

Approved 8/21/07

June 5, 2006
Keyport, New Jersey

Minutes of a Work Meeting of the Mayor and Council, held on the above date in the Council Chambers, Municipal Complex, 70 W. Front Street, Keyport, N.J. pursuant to the Annual Notice on file with the Borough Clerk, forwarded to the Asbury Park Press, and posted on the Bulletin Boards in accordance with the Open Public Meetings Act, P.L. 1975, Ch. 231

Mayor Merla called the meeting to order at 7:16 PM and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Hassmiller, Wedick, Walling, Sheridan, Ortman. Absent: Councilman Bergen. Others present: Mr. Wisniewski, Borough Attorney and Mr. Antonucci, Administrator.

RESOLUTION

1. Resolution #185-06, 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. Business Administrator Position
2. Borough Clerk's Office
3. Board of Health office
4. Zoning Office
5. Construction Code Office
6. PT Summer Help
7. Special Officers

Litigation

1. Water/Sewer Shut Offs

Labor Relations

Contract Negotiations

1. Division Street Parking Lot

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 Council Chambers, Borough Hall for the purpose of discussing the following subjects:

Personnel, Litigation, Labor Relations and Contract Negotiations

BE IT FURTHER RESOLVED that the discussions on Personnel 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. Ortman, Seconded by Mr. Walling

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Wedick, Sheridan, Ortman

Nays: None

Abstain: None

Absent: Councilman Bergen

Mayor Merla called the meeting to order at 8:10 and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Hassmiller, Wedick, Walling, Sheridan, Ortman. Absent: Councilman Bergen. Others present: Mr. Wisniewski, Borough Attorney, Mr. Norbut, Borough Engineer, and Mr. Antonucci, Administrator

APPEARANCE AND DISCUSSION

1. Central School Future Leaders
2. Ken Marra, New Energy Concepts, LLC (Gas and Electric)

INTRODUCTION OF ORDINANCES

1. Ordinance #10-06, PBA Salary Ordinance (2004-2007)

The Clerk read the Ordinance by Title:

AN ORDINANCE AMENDING AN ORDINANCE FIXING THE SALARIES OF VARIOUS EMPLOYEES OF THE POLICE DEPARTMENT OF THE BOROUGH OF KEYPORT IN THE COUNTY OF MONMOUTH AND STATE OF NEW JERSEY

BE IT ORDAINED by the Mayor and Council of the Borough of Keyport, in the County of Monmouth and State of New Jersey as follows:

SECTION 1. The following salaries are hereby fixed and determined for the following officers and employees as follows:

1A. The salary schedule for 2004, 2005, 2006 and 2007 for all officers employed prior to January 1, 1998 shall be as follows:

<u>Classification</u>	<u>Effective 1/1/04</u>	<u>Effective 1/1/05</u>	<u>Effective 1/1/06</u>	<u>Effective 1/1/07</u>
Captain of Police	\$89,551	\$93,133	\$96,858	\$100,733
Lieutenant	\$85,148	88,554	92,096	95,780
Sergeant	\$80,735	83,964	87,323	90,816
Detective Sergeant	\$80,735	83,964	87,323	90,816
Detective	\$73,959	76,917	79,994	83,194
Patrolman 1st Class	\$72,881	75,796	78,828	81,981
Patrolman 2nd Class	\$60,200	62,608	65,112	67,717
Patrolman 3rd Class	\$48,525	50,466	52,485	54,584
Patrolman 4th Class	\$36,291	37,743	39,252	40,822
In Academy	\$35,536	36,957	38,436	39,973

1B. The salary schedule for 2004, 2005, 2006 and 2007 for all officers employed after January 1, 1998 shall be as follows:

<u>Classification</u>	<u>Effective 1/1/04</u>	<u>Effective 1/1/05</u>	<u>Effective 1/1/06</u>	<u>Effective 1/1/07</u>
Captain of Police	\$89,551	\$93,133	\$96,858	\$100,733
Lieutenant	\$85,148	88,554	92,096	95,780
Sergeant	\$80,735	83,964	87,323	90,816
Detective Sergeant	\$80,735	83,964	87,323	90,816
Detective	\$73,959	76,917	79,994	83,194
Patrolman 1st Class	\$72,881	75,796	78,828	81,981
Patrolman 2nd Class	\$64,734	67,323	70,016	72,817
Patrolman 3rd Class	\$57,457	59,755	62,145	64,631
Patrolman 4th Class	\$50,693	52,721	54,830	57,023
Patrolman 5th Class	\$43,928	45,684	47,513	49,413
Patrolman 6th Class	\$36,291	37,743	39,252	40,822
In Academy	\$35,536	36,957	38,436	39,973

SECTION 2. Longevity. Retroactive to January 1, 1995, the above base salaries shall be increased for longevity by set percentages of base salary to be based upon date of hire and years of service.

a. For all officers and employees hired before January 1, 1995, the above base salaries shall be increased for longevity by the following percentages of base salary:

	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>
After 5 years of service	1%	1%	1%	1%
After 10 years of service	3.5%	3.5%	3.5%	3.5%
After 15 years of service	5%	5%	5%	5%
After 20 years of service	6.5%	6.5%	6.5%	6.5%
After 25 years of service	7%	7%	7%	7%

b. For all officers and employees hired on or after January 1, 1995, the above base salaries shall be increased for longevity by the following percentages of base salary:

	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>
After 7 years of service	1%	1%	1%	1%
After 10 years of service	3.5%	3.5%	3.5%	3.5%
After 15 years of service	5%	5%	5%	5%
After 20 years of service	6.5%	6.5%	6.5%	6.5%
After 25 years of service	7%	7%	7%	7%

SECTION 3. Inconsistent Ordinances. All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION 4. Severability. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 5. Effective Date. This Ordinance shall take effect upon its passage and publication according to law.

Introduced: June 5, 2006

Hearing and Adoption:

ATTEST:

APPROVED:

ALLYSON M. CINQUEGRANA, RMC
BOROUGH CLERK

JOHN J. MERLA
MAYOR

Offered for adoption by Mr. Wedick, Seconded by Mr. Walling

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Wedick, Sheridan, Ortman

Nays: None

Abstain: None

Absent: Councilman Bergen

- 1a. Motion authorizing the Clerk to publish the Ordinance as introduced, in the Courier, issue of June 8, 2006 for a Hearing to be held on June 20, 2006 moved by Mr. Wedick, seconded by Mr. Walling with Ayes by all present.
2. Ordinance #11-06, Authorize Refund of Taxes Collected on Properties Deemed Exempt

The Clerk read the Ordinance by Title:

**AN ORDINANCE AUTHORIZING THE REFUND OF TAXES
COLLECTED ON PROPERTY WHICH WOULD HAVE BEEN
EXEMPT HAD THE PROPER CLAIM BEEN MADE**

WHEREAS, Article 8, § 1, ¶ 3 of the Constitution of the State of New Jersey and N.J.S.A. 54:4-3.30 provide for property tax exemptions for 100% permanently disabled veterans of the Armed Forces of the United States of America, and

WHEREAS, other statutory provisions establish exemptions for various other purposes, and

WHEREAS, the aforesaid exemptions require a specific application procedure that from time to time may not be properly followed resulting in the exemption no being granted for reasons other than the merits of the claim, and

WHEREAS, N.J.S.A. 54:4-3.32 permits the governing body of a municipality to adopt a resolution authorizing the refund of property taxes collected by the Borough on real property which would have been exempted from property taxation had a proper claim for such exemption been made as provided for by law, and

BE IT ENACTED by the Mayor and Council of the Borough of Keyport that

Section 1. A taxpayer of the Borough of Keyport may make application to the tax Assessor of the Borough of Keyport for a refund of property taxes paid on real property that would have been considered exempt under law had a proper claim for such exemption been made as provided for by law.

Section 2. Any claim of a refund of property taxes is limited to the property taxes paid in the tax year that a claim is made and the tax year immediately preceding said year.

Section 2. Any application for a refund of property taxes paid on real property that would have been considered exempt under law had a proper claim for such exemption been made as provided for by law must be made in writing under oath on a form or application prescribed by the Borough of Keyport and must include all of the material and documentation required by law to make a proper claim for a tax exemption.

Section 3. Completed applications and supporting documents shall be reviewed by the Tax Assessor of the Borough of Keyport and reported to the Mayor and the Borough Council with a recommendation as to the merits of the application for the refund.

Section 4. Refunds of property taxes paid on real property that would have been considered exempt under law had a proper claim for such exemption been made as provided for by law shall be approved only upon the adoption of a Resolution by the Mayor and Borough Council. Payment of the refund shall be made within ninety (90) days of the adoption of the Resolution.

Offered for adoption by Mr. Wedick, Seconded by Mr. Sheridan

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Wedick, Sheridan, Ortman

Nays: None

Abstain: None

Absent: Councilman Bergen

- 2a. Motion authorizing the Clerk to publish the Ordinance as introduced, in the Courier, issue of June 8, 2006 for a Hearing to be held on June 20, 2006 moved by Mr. Walling, seconded by Mr. Sheridan with Ayes by all present.
3. Ordinance #12-06, Special Duty Assignments for Police Officers

The Clerk read the Ordinance by Title:

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE BOROUGH OF
KEYPORT ORDINANCE 3-6.6 ENTITLED PROCEDURES AND CONDITIONS
FOR SPECIAL DUTY ASSIGNMENTS FOR POLICE OFFICERS**

WHEREAS, N.J.S.A. 40A14-118 permits municipalities to adopt ordinances relating to the Police Department, and

WHEREAS, in Chapter 3 of the Borough Code was enacted to regulate Police and Fire departments within the Borough of Keyport, and

WHEREAS, the Mayor and Borough Council wish to update the aforementioned Ordinance 3-6.6 entitled Procedures and Conditions for Special Duty Assignments for Police Officers

BE IT ENACTED by the Mayor and Council of the Borough of Keyport that the Code of the Borough of Keyport, Ordinance 3-6.6 entitled Procedures and Conditions for Special Duty Assignments for Police Officers is hereby amended to include the following new sub-section:

L. Notwithstanding the above provisions, not-for-profit and charitable entities are exempt from the billing procedures and rate provisions of this subsection. Any assignment with not-for-profit and charitable entities are as per the agreed terms between the Borough and the not-for-profit and/or charitable entity.

If any part or parts of the Ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this Ordinance.

All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency.

This Ordinance shall become effective immediately upon its final passage and publication as required by law.

Offered for adoption by Mr. Hassmiller, Seconded by Mr. Wedick

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Wedick, Sheridan, Ortman

Nays: None

Abstain: None

Absent: Councilman Bergen

- 3a. Motion authorizing the Clerk to publish the Ordinance as introduced, in the Courier, issue of June 8, 2006 for a Hearing to be held on June 20, 2006 moved by Mr. Walling, seconded by Mr. Sheridan with Ayes by all present.

COMMUNICATIONS AND PETITIONS

1. On Premise Cash Raffle License Application from Keyport Hook and Ladder Company (July 10-15, 2006)

Motion to approve moved by Mr. Wedick, seconded by Mr. Walling with Ayes by all present.

2. On Premise Non-Draw Raffle License Application from Liberty Hose Company (July 10-15, 2006)

Motion to approve moved by Mr. Walling, seconded by Mr. Wedick with Ayes by all present.

3. On Premise Non Draw Raffle License Application from Keyport Board of Fire Wardens (July 10-15, 2006)

Motion to approve moved by Mr. Wedick, seconded by Mr. Walling with Ayes by all present.

4. Letter from Swift Properties to renew the Public Works Lease for 120 Francis Street.

This matter will be held at the meeting on June 20th.

5. Request from Keyport Police Department to establish a fee to create identification cards for organizations, business and private sector.

Motion to refer to attorney moved by Mr. Wedick, seconded by Mr. Walling with Ayes by all present

6. Request for release of Escrow Funds from William and Carole Cerase for 34 Main Street.

Motion for clerk to write a letter moved by Mr. Wedick, seconded by Mr. Walling with Ayes by all present

7. Letter from St. Joseph's Mausoleum requesting a credit toward a new Construction Permit.

Motion to write a letter to update the permits moved by Mr. Wedick, seconded by Mr. Sheridan with Ayes by all present

8. Request from Water/Sewer Collector to create an Ordinance regarding Final Water/Sewer Bills

Motion to refer to Borough Attorney moved by Mr. Walling, seconded by Mr. Ortman with Ayes by all present

9. Request from John D. Popovich of Boy Scouts of America Troop 80 to hold their traditional flag retirement ceremony on June 14, 2006 from 7:00-9:30 PM at Beach Park

Motion to approve and give copy to Keyport Fire Department and Office of Emergency Management

10. Memo from Lieutenant Mitchell regarding CEPA requirements.

Motion to refer to Borough Attorney moved by Mr. Wedick, seconded by Mr. Walling with Ayes by all present

11. Letter from James Carton regarding the purchase of an Ease Seventh Street Borough owned lot

Motion to refer to Finance and Building & Ground moved by Mr. Wedick, seconded by Mr. Sheridan with Ayes by all present

12. Letter from Woodmont Properties requesting a reduction to their Site Work Performance Bond

Motion to List on 6/20/06 moved by Mr. Wedick, seconded by Mr. Sheridan with Ayes by all present

13. Letter of Resignation from Anthony Vecchio as the Borough's Zoning Officer effective May 31, 2006.

Motion to re-list on June 20, 2006 moved by Mr. Wedick

14. Letter of Resignation from Nancy Bell as the Borough's Blood Borne Pathogens Officer effective June 15, 2006.

Motion to accept with regret moved by Mr. Wedick, seconded by Mr. Hassmiller with Ayes by all present

15. Letter of Retirement from Bert Morris, Department of Public Works, effective December 31, 2006.

Motion to approve moved by Mr. Walling, seconded by Mr. Sheridan with Ayes by all present

16. Zoning Permit Application from 10 St. George Place to place a fence along a Borough Easement.

Motion to approve moved by Mr. Wedick, seconded by Mr. Walling with Ayes by all present

17. Correspondence from the Harbor Commission regarding the closing of the Boat Ramp/July 4th weekend

Motion to Approve and accept moved by Mr. Wedick, seconded by Mr. Sheridan with Ayes by all present

18. Request from KBA to move the Americana Festive (July 1-2) from Firemen's Park Back to Beach Park

Motion to Deny moved by Mr. Wedick, seconded by Mr. Sheridan with Ayes by all present

19. Letter of Resignation from Mary Zwingraf from the Recreation Commission

Motion to accept moved by Mr. Sheridan, seconded by Mr. Walling with Ayes by all present

UNFINISHED BUSINESS

1. Tax Sale Certificate 78-3 (Block 9, Lot 46.01)

Motion to hold until the meeting on June 20, 2006 moved by Mr. Wedick, Seconded by Mr. Walling with Ayes by all present

2. Liquor License Expansion of Premises Hearings
 - a. Uptown Bar and Grille (2nd Hearing)
 - b. McDonagh's Pub

Motion to hold until the meeting on June 19, 2006 moved by Mr. Wedick, seconded by Mr. Sheridan with Ayes by all present

ADMINISTRATOR'S REPORT

1. Payment of Bills – May 23, 2006.

ENGINEER'S REPORT

ATTORNEY'S REPORT

NEW BUSINESS

1. Donation Bin Bill
2. Mayor's Appointment of Planning Board Class II Member
3. Skate Park
4. Capt. Position

RESOLUTIONS

2. Resolution #186-06, Payment of Bills

See full copy of Resolution on file in the Borough Clerks office

3. Resolution #187-06, Amend May 16, 2006 Payment of Bills

WHEREAS, a payment was listed on the payment of bills of May 16, 2006 for the Borough of Keyport Current Account in the amount of \$80.34 for the reimbursement from the Drug Alliance Grant to the postage budget account, and

WHEREAS, it has been decided that this reimbursement since both monies reside in the current account could be done by journal entry and not by cutting an actual check

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, County of Monmouth and State of New Jersey as follows:

1. Void the existing Check from the Drug Alliance Grant to the Current Account
2. Amend the balance for the current account on the May 16, 2006 payment of bills to read as \$796,189.61.

Offered for adoption by Mr. Walling, Seconded by Mr. Sheridan

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Wedick, Sheridan, Ortman

Nays: None

Abstain: None

Absent: Councilman Bergen

4. Resolution #188-06, Approve 2007 Drug Alliance Application for Funding

BE IT RESOLVED that on the 5th day of June, 2006, the Keyport Borough Mayor and Council suppose and approve the application of a Grant fro DEDR funds in the amount of \$28,674 to continue the work of the KIDS (Keyport Intervention for Drug Free Streets) Drug Alliance "To Prevent Alcoholism and Dug Abuse" for the year 2007.

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.

Offered for adoption by Mr. Walling, Seconded by Mr. Sheridan

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Wedick, Sheridan, Ortman

Nays: None

Abstain: None

Absent: Councilman Bergen

5. Resolution #189-05, Approve one time additional 2007 Drug Alliance Grant Funding

BE IT RESOLVED that on this 5th day of June, 2006, the Keyport Borough Mayor and Council suppose and approve the application of a one time only Grant application for a 2007 DEDR funds in the amount of \$2,000.00 to continue the work of the KIDS (Keyport Intervention for Drug Free Streets) Drug Alliance "To Prevent Alcoholism and Drug Abuse" for the year 2007.

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.

Offered for adoption by Mr. Walling, Seconded by Mr. Sheridan

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Wedick, Sheridan, Ortman

Nays: None

Abstain: None

Absent: Councilman Bergen

6. Resolution #190-06, Appoint Recreation Commission Member to fill an unexpired term – Kim Sullivan

WHEREAS, a vacancy exists on the Recreation Commission; and

WHEREAS, it is the desire of the Mayor and Council to fill said vacancy.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that Kim Sullivan is hereby appointed a member of the Recreation Commission to fill a 5 year unexpired term which will expire on December 31, 2007.

Offered for adoption by Mr. Walling, Seconded by Mr. Wedick

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Wedick, Sheridan, Ortman

Nays: None

Abstain: None

Absent: Councilman Bergen

8. Resolution #191-06, Accept Donation of a sign for the Keyport Free Public Library

WHEREAS, the Keyport Free Public Library is undergoing improvements, and

WHEREAS, the Borough has been offered the donation of a replacement sign for the library by Tom Romond, and

WHEREAS, The Mayor and Council of the Borough of Keyport acknowledge and appreciate the generosity of Mr. Romond, and

WHEREAS, N.J.S.A. 40A:54-19 allows Boards of Trustees of Free Public Libraries to accept donations on behalf of free public libraries, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the borough of Keyport that the Borough of Keyport will accept said donations on behalf of the Board of Trustees of the Keyport Free Public Library. The form and content of which is to be determined by the board of trustees of the Keyport Free Public Library and will conform with local ordinance requirements.

Offered for adoption by Mr. Walling, Seconded by Mr. Sheridan

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Wedick, Sheridan, Ortman

Nays: None

Abstain: None

Absent: Councilman Bergen

9. Resolution #192-06, Appoint Part Time Telecommunications Operator – Vanessa Zullo

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

WHEREAS, sufficient funds have been provided in the 2006 budget for this Part Time position; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that Vanessa Zullo is hereby hired as Part Time Public Safety Telecommunications Operator at a rate of \$7.00 per hour effective June 6, 2006. When Vanessa Zullo is fully trained, the rate per hour will be increased to \$10.00 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 Mr. Walling, Seconded by Mr. Sheridan

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Wedick, Sheridan, Ortman
Nays: None
Abstain: None
Absent: Councilman Bergen

10. Resolution #193-06, Set Salary for Special Law Enforcement Officer Class I retroactive to May 1, 2006

WHEREAS, Salary Ordinance No. 23-05 was adopted by the Keyport Mayor and Council on October 18, 2005; and

WHEREAS, Salary Ordinance #23-05, Section 3 sets the Salary Range for Special Police Officers at \$8.00-\$20.00 per hour; and

WHEREAS, it has been requested by Police Chief Gajewski that the Salary for a Class I Special Law Enforcement Officer be set at \$11.00 per hour retroactive to May 1, 2006

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Keyport that the hourly salary for a Class I Special Law Enforcement Officer (SLEO) be set at \$11.00 per hour retroactive May 1, 2006

BE IT FURTHER RESOLVED that since this is a part time position, there are no benefits and this appointment will expire on December 31, 2006

Offered for adoption by Mr. Walling, Seconded by Mr. Sheridan

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Wedick, Sheridan, Ortman
Nays: None
Abstain: None
Absent: Councilman Bergen

14. Resolution #194-06, Authorize Execution of Atlantic Street Contract/Phase II

WHEREAS, Atlantic Street in the Borough of Keyport is in need of improvements as determined by the Borough Engineer, and

WHEREAS, the Borough has been approved for \$150,000.00 in funding from the New Jersey Department of Transportation which will cover a portion of the Atlantic Street Phase II project costs, and

WHEREAS, The Mayor and Council of the Borough of Keyport have advertised for the receipt of bids on March 6, 2006 for said reconstruction and improvements, and

WHEREAS, Pioneer General Contracting Co., Inc., DeFino Contracting Co., F&P Contractors, and Ace Manzo, Inc & D. Manzo & Son, Inc., submitted bids in response to the advertisement for the same, and

WHEREAS, the Mayor and Council have reviewed the bids submitted and have determined the lowest responsible bidder to be pioneer General Contracting Co., Inc.

WHEREAS, in Resolution 120-06 the Mayor and Borough Council awarded a contract to Pioneer General Contracting Co., Inc. for a total price not to exceed One Hundred and Seventy-eight Thousand Four Hundred and Fifty-Nine Dollars and Twenty Cents (\$178,459.20)

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

1. The Mayor of the Borough of Keyport is authorized to execute a contract with Pioneer General Contracting Co., Inc. in accordance with the bid specifications, which are incorporated hereto and made a part hereof by reference, for a total price not to

exceed One Hundred and Seventy-Eight Thousand Four Hundred and Fifty-Nine Dollars and Twenty Cents (\$178,495.20)

2. The forgoing award of Contract is subject tot the approval of the contractor, Pioneer General Contracting Co., Inc., by the New Jersey Department of Transportation.

3. The foregoing award of Contract is subject to the certification of available funds, including those funds from the New Jersey Department of Transportation, by the Chief Financial Officer of the Borough of Keyport and subject to Pioneer General Contracting Co., Inc., executing and delivering the Contract for said Atlantic Street Improvements – Phase II, the performance bond, the certificate of insurance, the vehicle identification affidavit, affirmative action affidavit and such other documents required in the bid specifications or required by the Borough of Keyport.

4. A copy of the within Resolution shall be forwarded to the Borough Administrator, the Borough Attorney, the Municipal Finance Officer, Pioneer General Contracting Co., Inc., and a copy shall be maintained in the office of the Borough Clerk for public inspection.

Offered for adoption by Mr. Walling, Seconded by Mr. Sheridan

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Wedick, Sheridan, Ortman

Nays: None

Abstain: None

Absent: Councilman Bergen

12. Resolution #195-06, Authorize Execution of PBA Contract (2004-2007)

WHEREAS, on June 5, 2006 the Borough of Keyport (the “Borough”), through its representatives, and Keyport PBA Local 223 (the “PBA”), through its representatives, entered into a Memorandum of Agreement providing for terms and conditions for a Collective Bargaining Agreement for the period January 1, 2004 through December 31, 2007; and

WHEREAS, the attorney for the PBA as advised the Borough that the Memorandum of Agreement has been ratified by the PBA; and

WHEREAS, the Mayor and Council have reviewed said Memorandum of Agreement which has been reviewed and approved by the Borough’s Labor Counsel; and

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

1. The terms and conditions of the Memorandum of Agreement dated June 5, 2006 and hereby ratified and approved;

2. The Borough’s Labor Counsel is authorized to negotiate, review and/or prepare a Collective Bargaining Agreement consistent with the terms of said Memorandum of Agreement;

3. Upon approval by the Borough’s Labor Counsel of the Collective Bargaining Agreement and execution thereof on behalf of the PBA, the Mayor and appropriate Borough officials are authorized to execute and implement the same.

Offered for adoption by Mr. Walling, Seconded by Mr. Sheridan

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Wedick, Sheridan, Ortman

Nays: None

Abstain: None

Absent: Councilman Bergen

13. Resolution 196-06, Carole Cerase to receive additional Pay

WHEREAS, the Mayor and Council of the Borough of Keyport have created the position of Zoning Officer and Code Enforcement Officer pursuant to N.J.S.A. 40A:60-6, and

WHEREAS, the position of Zoning Officer is set forth in Keyport Borough Ordinance ' 2-3.9 and Code Enforcement Officer is set forth in Keyport Borough Ordinance §2-3.10, and

WHEREAS, the Borough of Keyport recognized the need to have a secretary to assist the Zoning Officer and Code Enforcement Officer on a full time basis, and

WHEREAS, the Mayor and Council of the Borough of Keyport hereby appoint Carole Cerase as Secretary to the Zoning Officer and Code Enforcement Officer effective June 1, 2006 pursuant to Borough Ordinance 12-3.10, and

WHEREAS, sufficient funds are available and have been or will be appropriated for this specific purpose,

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

1. Carole Cerase is appointed, retroactive to June 1, 2006, as the Secretary to the Zoning Officer and Code Enforcement Officer of the Borough of Keyport, for the annual salary of ten thousand (\$10,000.00) dollars, to be pro-rated.
2. Copies of the within Resolution shall be forwarded to the Municipal Finance Officer and the Borough Clerk, who shall retain a copy for public inspection.

Offered for adoption by Mr. Walling, Seconded by Mr. Sheridan

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Wedick, Sheridan, Ortman

Nays: None

Abstain: None

Absent: Councilman Bergen

14. Resolution #197-06, Capt. – Mitchell on June 20, 2006

WHEREAS, the Mayor and Council of the Borough of Keyport have created the position of Police Captain pursuant to N.J.S.A

WHEREAS, the Mayor and Council recognize that the incumbent Police Captain has retired and it is necessary to make an appointment of a new Police Captain; and

WHEREAS, all eligible applicants have waived the opportunity to interview for the Captain's position and requirement for a Captain's test; and

WHEREAS, the Mayor and Council of the Borough of Keyport have agreed to waive the requirements for a Captain's test and submitted said waiver request to the New Jersey Department of Personnel for approval

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

1. Effective June 20, 2006 Thomas D. Mitchell is appointed Police Captain of the Borough of Keyport at an annual salary in accordance with Salary Ordinance No. 10-2006, contingent on final approval by the New Jersey Department of Personnel waiving the requirement for a Captain's test.
2. Copies of the within Resolution shall be forwarded to the Municipal Finance Officer and the Borough Clerk, who shall retain a copy for public inspection

Offered for adoption by Mr. Walling, Seconded by Mr. Sheridan
Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Wedick, Sheridan, Ortman
Nays: None
Abstain: None
Absent: Councilman Bergen

PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions at 9:23 PM.

There being no one further from the audience that wished to be heard the meeting was closed to the public at 9:51 PM.

ADJOURNMENT

Motion to adjourn moved by Mr. Wedick, Seconded by Mr. Sheridan with Ayes by all present

Time of Adjournment: 10:24 PM

