

April 22, 2002
Keyport, New Jersey

Minutes of a Special 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 Resolution #144-02, in accordance with the Open Public Meetings Act. Notices were faxed to the Courier, Asbury Park Press, Independent and Two River Times and posted on the Bulletin Boards.

Mayor Graham called the meeting to order at 6:10 P.M. and read the Sunshine Law Notice.

ROLL CALL

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

RESOLUTION

1. Resolution #145-02, 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/Police Sergeant

Litigation

1. RCG vs. Borough

Labor Relations

1. PBA Grievance

Contract Negotiations

1. Health Insurance
2. Garbage Contract
3. Engineering - Bulkhead
4. Calsey Realty (Fire Museum)

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 for the purpose of discussing the following subjects:

Personnel, Litigation, Labor Relations and 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 matter 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. Hyer, seconded by Mrs. Atkins

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

Absent: Councilmembers Bergen and Merla

Council went into closed session at 6:11 P.M and this meeting was reconvened at 8:43 P.M. On Roll Call the following were present: Councilmembers Atkins, Ashmore, Hyer, Merla. Absent: Councilmembers Bergen and Stalter.

RESOLUTIONS

2. Resolution #146-02, Authorize Mayor to execute Right of Way Easement - Verizon

WHEREAS, the Mayor and Council have received a request from VERIZON New Jersey, Inc., for an easement along property owned by the Borough of Keyport and identified as Block 21.01, Parts of Lots 34 and 49, situated along and through a portion of West Front

APPROVED 6/18/02

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

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

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

7. Resolution #149-02, Settlement of Grievance - Patrolman Kenneth Marr, Jr.

WHEREAS, pursuant to the provisions of a contract between the PBA and Borough of Keyport, Patrolman Kenneth Marr filed a grievance over a determination made by the Chief of Police that he should be suspended without pay for an indefinite period pursuant to a directive from the Monmouth County Prosecutor's Office; and

WHEREAS, the Mayor and Council have reviewed and considered the grievance filed by the PBA on behalf of Patrolman Marr and further considered the arguments of the Chief of Police as well as Patrolman Marr and the representative of the PBA concerning issues relative to the suspension without pay; and

WHEREAS, pursuant to the contract between the PBA and Borough of Keyport, the within grievance was heard and considered by the Mayor and Council.

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

1. The Mayor and Council hereby direct that the suspension without pay imposed by the Chief of Police and sustained at previous levels of the grievance procedure be modified to a suspension with pay effective March 24, 2002.
2. Patrolman Marr will be made available during his regular shift or upon two (2) hours notice to perform any duties requested by the Chief of Police in connection with the operation of the police department. Patrolman Marr will not be entitled to any additional "on Call" compensation pursuant to this decision.
3. The suspension with pay shall continue until such time as restrictions imposed by the Monmouth County Prosecutor's Office are vacated and Patrolman Marr is authorized to return to full time duty without any limitations and restrictions.
4. The Borough Clerk is directed to take all steps reasonably necessary to direct payment to Patrolman Marr for all base salary due and owing consistent with the terms of this decision.
5. Certified true copies of the within resolution shall be forwarded to the Borough Attorney, Chief Financial Officer, Patrolman Kenneth Marr and to the Representative of the PBA.

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

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

8. Resolution #150-02, Authorize Administrator to send a letter to Winant-Bomack Insurance Agency

WHEREAS, the Mayor and Council of the Borough of Keyport have, by previous resolution authorized the cancellation of several insurance policies utilized by the Borough of Keyport upon the Borough of Keyport securing comparable insurance coverage at considerable savings to the Borough of Keyport and the citizens of Keyport; and

WHEREAS, the Mayor and Borough Council did communicate this decision to Robert Winant, the insurance agent of representative