Approved approved

April 2, 2002
Keyport, New Jersey

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

Mayor 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 Bergen, Atkins, Hyer, Stalter. Absent: Councilman Merla (arrived 7:15 P.M) and Councilwoman Ashmore. Others present were Catherine Carton, Borough Attorney's Office.

RESOLUTION

1. Resolution #111-02, 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. Senior Center
2. Police Department

Labor Relations
1. IUOE Negotiations
2. PBA Contract
3. Grievance - Police Department

Contract Negotiations
1. Fire Museum
2. Engineering Proposal - Bulkhead
3. Verizon Easement
4. New Municipal Building
5. Water/Wastewater Facility

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, Labor Relations, Contract Negotiations

BE IT FURTHER RESOLVED that the discussions on Personnel, 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. Hyer

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

Council went into closed session at 7:11 P.M. and this meeting was reconvened at 8:20 P.M.

Mayor Graham called the meeting to order at 8:25 P.M. and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Bergen, Atkins, Merla, Hyer, Stalter. Absent: Councilwoman Ashmore. Others present: Catherine Carton, Borough Attorney's Office and Mr. Freda, Borough Engineer.

PUBLIC PARTICIPATION

The Meeting was opened to the public for comments or questions pertaining to Agenda items at 8:26 P.M. There being none, the Meeting was closed to the public at 8:26 P.M.

APPEARANCE AND DISCUSSION

1. **John Tallman, VelociTel (Cellular Tower Lease).** Mr. Tallman said he represents Cingular Wireless and they need coverage. There are four (4) carriers on the Cass Street tower now. Drawings were submitted for placement on top of the tower (further down the tower will not work). Mr. Bergen made a motion that monies be posted ($5,000) for the Professionals (attorney and engineer) to review, seconded by Mr. Merla with Ayes by all present. Mr. Tallman said they are the contractor. Mr. Merla asked if he has a conflict with this matter because he has Cingular service. Mayor Graham also has Cingular. Mrs. Carton said this would not be feasible, but may be later down the line. Mr. Freda said once he receives the plan, it would take a day or so, he would send a letter to Mrs. Poling and the plan could be signed and sealed.

PROCLAMATIONS

Mayor Graham read two Proclamations; one Proclamation was for declaring April as Autism Awareness Month and the other was for the Keyport First Aid's 75th Anniversary.

HEARING ON ORDINANCE

1. Ordinance #12-02, Permit Parking - East Side of Broad Street

The Clerk reported that the Ordinance was published as introduced in the Courier, issue of March 21, 2002, that the Affidavit of Publication is on file in her office, that copies were posted on the Bulletin Boards and made available to the public.

The Clerk read the Ordinance by Title:

AN ORDINANCE AMENDING CHAPTER VII "TRAFFIC" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT

The Hearing was opened to the public for comments or questions at 8:38 P.M. There being none, the Hearing was closed to the public at 8:38 P.M.

Offered for adoption by Mr. Merla, seconded by Mrs. Atkins

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

1a. Motion authorizing the Clerk to publish the Ordinance, as finally adopted according to law, in the Courier, issue of April 4, 2002 moved by Mrs. Atkins, seconded by Mr. Merla with Ayes by all present.

COMMUNICATIONS AND PETITIONS

1. Letter of Resignation from Robert Sipe, Environmental Commission.

Mr. Merla said the Commission has not had a quorum and if responses have been submitted to Mrs. Poling. The Committee should be asked who will coordinate activities. A letter should be sent be sent to the second longest member on the Environmental Commission. Mayor Graham said there was no quorum for one of the Library Meetings. Mr. Merla said he was told there were 2 meetings without a quorum. Mr. Merla said copies of minutes are needed from each Board and Commission. Mr. Bergen said he has missed the Library Meetings. Mr. Merla asked if a resident was going to be the Library's treasurer. Mayor Graham said this is not true, Mrs. Bonnie Ashmore is.

Motion to Accept the letter moved by Mr. Bergen, seconded by Mr. Merla with Ayes by all present.

2. Request from Bayshore Gospel Center for use of Beach Park to hold events on various dates.

It was asked if there was still a stage - no. Pastor Shahid should be contacted and asked if they could use the bandstand in the Mini Park.

Motion for Mrs. Poling to contact Pastor Shahid moved by Mr.

Bergen, seconded by Mr. Merla with Ayes by all present.

3. Letter from the Monmouth County Prosecutor's Office regarding annual dues for the Municipal Prosecutor's Association.

Mr. Merla said he did not like this letter.

Motion to Approve moved by Mr. Hyer, seconded by Mrs. Atkins with Ayes by all present except Mr. Merla who voted against it (the Prosecutor should pay himself).

4. Matawan Borough Resolution authorizing Petition for Intervention concerning NJ American Water Company and the NJ Board of Public Utilities.

Motion to add a Resolution of Support moved by Mr. Bergen, seconded by Mrs. Atkins with Ayes by all present.

5. Letter from Keyport Legion Apartments requesting notification of meetings regarding the garbage contract.

Mr. Merla said a letter was written by Mr. McLaughlin regarding deducting costs from the payment in lieu of taxes. The Borough Attorney should write a letter to them. Mr. Kain and Mr. Litwin both said no to this process. Mrs. Poling will respond back that they will be advised of any meetings.

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

6. Request for donation from Municipal Clerks' Association of New Jersey.

Motion to approve a $50 donation moved by Mr. Merla, seconded by Mrs. Atkins with Ayes by all present.

7. Letter from NJ State League of Municipalities requesting a Resolution urging State Legislature to oppose S-1044/A-1926 (Legalizing the Use of Project Labor Agreements in NJ)

Mr. Merla said he reviewed the bill and asked if there was prior action by Mayor and Council. Edwards Supermarket was non labor. The State Legislature has not received full union endorsement. There is a concern (use of union labor on the new Municipal Building). Mr. Freda said they use the same wage rates as the union. Mr. Bergen said it could cost the taxpayers more money and recommended a Resolution of Support.

Motion to Receive and File moved by Mr. Merla, seconded by Mr. Hyer with Ayes by all present except Mr. Bergen who abstained.

8. Letter from NJ State League of Municipalities requesting a Resolution supporting S-478 and A-540 to call a Constitutional Convention (See Resolutions).

Motion to Receive and File moved by Mr. Hyer, seconded by Mr. Merla with Ayes by all present.

9. Letter from Monmouth County Board of Chosen Freeholders regarding Cooperative Pricing Membership.

Motion to join moved by Mr. Bergen, seconded by Mr. Hyer with Ayes by all present.

10. Letter from Clean Ocean Action requesting permission to hold their annual Spring Beach Sweep on April 27, 2002 from 9AM to 12 Noon.

It was requested that Public Works, the Environmental Commission and Recycling Committee be notified of this event.

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

11. Raffle License Amendment Application from St. Joseph Church/Change in Wednesday's game.

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

12. Letter from Larry Stonerock, 2001 Fire Chief, regarding donation of computers by the Keyport Board of Education to the Keyport Fire Department (see Resolutions)

    Motion to approve a Resolution moved by Mrs. Atkins, seconded by Mr. Merla with Ayes by all present.

13. Memo from Fire Chief Marr regarding Fire Patrol truck and auctioning it publicly.

    Mr. Merla recommended scrapping the truck.

    Motion to Approve auction moved by Mr. Merla, seconded by Mrs. Atkins with Ayes by all present. Motion to authorize sale moved by Mr. Bergen, seconded by Mr. Merla with Ayes by all present.

14. Fire Department Membership Application/Board of Fire Wardens David A. Sims, Jr. (contingent upon State approval).

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

UNFINISHED BUSINESS

1. **Library Board of Trustees Vacancies.** Mayor Graham said he offered the name of a person who attended the last Library Board meeting. Mr. Merla said he had two names. Mr. Bergen said he will take all of the names to the Library Board. Two Resolutions will be listed on the April 16th Agenda.

2. **Green Grove Apartments Parking.** Mayor Graham said that the Green Grove Avenue Parking is an accident waiting to happen. Mr. Merla said this was a temporary fix. Mr. Hyer said they will not lose spaces. Mr. Merla said last year Mayor and Council spent a lot of time on this for the residents who were happy with this temporary fix. This matter should be Green Grove Apartment's responsibility. Mr. Merla had spoken about an easement to widen the road. They should target rescinding the reserved parking and advise them the Council agreed. Chief Gajewski said there were a few problems and Green Grove Apartments were advised; there were a handful of residents who would not cooperate. Mr. Merla asked if calls to the Police Department lessened; yes. Chief Gajewski said he and Captain Dayback agree that they should rescind reserved parking. He requested that the residents continue to park on Green Grove until the owners can fill in the pool area. Mr. Merla said the Board of Health inspected their dumpsters on Eighth Street; this is a problem. Mr. Bergen said a letter should be sent and he will contact Green Grove Apartments. Mr. Merla felt Chief Gajewski should send the letter advising it is Council's intention to return Green Grove Avenue to no parking. Green Grove Apartments has 30 days to change the parking back to the way it was and Green Grove Avenue parking will expire. Mayor Graham said this is Council's decision. Motion to advise Green Grove Apartments that they have 30 days to put parking back to the way it was moved by Mr. Merla, seconded by Mr. Hyer with Ayes by all present. Green Grove Apartments will be asked what date they will rescind the parking, what date they plan to fill in the pool and will be advised they have two weeks to respond or within 30 days the no parking on Green Grove Avenue will be reinstated.

3. **Foreclosure List.** Mr. Merla said Council referred the Foreclosure list to the Finance Committee. He sat with Mrs. Redmond, Tax Collector and contacted Mr. Kramer asking as of April 2nd what needs to be paid; there is a hold on that one. Approximately $35,000 is owed for taxes, interest and liens. There is not a clear Title for the Dean Property (Hurley and Division Streets); the Borough may proceed with the foreclosure, but there may be problems. Mr. Merla said it is a waste to foreclose.

   The Roach Property; an adjacent property owner may want the property. A $2,500 offer was received from Mr. Caddle for the Beers Street Property; the Finance Committee recommends rejecting the offer (it is too low) and advise Mr. Caddle. Mr. Bergen suggested Mr. Merla refer this matter to someone else and abstain because of a prior lawsuit with Mr. Caddle. Mr. Bergen asked Mr. Merla if he thought it was a conflict. Mr. Merla said another person should step in on the Committee; he passed it on to Mr. Bergen who said it should be used as a park. Mayor Graham said a survey was done on the property and he will not support selling it to Mr. Caddle (Apollo property is an eyesore) so he can expand his property. Mr. Merla said this has been held over from last year. Mayor Graham said the letter from Mr. Caddle came in for the last meeting and Mr. Merla asked that it be referred to him. Motion to send a letter to Mr. Caddle at present the Borough is not interested in selling moved by Mr. Hyer, seconded by Mr. Stalter with Ayes by all present.

5. **Recycling Brochure.** Mr. Merla reported there were three meetings held and final changes have been made with all concerns being addressed. By the next Council meeting the second draft should be ready. All department heads attended the meetings. Mr. Bergen asked what Department Heads were at the meeting. Mayor Graham asked if the draft was being based upon changes not approved by Council. Mr. Merla said Ordinance amendments are required. The Recycling Brochure draft is based on recommendations. Mr. Bergen said recommendations may require Ordinance changes. Mr. Merla said all departments met and enforcement was discussed (Board of Health, Recycling, Property Maintenance, etc). Construction debris cannot go in with garbage. Mr. Bergen asked what Ordinance states he cannot cut up a 2X4 and put it in the garbage. The Recycling Brochure needs to be reviewed and it must be in compliance with the Ordinances. Mr. Merla said Council should decide on the brochure and then refer it to the Boards. Bulk items are garbage. Mr. Merla said all recommendations are in the brochure.

ADMINISTRATOR'S REPORT

Mrs. Poling reported on the following. The handicapped parking space for 125 Second Street is not needed; the resident passed away. With regard to VoiceStream equipment, they will be contacted and asked what changes they are referring to. The matter of 20 Pine Street is referred to the Borough Attorney. Motion to refer the Senior Center kitchen renovations quotes to the Borough Engineer moved by Mr. Merla, seconded by Mrs. Atkins with Ayes by all present.

ENGINEER'S REPORT

Mr. Freda reported on the following. He and George Sappah, Public Works Superintendent, met with the Army Corp of Engineers regarding the Bulkhead replacement; it is the same project as the DEP (5 years down the road; we could save money). He would like Schoor DePalma's plans for the soil borings. Funds are needed for Feasibility Studies. Mr. Merla asked if Mr. Freda had contacted the DEP; no. Mr. Merla suggested the DEP be contacted. Mr. Freda asked permission to contact the DEP. Mayor Graham asked if the Army Corp would pick up costs; they would fund all studies and design. Mr. Freda asked for plans from WFI regarding an antennae proposed to be placed on the Elizabeth Street tower. A Resolution for execution of the Verizon Easement will be listed on the April 16th Agenda. Mr. Merla advised the Monmouth County Community Development Committee is ready to go. Current monies have to be expended before the next application. Mr. Bergen asked who decides the project.

ATTORNEY'S REPORT

Mrs. Carton reported on the following in Mr. Kain's absence. There was no response to the counter offer regarding Calsey. Mr. Freda said he was surprised they did a Phase II study and he hasn't received it yet.

NEW BUSINESS

1. **BID.** **Councilmember Appointment.** The Mayor is an automatic member. Council selects the Councilmember. Motion to appoint Mrs. Atkins as BID Councilmember moved by Mr. Merla, seconded by Mr. Hyer with Ayes by all present. Motion to appoint Mark Sessa, Planning Board, as a BID member moved by Mr. Merla, seconded by Mrs. Atkins with Ayes by all present. Ordinance/Budget. Mr. Merla, Mayor Graham and Mrs. Atkins requested feedback. Mr. Fink was approached and they want to meet with the Finance Committee regarding the budget. It was asked if this should be looked at by the Finance Committee; it is O.K. With regard to changes to the Ordinance, Mrs. Poling said all changes should be incorporated into one Ordinance.

RESOLUTIONS

2. Resolution #112-02, Permanent Appointment of Public Works Supervisor

WHEREAS, on May 2, 2001, the Mayor and Council appointed David

Rooke, Supervisor of Public Works, pending Department of Personnel testing and certification; and

WHEREAS, the Borough of Keyport has received the Certification of Eligibles for Appointment from the Department of Personnel.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that David Rooke is hereby permanently appointed Supervisor of Public Works, effective April 3, 2002.

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

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

3. Resolution #113-02, Support S-478 and A-540 to Call a Constitutional Convention

WHEREAS, a basic tenet and founding principle of the United States of America holds that the "just powers" of a government rest on "the consent of the governed"; and

WHEREAS, ours has, therefore, been called "a government of the people, by the people and for the people"; and

WHEREAS, the people of this State have reserved to themselves, as part of their intrinsic sovereignty, the right to alter or reform the State Constitution and the statutes when the public good may require it; and

WHEREAS, the current system of property taxation in this State is regressive because it is not based on the ability to pay and is an inordinate burden on citizens and a disincentive to business investments; and

WHEREAS, there is a need to revise and amend the State Constitution and the statutes to lessen the dependence of local government on property taxes, reduce property taxes as a share of overall public revenue and find alternative means of funding local government services; and

WHEREAS, the Legislature, when considering proposals for broad restructuring of revenue sources, recognizes that there is great political risk in making recommendations which the general public might perceive as increasing taxes; and

WHEREAS, it is, therefore, essential that the citizens of New Jersey are fully engaged in the effort to restructure taxes; and

WHEREAS, the most effective way to have maximum participation is a public vote on which whether or not to proceed with a tax reform process and, if this question is approved, another vote by the public to ratify the recommendations for tax reform; and

WHEREAS, the convening of a constitutional convention for the purpose of recommending amendments to the New Jersey Constitution and changes to the statutes in the most appropriate method for building a consensus for, and implementing, reform.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Keyport supports the effort to place before the electorate the question of calling a Constitutional Convention for the purpose of proposing property tax reform, as spelled out in S-478, sponsored by Senators John Adler and Robert Martin, and its companion measure, A-540, sponsored by Assemblyman Joe Roberts; and

BE IT RESOLVED that we do call on our fellow citizens to inform themselves about this issue, and to join in our efforts to advance the cause of property tax reform, through support for S-478 and A-540; and

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted to our State Legislators and to Governor McGreevey, urging them to act favorably on the Legislation, so that the votes may be able to express their will on Election Day, November 5, 2002 and to the New Jersey State League of Municipalities.

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

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

4. Resolution #114-02, Release Performance Guarantees - Sutton Mills/Rosewoode Project

WHEREAS, William Tureby, Sutton Mills, has requested release of his performance guarantees; and

WHEREAS, John Kriskowski of Schoor DePalma has recommended release (see attached letter).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the 90% Performance Guarantee, Bond BE0938734 in the amount of $78,176.88 and the 10% Cash Guarantee in the amount of $8,686.32 are hereby released contingent upon the posting of a two (2) year Maintenance Bond in the amount of $13,029.48 commencing upon the date of this Resolution.

BE IT FURTHER RESOLVED that the release of the Performance Guarantees is also contingent upon all Engineering Bills being paid.

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

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

5. Resolution #115-02, Payment of Bills

See full copy of Resolution as pages 11-14 of these minutes

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

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

6. Resolution #116-02, Accept Keyport Board of Education donation of Computers for the Keyport Fire Department.

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

WHEREAS, the Keyport Board of Education has donated to the Borough of Keyport Fire Department ("Borough") eight (8) computers and related equipment for use by the Borough of Keyport Fire Department; and

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

WHEREAS, the Borough greatly appreciates the generosity of the Keyport Board of Education.

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 the Keyport Board of Education.

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

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

7. Resolution #117-02, Authorize Mayor and Borough Clerk to execute a Deed and other documents to convey property to Earl Swift

WHEREAS, the Mayor and Council of the Borough of Keyport have determined that the property identified as Lot 15, Block 33 on the tax map of the Borough of Keyport, located on Perry Street, is an undersized lot not needed for public use, and have by and through Ordinance #8-00 authorized the sale of the within property; and

WHEREAS, the Mayor and Borough Council did receive bids upon the property from contiguous property owners for the aforementioned property on July 6, 2002; and

WHEREAS, by Resolution duly adopted, the Mayor and Council resolved to sell the within property to Earl Swift based upon his high bid in the sum of Eight Thousand Six Hundred Dollars ($8,600.00), and upon the Borough of Keyport acquiring title to the within property by legal action; and

WHEREAS, the Borough of Keyport has perfected title to the within property in accordance with a Final Judgement entered in the Superior Court of New Jersey, which judgement has been filed in the Monmouth County Clerk's Office in Book 8081, Page 5350; and

WHEREAS, the Mayor and Council are resolved to convey the within property to Earl Swift in accordance with the previous actions of this Governing Body.

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 deed and such other closing documents necessary to convey title to the property identified as Lot 15, Block 33, on the Tax Map of the Borough of Keyport, more commonly known as Perry Street, Keyport, New Jersey, to Earl Swift based upon his bid of Eight Thousand Six Hundred Dollars ($8,600.00).

2. The Borough Attorney is further authorized to prepare all necessary documents to effectuate the sale of the within property.

3. Copies of the within Resolution shall be placed on file in the office of the Borough Clerk for public inspection.

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

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

8. Resolution #118-02, Authorize Petition of Intervention concerning the NJ American Water Company and the NJ Board of Public Utilities

WHEREAS, the Borough of Keyport has been advised that the New Jersey-American Water Company and Thames Water Aqua Holdings, GmbH have filed a petition with the New Jersey Board of Public Utilities seeking approval of a change of control agreement; and

WHEREAS, the Borough of Keyport acquires water from the Manasquan Reservoir through New Jersey-American Water Company and it is appropriate and desirable that the Borough, along with other Manasquan Reservoir User's Group members, jointly petition the New Jersey Board of Public Utilities to intervene in the pending proceedings designated BPU Docket No. WMOII20833; and

WHEREAS, the estimated cost for Keyport's participation in this intervention is not to exceed $1,200.00 which funds are available as certified by the Chief Financial Officer from the Water Sewer Operating - Other Expenses.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Keyport that it does hereby authorize intervention along with other Manasquan User's Group members in the petition presently pending before the New Jersey Board of Public Utilities regarding New Jersey-American Water Company and Thames Water Aqua Holdings, GmbH.

BE IT FURTHER RESOLVED that the Clerk forward a certified true copy of this resolution to the Governing Bodies of the Borough of Belmar, Matawan and Red Bank and to Shorelands Water Company, Inc., 1709 Union Avenue, Hazlet, New Jersey 07730, Attention: Michael P.

Walsh, P.E.

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

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

9. Resolution #119-02, Authorize Membership in the Monmouth County Cooperative Pricing System

WHEREAS, the County of Monmouth is the Lead Agency in the Monmouth County Cooperative Pricing System (the "System") which was originally established on April 1, 1992; and

WHEREAS, the Lead Agency has made application to the Director of the Division of Local Government Services to renew the System for the period of April 1, 2002 through March 31, 2007; and

WHEREAS, the purpose of the System is to obtain favorable prices for selected goods and services needed by members of the System; and

WHEREAS, the Lead Agency will attempt to obtain these favorable prices, based on higher volumes, by including the estimated quantities of goods and services needed by various members of the System, together with the Lead Agency's own needs, when soliciting bids; and

WHEREAS, the Borough of Keyport is not currently a member of the System.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Keyport shall become a Participating Contracting Unit in the System.

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Keyport be and they are hereby authorized to execute the attached Monmouth County Cooperative Pricing System Agreement on behalf of the Borough of Keyport for the period of on or about April 1, 2002 through March 31, 2007.

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

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

10. Resolution #120-02, Authorize Borough Clerk/Administrator to Advertise for Sale of Borough Property

BE IT RESOLVED by the Mayor and Council that the Borough Clerk/Administrator is hereby authorized to advertise for a sale of items no longer needed for Public Use which includes, but is not limited to a 1972 Hahn Fire Truck.

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

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

PUBLIC PARTICIPATION

The Meeting was opened to the public for comments or questions at 10:45 P.M. Joanne Staeger, Main Street, said she made more than one call to the Board of Health that there was a love seat and couch in front of 438 Main Street and it is still out there. The garbage contractor has given the Board of Health different reasons for not picking it up. Mr. Merla said in March 167 residents put out recyclable cardboard and it went into the garbage. Mrs. Staeger said the contractor is not living up to the contract. The Board of Health logs complaints. Mr. Bergen said the Borough has had more tipping fees since this contractor. Mrs. Staeger asked how long it takes the contractor to do one district. She complained that they have no lights on the truck. Mr. Merla said in the past the company has been fined. It was asked if Marrone should be brought to the next meeting. Mrs. Poling was asked to contact Donna Purcell in the Board of Health for all complaints received to date. The Attorney and Administrator should review the complaints twice a month. The complaints should be referred to Mr. Kain to review for punitive damages and if it warrants, Marrone will be called in. Mr. Merla said BID is implemented and dumpster buddies are needed (Red Bank has 6 cans with two pick ups). Mrs. Staeger asked if the BID Budget Hearing is scheduled for April 16th. If the money is not collected, where does it come from. Mayor Graham said the BID has anticipated what will be received. They have been asked many times to explain their budget and no explanation has been given and whether residents will have to pay. Mrs. Atkins said BID will expend more. Mr. Bergen said BID had the wrong statute in their budget. Mayor Graham said the Borough collects taxes and sends it to the school, County and BID. Mrs. Staeger asked if a lawsuit is brought, who pays the legal fees; the taxpayers. Mary Allen, Maple Place, asked if Green Grove Apartments has a tenants association. The Borough is fighting their battle; the tenants have rights. She said the Memorial Day parade is scheduled for May 26th at 11 AM and said that she goes to church service at that time. Mr. Merla said letters were sent out on March 12th for any questions or comments. Mr. Merla reported the Easter Egg Hunt was not held this year. The meeting was closed to the public at 11:35 P.m.

ADJOURNMENT

Motion to Adjourn moved by Mr. Hyer, seconded by Mr. Merla with Ayes by all present.

Time of Adjournment: 11:35 P.M.

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