Approved 9/19/06

Keyport, New Jersey
April 17, 2006

Minutes of the Regular Meeting of the Mayor and Council of the Borough of Keyport, held on the above date in the Municipal Complex, Council Chambers, 70 W. Front 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, Star Ledger, and Two River Times and posted on the Bulletin Board in accordance with the Open Public Meetings Act, P.L. 1975, Ch. 231.

Mayor Merla called the meeting to order at 7:06 P.M. and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Hassmiller, Walling, Bergen, Sheridan, Ortman. Absent: Councilman Wedick. Others present: Mr. Wisniewski, Borough Attorney and Mr. Antonucci, Borough Administrator.

RESOLUTION

1. Resolution #39-06, Closed Meeting - Personnel, Litigation, and Contract Negotiations

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

Personnel
1. Senior Center Personnel
2. Police Matters (Capt. John Dayback and Lt. Mitchell)

Possible Litigation
1. Cheryl Hill
2. KBA Election

Labor Relations

Contract Negotiations
1. Water Tower

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 Council Chambers, Borough Hall for the purpose of discussing the following subjects:

Personnel, Litigation and Contract Negotiations

BE IT FURTHER RESOLVED that the discussions on Personnel 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. Walling, second by Mr. Ortman

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Bergen, Sheridan, Ortman
Nays: None
Abstain: None
Absent: Councilman Wedick

Council went into Closed Session at 7:06 P.M. and this meeting was reconvened at 8:10 P.M.

Mayor Merla called the meeting to order at 8:15 P.M. and read the Sunshine Law Notice. Councilman Bergen led the Pledge of Allegiance and a Moment of Silence.

ROLL CALL

On Roll Call the following were present: Councilmembers Hassmiller, Walling, Bergen, Sheridan, Ortman. Absent: Councilman Wedick. Others present: Mr. Wisniewski, Borough Attorney, Mr. Norbut, Borough Engineer and Mr. Antonucci, Borough Administrator.

APPEARANCE AND DISCUSSION

1. **Water Tank Painting.** Pete Valesi, of Hatch Mott MacDonald, was appointed Water/Sewer Engineer in the beginning of the year. Mr. Bergen asked Mr. Valesi to talk about the Elizabeth Street tank, which is the Borough's second tank. Mr. Valesi said inspections were done last year; the tank is in bad shape, but useable. We will take the Cass Street Tank offline to paint and switch to the Elizabeth Street Tank. The Cass Street Tower has corrosion and it is degrading rapidly. Bids were advertised and a favorable bid was received to repaint the tower.

It was asked if Council had any questions. Mr. Sheridan asked if there are precautions on paint chips and spray. The tank will be monitored by the DEP, EPA, and the Monmouth County Health Department. A licensed contractor was awarded the contract. The tank will be shrouded with scaffolding and shrink wrapped to prevent spray. Mr. Sheridan asked about the time frame. Mr. Valesi said it should not take any longer than three months; he will send a letter to the Emergency Services. There will be a preconstruction meeting. Cass Street will not be closed. Hydrant flushing is beginning tonight in preparation for the project. Mr. Walling asked if the Borough is doing this for protection? Yes, the paint is 31 years old. Mr. Walling asked if the Elizabeth Street tower is failing and if a study was done. Yes, a study was done on both tanks. Council thanked Mr. Valesi for his time.

PROCLAMATIONS

Mayor Merla read Proclamations for National Volunteer Month (April) and Older American's Month (May). The Mayor said we received a $10,000 State grant for sidewalks in front of the Senior Center. The check will be presented to the Seniors at their Volunteer luncheon.

HEARING ON ORDINANCE

1. Ordinance No. 6-06 - COLA Ordinance

The Clerk reported that the Ordinance was published as introduced in the Courier, issue of March 30, 2006 that the Affidavit of Publication is on file in her office, that copies were posted on the Bulletin Boards and made available to the public.

The Clerk read the Ordinance by Title:

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMIT AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

The Hearing was opened to the public for comments or questions at 8:27 P.M. Mike Lane, First Street, would like a copy of the ordinance. There was an increase of $160,770.96 or $45,934.56; 45,000 more than what is permitted by law. The CAP Bank is to be used in subsequent years. There will be a hearing on the budget on May 16th. Mr. Lane asked if copies were available to the public. He asked if there was and increase in the CAP and reduction in Revenue; yes. There being no further comments or questions from the public, the hearing was closed at 8:31 P.M.

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

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Bergen, Sheridan, Ortman
Nays: None
Abstain: None
Absent: Councilman Wedick

1a. Motion authorizing the Clerk to publish the Ordinance as finally adopted according to law in the Courier, issue of April 20, 2006 moved by Mr. Walling, second by Mr. Hassmiller with Ayes by all present.

INTRODUCTION OF ORDINANCE

1. Ordinance No. 7-06, Rescind Section 8-1.6, Reserved Parking Spaces (east side of the Broad Street Parking Lot)

The Clerk read the Ordinance by Title:

AN ORDINANCE RESCINDING CHAPTER VIII, PARKING LOTS AND HANDICAPPED PARKING, SECTION 8-1.6, RESERVED SPACES, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT

WHEREAS, the Mayor and Council of the Borough of Keyport adopted Ordinance No. 25-92 on July 14, 1992 creating Section 8-1.6 "Reserved Spaces" in the Revised General Ordinances of the Borough of Keyport; and

WHEREAS, Ordinance No. 25-92 established ten (10) Reserved Parking spaces on the east side of the Broad Street Parking Lot for the exclusive use of Borough Employees, Weekdays, Monday-Friday from 8:00 A.M. to 6:00 P.M.; and

WHEREAS, the Mayor and Council of the Borough of Keyport adopted Ordinance No. 14-97 on August 5, 1997 which amended Ordinance No. 25-92 by reducing the number of Borough Employee Parking Spaces on the east side of the Broad Street Parking Lot to five (5) Reserved Parking spaces.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, County of Monmouth and State of New Jersey that Chapter VIII, Parking Lots and Handicapped Parking, Section 8-1.6 of the Revised General Ordinances of the Borough of Keyport is no longer required and is hereby rescinded.

Section 1. Inconsistent Ordinances. All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

Section 2. Severability. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged.

Section 3. Effective Date. This Ordinance shall take effect upon its passage and publication according to law.

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

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Bergen, Sheridan, Ortman
Nays: None
Abstain: None
Absent: Councilman Wedick

1a. Motion authorizing the Clerk to publish the Ordinance as introduced, in the Courier, issue of April 20, 2006 for a Hearing to be held on May 2, 2006 moved by Mr. Sheridan, second by Mr. Walling with Ayes by all present.

REPORTS OF COMMITTEES

Councilman Hassmiller; Fire: Councilman Hassmiller did not have a report.

Councilman Walling; Public Works/Recycling/Property Maintenance: Mr. Walling reported on the following. Mr. Sheridan attended the Harbor Commission Meeting. Mr. Sappah submitted specifications for a vacuum truck for the sewers; this was given to Mr. Bergen for review. The Recycling brochures were converted into Spanish. Mayor Merla said the Borough was approved for a $8,000 Clean Communities Grant.

Councilman Wedick; Police: Councilman Wedick was absent.

Councilman Bergen; Finance and Redevelopment: Mr. Bergen reported on the following. The Budget was introduced; we need to "trim" line items prior to the Hearing and Adoption. The Borough has applied for Discretionary Aid. There will be a meeting on April 18th regarding Redevelopment with Century Land Group at 6:30 P.M.

Councilman Sheridan; Library/Recreation & Parks: Mr. Sheridan reported on the following. He thanked everyone who volunteered for the Easter Egg Hunt, it went well and there were many participants. Keyport Summer Recreation will begin on June 26th. The Library is now pursuing Historic Registry. The Harbor Commission would like a meeting at Borough Hall regarding the Waterfront.

On April 13th there was a meeting in Trenton regarding the 319H Grant; he, Engineer Norbut, Rowland Seckinger, and Andrew Willner attended this meeting. The deadline to submit an application is June 30th and there will be no financial input by Keyport. Mr. Sheridan spoke about the curb depression on Maple Place. The School Budget will be voted on at the School Election on April 18th; everyone should vote. There will be a Beach Cleanup on April 29th.

Councilman Ortman; Buildings & Grounds/Health: Mr. Ortman did not have a report.

Administrator Antonucci: Mr. Antonucci reported on the following. Mr. Antonucci read the Payment of Bills for April 11th: Current Account - $123,308.27 and Water/Sewer Account - $59,628.42. The Borough has received $3,000.00 for the Green Community Forestry Grant; he thanked Mr. Seckinger. There is an encroachment of Green Grove and St. Joseph Cemeteries; there will be follow up on the steps and timeline. Mr. Ortman asked about the auction of equipment; Tinton Falls is holding their auction in May. If we conduct our own auction we would benefit better.

Hydrant flushing will begin on April 17th at 9:00 A.M. and continue until April 28th; there will be some discoloration in the water. With regard to the Cass Street Tower, the Cellular equipment will be removed by April 24th. Valley Painting was awarded the contract to paint the water tower. We are looking for funding for the Bulkhead. The steel is onsite for the Municipal Complex Roof; the roof has been worked on for five days with good weather. The Atlantic and Third Street bids were received on March 16th and a contract will be awarded. T&M Engineering will hold a pre-construction meeting in two weeks. Warren Street has been designed and the Department of Transportation has approved it; there will be receipt of bids in two weeks. The Borough Employees have been notified of the Health Insurance change beginning on June 1st.

Mr. Bergen said Warren and Coluco Street are almost ready for bid. A Bond Ordinance for another project may cover the costs for this project. He will report back at the May 16th Meeting.

Attorney Wisniewski: Mr. Wisniewski reported on the following. On April 20th at 7:00 P.M. there will be a Public Meeting on the Cablevision Contract renewal in the Council Chambers; the public is welcome to attend.

Mayor Merla: Mayor Merla reported on the following. The Senior Citizen Luncheon will be held at the First Aid Building on April 18th. He thanked Mr. Sheridan for the Easter Egg Hunt. At the April 4th meeting, tree ordinances were supplied by Mr. Wedick; the Ordinances should be reviewed and our own Ordinance introduced on May 2nd. A guideline was given. Mr. Antonucci said he gave copies to Mr. Seckinger.

REPORTS OF DEPARTMENTS

March, 2006

1. Borough Clerk

WATER/SEWER ACCOUNT

WATER CONNECTION	$	-0-	
TURN ON CHARGE		-0-	
WATER METER		-0-	
SEWER CONNECTION		-0-	
SEWER/POOL PERMIT		45.00	
WATER METER W/TO		-0-	
OTHER: DEMOLITION		-0-	
TOTAL WATER/SEWER	**$**	**45.00**	**CK #3684**

CURRENT ACCOUNT

BINGO LICENSE	$	-0-	
FIREARM & FINGERPRINTING		42.00	
LIMO LICENSE		400.00	
PHOTOCOPIES		87.75	
POSTAGE		-0-	
RAFFLE LICENSE		20.00	
TAXI LICENSE, DRIVER		25.00	
TAXI LICENSE, OWNER		50.00	
POLICE DEPT. ACCIDENT RPT.		372.00	
SEARCHES		-0-	
VENDING LICENSE		-0-	
LIQUOR LICENSE		178.42	
STREET OPENING		375.00	
RECYCLING PERMITS		140.00	
PARKING PERMITS		-0-	
AUCTION		-0-	
OTHER:			
OTHER			
OTHER			
TOTAL CURRENT	**$**	**1690.17**	**CK #3685**

ESCROW ACCOUNT

CASH REPAIR	$	345.00	CK #3686
TOTAL RECIEPTS	**$**	**2080.17**	

Submitted by Allyson M. Cinquegrana, Borough Clerk

2. Tax Collector

2006 TAXES	$	214,213.77
2005 TAXES		66,358.16

INTEREST AND COSTS		8,623.77
MUNICIPAL COURT FINES		17,321.37
UNIFORM FIRE SAFETY		7,861.85
SENIOR CITIZEN HOUSING IN LIEU OF TAXES		25,062.00
UNIFORM CONSTRUCTION CODE		9,647.00
ALCOHOL EDUCATION & REHABILITATION GRANT		16,777.00
OFFICE OF AGING GRANT		36,000.00
SPECIAL PURPORSE GRANT-ROADWAY IMPROVMENTS		50,000.00
SPEC PRPSE GRANT-SIDEWALK REPLACMENT-SR. CENTER		10,000.00
ALL OTHER MISCELLANEOUS REVENUE		15,131.94
TOTAL CURRENT RECIEPTS	**$**	**477,005.86**

WATER/SEWER RENTS	$	124,535.90
INTEREST AND COSTS		1,898.81
WATER/SEWER CONNECTION FEE		.00
TURN ON CHARGE		.00
NSF CHECK CHARGES		.00
POOL FILL PERMITS		.00
METER TEST		.00
METER INSTALLATION FEE		.00
METER WITH TURN ON CHARGE		100.00
DEMOLITION PERMITS		600.00
CELLULAR TOWER LEASE		7,068.00
TOTAL WATER/SEWER RECEIPTS	**$**	**134,202.71**

Submitted by Keri R. Stencel, Tax Collector

3. Building Department

PERMITS	# OF PERMITS	AMOUNT
STATE DCA FEE	42	$ 1,348.00
CONSTRUCTION CERTIFICATES	14	$ 2,332.00
PLUMBING	31	$ 7,162.00
ELECTRICAL	29	$ 6,397.00
BUILDING	37	$12,866.00
FIRE SUB CODE	26	$ 2,692.00
CODE ENFORCEMENT C OF O	40	$ 1,020.00
TRANSFER OF TITLE C OF O	7	$ 245.00
SMOKE DETECTOR INSPECTION	40	$ 1,720.00
ZONING	24	$ 240.00
200 FT. PROPERTY LIST	2	$ 20.00
MISCELLANEOUS	3	$ 75.00
COPIES	0	$ 0.00
CONST. DEBRIS DEPOSIT	6	$ 300.00
CONSTRUCTION VIOLATIONS	1	$10,495.16
RE-INSPECTION	0	$ 0.00
TOTALS		**$46,912.16**

ACCOUNTS PAYABLE

AMOUNT PAID TO THE BOROUGH	$ 45,264.16	CHECK #2552
DEBRIS DEPOSIT TO THE BOROUGH	$ 300.00	CHECK #2551
STATE FEE DUE QUARTERLY	$ 2,067.00	CHECK #2550

Submitted by Carole Cerase, Senior Permit Clerk

4. Emergency Management

See full copy of report on file with the Borough Clerk.

Submitted by Ken Marr, Jr., Coordinator

5. Municipal Court

STATE FINES	$	350.00
STATE SURCHARGE		564.00

STATE UNINSURED	175.00
COUNTY FUNDS	4,527.32
COUNTY FINES	5,488.50
MUNICIPAL FINES	5,488.50
MUNICIPAL COSTS	4,372.50
MUNICIPAL PARKING	1,062.00
MISCELLANEOUS	2,620.18

Submitted by Kathy Coffey, Court Administrator

6. Board of Health

TOTAL COLLECTED IN THE BOARD OF HEALTH OFFICE $2833.80

DOG LICENSES	$ 268.20
CAT LICENSES	$ 54.60
MARRIAGE LICENSES	$ 56.00
BURIAL PERMITS	$ 135.00
DEATH CERTIFICATES	$1720.00
MARRIAGE CERTIFICATES	$ 270.00
DOMESTIC PARTNERSHIP AFFIDAVITS	$ -0-
BIRTH CERTIFICATES	$ 30.00
POOL PERMITS	$ -0-
PLAN REVIEW	$ -0-
FOOD HANDLERS	$ 200.00
MISCELLANEOUS	$ 100.00

DISBURSEMENTS -

Check # 2878-Boro of Keyport Misc. Acct.	$2461.00
Check # 2879-Boro of Keyport Trust Acct.	$ 50.00
Check # 2880-Boro of Keyport Dog Acct.	$ 270.60
Check # 2881-NJ State Dept. of Health	$ 52.20

Submitted by Anne Biganti, Treasurer

Motion to Accept as read moved by Mr. Walling, second by Mr. Sheridan with Ayes by all present.

COMMUNICATIONS AND PETITIONS

1. Request from the Southern Steel Band to close West Front Street between Beers and Main Streets on April 28th for their appearance at Espresso Joes Coffee House.

We are setting a precedent with live entertainment. Mr. Bergen said to approve this contingent upon a meeting with the Administrator and receiving County approval or they can wait for a later date.

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

2. Requests regarding the Annual Fireman's Fair:
   A. Suspend two hour parking on West Front Street (7/10-7/16)
   B. Use of Public Works Equipment (7-9-7/16)
   C. Use of Borough picnic tables (7/9-7/16)
   D. Use of the parking lot at American Legion Drive and West Front Street (7/6-7/17)
   E. Use of Municipal Parking Lot on American Legion Drive for Fire and First Aiders Night (July 13th)

With regard to D, Mr. Antonucci is to speak with the Fire Department on the dates.

Motion to approve and refer D to Mr. Antonucci moved by Mr. Bergen, seconded by Mr. Walling with Ayes by all present.

3. Application for Fire Department Membership/Raritan Hose Company from Jesse Johnson (contingent upon State approval).

   Motion to approve moved by Mr. Bergen, second by Mr. Walling with Ayes by all present.

4. Application for Fire Department Membership/Raritan Hose Company from Michael Nevitt (contingent upon State approval).

   Motion to approve moved by Mr. Bergen, second by Mr. Walling with Ayes by all present.

5. Application for Fire Department Membership/Lincoln Hose Company from Joseph DeSandolo (contingent upon State approval).

   Motion to approve moved by Mr. Bergen, second by Mr. Walling with Ayes by all present.

6. Request from Philip Richiuso (Philly's Franks) to run a hot dog cart near the Municipal Boat Ramp.

   Motion to refer to the Harbor Commission moved by Mr. Bergen, second by Mr. Walling with Ayes by all present.

7. Request from Raritan Post 23 Ladies Auxiliary to sell poppies from May 1-31, 2006.

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

8. On Premise Cash Raffle License Application from the Keyport Business Alliance for various events.

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

9. Letter and 2006 KBA Budget and Resolution from Kathy Shaw.

   Their Budget has been worked on by their Committee and Mayor Merla and Mr. Walling were apart of the process. It was asked if an opinion can be given as a part of Council? Mr. Wisniewski said a vote can be cast, but there are two different roles if voted on and denied. There was a discussion on the KBA election process. There will be a hearing on the proposed BID Budget on May 2, 2006 at 6:00 P.M.

   Motion to hold a Special Meeting on May 2nd at 6:00 P.M. for a BID Budget Hearing moved by Mr. Walling, second by Mr. Sheridan with Ayes by all present.

10. Letter of resignation from Douglas Lane as a Keyport Unified Planning Board Member.

    Motion to receive with regret by Mr. Bergen, seconded by Mr. Walling with Ayes by all present.

11. Letter from the NJDOT regarding FY2007 Municipal Aid Program applications being accepted (deadline: 6/30/06)

    Motion to refer to the Borough Administrator and Engineer moved by Mr. Bergen, second by Mr. Sheridan with Ayes by all present.

UNFINISHED BUSINESS

1. **Raritan Post #23/American Legion Liquor License (Expansion of Premise).** The American Legion testified on April 4th; there will be minimal noise and garbage. A few neighbors and residents have approached with concerns. The deck is for members only and will not to be rented out. Mr. Santella spoke with Chief Gajewski and the members and there will be an 11:00 P.M. closing. There will be no outdoor music or bands at night. Noise, garbage, and drinking outside are the main concerns. The Chief said he advised property owners of tonight's hearing. Mr. Bergen advised the Attorney to draft up an indemnification for the soil delivered to the Legion.

2. The Property Maintenance Officer will be asked to go to Bill Wright and Sons property and advise them of the violations they have.

   It was asked what the status of Matty D's Towing Application is.

NEW BUSINESS

1. **Solicit Proposals for Water/Sewer Utility Engineer.** Mr. Bergen asked that an RFP be done for this position, it must be done since it was not done in January.

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments or questions at 9:13 P.M. Rowland Seckinger, Environmental Commission, spoke regarding the cemetery and asked for a dumpster to be provided; Mr. Antonucci said no. On April 13th there was a meeting on the 319H Grant in Trenton; hope was given by the State. This is a good opportunity. The Tree Ordinance is being reviewed; the Environmental Commission will meet on April 25th and respond by April 26th. The Borough should provide a support letter for the Keyport Ministerium Food Pantry who is applying for a Monmouth County Community Development Grant.

Peggy Hayes, First Street, asked about the speed monitor unit at Woodmont Property. There is no speeding in that area and asked if the monitor would be placed in other areas along First Street i.e. Waverly Street and Atlantic Street. Mr. Bergen stated Keansburg Officers are out of their cars and wave to slow traffic down. Mrs. Hayes said the storm drains were worked on near her home; there was and there was no warning at the Dubleski Property. Mr. Burlew said Mr. Dubleski has until May 17th to complete the project. Mr. Bergen asked Mr. Antonucci if the fees were paid up to date and why there is no mark out.

Eleanor Cosgrove, First Street, said she called on April 9th regarding the DCH Project being started on April 7th. There is no protection and the caution tape came down in a rain storm. Mr. Burlew said 3 holes were drilled (1,000 gallon containment). He advised Mr. Dubleski to secure the site. The work was done on Mr. Dubleski's property. Mr. Bergen asked if Freehold Soil approval is needed; no. The Borough Engineer will inspect this; Mr. Antonucci will call Engineer Norbut.

Terry Musson, 51 East Front Street, said at the KBA Meetings the conduct of Mr. Walling is appropriate; he asks questions that should be asked. Three elected board members asked questions and have been threatened to be thrown off the board; a trend is developing.

Mike Lane, First Street, said regarding Resolution #8, Bill Wright parks wrecked vehicles outside their fence. The Performance Bond should be used as leverage so they do not use property that is not theirs. They should not park on the Madison Street or the Garden State Parkway median. Mr. Lane gave Engineer Norbut a survey of the property. Vehicles are parked outside the fence and tractor trailers are on the other property. The Property Maintenance Officer should go out to this site. Mr. Bergen said the Borough can go after the Maintenance Bond. Mr. Antonucci is to contact Bill Wright and Sons.

There was a discussion on when the Water Tower was last cleaned.

Donna Dankovich, Theresa Street, said there are delivery trucks at the corner of Main and West Front Streets; it is hard to turn on to West Front Street from Main Street. The Mayor said he is drafting a letter to the Police Chief regarding parking on West Front Street. People are also parking in the yellow zone and we have received many calls on this matter. There being no more comments or questions from the public, the meeting was closed at 9:34 P.M.

RESOLUTIONS

2. Resolution #140-06, Payment of Bills

CURRENT	$	759,292.70
WATER/SEWER	$	386,063.22
GENERAL CAPITAL	$	22,564.50
TRUST ACCOUNT	$	1,837.60
LAW ENFORCEMENT TRUST	$	1,945.00
WATER CAPITAL	$	23,238.31
EDMUNDS ESCROW	$	11,722.00

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

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Bergen, Sheridan, Ortman
Nays: None
Abstain: None
Absent: Councilman Wedick

3. Resolution #141-06, Authorize Execution of Borough Auditor's Contract

WHEREAS, the Mayor and Council of the Borough of Keyport recognize the need of professional services to perform an audit of the financial statements of the various funds of the Borough of Keyport as of and for the calendar year ending December 31, 2006; and

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-5(1)(a)(i) permits the Borough of Keyport to award a contract for professional services without public advertising for bids an bidding; and

WHEREAS, the proposal was solicited through a fair and open process to publicly solicit proposals or qualifications of persons interested in being appointed Borough Auditor in accordance with N.J.S.A. 19:44A-20.5, and

WHEREAS, Hodulik & Morrison, PA has specialized expertise in accounting and audit services to the Borough according to the terms and conditions of the letter of understanding form Hodulik & Morrison, PA dated March 1, 2006 for a sum not to exceed $32,250.00; and

WHEREAS, the sufficient funds are available and have been or will be appropriated for this specific purpose.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that the Mayor is authorized to execute an agreement with Hodulik & Morrison, PA to provide auditing services with regard to the financial statements of the various funds of the

Borough of Keyport according to the terms and conditions of the letter of understanding from Hodulik & Morrison, PA dated March 1, 2006 (attached as Exhibit A) for a sum not to exceed $32,250.00.

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

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Bergen, Sheridan, Ortman
Nays: None
Abstain: None
Absent: Councilman Wedick

4. Resolution #142-06, Authorize 2005 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 for calendar year 2005 will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Council 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 Robert M. Poling, Sr., Recycling Coordinator, to ensure that the application is properly 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. Sheridan, second by Mr. Hassmiller

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Bergen, Sheridan, Ortman
Nays: None
Abstain: None
Absent: Councilman Wedick

5. Resolution #143-06, Appointment of Senior Center Social Worker-Cynthia Marrone

WHEREAS, there currently exists a vacancy in the position of Social Worker for the Keyport Senior Center; and

WHEREAS, an advertisement was published in the newspaper for said position which applications were received; and

WHEREAS, Wendy Tooker, Senior Center Director, has recommended the appointment of Cynthia Marrone for the position of Social Worker for the Senior Center at an hourly rate of $28.00 per hour; and

WHEREAS, this position should not exceed 12 hours per week; and

WHEREAS, the Borough of Keyport will issue paychecks, in full to Ms. Marrone; and

WHEREAS, the Borough of Keyport will be responsible for 1/3 of Ms. Marrone's salary and the Keyport Legion Apartments and Bethany Manor Apartments are responsible to pay 1/3 each of her salary; and

WHEREAS, the Keyport Legion Apartments and Bethany Manor Apartments will be billed by the Administrator's Office for their portion of Ms. Marrone's salary.

NOW, THEREFORE, BE IT RESOLVED that Cynthia Marrone is hereby appointed as Social Worker for the Keyport Senior Center at an hourly rate of $28.00 effective April 24, 2006.

BE IT FURTHER RESOLVED that since this is a part time position, there are no benefits.

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

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Bergen, Sheridan, Ortman
Nays: None
Abstain: None
Absent: Councilman Wedick

6. Resolution #144-06, Award Lawn Maintenance Contract to PV & Sons Landscaping

WHEREAS, there is a need for lawn maintenance of twenty (20) Borough properties within the Borough of Keyport; and

WHEREAS, it is estimated that 30 weekly cuts will be required; and

WHEREAS, the Superintendent of Public Works solicited and received three (3) quotes for the properties to be cut, trimmed and edged and for all walkways to be cleared of all grass clippings from the following Landscape companies:

Lambertson's Landscaping, Inc. 29 Ravine Drive Matawan, New Jersey 07747	$750.00 per weekly cut
Precision Lawn Services, Inc. 52A Route 34 Matawan, New Jersey 07747	$615.00 per weekly cut
P.V. & Sons Landscaping 131 Quail Run Court Freehold, New Jersey 07728	$425.00 per weekly cut

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby accepts and awards the proposal received from P.V. & Sons Landscaping in the amount of $425.00 per weekly cut for 30 weeks for a total price not to exceed $12,750.00 and that the Mayor is hereby authorized to execute said proposal.

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

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Bergen, Sheridan, Ortman
Nays: None
Abstain: None
Absent: Councilman Wedick

7. Release Performance Bond and Accept Maintenance - Bill Wright and Sons - This was pulled from the Agenda

8. Resolution #145-06, Award Contract to Q-Scend Technologies (Website)

WHEREAS, there exists a need for the Borough of Keyport to secure services of an established internet software company specializing in providing and designing internet website services for a municipality; and

WHEREAS, the Borough of Keyport has determined that QSCEND Technologies, Inc. of 231 Bank Street, Waterbury, Connecticut can design custom government and web applications and provide website programming services and website marketing services and has previously contracted with a substantial number of municipalities including the Borough of Tenafly, Township of Hamilton, New Jersey, City of Danbury and City of Waterbury in Connecticut; and

WHEREAS, QSCEND Technologies, Inc. has employees who specialize in software development, web design and software engineering in connection with the municipal government; and

WHEREAS, the amount of contract is for $8515.00 in accordance with a proposal attached hereto as Exhibit A; and

WHEREAS, the Keyport Business Alliance has agreed to contribute in the cost of the contract in the amount of $4,000.00; and

WHEREAS, there are funds available for the payment of the contractual services; and

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et. seq. requires that the resolution for the award of contracts for extraordinary, unspecifiable services without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the Chief Financial Officer has certified that this meets the statute and regulations governing the award contracts.

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

1. The Mayor and Borough Administrator are hereby authorized to execute the attached agreement with QSCEND Technologies, Inc.

2. This contract is awarded without competitive bidding as Extraordinary, Unspecifiable Services in accordance with N.J.S.A. 40A:11-5 (1)(a) of the

Local Public Contracts Law because such services are of a specialized and qualitative nature requiring expertise and extensive training and proven reputation in software technologies and engineering with a substantial background in computer science.

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

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Bergen, Sheridan, Ortman
Nays: None
Abstain: None
Absent: Councilman Wedick

9. Resolution #146-06, Hire School Crossing Guard

WHEREAS, there is a present need to fill the position of School Crossing Guard; and

WHEREAS, the Chief has recommended that Guy Eamello be hired for this position; and

WHEREAS, sufficient funds have been provided in the 2006 Budget for this position; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that Guy Eamello is hereby hired as a School Crossing Guard, effective April 18, 2006.

BE IT FURTHER RESOLVED that the hourly rate for this position shall be $10.25 per hour, the salary in effect as per current Salary Ordinance and Salary Resolution; that the maximum number of hours per week is not to exceed 28 hours and that there are no benefits provided for this part time position.

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

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Bergen, Sheridan, Ortman
Nays: None
Abstain: None
Absent: Councilman Wedick

10. Resolution #147-06, Food Ministry Support

WHEREAS, the Mayor and Council of the Borough of Keyport recognize that the eleemosynary activities of charitable organizations within the Keyport community promote an enhanced quality of life for all Keyport residents, and

WHEREAS, the Keyport Ministerium Food Pantry, Inc. is a charitable organization in the Borough of Keyport that has successfully delivered a variety of social service programs to meet the needs of local residents; and

WHEREAS, the Keyport Ministerium Food Pantry, Inc. has made application to the County of Monmouth Community Development Program for a two hundred fifty thousand dollars ($250,000.00) grant to acquire a facility to house a One-Stop Community Center, and

WHEREAS, a centrally located One-Stop Community Center which will accommodate clients through one stop access to consultations, programs, seminars and other services will be of great benefit to local residents and is an appropriate use of Community Development funding.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that they support the application of the Keyport Ministerium Food Pantry, Inc. to the County of Monmouth Community Development Program for two hundred fifty thousand dollars ($250,000.00) in funding to acquire a new facility to support a One-Stop Community Center which will be centrally located and accommodate clients through one stop access to consultations, programs, seminars and other services will be of great benefit to local residents.

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

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Bergen, Sheridan, Ortman
Nays: None
Abstain: None
Absent: Councilman Wedick

11. Resolution 148-06, Authorize RFP for Water/Sewer Engineer

WHEREAS, the Borough of Keyport has a need to award a contract for water and sewer engineering services through a fair and open process pursuant to the provisions of N.J.S.A. 19:44A-20.5, and

WHEREAS, such services are "Professional Services" and, therefore, exempt from the public bidding requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et. seq.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Keyport, County of Monmouth, State of New Jersey, as follows:

1. The Borough Clerk is hereby authorized and directed to place a notice in the official newspaper(s) of the Borough of Keyport requesting proposals for the above-referenced positions for the 2006 calendar year.

2. Said notice shall provide:

   a. that the Borough of Keyport is soliciting requests for proposals for water and sewer engineering; and
   b. that all proposals must be submitted to the Borough Clerk's Office on or before Tuesday, May 2, 2006 at 9:30 A.M. at which time they will be opened and read aloud; and
   c. that the proposals are being solicited through a fair and open process in accordance with N.J.S.A. 19:44A-20.5, et. seq.
   d. proposal packages may be obtained at the Borough Clerk's Office during regular business hours.

3. Proposals shall be evaluated by the Borough Council on the basis of that which is most advantageous to the Borough, taking into consideration the following factors:

   a. Experience and reputation in the field.
   b. Knowledge of the subject matter.
   c. Availability to attend all required meetings.
   d. Availability of personnel, facilities, equipment and other resources to provide such services.
   e. Qualifications and experience of personnel.
   f. Any other factors demonstrated to be in the best interests of the Borough of Keyport.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately and/or as required by law.

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

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Bergen, Sheridan, Ortman
Nays: None
Abstain: None
Absent: Councilman Wedick

12. Resolution 149-06, Approve Place to Place Transfer (Expansion of Premises)

WHEREAS, application has been made to the Mayor and Council of the Borough of Keyport for transfer of Club License #1322-31-013-001 issued to Raritan Post 23, American Legion t/a Raritan Post 23, American Legion at 81 West Front Street, Keyport, New Jersey 07735 as a place to place transfer (expansion of premises); and

WHEREAS, the Borough Clerk reports that the application is in order and the requirements of the notice and of publication have been met, with the second publication having been March 27, 2006; and

WHEREAS, all investigations and inspections have been done and are in order.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that the application of Raritan Post 23, American Legion t/a Raritan Post 23, American Legion for a place to place transfer (expansion of premises) of Club License 1322-31-013-001 for the year 2005/2006 is hereby granted effective April 18, 2006.

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

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Bergen, Sheridan, Ortman
Nays: None
Abstain: Councilman Sheridan
Absent: Councilman Wedick

ADJOURNMENT

Motion to Adjourn the meeting moved by Mr. Walling, second by Mr. Sheridan with Ayes by all present.

Time of Adjournment: 9:41 P.M.

Respectfully submitted,

Allyson M. Cinquegrana, RMC
Borough Clerk