenerated. Mr. Fallon said $120,000 more was utilized than last year; there is a fair chance of regenerating $650,000-675,000. The Hearing was closed to the public at 8:21 P.M.

The adoption of the budget will be held until the Borough hears from the State regarding Extraordinary Aid. Mr. Fallon said the Borough's Budget is under State review. If the Borough is awarded Extraordinary Aid, then the budget will be amended.

RESOLUTION
2002 BID BUDGET

3. Resolution #123-02, Authorize Borough Clerk to read the BID Budget by Title

WHEREAS, the Borough Clerk heretofore posted a complete copy of the approved BID Budget in accordance with N.J.S.A 40:56-84; and

WHEREAS, copies of said BID Budget were available to each and every person requesting the same during the week prior to this Hearing and at the time of this Hearing; and

WHEREAS, the BID Budget was advertised in the Courier on March 28, 2002, said Budget Summary was published in accordance with N.J.S.A. 40:56-84.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that the budget as advertised, posted and distributed, be read at the Public Hearing by Title.

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

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Merla
Ashmore, Hyer, Stalter

The Hearing was opened to the public at 8:22 P.M. Joanne Staeger, Main Street, said weeks ago, it was said that the Borough would be meeting with the BID and asked if it is the same; yes. The Hearing was closed to the public at 8:23 P.M.

4. Resolution #124-02, Adoption of 2002 BID Budget

WHEREAS, the Borough Council of the Borough of Keyport, County of Monmouth received a detailed annual budget for the Business Improvement District for the year 2002 (the "Budget") during the public session of the January 25, 2002 meeting of the Mayor and Council; and

WHEREAS, the Budget was introduced and approved by the Borough

Council at the March 12, 2002; and

WHEREAS, upon approval of the Budget, the Borough Council set April 16, 2002 at 8:00 P.M. as the time and place for a public hearing upon the approved Budget; and

WHEREAS, the Budget and the time and place of the public hearing has been advertised and posted in accordance with State law; and

WHEREAS, the Borough Council has, on this date, conducted a public hearing thereon and all persons having an interest therein were given an opportunity to present objections; and

WHEREAS, the Borough Council declare it to be in the best interest of the Borough to adopt said Budget (with/without) amendments.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that the Budget herein set forth is hereby adopted and shall be deemed appropriated for the purposes stated of the sums therein set forth as appropriations and authorization of the amount of $222,231.00 for BID purposes.

REVENUES:
Amount to be raised by Special Assessment for BID Purposes

APPROPRIATIONS:
Operations

Total Appropriations

It is hereby certified that the within budget is a true copy of the BID Budget for the year 2002 as finally adopted by resolution of the Governing Body on the 16th day April 2002. 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 2002 approved budget and all amendments thereto, if any.

Mr. Bergen said the BID is working and has a good aspect of the Community, but will lead to division in the business community. He suggested the Committee take another look at the budget. Once the budget is approved, the Borough is obligated to turn over the money. Mrs. Atkins said BID has done positive things and they have done a good job. There are promotion materials and money is needed to do this. Change takes time. Mr. Merla said everyone supported the concept and the positives outweigh the negatives. He and Mr. Hyer met with the BID. The Ordinance will have to be amended with regard to the appeals that have been filed (one amendment Ordinance will be done). Collection could be done in the third quarter. The Budget can be amended. This is a great program; the sales of homes are great. People are looking for commercial properties. The Finance Committee will report back. Mrs. Ashmore said last year the program started in a small district; this budget reflects Borough wide. The assessments are the lower end of the State. Mr. Hyer said positives outweigh the negatives. Mr. Stalter said he speaks regularly with BID members and is confident they will do a good job and spend the money wisely. Mr. Bergen said this budget will be collected in August and December. Mr. Fallon said that already in February and May they have collected 1/4. The Borough takes half the assessment from last year which is split in four payments.

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

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Merla
Ashmore, Hyer, Stalter

APPROVAL OF MINUTES

Minutes of the Work Meeting of March 5th and Closed Meeting of March 5, 2002 were approved as read on motion of Mr. Hyer, seconded by Mr. Merla with Ayes by all present.

PROCLAMATIONS

Mayor Graham read a Proclamation for Municipal Clerks week (April 28th through May 4th) and he also read a Proclamation for United States Postal Service & Sharing Network organ & tissue donation registration day (April 22nd).

COMMITTEE REPORTS

Councilman Bergen; Buildings & Grounds and Library. Mr. Bergen reported on the following. He attended the Library meeting and they discussed roof repairs. They may make a recommendation regarding parking issues. A member who resigned needs to be replaced; they will make a recommendation. Mr. Merla said the rail in front of the building was repaired. Tony Vecchio and Matawan should be contacted and asked to waive the fees on Inspection.

Councilwoman Atkins; Fire: Mrs. Atkins reported on the following. She attended the Historical Society's meeting; there is a report on tonight's agenda from the Historian. There was a Senior Center Volunteer's luncheon; she, Mrs. Ashmore, Mr. Merla and Mr. Hyer served lunch. There was a large ice cream cake. She attended the Chamber of Commerce meeting; the Mayor and Sergeant Casaletto were there. April 6th was the First Aid's 75th Anniversary; they were presented with a Proclamation plaque. The members have given up their time and train; we appreciate them. This Saturday there is an Exempt Firemen's Parade meeting (breakfast and lunch) to go over the route. She read the Fire Department's March report.

Councilman Merla; Finance: Mr. Merla reported on the following. He attend the First Aid Anniversary dinner and attended the Senior Center Volunteer luncheon. St. Joseph's held opening day; the Mayor threw a strike. A Department Head/Non Union Negotiation meeting was held. He met with the Clerical Union and he, Mr. Hyer and Mr. Kain will meet with the Public Works/PSTO. There was a State Health Representative in attendance. An area near the trail by St. Joseph's is a mosquito breeding area. The Ferry barge has tires which should have holes to drain. Mr. Hyer and Mr. Cummins said they will drill. A meeting should be set up to do a six month review on the Ferry; a committee should be formed. There is a Monmouth County Community Development Meeting scheduled for May 6th at the Senior Center; he will report back. Mr. Sipe's resignation was accepted at the last meeting; the name of Dan Smith was submitted on January 1st. He discussed this with Jennifer Henning. The Mayor will be advised. Mr. Smith lives at 89 Second Street. There is ponding at the Maple Place bridge; Mr. Freda said the County will fix it using their road crews. With regard to Commercial Tax Abatements, Tony Vecchio drafted an Ordinance for Mayor and Council's review. The Boat Ramp was "jammed". It was asked what Council's intentions are, if the Building should be repaired or a trailer bought. The Police trailer cannot be used. Mr. Bergen asked if the building was unsafe; Paul Reinhold and Tony Vecchio deemed it unsafe. It was asked what the cost to repair the building was vs. buying a trailer. Mr. Bergen asked if there was money for this; Mr. Merla said it could be taken from the RBIT account. Mrs. Atkins said Buildings and Grounds had looked at the building when deciding on applying for a grant. Mr. Hyer said Mrs. Poling has asked when the ramp will open. There was a question of whether to take the lien off the building or place a trailer where the stage was. Mayor Graham said Green Acres asked if the building could be rebuilt; yes. Mr. Freda said the building is not in good condition, but will not fall down; if the back roof is taken off, it could effect the structure. The Harbor Commission will meet on May 13th. Mr. Freda said there is no ADA. Mr. Merla recommended getting a trailer and port-o-john and use the building for storage. Mr. Hyer asked that the Harbor Commission be advised. Mr. Merla asked about Mr. and Mrs. LaPorte's easement. Mr. Litwin turned this matter over to Mr. Kain; Mr. Merla thought the Borough had an easement. It is not the Borough's, it is the neighbor. Mr. Kain spoke with Mrs. LaPorte who said the easement effects her; the Borough has no interest. The LaPorte's will be advised.

Councilwoman Ashmore; Police: Mrs. Ashmore reported on the following. The parking survey was referred to Mr. Hyer for Public Works to paint and put up signs. A demonstration was given by Chief Gajewski on the Mobile Data terminal that are in the police cars (the system runs license plate #s, profiles, etc.). Five terminals have been installed. Mr. Merla asked if the information stayed stored in files; Mrs. Ashmore said they are updated and accessed. Mr. Merla asked if the dispatchers would know what the cars are doing; Chief Gajewski said the Borough does not have that technology (costly). Regarding NCI2000, the FBI will upgrade to database. Chief Gajewski said the State had an extra unit and it should be up and running by the end of May. The Canine unit was used by the Bayshore Task Force and drugs were found. On March 20th, Patrolman Aumack spoke at the Senior Center on household safety and resuscitation. Mr. Fallon was asked about the use of credit cards for Court fines unpaid; he will research the matter. A meeting with the Condo Associations has been scheduled for May 6th at 7 P.M. in the Council Chambers to discuss garbage and other matters. There have been no contracts with the Condominiums since 1998. It was asked if fire hydrant fees have been waived; Haven Off The Bay and Sealoft. Mrs. Ashmore asked where the Borough is going with this. Mr. Bergen said there were agreements and Condos waived claims regarding the first two years. The agreements were not renegotiated due to litigation (two Condos did not pay). The Ordinance covers all commercial properties and questioned how to address only Condos. He recommended waiving Sandpiper. Mr. Merla said if the Borough takes over the private roads, who would flush the hydrants and repair the roads. Mr. Merla said the Borough should be able to flush the hydrants. There has been construction material in the Condo's dumpsters. Mr. Bergen suggested conferring with Mr. Kain to do Ordinances and Agreements; Mr. Kain will review. The idea of educating the public on garbage/recycling (new people) obtaining a Certificate of Occupancy; there is a standard form with the pamphlet which goes to the seller who refers it to the buyer. They would sign off regarding garbage, etc. Mr. Merla said other towns do it and Mr. Vecchio felt this was a good idea. Mrs. Ashmore said the meeting on the PBA schedule has been rescheduled to Thursday, April 18th at 4 P.M. with the PBA and Mr. Kain. There was an inquiry from the Board of Health regarding mold on records; they should look into putting the information on microfilm. Mrs. Purcell will be asked to check with the State.

Councilman Hyer; Public Works/Recycling/Property Maintenance. Mr. Hyer reported on the following. The outside of the old sewer plant was painted and the yard has been cleaned. The requests from the County Board of Health have been completed (the salt is self contained). Picnic and park benches have been painted. The floats for the Boat Ramp were put in today. Mrs. Poling sent a thank you letter to Mr. Kelly who swept the downtown streets at no charge. Mr. Kelly submitted a proposal to sweep the streets. The downtown area was done using recycled water. Mr. Merla asked if water could be used from the fire truck. Mr. Hyer suggested using water from the water plant. One more quote is needed for the Cedar Street Park fence. He asked when Lucas Electric will start work; they are doing electric work. The poles are on order and expected to come in May 20th. The contract should be pulled to see how many days they have to complete the project. He attended the new Board of Education office opening; there was discussion on the school specifications on the athletic field. There has been dumping outside the recycling center's fence (playground equipment); the Police have been asked to monitor the area. Per Tom Gallo, Jr. the County Recycling Coordinator will visit our site in June. New dumpsters have been purchased; new fencing is needed. Mr. Hyer asked if Mr. Patterson was sent a letter; yes, Mr. Kain sent him a letter.

Councilman Stalter; Health, Recreation and Parks. Mr. Stalter reported on the following. The Board of Health is holding a Rabies Clinic on Saturday, April 27th from 10AM-12 Noon at the Public Works yard. The new recycling brochure was distributed at the Health Meeting; it is a good idea to educate the public. He met with Mrs. Purcell on the garbage complaints received. Mr. Merla said the new brochure is at the printer. The Recreation Commission met and discussed bus trips; by May there should be a full plan for trips in and outside the Borough. A paint ball trip to Manchester will be planned for children ages 10 years and over. There will be other family oriented trips. Fundraisers will be done to offset the cost of trips. There will also be adult trips. Mr. Merla asked about the skateboard park. Residents from the Cedar Street area had concerns; it is not solid that it will be at Cedar Street Park. Costs are based on various factors; the subcommittee is still looking at other areas. Mr. Merla asked if the residents were against the idea or location; location. Mr. Merla said the residents in the areas should be kept informed. Mr. Hyer said one resident had misinformation of Cedar Street Park as the location. Mr. Stalter said the main concern was loitering, drugs and that the skate park be supervised. Mr. Merla asked Chief Gajewski about calls regarding drug dealing at Cedar Street Park; he was not aware of any. Mr. Stalter said the residents did not want anymore people down there and would like more protection. Residents advised shrubs were removed which is causing sand to blow into the surrounding homes. There was a question if the skate park were put on Green Acres property, could there be corporate sponsorships; this was discussed. There is a need for a location for the skate park.

Administrator Poling: Mrs. Poling reported on the following. Regarding the use of Cedar Street field, Mr. Burlew said Pop Warner needs the field from July 27th through December 8, 2002. Mr. Hyer said the school received bids for the athletic field work and they are starting in May and the athletic field could be used by September. In August there will be Pop Warner practice 5 nights a week and by the 3rd or 4th week they would go to other fields for scrimmages. There will be practice 3 nights a week (6 hours per week); the big boys will use Cedar Street field. Mr. Merla said he would like to see the kids all together. St. Joseph's School has fields, parking, lights and security. Mrs. Staeger said the High School games are away. Mr. Burlew said bathroom facilities are needed. Motion to Approve Pop Warner to use Cedar Street field moved by Mr. Merla, seconded by Mr. Bergen with Ayes by all present. Mr. Bergen said a traffic plan will be needed. Motion to refer this matter to recreation moved by Mr. Merla. Mayor Graham advised Pop Warner to make their plans and advise Mrs. Poling who will contact the Softball League. Mr. Bergen asked that traffic patterns be worked out with the Police.

Engineer Freda: Mr. Freda did not have a report. Mr. Merla asked about the work being done at Highway 36 and Broad Street.

Attorney Kain: Mr. Kain reported on the following. Information has been received from the Supreme Court on the New Municipal Complex. They will review the Appellate Division decision. An application has been filed for a stay. The consensus of the Mayor and Council was to move forward.

Mayor Graham: The Mayor reported on the following. He missed the Senior Center Volunteer luncheon (he could not get off from work). A JCP&L representative spoke at the Bayshore Conference of Mayors meeting. With regard to the Library Board vacancies, Mrs. Regan's and Mr. DeGracia's names were submitted. Mayor Graham said he is appointing James Sheridan as his alternate on the Library Board. Council has decided not to sell Borough Property on Beers Street; there is Apollo Sewer Equipment there. Mr. Caddle was sent a letter to remove his property from the site. The site will be used as a Senior Park. Mr. Merla asked if there was a survey on file; yes. Mr. Merla asked if there was a plan; there is a rendering. Mr. Freda said he confirmed what was on the property. The Borough Property on Beers Street was referred to Mr. Freda to inspect and the Property Maintenance Officer will handle equipment removal. Mr. Vecchio will be asked if there is a permit and application for the fence in accordance with the site plan. Motion to approve moved by Mr. Merla, seconded by Mr. Bergen with Ayes by all present. Mayor Graham said the parking bumpers have to be relocated. Planning Board approval was given for sidewalks, bushes, etc. Mr. Bergen said the Borough should make inquiries. This will be listed on the May 7th Agenda.

REPORTS OF DEPARTMENTS

NOVEMBER 2001

1. Fire Department Report

   Total Company runs: 19

   Submitted by Lawrence Stonerock, 2001 Fire Chief

DECEMBER 2001

2. Fire Department Report

   Total Company runs: 14

   Submitted by Lawrence Stonerock, 2001 Fire Chief

YEAR END REPORT

3. Historian Report

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

   Submitted by Jack Jeandron, Historian

FEBRUARY 2002

4. Treasurer's Report

CURRENT CHECKING	$1,992,593.04
ASSESSMENT TRUST	621.33
FEDERAL AND STATE GRANTS	588.11
ANIMAL CONTROL	1,325.17
TRUST CHECKING	1,144.96
TRUST SAVINGS	157,602.05
RECREATION BAYFRONT	63,888.01
UNEMPLOYMENT/DISABILITY	65,501.76
RECREATION COMMISSION	11,195.81
GENERAL CAPITAL	7,808.78
ESCROW TRUST	163,933.85
LAW ENFORCEMENT	8,859.26
SELF HEALTH INSURANCE FUND	3,616.04
WATER/SEWER OPERATING	4,999.52
WATER/SEWER SAVINGS	197,702.96
WATER/SEWER INVESTMENT	118,433.88
WATER CAPITAL CHECKING	2,701.73
WATER CAPITAL INVESTMENT	88,740.99
GENERAL CAPITAL INVESTMENT	2,964,188.61

INTEREST EARNED ON INVESTMENTS FOR FEBRUARY, 2002
CURRENT - $6,142.50
WATER - $ 547.24

Submitted by Pauline Redmond, Treasurer

4. Property Maintenance Report

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

Submitted by William Cerase, Property Maintenance Officer

MARCH 2002

5. Borough Clerk's Report

	WATER/SEWER ACCOUNT
WATER CONNECTION	$ 5,600.00
WATER METER	-0-
TURN ON CHARGE	-0-
SEWER CONNECTION	7,000.00
SEWER/POOL PERMIT	45.00
WATER METER W/TO	700.00
DEMOLITION	
TOTAL WATER/SEWER, CHECK #3506	**$13,345.00**

	CURRENT ACCOUNT
BINGO LICENSE	$ -0-
GUN PERMITS & ID'S	68.00
LIMO LICENSE	40.00
PHOTOCOPIES	116.25
POSTAGE	-0-
RAFFLE LICENSE	40.00
TAXI LICENSE, DRIVER	-0-
TAXI LICENSE, OWNER	-0-
POLICE DEPT ACCIDENT REPORT	391.00
SEARCHES	10.00
VENDING LICENSE	-0-
PEDDLAR LICENSE	-0-
LIQUOR LICENSE	-0-
STREET OPENING	-0-
FISH & GAME	-0-
NEWSPAPER VENDING MACHINES	-0-
RECYCLING PERMITS	120.00
PARKING PERMITS	-0-
AUCTION LICENSES	-0-
TOTAL CURRENT, CHECK #3507	**$ 785.25**

	ESCROW ACCOUNT
CASH REPAIR DEPOSIT, CHECK #	$

TOTAL RECEIPTS	**$ 14,130.25**

Submitted by Allyson M. Cinquegrana, Deputy Borough Clerk

7. Tax Collector's Report

2002 TAXES	$ 88,556.83
2001 TAXES	35,215.55

2003 PREPAID TAXES	-0-
PRIOR YEARS TAXES	172.03
PROPERTY REDEEMED	-0-
INTEREST AND COSTS	5,241.54
TAX SEARCHES	10.00
POST OFFICE LAND RENT	687.50
SENIOR CITIZEN HOUSING IN LIEU OF TAXES	20,500.00
RETURNED CHECK CHARGES	20.00
ALL OTHER MISCELLANEOUS REVENUE	76,497.36
TOTAL CURRENT RECEIPTS	**$226,901.21**

WATER & SEWER RENTS	$ 29,415.86
INTEREST AND COSTS	563.11
TURN ON CHARGES	-0-
RETURNED CHECK CHARGES	12.00
POOL PERMITS	45.00
WATER METERS/WITH TURN ON	700.00
NEW METERS AND INSTALLATION CHARGE	-0-
WATER & SEWER CONNECTIONS	12,600.00
METER TEST CHARGE	-0-
FIRE SERVICE	-0-
METER REPLACEMENT, PARTS ETC	-0-
DEMOLITION PERMIT	-0-
ALL OTHER MISCELLANEOUS REVENUE	2,000.00
TOTAL WATER/SEWER RECEIPTS	**$ 45,335.97**

Submitted by Pauline Redmond, Tax Collector

8. Police Department/Traffic Safety Report

Total Amount received $ 391.00

Submitted by Theodore Gajewski, Police Chief

9. Librarian's Report

See full copy on file in the Clerk's Office

Submitted by Jacqueline LaPolla, Librarian

10. Board of Health Report

TOTAL COLLECTED IN THE BOARD OF HEALTH OFFICE $2259.60

DOG LICENSES	$ 398.20
CAT LICENSES	19.40
MARRIAGE LICENSES	140.00
BURIAL PERMITS	32.00
DEATH CERTIFICATES	1155.00
MARRIAGE CERTIFICATES	80.00
BIRTH CERTIFICATES	-0-
POOL PERMITS	-0-
PLAN REVIEW	100.00
FOOD HANDLERS	335.00
MISCELLANEOUS	-0-

<u>DISBURSEMENTS</u>

CHECK #2689 - BOROUGH OF KEYPORT MISC. ACCT	$1717.00
CHECK #2690 - BOROUGH OF KEYPORT TRUST ACCT	125.00
CHECK #2691 - BOROUGH OF KEYPORT DOG ACCT	362.40
CHECK #2692 - NJ STATE DEPT OF HEALTH	55.20

Submitted by Anne R. Biagianti, Treasurer

11. Fire Department Report

Total Number of Calls 19
Mileage on Chief's Car 9,500.00

Submitted by Kenneth Marr, Jr., Fire Chief

12. Code Enforcement Officer Report

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

Submitted by Anthony Vecchio, Zoning/Code Enforcement Officer

Motion to Accept reports as submitted moved by Mr. Merla, seconded by Mrs. Atkins with Ayes by all present.

COMMUNICATIONS AND PETITIONS

1. Keyport Business Alliance 2002 Calendar of Events

   Motion to Receive and File and confer with Mrs. Shaw moved by Mr. Bergen, seconded by Mr. Merla with Ayes by all present.

2. Request from Masonic Lodge of Keyport for use of table/chair combination for their annual picnic on August 17, 2002.

   Motion to Approve and refer to Public Works moved by Mr. Merla, seconded by Mrs. Ashmore with Ayes by all present.

3. Various requests from the Keyport Fire Department regarding their annual Firemen's Fair:
   a. Use of Parking Lot (corner of American Legion Drive and West Front Street) from July 4-15, 2002.
   b. Use of the Borough picnic tables from July 6-14, 2002
   c. Use of the municipal lot on American Legion Drive on July 10, 2002 for Fireman and First Aiders night
   d. Suspension of 2 hour parking on West Front Street from July 6-14, 2002
   e. Use of Public Works equipment from July 6-14, 2002 to remove garbage from the area.

   Motion to Approve and refer to appropriate departments moved by Mr. Merla, seconded by Mrs. Atkins with Ayes by all present.

4. Request from American Legion to sell poppies from May 15th-May 27, 2002.

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

5. Request from VFW to sell poppies from May 2nd-14, 2002

   Motion to Approve moved by Mr. Merla, seconded by Mrs. Ashmore with Ayes by all present.

6. Request for donation from VFW to host Memorial Day Services (See Resolutions).

   Motion to Approve a donation of $500.00 moved by Mr. Merla, seconded by Mr. Bergen with Ayes by all present.

7. Keyport Fire Department 125th Anniversary Parade Route for October 5, 2002 at 1:30 P.M.

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

8. Recreation Commission memo regarding patrol of parks.

   Motion to refer to the Police Chief moved by Mr. Merla, seconded by Mrs. Atkins with Ayes by all present.

9. Recreation Commission memo regarding Cedar Street Park sign

   Motion to refer to Public Works moved by Mr. Merla, seconded by Mrs. Atkins with ayes by all present.

UNFINISHED BUSINESS

1. **Jet Vac and Sweeper.** Mr. Hyer said Public Works needs this equipment. Specifications should be forwarded to Mr. Kain and put out for receipt of bids. Mr. Merla asked if the Jet Vac was needed; yes, for various uses. The current sweeper is 14 years old. A Bond Ordinance is needed. Motion authorizing Mr. Kain and Mr. Freda to prepare specifications moved by Mr. Merla, seconded by Mr. Hyer with Ayes by all present.

2. **WFI /Cellular Tower.** A letter should be written asking if they are still interested in the site. Mr. Merla said he was not interested and requested a letter be sent stating the Borough is not interested at this time. Motion to send the letter moved by Mr. Merla, seconded by Mrs. Ashmore with Ayes by all present.

3. **Green Grove Apartments Parking.** Mr. Merla asked if we should go through the Borough Attorney or could the Council individually call and ask questions. Ms. Crume asked why the residents are being

misrepresented by Kamson Corporation; residents are in a lease with assigned parking spaces. Mr. Merla said Green Grove Avenue is tight and said cars do drive over the yellow line. Pat Cosgrove said there are other streets. Mr. Bergen asked if the residents like assigned parking; yes. Diane Fette, Manager, said there are public streets and tenants are asking why they cannot park there. It was asked if the overflow of parking can park in the street; yes. Chief Gajewski was advised that as of May 1st Green Grove Avenue will go back to no parking and signs will be put back up.

4. **Bayshore Gospel Center Musical Events.** Motion to Approve the use of the Mini Park moved by Mr. Bergen, seconded by Mrs. Atkins with Ayes by all present. Public Works will be advised.

5. **Cingular Wireless.** Mr. Freda said he received the plans and asked that Council approve his reviewing them. Motion authorizing Mr. Kain to review the leases and Mr. Freda to review the plans moved by Mr. Merla, seconded by Mr. Hyer with Ayes by all present. They cannot be higher than the first lease. They are to be asked to post $2,500 for escrow.

6. **Municipal Complex.** Reestablishment of Controls. The markers need to be reestablished. Mr. Freda said this would be less than one days work and should be done as soon as possible. Mr. Merla said he will not support $1,700 bill from Schoor Engineering. Mr. Gaunt should be contacted. Mr. Freda said Birdsall could submit a proposal. Mrs. Ashmore made a motion to refer this matter to the Administrator to authorize whoever gives the lower quote, seconded by Mr. Merla with Ayes by all present. Date for Groundbreaking. This should be done on the weekend so everyone can attend. It was decided that Saturday, May 4th at 11 AM would be the day for groundbreaking. Mr. Merla asked about having refreshments; coffee and donuts (Mr. Merla and Mayor Graham will buy them).

7. **Historical Society Annual Events.** Mrs. Atkins said there are Historical Society events coming up.

8. **School Election Results.** Mr. Hyer asked that Mrs. Cinquegrana, Deputy Clerk, advise Mayor and Council of the School Election results. Mrs. Cinquegrana reported 277 voted in favor of the School Budget, 195 voted against the budget and there were 469 votes cast.

9. **Health and Recreation.** Mr. Stalter asked about the website for information. Kathy Shaw, Bayshore Development Office, will advise of dates set for meetings on this matter.

NEW BUSINESS

1. **Proposed Commercial Tax Abatement Ordinance.** Mr. Merla requested this be listed on the May 21st Agenda for introduction.

2. **Redevelopment Zones.** Mr. Bergen asked if redevelopment zones should be established by Ordinance so the Borough is able to address the Aeromarine Property, Brownfield. He asked if this should be referred to the Planning Board and if a planner is needed. This matter will be brought up again. Mr. Merla said Smart Growth will contemplate that. Mr. Bergen said a plan should be prepared and only the Planning Board can designate zones. Motion authorizing Mr. Kain to research and prepare a memo regarding the statutes involved moved by Mr. Bergen, seconded by Mr. Merla with Ayes by all present.

PUBLIC PARTICIPATION

The meeting was opened to the public for comments or questions at 11:15 P.M. Police Chief Gajewski asked about an Ordinance for American Legion Drive parking. Mr. Kain was to prepare the Ordinance. Another copy of Chief Gajewski's memo will be sent to Mr. Kain. Joseph Vecchio, Broad Street, asked about use of Cedar Street field by little league. The pitcher's mound was removed by someone; George Sappah will be asked about this. Mr. Hyer said there is no KYAL because there were not enough boys to create teams. The Meeting was closed to the public at 11:20 P.M.

Council went into closed session at 11:20 P.M. and this meeting was reconvened at 12:15 A.M. On Roll Call the following were present: Councilmembers Bergen, Atkins, Merla, Ashmore, Hyer and Stalter.

RESOLUTIONS

6. Resolution #125-02, Authorize Donation to Municipal Clerk's Association of New Jersey

WHEREAS, the Municipal Clerk's Association of New Jersey is an organization located in New Jersey which conducts activities that benefit the public good; and

WHEREAS, the Municipal Clerk's Association of New Jersey has requested that the Borough of Keyport contribute the sum of $50.00 for the purpose of placing an Ad in the 75th Anniversary Ad Book.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that the sum of $50.00 is hereby approved as a contribution to the Municipal Clerk's Association of New Jersey and the Mayor and Chief Financial Officer are authorized and directed to pay said sum.

Offered for adoption by Mrs. Ashmore, seconded by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Merla
Ashmore, Hyer, Stalter

7. Resolution #126-02, Award Contract/Laboratory Service - J.R. Henderson Labs

WHEREAS, the Borough of Keyport requires that water samples from the potable water supply and from the storm drain outfalls be analyzed during the period of May 1, 2002 through April 30, 2003; and

WHEREAS, the Borough of Keyport has solicited informal quotes for these services and and has received the following:

J.R. Henderson Labs	$4,580.00
Precision Analytical Services, Inc.	$4,870.00
Garden State Laboratories	$5,335.00
Aqua Pro-Tech Laboratories	$5,935.00

WHEREAS, J.R. Henderson Labs, 123 Seaman Avenue, Beachwood, New Jersey 08722-2817 was the lowest quote for said services as evidenced by the response on file in the office of the Borough Clerk/Administrator; and

WHEREAS, Edward Rainer, Licensed Water Treatment Plant Operator has reviewed all quotes.

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

1. The appropriate Borough Officials are authorized to enter into an agreement with J.R. Henderson Labs of Beachwood, NJ to perform analysis of water samples from the potable water supply and from the storm drain outfalls for the one year period commencing May 1, 2002 and ending on April 30, 2003 for the sum of Four Thousand Five Hundred Eighty Dollars ($4,580.00) in accordance with the request for proposals and quote on same.

Offered for adoption by Mrs. Ashmore, seconded by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Merla
Ashmore, Hyer, Stalter

8. Resolution #127-02, Amend March 19, 2002 Payment of Bills

WHEREAS, on March 19, 2002, the Mayor and Council of the Borough of Keyport passed Resolution #102-02 for the Payment of Bills; and

WHEREAS, a payment to Jeffrey Del Buono in the amount of $360.00 was listed in the Current Section of the Payment of Bills; and

WHEREAS, the Treasurer has advised this was a duplicate payment.

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

Borough of Keyport that Check #014212 in the amount of $360.00 is hereby voided and the Current Section of the March 19, 2002 Payment of Bills balance be amended to read $807,039.73.

Offered for adoption by Mrs. Ashmore, seconded by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Merla
Ashmore, Hyer, Stalter

9. Resolution #128-02, Appoint Library Board of Trustees Member (unexpired term: 12/31/2003) - Albert DeGracia

WHEREAS, there exists a vacancy on the Library Board of Trustees; and

WHEREAS, the Mayor and Council are desirous of filling this vacancy.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that Albert DeGracia is hereby appointed as a member of the Library Board of Trustees to fill a five year unexpired term which will expire on December 31, 2003.

Offered for adoption by Mrs. Ashmore, seconded by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Merla
Ashmore, Hyer, Stalter

10. Resolution #129-02, Appoint Library Board of Trustees Member (unexpired term: 12/31/2004) - Patricia Regan

WHEREAS, there exists a vacancy on the Library Board of Trustees; and

WHEREAS, the Mayor and Council are desirous of filling this vacancy.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that Patricia Regan is hereby appointed as a member of the Library Board of Trustees to fill a five year unexpired term which will expire on December 31, 2004.

Offered for adoption by Mrs. Ashmore, seconded by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Merla
Ashmore, Hyer, Stalter

11. Resolution #130-02, Award Contract/Renovations to Keyport Senior Center Kitchen - Regency Homes, Inc.

WHEREAS, the Borough of Keyport Senior Center requires kitchen renovations; and

WHEREAS, the Borough of Keyport has solicited informal quotes for this work and has received the following quotes:

Regency Homes, Inc	$11,096.80
Artisan	16,600.00
Perfect Renovations, Inc.	17,600.00

and

WHEREAS, Regency Homes, Inc., 31 Schanck Road, Freehold, new Jersey 07728 was the lowest quote for said work as evidenced by the response on file in the office of the Borough Clerk/Administrator; and

WHEREAS, the Borough Engineer has reviewed all quotes.

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

1. The appropriate Borough Officials are authorized to enter into an agreement with Regency Homes, Inc., Freehold, New Jersey to perform kitchen renovation work in the Senior Center as per specifications in the amount of Eleven Thousand Ninety Six Dollars and 80/100 cents ($11,096.80) in accordance with the request for proposals and quote on same.

Offered for adoption by Mrs. Ashmore, seconded by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Merla
Ashmore, Hyer, Stalter

12. Resolution #131-02, Award Contract/Lawn Care/Vegetative Control

WHEREAS, the Borough of Keyport requires lawn care/vegetative control on certain Borough properties; and

WHEREAS, the Borough of Keyport has solicited informal quotes for this work and as received the following quotes:

Tru Green Chemlawn	$4,675.00
Defazio's Lawn Service	$5,615.00
Barefoot Grass Lawn Service	$5,580.00

and

WHEREAS, Tru Green Chemlawn, P.O. Box 877, Farmingdale, New Jersey 07727 was the lowest quote for said work as evidenced by the response on file in the office of the Borough Clerk/Administrator; and

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

1. The appropriate Borough Officials are authorized to enter into an agreement with Tru Green Chemlawn, Farmingdale, New Jersey to provide lawn care/vegetative control on certain Borough properties as per specification in the amount of Four Thousand Six Hundred Seventy Five Dollars and 00/100 cents ($4,675.00) in accordance with the request for proposals and quote on same.

Offered for adoption by Mrs. Ashmore, seconded by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Merla
Ashmore, Hyer, Stalter

13. Resolution #132-02, Authorize Tax Collector to wavie the $100 charge for a duplicate tax sale certificate

WHEREAS, P.L. 1997, Chapter 99, requires the authorization of the Governing Body for replacement and issuance of a duplicate tax sale certificate held by a third party lien holder which has been destroyed or lost.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, County of Monmouth, State of New Jersey hereby authorizes the Tax Collector, upon receipt of the appropriate affidavit from the owner of the certificate, to prepare a replacement certificate for Tax Sale Certificate #97-0006 and issued to the original lien holder known as John McGuire, whose address is 22 Willow Street, Princeton, New Jersey 08540.

BE IT FURTHER RESOLVED that this replacement certificate duplicated in original form, shall be marked as duplicate, and that the $100 fee per duplicate certificate be waived since the County of Monmouth recorded the original certificate in Book 6326 Page 704 and then lost same.

BE IT FINALLY RESOLVED that a copy of said duplicate shall be attached herewith and a certified copy be forwarded to the Tax Collector and lien holder.

Offered for adoption by Mrs. Ashmore, seconded by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Merla
Ashmore, Hyer, Stalter

14. Resolution #133-02, Authorize Tax Collector to waive the $100 charge for a duplicate Tax Sale Certificate

WHEREAS, P.L. 1997 requires the authorization of a municipal governing body for replacement and issuance of a duplicate tax certificate held by a third party lienholder which has been destroyed or lost; and

WHEREAS, the Monmouth County Clerk's Office has advised the Tax Collector that it has misplaced a tax sale certificate and requested a replacement for same; and

WHEREAS, the mayor and Council as a courtesy to the County of Monmouth has considered its request that this Governing Body waive said fee for the issuance of said replacement tax sale certificate to the County of Monmouth.

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

1. The Tax Collector is hereby authorized to waive the charge of $100 for the replacement of a tax sale certificate as requested by the County of Monmouth.

2. A copy of this resolution shall be furnished to the Tax Collector as authorization for said waiver.

Offered for adoption by Mrs. Ashmore, seconded by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Merla
Ashmore, Hyer, Stalter

15. Authorize Mayor to Execute Right of Way Easement/Verizon - this was deleted from the agenda.

16. Resolution #134-02, Payment of Bills

See full copy of Resolution as pages 20-25 of these minutes.

Offered for adoption by Mrs. Ashmore, seconded by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Merla
Ashmore, Hyer, Stalter

17. Resolution #135-02, Hire Part Time Clerk/Typist for Construction Code/Assessor Office - Patricia D. Corcoran

WHEREAS, it is necessary to hire a part time Clerk/Typist for the Construction Code/Assessors Office to fill in during absence of the Senior Permit Clerk; and

WHEREAS, applications were submitted and interviews were held.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that Patricia D. Corcoran is hereby hired as a Part Time Clerk/Typist effective April 17, 2002 at the hourly rate of $10.00 per hour.

Offered for adoption by Mrs. Ashmore, seconded by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Merla
Ashmore, Hyer, Stalter

18. Resolution #136-02, Set Salary - Part Time/Non Union Employees (Deputy Registrar and Clerk/Typist)

BE IT RESOLVED by the Mayor and Council of the Borough of Keyport in accordance with Salary Ordinances:

SECTION I. The following salaries are hereby established for the indicated positions effective April 17, 2002 or date of hire or transfer whichever is later.

Deputy Registrar of Vital Statistics $1,560.00 annually

SECTION II. The following hourly salaries are hereby established for the indicated positions effective April 17, 2002 or date of hire or transfer.

Clerk/Typist $10.00 per hour

Offered for adoption by Mrs. Ashmore, seconded by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Merla
Ashmore, Hyer, Stalter

19. Resolution #137-02, Authorize Donation to VFW for Memorial Day

Services

WHEREAS, VFW Post 4247 is an organization located in the Borough of Keyport which conducts activities that benefit the public good; and

WHEREAS, VFW Post 4247 has requested that the Borough of Keyport contribute the sum of $500.00 for the purpose of assisting them with funds for Memorial Day Services.

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 VFW Post 4247 and the Mayor and Chief Financial Officer are authorized and directed to pay said sum.

Offered for adoption by Mrs. Ashmore, seconded by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Merla
Ashmore, Hyer, Stalter

20. Resolution #138-02, Accept Donation from Chuck Pfleger/Formatting of 8 computers for the Keyport Fire Department

WHEREAS, the Borough of Keyport ("Borough") has established the Keyport Fire Department; and

WHEREAS, Mr. Chuck Pfleger has donated to the Borough his services to format and upgrade 8 computers which were donated to the Keyport Fire Department; and

WHEREAS, the Borough has a need for said services to enhance and expand the Borough of Keyport's Fire Department; and

WHEREAS, the Borough greatly appreciates the generosity of Mr. Chuck Pfleger.

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council of the Borough of Keyport, in the County of Monmouth and the State of New Jersey:

1. A list containing this donation accepted by the Borough is hereto attached.
2. The Borough Clerk is authorized and directed to acknowledge receipt of this donation and express the Borough's appreciation to Mr. Chuck Pfleger.

Offered for adoption by Mrs. Ashmore, seconded by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Merla
Ashmore, Hyer, Stalter

21. Resolution #139-02, Appoint Annette Kovacs permanent Senior Permit Clerk/Typing

WHEREAS, the Department of Personnel performed an audit on Annette Kovas, Account Clerk; and

WHEREAS, the Department of Personnel reclassified Annette Kovacs as Senior Permit Clerk/Typing; and

WHEREAS, the Department of Personnel has forwarded the Certifications of Eligibles for Appointment for Senior Permit Clerk/Typing.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that Annette Kovacs is hereby permanently appointed as Senior Permit Clerk/Typing.

Offered for adoption by Mrs. Ashmore, seconded by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Merla
Ashmore, Hyer, Stalter

22. Resolution #140-02, Amend Resolution #370-01/Bond Counsel Services DeCotiis, Fitzpatrick, Gluck and Cole

WHEREAS, by previous resolution duly adopted by the Mayor and Council, the Borough of Keyport did authorize the firm of DeCotiis, Fitzpatrick, Gluck and Cole, LLP, to proceed with the tasks associated with the potential for a public/private partnership relative to the operation, maintenance, management and repair of the Borough's water and/or wastewater systems; and

WHEREAS, the Mayor and Council have approved the proposed specifications and have authorized the firm of DeCotiis, Fitzpatrick, Gluck & Cole, LLP to proceed with negotiations relative to obtaining a specific proposal for the privatization of the Borough's water and/or wastewater systems; and

WHEREAS, the Borough has received a request from DeCotiis, Fitzpatrick, Gluck & Cole, LLP, for additional funding over and above the funds previously authorized by resolution of the Mayor and Council, adopted December 18, 2001; and

WHEREAS, the Mayor and Council have reviewed the request and have determined to allocate additional funds for legal services performed by DeCotiis, Fitzpatrick, Gluck & Cole, LLP, relative to the privatization of the borough's water and wastewater systems; and

WHEREAS, the Municipal Finance Officer has certified that funds are available.

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

1. The law firm of DeCotiis, Fitzpatrick, Gluck & Cole, LLP, are hereby authorized an additional sum for legal fees and costs relative to the Phase I study of water and wastewater privatization for the Borough of Keyport in the sum of Ten Thousand Dollars ($10,000.00).

2. The additional funds shall be appropriated consistent with the terms and conditions of the previous resolution of the Borough Council, #370-01, adopted December 18, 2001 and the total aggregate fees shall not exceed the sum of $25,000.00.

3. Certified copies of the within resolution shall be forwarded to the law firm of DeCotiis, Fitzpatrick, Gluck & Cole, LLP, Borough Attorney, Borough Engineer and Municipal Finance Officer.

Offered for adoption by Mrs. Ashmore, seconded by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Merla
Ashmore, Hyer, Stalter

23. Authorize Mayor to sign Right of Entry Agreement for the Army Corp of Engineers - This was held.

24. Resolution #141-02, Authorize Mayor to execute Contract to purchase Real Estate from Calsey Realty (Broad Street)

WHEREAS, the Mayor and Council of the Borough of Keyport have been engaged in negotiations to acquire property identified as Lot 2, Block 61 on the Tax Map of the Borough of Keyport, more commonly known as 86 Broad Street, Keyport, New Jersey, for public purposes; and

WHEREAS, the Mayor and Borough Council have secured funding to acquire the within purposes for municipal purposes from the owner of record; and

WHEREAS, a contract for sale has been prepared which will permit the Borough of Keyport to acquire the within property for the purchase price of $70,000.00; and

WHEREAS, the Mayor and Borough Council are resolved to authorize the Mayor and Borough Clerk to execute the within contract, subject to final review by the Borough Attorney and to further authorize the Borough Attorney to take appropriate action to acquire the within property, including the completion of title work, survey and related items; and

WHEREAS, the Borough Engineer and Construction Code Official have performed an inspection on the within premises and have had the opportunity to review the Phase I and Phase II environmental study obtained by the property owner which has been deemed to be satisfactory.

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

1. The Mayor and Borough Clerk are hereby authorized and empowered to execute a contract to acquire property for the Borough of Keyport from Calsey Real Estate Group, Inc., identified as Lot 2, Block 61 on the Tax Map of the Borough of Keyport, more commonly known as 86 Broad Street, Keyport, New Jersey, subject to review and examination by the Borough Attorney.

2. The Borough Attorney is further authorized to take all appropriate steps necessary to acquire the within property, including, final contract review, completion of title work and survey, and such other related items necessary to effectuate the acquisition of this property.

3. Copies of the within Resolution shall be forwarded to the Borough Attorney, Borough Engineer, Construction Code Official and Municipal Finance Officer and a copy retained in the office of the Borough Clerk for public inspection.

Offered for adoption by Mrs. Ashmore, seconded by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Merla
Ashmore, Hyer, Stalter

25. Resolution #142-02, Accept Prevention Specialists Proposal for Drug and Alcohol Testing Services

WHEREAS, the Mayor and Council have adopted a Drug Free Workplace Policy in the Borough of Keyport, County of Monmouth, State of New Jersey; and

WHEREAS, in order to implement said Policy, it is necessary to engage the services of an appropriate provider to perform testing in accordance with said policy; and

WHEREAS, the Borough Clerk/Administrator has received a proposal to perform said services and has recommended that the Mayor and Council engage the services of Prevention Specialists, Inc., 130 Maple Avenue, Suite 5B, Red Bank, New Jersey 07701 to provide said services in accordance with proposal dated March 22, 2002.

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

1. The proposal of Prevention Specialists, Inc., 130 Maple Avenue, Suite 5B, Red Bank, New Jersey 07701 to provide testing services (Capitated Rate of $55.00 per CDL holder) in furtherance of the Borough of Keyport's Drug Free Workplace Policy is hereby accepted as a professional service and the Borough Administrator and other appropriate officials are authorized to take such actions as may be necessary to implement such award.

Offered for adoption by Mrs. Ashmore, seconded by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Merla
Ashmore, Hyer, Stalter

26. Appoint Police Sergeant/Anthony Gallo, III - This was deleted from the Agenda.

27. Resolution #143-02, Authorize Reestablishment of Controls for New Municipal Complex

WHEREAS, the Mayor and Council of the Borough of Keyport have authorized the construction of a new municipal complex within the Borough of Keyport; and

WHEREAS, the engineering firm of Schoor DePalma has previously fixed certain control points relative to the physical location of the new municipal complex; and

WHEREAS, due to the passage of time, these control points need to be reestablished in order to properly permit construction of the new municipal complex at the site location; and

WHEREAS, the Mayor and Council have received a quote from Schoor DePalma in the sum of One Thousand Four Hundred Dollars ($1,400.00) to the reestablishment of certain construction control points necessary for the location of the new municipal complex; and

WHEREAS, the Mayor and Council have reviewed the proposal prepared by Schoor DePalma and are inclined to authorize Schoor DePalma to undertake this proposal as expeditiously as practicable.

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

1. Schoor DePalma is hereby directed to undertake certain engineering activities relative to the reestablishment or recreation of on site control locations relative to the construction of the municipal complex.

2. Schoor DePalma is authorized to undertake such work activity and to receive payment in the sum of $1,400.00 as set forth above.

3. A copy of the within resolution shall be forwarded to Schoor DePalma and upon the Chief Financial Officer. A copy of the within resolution shall be retained in the office of the Borough Clerk for public inspection.

Offered for adoption by Mrs. Ashmore, seconded by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Merla
Ashmore, Hyer, Stalter

28. Resolution #144-02, Special Meeting, April 22, 2002, 6 PM, Council Chambers - Grievance Hearing

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:

Monday, April 22, 2002, 6:00 P.M. in the Council Chambers, 18-20 Main Street, Keyport, New Jersey for the purpose of concluding a Grievance Hearing, matters held over from the April 16, 2002 Agenda and any other business which may come before the Governing Body; and

WHEREAS, the Open Public Meetings Law requires 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 Council Chambers, 18-20 Main Street, Keyport, N.J.

BE IT FURTHER RESOLVED that notification of said meetings be mailed forthwith to the Asbury Park Press, the Courier, 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 rescheduled meetings of the Governing Body as required by law.

Offered for adoption by Mrs. Ashmore, seconded by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Merla
Ashmore, Hyer, Stalter

ADJOURNMENT

Motion to Adjourn moved by Mrs. Atkins, seconded by Mr.

Stalter with Ayes by all present.

Time of Adjournment: 12:20 PM

Respectfully submitted,

Judith L. Poling/amc

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

Allyson M. Cinquegrana

per Allyson M. Cinquegrana, RMC
Deputy Borough Clerk