June 19, 2001 Approved 7/24/01
Keyport, N.J.

Minutes of a 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 Meetings Act,P.L. 1975, Ch. 231.

Mayor Graham called the meeting to order at 8:12 P.M. and read the Sunshine Law Notice. Councilman Bergen led the Pledge of Allegiance and Moment of Silence.

ROLL CALL

On Roll Call the following were present: Councilmembers Antonucci, (arriving at 8:15 PM), Merla, Atkins, Bergen. Absent: Councilmembers Ashmore, Pedersen. Others present: Gordon Litwin, Borough Attorney and John Kriskowski, Borough Engineer.

APPROVAL OF MINUTES

Minutes of the Regular Meeting of May 15, 2001, Special Meetings of May 8, May 18, May 29, 2001, Work Meeting of June 4, 2001 and Closed Meetings of May 8, May 15, May 18 and June 4, 2001 were approved on motion of Mr. Bergen, seconded by Mrs. Atkins, with Ayes by all present except Mr. Merla who Abstained on the Closed Meeting of June 4, 2001.

HEARINGS ON ORDINANCES

1. Ordinance #8-01,Amend Chapter XII, Building and Housing

The Clerk reported that the Ordinance was published in the Courier, as introduced, issue of June 7,2001, that the Affidavit of Public is on file in her office, that copies were posted on the Bulletin Board and made available to the public.

The Clerk read the Ordinance by Title:

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER XII, ENTITLED,"BUILDING AND HOUSING" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT

The Hearing was opened to the public at 8:15 P.M. for comments or questions. There being none, the Hearing was closed to the public at 8:15 P.M.

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

Roll Call Vote: Ayes: Councilmembers Antonucci, Merla, Atkins, Bergen
Absent: Councilmembers Ashmore, Pedersen

1a. Motion authorizing the Clerk to publish the Ordinance, as finally adopted according to law in the Courier, issue of June 21, 2001 moved by Mrs. Atkins, seconded by Mr. Merla, with Ayes by all present.

2. Ordinance #9-01, Amend Chapter III, Article I, Police Department

The Clerk reported that the Ordinance was published as introduced in the Courier, issue of June 7, 2001, that the Affidavit of Publication is on file in her office, that copies were posted on the Bulletin Board and made available to the public.

The Clerk read the Ordinance by Title:

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER III,

ARTICLE I, ENTITLED "POLICE DEPARTMENT", OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT TO EXEMPT GOVERNMENTAL ENTITIES AND PROSECUTORIAL TASK FORCES FROM SPECIAL DUTY ASSIGNMENTS FEES

The Hearing was opened to the public at 8:17 P.M. for comments or questions. There being none, the Hearing was closed to the public at 8:17 P.M.

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

Roll Call Vote: Ayes: Councilmembers Antonucci, Merla, Atkins, Bergen
Absent: Councilmembers Ashmore, Pedersen

1a. Motion authorizing the Clerk to publish the Ordinance as finally adopted according to law in the Courier, issue of June 21, 2001 moved by Mrs. Atkins, seconded by Mr. Merla, with Ayes by all present.

INTRODUCTION OF ORDINANCE

1. Ordinance #10-01, Bond Ordinance/Various Capital Improvements

The Clerk read the Ordinance by Title:

The Clerk reported that the Supplemental Debt Statement has been filed in her office.

AN ORDINANCE OF THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND OTHER RELATED EXPENSES IN AND FOR THE BOROUGH OF KEYPORT AND APPROPRIATING $273,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $259,000 IN BONDS OR NOTES OF THE BOROUGH OF KEYPORT TO FINANCE THE SAME

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The several improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Borough of Keyport, in the County of Monmouth, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3 hereof, there are hereby appropriated the respective sums of money therein stated as the appropriations made for each improvement or purpose, such sums amounting in the aggregate to $273,000 and including the aggregate sum of $14,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of $259,999 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds or notes are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

(a) Purpose: Acquisition of a copier, and including all work and materials necessary therefor or incidental thereto

Appropriation and Estimated Cost: $20,000
Maximum Amount of Bonds or Notes: $19,000
Period or Average Period of Usefulness:10 years
Amount of Down Payment: $1,000

(b) Purpose: Acquisition of a postage machine, and including all work and materials necessary therefor or incidental thereto

Appropriation and Estimated Cost: $20,000
Maximum Amount of Bonds or Notes: $19,000
Period or Average Period of Usefulness: 10 years
Amount of Down Payment: $1,000

(c) Purpose: Improvements to the Senior Center building located in the Borough and including all work and materials necessary therefor or incidental thereto

Appropriation and estimated Cost: $60,000
Maximum Amount of Bonds or Notes: $57,000
Period or Average Period of Usefulness: 10 years
Amount of Down Payment: $3,000

(d) Purpose: Acquisition of a backhoe, and including all work and materials necessary therefor or incidental thereto

Appropriation and Estimated Cost: $50,000
Maximum Amount of Bonds or Notes: $47,500
Period or Average Period of Usefulness: 15 years
Amount of Down Payment: $2,500

(e) Purpose: Improvements to various parks located in the Borough, including, but not limited to, lighting and fencing, and including all work and materials necessary therefor or incidental thereto

Appropriation and Estimated Cost: $100,000
Maximum Amount of Bonds or Notes: $ 95,000
Period or Average Period of Usefulness: 15 years
Amount of Down Payment:$5,000

(f) Purpose: Acquisition of various equipment for the Fire Department, and including all work and materials necessary therefor or incidental thereto

Appropriation and Estimated Cost: $20,000
Maximum Amount of Bonds or Notes: $19,000
Period or Average Period of Usefulness:5 years
Amount of Down Payment: $1,000

(g) Purpose: Acquisition of a police video-conferencing system, and including all work and materials necessary therefor or incidental thereto

Appropriation and Estimated Cost: $3,000

Maximum Amount of Bonds or Notes: $2,500
Period or Average Period of Usefulness: 10 years
Amount of Down Payment: $500

(h) The estimated maximum amount of bonds or notes to be issued for the several improvements or purposes is as stated in Section 2 hereof.

(i) The estimated cost of the several improvements or purposes is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget(or temporary capital budget as applicable) of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget (or amended temporary capital budget as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The several improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the Borough may lawfully undertake as general improvements, and no part of the costs thereof have been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness of the several improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of the respective amounts or obligations authorized for each improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 12.38417 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by $259,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding $50,000 for item of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the several improvements or purposes.

(e) The Borough reasonably expects to commence the acquisition and/or construction of the several improvements or purposes described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Borough further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys appropriated herein shall be applied as provided herein. Any other grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance, and the amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. After passage upon first reading of this bond ordinance, the Borough Clerk is hereby directed to publish the full text of the bond ordinance, together with the notice set forth below entitled: "NOTICE OF PENDING BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19, at least seven days prior to the date set for public hearing and further consideration for final passage(which date shall be at least ten days after introduction and first reading). The Borough Clerk is further directed to comply with all provisions of N.J.S.A. 40A:2-17(b) regarding postings, publications, and the provision of copies of this bond ordinance.

Section 10. After final adoption of this bond ordinance by the Borough Council, the Borough Clerk is hereby directed to publish the full text of this bond ordinance, as finally adopted, together with the notice set forth below entitled: "NOTICE OF ADOPTION OF BOND ORDINANCE" (with appropriate completions, insertions and corrections) at least once in a newspaper qualified under N.J.S.A. 40A:2-19.

Section 11. The Borough Council of the Borough hereby covenants on behalf of the Borough to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 12. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 13. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by Section 10 hereof and the Local Bond Law.

Mr. Bergen said originally this was to be a small ordinance, but it grew. It covers various equipment, Parks i.e.,lights and fencing, Fire Department equipment, video conferencing for the Police Department(eliminating transport of prisoners from the County Jail and repairs to the Senior Center. Mr. Merla asked if the cost of the lights and fencing could be charged against the Recreation and/or Recreational Bayfront Improvement Trust Account. Mr. Bergen asked Mr. Merla to call him to discuss the matter.

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

Roll Call Vote: Ayes: Councilmembers Antonucci, Merla*, Atkins, Bergen
*Mr. Merla said he will vote to introduce, but he he has questions and he called the Chief Financial Officer
Absent: Councilmembers Ashmore, Pedersen

1a. Motion authorizing the Clerk to publish the Ordinance as introduced, in the Courier, issue of June 21,2001 for a Hearing to be held on July 10,2001, moved by Mr. Merla, seconded by Mrs. Atkins, with Ayes by all present.

REPORTS OF COMMITTEES

Councilwoman Ashmore; Police: Mrs. Ashmore was absent.

Councilman Antonucci; Health, Welfare, Recreation and Parks: Mr. Antonucci reported on the following. One employee in the Public Works Department has been put in charge of the Parks and there are improvements already. The Recreation Commission sent a memo on the Parks. They have requested that the Police Department beef-up the patrols and the officers get out of the car, they have requested signs be posted "No Overnight Parking" as there are vehicles and boats that are not being moved, that fencing and shrubs be planted to separate the lot from the residences, that signs stating the closing time of the Park and that no alcoholic beverages are allowed, that landscapers being solicited for plantings in exchange for advertising sign, that a gazebo be placed in Benjamin Terry Park. Police Chief Gajewski asked about Pine Street Parking Lot, if parking was prohibited and if it was 24 or 48 hours. The Borough Ordinances are to be checked regarding the Pine Street Parking Lot. Another concern was the basketball courts being monopolized. Mr. Litwin advised if there are leagues using the courts, then the Borough can set up rules and regulations, i.e. set hours. Mr. Antonucci said there is no enforcement and Mr. Litwin asked what would be enforced, what are the regulations. Mayor Graham said lately the courts are being used more, are being monopolized and one resident has complained that the children are being pushed out. Mr. Bergen recommended that the matter be referred back to the Recreation Commission for regulations and he asked Chief Gajewski if there have been arrests; Chief Gajewski did not know. Mayor Graham asked if there were any objections to the Commission looking into landscapers and there was none. Mr. Bergen said few things will grow in the parks on the water. Mayor Graham said you can see the difference since the Public Works employee was put in charge of the parks. Chief Gajewski said the Bike Patrol goes down to the parks. Mrs. Atkins said the gazebo has been in the Recreation Commission plans. Mr. Antonucci said insurance is a problem with a skateboard park (liability) and that a separate policy is required and that it could be done on a trial basis. A resident suggested having the parents sign waivers.

Councilman Merla; Fire: Mr. Merla reported on the following. The Borough mechanic is repairing the brakes on the Fire Chief vehicle. He thanked Mr. Litwin and Mrs. Poling for all their work on the bids for the new Fire Chief vehicle. Remsen Dodge was the only bidder. A resolution is being requested regarding the Fire Museum. There will be a meeting on Monday at 6:30 at Fire Patrol at which time the Fire Prevention Ordinance will be discussed. A formal presentation will be made at the next Council Meeting. The owners of 29 Kearney Street want to remove a diseased tree and are asking to close off the street as the work will take approximately 4 hours and involves the power lines. Mr. Litwin advised that the Public Works should inspect the site first, that insurance will be required and to refer the matter to the Administrator to contact the Police Department. Mr. Merla said he is drafting a letter which will be sent to the other municipalities requesting their support regarding membership on the Bayshore Regional Sewerage Authority and he has County, State and Federal information. Thomas Fallon, Chief Financial Officer will submit a RFP for leasing the Borough's Water-Sewer Utility. Anthony Vecchio, Code Enforcement/Zoning Officer will submit a sample ordinance to Mr. Litwin on fees for Certificates of Occupancy. He asked the Mayor and Council to look at licensing all rentals, Aberdeen and Avon have this Ordinance (one free inspection per year and any others would have to be paid for). Mayor Graham said this matter had been discussed in prior years. Regarding the property at 108 Broad Street, Mr. Merla said the report that was submitted by Mr. Amabile, Building Inspector did not give a formal recommendation and he questioned whether a Stop Work Order should be issued. Mr. Litwin said this is in the Construction Code Officials jurisdiction and a recommendation should be requested.

Councilwoman Atkins; Buildings & Grounds and Library: Mrs. Atkins reported on the following. The air conditioner in the Tax Office was replaced. There will be a Library meeting tonight. On Saturday, June 23rd there will be a Bike Rally at Jesus The Lord Church; Drug Alliance pamphlets will be handed out, there will be inspections and minor repairs of bicycles which are donated by Matawan Bike Store. Mrs. Atkins, Mayor Graham and Councilman Antonucci attended the High School graduation. There were 131 graduates and 75% are going on to higher education. Over $1,700,000 was given out in scholarships.

Councilman Bergen; Finance, Purchasing, Insurance and Grants: Mr. Bergen had no report.

Administrator Poling: Mrs. Poling reported on the following. June 12, 2001 Payment of Bills, Current Account: $103,459.31; Water and Sewer Account:$38,701.89; RBIT: $648.11. Receipt of Bids: Ferry Service -one bidder, Keyport Fast Ferry,LLC - $40,000/1st year. Receipt of Bids: 2001 Dodge Durango(Fire Chief Vehicle)- one bidder, Remsen Dodge - $25,995.00. Mr. Litwin said that Remsen Dodge was asked about question #5 on the Questionnaire, liens or lawsuits arising from the sale or repair of a vehicle and if they reported, then there is no problem; Fire Chief Stonerock said this is reportable. Mrs. Poling requested an amendment to Ordinance #16-00 (exempting volunteers from certain Borough fees) to clarify language to include non-resident volunteers.

Engineer Kriskowski: Mr. Kriskowski reported on the following. He requested that the Change Order regarding certain walkways listed under Resolutions be deleted and that a Final Change Order will be prepared which will include the walkways. The LURP form submitted by Michael Cummins, Keyport Fast Ferry may be signed by Mayor Graham. Keyport Fast Ferry will submit the form to the State and the State will determine what if anything is needed. The 2002 Department of Transportation application is due on June 29th. Mr. Kriskowski advised that the most monies received from the State has been $175,000. He discussed applying for: 1. Washington Street, north including North West First Street, approximately $210,000; 2.

Handicapped Ramps, approximately $80,000; 3. Atlantic Street, First to Maple (1,800 feet) to either mill and overlay with certain curbs and sidewalks, approximately $280,000-$300,000 or total reconstruction from First to Third, approximately $225,000 and continue in phases. Mr. Kriskowski spoke with George Sappah, Superintendent of Public Works, curbs and sidewalks are needed in some areas and not needed in others, some areas of roadway are concrete. There are no problems with the water/sewer lines which can be televised. Mr. Bergen recommended to mill and overlay, with some sidewalks and curbs. Mr. Merla reported that there is ponding at the intersections of Washington and Provost and Washington and Chandler at the Handicapped Ramps and to look to other sites such as mid block crossings instead of the intersections. Mr. Kriskowski said that the D.O.T. requires the Handicapped Ramps and mid block crossings are frowned upon. The consensus of the Council was Atlantic Street, milling and overlay, with some curbs and sidewalks is the first priority, Washington Street will be the second priority. The Handicapped Ramps is a different application. Mr. Bergen advised that the Borough can borrow at least $500,000. Mayor Graham asked about applying to Community Development to do North West First Street. Mr. Litwin advised that he filed a brief in the RCG vs Borough of Keyport suit (New Municipal Complex Contract), that a reply is due mid July and then the Borough replies; the Hearing could be September or October. Mr. Kriskowski said he had concerns about releasing the Performance Guarantees for Aniello Ventrone's project at Main and Warren and spoke with Mr. Litwin. Mr. Litwin said this is private property and that Mr. Ventrone will give a Letter of Indemnification. Mr. Kriskowski recommended the release of the Performance Guarantees subject to the posting of a Maintenance Bond. Mr. Kriskowski gave information to Mr. Antonucci on replacement of the Cedar Street lights and he is preparing bid specifications (concrete poles instead of steel). There is a drainage problem (swale) by Pinebelt Nissan who is before the Planning Board. Improvements have been suggested and the developer would like the Borough to share the cost. The swale is on private property. The Mosquito Commission said they will perform the work. Mr. Litwin said to proceed, that the developer should obtain an easement. Mr. Litwin asked who would approve the agreement regarding cost sharing. He recommended that the developer put the whole thing together and then come before the Mayor and Council. Mr. Kriskowski said he has met with the property owners.

Attorney Litwin: Mr. Litwin reported on the following. The brief has been filed in the RCG suit. Resolutions awarding the Ferry Lease and the contract for the Fire Chief's vehicle are added to the agenda. Regarding the Ferry Lease, an extended license is required, a LURP application has to be filed, a survey is needed from Mr. Kriskowski. There is a 4 month provision in the Lease, and Keyport Fast Ferry has to go before the Planning Board. The Borough has to wait to hear from the Tidelands Council. An environmental letter, site plan approval is needed for the parking lots. An executed Lease which has a few changes, has to be submitted to Green acres. A Riparian application has been filed on 4 properties which includes the Magic Touch property. A survey and appraisal has to be sent to the Tidelands Council. The agreement with Shorelands on water diversion rights will be discussed in Closed Session and then authorized in Open Session. Acquisition of Property for Recycling Center, the Administrator sent a letter to Mr. Kutschman, who has agreed to talk, about setting up a meeting with Mayor Graham, Councilman Pedersen, Administrator Poling and Borough Attorney Litwin.

Mayor Graham: The Mayor reported on the following. Mayor Graham said that Councilman Pedersen had previously advised about the Hazardous Waste Collection at the County yard. Mayor Graham and his neighbors went and encouraged the Borough residents to take advantage of the service; the County handles everything for the resident. On May 26th, Mayor Graham attended the Historical Society

25th Anniversary. On May 28th he attended the Memorial Day ceremonies in Keyport. He thanked the American Legion, Veterans of Foreign Wars and the Vietnam Veterans. PBA mediation meetings were held on May 30th, attended by Mayor Graham, Attorney Litwin and Administrator Poling and on June 11th, attended by Mayor Graham, Attorney Litwin, Councilwoman Ashmore and Administrator Poling. On May 31st Mayor Graham attended the "Potholders R Us" presentation to the Sunshine House. On June 1st Councilman Pedersen and the Mayor attended the Bayshore Conference of Mayors meeting where the Sandy Hook Superintendent spoke about addressing the traffic.

REPORTS OF DEPARTMENTS

March, 2001

1. Police Department/Detective Bureau Firearms & Fingerprint Report

   Total amount collected: $80.00

   Submitted by Theodore Gajewski, Police Chief

2. Treasurer's Report

CURRENT	$ 629,707.88
ASSESSMENT TRUST	621.33
FEDERAL AND STATE GRANTS	588.11
ANIMAL CONTROL	996.21
TRUST CHECKING	47,938.60
TRUST SAVINGS	138,848.69
RECREATION BAYFRONT	60,449.62
UNEMPLOYMENT TRUST	64,626.10
RECREATION COMMISSION	7,455.81
GENERAL CAPITAL	262,814.55
ESCROW TRUST	174,316.80
LAW ENFORCEMENT	9,783.25
SELF HEALTH INSURANCE	4,568.54
WATER/SEWER CHECKING	5,000.00
WATER/SEWER SAVINGS	101,126.72
WATER/SEWER INVESTMENT	229,143.53
WATER CAPITAL CHECKING	1,340.10
WATER CAPITAL INVESTMENT	91,260.61
GENERAL CAPITAL INVESTMENT	3,114,688.55

   INTEREST EARNED ON INVESTMENTS FOR MARCH, 2001
   CURRENT - $21,758.55
   WATER - 1,544.08

   Submitted by Pauline Redmond, Treasurer

April, 2001

3. Zoning/Code Enforcement Officer Report

   See full copy of report on file in the Clerk's Office.

   Submitted by Anthony Vecchio, Zoning/Code Enforcement Officer

4. Fire Department Monthly Response and Man Hour Report

   Total Company runs: 151
   Mileage on Chief's car: 98,638

   Submitted by Lawrence Stonerock, Fire Chief

5. Treasurer's Report

CURRENT CHECKING	$1,276,989.96
ASSESSMENT TRUST	621.33
FEDERAL AND STATE GRANTS	588.11
ANIMAL CONTROL	401.69
TRUST CHECKING	34,630.52
TRUST SAVINGS	138,848.69

RECREATION BAYFRONT	$ 61,374.52
UNEMPLOYMENT TRUST	60,481.37
RECREATION COMMISSION	7,455.81
GENERAL CAPITAL	259,628.24
ESCROW TRUST	176,156.56
LAW ENFORCEMENT	9,499.25
SELF HEALTH INSURANCE	4,568.54
WATER/SEWER CHECKING	5,000.00
WATER/SEWER SAVINGS	168,532.07
WATER/SEWER INVESTMENT	230,016.30
WATER CAPITAL CHECKING	1,340.10
WATER CAPITAL INVESTMENT	91,608.21
GENERAL CAPITAL INVESTMENT	3,126,552.11

INTEREST EARNED ON INVESTMENTS FOR APRIL, 2001
CURRENT - $17,394.22
WATER - 1,506.44

Submitted by Pauline Redmond, Treasurer

May, 2001

6. Borough Clerk's Report

WATER/SEWER ACCOUNT

WATER CONNECTION		$ -0-
WATER METER		-0-
TURN ON CHARGE		-0-
SEWER CONNECTION		-0-
SEWER/POOL PERMIT		90.00
WATER METER W/TO		100.00
OTHER		-0-
TOTAL WATER/SEWER	**CHECK #3437**	**$ 190.00**

CURRENT ACCOUNT

BINGO LICENSE		$ -0-
FIREARM 7 FINGERPRINTING		24.00
LIMO LICENSES		80.00
PHOTOCOPIES		1.50
POSTAGE		.34
RAFFLE LICENSE		350.00
TAXI LICENSE, DRIVER		-0-
TAXI LICENSE, OWNER		-0-
POLICE DEPT. ACCIDENT REPORT		492.00
SEARCHES		-0-
VENDING LICENSE		-0-
PEDDLAR LICENSE		-0-
LIQUOR LICENSE		16,250.42
STREET OPENING		150.00
FISH AND GAME		1.00
RECYCLING PERMIT		1,126.00
PARKING PERMITS		-0-
AUCTION		-0-
BID SPECIFICATIONS		5.00
TOTAL CURRENT	**CHECK #3438**	**$18,495.26**

ESCROW ACCOUNT

CASH REPAIR DEPOSIT CHECK #3439 $ 877.00

RECREATIONAL BAYFRONT IMPROVEMENT TRUST

BOAT LAUNCHING PASSES/PERMITS		$ 3,170.00
BAIT		22.75
ICE		16.25
ICE CREAM		-0-
SODA		-0-
TOTAL RBIT	**CHECK #3440**	**$ 3,209.00**

TOTAL RECEIPTS	**$22,771.26**

Submitted by Judith L. Poling, Borough Clerk/Administrator

7. Tax Collector's Report

2001 TAXES	$ 974,974.96
2000 TAXES	39,134.95
2002 PREPAID TAXES	-0-
PRIOR YEARS TAXES	-0-
PROPERTY REDEEMED	-0-
INTEREST AND COSTS	5,400.53
TAX SEARCHES	-0-
POST OFFICE LAND RENT	137.50
SENIOR CITIZEN HOUSING IN LIEU OF TAXES	24,873.00
RETURNED CHECK CHARGES	40.00
ALL OTHER MISCELLANEOUS REVENUE	234,632.86
TOTAL CURRENT RECEIPTS	**$1,279,193.80**

WATER/SEWER RENTS	$ 77,289.33
INTEREST AND COSTS	940.46
TURN ON CHARGES	40.00
RETURNED CHECK CHARGES	26.00
POOL PERMITS	90.00
WATER METERS/WITH TURN ON	100.00
NEW METERS AND INSTALLATION CHARGE	75.00
WATER & SEWER CONNECTIONS	-0-
METER TEST CHARGE	-0-
FIRE SERVICE	-0-
METER REPLACEMENT, PARTS ETC.	-0-
DEMOLITION PERMIT	-0-
ALL OTHER MISCELLANEOUS REVENUE	40,000.00
TOTAL WATER/SEWER RECEIPTS	**$ 118,560.79**

Submitted by Pauline Redmond, Tax Collector

8. Police Department Traffic Safety Report

Total Amount received: $492.00

Submitted by Theodore Gajewski, Police Chief

9. Municipal Court Report

STATE FINES	$ 649.00
STATE SURCHARGE	253.00
STATE UNINSURED	669.75
COUNTY FUNDS	1,118.40
COUNTY FINES	5,949.88
MUNICIPAL FINES	5,949.87
MUNICIPAL COSTS	4,494.50
MUNICIPAL PARKING	1,460.00
MISCELLANEOUS	2,628.60

Submitted by Kathy Coffey, Court Administrator

10. Fire Department Monthly Response and Man Hour Report

Total Company runs: 121
Mileage on Chief's car: 99,673

Submitted by Lawrence Stonerock, Fire Chief

11. Board of Health Report

TOTAL COLLECTED IN THE BOARD OF HEALTH OFFICE	**$ 2,491.60**
DOG LICENSES	118.00

CAT LICENSES	$ 24.60
MARRIAGE LICENSES	252.00
BURIAL PERMITS	27.00
DEATH CERTIFICATES	1,000.00
MARRIAGE CERTIFICATES	50.00
BIRTH CERTIFICATES	-0-
POOL PERMITS	100.00
PLAN REVIEW	300.00
FOOD HANDLERS	450.00
MISCELLANEOUS	170.00

DISBURSEMENTS

CHECK #2649	BOROUGH OF KEYPORT MISC. ACCT.	$ 2,124.00
CHECK #2650	BOROUGH OF KEYPORT TRUST ACCT.	225.00
CHECK #2651	BOROUGH OF KEYPORT DOG ACCT.	118.60
CHECK #2652	NJ STATE DEPT. OF HEALTH	24.00

Submitted by Annette Kovacs, President

Motion to accept all reports as submitted, moved by Mr. Merla, seconded by Mr. Antonucci, with Ayes by all present.

COMMUNICATIONS & PETITIONS

1. Request from Jesus The Lord Council/Knights of Columbus to hold Bicycle Safety Rodeo on Saturday, June 23,2001 using Main Street Parking Lot, picnic tables, trash drums and asking that the lot be cleaned.

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

2. Letter to Police Chief Gajewski from Baykeeper advising of July 7, 2001 event at the Steamboat Dock Museum with boarding of boats at the Boat Launching Ramp and Fishing Pier.

   Motion to approve use of Boat Launching Ramp and Fishing Pier, moved by Mr. Merla, seconded by Mr. Antonucci, with Ayes by all present.

3. Letter from the Board of Recreation Commissioners concerning the Parks.

   Motion to refer matter to Recreation Commission, moved by Mr. Merla, seconded by Mrs. Atkins, with Ayes by all present.

UNFINISHED BUSINESS

1. **Computer Use Policy.** Motion to refer the matter to Gordon Litwin, Borough Attorney to prepare ordinance to add policy to the Ordinance Book, moved by Mr. Merla, seconded by Mr. Antonucci, with Ayes by all present.

2. **Land Use Regulation Program Application submitted by Michael Cummins.** Previously discussed.

3. **Possible Ordinance Amendment/Grease Build Up.** Mr. Litwin has received samples of other ordinances which he will refer to the Borough Engineer for review. The Ordinance will cover penalties, fines, record keeping, a grace period on installation and mandate that industrial, commercial and retail food establishments install grease traps. All pre-existing sites will be given a grace period. Motion to refer to the Borough Attorney and Borough Engineer, moved by Mr. Bergen, seconded by Mr. Merla, with Ayes by all present.

4. **Sign Ordinances.** Anthony Vecchio, Code Enforcement/Zoning Officer has forwarded copies of the ordinances regulating signs. The Public Works Department is to be advised to remove any type of sign on the Borough's right-of-ways.

5. **Raritan Post No. 23/American Legion request to have Borough Fees waived for an Instant Cash Raffle.** Mr. Herman of the American Legion advised that the machine costs $6,000 and that the Borough would not be losing money. Mayor Graham explained that the Borough must introduce and adopt an ordinance in order to waive the fees which he would support. Mr. Litwin said he would prepare the Ordinance at no charge. Motion authorizing the Borough Attorney to prepare an ordinance to waive the first year Borough Fee for an Instant Cash Raffle, moved by Mr. Merla, seconded by Mrs. Atkins, with Ayes by all present.

6. **K.B.A. Event Request/Circus/August 18 & 19, 2001/American Legion Drive Parking Lot.** Fire Chief Lawrence Stonerock advised that he still needs information, that the K.B.A. will have to file an application with the Division of Fire Safety for the tent. He was concerned about propane tanks and that at least two fire trucks would be needed. Mr. Litwin advised that the K.B.A. has not responded regarding insurance. Motion to approve subject to the Borough Attorney's approval of the insurance and that the K.B.A. respond by July 18,2001 with answers to all questions, moved by Mrs. Atkins, seconded by Mr. Merla, with Ayes by all present.

7. **Request for Handicapped Parking Space/14 Eighth Street.** Police Captain John Dayback submitted a recommendation that the request be denied. Motion authorizing the Administrator to sent a letter of denial, moved by Mrs. Atkins, seconded by Mr. Merla, with Ayes by all present.

8. **Request from Keyport Fire Museum Association, Inc. for Resolution of Recognition.** Motion to refer the matter to the Borough Attorney, moved by Mr. Antonucci, seconded by Mrs. Atkins, with Ayes by all present.

9. **Possible Ordinance Amendment/Fire Prevention.** Previously discussed.

10. **44 East Front Street.** Anthony Vecchio, Code Enforcement/Zoning Officer has forwarded a memo. Mr. Merla said he was not concerned about boarding up the windows but that the property should be fixed up and the building be policed. Mrs. Atkins asked how long a building can be boarded up. Mr. Bergen said the Unfit Dwelling Ordinance should be reviewed. Mr. Vecchio is to be asked do the ordinances require windows and how long can a building be boarded up. The matter is to be relisted on the July 10,2001 Agenda.

11. **108 Broad Street.** Previously discussed.

12. **Maple Place Bridge.** Mr. Merla advised that a letter is needed from the County regarding complete renovation; sidewalks and curbs.

13. **Interlocal with Matawan Borough.** Mr. Merla advised that Matawan has their Council Meeting tonight and they will discuss the Interlocal with Keyport and will be talking with other towns.

<u>NEW BUSINESS</u>

1. **Memo from Anthony Vecchio, Code Enforcement/Zoning Officer regarding possible Ordinance for Sidewalks, Curbs and Driveways.** This matter will be relisted on the July 10, 2001 Agenda.

2. **New Municipal Complex/Computers-Hardware and Software.** Mr. Bergen requested that experts be contacted to evaluate the condition of the current computers, hardware and software and the wiring in the New Municipal Complex. Mr. Antonucci will be the Chairman of an Ad-Hoc Committee and Mr. Merla will also serve on the Committee.

3. **Department of Transportation/Property Maintenance.** Mr. Bergen requested that the D.O.T. be contacted to cut the grass, especially in the middle of the isles on the properties they maintain,

especially by the Town and Country.

4. **Intersection of Warren and Atlantic.** Mr. Antonucci requested that the greenery be trimmed from around the stop signs. A person ran the Stop Sign.

PUBLIC PARTICIPATION

The meeting was opened to the public for comments or questions at 10:15 P.M. Dorothy Scouras, Luppatatong Avenue was against the Borough moving the Recycling Center to the vacant property on Rollo Place. She said she does not want garbage, odors or bugs in her back yard, that the Center will bring down the property values. Mayor Graham explained that the Borough wants to clean up the waterfront. Alexandra Burke said the Center would be in her back yard. Mr. Bergen explained that the Borough is obligated to recycle to preserve the landfill space and asked where is it to go. The Public Works operation was on the waterfront and the residents want the waterfront developed. Where can it be put? The Borough will be going to paper bags for the leaves which now are taken to a farm. Mr. Merla said years ago the Borough was forced to place the Public Works Department on Beers Street and complaints were received. Anywhere it is put, there will be complaints. Mr. Merla said the Borough has to get rid of the items quicker. He called the Aeromarine, where there used to be a dump about storing the leaves. Borough owned property is limited. If the Borough does acquire this property, it will do as much as possible to beautify the site. One resident complained that this area is the last to get plowed in the winter, that there are potholes in the road and that the residents are forgotten. Police are needed in the area as traffic is not stopping at the Stop Signs. Mr. Bergen asked what are the alternatives. Mr. Merla said the bulkhead is a big project and the State does an evaluation. Mayor Graham said the property on Rollo Place has been discussed for two years and he was surprised that it took this long for this response. He said the Council will look at all views and he will walk the property with the resident owners. One resident said the current owner does not maintain the property. Mr. Bergen said the Recycling Committee will be asked for a report. Jennifer Henning, Recycling Committee Member said the Borough should not have to pick up leaves and it should be phased out. Mayor Graham said he will meet with the neighbors in the area. The meeting was closed to the public at 10:50 P.M.

RESOLUTIONS

1. Resolution #207-01, Closed Meeting-Personnel, Labor Relations & Contract Negotiations

WHEREAS, the Mayor and Council of the Borough of Keyport propose to discuss the following subjects:

<u>Personnel</u>
1. Police Department
2. Public Works Department

<u>Labor Relations</u>
1. PBA Negotiations

<u>Contract Negotiations</u>
1. Purchase of Property
2. Lease of Diversion Rights
3. Washington Street Reconstruction
4. Charter Fishing Boat Lease

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 immediately following the adoption of Resolutions portion of this meeting from which the public shall be excluded in the Senior Citizen Center Meeting Room for the purpose of discussing the following subjects:

Personnel, Labor Relations and Contract Negotiations

BE IT FURTHER RESOLVED that the discussions on Personnel, Labor Relations and Contract Negotiations conducted at said closed session shall be disclosed when the matters discussed are resolved, and with regard to Labor Relations when negotiations are completed and a contract executed, and this meeting shall continue in approximately 20 minutes.

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

Roll Call Vote: Ayes: Councilmembers Antonucci, Merla, Atkins, Bergen
Absent: Councilmembers Ashmore, Pedersen

2. Resolution #208-01, Award of Contract, 2001 Dodge Durango Sports Utility

WHEREAS. the Borough of Keyport has solicited bids for a new 2001 Dodge Durango or equivalent sports utility vehicle.

WHEREAS, the bid of Raritan International, Inc., d/b/a Remsen Dodge, 3391 Highway 35 North, Hazlet, New Jersey 07730 was the only, and therefore "lowest" bid submitted pursuant to the terms and conditions of the bid and specifications; and

WHEREAS, the Chief Financial Officer of the Borough of Keyport has certified that sufficient funds are available for same.

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

1. Raritan International, Inc., d/b/a Remsen Dodge, 3391 Highway 35 North, Hazlet, New Jersey 07730, is hereby awarded the contract for the sale of a New 2001Dodge Durango to the Borough pursuant to the specifications for said bid and the documents annexed thereto, for a total purchase price of $25,995.

2. The Mayor and Borough Clerk are authorized to enter into a contract as provided in the bid specifications.

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

Roll Call Vote: Ayes: Councilmembers Antonucci, Merla, Atkins, Bergen
Absent: Councilmembers Ashmore, Pedersen

3. Resolution #209-01, Authorize Execution of Drug and Alcohol Agreement/Year 2002

BE IT RESOLVED that on this19th day of June, 2001, the Keyport Borough Mayor and Council support the application for DEDR funds to continue the work of the KIDS (Keyport Intervention for Drug Free Streets) Drug Alliance for the year 2002.

BE IT FURTHER RESOLVED that the programs emphasize prevention activities related to drugs, alcohol and tobacco both in the community and through the school system.

BE IT FURTHER RESOLVED that our proposal supports expansion into after-school programming for the elementary school and continuation of a goal to reach the parents associated with out head start and other community based organizations in Keyport.

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

Roll Call Vote: Ayes: Councilmembers Antonucci, Merla, Atkins, Bergen
Absent: Councilmembers Ashmore, Pedersen

4. Resolution #210-01, Approve Contribution to Keyport High School Hall of Fame Ad Book

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

WHEREAS, the Keyport High School Hall of Fame has requested that the Borough of Keyport contribute the sum of $100.00 for the purpose of assisting them with funds for the Keyport High School Hall of Fame Ad Book.

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

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

Roll Call Vote: Ayes: Councilmembers Antonucci, Merla, Atkins, Bergen
Absent: Councilmembers Ashmore, Pedersen

5. Resolution #211-01, Authorize Refund for Recycling Permit

WHEREAS, the Permit/License listed below was purchased through the Borough Clerk's Office; and

WHEREAS, the applicant has requested a refund; and

WHEREAS, the Borough Clerk has reviewed the matter and has endorsed the refund.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the following refund be made:

License/Permit	Number	License Permit Fee	Total to be Refunded
Recycling Permit	C1069	$10.00	$10.00

Amanthea Henry
9 Octavia Place
Keyport, New Jersey 07735

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

Roll Call Vote: Ayes: Councilmembers Antonucci, Merla, Atkins, Bergen
Absent: Councilmembers Ashmore, Pedersen

6. Resolution #212-01, Adjustment to Water/Sewer Account #1023001 for Pool Filling

WHEREAS, Charles Barreca, owner of 60 Monroe Street, Keyport, N.J., Water/Sewer Account #1023001 has requested an adjustment to the Water/Sewer bill due to a Pool Filling; and

WHEREAS, the Mayor and Council have reviewed this matter.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that

Water/Sewer Account #1023001 shall be adjusted as follows:

1. The Owner shall apply for a Pool Filling Permit and pay the $15.00 fee.

2. The Water/Sewer Account #1023001 shall be adjusted to exclude the sewer charge as it applies to the Pool Filling.

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

Roll Call Vote: Ayes: Councilmembers Antonucci, Merla, Atkins, Bergen
Absent: Councilmembers Ashmore, Pedersen

7. Resolution #213-01, Requesting The New Jersey Legislature To Provide Urgent Relief To The Citizens Of New Jersey Arising From The Financial Burden Placed On Them By The New Jersey Property Tax

WHEREAS, the New Jersey Constitution,Article8,Section 4, paragraph 1. requires the New Jersey Legislature to provide for a free public school system; and

WHEREAS, the New Jersey Legislature has placed the largest burden of financing the free public school system on the local taxpayers by enacting laws under Title 18A; and

WHEREAS, the New Jersey Legislature has simultaneously restricted the source of this revenue to the local property tax; and

WHEREAS, such a tax is regressive and is especially punitive against citizens who are on a fixed income and are penalized by such a tax because their homes rise in value due to inflation, thereby increasing their tax burden.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, County of Monmouth and State of New Jersey that the New Jersey Legislature is hereby urged to seek other avenues of raising funds for the free public school system other than the New Jersey property tax which is becoming increasingly onerous on so many New Jersey citizens, especially our senior citizens.

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

Roll Call Vote: Ayes: Councilmembers Antonucci, Merla, Atkins, Bergen
Absent: Councilmembers Ashmore, Pedersen

8. Resolution #214-01, Tax Appeal Settlement, Block 22,Lot 12.02 Refund

WHEREAS, Coolidge Shore Assets filed a tax appeal with the Tax Court of New Jersey for the Tax Year 2000 with regards to Block 22, Lot 12.02; and

WHEREAS, the foregoing appeal has been settled between Coolidge Shore Assets and the Borough of Keyport; and

WHEREAS, the Judgment has been entered by the Court reducing the assessment of $284,100 to 254,100 creating an overpayment of $919.50 on the 2000 taxes; and

WHEREAS, Judgment 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. Bergen

Roll Call Vote: Ayes: Councilmembers Antonucci, Merla, Atkins, Bergen
Absent: Councilmembers Ashmore, Pedersen

9. Resolution #215-01, 2001/2002 Liquor License Renewals

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, 2001 and ending June 30, 2002, up application filed by:

1322-33-002-003	Hilvo Inc., t/a Ye Cottage Inn
1322-33-002-006	Karen Bezner, Esq., Trustee for the Debtor Estate(Four Seasons Sports Bar)
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
1322-33-007-007	Rolondo Inc.,t/a Rolondos/Dinos Tiki Bar
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
1322-33-012-003	Daniel Langan, LAD Properties
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 1,2001 and ending June 30, 2002, 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 1,2001 and ending June 30, 2002 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. Bergen

Roll Call Vote: Ayes: Councilmembers Antonucci, Atkins, Bergen
Absent: Councilmembers Ashmore, Pedersen
Abstain: Councilman Merla

10. Resolution #216-01, Payment of Bills

See full copy of Payment of Bills as pages 25-31 of these minutes.

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

Roll Call Vote: Ayes: Councilmembers Antonucci, Merla, Atkins, Bergen
Absent: Councilmembers Ashmore, Pedersen

11. Resolution #217-01, Award of Lease, Ferry Service

WHEREAS, the Borough of Keyport has solicited bids for the operation of a commuter and special events ferry service between the Borough of Keyport and the Borough of Manhattan, New York City upon premises to be leased from the Borough;

WHEREAS, the sole bidder, Keyport Fast Ferry, L.L.C.,16 Park Way, Monmouth Hills, New Jersey 07732, has proposed to pay an annual rent of Forty Thousand Dollars($40,000) to the Borough for the use of said premises, pursuant to the terms and conditions of the bid specifications and proposed lease agreement;

WHEREAS, multiple permits and approvals from governmental authorities appear necessary prior to the lease agreement becoming effective, including, but not necessarily limited to the following:

1. A riparian license modification from the New Jersey Department of Environmental Protection, Bureau of Tidelands Management;

2. A waterfront development permit from the New Jersey Department of Environmental Protection, Land Use Regulatory Program;

3. Final approval of the executed lease agreement by the New Jersey Department of Environmental Protection, Green Acres Program; and

4. Site plan approval for parking areas maintained by bidder.

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

1. Keyport Fast Ferry, L.L.C.,16 Park Way, Monmouth Hills,

New Jersey 07732, is hereby awarded the lease for the operation of a commuter and special events ferry service between the Borough of Keyport and the Borough of Manhattan, New York City upon premises to be leased from the Borough of Keyport for an annual rent of $40,000, payable in monthly rent payments of $3333.33.

2. The Mayor and Borough Clerk are authorized to enter into a lease as substantively provided in the bid specifications and the Borough Attorney is authorized to take such further steps as may be required by the Borough of Keyport in furtherance thereof.

3. The Lease is expressly conditioned upon the receipt of the aforementioned permits and approvals from various governmental authorities, which if withheld for reasons beyond the control of the parties and as otherwise set forth in the lease, shall result in no liability to either party.

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

Roll Call Vote: Ayes: Councilmembers Antonucci, Merla, Atkins, Bergen
Absent: Councilmembers Ashmore, Pedersen

12. Resolution #218-01, Appointing MAC Membership (Drug Alliance)

WHEREAS, the Keyport Alliance has two members who are appointed by the Borough Council; Barbara Hilliard as Coordinator and June Atkins as Chairperson/Mayoral Representative.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that since the Alliance was established in October1990, we have found that the Alliance serves the community best with the remainder of Alliance members consisting of dedicated community members who serve on the Alliance as volunteers and as such are recognized by the Borough Council.

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

Roll Call Vote: Ayes: Councilmembers Antonucci, Merla, Atkins, Bergen
Absent: Councilmembers Ashmore, Pedersen

13. Resolution #219-01, Capital Budget Amendment, Ordinance #10-01

WHEREAS, the Borough of Keyport, New Jersey desires to amend the 2001 Capital Budget by inserting thereon or correcting the items therein as shown in the budget for the following reason:

Additional costs not originally anticipated in the Capital Budget,

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

Section 1. The 2001 Capital Budget of the Borough of Keyport is hereby amended by adding thereto a Schedule to read as follows:

AMENDMENT NO.01-1
CAPITAL BUDGET OF THE
BOROUGH OF KEYPORT, NEW JERSEY
Projects Schedules for 2001
Method of Financing

Project	Est. Cost	Capital Imp. Fund	Bonds & Notes
Acquisition of a Copier	20,000	1,000	19,000

Acquisition of a Postage Machine	20,000	1,000	19,000
Improvements to Senior Center	60,000	3,000	57,000
Acquisition of a Backhoe	50,000	2,500	47,500
Improvements to Parks	100,000	5,000	95,000
Acquisition of Various Fire Equipment	20,000	1,000	19,000
Acquisition of Police Video-Conferencing System	3,000	500	2,500

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

Roll Call Vote: Ayes: Councilmembers Antonucci, Merla, Atkins, Bergen
Absent: Councilmembers Ashmore, Pedersen

14. Resolution #220-01, Appointment of Part Time Public Safety Telecommunication Operator - Paul Kerwin

WHEREAS, there is a present need for Part Time Public Safety Telecommunications Operators; and

WHEREAS, sufficient funds have been provided in the 2001 Budget for this Part Time position; and

WHEREAS, Police Chief Theodore Gajewski has recommended Paul Kerwin be hired for the position of Part Time Public Safety Telecommunications Operator.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that Paul Kerwin is hereby hired as a Part Time Public Safety Telecommunication Operator at a rate of $6.00 per hour, effective June 20, 2001. When Paul Kerwin is fully trained, the rate per hour will be increased to $8.00 per hour.

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

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

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

Roll Call Vote: Ayes: Councilmembers Antonucci, Merla, Atkins, Bergen
Absent: Councilmembers Ashmore, Pedersen

15. Resolution #221-01, Structural Engineering Services Contract to Schoor Engineering for Redevelopment of Properties on American Legion Drive

WHEREAS, on or about December 15,2000, the Mayor and Council of the Borough of Keyport received a proposal (the "Proposal") from Schoor DePalma, Inc. for engineering services to provide professional structural engineering services related to the redevelopment of the properties located along American Legion Drive including various services as detailed in said proposal with said services to be provided at a total cost of $22,750;and

WHEREAS, the Borough Administrator and Borough Attorney have reviewed the Proposal and the Chief Financial Officer has certified that the funds for same are available.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT AS FOLLOWS:

1. The Proposal from Schoor DePalma, Inc. for engineering services to provide professional structural engineering services as set forth in the Proposal of December 15,2000

and related to replacement of the existing bulkhead along American Legion, at a total cost of $22,750 for said services is approved.

2. The Mayor and appropriate Borough officials are authorized to execute an acceptance of the Proposal for same.

3. Annexed hereto is a copy of the Proposal.

4. This action is approved without competitive bids as an award of a professional contract. A notice of this award shall be advertised as required by law.

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

Roll Call Vote: Ayes: Councilmembers Antonucci, Merla, Atkins, Bergen
Absent: Councilmembers Ashmore, Pedersen

16. Resolution #222-01, Department of Transportation Application, Handicapped Ramps

WHEREAS, the Borough Engineer has recommended that the Mayor and Council apply to the New Jersey Department of Transportation for funds that are available under the New Jersey Transportation Trust Fund Authority Act, Fiscal Year 2002 Municipal Aid Program for the purpose of upgrading and reconstructing a number of Handicap Ramps at various intersections through the North Central Section in the Borough of Keyport; and

WHEREAS, the Mayor and Council have considered this recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that the Borough Engineer be and hereby is authorized to prepare the application and the Mayor be and is hereby authorized to execute the application for State Aid available to Municipalities under the New Jersey Transportation Trust Fund Authority Act, and to submit same to the District Local Aid Office within the New Jersey Department of Transportation for the purpose of construction of Handicap Ramps at various intersections throughout the North Central Section of the Borough of Keyport under Category Three.

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

Roll Call Vote: Ayes: Councilmembers Antonucci, Merla, Atkins, Bergen
Absent: Councilmembers Ashmore, Pedersen

17. Resolution #223-01, Department of Transportation Application, Atlantic Street

WHEREAS, the Borough Engineer has recommended that the Mayor and Council apply to the New Jersey Department of Transportation for funds that are available under the New Jersey Transportation Trust Fund Authority Act, Fiscal Year 2002 Municipal Aid Program for the purpose of upgrading and reconstruction a portion of Atlantic Street in the Borough of Keyport; and

WHEREAS, the Mayor and Council have considered this recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that the Borough Engineer be and hereby is authorized to prepare the application and the Mayor be and is hereby authorized to execute the application for State Aid available to Municipalities under the New Jersey Transportation

Trust Fund Authority Act, and to submit same to the District Local Aid Office within the New Jersey Department of Transportation for the purpose of upgrading and reconstructing Atlantic Street Phase I (Category One).

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

Roll Call Vote: Ayes: Councilmembers Antonucci, Merla, Atkins, Bergen
Absent: Councilmembers Ashmore, Pedersen

18. Resolution #224-01, Department of Transportation Application, Washington Street

WHEREAS, the Borough Engineer has recommended that the Mayor and Council apply to the New Jersey Department of Transportation for funds that are available under the New Jersey Transportation Trust Fund Authority Act, Fiscal Year 2002 Municipal Aid Program for the purpose of upgrading and reconstructing a portion of Washington Street in the Borough of Keyport; and

WHEREAS, the Mayor and Council have considered this recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that the Borough Engineer be and hereby is authorized to prepare the application and the Mayor be and is hereby authorized to execute the application for State Aid available to Municipalities under the New Jersey Transportation Trust Fund Authority Act, and to submit same to the District Local Aid Office within the New Jersey Department of Transportation for the purpose of upgrading and reconstructing Washington Street Phase IV (Category One).

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

Roll Call Vote: Ayes: Councilmembers Antonucci, Atkins, Bergen
Abstain: Councilman Merla
Absent: Councilmembers Ashmore, Pedersen

CLOSED MEETING

Mayor and Council went into Closed Session at11:07 P.M. and this meeting was reconvened at 11:39 P.M.

On Roll Call the following were present: Councilmembers Antonucci, Merla, Atkins, Bergen. Absent: Councilmembers Ashmore, Pedersen.

RESOLUTIONS

19. Resolution #225-01, Lease Agreement with Shorelands Water Company for Water Diversion Rights

WHEREAS, Shorelands Water Company, Inc.(hereinafter "Shorelands") has from time to time demonstrated a need for additional diversion rights to serve the needs of its customers in the Townships of Hazlet, Holmdel, Aberdeen and the Borough of Union Beach; and

WHEREAS, the Borough of Keyport anticipates the availability for lease of approximately 80,000,000 gallons per year of Farrington and Old Bridge aquifer diversion for the next several years; and

WHEREAS, Shorelands' proximity to Keyport allows for monthly flexibility of total use and aquifer selection in compliance with previous permits issued by the New Jersey Department of Environmental Protection; and

WHEREAS, the citizens and taxpayers of Keyport wish to secure any available benefits from Keyport's unused diversion allocation; and

WHEREAS, Shorelands leased diversion rights from the Borough of Keyport under a lease dated March 14, 1995 (hereinafter "Lease") for a five year period through June 30, 2000;and

WHEREAS, said Lease was limited to a five year term because Keyport and Shorelands believed that the New Jersey Department of Environmental Protection (hereinafter "NJDEP"), which regulated the subject activity would not approve a longer term; and

WHEREAS, Keyport and Shorelands desire to extend the lease of certain diversion rights subject to certain requirements and the Mayor and Council believe said lease is in the best interests of the Borough of Keyport.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT AS FOLLOWS:

1. Subject to approval from NJDEP the appropriate Borough officials are authorized to enter into an extended lease agreement for diversion rights between the Borough of Keyport and Shorelands for a period of an additional five(5) years to end June 30, 2006, for a minimum of 80,000,000 gallons per year of Farrington and Old Bridge aquifer diversion, divided no more than 73,215,000 gallons of Farrington diversion and up to 20,000,000 gallons of Old Bridge diversion, with a minimum obligation for Shorelands to take subject to availability of 125,000,000 gallons over five (5) years.

2. Shorelands will pay Keyport 125% of the price per million gallons charged by the New Jersey Water Supply Authority for Manasquan Reservoir raw water for all diversion Shorelands actually takes in a given year during the term of this Lease, but in no event will Shorelands pay less than $1,100 per million gallons actually taken.

3. The Borough Administrator and appropriate Borough officials are authorized to take such steps may be necessary to implement the foregoing.

4. This resolution supersedes prior Resolution No. 162-01 adopted May 1,2001 pertaining to this matter.

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

Roll Call Vote: Ayes: Councilmembers Antonucci, Merla, Atkins, Bergen
Absent: Councilmembers Ashmore, Bergen

ADJOURNMENT

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

Time of Adjournment: 11:41 P.M.

Respectfully submitted,

Judith L. Poling

Judith L. Poling, CMC
Borough Clerk/Administrator