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June 18, 2002
Keyport, New Jersey

Minutes of the Regular 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 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 7:07 P.M. and read the Sunshine Law Notice.

ROLL CALL

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

RESOLUTION

1. Resolution #198-02, 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. Part Time Employees/Benefits
2. Assistant Property Maintenance Officer Position
3. Police Department/Hours of Operations

Litigation
1. Magic Touch vs. Borough of Keyport

Labor Relations
1. Clerical Contract Negotiations

Contract Negotiations
1. New Municipal Complex/Clerk of the Works
2. Water/Wastewater Utilities
3. Bulkhead Project
4. 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 Senior Citizen Center Meeting Room for the purpose of discussing the following subjects:

Personnel, Litigation, Labor Relations, 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 matters discussed are resolved, and with regard to Labor Relations when negotiations are completed and a contract executed, and this meeting shall continue in approximately 20 minutes.

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

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

Council went into Closed Session at 7:08 P.M. and this meeting was reconvened at 8:17 P.M.

Mayor Graham called the meeting to order at 8:22 P.M. and read the Sunshine Law Notice. Councilmember Stalter led the Pledge of Allegiance and Moment of Silence for Jane Jones, Board of Education member, who passed away.

ROLL CALL

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

MONMOUTH COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT HEARING

Councilman Merla said the Citizen Advisory Committee looked at the streets and projects. He thanked the Committee (Mark Sessa, Christian Montanti, Al DeGracia, Douglas Lane, John Doyle and George Sappah and June Atkins) for working so hard. The Committee felt the best project would be Theresa Street. There is access to the park, but there are no sidewalks or curbs. After this project, the west side of town would be complete. Richard Gardella, Birdsall Engineering, said the application has been prepared and is due in the Community Development Office by July 2, 2002. The Committee selected Theresa Street and the project will focus on the community's needs. For three blocks, the park is one end of the street and it terminates at the other end of the street. Sidewalks are needed for child safety. The project covers sidewalks, pavement, curbs, driveway aprons, water and sewer and drainage (which will tie into Provost Avenue drainage. Mr. Gardella said he and the committee met, walked the site which resulted in a conceptual plan. Mayor Graham asked about the amount of the project. To do it as a whole, approximately $400,000. Mr. Merla said the Borough would apply for $250,000. Mr. Bergen asked if the project was laid out for phasing. Mr. Freda said the project would be linked with the park. Mr. Merla said as a whole adds more weight and a high commitment would be needed from the town. The road is wider at one end. Landscaping would be addressed on the right of the street. Sidewalks would be installed on both sides. Mr. Bergen asked if the age of the water/sewer lines were known; Mr. Sappah said they are old. The cost of water/sewer would be $150,000. Mr. Bergen asked if the lines were TV'd. Mr. Hyer asked about the time period for construction; Mr. Freda said about 6 months. Mr. Bergen asked when the hearing would be. The application is due July 2, 2002 and the County would advise of the date and time; the presentation would be done in August. Mr. Merla said the application would be based on Monmouth County Community Development's granting a waiver for a three month extension on the current funding received (resolution on the agenda). The Meeting was opened to the public for comments or questions at 8:35 P.M. Terry Musson, 120 Third Street, asked what the Borough's cost would be; $150,000. Mr. Musson asked if has been budgeted now. Mayor Graham said it would be done under a Bond Ordinance next year. Roy Jimenez, 157 Third Street, Recreation Commission Member, asked if the paper street would be addressed; Mr. Merla said it was not part of the plan. Mr. Merla said if the fence is being destroyed then Recreation could submit a request. It is on wetlands. Mr. Freda said he would meet on the site with Mr. Jimenez to discuss the matter. The Hearing was closed to the public at 8:38 P.M. on a motion by Mrs. Atkins, seconded by Mr. Merla with Ayes by all present.

RESOLUTION

2. Resolution #199-02, Authorize Application to Monmouth County Community Development Program for FY2003 - Theresa Street

WHEREAS, on June 18, 2002, the Citizen Participation Group of the Borough of Keyport met on the project submission to the Monmouth County Community Development Program; and

WHEREAS, the Citizen Participation Group has submitted to the Mayor and Council the recommended project; and

WHEREAS, the Mayor and Council held a Public Hearing on the recommended Project on June 18, 2002.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Keyport, that the following named project be submitted to the Monmouth County Community Development Program for funding:

IMPROVEMENTS TO THERESA STREET

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

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

PUBLIC PARTICIPATION

The Meeting was opened to the public at 8:39 P.M. There being none, the Hearing was closed to the public at 8:39 P.M.

APPEARANCE AND DISCUSSION

John Kriskowski, Schoor DePalma, spoke about the Bulkhead Project. In May, a letter was received from Mr. Garafallo, DEP. Mr. Kriskowski met with Mr. Garafallo on June 13th and the DEP is satisfied with the plans; it will take a week to review. Mr. Kriskowski felt that the Borough could get the permit process going in July and construction would commence in late 2002. It is a vinyl bulkhead and the realignment of American Legion Drive would be applied for to save time and money on permitting and the State could expedite. Different sections required different designs due to soils. The road would be moved away from the Bulkhead due to stress from trucks, vehicles, etc. The roadway is not part of the bulkhead; it was included for permitting purposes. Mr. Kriskowski said the structural design engineer could not make tonight's meeting. Mr. Garafallo had questions and asked that changes be made on the tie rods (1" back to 1 ½") - most concerns were on cosmetics. The back hole would be removed. Backfill was incorporated into the plans and additional cross sections were included. Detail was provided for the tie backs, but a second detail was requested. The extent of changes were made per Mr. Garafallo's May 13th letter. The last question Mr. Garafallo had was with regard to permitting; Schoor DePalma is looking to move into the permit phase. Mr. Merla said Council was not privy to the May 13th letter. Mr. Kriskowski said a copy was sent to the Borough. Mr. Merla said the Mayor was cc'd, but Council was not. Now the project is ready to go and permitting is needed; Council should be kept up to date. Mr. Kriskowski said he prepared a status sheet for tonight and will provide one for each meeting. Mr. Kriskowski said part of the problem is that in the past he was at the meetings and made reports. Mr. Merla asked if the project will be started in the winter; Mr. Kriskowski said it would be ideal to begin after Labor Day. Mr. Bergen asked if on May 13th Mr. Kriskowski made correspondence and submitted plans on June 13th; yes. Mr. Kriskowski asked Mr. Garafallo to call him instead of writing to expedite the matter. Mr. Bergen asked if Mr. Kriskowski designs the bulkheads; no, other engineers from his Philadelphia office. Mr. Merla said that the project will go under the funding cycle for 2003 and asked if our project carries weight. Mr. Kriskowski said that Bernie Moore, DEP, said there is money available and Keyport is on line. Mr. Merla asked if the May 13th letter was accurate; there were numerous mark ups. Mr. Kriskowski said yes and the concerns in the letter were addressed. Mr. Bergen asked if including the roadway would allow for the First Street extension; Mr. Kriskowski said yes, this takes into account the First Street extension (temporarily connect to Broad Street). Mr. Bergen said the DEP does not want to deal with the road. Mr. Kriskowski said it would be more advantageous for the Borough and it would save money. If the road is pulled out of the application, time would be shortened. To move the road away opens the area up to recreation. Mr. Bergen asked if a contribution is possible. Mr. Kriskowski said the DEP will give the Borough an equivalent amount for the road (as close to where it is now). Mr. Bergen said later the Borough would have to pay to tear the road out. Mr. Freda asked if Green Acres is involved. Mr. Kriskowski said Green Acres previously approved the First Street extension; they will be advised of where the road will go. Mr. Freda said Green Acres is not the easiest Department to work with; their approval would be needed on the road. Mr. Garafallo said the application would include the road for permitting purposes only, no construction. The road would provide a temporary road; DEP monies. Mr. Kriskowski will call Ms. Sullivan-Sapp at Green Acres; they previously approved the plan from years ago. They will not mandate moving the road for the Bulkhead. Mr. Freda said the Borough needs "all of their ducks in a row". Mr. Bergen said the matter should be addressed right now; funding should be found and the waterfront redeveloped. Mr. Merla said this never became an issue. Mr. Bergen asked if the Borough will proceed with the road. Mrs. Ashmore asked if the State wanted the road removed. Mr. Kriskowski said they didn't want it included in the permitting. Mr. Merla said the bulkhead ties under the road and tears it up; the project should be done all at once; to put it back the same way does not make sense. Mrs. Atkins said the road and bulkhead went hand in hand. Mr. Merla asked Mr. Freda if he concurred and if he contacted the DEP; yes, an Mr. Garafallo agreed. Mr. Freda contacted Green Acres and there may be a loophole; the Borough needs them to approve the plan. Mr. Kriskowski will contact Ms. Sapp and report back. Mr. Freda said once the bulkhead is replaced, there will be a point in time where there will not be a road. Mr. Kriskowski said there would be a temporary road until funding is received. Mr. Bergen said there is no funding to cover this road and the Borough should put leverage on Green Acres for funding. Mr. Freda said there is a time line and process for funding. Mr. Merla asked about the Army Corp of Engineers. Mr. Freda said this is in the preliminary stages. Mr. Kriskowski said he will send the revised plans.

The Meeting was opened to the public for comments or questions. Jeff Fink asked if the construction would begin in September. Mr. Kriskowski said Mr. Garafallo wants it to begin within a reasonable time frame. Mitch Meyerson said businesses need access to the back of their businesses. Mr. Bergen said 6-8 months is not critical to pull in all of the pieces. Mr. Kriskowski left the meeting at 9:10 P.M.

APPROVAL OF MINUTES

Minutes of the Special Meetings of April 22nd and 30th and Closed Meetings of April 22nd and 30, 2002 were approved as submitted on motion of Mr. Merla, seconded by Mr. Stalter with Ayes by all present.

HEARING ON ORDINANCE

1. Ordinance #16-02, Tax Abatement/Commercial Properties

The Clerk reported that the Ordinance was published as introduced in the Courier, issue of June 6, 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 AND SUPPLEMENTING AN ORDINANCE ENTITLED THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT ADOPTED BY THE MAYOR AND COUNCIL AND AMENDED FROM TIME TO TIME THEREAFTER TO PROVIDE FOR A TAX EXEMPTION FOR IMPROVEMENTS TO COMMERCIAL STRUCTURES WITHIN THE BOROUGH OF KEYPORT IN ACCORDANCE WITH NJSA 40A:21-1 ET.SEQ.

The Hearing was opened to the public for comments or questions at 9:12 P.M. There being none, the Hearing was closed to the public at 9:12 P.M.

Mr. Bergen said that this Ordinance is better than the first one. There is a five year period with a $200,000 cap. He said he will vote against this Ordinance and felt the Borough should look at housing and redevelopment in Keyport and promote the TIF statute. We should take a more comprehensive look at housing and redevelopment.

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

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

1a. Motion authorizing the Clerk to publish the Ordinance as adopted according to law in the Courier, issue of June 20, 2002 moved by Mr. Merla, seconded by Mrs. Atkins with Ayes by all present.

INTRODUCTION OF ORDINANCE

1. Ordinance #17-02, Amend Chapter III, 3-6.1A26/Outside Police Work Fee (Construction Sites)

The Clerk read the Ordinance by Title:

AN ORDINANCE AMENDING AND SUPPLEMENTING AN ORDINANCE ENTITLED THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT ADOPTED BY THE MAYOR AND COUNCIL AND AMENDED FROM TIME TO TIME THEREAFTER AMENDING CHAPTER III, SECTION 3-6.1-26

BE IT ORDAINED by the Mayor and Council of the Borough of Keyport that Borough Ordinances, Chapter III, Police and Fire Departments, Section 3-6.1-26 is hereby amended and supplemented as follows:

Section 1. Declaration. The Mayor and Council of the Borough of Keyport declare it is necessary to revise and update fees paid to various employees of the Police Department who perform work during off-duty hours for various independent contractors working within the Borough of Keyport and it increases the administrative fees charged independent contractors relative to off duty police personnel and equipment, which is commensurate with neighboring municipalities who perform similar services for independent contractors.

Section 2. Chapter III, Section 3-6.1-26 is hereby amended and supplemented as follows: "The various employees of the police department of the Borough of Keyport, in the County of Monmouth and State of New Jersey who perform work during off duty hours for any independent contractor working in the Borough of Keyport shall within the following ranges, based upon their positions within the police department, as to be determined from time to time by resolution of the Mayor and Council as follows:

POLICE DEPARTMENT

Chief or Captain	$35.00 to $50.00 per hour
Lieutenant	$35.00 to $50.00 per hour
Sergeant	$35.00 to $50.00 per hour
Patrolman First Class	$35.00 to $50.00 per hour
Patrolman Second Class	$35.00 to $50.00 per hour
Patrolman Third Class	$35.00 to $50.00 per hour
Detective Sergeant	$35.00 to $50.00 per hour
Detective	$35.00 to $50.00 per hour
Special Police Officer	$35.00 to $50.00 per hour
Administrative Fee	$10.00 to $20.00 per hour

(For processing payroll and related matter, equipment, insurance)

Section 3. All Ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and the same are hereby repealed as to the extent of such inconsistencies.

Section 4. If any section, subsection, part, clause or phrase of this Ordinance shall be declared invalid by judgement of any Court of competent jurisdiction, the section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of this Ordinance.

Section 5. This Ordinance shall take effect immediately upon final passage and publication as required by law.

Mr. Merla asked if this Ordinance included the Police Chief and Police Captain. Mr. Kain said they have worked this type of job and have been included.

Offered for adoption by Mrs. Ashmore, seconded by Mr. Stalter

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

1a. Motion authorizing the Clerk to publish the Ordinance as introduced in the Courier, issue of June 20, 2002 for a Hearing to be held July 2, 2002 moved by Mrs. Atkins, seconded by Mr. Merla with Ayes by all present.

2. Ordinance #18-02, Amend Chapter VII and Chapter VIII - Parking Lots and Handicapped Parking/American Legion Drive

The Clerk read the Ordinance by Title:

AN ORDINANCE AMENDING AND SUPPLEMENTING AN ORDINANCE ENTITLED THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT ADOPTED BY THE MAYOR AND COUNCIL AND AMENDED FROM TIME TO TIME THEREAFTER AMENDING CHAPTER VII, TRAFFIC AND AMENDING CHAPTER VIII, PARKING LOTS AND HANDICAPPED PARKING

BE IT ORDAINED by the Mayor and Council of the Borough of Keyport that Borough Ordinances, Chapter VII, Traffic and Chapter

VIII, Parking Lots and Handicapped Parking, are hereby amended and supplemented as follows:

Section 1. Declaration. The Mayor and Council of the Borough of Keyport declare that the establishment of the Fast Ferry Service, which offers commuters access to New York City, combined with the growth and development of the business district and the expansion of recreational activities, have mandated a review of parking along Legion Drive (a/k/a American Legion Drive). In evaluating the current parking situation, the Mayor and Council are mindful of the need to balance the demand of commuters with those of the business district as well as those interested in recreational activities, with the understanding that access to parking is a fundamental mandate under the Green Acres Program. Following consultation with the Chief of Police, the Mayor and Council are determined to regulate parking in the areas of Legion Drive.

Section 2. Schedule I is hereby amended to provide that there shall be no parking on the south side of Legion Drive for the entire length of Legion Drive.

Section 3. Schedule I is hereby amended to provide that there shall be no parking on the north side of Legion Drive in the following two (2) zones which are situated in front of the pier and driveway, as follows: For the pier, from the easterly curbline of that portion of Legion Drive that runs north to south, beginning 223 feet and continuing eastward to the distance of 264 feet. For the driveway, from the easterly curbline of that portion of Legion Drive that runs north to south, beginning 546 feet and continuing eastward to the distance of 625 feet.

Section 4. Schedule IV is hereby amended to provide that there shall be time limited parking in the Legion Drive Parking Lot and in the Fireman's Lot with a maximum of six (6) hours of parking from 9:00 A.M. to 5:00 P.M., every weekday, except holidays, except for certain parking spaces allocated to the ferry service for commuter parking, which shall be exempt from this prohibition set forth herein.

Section 5. Section 8-3.2. Prohibited Hours is hereby amended as follows: No motor vehicle shall be parked in the American Legion parking lot, along Legion Drive (both sides) and in the Fireman's parking lot, between the hours of 1:00 A.M. and 6:00 A.M. Vehicles shall further be limited to a maximum of six (6) hours of parking from 9:00 A.M. to 5:00 P.M., every weekday, except holidays, except for certain parking spaces allocated to the ferry service for commuter parking, which shall be exempt from the six (6) hour restriction set forth herein.

Section 6. Section 8-3.3 Exceptions is hereby amended as follows. The provisions of Section 8-3.2 shall not apply to:

a. Members of the Police Force
b. Other borough officials or employees while on duty or performing their respective duties.
c. Patrons and employees of any adjacent business establishment while patronizing or working at said establishment during hours of operation, except that the six (6) hour weekday time restriction shall not be excepted and shall remain in full force and effect.
d. Groups or organizations utilizing lots while on bus trips or events except that the six (6) hour weekday time restriction shall not be excepted, and shall remain in full force and effect.

Section 7. All Ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and the same are hereby repealed as to the extent of such inconsistencies.

Section 8. If any section, subsection, part, clause or phrase of this Ordinance shall be declared invalid by judgement of any Court of competent jurisdiction the section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of this Ordinance.

Section 9. This Ordinance shall take effect immediately upon final passage and publication as required by law.

Mr. Merla asked if this was Chief Gajewski's recommendation. Mr. Kain said yes, and Green Acres does not have a problem with it. Mayor Graham said when Green Acres approved the use of the pier, they had concerns on the parking. The Ferry Lease provides its own parking. Mr. Kain said Chief Gajewski addressed a memo to Mayor and Council regarding this matter. Mr. Kain spoke with Leilani Hershey and a copy of the proposed Ordinance was sent to her. There were some language changes and the times.

Mrs. Atkins said she had some reservations regarding the parking and felt that this prohibits residents from parking there. Mrs. Ashmore asked if the Chief advised how this will be enforced; yes, by marking tires. Mayor Graham said the Borough has no choice, Green Acres is unhappy with the commuter parking. Mrs. Atkins said the Borough is "in a catch 22" situation. The Ordinance is only in effect until the Ferry sets up their lots. Mr. Merla said 13 residents are commuters and the Borough is discriminating against the residents. He will vote in favor of it. There are tractor trailers parking in the lot overnight and it has not be enforced. Green Acres may say no to the Ferry if the parking is not addressed. The Chief recommended this Ordinance be adopted. Mr. Merla said Captain John is subleasing his lease. Mr. Bergen said there are 13 residents that are commuters and 100 other people are allowed to park in the lot. Mr. Merla suggested Green Acres be asked if we can implement permit parking.

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

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

2a. Motion authorizing the Clerk to publish the Ordinance as introduced in the Courier, issue of June 20, 2002 for a Hearing to be held July 2, 2002 moved by Mr. Hyer, seconded by Mr. Stalter with Ayes by all present.

3. Ordinance #19-02, Set Salary for Clean Communities Coordinator

The Clerk read the Ordinance by Title:

AN ORDINANCE AMENDING AND SUPPLEMENTING AN ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, AND STATE OF NEW JERSEY AUTHORIZING AMENDMENT TO SALARIES OF THE VARIOUS OFFICERS, CLERKS AND EMPLOYEES OF THE BOROUGH OF KEYPORT CLEAN COMMUNITIES COORDINATOR

BE IT ORDAINED by the Mayor and Council of the Borough of Keyport and County of Monmouth and the State of New Jersey that the Ordinance establishing salary ranges payable to various officers, clerks and employees of the Borough of Keyport is hereby amended in accordance with the following:

Section 1. Declaration: The Mayor and Council hereby declare that due to various cutbacks in funding by the State of New Jersey funds necessary to pay the part time salary of the Clean Communities Coordinator consistent with this reduction.

Section 2. The following salary ranges are hereby fixed and determined for the following part time officers and employees of the Borough of Keyport retroactive to January 1, 2002:

TITLE	MINIMUM SALARY		MAXIMUM SALARY
Clean Communities Coordinator	$25.00	-	$1,000.00

Section 3. All Ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and the same are hereby repealed as to the extent of such inconsistencies.

Section 4. If any section, subsection, part, clause or phrase of this Ordinance shall be declared invalid by judgement of any

Court of competent jurisdiction, the section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of this Ordinance.

Section 5. This Ordinance shall take effect immediately upon final passage and publication as required by law.

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

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

3a. Motion authorizing the Clerk to publish the Ordinance as introduced in the Courier, issue of June 20, 2002 for a Hearing to be held July 2, 2002 moved by Mrs. Atkins, seconded by Mr. Merla with Ayes by all present.

COMMITTEE REPORTS

Councilman Bergen; Buildings & Grounds and Library. Mr. Bergen reported on the following. Construction is up and running on the new Municipal Complex; the Architect advised Council of some matters that have come up. Consultants will be hired, as well as, Clerk of the Works. The Library summer reading program ends on June 30, 2002. Who ever read the most books gets a prize. Mr. Sheridan is the Treasurer for the library and filed the State Report for the Library on line.

Councilwoman Atkins; Fire: Mrs. Atkins reported on the following. The 10th Anniversary for the Senior Center was this month and they are doing a good job; the meals and programs are more than other centers provide. The Historical Society held their Italian night last Monday. The museum will be open from 12-4 P.M. on the weekends. On June 22nd and June 23rd their will be seeding of Oysters through the Baykeeper. There were 17 alarms in May for the Fire Department. There is a Resolution on tonight's agenda for the Fire Museum regarding the closing. Mr. Bergen said the Air Conditioning is out in the Senior Center kitchen. Mrs. Atkins said there was an Ansell system installed, the floor was coated and new cabinets were installed at the Senior Center.

Councilman Merla; Finance: Mr. Merla reported on the following. He asked Mr. Freda, Engineer, about the permit process for the New Municipal Complex. It is the contractor's responsibility to obtain the permits (Paul Reinhold agrees). Through the County program, the recycling of tires is free from May 21st to July 20th. They can be disposed of at the Hazlet Recycling site; it is open to Monmouth County residents only. Letters were sent to the employees regarding a change in Insurance. The PBA President asked about the length of contract. Mr. Fallon is collecting information on a credit card system in the Court for this year. Mr. Merla asked Mr. Fallon about the full time clerical person in the Senior Center before the budget was adopted; the money is budgeted and this should be listed on July 2nd. He has a meeting with Mr. Fallon next week to go over the Bond Ordinance including the New Municipal Complex. There is a clerical negotiation meeting tomorrow. A meeting will be set up with the Department Heads. He spoke with Judy Tripodi in the State regarding the Budget. With regard to the Recycling brochure, the Board of Health, Property Maintenance and Code Enforcement Officer had a meeting because there was a question regarding wood; 4 foot sections should be cut and tied, but residents should be careful if the wood is treated. Four complaints were received regarding garbage. The Condos should be checked. Mr. Merla said regarding his disqualification on a vote; a decision was received from the State (it is confidential). Mr. Bergen asked what the rule on wood is if it is construction material; they need a dumpster if it is treated, if it is untreated, it could be tied in bundles and the garbage company will take it. Mr. Merla said if it has not be taken, it should have been and there is a legitimate complaint. Mr. Bergen asked if Tony Vecchio will be sending a letter on the determination basis.

Councilwoman Ashmore; Police: Mrs. Ashmore reported on the following. She met with Chief Gajewski and Captain Dayback regarding the upcoming events from July 6th through December. There are Police requirements for the Festival of Sails. The coordination of events and Police were not timely so an events committee will be developed. Every January the various organizations and Events Committee should meet and go through what is required for the various events. The Committee should be the Police, Public Works, Recreation, a Borough liaison, Chamber of Commerce and Administrator. Mr. Bergen asked if the Committee would approve the requests; no, just coordinate. Mayor Graham said it is up to the Organization to make timely requests. Mr. Kain said the Committee would not need to be established by Ordinance. Mr. Merla said Mr. Hyer should be the Council liaison; he accepted. The Mayor appointed the Advisory Committee: George Sappah, Roy Jimenez, Police Chief and/or Police Captain, Chamber of Commerce, Mrs. Poling. The Holiday Tree lighting will be November 30th. The Administrator is working on the Borough's information for the Keyportonline.com website. The website is free to Borough residents and businesses; there are coupons. There is a Ferry Trip on the 4th of July. Motion to approve First Street to be closed overnight between Broad and Church Streets for the Festival of Sails event moved by Mrs. Ashmore, seconded by Mr. Hyer with Ayes by all present. All effected will be notified. With regard to fire hydrant fees and the Condo Associations, water bills are going to be sent out and if some were waived, all should be waived. Mr. Merla said Council should waive all of the fees. Motion to waive the hydrant fees for Condominiums moved by Mr. Merla, seconded by Mrs. Ashmore with Ayes by all present. The water/sewer office will be notified about waiving the fees. Mr. Merla said Mr. Swift offered KBA his property for the weekend; vendors will be on his property. Mrs. Ashmore said there is water sitting on the corner of Green Grove Avenue and Warren Street; Mr. Merla said that it will always be there because the overlay is too high. The corrugated pipe is solid and will not drain; the pipe should be blown out and stone put in. It runs from Green Grove Avenue to Third Street. Mr. Merla said a drain should be added on Warren Street to Atlantic Street (application). Mr. Freda will inspect the area.

Councilman Hyer; Public Works/Recyling/Property Maintenance. Mr. Hyer reported on the following. Public Works is cleaning up the old sewer yard and a new fence was installed to make it more presentable. The float at the Fishing Pier was repaired; a letter was sent to Mr. Pedersen thanking him. Next year a replacement will be needed for the float (it does not sit straight). The cross pieces under the Fishing Pier need to be inspected. Public Works installed red and yellow green flourescent strips to the stop signs (schools). Regarding the Cedar Street Park lights, the two timers in the control panel are not working; Lucas should be asked to help and replace. Mr. Sappah said John Kriskowski was looking at the contract. Motion to ask John Kriskowski to get Lucas Electric to submit a price and Change Order and Mr. Fallon to certify funds moved by Mr. Bergen, seconded by Mr. Merla with Ayes by all present. A person would like to paint a mural on the Sewer Plant (free of charge) of the new Logo. A rendering will be brought to the next meeting. This could be accepted as a donation by Resolution. There are white flags on the poles and KBA has asked permission to fly the flags on Borough buildings. Motion authorizing KBA to fly the flags on Borough buildings moved by Mr. Hyer, seconded by Mr. Merla with Ayes by all present.

Councilman Stalter; Health, Recreation and Parks. Mr. Stalter reported on the following. Recreation has planned a trip to the Blue Claws on August 24th (there will be fireworks). A form for the trip can be obtained in the Borough Clerk's Office (Adult ticket is $7.50 and Child is $6.50). A section of the stadium will be secured; the cut off date will be July 31st (50 tickets were reserved). A paint ball trip will be held in the Fall. The Skateboard Park is on the front burner; there was an article in the Independent and calls have been received. It took two years for Highlands to get their skate park up and running. A Community Advisory Committee will be formed to gather input on the matter.

Administrator Poling: Mrs. Poling did not have a report.

Engineer Freda: Mr. Freda reported on the following. The DOT application has been completed for Atlantic Street between Maple Place and Third Street; it needs to be phased and the utilities will be replaced.

Attorney Kain: Mr. Kain reported on the following. The closing on the Fire Museum will be Monday, June 24th; there was 6 months of negotiations. Mrs. Atkins and Mr. Freda were thanked for their input.

Mayor Graham: The Mayor reported on the following. A letter was received from John Dumford regarding Cablevision access. Mr. Hyer said he was at Graduation tonight and Dr. Dumford said the call that was made completed everything as of yesterday.

REPORTS OF DEPARTMENTS

MARCH 2002

1. Property Maintenance Officer's Report

Copy of full report is on file in the Clerk's Office.

Submitted by William Cerase, Property Maintenance Officer.

APRIL 2002

2. Property Maintenance Officer's Report

Copy of full report is on file in the Clerk's Office.

Submitted by William Cerase, Property Maintenance Officer.

3. Treasurer's Report

CURRENT CHECKING	$1,132,018.76
ASSESSMENT TRUST	621.33
FEDERAL AND STATE GRANTS	588.11
ANIMAL CONTROL	430.81
TRUST CHECKING	20,618.55
TRUST SAVINGS	133,423.45
RECREATION BAYFRONT	67,151.67
UNEMPLOYMENT/DISABILITY	59,023.25
RECREATION COMMISSION	11,195,81
GENERAL CAPITAL	696,886.76
ESCROW TRUST	163,713.87
LAW ENFORCEMENT	8,859.26
SELF HEALTH INSURANCE FUND	2,149.14
WATER/SEWER OPERATING	5,000.00
WATER/SEWER SAVINGS	209,261.21
WATER/SEWER INVESTMENT	118,740.25
WATER CAPITAL CHECKING	2,701.73
WATER CAPITAL INVESTMENT	88,970.47
GENERAL CAPITAL INVESTMENT	2,971,855.37

INTEREST EARNED ON INVESTMENTS FOR APRIL, 2002
CURRENT - $6,661.95
WATER - $ 581.65

Submitted by Pauline Redmond, Treasurer

MAY 2002

4. Borough Clerk's Report

WATER/SEWER ACCOUNT

WATER CONNECTION	$	-0-
WATER METER		-0-
TURN ON CHARGE		-0-
SEWER CONNECTION		-0-
SEWER/POOL PERMIT		135.00
WATER METER W/TO		-0-
DEMOLITION		-0-
TOTAL WATER/SEWER, CHECK #3512	**$**	**135.00**

CURRENT ACCOUNT

BINGO LICENSE	$	-0-
GUN PERMITS & ID'S		20.00
LIMO LICENSE		-0-
PHOTOCOPIES		52.75
POSTAGE		6.21
RAFFLE LICENSE		20.00

TAXI LICENSE, DRIVER	-0-
TAXI LICENSE, OWNER	-0-
POLICE DEPT ACCIDENT REPORT	541.00
SEARCHES	10.00
VENDING LICENSE	-0-
PEDDLAR LICENSE	40.00
LIQUOR LICENSE	18,034.56
STREET OPENING	300.00
FISH & GAME	1.00
NEWSPAPER VENDING MACHINES	225.00
RECYCLING PERMITS	215.00
PARKING PERMITS	-0-
AUCTION LICENSES	-0-
VENDING MACHINE LICENSES	180.00
TOTAL CURRENT, CHECK #3513	**$ 19,645.52**

RECREATIONAL BAYFRONT IMPROVEMENT TRUST

BOAT LAUNCHING RAMP PASSES	$ 4,885.00
BAIT	75.50
ICE	48.25
ICE CREAM	-0-
SODA	-0-
TOTAL RBIT, CHECK #3515	**$ 5,008.75**

ESCROW ACCOUNT

CASH REPAIR DEPOSIT, CHECK #3514	$ 108.00
TOTAL RECEIPTS	**$ 24,897.27**

Submitted by Allyson M. Cinquegrana, Deputy Borough Clerk

5. Police Department/Traffic Safety Report

Total Amount received $541.00

Submitted by Theodore Gajewski, Police Chief

6. Municipal Court Report

STATE FINES	$ 1,188.00
STATE SURCHARGE	56.00
STATE UNINSURED	30.00
COUNTY FUNDS	1,308.34
COUNTY FINES	6,670.01
MUNICIPAL FINES	6,669.99
MUNICIPAL COSTS	4,630.50
MUNICIPAL PARKING	1,240.00
MISCELLANEOUS	2,235.16

Submitted by Kathie Coffey, Court Administrator

7. Tax Collector's Report

2002 TAXES	$1,512,356.40
2001 TAXES	17,674.71
2003 PREPAID TAXES	-0-
PRIOR YEARS TAXES	166.09
PROPERTY REDEEMED	4,520.58
INTEREST AND COSTS	4,235.30
TAX SEARCHES	10.00
POST OFFICE LAND RENT	137.50
SENIOR CITIZEN HOUSING IN LIEU OF TAXES	26,405.00
RETURNED CHECK CHARGES	-0-
ALL OTHER MISCELLANEOUS REVENUE	81,403.98
TOTAL CURRENT RECEIPTS	**$1,646,909.56**

WATER & SEWER RENTS	$ 66,746.73
INTEREST AND COSTS	1,187.81
TURN ON CHARGES	680.00
RETURNED CHECK CHARGES	48.00
POOL PERMITS	-0-
WATER METERS/WITH TURN ON	-0-
NEW METERS AND INSTALLATION CHARGE	-0-
WATER & SEWER CONNECTIONS	-0-

METER TEST CHARGE	35.00
FIRE SERVICE	-0-
METER REPLACEMENT, PARTS ETC	-0-
DEMOLITION PERMIT	-0-
ALL OTHER MISCELLANEOUS REVENUE	-0-
TOTAL WATER/SEWER RECEIPTS	**$ 68,697.54**

Submitted by Pauline Redmond, Tax Collector

8. Building Department Report

PERMITS	NUMBER OF PERMITS	AMOUNT RECEIVED
CONSTRUCTION STATE FEE	32	$ 175.00
CERTIFICATE OF OCCUPANCY	39	1005.00
PLUMBING PERMITS	11	1236.00
ELECTRICAL PERMITS	18	1333.00
BUILDING PERMITS	23	2847.00
FIRE SUB CODE	10	520.00
CONST CERT OF OCCUPANCY	2	173.00
ZONING PERMITS	18	180.00
200 FT PROPERTY LIST	1	10.00
TRANSFER OF TITLE	20	715.00
REINSPECTION FEES	0	-0-
CONSTRUCTION VIOLATIONS	0	-0-
COPIES	0	-0-
MISC.	8	188.00
ELEVATOR INSPECTION AGENCY	0	-0-
ELEVATOR-BOROUGH	0	-0-
SMOKE DETECTORS	39	780.00
CONST. DEPOSITS REFUNDABLE	4	200.00
TOTAL		**$ 9,362.00**

ACCOUNTS PAYABLE

AMOUNT PAID TO BOROUGH, CHECK #2371	$ 8,987.00
STATE FEE DUE - PAID QUARTERLY	175.00
ELEVATOR INSPECTION AGENCY, CHECK #	

Submitted by Annette Kovacs, Senior Permit Clerk

9. Board of Health Report

TOTAL COLLECTED IN THE BOARD OF HEALTH OFFICE		**$2,727.40**
DOG LICENSES	$ 111.40	
CAT LICENSES	-0-	
MARRIAGE LICENSES	168.00	
BURIAL PERMITS	30.00	
DEATH CERTIFICATES	1220.00	
MARRIAGE CERTIFICATES	95.00	
BIRTH CERTIFICATES	25.00	
POOL PERMITS	-0-	
PLAN REVIEW	200.00	
FOOD HANDLERS	400.00	
MISCELLANEOUS	478.00	

DISBURSEMENTS

CHECK #2698 - BOROUGH OF KEYPORT MISC. ACCT	$2,466.00
CHECK #2699 - BOROUGH OF KEYPORT TRUST ACCT	150.00
CHECK #2700 - BOROUGH OF KEYPORT DOG ACCT	92.80
CHECK #2701 - NJ STATE DEPT OF HEALTH	18.60

Submitted by Anne R. Biagianti, Treasurer

10. Zoning/Code Enforcement Officer

See full copy on file in the Clerk's Office

Submitted by Anthony Vecchio, Code Enforcement/Zoning Officer

11. Librarian's Report

See full copy on file in the Clerk's Office

Submitted by Jacqueline LaPolla, Librarian

12. Fire Department Report

Total Company runs: 19

Mileage on Chief's car: 11,150

Submitted by Kenneth Marr, Jr., Fire Chief

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

COMMUNICATIONS AND PETITIONS

1. Request from Keyport Aberdeen Women's Softball League to use Cedar Street field from October 1st to November 26, 2002 (Tuesdays and Fridays) from 6:30 P.M. to 10:00 P.M.

   Pop Warner may use the Union Beach fields. The timer should be set and no one should be on the field after 10:00 P.M.

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

2. Application for membership in the Keyport Fire Department from Charles V. Roemmele III (contingent upon State approval).

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

3. Inquiry from Keyport Cub Scout Pack 364 regarding the Easter Egg Hunt.

   Motion to refer to the Recreation Commission to be coordinated with the Kiwanis Key Club moved by Mr. Bergen, seconded by Mrs. Atkins with Ayes by all present.

4. Keyport Firemen's Fair/Raffle Applications (to be submitted by meeting date)

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

5. Request from Jesus The Lord Council/Knights of Columbus to hold Bicycle Safety Rodeo on June 22, 2002.

   Mrs. Atkins said the helmets are fitted to the child.

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

UNFINISHED BUSINESS

1. **Willow Street Trees.** Not all of the information is in. Mr. Hyer said a tree was taken down.

2. **Green Grove Avenue Parking.** Mr. Loffa should be contacted and this matter will be listed on the July 2nd agenda. Mr. Merla said flyers are being distributed (they are signed the Police Department). Mr. Bergen said this should be listed on the next agenda. Mrs. Ashmore said she does not want to take down the signs; the County should be contacted to move the yellow lines. Mr. Freda said the road can be stripped to accommodate the shift in the County road.

NEW BUSINESS

1. **NJ Transit/Bus Stops.** A response was received from the Police Department. NJ Transit should be contacted to provide more information.

2. **Liquor License Renewals, 2002/2003.** There is a Resolution on tonight's agenda.

3. **Fire Department Vehicle Purchases.** Mrs. Atkins said a letter was received from the Fire Chiefs. A Utility Truck is recommended for Fire Patrol. They are needed to secure the scene of a fire. Specifications were received from Fire Patrol. Mrs. Atkins has met with Fire Patrol several times and has asked questions. Raritan and Liberty need new trucks; it was asked if the Borough should investigate a two truck deal. Several Fire Companies are looking to consolidate. Mayor Graham asked if the Borough should replace the Fire Patrol truck or all vehicles; Mrs. Atkins said only Fire

Patrol because they perform a specific job. Mr. Bergen said a Bond Ordinance has not be introduced for this type of purchase. Mrs. Atkins said it went on to the ex-Chiefs and there was no support for a big truck. Mr. Hyer said that questions were asked and he asked if Fire Patrol was advised of how much money is available. Mrs. Ashmore asked what is negative about the truck. Mrs. Atkins said there is no pump, the streets are small and the truck is too big to pull out and back up. The specifications created are for a big truck. Mayor Graham said Fire Patrol's service is very important. Mrs. Atkins said there have been enough air bottles; at a fire, the scenes are not secure. Mayor Graham asked if Mrs. Atkins was asking for Mayor and Council support. Fire Chief Marr said he is not trying to cut anyone out, but looking to change the direction of the Fire Department for the future; the Department's needs are changing. Fire Patrol does not need a large pump; air service does not warrant a large system. All towns have there own systems; we do help Union Beach. Trucks can sustain for 5 hours before the cascade system is needed. A large truck is not warranted or required. Chief Marr asked for Council's support; it is time to change. Fire calls are less because of the requirements; Keyport is actively responding to other towns (Fast Team has been responding). The Fire Department is busy and do a lot and it is not going over well with Fire Patrol. Mr. Hyer asked if the truck will carry equipment and men; yes. Mr. Bergen asked if Fire Patrol has seen the letter; Chief Marr was not sure. Mrs. Atkins said she did not send them a copy. Mr. Bergen said it is clearly a question of Finance and asked what happens if a company becomes unmanned. Chief Marr said that Fire Patrol was advised about replacement. Fire Patrol had meetings which excluded the Board of Chiefs. Chief Marr said this is an alternate plan; the men would be divided amongst 6 other companies and the cascade system would be moved to another company. There has been zero cooperation with Fire Patrol. Mr. Bergen requested that Fire Patrol be sent a copy of the Fire Chief's letter to afford them the opportunity to respond. Mrs. Atkins will copy them. Chief Marr said Fire Patrol was given ample opportunity. Mrs. Atkins said Fire Patrol has been advised. Mayor Graham said there are a lot of expenditures for the Borough and suggested this matter be referred to the Finance Committee. Mr. Bergen asked what if Fire Patrol gets to a fire and has no water; Chief Marr said that is not their job. Motion to refer the matter to the Finance Committee moved by Mrs. Atkins, seconded by Mr. Hyer with Ayes by all present.

4. **Grants.** Mr. Merla said he and Mrs. Ashmore met with Paul Shaffery, Bayshore Development Office, who would apply on the Borough's behalf for dredging; funds are available (they were left over from 9-11 funding). He asked that the Borough support the Bayshore Development Office for applying on our behalf. Congressman Pallone said Senator Torricelli is on the funding Committee next year. The Borough should endorse the application ($1,000,000.00). Two DOT applications; First Street (road) and Broad Street (pedestrian). It was asked if the Borough's aid would be jeopardized; no. The Borough will apply for DOT funds for First Street near Myrtle Avenue, East Front and Prospect Streets which lead to the Marina; this would be acceptable. Broad Street would also be included. Tiffany Bohlin, Bayshore Development Office, would be the person in charge of the application. Mr. Freda said it should be confirmed that they are not competing with the Borough. Mr. Bergen asked about the Bulkhead. Mr. Freda said a waiver needs to be signed. Mr. Merla suggested applying, receiving and working out the matter with FEMA. Mr. Bergen made a motion authorizing to submit the application and the Borough can reject, seconded by Mr. Merla with Ayes by all present. A resolution should be listed with provisos.

5. **Agendas.** Mr. Bergen questioned the Agendas, as well as, how meetings are suppose to be structured: Regular vs. Work. Council should think about this.

PUBLIC PARTICIPATION

The meeting was opened to the public for comments or questions pertaining to Agenda items at 11:15 P.M. Fire Chief Ken Marr thanked Mrs. Atkins and Mayor and Council for securing educational training. He asked who maintains and flushes the private hydrants. Mud came out of Gateway's hydrant and other hydrants are rusted shut. Mr. Merla said the Borough has the right to flush hydrants;

it is in the Ordinance, but the Condo's maintain them. Mr. Kain said Condo hydrant fees should be waived contingent upon the hydrants being flushed. Mr. Bergen said the condos may have to certify by permit or grant permission to the Borough to come in and flush by section. A letter should be sent waiving the fire hydrant fee for this year and the Borough will flush the hydrant (the matter will be discussed and there will be a waiver); the Condo owners should notify the Borough as soon as possible or submit a certification. Mary Alan, Maple Place, asked who pays for changing a road and striping it; the Borough should not pay because it is a County Road. There is a car that is parking in a Handicapped space all day in Firemen's Parking lot. Mr. Bergen said there are designated spaces per the Ferry lease. Mr. Merla said there is electric at Swifts. Jeff Fink, 14 West Front Street, asked that BID be copied on the Borough's response to bus stops. He commended Mayor and Council on the Tax Abatement Ordinance. Mr. Fink urged dredging the channel. A pedestrian crossing is needed on Broad Street. Mr. Fink supported the events committee. He asked if Green Acres was aware of the 4th of July Ferry boat ride. The Festival of Sails is in the beginning of July; there will be oyster shucking and a full set of events. The meeting was closed to the public at 11:31 P.M.

RESOLUTIONS

3. Resolution #200-02, Approve Liquor License Renewals for 2002-2003

WHEREAS, application for renewal of certain plenary retail consumption, plenary retail distribution and club licenses has been made to the Mayor and Council of the Borough of Keyport as hereinafter set forth; and

WHEREAS, the Borough Clerk reports that in each and every instance notice of renewal has been published by the Alcoholic Beverage Control; and

WHEREAS, the Borough Clerk further reports that the requisite fee by each and every applicant has been paid and is in her office; and

WHEREAS, the Borough Clerk reports that each of the applicants has received approval from the Keyport Building Inspection Department and that all pertinent Ordinances of the Borough of Keyport have been complied with by each of the applicants.

NOW, THEREFORE, BE IT RESOLVED that plenary retail consumption licenses be issued by the Borough of Keyport and the appropriate officers of the Borough are hereby authorized to issue and sign the same in the name of the Borough of Keyport for the period commencing July 1, 2002 and ending June 30, 2003, up application filed by:

1322-33-002-003	Hilvo Inc., t/a Ye Cottage Inn
1322-33-004-007	Fantasies
1322-32-005-008	The Office at Keyport, t/a Charlie Browns
1322-33-006-004	Vestri Corporation, t/a Up The Creek
1322-33-008-004	JML Sister, Inc., t/a Pass Port Café & Liquors
1322-32-009-002	Suburban Wine and Liquor, Inc., t/a Smith's Liquor Shop
1322-33-010-003	32 Broad Inc., t/a Monmouth Lounge
1322-33-011-008	Olini and Merla, Inc., t/a Bulkhead Bar & Grille
1322-33-019-003	Denjachris, Inc., t/a Town and Country Inn

BE IT FURTHER RESOLVED that plenary retail distribution license be issued by the Borough of Keyport and the appropriate officers of the Borough of Keyport are hereby authorized to issue and sign the same in the name of the Borough of Keyport for the period commencing July 1,2002 and ending June 30, 2003, upon application filed by:

1322-44-001-005	Jowin Co., Inc., t/a Buy Rite Liquors of Keyport

BE IT FURTHER RESOLVED that club licenses be issued by the Borough of Keyport and the appropriate officers of the Borough of Keyport are hereby authorized to issue and sign same in the name of the Borough of Keyport for the period commencing July 1,2002 and ending June 30, 2003 upon application filed by:

1322-31-013-001	Raritan Post 23 American Legion, t/a Raritan Post 23 American Legion
1322-31-014-002	Columbian Club of Keyport, t/a Columbian Club
1322-31-015-001	Keyport Lodge 2030 BPOE of USA, t/a Keyport Lodge 2030
1322-31-016-002	Keyport Yacht Club, t/a Keyport Yacht Club
1322-31-018-001	Veterans of Foreign Wars Post 4247, Inc., t/a VFW Post 4247

BE IT FURTHER RESOLVED that all licenses renewed herein, except Package Stores, but including Retail Consumption Licenses, Retail Plenary Distribution Licenses and Club Licenses, shall have exit and entrance doors to Licensed premises closed during all business hours.

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

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

4. Resolution #201-02, Payment of Bills

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

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

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

* Mr. Merla abstained on the payment to Sutton Mills Developers

5. Resolution #202-02, Authorize Refund of Tax Court Appeal/Block 22, Lot 12.02

WHEREAS, Steven Primont, et al. Has filed a tax appeal with the Tax Court of New Jersey for the tax year 2001 with regards to Block 22, Lot 12.02; and

WHEREAS, the foregoing appeal has been settled between Primont et al and the Borough of Keyport; and

WHEREAS, the Judgement has been entered by the Court reducing the assessment of $284,100 to $240,000 creating an overpayment of $1,424.87 on the 2001 taxes; and

WHEREAS, judgement states that statutory interest having been waived by the taxpayer provided refund is paid within 60 days, shall not be paid.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council, that the Tax Collector is hereby authorized to present a voucher for payment.

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

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

6. Resolution #203-02, Release of Performance Guarantees, Post new Performance Guarantees, 417 Associates, LLP & Rio Partners,L.P., Site Plan

WHEREAS, 417 Associates, LLP and Rio Partners, L.P. has requested release of the Performance Guarantees posted for the above project; and

WHEREAS, this request was forwarded to Schoor DePalma, former Borough Engineer for recommendation; and

WHEREAS, Schoor DePalma, by letter dated May 31, 2002 (copy attached) has approved a new more encompassing Site Plan for the above project in conformance with the conditions imposed by the Planning Board Resolution approving the Site Plan and has recommended release of the 90% Performance Bond in the amount of $6,135.70 and the 10% Cash Bond in the amount of $681.74 subject to the implementation of a Developer's Agreement and the posting of the appropriate 90% Performance Bond in the amount of $180,051.12, 10% Cash Bond in the amount of $20,005.68 and other associated fees for the latest Site Plan.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport hereby approved the release of the Performance Guarantees as stated subject to the implementation of the Developer's Agreement, posting of the appropriate Performance Guarantees and other associated fees for the latest Site Plan as outlined in the Schoor DePalma letter of May 31, 2002.

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

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

7. Resolution #204-02, Award of Contract-Allcomm Technologies/Police Radio and related equipment

WHEREAS, the Mayor and Council of the Borough of Keyport did authorize the construction of a new municipal complex and retain the services of Kaplan Gaunt DeSantis as project architect for the within municipal complex project; and

WHEREAS, the architect has advised the Mayor and Council of the need to retain a consultant in conjunction with the design, purchase and installation of various radio communication and dispatch equipment to be utilized by the police department within the new municipal complex; and

WHEREAS, the architect has sought various proposals with respect to consultants in the area of police radio, communication and dispatch equipment and has recommended to the Mayor and Council the firm of Allcomm Technologies, Farmingdale, New Jersey, to provide consulting services relative to the specification , design purchase and installation of police radio, dispatch and communication systems required for the new municipal complex; and

WHEREAS, the Mayor and Council have reviewed the proposal of Allcomm Technologies, to provide consulting services in conjunction with the police radio, dispatch, and communication systems which is without costs to the Borough of Keyport with any police radios, dispatch or communications systems available for purchase by the Borough under State Contract, and the Mayor and Council having considered the recommendation of the project architect as to the need for said services and the qualifications of Allcomm Technologies; and

WHEREAS, the Mayor and Council are resolved to authorize the selection of Allcomm Technologies, as consultants in conjunction with police radios, dispatch and communications systems relative to the municipal complex, which systems will ultimately be procured by the within consultant under state contract; and

WHEREAS, funds are available for said consultant from the bond ordinance previously adopted and the Municipal Finance Officer having indicated an availability of funds.

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

1. The Mayor and Council hereby authorize the selection of Allcomm Technologies, Farmingdale, New Jersey as consultants in conjunction with the specification, design, purchase and installation of police radio, dispatch and communications systems within the new Municipal Complex with the understanding that any aforesaid equipment will be obtained pursuant to state contract subject to the approval of the Borough of Keyport and appropriate certification by the Municipal Finance Officer.

2. The Mayor is hereby further authorized to enter into an

agreement with Allcomm Technologies, Inc. to provide the services specified herein and in their proposal dated May 31, 2002, which consultation is without fees to the Borough of Keyport with any recommendations for equipment being subject to approval by the project architect, Mayor and Council and subject to the availability of funds as certified by the Municipal Finance Officer.

3. The Borough Clerk shall forward copies of the within Resolution to Allcomm Technologies, Farmingdale, New Jersey, the project architect, Edmund H. Gaunt, Jr. and to the Municipal Finance Officer and the Borough Clerk shall retain a copy of the within Resolution for public inspection.

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

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

8. Resolution #205-02, Award of Contract-Lloyd Consultants Inc./Telecommunications and Data Communication systems

WHEREAS, the Mayor and Council of the borough of Keyport did authorize the construction of a new Municipal Complex and retain the services of Kaplan, Gaunt & DeSantis as project architect for the within municipal complex project; and

WHEREAS, the architect has advised the Mayor and Council of the need to retain a consultant in conjunction with the purchase and installation of various telecommunications and data communications systems within the new municipal complex; and

WHEREAS, the architect has sought various proposals with respect to consultants in the area of telecommunications and data communications systems and has recommended to the Mayor and Council the firm of Lloyd Consultants, Inc., Red Bank, New Jersey, to provide consulting services relative to the specification, design, purchase and installation of telecommunications and data communications systems required for the new municipal complex; and

WHEREAS, the Mayor and Council have reviewed the proposal of Lloyd Consultants, Inc. to provide consulting services in conjunction with telecommunications and data communications systems for a fee not to exceed the sum of Seventeen Thousand Five Hundred Dollars ($17,500.00) and have further considered the recommendation of the project architect as to the need for said services and the qualifications of Lloyd Consultants, LLC; and

WHEREAS, the Mayor and Council are resolved to authorize the selection of Lloyd Consultants, Inc. as consultants in conjunction with telecommunications and data communications systems relative to the municipal complex; and

WHEREAS, funds are available for said consultant from the bond ordinance previously adopted and the Municipal Finance Officer having indicated an availability of funds.

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

1. The Mayor and Council hereby authorize the selection of Lloyd Consultants, Inc., Red Bank, New Jersey as consultants in conjunction with the specification, design, purchase and installation of telecommunication and data communication systems within the new municipal complex based upon the quote submitted which shall not exceed the sum of Seventeen Thousand Five Hundred Dollars ($17,500.00).

2. The Mayor is hereby further authorized to enter into an agreement with Lloyd Consultants, Inc., to provide the services specified herein and in his proposal dated June 6, 2002, there being funds available for the within services as certified by the Municipal Finance Officer.

3. The Borough Clerk shall forward copies of the within Resolution to Lloyd Consultants, Inc., Red Bank, New

Jersey, the project architect, Edmund H. Gaunt, Jr. and to the Municipal Finance Officer and the Borough Clerk shall retain a copy of the within resolution for public inspection.

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

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

9. Resolution #206-02, Amend Architect Contract-Kaplan, Gaunt, DeSantis/Design and documentation of courtroom technology

WHEREAS, the Mayor and Council of the Borough of Keyport did authorize the construction of a new municipal complex and retain the services of Kaplan, Gaunt & DeSantis as project architect for the within municipal complex project; and

WHEREAS, the architect has advised the Mayor and Council of the need to perform additional services in conjunction with the design and documentation of courtroom technology and security to be utilized within the new municipal complex; and

WHEREAS, the architect has determined the work necessary relative to the design and documentation of courtroom technology and security could be provided by the architect through the electrical engineering consultants, Morris, Johnson & Associates relative to the municipal complex, by means of an amendment to the architect's agreement adopted as Phase II of the Architectural proposal approved by the Mayor and Council by Resolution #287-99; and

WHEREAS, the Mayor and Council have reviewed the recommendation of the architect, to provide services in conjunction with the design and documentation of courtroom technology and security for an additional fee of Ten Thousand Dollars ($10,000.00) and the Mayor and Council having reviewed and considered the proposal of the project architect as to the need for said services and the additional fee involved and are resolved to authorize the additional services as an amendment to the Phase II fees previously adopted; and

WHEREAS, the Mayor and Council are resolved to amend the agreement with the project architect as it pertains to Phase II, and to authorize the architect, through the electrical engineering consultants, Morris, Johnson & Associates to undertake the design and documentation of courtroom technology and security for a flat additional fee of Ten Thousand Dollars ($10,000.00); and

WHEREAS, additional funds are available for the architect to provide the aforesaid additional services from the bond ordinance previously adopted and the Municipal Finance Officer having indicated an availability of funds.

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

1. The Mayor and Council hereby authorize the amendment of the contract between the Borough of Keyport and Kaplan, Gaunt & DeSantis, as previously approved as Phase II by Resolution #287-99 to authorize the architect to provides services relative to the design and documentation relative to courtroom technology and security through the consulting electrical engineer, Morris, Johnson & Associates for a flat additional fee of Ten Thousand Dollars ($10,000.00).

2. The Borough Clerk shall forward copies of the within Resolution to the project architect, Edmund H. Gaunt, Jr. and to the Municipal Finance Officer and the Borough Clerk shall retain a copy of the within Resolution for public inspection.

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

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

10. Resolution #207-02, Request Extension on Monmouth County Community Development Block Grant expiration date

WHEREAS, the Mayor and Council of the Borough of Keyport have previously notification of a grant through the Community Development Block Grant Program, administered through the Monmouth Council Community Development, in the sum of One Hundred and Thirty Nine Thousand Thirty Four Dollars ($139,034.00) for ADA improvements, including the installation of an elevator, upgraded signage, improvements to bathroom facilities, drinking fountains and related items, in the new municipal complex to be constructed within the Borough of Keyport; and

WHEREAS, the construction of the municipal complex has been delayed for a significant period of time due to litigation over the awarding of a contract to construct the new municipal complex; which has resulted in numerous applications to the Superior Court of New Jersey, Appellate Division and Supreme Court of New Jersey; and

WHEREAS, recently the Supreme Court of New Jersey denied a second application for a stay pending appeal thereby allowing the Mayor and Council to commence construction of the municipal facility for the Borough of Keyport; and

WHEREAS, the Mayor and Council have authorized the successful bidder to commence construction pursuant to the approved plans and specifications; and

WHEREAS, due to the extensive delays necessitated by the within litigation, the Mayor and Council have been advised that the construction and/or installation or the elevator and other ADA improvements contained in the grant awarded to the Borough of Keyport, will be delayed for a significant period of time which will result in the Borough of Keyport being unable to meet the expiration of the grant deadline of August 21, 2002 by which to expend the within grant and submit vouchers, in order to be eligible for funding in 2002 for projects in fiscal year 2003; and

WHEREAS, the within delays were not attributable to the actions or inactions of the Borough of Keyport, but rather to circumstances beyond the control of the Mayor and Council of the Borough of Keyport; and

WHEREAS, the citizens of the Borough of Keyport would be forced to suffer in the event the within grant expired before the necessary work could be completed by the contractor, in the form of additional delays and increased taxes for improvements necessary to be included within the new municipal facility, as well as the ability to be considered for necessary projects in fiscal year 2003; and

WHEREAS, under the totality of circumstances, the Mayor and Council of the Borough of Keyport are resolved to request a three (3) month extension in the expiration of the grant issued through the Community Development Block Grant Program, through Monmouth County Community Development in order to complete the work necessary to finalize the ordering, construction and/or installation of all items contained in the grant provided to the Borough of Keyport and to submit vouchers without prejudice to the ability of the Borough of Keyport to file an application for funding for fiscal year 2003.

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

1. The Mayor and Council do hereby formally request a three (3) month extension to expend funds awarded to the borough of Keyport as part of the grant received under the Community Development Block Grant Program, through Community Development of Monmouth County, and to submit vouchers for payment thereunder from August 21, 2002 to November 21, 2002 without prejudice to the ability of the Borough of Keyport to submit a grant application in 2002 for projects to be undertaken is fiscal year 2003.

2. The Mayor and Council urge Community Development of Monmouth County to grant the extension requested and not

penalize the citizens of the Borough of Keyport from submitting an application for funding in 2002 for fiscal year 2003 based upon the failure of the Borough of Keyport to expend all current grant funds based upon the within circumstances, which have resulted in extensive delays not attributable to the Borough of Keyport.

3. The Mayor and Council pray that Community Development will relax County guidelines, under the circumstances herein, and grant the Borough of Keyport an extension of three (3) months to expend current grant funds without jeopardizing the ability of the Borough of Keyport to a current application in 2002 for funding in fiscal year 2003.

4. That the original resolution be forwarded to the Administrator, Community Development of Monmouth County, Freehold, New Jersey, and that copies of the within resolution be forwarded to Monmouth County Board of Chosen Freeholders, Municipal Finance Officer, Borough Attorney and Borough Engineer and that a copy of the within Resolution be maintained 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
Ashmore, Hyer, Stalter

11. Resolution #208-02, Amend Phase I of RFP Engineering Contract-Birdsall

WHEREAS, the Mayor and Council of the Borough of Keyport have previously authorized engineering work to be performed in connection with the privatization of the water and wastewater systems within the Borough of Keyport; and

WHEREAS, at the present time, the Mayor and Council of the Borough of Keyport have received notification from the Borough Engineer that due to the complexities of the bid and the number of questions received from the respondents, it became necessary to expend additional engineering time not originally contemplated in the initial proposal of the Borough Engineer; and

WHEREAS, the Mayor and Council of the Borough of Keyport have received an additional estimate for proposed engineering services relative to Phase I of the within project from the Borough Engineer in the sum of Two Thousand Eight Hundred Dollars ($2,800.00) which constitutes a final payment request for engineering services relative to Phase I of the within project; and

WHEREAS, the Mayor and Council have reviewed the proposal of the Borough Engineer including the request for additional fees for the initial Phase I work; and

WHEREAS, the Mayor and Council have reviewed the proposal of the Borough Engineer, for Phase I and have determined to proceed based upon that proposal subject to certification by the Municipal Finance Officer that funds are available for the within project for the within engineering fees; and

WHEREAS, the Municipal Finance Officer has indicated that sufficient additional funds are available for payment for the additional engineering services for Phase I based upon the proposal submitted by the Borough Engineer.

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

1. The request of the Borough Engineer for additional funds in the sum of Two Thousand Eight Hundred Dollars ($2,800.00) for additional engineering services provided relative to Phase I of the privatization of the water and wastewater systems is hereby approved.

2. The Borough Engineer shall be authorized to receive an additional payment of Two Thousand Eight Hundred Dollars ($2,800.00) for engineering services performed.

3. Said payments have been certified as available by the Municipal Finance officer of the Borough of Keyport.

4. That copies of the within Resolution be forwarded to Gerald J. Freda, P.E., Borough Engineer, and the Chief Financial 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 Mrs. Atkins, seconded by Mr. Hyer

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

12. Resolution #209-02, Approve Phase II of RFP Engineering Contract-Birdsall

WHEREAS, the Mayor and Council of the Borough of Keyport have previously authorized engineering work to be performed in connection with the privatization of water and wastewater systems within the Borough of Keyport; and

WHEREAS, the Mayor and Council of the Borough of Keyport have received an estimate for proposed engineering services relative to within project from the Borough Engineer, for engineering services relative to Phase II on the above referenced project; and

WHEREAS, the Mayor and Council have reviewed the proposal prepared by the Borough Engineer for Phase II work on the within project, which would include the review of the four bids received with the various options contained with each bid, research of the four proposals submitted, participation in the interview process and the required necessary technical support as contained in their letter proposal of June 6, 2002 for an amount not to exceed Six Thousand Five Hundred Dollars ($6,500.00); and

WHEREAS, the Mayor and Council have reviewed the within proposal submitted by the Borough Engineer and have determined to proceed based upon that proposal subject to certification by the Municipal Finance Officer that funds are available for the within project for the within engineering fees; and

WHEREAS, the Municipal Finance Officer has indicated that sufficient funds are available for payment for engineering fees for Phase II of the proposal submitted by the Borough Engineer.

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

1. The Borough Engineer is authorized to proceed with Phase II of the within project, including a review of the four bids received with the various options contained with each bid, research of the four proposals submitted, participation in the interview process and the required necessary technical support as contained in their letter proposal of June 6, 2002, in an amount not to exceed the sum of Six Thousand Five Hundred Dollars ($6,500.00).

2. The Borough Engineer will receive payment in an amount not to exceed the sum of Six Thousand Five Hundred Dollars ($6,500.00) for engineering services on Phase II of this project.

3. Said payments having been certified as available by the Municipal Finance Officer of the Borough of Keyport.

4. That copies of the within Resolution be forwarded to Gerald J. Freda, P.E., Borough Engineer, and the Chief Financial 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 Mrs. Atkins, seconded by Mr. Hyer

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

13. Resolution #210-02, Tonnage Grant Application

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c 102 has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities cause certain requirements as a condition for applying for tonnage grants, including but not limited to making and keeping accurate verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Council of the borough of Keyport to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that the Borough of Keyport hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Thomas D. Gallo, Jr., Recycling Coordinator to ensure that the application has been properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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

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

14. Resolution #211-02, Execute Closing Documents - Fire Museum

WHEREAS, THE Mayor and Council of the Borough of Keyport, did authorize the Mayor of the Borough of Keyport to enter into a contract for the purchase of certain property identified as Lot 2, Block 61 on the Tax Map of the Borough of Keyport, more commonly known as 86 Broad Street, Keyport, New Jersey, by Resolution #141-02; and

WHEREAS, the Mayor and Council of the Borough of Keyport have been advised by the Borough Attorney that the Borough is in a position to close title on the subject property and acquire title to the within property; and

WHEREAS, it is the direction of the Mayor and Council to authorize the payment of the purchase price and costs and to further authorize the Mayor and Clerk to execute any and all closing documents relative to the acquisition of the property identified as 86 Broad Street, Keyport, New Jersey, for the use as a Fire Museum on behalf of the Borough of Keyport; and

WHEREAS, the Municipal Financial Officer has certified that there are funds available from a grant received by the Borough of Keyport and such additional funds as may be required by the Borough of Keyport in order to complete the within transaction.

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

1. The Mayor and Council hereby authorize the payment of the contract sales price to Calsey Realty Group, Inc. in the sum of $70,000.0, together with costs in the sum of approximately $750.00 to be paid for the purchase of the property located at 86 Broad Street, Keyport, New Jersey from Calsey Realty Group, Inc.

2. The Mayor and Council hereby authorize the Mayor and Borough Clerk to execute any and all documents required to obtain title to the within property for the Borough of Keyport from the seller, Calsey Realty Group, Inc.

3. Upon completion of the purchase transaction, the Borough Clerk is directed to notify the insurance agent for the Borough of Keyport to list the within subject property on property owned by the Borough of Keyport.

4. A copy of the within Resolution shall be forwarded to the Borough Attorney, Municipal Finance Officer and a copy retained in the Office of the Borough Clerk for inspection.

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

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

15. Resolution #212-02, Authorize DOT Application for First Street and Broad Street

WHEREAS, the New Jersey Department of Transportation, Municipal Aid Program ("State") provides grants to municipal and county governments for assistance with key regionally significant transportation improvements.

WHEREAS, the Borough of Keyport desires to further the public interest by obtaining a grant to advance two projects, The First Street Roadway Network Improvement Project and the Broad Street Pedestrian Improvement Project.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Keyport will make application for these projects, provide NJDOT with three signed copies of the application and follow all rules and regulations governed by the NJDOT Municipal Aid Program.

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

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

16. Resolution #213-02, Authorize Dredging Application

WHEREAS, the Borough of Keyport in conjunction with the Bayshore Development Office have retained Muller Bohlin Associates Incorporated on a volunteer basis to secure funds in the amount of $1.5 million for the dredging effort; and

WHEREAS, the Borough of Keyport and the Bayshore Development Office will file a joint application with the New Jersey Department of Transportation; and

WHEREAS, the Borough of Keyport in conjunction with the Bayshore Development Office will utilize any funds retained for the purpose of dredging to accommodate current ferry operations and any administrative activities associated with the project implementation.

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

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

17. Resolution #214-02, Terminate Membership in the Ocean/Monmouth County Employee Regional Benefits Fund

WHEREAS, the Borough of Keyport (hereinafter "local unit") is a member of the Ocean/Monmouth Regional Employee Benefits Fund (hereinafter the "Fund"); and

WHEREAS, the local unit has determined that it wishes to withdraw as an active member of the Fund; and

WHEREAS, Fund bylaws provide that a local entity may withdraw from the Fund before the end of its membership by sending the Fund a certified standard withdrawal resolution at least sixty (60) days before the date of withdrawal; and

WHEREAS, the local unit understands that as of the effective date of withdrawal, the local unit becomes responsible for providing coverage for its active employees, inactive employees under COBRA and/or conversion coverage and retirees; and

WHEREAS, the local unit understands that pursuant to Article II F4 of the Fund's bylaws that it remains jointly and severally liable for claims and expenses and has provided a list of objections or exceptions to the proposed Ordinance presented in.

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

1. The local unit hereby withdraws from the Fund effective September 30, 2002.

2. The local unit shall notify, in writing, all collective bargaining units, employees, retirees, and their dependents of the change in coverage and shall take such other steps as may be necessary for a smooth transaction.

3. The local unit agrees to reimburse the fund for any and all expenses incurred by the Fund to notify the local unit's active employees, inactive employees and retirees and any and all other expenses incurred by the Fund to effectuate the transfer of coverage.

4. A copy of this resolution shall be sent to the Fund's Executive Director by certified mail, return receipt requested, at least 90 days prior to the date of withdrawal from the Fund.

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

Roll Call Vote: Ayes: Councilmembers Atkins, Merla, Ashmore
Hyer, Stalter
Nays: Councilman Bergen (this is a short term solution, the notice complies)

ADJOURNMENT

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

Time of Adjournment: 11:35 P.M.

Respectfully submitted,

Judith L. Poling/RMC

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

Allyson M. Cinquegrana

per Allyson M. Cinquegrana, RMC
Deputy Borough Clerk