

Minutes of the Regular Meeting of the Mayor and Council, Borough of Keyport, held on the above date in the Keyport First Aid Building, 1927 Atlantic Street, Keyport, N.J., pursuant to the adoption of the Annual Notice on file with the Borough Clerk, forwarded to the Asbury Park Press, Courier, Independent and Two River Times and posted on the Bulletin Board in accordance with the Open Public Meeting Act, P.L. 1975, Ch. 231.

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

ROLL CALL

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

RESOLUTION

1. Resolution #168-02, 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/Outside Construction

Labor Relations

1. PBA Grievance
- 2a. Public Works/PSTO Negotiation
- b. Clerical Negotiations

Contract Negotiations

1. Public Works Facility Lease
2. Health Insurance
3. Water/Wastewater Facilities
4. New Municipal Complex/Communications Systems

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 First Aid 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 15 minutes.

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

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

Council went into Closed Session at 7:09 P.M. and this meeting was reconvened at 7:45 P.M.

Mayor Graham called the meeting to order at 8:15 P.M. and read the Sunshine Law Notice. Councilmember Hyer led the Pledge of Allegiance and Moment of Silence. Mr. Merla asked that prayers be said for two former Councilmen; Mr. Russo and Mr. Kovacs.

ROLL CALL

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

SWEARING IN CEREMONY

Police Chief Gajewski presented a pin to Anthony Gallo, III after Mrs. Poling swore him in as Police Sergeant. Mr. Gallo

thanked Council for the opportunity to take the next step in his career. He thanked his family for their support over the past month (it was a difficult time waiting). He thanked his wife, Robin, and their two daughters. He also thanked the members of the Police Department for their support. Mr. Merla congratulated Mr. Gallo and the other candidates (Detectives Cassidy and Hafner) who showed dignity. Mr. Merla said he was involved with the interview process in the beginning and was then asked to disqualify himself because Mr. Gallo is related to him through Mrs. Merla. He said with other opportunities he abstained, but with this matter he did not believe he had a conflict. He wrote to the Local Government Finance Board/Ethics Division for an advisory opinion; today, he was advised that if he had voted on Mr. Gallo's appointment there would have been no conflict. Mr. Merla wished Mr. Gallo well in his promotion and he wished the residents and two other candidates the best of luck.

Sarge, Canine Unit, took his oath of office for the Department. The Port Authority Police Department provided 10 weeks training. Members of the Port Authority Police Department were in attendance stating Sarge is a fine working drug dog.

#### PUBLIC PARTICIPATION

The meeting was opened to the public at 8:25 P.M. for comments or questions on the Agenda items. There being none, the meeting was closed to the public at 8:25 P.M.

#### APPROVAL OF MINUTES

Minutes of the Special Meeting of March 12<sup>th</sup>, Regular Meetings of March 19<sup>th</sup> and April 16<sup>th</sup>, Work Meeting of April 2<sup>nd</sup>, Closed Meetings of March 19<sup>th</sup>, April 2<sup>nd</sup> and 19, 2002 were approved as submitted on motion of Mr. Merla, seconded by Mr. Hyer with Ayes by all present.

#### HEARING ON ORDINANCE

1. Ordinance #13-02, Tax Abatement Ordinance (Commercial Properties). The Tax Assessor, Judith Cannon, asked that the Ordinance be held and it will be relisted on the June 3<sup>rd</sup> Agenda.
2. Ordinance #14-02, Increase Recycling (CFC Permits) Fee

The Clerk reported that the Ordinance was published as introduced in the Courier, issue of May 9, 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 AN ORDINANCE ENTITLED "REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT" ADOPTED BY THE MAYOR AND COUNCIL AND AMENDED FROM TIME TO TIME THEREAFTER AMENDING CHAPTER 16, STREET, SIDEWALKS AND SANITATION, RECYCLING FEES

The Hearing was opened to the public for comments or questions at 8:27 P.M. There being none, the Hearing was closed to the public at 8:27 P.M.

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

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

- 2a. Motion authorizing the Clerk to publish the Ordinance, as finally adopted, according to law, in the Courier, issue of May 23, 2002 moved by Mrs. Atkins, seconded by Mr. Hyer with Ayes by all present.

#### INTRODUCTION OF ORDINANCE

1. Ordinance #15-02, Require Installation of Rapid Entry System in Commercial Structures

The Clerk read the Ordinance by Title:

AN ORDINANCE AMENDING AND SUPPLEMENTING AN ORDINANCE ADOPTED BY THE MAYOR AND COUNCIL AND AMENDED FROM TIME TO TIME THEREAFTER TO REQUIRE INSTALLATION OF A RAPID ENTRY SYSTEM IN COMMERCIAL STRUCTURES EQUIPPED WITH EITHER AN AUTOMATIC FIRE SUPPRESSION SYSTEM OR FIRE ALARM SYSTEM

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT THAT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT ARE HEREBY AMENDED TO REQUIRE INSTALLATION OF A RAPID ENTRY SYSTEM IN COMMERCIAL STRUCTURES EQUIPPED WITH AUTOMATIC FIRE SUPPRESSION SYSTEM OR FIRE ALARM SYSTEM.

Section 1. Declaration. The Mayor and Council declare that it is in the best interest of the citizens of the Borough of Keyport to establish a uniform system to gain entry into commercial structures located within the Borough in the event of a fire or other emergency. The present system which requires various fire companies within the Borough of Keyport to carry keys to various commercial structures is antiquated and outdated and results in unreasonable delays in providing necessary fire and other emergency services, which could result in damage to both person and property. The Mayor and Council believe that the establishment of a uniform system of entry into commercial structures would enhance the safety of all residents and reduce the possibility of significant property damage.

Section 2. Definitions. As used in this Ordinance, the following terms shall have the following meanings:

(a) Commercial structure shall mean any commercial building or structure located within the Borough of Keyport, which is equipped with an automatic fire suppression system or fire alarm system. Residential units are excluded from the requirements of this ordinance.

(b) Rapid Entry Box and key system shall mean a system installed at commercial structures which allows access to the structure including boiler rooms, sprinkler control valves, elevators and electrical rooms in the event of a fire or other emergency, to firefighters or other emergency personnel.

Section 3. Operation. The owner, tenant lessee and/or occupant of a commercial structure within the Borough of Keyport, which is equipped with an automatic fire suppression system and/or fire alarm system, shall have installed a rapid entry box and key system to allow access to the fire department and other emergency personnel to the commercial structure, including the boiler room, sprinkler control valves, electrical room, elevator and elevator control rooms, in the event of a fire, fire alarm or other emergency situation which requires immediate access to the commercial structure.

Section 4. Notification. The owner, tenant, lessee or occupant shall supply to the Keyport Fire Prevention Bureau all necessary access information to the rapid entry box and key system on forms prescribed by the Fire Prevention Bureau. The owner, tenant, lessee or occupant shall promptly notify the Fire Prevention Bureau of any code changes or system changes effecting the ability of emergency personnel to gain access.

Section 5. Effective Date. The ordinance shall take effect upon final passage and publication as required by law. All owner, tenants, lessees and occupants shall have one hundred and eighty (180) days to comply with the provisions set forth herein.

Section 6. Inconsistent Ordinances. All Ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 7. Severability. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid by a Court of competent jurisdiction, such adjudication shall apply only to that section, paragraph, clause or provision and the remainder of this Ordinance shall be deemed to be valid and enforceable.

Section 8. Penalties. Any person, firm, corporation, or other legal entity who violates the provisions of the within ordinance shall, upon conviction, be subject to a fine of not more than One Thousand Dollars (\$1,000.00) or imprisonment in the county jail for not more than ninety (90) days, or both.

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

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

- 1a. Motion authorizing the Clerk to publish the Ordinance as introduced in the Courier, issue of May 23, 2002 for a Hearing to be held June 3, 2002 moved by Mr. Hyer, seconded by Mr. Stalter with Ayes by all present.

COMMITTEE REPORTS

**Councilman Bergen; Buildings & Grounds and Library.** Mr. Bergen was absent.

**Councilwoman Atkins; Fire:** Mrs. Atkins reported on the following. The First Aid celebrated its 75<sup>th</sup> Anniversary; a plaque was presented to them from the Fire Department. Nippers is a report system (State) which was installed in the computers to generate reports. An exempt dinner was held in Keyport. The New Jersey State breakfast was held; the Ladies Auxiliary served lunch and breakfast. At the Fire Museum Meeting, they advised the contracts were signed and we are waiting on the survey. The Fire Inspection was held on May 4<sup>th</sup>; all of the trucks looked nice (Mayor and Council attended). The First Aid and Cadets marched in the Inspection parade (they wore tomato colored uniforms). The Groundbreaking ceremony for the New Municipal Building was held on May 4<sup>th</sup>. A proclamation was presented to the Historical Society for their 30<sup>th</sup> Anniversary. The Historical Society will hold an Italian night on June 10<sup>th</sup>. The Senior Center will have a yard sale on June 8<sup>th</sup>. Last Thursday, 110 people attended the annual Senior Center tea at the First Aid; the money raised will go toward the center and events. The Senior Center's 10<sup>th</sup> Anniversary celebration will be held on June 4<sup>th</sup> at 10 AM.

**Councilman Merla; Finance:** Mr. Merla reported on the following. He is working on health insurance which was discussed. He attended a seminar on April 26<sup>th</sup> at the PNC Arts Center regarding Smart Growth; there were DOT and DCA speakers. Perth Amboy was there as well as 400 people. The State offices of Planning and Smart Growth merged. He asked the Commission about Keyport's grant. Tom Fallon, Chief Financial Officer met with two banks regarding a credit card system for the Court. BID and the Finance Committee met regarding the 2002 budget; everyone is satisfied. The ongoing Clerical Negotiations are progressing. The new Recycling Brochure has been completed and will be delivered to Borough Hall (there are contact numbers to call). The Memorial Day parade will be on May 26<sup>th</sup> at 1 P.M.; marchers will convene at Atlantic and Monroe Streets near the High School. There are three pieces of property that should be sold or a sale negotiated; he will have a full report by the next meeting (one property is contingent upon a clear title). Mrs. Ashmore asked that he report on the following: the DARE van and Sarge will march in the Memorial Day parade. The BID would like to insert their Calendar of Events in the Water Bills; Mrs. Poling said the CCR Report for the water plant goes into the July Water Bill and will check this out. Mr. Merla said the Monmouth County Community Development Committee met two times; the group went out on a site inspection with George Sappah's help and Theresa Street will be the project submitted (it will be done in two phases). Mr. Merla checked with Mr. Freda and Mrs. Poling and will check with Virginia Edwards regarding the August 21<sup>st</sup> deadline for the expansion of monies. With Washington and Broadway and Theresa Street, the whole west side of town will be in good shape. Atlantic Street will be the DOT project. Rich Gardella, P.E. said the park end of Theresa Street would strengthen the application. An Advisory Meeting needs to be held and then a Council Meeting. Mayor Graham said Monmouth County Community Development may agree to bring the current funding before the voting members (it is a competitive process and very hard). Mr. Merla commended the Board of Health for Warren and Osborn Street; a raccoon was living in a tree and was captured.

**Councilwoman Ashmore; Police:** Mrs. Ashmore was absent.

**Councilman Hyer; Public Works/Recycling/Property Maintenance.** Mr. Hyer reported on the following. He is working on Public Works/PSTO contract negotiations. The old sewer plant windows have been boarded up and the fencing was painted. The Boat Launching Ramp Building was painted and repairs were made; the floats are in except at the Municipal Pier (the float needs repair and replacement). The parks are getting ready. The flags are up on

American Legion Drive (they were purchased by BID). JOMAC did a sewer main repair at 172 First Street. Three dumpsters were purchased for recycling. The recycling yard has been cleaned up (the fence needs repair) and the brochure has been completed.

**Councilman Stalter; Health, Recreation and Parks.** Mr. Stalter reported on the following. The Board of Health has endorsed the Recycling brochure; it is informative). Jennifer Carey was hired as the new Recreation Director; the summer program is lined up and ready to go. A bus trip was planned for July to go to a paintball course in Manchester; July is too hot so it; may be postponed until the fall. This event may be coordinated with Pop Warner. A Blue Claws Baseball trip is scheduled for August. Mrs. Atkins advised that Saturday the Engine Company fire truck was painted with a mural. News 12 did an interview. Carl from Down Under painted it.

**Administrator Poling:** Mrs. Poling reported on the following. On May 14<sup>th</sup>, a meeting was held with BID regarding the website (the Borough has to provide its information). On May 15<sup>th</sup>, a meeting was held with Monmouth County Engineering regarding the Amboy Avenue Bridge (renderings are on file in the office for review).

Chief Gajewski reported on Mrs. Ashmore's behalf. On April 16<sup>th</sup>, Detective Cassidy lectured the Monmouth County Vocational Law Enforcement Class on Investigations. April 15-17, Patrolmen Hafner and McCartin attended the State DARE convention in Atlantic City. Our DARE van won second place statewide for best appearing van/truck. Detective Cassidy attended a Terrorist Awareness class on April 22<sup>nd</sup> in Cleveland, Ohio. April 24-26, Lieutenant Mitchell went to Pittsburgh, Pennsylvania to check on free equipment offered by the Office of National Drug Control Policy. We acquired new video equipment. On May 2<sup>nd</sup>, Patrolman Ferm was involved in a vehicle pursuit which originated in Keyport, through Aberdeen and into Old Bridge; summonses were issued for speeding (82 in a 50) and DWI. May 6-10, Detective Hafner attended and successfully completed the Detective Enhancement Course given by the Monmouth County Prosecutor's Office at the Monmouth County Police Academy. May 8-10 and 13<sup>th</sup>, Patrolman Sorber assisted in instructing a class on bike patrol given by the Monmouth County Police Academy. Patrolman Aumack was at Toms Ford on May 11<sup>th</sup> for "Ident-a-kid" Program day. On May 11<sup>th</sup>, Sergeant Wheeler, Sergeant Ely, Detective Cassidy and Patrolman Salvatore assisted the Historical Society for a Keyport Police then and now day, held at the Steamboat Dock Museum. May 15-17, Captain Dayback, Detective Hafner and Patrolman McCartin traveled to Washington, D.C. for the National Police Memorial Service.

**Engineer Freda:** Mr. Freda reported on the following. He drafted a spec on the street sweeper and forwarded copies to Mr. Kain, Mrs. Poling and George Sappah. The survey for the Fire Museum has been ordered. With regard to the Monmouth County Community Development Block Grant money; it may be difficult to get the date extended (funding for New Municipal Complex). Rich Gardella will speak with Ned Gaunt, Architect.

**Attorney Kain:** Mr. Kain reported on the following. There is no new litigation on the New Municipal Complex.

**Mayor Graham:** The Mayor reported on the following. On April 26<sup>th</sup>, he addressed the 3<sup>rd</sup> grade at Central School regarding Borough projects. Keyport/Union Beach Little League Opening Day was April 26<sup>th</sup>. Mr. Dressel, League of Municipalities, spoke at the May 3<sup>rd</sup> Bayshore Conference of Mayors meeting. Mr. Dressel said the League supports Constitutional Convention (property taxes) and he is confident something will happen. This past Saturday, an awards ceremony was held and 18 year old Sarah Rice received the Girl Scout Gold Award (her sister Emily received this award years ago). He met with Mr. Cummins and Mr. Koenig of Fast Ferry to discuss concerns on activities and the change in service (using fishing boats). The boats are high speed and the leases expire in May (the competition is incredible). Captain John is running a Ferry Service from Hoboken through the NY waterways. Mr. Cummins said the boat that will be serving Keyport is under construction; the propeller will disperse less water and the tower is lower so the boat will fit under bridges. The delivery of the boat is mid to late July. Fast Ferry is experiencing a financial problem; there was a 75% drop in ridership; the trip now takes 70 minutes. When boats are available, it will be too costly. The Mayor spoke to Mr.

Cummins and Mr. Koenig about parking on Apollo's property; the work is not in conformance with the Site Plan. Shrubs were planted and stops moved; DEP approval was needed for the tidal upland line (there was a dispute on where the line was). There is a three year monitoring by the DEP. Assurances were received from Mr. Caddle that the dirt would be gone by the end of the week. Curb cuts on Beers Street are being made this week, the gobeon wall will be started, the creek will be cleaned up and vegetation planted. The cars that are in the lot now were approved by Tony Vecchio so that they are not on the waterfront. Fast Ferry has to pay Mr. Caddle and Mr. Swift for using their lots. Ray Walker of Maser is overseeing the Site Plan work.

#### REPORTS OF DEPARTMENTS

##### **FEBRUARY 2002**

##### 1. Police Department - Firearm/Fingerprint Report

Total amount collected                      \$137.00

Submitted by Theodore Gajewski, Police Chief

##### **MARCH 2002**

##### 2. Treasurer's Report

|                            |                |
|----------------------------|----------------|
| CURRENT CHECKING           | \$1,254,070.14 |
| ASSESSMENT TRUST           | 621.33         |
| FEDERAL AND STATE GRANTS   | 588.11         |
| ANIMAL CONTROL             | 1,055.89       |
| TRUST CHECKING             | 38,901.32      |
| TRUST SAVINGS              | 158,257.11     |
| RECREATION BAYFRONT        | 63,830.70      |
| UNEMPLOYMENT/DISABILITY    | 65,564.78      |
| RECREATION COMMISSION      | 11,195.81      |
| GENERAL CAPITAL            | 497,766.37     |
| ESCROW TRUST               | 164,843.91     |
| LAW ENFORCEMENT            | 8,859.26       |
| SELF HEALTH INSURANCE FUND | 2,149.14       |
| WATER/SEWER OPERATING      | 4,999.52       |
| WATER/SEWER SAVINGS        | 131,961.78     |
| WATER/SEWER INVESTMENT     | 118,587.89     |
| WATER CAPITAL CHECKING     | 2,701.73       |
| WATER CAPITAL INVESTMENT   | 88,856.33      |
| GENERAL CAPITAL INVESTMENT | 2,968,042.03   |

INTEREST EARNED ON INVESTMENTS FOR MARCH, 2002

CURRENT - \$6,543.12

WATER - \$ 460.15

Submitted by Pauline Redmond, Treasurer

| <u>PERMITS</u>             | <u>NUMBER OF PERMITS</u> | <u>AMOUNT RECEIVED</u> |
|----------------------------|--------------------------|------------------------|
| CONSTRUCTION STATE FEE     | 23                       | \$ 150.00              |
| CERTIFICATE OF OCCUPANCY   | 32                       | 820.00                 |
| PLUMBING PERMITS           | 10                       | 1090.00                |
| ELECTRICAL PERMITS         | 9                        | 1290.00                |
| BUILDING PERMITS           | 23                       | 2407.00                |
| FIRE SUB CODE              | 9                        | 715.00                 |
| CONST CERT OF OCCUPANCY    | 3                        | 120.00                 |
| ZONING PERMITS             | 8                        | 80.00                  |
| 200 FT PROPERTY LIST       | 3                        | 30.00                  |
| TRANSFER OF TITLE          | 4                        | 155.00                 |
| REINSPECTION FEES          | 0                        | -0-                    |
| CONSTRUCTION VIOLATIONS    | 0                        | -0-                    |
| COPIES                     | 0                        | -0-                    |
| MISC.                      | 5                        | 98.00                  |
| ELEVATOR INSPECTION AGENCY | 0                        | -0-                    |
| ELEVATOR-BOROUGH           | 0                        | -0-                    |
| SMOKE DETECTORS            | 32                       | 640.00                 |
| CONST. DEPOSITS REFUNDABLE | 2                        | 100.00                 |
| <b>TOTAL</b>               |                          | <b>\$ 7695.00</b>      |

#### ACCOUNTS PAYABLE

|                                           |            |
|-------------------------------------------|------------|
| AMOUNT PAID TO BOROUGH, CHECK #2366       | \$ 7445.00 |
| STATE FEE DUE - JAN, FEB, MAR, CHECK 2367 | 588.00     |
| ELEVATOR INSPECTION AGENCY, CHECK #       |            |

Submitted by Annette Kovacs, Senior Permit Clerk

##### 4. Municipal Court Report

|                   |             |
|-------------------|-------------|
| STATE FINES       | \$ 1,431.00 |
| STATE SURCHARGE   | 225.00      |
| STATE UNINSURED   | 155.00      |
| COUNTY FUNDS      | 1,112.10    |
| COUNTY FINES      | 5,084.50    |
| MUNICIPAL FINES   | 5,084.50    |
| MUNICIPAL COSTS   | 4,317.00    |
| MUNICIPAL PARKING | 1,363.00    |
| MISCELLANEOUS     | 1,556.90    |

Submitted by Kathie Coffey, Court Administrator

#### APRIL 2002

#### 5. Borough Clerk's Report

##### WATER/SEWER ACCOUNT

|                                |             |
|--------------------------------|-------------|
| WATER CONNECTION               | \$ 3,800.00 |
| WATER METER                    | 147.06      |
| TURN ON CHARGE                 | 80.00       |
| SEWER CONNECTION               | 1,000.00    |
| SEWER/POOL PERMIT              | 75.00       |
| WATER METER W/TO               | 200.00      |
| DEMOLITION                     | -0-         |
| TOTAL WATER/SEWER, CHECK #3508 | \$ 5,302.06 |

##### CURRENT ACCOUNT

|                             |             |
|-----------------------------|-------------|
| BINGO LICENSE               | \$ -0-      |
| GUN PERMITS & ID'S          | 105.00      |
| LIMO LICENSE                | -0-         |
| PHOTOCOPIES                 | 204.50      |
| POSTAGE                     | .68         |
| RAFFLE LICENSE              | -0-         |
| TAXI LICENSE, DRIVER        | -0-         |
| TAXI LICENSE, OWNER         | -0-         |
| POLICE DEPT ACCIDENT REPORT | 393.00      |
| SEARCHES                    | -0-         |
| VENDING LICENSE             | -0-         |
| PEDDLAR LICENSE             | -0-         |
| LIQUOR LICENSE              | 3,418.32    |
| STREET OPENING              | 525.00      |
| FISH & GAME                 | -0-         |
| NEWSPAPER VENDING MACHINES  | -0-         |
| RECYCLING PERMITS           | 360.00      |
| PARKING PERMITS             | 20.00       |
| AUCTION LICENSES            | -0-         |
| VENDING MACHINE             | 60.00       |
| LIQUOR LICENSE APPLICATION  | 3.00        |
| TOTAL CURRENT, CHECK #3509  | \$ 5,089.50 |

##### ESCROW ACCOUNT

|                                  |           |
|----------------------------------|-----------|
| CASH REPAIR DEPOSIT, CHECK #3510 | \$ 351.00 |
|----------------------------------|-----------|

##### RECREATIONAL BAYFRONT IMPROVEMENT TRUST

|                            |           |
|----------------------------|-----------|
| BOAT LAUNCHING RAMP PASSES | \$ 950.00 |
| BAIT                       | -0-       |
| ICE                        | -0-       |
| ICE CREAM                  | -0-       |
| SODA                       | -0-       |
| TOTAL RBIT, CHECK #3511    | \$ 950.00 |

|                |              |
|----------------|--------------|
| TOTAL RECEIPTS | \$ 11,692.56 |
|----------------|--------------|

Submitted by Allyson M. Cinquegrana, Deputy Borough Clerk

#### 6. Tax Collector's Report

|                                         |               |
|-----------------------------------------|---------------|
| 2002 TAXES                              | \$ 955,259.86 |
| 2001 TAXES                              | 37,160.16     |
| 2003 PREPAID TAXES                      | -0-           |
| PRIOR YEARS TAXES                       | 172.03        |
| PROPERTY REDEEMED                       | -0-           |
| INTEREST AND COSTS                      | 3,519.94      |
| TAX SEARCHES                            | -0-           |
| POST OFFICE LAND RENT                   | 275.00        |
| SENIOR CITIZEN HOUSING IN LIEU OF TAXES | 26,405.00     |
| RETURNED CHECK CHARGES                  | -0-           |

|                                 |                       |
|---------------------------------|-----------------------|
| ALL OTHER MISCELLANEOUS REVENUE | 59,192.15             |
| <b>TOTAL CURRENT RECEIPTS</b>   | <b>\$1,081,984.14</b> |

|                                    |                      |
|------------------------------------|----------------------|
| WATER & SEWER RENTS                | \$ 573,852.90        |
| INTEREST AND COSTS                 | 3,999.93             |
| TURN ON CHARGES                    | 320.00               |
| RETURNED CHECK CHARGES             | 24.00                |
| POOL PERMITS                       | 75.00                |
| WATER METERS/WITH TURN ON          | 200.00               |
| NEW METERS AND INSTALLATION CHARGE | 147.06               |
| WATER & SEWER CONNECTIONS          | 4,800.00             |
| METER TEST CHARGE                  | -0-                  |
| FIRE SERVICE                       | 850.00               |
| METER REPLACEMENT, PARTS ETC       | -0-                  |
| DEMOLITION PERMIT                  | -0-                  |
| ALL OTHER MISCELLANEOUS REVENUE    | 904.00               |
| <b>TOTAL WATER/SEWER RECEIPTS</b>  | <b>\$ 585,172.89</b> |

Submitted by Pauline Redmond, Tax Collector

7. Building Department Report

| <u>PERMITS</u>             | <u>NUMBER OF PERMITS</u> | <u>AMOUNT RECEIVED</u> |
|----------------------------|--------------------------|------------------------|
| CONSTRUCTION STATE FEE     | 39                       | \$ 620.00              |
| CERTIFICATE OF OCCUPANCY   | 54                       | 1,390.00               |
| PLUMBING PERMITS           | 22                       | 3,586.00               |
| ELECTRICAL PERMITS         | 24                       | 4,586.00               |
| BUILDING PERMITS           | 30                       | 8,498.00               |
| FIRE SUB CODE              | 15                       | 1,831.00               |
| CONST CERT OF OCCUPANCY    | 10                       | 1,344.00               |
| ZONING PERMITS             | 19                       | 190.00                 |
| 200 FT PROPERTY LIST       | 1                        | 10.00                  |
| TRANSFER OF TITLE          | 19                       | 680.00                 |
| REINSPECTION FEES          | 0                        | -0-                    |
| CONSTRUCTION VIOLATIONS    | 0                        | -0-                    |
| COPIES                     | 15                       | 11.25                  |
| MISC.                      | 5                        | 125.00                 |
| ELEVATOR INSPECTION AGENCY | 0                        | -0-                    |
| ELEVATOR-BOROUGH           | 0                        | -0-                    |
| SMOKE DETECTORS            | 54                       | 1,080.00               |
| CONST. DEPOSITS REFUNDABLE | 1                        | 50.00                  |
| <b>TOTAL</b>               |                          | <b>\$ 24,001.25</b>    |

ACCOUNTS PAYABLE

|                                     |              |
|-------------------------------------|--------------|
| AMOUNT PAID TO BOROUGH, CHECK #2368 | \$ 23,331.25 |
| STATE FEE DUE - PAID QUARTERLY      | 620.00       |
| ELEVATOR INSPECTION AGENCY, CHECK # |              |

Submitted by Annette Kovacs, Senior Permit Clerk

8. Police Department/Traffic Safety Report

|                       |           |
|-----------------------|-----------|
| Total Amount received | \$ 393.00 |
|-----------------------|-----------|

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

|                                                      |                   |
|------------------------------------------------------|-------------------|
| <b>TOTAL COLLECTED IN THE BOARD OF HEALTH OFFICE</b> | <b>\$2,382.80</b> |
| DOG LICENSES                                         | \$ 372.80         |
| CAT LICENSES                                         | 74.00             |
| MARRIAGE LICENSES                                    | 112.00            |
| BURIAL PERMITS                                       | 34.00             |
| DEATH CERTIFICATES                                   | 1375.00           |
| MARRIAGE CERTIFICATES                                | 75.00             |
| BIRTH CERTIFICATES                                   | 25.00             |
| POOL PERMITS                                         | -0-               |
| PLAN REVIEW                                          | 100.00            |
| FOOD HANDLERS                                        | 215.00            |
| MISCELLANEOUS                                        | -0-               |

DISBURSEMENTS

|         |                                 |            |
|---------|---------------------------------|------------|
| CHECK # | - BOROUGH OF KEYPORT MISC. ACCT | \$1,851.00 |
| CHECK # | - BOROUGH OF KEYPORT TRUST ACCT | 100.00     |
| CHECK # | - BOROUGH OF KEYPORT DOG ACCT   | 388.00     |
| CHECK # | - NJ STATE DEPT OF HEALTH       | 43.80      |

Submitted by Anne R. Biagianti, Treasurer

# 11. Fire Department Report

Total Company runs: 16  
Mileage on Chief's car: 10,400

Submitted by Kenneth Marr, Jr., Fire Chief

# 12. Municipal Court Report

|                 |             |
|-----------------|-------------|
| STATE FINES     | \$ 2,780.00 |
| STATE SURCHARGE | 523.00      |
| STATE UNINSURED | 390.33      |

|              |          |
|--------------|----------|
| COUNTY FUNDS | 1,460.46 |
| COUNTY FINES | 6,051.51 |

|                   |          |
|-------------------|----------|
| MUNICIPAL FINES   | 6,051.49 |
| MUNICIPAL COSTS   | 5,113.50 |
| MUNICIPAL PARKING | 1,551.00 |
| MISCELLANEOUS     | 2,238.51 |

Submitted by Kathie Coffey, Court Administrator

# 13. Code Enforcement Officer Report

See full copy on file in the Clerk's Office

Submitted by Anthony Vecchio, Code Enforcement Officer

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

## COMMUNICATIONS AND PETITIONS

1. Letter from Giordano, Halleran & Ciesla regarding 417 Associates, Performance and Maintenance Guarantees.

Motion to refer to Schoor DePalma moved by Mr. Merla, seconded by Mr. Hyer with Ayes by all present.

2. Letter from New Horizon (Legion Apartments) requesting use of the Borough tent and picnic tables for the June 12<sup>th</sup> annual picnic.

The red tent was ruined at a previous event; there is no tent.

Motion to Approve use of the picnic tables moved by Mr. Merla, seconded by Mrs. Atkins with ayes by all present.

3. Letter with Petition from Rich Heffron regarding cutting the trees in the Willow Drive lot.

House #3 on Willow Street runs between St. George and St. Peter's Place. This matter should be referred to Public Works and the Engineer; an easement is needed to vacate or divide. The residents and the Borough clean the lot. House #10 on Willow Street has trees on either side; one side is used as a driveway. Residents spoke with George Sappah stating it was a dumping ground. One tree is falling. An estimate should be requested to clear the whole lot. One neighbor wants the trees. Willow Street is not a through street. The Borough plows the street.

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

4. Request from Jesus The Lord Church for their Feast of Corpus Christi procession on June 2<sup>nd</sup> asking for traffic security.

Motion to grant their request moved by Mrs. Atkins, seconded by Mr. Hyer with Ayes by all present.

5. Letter from the Baykeeper's Association regarding their Oyster Planting Day on June 22, 2002 with various requests.

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

6. Request for donation from Keyport High School Hall of Fame.

Motion to approve \$100.00 Ad moved by Mr. Merla, seconded by Mrs. Atkins with Ayes by all present.

7. Request for permission to hold fireworks on St. Joseph Church property on May 31, 2002 (raindate: June 1<sup>st</sup>)

Last year there were problems with noise (Aberdeen residents complained). Chief Gajewski spoke with Tony Vecchio. After last year's fireworks, there was debris on lawns, cars and roofs. Mr. Vecchio said if drought conditions do not ease there cannot be fireworks. It was asked where the fireworks are launched from; the back of the cemetery. Traffic on Broadway would have to be stopped. Mr. Vecchio is opposed to them firing the fireworks on school grounds. This year they are honoring the Police.

Motion to Approve contingent upon Anthony Vecchio's approval moved by Mr. Merla, seconded by Mr. Stalter with Ayes by all present.

#### UNFINISHED BUSINESS

1. **Proposed American Legion Drive Parking Ordinance.** Mr. Kain said there was a question as to whether Green Acres would regulate this. The Borough has rights on time limits. Councilmembers wanted this matter discussed. Mr. Merla explained that the purpose of the Ordinance was due to commuter traffic. Mr. Kain explained that the Borough is trying to find a "happy medium". We are trying to regulate the parameters. Mr. Merla said there has never been a problem before; if the Ordinance is changed and the lot is restricted to cars other than commuters, the public will be confused. Mr. Merla said he has no problem regulating the hours if the Ferry comes back in July. Mayor Graham said Green Acres expects the Borough to do something to control and prevent the commuters from parking there. Mrs. Atkins said she had a problem with no parking 4-8 P.M. Mayor Graham said there would only be one space. Mrs. Atkins asked how the spaces would be regulated if there was only one space. Mr. Hyer said the Borough should implement under time restriction and then review; Mr. Kain said the Police Chief could monitor the area. Chief Gajewski said he spoke with residents, businesses, Captain John's before he made his recommendation. Mr. Stalter asked where the commuters would park; In Apollo's lot. Mayor Graham said there are 39 spots reserved in Fireman's lot. Mr. Stalter suggested window permits for the businesses. Mayor Graham said this was not a good idea because the businesses wanted the ferry and the Borough cannot ignore that. Mr. Merla made a motion to have the attorney prepare a draft ordinance for Chief Gajewski's review, seconded by Mrs. Atkins with Ayes by all present. This will be listed on the next meeting's agenda.
2. **NJDOT 2003 Municipal Aid Program.** Mr. Hyer said George Sappah spoke with Mr. Freda and they recommend Atlantic Street from Maple Place to First Street. Mr. Merla thought it should be done opposite: Hurley Street to the water. Mr. Freda said he would check with Mr. Sappah; the project may have to be phased. The deadline to submit an application is June 28<sup>th</sup>. The application will be started and the matter listed on the June 3<sup>rd</sup> agenda.
3. **315 Broad Street.** Mr. Hyer met with George Sappah to review the matter. Mr. Merla said the resident advised that they will pursue the matter in litigation. This matter should be discussed in closed session on June 3<sup>rd</sup>.
4. **Catamaran Charter Service.** Mayor Graham asked Mr. Kain what information is needed for a lease; the terms. This matter may be subject to bidding. Motion authorizing Mr. Kain to prepare a lease moved by Mr. Merla, seconded by Mr. Hyer. John Fahey applied to Green Acres for a grant for a new Boat Ramp building.
5. **Keyport Aberdeen Women's Softball/Cedar Street Park.** Motion to approve Pop Warner to use Cedar Street Park for their practices, etc and deny Keyport Aberdeen Women's Softball League moved by Mr. Hyer, seconded by Mr. Stalter with Ayes by all present. Mr. Hyer said the High School Field cannot be used until October 2002.

NEW BUSINESS

1. **Redevelopment Zones.** Mr. Kain submitted a memo. Motion to refer this matter to the Planning Board to identify areas in need moved by Mr. Merla, seconded by Mrs. Atkins.
2. **Property Exclusions from BID.** This matter will be listed on the June 3<sup>rd</sup> Agenda.
3. **Shorelands Water.** The usage should be increased to 8 million for May and June 2002. Mr. Merla asked if the Borough will be penalized. The agreement will be pulled and Mrs. Poling will clarify this matter with Mr. Giblon.
4. **Proposed Sidewalks, Curbs and Driveways Ordinance.** Anthony Vecchio, Code Enforcement/Zoning Officer, made recommendation and a draft Ordinance will be ready by the June 3<sup>rd</sup> meeting.
5. **Proposed Ordinance to Restrict the Discharge of Water into Borough Streets.** This Ordinance would be to regulate so that it does not go directly into the streets. Mr. Merla said there are 400 residences that are tied into the sewer; a fee should be charged for those who are tied into the sewer. Mr. Vecchio will contact Mr. Sappah to discuss. Mr. Freda said there are other towns that have the same problem and they discourage. They should be removed from the sanitary sewer. This matter was referred to Mr. Vecchio and Mr. Sappah.

PUBLIC PARTICIPATION

The meeting was opened to the public for comments or questions pertaining to Agenda items at 10:12 P.M. Mary Allen, Maple Place, asked about an Ordinance for Sidewalks, Curbs and Driveways; Mayor Graham said it would regulate repairs. Terry Musson, Third Street, asked about BID property exclusions; the budget is based on properties and if properties are excluded, the budget changes. Mayor Graham agreed; the monies are not collected, the budget is projected. Mr. Musson said he was told that it is illegal to run the sump pump into the sanitary sewer because it adds to the sewer flow; Mayor Graham said he believed it was illegal. Mr. Merla said there were old homes who had sanitary sewer and sold the residents sold the home; Certificates of Occupancy were not issued to those tied into the line. Mr. Vecchio denied them because there are no laws on the books. This matter should be enforced with new construction under State Statute. The meeting was closed to the public at 10:20 P.M.

RESOLUTIONS

2. Resolution #169-02, Assignment of Sergeant to the Detective Bureau  
  
BE IT RESOLVED by the Mayor and Council that the assignment by Chief Theodore Gajewski of Sergeant George Cassaletto as Detective Sergeant within the Detective Bureau/Keyport Police Department effective June 3, 2002 is hereby confirmed.  
  
BE IT FURTHER RESOLVED that the salary for the position of Detective Sergeant is as per current Ordinance and Resolution.  
  
Offered for adoption by Mr. Hyer, seconded by Mr. Stalter  
  
Roll Call Vote: Ayes: Councilmembers Atkins, Merla, Hyer, Stalter  
Absent: Councilmembers Bergen and Ashmore
3. Resolution #170-02, Appoint Harry Kneute as Part Time Summer Laborer - Boat Ramp

WHEREAS, it is necessary to hire Part Time Summer Laborers; and

WHEREAS, applications have been submitted.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that Harry Kneute is hereby hired as a Part Time Summer Laborer effective May 21, 2002 at the hourly rate of \$10.00 per hour.

BE IT FURTHER RESOLVED that the maximum number of hours per week is not to exceed 28 hours.

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

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

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

4. Resolution #171-02, Authorize Borough Clerk/Administrator to advertise for Receipt of Bids/Washington Street-Phase IV

**BE IT RESOLVED** by the Mayor and Council of the Borough of Keyport that the Borough Clerk/Administrator is hereby authorized to advertise for Receipt of Bids for the Reconstruction of Washington Street - Phase IV.

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

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

5. Resolution #172-02, Payment of Bills

See full copy of Resolution as pages 18-24 of these minutes.

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

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

6. Request from Shorelands to increase draw of Manasquan water for May and June 2002 - This was deleted from the Agenda
7. Appoint Part Time Summer Laborer - This was deleted from the Agenda
8. Appoint Part Time Summer Laborer - This was deleted from the Agenda
9. Appoint Part Time Summer Laborer - This was deleted from the Agenda
10. Appoint Part Time Summer Laborer - This was deleted from the Agenda
11. Resolution #173-02, Authorize Borough Clerk/Administrator to advertise for Receipt of Bids - Paving Materials

**BE IT RESOLVED** by the Mayor and Council of the Borough of Keyport as follows:

1. The Borough Clerk/Administrator is hereby authorized and directed to publish a notice advertising for the publication of bids for Bituminous Concrete Surface Course, FABC and Bituminous Stabilized Base Course paving materials in accordance with the specifications approved by the Department of Public Works.

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

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

12. Resolution #174-02, Authorize Tax Lien Redemption

**WHEREAS**, the Borough has heretofore conducted a sale for unpaid taxes of premises known as Block 139, Lot 1 premises listed in the name of BCIC FUNDING INC; and

**WHEREAS**, the Borough of Keyport has issued Tax Sale Certificate #00-0020 with regard to said sale; and

**WHEREAS**, the Tax Collector has advised the Mayor and Council that payment has been made in full for all taxes due in conjunction with said Tax Sale Certificate and for the redemption thereof.

**NOW, THEREFORE, BE IT RESOLVED** that the Tax Collector is hereby authorized to cancel said tax sale certificate of record and to take such steps as may be required to officially record said cancellation.

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

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

Absent: Councilmembers Bergen and Ashmore

13. Resolution #174-02, Authorize Developer's Agreement - 417 Associates, LLP/RIO Partners, LLC

WHEREAS, the Mayor and Council are aware that 417 Associations, LLP/Rio Partners, LLC did receive preliminary and final major site plan approval by a Resolution of the Keyport Planning Board dated August 23, 2001; and

WHEREAS, pursuant to the Resolution duly adopted by the Keyport Planning Board, the applicant is required to enter into a Developer's Agreement with the Borough of Keyport with respect to the certain street improvements relative to Arlington Street at the within site location to Arlington Street; and

WHEREAS, the Planning Board Engineer has forwarded a summary of required fees and bonds to be posted as part of the Developer's Agreement; and

WHEREAS, based upon the recommendation submitted, the Mayor and Council are resolved to authorize the Mayor to execute the Developer's Agreement with 417 Associates, LLP/Rio Partners, LLC.

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

1. The Mayor of the Borough of Keyport is hereby authorized to execute a Developer's Agreement between the Borough of Keyport and 417 Associates, LLP/Rio Partners, LLC with respect to certain street improvement relative to Arlington Street at the within site location.
2. The Developer's Agreement shall contain the recommendations of the Planning Board Engineer with respect to any and all specifications related to Arlington Street improvements.
3. A duly certified copy of the within Resolution shall be forwarded to the 417 Associates, LLP/Rio Partners LLC Planning Board Chairman, Planning Board Engineer, Borough Engineer and Borough Attorney.
4. A copy of the within resolution shall be retained in the office of the Borough Clerk for public inspection.

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

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

14. Resolution #176-02, Authorize Mayor to execute Right of Entry Agreement - Army Corp of Engineers

WHEREAS, the Borough of Keyport is the owner of several lots located on or along First Street in the Borough of Keyport, County of Monmouth and State of New Jersey; and

WHEREAS, the United States of America, by and through the Department of the Army Corps of Engineers, has requested certain Rights of Entry from the Borough of Keyport for property along First Street in the Borough of Keyport, County of Monmouth and State of New Jersey for the purposes of undertaking the Keyport Hurricane and Storm Damage Reduction Project; and

WHEREAS, the purpose of this project is to permit the Government to make survey, test borings and carry out such exploratory work as may be necessary to complete the investigation of said lands by the United States of America; and

WHEREAS, the Mayor and Council have received a recommendation from the Borough Attorney, which has modified the proposed Right of Entry for Survey and Exploration; and

WHEREAS, the Mayor and Council are resolved to authorize the Mayor to sign the Right of Entry Agreement granting to the United State of America an irrevocable Right to Entry upon the lands owned by the Borough of Keyport for a period of 6 months for the purposes

stated herein.

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

1. The Mayor of the Borough of Keyport is authorized to execute a Right of Entry agreement for Survey and Exploration prepared by the Department of the Army Corps of Engineers for those lands owned by the Borough of Keyport along First Street, Keyport, New Jersey.
2. The executed Right of Entry Agreement for Survey and Exploration shall forthwith be returned to the Department of the Army Corps of Engineers, New York, New York.
3. Copies of the within Resolution and executed Right of Entry Agreement for Survey and Exploration shall be forwarded to the Borough Attorney, Borough Engineer and Department of Public Works.
4. A copy of the within Resolution shall be kept on file in the Office of the Borough Clerk for public inspection.

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

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

15. Resolution #177-02, Amend Public Works Facility Lease

**WHEREAS**, the Mayor and Council did by Resolution #285-01 authorize an increase in the monthly rent of \$4,684.35 to the sum of \$4,717.64 as the result of a proportional increase in taxes due and payable by the Borough of Keyport to the landlord Earl T. Swift; and

**WHEREAS**, the Mayor and Council have previously authorized the execution of an Agreement of Amending and Extending Lease dated June 25, 1988, which will provide for the continual lease and occupancy by the Borough of Keyport located at 120 Francis Street, Keyport, New Jersey; and

**WHEREAS**, it appears that the increase in rent in the amount of \$33.29 per month was omitted from the Agreement Amending and Extending Lease dated June 25, 1988; and

**WHEREAS**, it further appears that the amount of monthly rent should be reflected at \$4,717.64 as contained in the base agreement between the Borough of Keyport and the landlord, Earl T. Swift; and

**WHEREAS**, the Mayor and Council desire to amend the Agreement Amending and Extending lease dated June 25, 1988 to correct the rent due and payable to the landlord Earl T. Swift.

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

1. The Agreement Amending and Extending Lease dated June 25, 1988 executed on April 30, 2002, is hereby modified to reflect a monthly rental in the sum of \$4,717.64.
2. Copies of the within Resolution shall be forwarded to Earl T. Swift as well as the Municipal Finance Officer and Borough Attorney.
3. A copy of the within Resolution shall be maintained in the Office of the Borough Clerk for inspection.

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

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

16. Resolution #178-02, RFP - Phase II/DeCotiis, Fitzpatrick and Gluck

**WHEREAS**, the Mayor and Council of the Borough of Keyport have previously authorized the firm of DeCotiis, Fitzpatrick, Gluck & Cole to proceed with a Phase I study into the privatization of the operation, management, maintenance and repair of the water and

wastewater systems within the Borough of Keyport pursuant to Resolution #370-01, as adopted on December 18, 2001 and amended by Resolution #140-02; and

**WHEREAS**, in accordance with this initial authorization, the firm of DeCotiis, Fitzpatrick, Gluck & Cole did issue a Request for Qualifications and Proposals for the operation, management, maintenance and repair of the water and wastewater systems; and

**WHEREAS**, the firm of DeCotiis, Fitzpatrick, Gluck & Cole, coordinated efforts with other borough professionals to address questions posted by prospective respondents to clarify issues associated with the Request for Qualifications and Proposals which subsequently resulted in the conclusion of Phase I with the receipt of four (4) specific proposals; and

**WHEREAS**, the firm of DeCotiis, Fitzpatrick, Gluck & Cole is prepared to proceed with Phase II which will include the review of the proposals submitted, meeting with representatives of the Respondents for any clarifications required, consultation with borough professionals concerning financial and technical recommendations and the coordination with borough professionals in the preparation of an evaluation report containing an overall recommendation as to which, if any, of the Respondents should be selected by the Borough to commence contract negotiations; and

**WHEREAS**, the firm of DeCotiis, Fitzpatrick, Gluck & Cole have proposed to complete Phase II at a cost not to exceed the sum of Nine Thousand Nine Hundred Dollars (\$9,900.00) which the Mayor and Council have found to be acceptable; and

**WHEREAS**, the Mayor and Council have reviewed the proposals prepared by the firm of DeCotiis, Fitzpatrick, Gluck & Cole with respect to the Phase II work and have determined to proceed based upon that proposal; and

**WHEREAS**, the Municipal Finance Officer has indicated that sufficient funds are available for payment for the Phase II of the proposal submitted by the firm of DeCotiis, Fitzpatrick, Gluck & Cole.

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

1. The firm of DeCotiis, Fitzpatrick, Gluck & Cole are authorized to proceed with Phase II of the study to privatization the operation, management, maintenance and repair of the water and wastewater systems to include a review of all proposals received, meeting with Respondents for Proposal Clarification, consulting with borough professionals concerning financial and technical recommendations and such coordination with borough professionals to provide for a drafting of an evaluation report concerning an overall recommendation, to which, if any, of the Respondents should be selected by the Borough to commence contract negotiations.
2. The Mayor and Council hereby authorize the firm of DeCotiis, Fitzpatrick, Gluck & Cole to proceed with a cost not to exceed the sum of Nine Thousand Nine Hundred Dollars, together with any disbursements.
3. Said payments having been certified as available by the Municipal Finance Officer of the Borough of Keyport as to Phase II of this project.
4. That copies of the within resolution be forwarded to DeCotiis, Fitzpatrick, Gluck & Cole and to the Municipal Finance Officer and that a copy of the within Resolution be maintained in the office of the Borough Clerk for public inspection.

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

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

17. Resolution #179-02, Authorize Emergency Sewer Main Repair/First

Street/JOMAC

**WHEREAS**, an emergency existed on April 19, 2002 arising out of the break in a sanitary sewer lateral located at 127 First Street in the Borough of Keyport; and

**WHEREAS**, this emergency affected the public health, safety and welfare and required immediate action; and

**WHEREAS**, the immediate need to repair the broken sanitary sewer lateral on an emergency basis could not have been reasonably foreseen and exceeded the amount set forth in N.J.S.A. 40A:11-6.1; and

**WHEREAS**, the Superintendent of Public Works, in furtherance of his duties and responsibilities, authorized acceptance of a proposal from JOMAC Construction, Inc. of Belford, New Jersey to repair the broken sanitary sewer lateral on a time and materials basis which work was performed at a total cost of up to \$5,683.13; and

**WHEREAS**, the Borough Engineer has reviewed the matter and the scope of the work performed and is satisfied that there was an emergent condition.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council as follows:

1. The prior authorization to JOMAC Construction, Inc. of Belford, New Jersey to perform emergent work to repair a broken sanitary sewer lateral at 127 First Street in the Borough of Keyport on and about April 19, 2002 in the total amount of up to \$5,683.13 is approved.

2. The appropriate Borough Officials are authorized to sign such documents as may be required to effectuate the foregoing.

3. A certificate of availability of funds is annexed hereto.

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

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

18. Resolution #180-02, Donation to the Keyport High School Hall of Fame

**WHEREAS**, the Keyport High School Hall of Fame is an Organization located in the Borough of Keyport which conducts activities that benefit the public good; and

**WHEREAS**, the Keyport High School Hall of Fame has requested that the Borough of Keyport contribute the sum of \$100.00 for the purpose of assisting them with funds for a full page ad in their ad journal.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Keyport, that the sum of \$100.00 is hereby approved as a contribution to the Keyport High School Hall of Fame and the Mayor and Chief Financial Officer are authorized and directed to pay said sum.

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

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

19. Resolution #181-02, Refer Redevelopment Zones to the Planning Board

**WHEREAS**, the Mayor and Council of the Borough of Keyport are mindful of the statutory considerations as contained in NJSA 40A:12A-1 et. seq. which allows a municipality to adopt a Redevelopment Plan for the redevelopment or rehabilitation of all or part of a redevelopment area or an area of rehabilitation, which plan shall be sufficiently, complete to indicate its relationship to definite municipal objectives as to appropriate land uses, public transportation and utilities, recreation and municipal facilities, and other public improvements and to indicate proposed land uses and building requirements in the redevelopment area; and

WHEREAS, the Mayor and Council are resolved to encourage the redevelopment of areas within the Borough so as to promote the maximum benefit to local business establishments and citizens within the borough of Keyport; and

WHEREAS, the Mayor and Council are mindful of significant recent changes within the Borough including the commencement of the new municipal complex and the expansion of the business improvement district which are designed to promoted continued expansion within the Borough of Keyport; and

WHEREAS, the Mayor and Council have determined that it would be in the best interest of the Borough of Keyport to request the Keyport Planning Board to conduct a preliminary investigation and hearing and to make a recommendation to the governing body of areas within the Borough of Keyport which are in need of redevelopment, with such specific recommendations for a redevelopment plan for the within areas as contemplated pursuant to NJSA 40A:12A-1 et seq.; and

WHEREAS, the Mayor and Council are resolved to refer this matter to the Keyport Planning Board and direct the Board to conduct a preliminary investigation as contemplated under the statute in such case made and provided.

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

1. The Mayor and Borough Council hereby requests the Keyport Planning Board undertake a preliminary investigation and hearing and make recommendations to the governing body as to whether there are areas within the Borough of Keyport in need of redevelopment as contemplated under NJSA 40A:12A-1 et. seq.
2. The Mayor and Council further request that the Keyport Planning Board make any recommendations which it deems appropriate concerning the enactment by the governing body of a redevelopment plan in areas determined by the Board to be in need of redevelopment as contemplated under the statute.
3. That a copy of the within resolution be forwarded to the Chairman and Secretary, Keyport Planning Board and that a copy of the within resolution be retained in the office of the Borough Clerk for public inspection.

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

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

ADJOURNMENT

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

Time of Adjournment: 10:25 PM

Respectfully submitted,

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

*Allyson M. Cinquegrana*  
per Allyson M. Cinquegrana, RMC  
Deputy Borough Clerk

