June 4, 2001 approved 6/19/01
Keyport, New Jersey

Minutes ~~of a~~ Work Meeting of the Mayor and Council of the Borough of Keyport, held on the above date in the Keyport Senior Center, 110 Second Street, Keyport, NJ, pursuant to the Annual Notice on file with the Borough Clerk, forwarded to the Asbury Park Press, the Courier, the Independent and the Two River Times and posted on the Bulletin Boards in accordance with the Open Public Meetings Act, P.L. 1975, Ch. 231.

Mayor Graham called the meeting to order at 7:12 PM and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Ashmore, Antonucci (arriving at 7:13 PM), Merla, Atkins, Pedersen. Absent: Councilman Bergen. Others present: Gordon Litwin, Borough Attorney.

RESOLUTION

1. Resolution #195-01, Closed Meeting-Personnel, Litigation, Labor Relations, Contract Negotiations.

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

Personnel
1. Police Department
2. Public Works Department
3. Board of Health

Litigation
1. RCG v Borough of Keyport
2. Dumping on Borough Property

Labor Relations
1. PBA Negotiations
2. Administrative and Non-Union Negotiations
3. Administrative and Non-Union Grievance
4. IUOE (Public Works)

Contract Negotiations
1. Garbage Contract
2. Purchase of Property
3. Diversion Rights

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 and Contract Negotiations

BE IT FURTHER RESOLVED that the discussions on Personnel, Litigation, Labor Relations, 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 Mr. Pedersen

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

Absent: Councilman Bergen

Council went into Closed Session at 7:15 PM and this meeting was reconvened at 8:15 PM

Mayor Graham called the meeting to order at 8:24 PM and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Ashmore, Antonucci, Merla, Atkins, Pedersen. Absent: Councilman Bergen. Others present: Gordon Litwin, Borough Attorney, Kevin Boerner, Borough Engineer's Office.

Mayor Graham asked Councilmembers if they would like to reschedule the June 19th Council Meeting as that is the High School Graduation night and it begins at 6:30PM. Motion to keep the June 19th Council Meeting date, but change the starting time from 7:00 PM to 8:00 PM and list the Closed Meeting at the end of the Agenda, moved by Mr. Merla, seconded by Mrs. Atkins, with Ayes by all present.

INTRODUCTION OF ORDINANCES

1. Ordinance #8-01, Amend Chapter XII, Building and Housing (Requirements for Security Gates)

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

WHEREAS, Mayor and Council of the Borough of Keyport, a municipal corporation of the State of New Jersey, located in Monmouth County, seek the maintenance of structures in which the Borough can maintain pride and which will be conducive to promoting commerce consistent with pride in the residential neighborhoods and shopping areas; and

WHEREAS, the installation and deployment of solid or impermeable security gates across front windows and doors causes a blight inconsistent with said pride and the promotion of commerce; and

WHEREAS, alternative styles of security gates are available to property owners that will have less impact on community aesthetics than installation and deployment of said solid or impermeable security gates.

NOW, THEREFORE, BE IT ORDAINED by Mayor and Council as follows:

Section 1. Chapter XII, entitled "Building and Housing", of the Revised General Ordinances of the Borough of Keyport, is hereby amended and supplemented as follows:

12-13 REQUIREMENTS FOR SECURITY GATES. The provisions of this section shall be applicable to any premise, property and structure supporting a nonresidential use within a residential, General Commercial of Neighborhood Commercial zone, as established by Chapter 25 herein.

a. From and after the effective date of this subsection, it shall be unlawful to construct or install any security gate or cover extending over or across a front window or door of a nonresidential or commercial premises, property or structure shall be a grate-or lattice-type, with a minimum of twenty-five percent (25%) of the gate area being see-through composition. No security gate shall be solid or impermeable in nature. All security gates and accompanying hardware shall be of suitable materials and maintained in a state of good repair.

b. From and after the effective date of this subsection, it shall be unlawful to construct or install security gates as provided in subjection (a) above unless a permit is obtained by the property owner or lessee or contractor from the Construction Official. The applicant for the permit shall submit proper specifications of the size, make, model, location and details required by the Construction Official.

Section 2. All Ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed as to the extend of such inconsistencies.

Section 3. If any section, subsection, part, clause or phrase of this Ordinance shall be declared invalid by judgment or 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 4. This Ordinance shall take effect immediately following final passage and publication as required by law.

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

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

1a. Motion authorizing the Clerk to publish the Ordinance as introduced, in the Courier, issue of June 7, 2001 for a Hearing to be held June 19, 2001, moved by Mrs. Atkins, seconded by Mr. Pedersen, with Ayes by all present.

2. Ordinance #9-01, Amend Chapter III, Article I, Police Department, Exempt Governmental Entities and Prosecutorial Task Forces from Special Duty Assignments.

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

WHEREAS, the Borough has established and maintains an ordinance concerning requests by non-governmental entities for assistance from members of the Keyport Police Department to perform special duty assignment services ("Special Duty Assignment Ordinance"); and

WHEREAS, the Borough participates in the Monmouth County Serious Collision Analysis Response Team ("SCART") managed by the Monmouth County Prosecutor's Office and the Monmouth County Police Chiefs Association, and funded by a grant of the New Jersey Department of Law and Public Safety; and

WHEREAS, the Borough does not consider the SCART program to be non-governmental entity and therefore does not presently apply its

Special Duty Assignment Ordinance to the participation of the Keyport Police Department members; and

WHEREAS, a similar ordinance of the Township of Middletown was recent adjudged by the Superior Court of the State of New Jersey to apply to the SCART program because "prosecutorial task forces" were not specifically exempted therefrom; and

WHEREAS, the Borough seeks to amend its Special Duty Assignment Ordinance to exempt the SCART program and other governmental entities in response to said adjudication.

NOW, THEREFORE, BE IT ORDAINED by Mayor and Council of the Borough of Keyport, a municipal corporation of the State of New Jersey, located in Monmouth County, thereof as follows:

Section 1. Section 3-6.1(26) of Article I, Chapter III, is hereby amended and revised to read as follows:

(26) 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 be compensated as follows:

Police Department	Retroactive May 28, 1993
Chief	$30 to $42 per hour
Captain	$30 to $42 per hour
Lieutenant	$30 to $42 per hour
Sergeant	$30 to $42 per hour
Patrolman First Class	$30 to $42 per hour
Patrolman Second Class	$30 to $42 per hour
Patrolman Third Class	$30 to $42 per hour
Detective Sergeant	$30 to $42 per hour
Detective	$30 to $42 per hour
Special Police Officers	$30 to $42 per hour
Administration Fee (for Processing payroll data)	$ 7 per hour

The term "independent contractor" as used above shall not include, and this Section 3-6.1(a)(26) shall not apply to, any governmental entity or prosecutorial task force.

Section 2. All ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed as to the extent of such inconsistencies.

Section 3. If any section, subsection, part, clause or phrase of this Ordinance shall be declared invalid by judgment 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 4. This Ordinance shall take effect immediately following final passage and publication as required by law.

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

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

2a. Motion authorizing the Clerk to publish the Ordinance, as introduced, according to law, in the Courier, issue of June 7, 2001 for a Hearing to be held on June 19, 2001, moved by Mr. Pedersen, seconded by Mrs. Atkins, with Ayes by all present.

COMMUNICATIONS & PETITIONS

1. Firemen's Fair Raffle Applications, July 9-14, 2001:
   A. Liberty Hose Co./On Premise Non Draw Raffle
   B. Engine Co. No. 1/On Premise Non Draw Raffle
   C. Raritan Hose Co./On Premise Non Draw Raffle
   D. Board of Fire Wardens/Instant Cash
   E. Board of Fire Wardens/On Premise Non Draw Raffle
   F. Eagle Hose Co./On Premise Non Draw Raffle
   G. Lincoln Hose Co./On Premise Non Draw Raffle
   H. Hook & Ladder Co./On Premise Non Draw Raffle
   I. Hook & Ladder Co./On Premise Cash Raffle

   Motion to approve moved by Mrs. Atkins, seconded by Mr. Merla, with Ayes by all present except Councilmembers Merla and Pedersen who abstained.

2. Keyport High School Hall of Fame/Ad Book

   Motion authorizing a Full Page Ad moved by Mrs. Atkins, seconded by Mr. Pedersen, with Ayes by all present.

3. K.B.A. Event Request-L.E. Barnes Circus, August 18 & 19, 2001/American Legion Drive Parking Lot.

   Mr. Litwin said their liability insurance is in the amount of $1 million, he recommended it be $5 million (people under the tent should be protected), the K.B.A. is to be advised. The permit for the tent is issued by the Fire Official and there are supposed to be markings on the tent.

   Motion to refer the matter to the Police and Fire Departments for comments and recommendations and list again on the June 19th Agenda, moved by Mr. Merla, seconded by Mr. Pedersen, with Ayes by all present.

4. Washington Township Resolution Requesting 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.

   Motion to list a supportive Resolution on the June 19th Agenda, moved by Mr. Pedersen, seconded by Mrs. Atkins, with Ayes by all present.

5. Request from Keyport/Matawan Elks for use of Benjamin Terry, Veterans and Cedar Street Parks on August 25, 2001, 12 Noon-7 PM for Annual Picnic.

   It was discussed possibly installing service for water and electric. George Sappah, Superintendent of Public Works and Roy Jimenez, Recreation Commission are to investigate the matter and report back to Mayor and Council.

   Motion authorizing the use of Benjamin Terry and Veterans Parks and to clarify the use of Cedar Street Park, moved by Mr. Pedersen, seconded by Mrs. Atkins, with Ayes by all present except Mr. Merla who abstained. Insurance is to be submitted and if there is need of water and power to notify the Elks to contact Mayor Graham.

6. Letter from Keyport Fire Museum Association, Inc. requesting recognition by Resolution.

   Request is due to the chance of receiving funding from the State through the Borough and passed on the the Association. Mr. Litwin recommended requesting a proposed resolution and he will review same.

   Motion to refer the matter to Mr. Merla to contact Robert McLeod, Esq., moved by Mr. Pedersen, seconded by Mrs. Atkins, with Ayes by all present.

7. Howell Township Resolution in Support of New Jersey HADD's Pursuit of Relief to Owners of Defective New Homes.

   Motion to refer to the Planning Board moved by Mr. Merla, seconded by Mrs. Ashmore, with Ayes by all present.

8. Request from Alice Hushour, 14 Eighth Street for a Handicapped Parking Space.

   Motion to hold until report from Police Department is received and to list again on the June 19th Agenda moved by Mrs. Atkins, seconded by Mr. Pedersen, with Ayes by all present.

9. Letter from residents of 7th, 8th & Fulton Streets and Manchester Ave. regarding Green Grove Garden Apartments tenants parking (petition attached).

   The tenants from the apartment complex are parking on the streets. Mr. Merla asked if the Police Chief should meet with them. Chief Gajewski said that violations are being addressed and 21 tickets have been issued as of May 28th. Mr. Jimenez, whose father lives there, said the tenants were assigned one parking space per apartment and that people are parking on the street by hydrants, dumpsters, etc. Mayor Graham and Administrator Poling will set up a meeting with the Green Grove Apartments. Mrs. Poling is to acknowledge receipt of the residents letter.

   Motion to refer the matter to the Mayor and Administrator moved by Mr. Antonucci, seconded by Mr. Pedersen, with Ayes by all present.

10. Letter regarding Mike's Sub Shop on Front Street celebrating 40th Anniversary.

    Motion to refer the matter to Mayor Graham, moved by Mrs. Atkins, seconded by Mr. Merla, with Ayes by all present.

11. Request to waive sewer fee on Pool Filling, 60 Monroe Street.

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

UNFINISHED BUSINESS

1. Possible Amendment to Ordinances/Grease Build Up. Mr. Litwin will advise.

2. Possible Amendment to Ordinances/Fencing in Parking Lots. Mr. Litwin said that individual properties need to be addressed. Chief Gajewski said he surveyed the parking lots. Division Street Parking Lot: there is a new section of fence and a gate. Broad Street Parking Lot: properties have access from the lot such as Gale's Hardware; some don't have curb cuts and others have taken down their fences; almost everyone has access. American Legion Drive Parking Lot: all the businesses, including those that have apartments, have access. It is difficult to make exceptions. Mayor Graham asked about the Borough's liability. Mr. Litwin said it is common to have access, to allow free flow of cars and it is a cost of doing business. Mayor Graham asked if the Borough maintains the right to put up fences. Mr. Merla said his concern regarding the Division Street Parking Lot was that there was a pool in a back yard.

3. Request from American Legion to waive Borough part of Raffle Fees for Instant Cash. A precedent would be set if the fees were waived. Motion to refer the matter to the Administrator to check to see if the Borough Fee is required and to list the matter again on the June 19th Agenda, moved by Mr. Pedersen, seconded by Mr. Merla, with Ayes by all present.

4. Computer Use Policy.Mr. Merla said he is not against a policy, but not if it is not going to be enforced. Employees should know how to use the computer. Improper use is insubordination and the employee should be written up, no exceptions. Mr. Litwin will forward to the Administrator policies from other municipalities.

5. Land Use Regulation Program Application from Michael Cummins. This matter will be held over to the June 19th Agenda.

6. Possible Amendment to Ordinances/Chapter XIII, Fire Prevention. Mr. Merla advised there had been a meeting between the Fire Chiefs and the Fire Committee and he said regarding the Inspectors, their Fire Chiefs recommendation has merit; one Inspector should just be administrative to help Harry Aumack, Fire Official. More hours are needed. The ordinances have to be amended and the added cost would come out of the fees collected. Mr. Merla will set up another meeting. There is a conflict in that Harry Aumack's son is a Fire Chief. Some Inspectors do more than others. Chief Lawrence Stonerock said there are people available during the day and there are two people qualified. Because of the NIFRUS program, and reporting requirements he is putting in for computers for each fire house to be networked. Mr. Merla said, in the meantime, Matawan is providing the services on reporting. Kenneth Marr, 1st Assistant Fire Chief said there is now a lot more paperwork required by the State. Motion to again list this matter on the June 19th Agenda, moved by Mr. Merla, seconded by Mr. Antonucci, with Ayes by all present.

7. Bonding of Employees. Mr. Merla requested information on how much coverage is provided.

8. Water/Sewer Meeting of May 29, 2001. Mr. Merla advised he would forward to the Administrator for distribution to Mayor and Council a letter to other municipalities requesting their support regarding a seat on the Bayshore Regional Sewerage Authority.

9. Certificate of Occupancy Fee. Mr. Merla discussed raising the cost of a Certificate of Occupancy. Mr. Litwin suggested discussing the matter with Anthony Vecchio, Code Enforcement Officer.

10. Volunteer Parade. Mr. Merla advised there will be a meeting at Fire Patrol on June 5th at 7:00 PM

11. Smart Growth Grant. Mr. Merla asked about the grant. Mayor Graham advised that Kathy Shaw of the Bayshore Development Office is discussing the grant with Dave Roberts of Schoor DePalma. The BID will fund the grant and the Borough will provide technical assistance. A presentation will be made to the Mayor and Council.

12. Disposal of Tires. Mr. Merla advised that the Public Works Department can take the tires which were cleaned up down to the Mosquito Commission.

13. Intersection of Green Grove Avenue and Third Street. Mr. Merla said that work was performed at the intersection, but there is still water. It is a big job, 400' of pipe. The County was in today at the intersection and they were also looking at the bridge on Maple Place (repave the sidewalk area, no curb). The County is willing to do the work, but it is a big job. Residents have called about the manholes in the sidewalk. He requested that at the next meeting a resolution be passed.

14. Signs. Mr. Merla was concerned about "Open House" signs that are put out and balloons and that they are not removed afterwards and can this be regulated. Mr. Litwin said yes. The Zoning Officer will be asked to submit the ordinances for possible amendment to include residential along with commercial.

15. Interlocal with Borough of Matawan. Mayor Graham reported on the

arrangement with Matawan for Construction Code Services. He spoke with Mr. Leo, Administrator who advised that Matawan was hiring a full time construction official on June 5th and then a meeting will be set up to review information. Mayor Graham and Administrator Leo will confer.

16. Marketing Professional/K.B.A. Mayor Graham reported that the K.B.A. wants to move forward with the hiring of a Marketing Professional and have selected the firm of GreenEggz: no Ham, Inc. They would like to use the balance of the legislative grant which the Borough received to fund the cost and will submit a voucher to the Borough. The K.B.A. is looking for Mayor and Council approval of the contract. (see Resolutions).

17. Web Site-K.B.A. and Borough of Keyport. Mayor Graham reported that the cost for the Web Site is not to exceed $10,000 and the Borough would pay one half (not to exceed $5,000)and that Councilman Bergen, Finance Chairman advised that the money is in the budget. Mr. Merla asked where in the budget. Mayor Graham said he did not know exactly, but it is in the budget.

ADMINISTRATOR'S REPORT

Mrs. Poling had no report.

ENGINEER'S REPORT

Mr. Boerner reported that there was a meeting with the Washington Street contractor regarding punch list items which have to be addressed before the final paving which will be done this week or next. Mr. Merla requested that the residents be notified of the paving at least one week in advance. There was a street opening for a new home and it needs to settle (installed water and sewer lines). Mayor Graham said he spoke with John Kriskowski regarding certain walkways and that Manzo said the work is more extensive then thought, steps were built over walkways. Approximate cost now is $2,000 and Mayor Graham asked Councilmembers about going forward. Mr. Litwin said a change order must be adopted and that the work could be authorized tonight and formalized on June 19th. Mr. Merla said he supports the change order but he lives on Washington Street and will abstain in the voting. Councilmembers were in agreement to go forward. A change order will be prepared and listed on the June 19th Agenda. Mr. Boerner advised that Endeavor House will be installing a new water line. Mr. Pedersen said a recommendation was made to Endeavor House to make a tap on West Front Street and the size of the line has to be determined. George Sappah, Superintendent of Public Works said a 6" line is better than a 4" line because it would provide better pressure. If the Borough requested they install a 6" line so that four homes could also be connected, and they do the work, the Borough could share in the cost. Motion that Apollo Sewer be contacted to change from a 4" to a 6" line, that Endeavor House to contacted to change to a 6" line (tee stub and valve for a hydrant which the Borough will supply), that the Borough waive the connection fee and install the hydrant and that the Borough tie in four homes, moved by Mr. Pedersen, seconded by Mr. Merla, with Ayes by all present. Mr. Litwin suggested that the contractor provide an estimate on the hydrant. The New Jersey Department of Transportation 2002 State Aid application is due and direction is needed from the Mayor and Council on what to submit. Mr. Antonucci asked if there was any information on the Cedar Street lights and Mr. Boerner will check with John Kriskowski.

ATTORNEY'S REPORT

Mr. Litwin reported that an application for riparian rights for four parcels of land will be submitted to the State this week. The Appellate Division has granted a Stay in the RCG litigation; if it was not granted it would have caused problems.

NEW BUSINESS

1. Receipt of Bids, May 29, 2001:

   A. Paving Materials (see Resolution for award of Contract.
   B. Fire Chief's Vehicle. Mr. Litwin, Mrs. Poling and Chief Stonerock discussed the awarding the contract. There was concern on the delivery time. The specifications will be revised (saving $4-5,000) and the bid received will be rejected and the vehicle rebid (see Resolutions).

2. 2001/2002 Liquor License Renewals/Reports from Departments. The Resolution approving the renewals will be listed on the June 19th Agenda. There are two inactive licenses they may be held because they need a Special Ruling from the Alcohol Beverage Control.

3. 108 Broad Street. Mr. Merla reported that Anthony Vecchio, CE/Zoning Officer advised that work has resumed. The permits go back to the Middletown Interlocal. Water is ponding inside the footings and the sewer line comes out onto Third Street. The Administrator will notify the Construction Office to make an inspection.

4. Summer Concert Schedule. Mr. Merla asked Roy Jimenez about the schedule and suggested that it be inserted into the July 1st Newsletter.

5. Miscellaneous Items/Bond Ordinance. Mr. Pedersen requested that Mr. Litwin be authorized to prepare bid specifications for a 1996-1999 used back hoe.

PUBLIC PARTICIPATION

The Meeting was opened to the public for comments or questions at 10:03 PM. Ptl. Kenneth Marr asked about the schedule change for the Police. Mayor Graham said the matter was discussed in Closed Session, that the schedule is a separate negotiation and is limited to Closed Session. The Police Committee will move forward. Ptl. Marr said the contract and the schedule are two separate items and one won't move forward unless the other is worked out. Mayor Graham asked what Ptl. Marr based that on. Ptl. Marr said there has been correspondence between the Police Chief and the Borough Attorney. Police Chief Gajewski asked what licenses needed Special Rulings and the Administrator advised Rolondo's and Four Seasons. The Meeting was closed to the public at 10:05 PM.

RESOLUTIONS

2. Resolution #196-01, Award of Paving Materials Contract

WHEREAS, the Borough of Keyport has solicited bids for bituminous concrete surface and stabilized base materials; and

WHEREAS, Stavola Asphalt Co., Inc., P.O. Box 482, Red Bank, New Jersey 07701 was the only, and therefore "lowest" bid submitted pursuant to the terms and conditions of the bid and specifications.

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

1. Stavola Asphalt Co., Inc., P.O. Box 482, Red Bank, New Jersey 07701, is hereby awarded the contract for said materials pursuant to the specifications for said bid and the documents annexed thereto on a basis of $25.50 per ton for bituminous concrete surface course, Mix No. I-5, and for bituminous stabilized base course, Mix No. I-2 at $23.50 per ton, a total bid price of $34,900, and a delivery rate of $55.00 per hour.

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. Pedersen

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

3. Resolution #197-01, Reject and Rebid Fire Chief's Vehicle

WHEREAS, the Borough of Keyport has publicly advertised and solicited bids for a new 2001 Dodge Durango or equivalent sport utility vehicle, subject to the terms and conditions of Borough Specifications; and

WHEREAS, at the time and place appointed for receipt of bids, one bid was received from Plaza Dodge/Motors Fleet, PO Box 638, Red Bank, New Jersey 07701; and

WHEREAS, said bid is deemed not reasonable as to price; and

WHEREAS, said bid was not reasonable as to the timing for delivery due to the production scheduled of the vehicle manufacturer; and

WHEREAS, the Borough wants to substantially revise the specifications for said vehicle to achieve an earlier delivery date; and

WHEREAS, the Mayor and Council hereby find it to be in the best interests of the Borough of Keyport to reject said bid.

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

1. The bid for a new 2001 Dodge Durango or equivalent sport utility vehicle, subject to the terms and conditions of Borough specifications from Plaza Dodge/Motors Fleet, PO Box 638, Red Bank, New Jersey 07701 is hereby rejected pursuant to N.J.S.A.40A:11-13.2(d).

2. The Mayor and Borough Clerk are authorized to again publicly advertise and to solicit bids for a new 2001 Dodge Durango or equivalent sport utility vehicle, subject to the terms and conditions of Borough specifications and in accordance with applicable law.

3. The Borough Attorney and Borough Clerk are authorized and directed to revise the bid specifications in a manner consistent with the purposes set forth above.

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

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

4. Resolution #198-01, Hire Part Time Summer Laborer/James A. Gorham

Mr. Merla gave explained why he voted No on the appointment of a Part Time Summer Laborer at the May 15th Meeting. He said he was voting against the salary, not the person. Other Part Time employees salaries under $10.00 should be reevaluated, such as School Crossing Guards at $9.00 (one has been here 28 years) and the Officer who marks the tires at $9.00. The Part Time Summer Laborer salary was increased by 34.7% and it is not fair. He requested that the salaries be looked at an increase. No one starts out at $10.00 PH. The Public Works needs the employees and

Mr. Merla said he could support $8.00 or $8.50; the salaries should be consistent.

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

WHEREAS, applications have been submitted.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that James A. Gorham is hereby hired as a Part Time Summer Laborer effective June 4, 2001 at the hourly rate of $10.00 per hour.

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

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

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

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

5. Resolution #199-01, Appointment of Recycling Coordinator/Thomas Gallo

Mr. Merla said he supports both appointments, that of Thomas Gallo as Recycling Coordinator and George Sappah as Deputy Recycling Coordinator. Earlier in the year there was a debate about positions being advertised and people interviewed. If these procedures are being waived then he supports the appointments. He asked if Mr. Gallo had to submit a resignation as the Deputy. Mr. Litwin said he automatically will go from Deputy to the Coordinator. There are two qualified people. Mr. Litwin said the Mayor and Council can waive procedure and make the appointments. Mrs. Atkins requested that Councilman Bergen, Finance Chairman review the part time employees salaries for increasing same. Mr. Antonucci said that $10.00 is not outrageous and Mr. Pedersen said it is time to spend money.

WHEREAS, a vacancy exists in the position of Recycling Coordinator; and

WHEREAS, Thomas Gallo, Jr. has been serving in the position of Deputy Recycling Coordinator; and

WHEREAS, the Recycling Committee has recommended the appointment of Thomas Gallo, Jr. as Recycling Coordinator.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that Thomas Gallo, Jr. is hereby appointed Recycling Coordinator, effective June 5, 2001 at the salary now in effect for this position.

BE IT FURTHER RESOLVED that this appointment will expire on December 31, 2001.

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

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

6. Resolution #200-01, Appointment of Deputy Recycling Coordinator/ George Sappah

WHEREAS, Thomas Gallo, Jr., who was serving in the position of Deputy Recycling Coordinator has been appointed as Recycling

Coordinator; and

WHEREAS, a vacancy now exists in the position of Deputy Recycling Coordinator; and

WHEREAS, the Recycling Committee has recommended the appointment of George Sappah as Deputy Recycling Coordinator.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that George Sappah is hereby appointed Deputy Recycling Coordinator, effective June 5, 2001 at the salary now in effect for this position.

BE IT FURTHER RESOLVED that this appointment will expire on December 31, 2001.

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

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

7. Resolution #201-01, Permission for Yacht Club to Maintain Moorings on Borough Property

WHEREAS, the Borough of Keyport owns certain riparian rights in the vicinity of property where the Keyport Yacht Club ("KYC") is located on 115 First Street; and

WHEREAS, KYC is currently in the process of applying to the New Jersey Department of Environmental Protection ("NJDEP") for a waterfront development permit to cover the continuing use of its existing mooring field in Keyport Harbor; and

WHEREAS, incidental to said permitting process KYC is required to provide NJDEP with written evidence that is has permission to use riparian areas owned by the Borough of Keyport; and

WHEREAS, the Mayor and Council agrees that KYC may continue to use its existing mooring field in Keyport Harbor.

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

1. The Borough Administrator is authorized to inform KYC in writing that it has permission from the Borough of Keyport to maintain existing moorings in the area of Keyport Harbor that are covered by riparian rights owned by the Borough of Keyport until further notice on a non-exclusive basis. Said letter shall also advise KYC that the Borough of Keyport reserves the right to withdraw said permission on reasonable notice to KYC, which shall not be given after May 1st of any year for the boating season of that year which is deemed to be May 15th to October 15th.

2. KYC shall pay the Borough of Keyport $50 per mooring set within the area of the riparian lands owned by the Borough of Keyport.

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

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

8. Resolution #202-01, Reauthorization of Clean Communities Act

WHEREAS, it is the desire of the Borough of Keyport to provide a clean, litter free environment for its citizens; and

WHEREAS, the Borough of Keyport funds litter abatement activities through the funds provided by the New Jersey Clean Communities program; and

WHEREAS, the New Jersey Clean Community Program needs to be reauthorized by the New Jersey Legislature and failure to reauthorize would have a negative impact on the environment in the Borough of Keyport and through out the State of New Jersey.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that failure by the Legislature to reauthorize the New Jersey Clean Community Program would have a deleterious impact on the quality of life in New Jersey and that the Borough of Keyport urges the New Jersey State Legislature to move and pass the Reauthorization of the Clean Communities Act.

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

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

9. Resolution #203-01, Payment of Bills

See full copy of Payment of Bills as pages 15-16 of these minutes.

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

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

10. Resolution #204-01, Salary Resolution, Registrar of Vital Statistics/Secretary-Board or Commission

BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that the following annual salary be and hereby is established for the indicated position effective May 23, 2001, or the date of hire or transfer, whichever is later, in accordance with the Salary Ordinance no win effect.

SECTION I.	Effective May 23, 2001
Registrar of Vital Statistics/ Secretary-Board or Commission	$22,000 annually

SECTION II.

The above annual salary does not include the appropriate longevity where applicable, which is as follows:

Years of Service	Percentage
5-10 years of service	1% increase above base pay
10-15 years of service	2% increase above base pay
15-20 years of service	4% increase above base pay
20-25 years of service	5% increase above base pay
25 years of service	6% increase above base pay

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

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

11. Resolution #205-01, Approval of K.B.A. Hire of Marketing Professional

WHEREAS, the Keyport Business Alliance requested proposals for Marketing Professional Services; and

WHEREAS, the Keyport Business Alliance Search Committee has recommended the firm of GreenEggz: no Ham, Inc.; and

WHEREAS, the Keyport Business Alliance is requesting approval from the Mayor and Council to utilize the balance of the Legislative Grant which was given to the Borough of Keyport to fund the Marketing Professional Services, submitting a voucher to the Borough of Keyport for same.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that they hereby approve the utilization of the remaining funds in the Legislative Grant towards the Marketing Professional Services contract between the Keyport Business Alliance and GreenEggz: no Ham, Inc.

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

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

12. Resolution #206-01, Authorize Joint Web Site, K.B.A. and Borough of Keyport

WHEREAS, the Borough of Keyport and the Keyport Business Alliance are requesting proposals for professional services to design and develop a Web Site that will be jointly administered by the Borough of Keyport and the Keyport Business Alliance; and

WHEREAS, the cost of the professional services will be jointly shared by the Borough of Keyport and the Keyport Business Alliance in the amount not to exceed $10,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that a sum not to exceed $5,000.00 is hereby approved as the Borough of Keyport's share for the professional services to design and develop a Web Site.

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

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

ADJOURNMENT

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

Time of Adjournment: 10:20 PM

Respectfully submitted,

Judith L. Poling

Judith L. Poling, CMC
Borough Clerk/Administrator