Approved 7-6-04

June 1, 2004
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.

Council President June Atkins called the meeting to order at 7:13 P.M. in Mayor Merla's absence and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Wedick, Doyle, Atkins, Hyer. Absent: Councilmembers Bergen, Stalter. Others present were Mr. Kain, Borough Attorney and Mr. Palamara, Administrator.

RESOLUTION

1. Resolution #198-04, Closed Meeting - Personnel, Litigation, Labor Relations and Contract Negotiations

(SEE FULL COPY OF RESOLUTION ATTACHED HERETO AND MADE PART

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

Roll Call Vote: Ayes: Councilmembers Wedick, Doyle, Atkins, Hyer

Council went into closed session at 7:15 P.M. and this meeting was reconvened at 8:09 P.M.

Mayor Merla called the meeting to order at 8:11 P.M. and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Wedick, Doyle, Atkins, Stalter (arriving at 7:17 PM), Hyer.
Others present: Mr. Kain, Borough Attorney, Mr. Freda, Borough Engineer, and Mr. Palamara, Administrator.

HEARING
FY 2005 MONMOUTH COUNTY COMMUNITY DEVELOPMENT PROJECT

The Hearing was opened at 8:11 PM. Mrs. Atkins reported that the Citizen Advisory Committee met and discussed different streets. Mr. Freda said the project that was decided on was Third Street from Atlantic Street to Broad Street. The project ties into the Department of Transportation Atlantic Street project. Mr. Freda said drainage was taken under consideration. There were no comments from the audience. The Hearing was closed at 8:16 PM.

RESOLUTION

2. Resolution #199-04, Monmouth County Community Development FY 2005 Project

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH AS FOLLOWS:

The FY 2005 Project, Third Street between Atlantic Street and Broad Street as recommended by the Keyport Citizen Participation Group is hereby approved by the Mayor and Council of the Borough of Keyport for submittal to the County of Monmouth, Community Development Block Grant Program.

Offered by Councilwoman Atkins, seconded by Councilman Hyer

Roll Call Vote: Ayes: Councilmembers Wedick, Doyle, Atkins, Stalter, Hyer
Absent: Councilman Bergen

INTRODUCTION OF ORDINANCES

1. Ordinance #9-04, Amend Chapter XVI, Streets, Sidewalks and Sanitation (Construction Materials

The Clerk read the Ordinance by Title:

AN ORDINANCE AMENDING AND SUPPLEMENTING AN ORDINANCE ENTITLED "REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT" ADOPTED BY THE MAYOR AND BOROUGH COUNCIL AND AMENDED FROM TIME TO TIME THEREAFTER AMENDING AND SUPPLEMENTING CHAPTER XVI, STREETS SIDEWALKS AND SANITATION

(SEE FULL COPY OF ORDINANCE ATTACHED HERETO AND MADE PART OF THESE MINUTES)

Offered by Mr. Stalter, seconded by Mr. Doyle

Roll Call Vote: Ayes: Councilmembers Wedick, Doyle, Atkins, Stalter, Hyer
Absent: Councilman Bergen

1a. Motion authorizing the Clerk to publish the Ordinance, as introduced, in the Courier, issue of June 3, 2004 for a Hearing to be held on June 15, 2004 moved by Mr. Stalter, seconded by Mr. Hyer with Ayes by all present.

2. Ordinance #10-04, Amend Chapter IV, Police Regulations (Abandoned Automobiles)

The Clerk read the Ordinance by Title:

AN ORDINANCE AMENDING AND SUPPLEMENTING AN ORDINANCE ENTITLED "REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT" ADOPTED BY THE MAYOR AND BOROUGH COUNCIL AND AMENDED FROM TIME TO TIME THEREAFTER AMENDING AND SUPPLEMENTING CHAPTER IV, POLICE REGULATIONS

(SEE FULL COPY OF ORDINANCE ATTACHED HERETO AND MADE PART OF OF THESE MINUTES.)

Mrs. Atkins voiced concern about automobiles parked on private property, that some people have several cars and that this might cause friction amongst neighbors. Mr. Kain said that the cars must be registered, insured and inspected and that the Police should use discretion. Mr. Palamara said they could apply for an application for a special permit under certain circumstances. Mr. Wedick said they could enclose the vehicle with a fence or put a tarp over it.

Offered by Mr. Hyer, seconded by Councilman Stalter

Roll Call Vote: Ayes: Councilmembers Wedick, Doyle, Atkins, Stalter, Hyer
Absent: Councilman Bergen

2a. Motion authorizing the Clerk to publish the Ordinance, as introduced, in the Courier, issue of June 3, 2004 for a Hearing to be held on June 15, 2004 moved by Mr. Doyle, seconded by Mr. Wedick, with Ayes by all present.

3. Ordinance#11-04, Bond Ordinance, $850,000, Replacement of William A. Ralph Pier

The Clerk reported that the Supplemental Debt Statement was filed with her office prior to introduction.

The Clerk read the ordinance by Title:

BOND ORDINANCE PROVIDING FOR THE REPLACEMENT OF THE WILLIAM A. RALPH PIER, BY AND IN THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING $850,000 (INCLUDING A GREEN ACRES GRANT FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION IN THE AMOUNT OF $340,750) THEREFOR AND AUTHORIZING THE ISSUANCE OF $850,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF

(FULL COPY OF ORDINANCE ATTACHED HERETO AND MADE PART OF THESE MINUTES.)

Offered by Councilwoman Atkins, seconded by Councilman Doyle

Roll Call Vote: Ayes: Councilmembers Doyle, Atkins, Stalter, Hyer
Abstain: Councilman Wedick
Absent: Councilman Bergen

3a. Motion authorizing the Clerk to publish the Ordinance, as introduced, in the Courier, issue of June 3, 2004, for a Hearing to be held on June 15, 2004, moved by Mr. Stalter, seconded by Mr. Doyle, with Ayes by all present.

4. Ordinance #12-04, Bond Ordinance Amending Bond Ordinance #20-03, Increasing Appropriation to $850,000, Improvements to Atlantic Street

The Clerk reported that the Supplemental Debt Statement was filed with her Office prior to introduction.

The Clerk read the Ordinance by Title:

BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER 20-03 (WHICH PROVIDES FOR IMPROVEMENTS TO ATLANTIC STREET) HERETOFORE FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF KEYPORT COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ON AUGUST 5, 2003, TO THEREIN INCREASE THE APPROPRIATION TO $850,000 (INCLUDING NEW JERSEY DEPARTMENT OF TRANSPORATION GRANTS IN THE AGGREGATE PRINCIPAL AMOUNT OF $310,000) AND TO THEREIN CREASE THE AUTHORIZATION OF BONDS OR NOTES TO $540,000

(FULL COPY OF ORDINANCE ATTACHED HERETO AND MADE PART OF THESE MINUTES.)

Offered by Councilman Stalter, seconded by Councilman Wedick

Roll Call Vote: Ayes: Councilmembers Wedick, Doyle, Atkins, Stalter, Hyer
Absent: Councilman Bergen

4a. Motion authorizing the Clerk to publish the Ordinance, as introduced, in the Courier, issue of June 3, 2004, for a Hearing to be held on June 15, 2004, moved by Mr. Hyer, seconded by Mr. Doyle, with Ayes by all present.

COMMUNICATIONS AND PETITIONS

1. Letter from Patrolman Ken Marr, Jr., Office of Emergency Management, requesting thirty (30) minutes to make CERT presentation to the Governing Body at a future meeting.

Motion to approve and list on the July 6, 2004 agenda moved by Mr. Hyer, seconded by Mrs. Atkins, with Ayes by all present.

2. Resignation from Marilyn Lee, Recreation Commission member.

Motion to accept with regret, moved by Mr. Hyer, seconded by Mrs. Atkins, with Ayes by all present.

3. Letter from the Reformed Church requesting assistance with water bill due to a leak caused by frozen pipes.

Motion to refer the matter to the Public Works Committee, moved by Mrs. Atkins, seconded by Mr. Doyle, with Ayes by all present.

4. Request from Vincent and Ann Corigliano, LLC for assistance with water bill, with two separate bills attached for the same billing period along with bill from Apollo Plumbing.

Motion to refer the matter to the Public Works Committee, moved by Mr. Hyer, seconded by Mr. Doyle, with Ayes by all present.

5. Letter from Keyport Central School PTA requesting a donation for their auction on October 14, 2004.

Motion to approve a $50.00 Ad and to add a Resolution to the Agenda, moved by Mrs. Atkins, seconded by Mr. Stalter, with Ayes by all present.

6. Letter from Keyport High School Hall of Fame requesting the Borough take an Ad in the Hall of Fame Ad Book 2004.

Motion to approve a full page Ad and to add a Resolution to the Agenda, moved by Mr. Wedick, seconded by Mr. Doyle, with Ayes by all except Mr. Hyer who abstained.

UNFINISHED BUSINESS

1. Letter requesting closing of Brook Avenue on Saturday, June 12, 2004 for a graduation party. Motion to approve moved by Mr. Hyer, seconded by Mr. Wedick, with Ayes by All present.

2. Mr. Hyer reported that he attended the Memorial Day Services.

3. Mr. Doyle reported that the plans for the Flag Pole for the Municipal Building are moving ahead.

4. Mrs. Atkins reported that there will be a Drug Alliance Meeting on June 7, 2004 at 7:00 PM. Mrs. Atkins asked Joanne Staeger if someone could attend from the Mother's Club and Mrs. Staeger said she would attend.

ADMINISTRATOR'S REPORT

Mr. Palamara reported on the following. He is working on the problem of the Doors in the Municipal Complex. He has been in contact with Mr. Shaftery from the Bayshore Development Office regarding a security grant. West Furniture property; the previous site plan approval is valid, the owner will obtain a permit and pay the fees and the sign is being addressed. Mayor Merla said there are mounds of dirt and a boat is still on the property. Mr. Kain said the sign has been removed and the van is gone. Mr. Palamara will follow up. Bike Race: Mr. Palamara spoke with Police Captain Dayback and they discussed different routes. Mayor Merla said the Special Events Committee made recommendations and they may have to blackout because of the deadline. He requested Mr. Palamara to speak with the Police Chief, Police Captain, Kathy Shaw of the KBA and Mr. Carlin of the Boat Race organization. Building Maintenance: The committee met with Nancy Germak, Building Maintenance regarding the scheduling of work and they discussed the purchase of a waxing machine. This matter has been referred to Councilman Doyle. Tonight is the last night of work for the part-time employee. Finance Department: Mr. Fallon and Mrs. Stencel discussed the hiring of an employee. It was discussed changing the title from Account Clerk to Customer Service representative having general office duties with an entry level salary $23,000. The position would be posted in house and advertised. Department of Personnel approval is required. Mayor Merla asked if this was discussed with Councilman Bergen, Finance Chairman.

ENGINEER'S REPORT

Mr. Freda reported on the following. Public Works Facility: there was one bid which was improperly completed. He recommended that the bid be rejected, that the scope of the specifications be revised and that the project be re-bid. He said some things would have to be taken out of the specs and that some things could be bid as alternates. Re-bid should be in about two weeks. Bulkhead: The Department of Environmental Protection said that the temporary road needs a CAFRA permit and Mr. Freda said no and he will argue this with them. Mayor Merla said he and Councilman Bergen spoke with Mr. Garafolo. A meeting will be held on site to arrive at a solution. The permit could take three months. Therese Street: construction will begin next week. Mr. Freda will notice the residents. Sump pump hook ups need to be enforced. Monmouth County Community Development project, Mr. Freda requested the resolution as soon as possible. Mr. Freda requested a resolution be listed on the next agenda, 6/15/04, to cover the grant application to the Transportation Trust Fund.

ATTORNEY'S REPORT

Mr. Kain reported on the following. Garbage Bids: He has prepared a resolution To extend the Contract with Bridge Disposal for 60 days. Magic Touch vs. Borough of

Keyport: there was an Appellate Division Settlement Conference-no settlement reached. Mr. Kain said that former Mayor Kevin Graham may file a frivolous suit. Garbage Ordinance: the Board of Health will introduce an Ordinance at their next meeting. Mayor Merla asked about the parking signs being put back up on Manchester, that the Department of Transportation denied the Borough's request and also asked why does the State control Borough Streets; Mr. Kain said the DOT has the right. Chief Gajewski said he will meet with all of the residents in the area. Mayor Merla reported that the Green Green Grove Apartments has another new manager.

NEW BUSINESS

1. Vehicle inventory list of 2004 vehicles from Fire Chief. Motion to receive and file, Moved by Mr. Stalter, seconded by Mr. Doyle, with Ayes by all present.

2. Renewal of 2004-2005 Liquor Licenses. All department reports were not submitted, discussion of the matter and the Resolution for renewal will be listed on the June 15, 2004 Agenda.

3. Application to the DOT. The project which will be submitted is Warren Street from Green Grove to Atlantic with curbs, milling and overlay and relocation of two clean outs. Mr. Freda said that drainage should be considered in time. Mr. Doyle asked Mr. Freda to investigate applying also for bikeway and safe streets grant. Two resolutions will be listed on the 6/15/04 agenda.

4. St. Joseph's Fair. Motion to approve request to have Fireworks, moved by Mr. Hyer, seconded by Mr. Doyle, with Ayes by all present.

5. Recreation Commission 2004 Application for Park Maintenance. It was suggested that Firemen's Park be submitted and the matter was referred to Mrs. Atkins.

6. Flag Burning. Scout Master of Troop 80 has requested holding a flag burning ceremony on Flag Day, June 14, 2004 from 7-10 PM. Motion to approve moved by Mr. Doyle, seconded by Mr. Stalter, with Ayes by all present.

7. Aeromarine Landfill. The Department of Environmental Protection has given the owners time with a deadline of 11/20/04.

8. Planner Contract. Mr. Wedick requested that a copy be sent to the Finance Chairman. Mr. Kain will review the contract.

9. Community Map. A company has sent in a proposal which will be taken under review.

PUBLIC PARTICIPATION

The Meeting was opened to the public at 9:03 P.M. for comments or questions. Mike Lane, 51 First Street asked about the Bond Ordinance for the Fishing Pier, that he thought that it was a range of $650,000 with a $250,000 grant. Mr. Freda said construction material prices have been going up, but that it warrants investigation. Mr. Lane asked about submitting a second application and Mayor Merla said it was sent in. George Walling, 54 Second Street asked Mr. Kain if he charged to visit the site of West Furniture; yes and did anyone approve it; Mr. Kain said no that he thought it was necessary. Mr. Walling said there is a Planning Board Attorney and Code Enforcement Officers to do that work and he said the Borough Attorney time should have been approved by the Mayor and Council. Mr. Kain said his involvement was beneficial and it cost $40.00 for ½ hour. Mr. Walling asked about Certificates of Occupancy for the site. Mayor Merla said there was an agreement with Robert Burlew, CCO that after 10 days if a Certificate of Occupancy is not issued they would leave the premises. Mr. Walling said the second floor was not supposed to be occupied. Mr. Kain said there was a meeting with the Planning Board Attorney to discuss this matter. Joanne Staeger, Main Street advised that there were two tiles cracked in the foyer outside the doors to the Council Chambers. Everyone was advised that Robert Burlew, Construction Code Official was in Florida being recognized by the National Pop Warner Football League . The Public Participation Portion of the meeting was closed at 9:14 PM.

RESOLUTIONS

(FULL COPIES OF RESOLUTIONS ATTACHED HERETO AND MADE PART OF THESE MINUTES)

3. Resolution #200-04, Rejecting bids received for the New Public Works Facility and authorizing revisions to scope of project and the re-advertisement for receipt of bids
4. Resolution #201-04, Payment of Bills
5. Resolution #202-04, Amend 2004 Temporary Capitol Budget
6. Resolution #203-04, June 15, 2004 Meeting, Start at 6:30 instead of 7:00 PM
7. Resolution #204-04, Extend Garbage Contract with Bridge Disposal for 60 days
8. Resolution #205-04, Authorize Contribution to Central School PTA-$50.00 Advertisement
9. Resolution #206-04, Authorize Contribution to High School Hall of Fame-Full Page Advertisement
10. Resolution #207-04, Appoint Board of Health Member-Marjorie Secenger
11. Resolution #208-04, Appoint Recreation Commission Member-William Siegle

Offered by Councilman Stalter, seconded by Councilwoman Atkins

Roll Call Vote: Ayes: Councilmembers Wedick, Doyle, Atkins, Stalter, Hyer*
Abstain: Councilman Hyer abstained on Resolutions #205-04 & #206-04
Absent: Councilman Bergen

Council went into Closed Session at 9:18 PM and this meeting was reconvened at 10:03 P.M. On Roll Call the following were present: Councilmembers Wedick, Doyle, Atkins, Stalter, Hyer. Absent: Councilman Bergen.

RESOLUTION

12. Water Plant-Authorize Execution of Agreement with New Jersey American pending Borough Attorney and Chief Financial Officer review

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

Roll Call Vote: Ayes: Councilmembers Wedick, Doyle, Atkins, Hyer
Absent: Councilmembers Bergen, Stalter

ADJOURNMENT

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

Time of Adjournment: 10:05 P.M.

Respectfully submitted,

Judith L. Poling

Judith L. Poling, RMC/CMC
Borough Clerk

Respectfully submitted,

Judith L. Poling

Judith L. Poling, RMC/CMC
Borough Clerk

Allyson M. Cinquegrana

per Allyson M. Cinquegrana, RMC
Deputy Borough Clerk