Approved 9/20/05

July 1, 2003
Keyport, New Jersey

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

Council President Atkins called the meeting to order at 7:03 P.M. and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Atkins, Hyer, Doyle, Green. Absent: Councilmembers Bergen and Stalter (arrived 7:05 P.M.). Mayor Merla arrived at 7:08 P.M. Others present: Mr. Kain, Borough Attorney.

RESOLUTION

1. Resolution No. 248-03, Closed Meeting - Personnel, Litigation and Contract Negotiations

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

Personnel

1. Tax Office
2. Senior Center

Litigation

1. Oyster Creek Condo Association (Possible Litigation)
2. Borough of Keyport vs. Monmouth County Board of Taxation

Contract Negotiations

1. New Municipal Complex
2. Garbage and Newspaper Contract

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 and Contract Negotiations

BE IT FURTHER RESOLVED that the discussions on Personnel, Litigation and Contract Negotiations conducted at said Closed Session shall be disclosed when the matters discussed are resolved and this meeting shall continue in approximately 20 minutes.

Offered for adoption by Ms. Atkins, second by Mr. Green

Roll Call Vote: Ayes: Councilmembers Atkins, Hyer, Stalter, Doyle, Green
Nays: None
Absent: Councilman Bergen

Council went into closed session at 7:06 P.M. and this meeting was reconvened at 7:54 P.M.

Mayor Merla called the meeting to order at 8:00 P.M. and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Atkins, Hyer, Stalter, Doyle, Green. Absent: Councilman Bergen. Others present: Mr. Kain, Borough Attorney and Mr. Freda, Borough Engineer.

A Moment of Silence was requested for the loss of Ruth Raupp who was the crossing guard at St. Joseph's School. She was an employee for 41 years.

APPEARANCE AND DISCUSSION

1. William D. Kastning, Green Acres Program/Planning Incentive Acquisition Application. Lelani Hershey represents the Stewardship Group (and she represents the acquisition group) for Monmouth County and said if Green Acres funds this program, the Borough should apply. This program will help and assist with saving open space. State acquisition should also be done. Mr. Kastning is working with the Baykeeper's Association for the estuaries. The Open Space Tax was passed and the Borough can buy open space. The Borough could be eligible for more money from the State. If the Planning Incentive Program is sanctioned by the State then the Borough can receive a 50% grant vs. 25%.

It was recommended the Borough do an open space and recreational master plan to identify property and if purchased, to be eligible. Public Meetings should be held for the public to give their input. The Borough would need an enabling resolution, a Planning Board Review plan and a recreation open space inventory (parcels the Borough owns). The Mayor said the Borough will be sending out letters to owners of non-buildable lots on wetlands and request the property be deeded over to the Borough; a few of the property owners have said yes. The Open Space Tax was passed last fall and the Borough should get public input on how it should be spent. This should be referred to a Committee to make a decision.

Mr. Kastning said to leverage fund, the Borough should use the tax for improvement to existing properties, but it is up to the Borough to implement the tax. The Mayor asked if Keyport got involved would the Borough receive 50% of the sale for the concept of Open Space if the property was purchased for public/private operation with buildings on it; yes. Mr. Kastning said Green Acres does not fund properties with buildings on it, but they could be made separate parcels. The Borough could tear down the building and Green Acres would fund it. Green Acres does not fund environmentally unsound property.

Mr. Hyer, Mrs. Atkins and Mr. Doyle will be the Committee. They will review the material and discuss the Project the Borough has in mind and then public hearings will be held. The Borough can start with 25% and go to 50%. Andy Willner said the Planning Board can start the process. Mr. Kastning said the Borough can submit an application at any time, payout is twice a year. The Mayor asked that Mr. Doyle make a recommendation. Mr. Doyle asked if Historic Buildings would be considered? Engineer Freda said demolition costs are not funded. Mr. Doyle said he would advise the Planning Board Chairman for their July 24th meeting.

Mayor Merla asked if there was anyone at the last Council Meeting. Mr. Caruso was and he spoke ill of the Police and First Aid Squad. We should apologize on behalf of the Borough. The next time it happens, Mr. Caruso will be escorted out.

COMMUNICATIONS AND PETITIONS

1. Request from Devino/Jackiewicz for release of Performance Guarantees/Final Inspection for Keyport Commons Project.

   Motion to refer this to the Borough Engineer made by Mr. Hyer, second by Mr. Doyle with Ayes by all present.

2. Request from Anthony Medoro for release of Performance Guarantees/Final Inspection for 69 Washington Street.

   Motion to refer this to Schoor DePalma moved by Mrs. Atkins, second by Mr. Hyer with Ayes by all present.

3. Request from Raymond L. Angerbach, Sr. for adjustment of Water/Sewer bill.

   Motion to prepare a resolution waiving the sewer fee moved by Mr. Hyer, second by Mr. Doyle with Ayes by all present.

4. Letter from Counsel representing County regarding Borough Property and Reconstruction of Bridge R4.

   Motion to Receive and File moved by Mr. Stalter, second by Mrs. Atkins with Ayes by all present.

5. Letter from Counsel representing the Township of Hazlet regarding Dissolution of Hazlet Township Sewerage Authority by the Township of Hazlet.

   Motion to Receive and File moved by Mr. Doyle, second by Mrs. Atkins with Ayes by all present.

6. Proposal from Sidney Becnel regarding purchase of Benjamin Terry Park.

   Motion to Receive and File moved by Mr. Hyer, second by Mrs. Atkins with Ayes by all present.

UNFINISHED BUSINESS

1. Open Space Tax/Ordinance/Waterfront Projects. This will be referred to the Committee, John Doyle, Chairman.

2. Request for Handicapped Parking Space/40 Church Street. The neighbor sent a letter stating is was O.K. to have a handicapped spot in front of their house. Captain Dayback will be copied on the letter. Mr. Hyer made a motion to prepare an Ordinance for the next meeting, second by Mrs. Atkins with Ayes by all present.

3. Request for Handicapped Parking Space/153 Osborn Street. An Ordinance will be prepared. Mr. Hyer made a motion to list an Ordinance on the next agenda moved by Mr. Hyer, second by Mr. Doyle with Ayes by all present.

4. Proposal from Birdsall for Professional Engineering Service/Structural Design/Permitting Municipal Pier/Ferry Terminal. A resolution has been listed on this Agenda.

5. Proposal from Birdsall for Professional Engineering Service/Conceptual Plan to Relocate American Legion Drive. A resolution has been listed on this Agenda.

6. Proposal from Birdsall for Professional Engineering Service/Structural Design/Permitting (addition of two boat slips). A resolution has been listed on this Agenda.

7. Postmaster. Mr. Hyer reported that the Postmaster has requested relocation of P.O. Boxes.

8. Mrs. Atkins said the Planner Proposals have been completed; they include maps, labels, cover letter on Borough stationery. There were 14 planners. Mrs. Atkins thanked Kathy Shaw for her input. The proposals are due back on August 5, 2003.

9. Part Time Account Clerk. Mr. Doyle said interviews will be held for this position on Thursday.

Mr. Doyle said he, Engineer Freda and Kathy Shaw attended the Transit Village meeting; we have been encouraged by the State and the County to participate; due by July 15th. The Borough should tie in the ferry and shuttle buses to afford us funding.

10. Bulkhead Replacement. The Mayor said there are plans for the Bulkhead Replacement. He acknowledged and thanked Engineer Freda for moving the plans ahead; he did a great job.

11. Clean Communities. Last year a resolution was adoopted regarding Clean Communities funding. The program has been brought back and Keyport received $7,077.03.

12. Road Improvement Program. The Mayor said he and Mr. Doyle discussed a road improvement program around budget time. The streets need repaving. A program has been set up with Birdsall Engineer for 2003 projects; $100,000 has been budgeted.

13. Yacht Club. It has been requested that the employees park their cars on Borough property (Second and Church Street lot); they will clean the lot. The Borough will notify the residents on Church Street between Second and Third Streets; they can start parking there in two weeks.

14. Sidewalk/curb program. The Mayor said he spoke with CFO Fallon about a special assessment ordinance which would allow the Borough to bill the residents 12 times a year. The residents of Main Street between Hurley and Jackson Streets have inquired. Julie Natasi surveyed the neighbors and they agreed. The Public Works Committee will discuss this and make recommendation. The Borough will contract for the work and the homeowners will pay; Engineer Freda said this works well, but if someone does not want it, there will be a problem.

15. Senior Center Bus. The bill of sale for the vehicle is needed. Mr. Cummins will donate it at the next meeting.

ADMINISTRATOR'S REPORT

Mrs. Poling reported on the following. There were no bids for the Cellular Tower Lease. The June 24th Payment of Bills, **CURRENT - $121,468.69, WATER/SEWER - $23,413.57, GENERAL CAPITAL - $1,905.41, RECREATIONAL BAYFRONT IMPROVEMENT TRUST - $1,057.30 AND TRUST - $7,154.68.**

ENGINEER'S REPORT

Mr. Freda reported on the following. There is a meeting on July 9th in the morning for the Route 36 and Broad Street intersection; Mr. Parker will attend the meeting and Birdsall Engineering will be there. He spoke with Tony Dunn Florist to discuss her options and Engineer's names were provided. No quotes for the pier repair work have been received; he will try again for quotes. A letter was sent to Schoor DePalma regarding the information on the bulkhead. The application for Transit Village is due on July 15th; Mrs. Shaw and Mr. Doyle are helping. The Engineer will submit a proposal for his fee. The estimated construction cost for the bulkhead at Benjamin Terry Park is $150,000.00.

ATTORNEY'S REPORT

Mr. Kain reported on the following. A complaint was filed with the Monmouth County Board of Taxation regarding revaluation; a compromise was reached for the work to be done in 2005 for 2006. A Willow Street resident requested a street vacation. There will not be a street vacation on St. Peters Place, but there will be one on St. George Place. The Borough will not incur any costs, surveys were done and the Borough Engineer reviewed. An Ordinance will be listed on the July 15th Agenda for the vacation of a 50X100' portion of St. George's Place. A meeting took place with a representative of Green Grove

Avenue apartments. There is an application with the Planning Board for additional parking. A traffic ordinance will be listed for Manchester Avenue.

NEW BUSINESS

1. Fire Department. The Fire Department filed for a FEMA Grant in the amount of $63,000.00 for equipment.

2. Tree. The Mayor said a tree was planted over 40 years ago on Washington Street and the owners want to donate it to Rockerfeller Plaza for Christmas. An inquiry will be made again.

3. Tracey Dell asked to place a sign at the site of his catamaran; approved.

4. The Police Department requested that Officer McCartin attend the Festival of Sails with the wave runner. Motion to approve this request moved by Mr. Hyer, second by Mr. Stalter with Ayes by all present.

   The DARE van and jet ski won first place at an event.

5. Electronic Sign. Captain Dayback is working on a grant for electronic signs; there is a $25,000 minimum.

6. The unmarked police car was received.

7. The Woodmont Development was approved. Raymond Lee resigned from the Planning Board.

8. The graduations were excellent.

9. Property Drainage. Mr. and Mrs. Gallagher said they have a problem with drainage. This matter was discussed in closed session and it could involve litigation. There were on site inspections; the Engineer may have to get involved.

10. Ferry Service. The Mayor is trying to set up meetings with Seastreak and NY Waterways and has not had any luck. Today the NY Water Taxi inquired; it is very recreational. They have three new boats (1 holds 175 passengers and 2 hold 75 passengers each). They need the existing lease and maps.

11. The Festival of Sails was held.

PUBLIC PARTICIPATION

The meeting was opened to the public at 9:10 P.M. Kathy Shaw of the KBA asked about a sidewalk replacement program about a year ago and the commercial owners are interested. Andy Wilner 85 Osborn Street, said the Tom Fax of the New York Water Taxi will contact the Borough. Terry Parker said he would help with the Transit Village application. Mitch Meyerson, 67 Church Street, asked about the handicapped parking spot for Ms. Fox and was advised it was agreed on.

He said there is an eyesore at Apollo Sewer; left dirt and gravel at the location. West Furniture was given 30 days to fix their area. Part of their sign fell down; it was asked if they had insurance. The Mayor said Robert Burlew, Construction Code Official should handle this. Mrs. Dubleski attended the Planning Board Meeting and the Board requested an Engineering Plan. They are coming to the July 24th Planning Board Meeting for approval. Engineer Freda said the Planning Board asked him for a plan for the Planning Board. The Board requested he finalize the plans, but he could not. Mr. Dubleski was referred to an Engineer. The Mayor said the Court fined Mr. Dubleski and Apollo Sewer is under attorney review. The property is being sold. The BID will be used to entice people to come and work on the eyesores.

Michael Lane said the Woodmont Project is completed and is a big improvement; a buffer is needed on the parking lots. He said he would like to attend the Special Planning Board Meeting. Mr. Parker said the Army Corps of Engineers submitted a draft Storm Protection Study for Union Beach to build levies. The project would cost $83 million; the Borough should take a look at it. Comments have been sent.

Kathy Shaw said Mr. Rasmussen of the Army Corps of Engineers will attend a meeting here the third week in July for Smart Growth to tie items together.

Chief Gajewski said he would like to attend a DOT meeting on July 9th and asked if it would be O.K.; Council agreed.

The liquor licenses were approved; there is one condition attached to the licenses. It was asked if there were Police Officers working in the Liquor License establishments. Mr. Kain will meet with Mr. Weber about Green Grove Apartments having parking permits. There are mailboxes on the island at Firemen's lot; one will be left on the Southeast corner for the senior citizens. This will be clarified with the Postmaster.

The Mayor said Mr. Caruso contacted him to apologize.

Joanne Staeger, 428 Main Street, asked if there was a plan for the fishing pier, ferry service, bulkhead, parking issues? She asked about the Burlew lawsuit (the lot is blocked off for the Firemen's Fair). The Mayor said the main focus is the bulkhead replacement. Green Acres has submitted a plan of what they would like (fishing pier inspection; replacement). We have applied for diversion for two years. This matter was discussed at the Smart Growth meeting. Everything is being tied together and prioritized (all projects were listed). We are looking into the relocation of American Legion Drive. We comply with 11 of the 13 criteria for the Transit Village designation (ferry, fishing pier), A Smart Growth Planner will be hired to tie everything together. All projects must tie in together; it will be planned in steps and phases. The Army Corps of Engineer, DEP and Green Acres all had different ideas at first. Mrs. Staeger asked about the sign on Mr. Burlew's property; two years ago he asked permission. Mrs. Staeger said there is a problem on Main Street with drainage on the sidewalks. There is a new house on Monroe Street that has a run off; the Borough Engineer said the Construction Code Official needs to go to the location. There is a problem with Keyport Plaza and poison ivy; the Board of Health Officer and Property Maintenance Officer will help.

Mary Allen, Maple Place, asked where the ferry will park when the bulkhead is torn up? Accommodations will be made.

Mr. Hyer told Mrs. Staeger that a meeting will be held with all parties regarding the sweeper.

The meeting was closed to the public at 9:50 P.M.

RESOLUTIONS

2 Resolution No. 249-03, Transfer of Liquor License from 32 Broad Street to Uptown Keyport Bar and Grill

WHEREAS, application has been made to the Mayor and Council of the Borough of Keyport for transfer of Plenary Retail Consumption License #1322-33-010-003 issued to 32 Broad Street t/a 32 Broad Street at 32 Broad Street, Keyport, New Jersey 07735 as a person to person transfer; and

WHEREAS, the Borough Clerk reports that the application is in order and the requirements of notice and of publication have been met with the second publication having been March 21, 2003; and

WHEREAS, all investigations and inspections have been made and are in order.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that the application of Uptown Keyport Bar & Grill, LLC for person to person transfer of Plenary Retail Consumption License #1322-33-010-003 for the year 2003/2004 is hereby granted effective July 2, 2003.

Offered for adoption by Mrs. Atkins, second by Mr. Green

Roll Call Vote: Ayes: Councilmembers Atkins, Hyer, Stalter, Doyle, Green
Nays: None
Absent: Councilman Bergen

3. Resolution No. 250-03, Authorize Verizon, New Jersey to perform various telecommunications work at the New Municipal Complex

WHEREAS, the Mayor and Council have commenced work on the construction of a new municipal complex located at 70 West Front Street, Keyport, New Jersey; and

WHEREAS, the Mayor and Council have received a proposal from Verizon-New Jersey to provide necessary telecommunications upgrades to the new municipal complex; and

WHEREAS, the upgrades will include the creation of the ADP (Alternative Demarcation Point) and will include the installation of copper cable and 100 building terminals necessary for the operation of the new municipal complex; and

WHEREAS, the Mayor and Council have received a written proposal from Verizon-NJ, Farmingdale, new jersey in the sum of $10,779.25 to create the ADP and to install appropriate copper cable and building terminals within the new municipal complex; and

WHEREAS, the Mayor and Council have reviewed the written estimate and have determined to proceed based upon the estimate Verizon-NJ with the installation of equipment necessary for the operation of the new municipal complex; and

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

1. The Mayor and Council authorize Verizon-NJ to proceed with the creation of the ADP (Alternate Demarcation Point), to include the placement of 369 feet of 200 pair copper cable, together with the installation of 100 pair building terminals in the new municipal complex based upon their estimate of $10,779.25.

2. The within award is subject to review and certification by the Municipal Finance Officer as to the availability of funds in the Bond Ordinance or from the general funds of the Borough of Keyport.

3. Copies of the within Resolution shall be forwarded to the Municipal Finance Officer, Project Architect, Verizon-NJ, Project Engineer, Clerk of the Works and Borough Attorney and a copy of the within Resolution shall be retained in the office of the Borough Clerk for public inspection.

Offered for adoption by Mrs. Atkins, second by Mr. Green

Roll Call Vote: Ayes: Councilmembers Atkins, Hyer, Stalter, Doyle, Green
Nays: None
Absent: Councilman Bergen

4. Resolution No. 251-03, authorizing the Borough Attorney to enter into consent judgment in the matter of the Borough of Keyport vs. Monmouth County Board of Taxation Tax Court (Docket No. 294-2003)

WHEREAS, the Mayor and Council of the Borough of Keyport have previously authorized the Borough Attorney to appeal an Order to implement a municipal wide revaluation issued by the Monmouth County Board of Taxation on January 23, 2003; and

WHEREAS, at the direction of the Mayor and Council, the Borough Attorney has filed a Complaint in the Tax Court, State of New Jersey, challenging the Revaluation and equalization tables utilized by the Monmouth County Board of Taxation to arrive at the within Order for Revaluation; and

WHEREAS, the State of New Jersey, Department of Law and Public Safety has filed an Answer on behalf of the defendant, Monmouth County Board of Taxation to the within Complaint; and

WHEREAS, the parties have reached an amicable settlement which will result in the Borough of Keyport conducting a Municipal-Wide Revaluation on or about October 1, 2005 with the Revaluation to be effective for the 2006 Tax year; and

WHEREAS, the proposed agreement has been reduced to a Consent Judgment Ordering Plaintiff to implement Municipal-Wide Revaluation which is to be filed with the Tax Court, State of New Jersey; and

WHEREAS, the Mayor and Council are resolved to authorize the Borough Attorney to enter into the Consent Judgment Ordering Plaintiff to implement Municipal-Wide Revaluation on or before October 1, 12005 with the Revaluation to be effective for the 2006 Tax Year.

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

1. The Borough Attorney is hereby authorized to enter into a Consent Judgment ordering Plaintiff to implement Municipal-Wide Revaluation on or before October 1, 2005, with the Revaluation to be effective for the 2006 Tax Year.

2. Borough Attorney is hereby authorized to file the within Consent Judgment with the Tax Court, State of New Jersey.

Offered for adoption by Mrs. Atkins, second by Mr. Green

Roll Call Vote: Ayes: Councilmembers Atkins, Hyer, Stalter, Doyle, Green
Nays: None
Absent: Councilman Bergen

5. Resolution No. 252-03, Supporting Transit Village Designation

WHEREAS, the State of New jersey created a new Community Revitalization and Public Transit effort called the Transit Village Initiative to be spearheaded by the New Jersey Department of Transportation (NJDOT) and New Jersey Transit; and

WHEREAS, the purpose and intent of the Transit Village Initiative is to assist in the redevelopment and revitalization of communities around Transit Stations in order to make them appealing choices for people to live, work and play, thereby reducing reliance upon the automobile; and

WHEREAS, the two most important goals of the Transit Village Initiative are the reduction in traffic congestion and improvement to the air quality in communities which receive the designation as a Transit Village; and

WHEREAS, the Borough of Keyport has secured a ferry service which will provide transportation for local residents from the Borough of Keyport into the City of New York and greatly reduce the use of automobiles, further reduce traffic congestion in and around the Borough of Keyport and improve the quality of life for those individuals who utilize this mass transit opportunity; and

WHEREAS, the Borough of Keyport through the Smart Growth Initiatives, is in the process of adopting a land use strategy for achieving mixed use development within walking distance of the downtown section of the Borough of Keyport and the ferry location, which will promote the use of mass transportation within the Borough; and

WHEREAS, the Borough of Keyport is encouraging mixed use development in order to promote revitalization which is consistent with the stated purposes of the Transit Village Initiative; and

WHEREAS, the Mayor and Council of the Borough of Keyport will authorize an application requesting the Borough of Keyport be designated as a Transit Village consistent with the criteria established under the Transit Village Initiative adopted by the State of New Jersey and administered through the New Jersey Department of Transportation (NJDOT) and New Jersey Transit; and

WHEREAS, the Mayor and Council strongly believe that the Borough of Keyport will satisfy all criteria necessary to be designated as Transit Village and further are resolved to support such an application on behalf of the Borough o to be designated a Transit Village.

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

1. The Mayor and Council strongly support the goals and objectives established by the State of New Jersey in the Transit Village Initiative as part of the Community Revitalization and Public Transit efforts within the State of New Jersey.

2. The Mayor and Council of the Borough of Keyport endorse the application of the Borough of Keyport for consideration as a Transit Village pursuant to the Transit Village Initiative.

3. The Mayor and Council strongly believe that the Borough of Keyport would benefit from the designation of a Transit Village in order to develop and revitalize the Borough of Keyport in and around the ferry location and the downtown portion of the Borough of Keyport.

4. The Mayor and Council will adopt a land use strategy for achieving transit supportive mix use development within walking distance of the Ferry site and have projects prepared to go forward consistent with the goals and objectives of the Transit Village Initiative.

5. The Mayor and Council hereby further direct the appropriate Borough Officials including the Borough Clerk, Borough Attorney, Borough Planner and Borough Engineer to proceed with the immediate submission of an application to the State of New Jersey Department of Transportation for designation of the Borough of Keyport as a Transit Village.

6. Copies of the within Resolution, duly certified, shall be forwarded to the Borough Engineer, Secretary of the Keyport Unified Planning Board, Keyport Business Alliance and Municipal Finance Officer and to the State of New Jersey Department of Transportation, Transit Village Coordinator.

7. A copy of the within Resolution shall further be kept on file in the Office of the Borough Clerk for public inspection.

Offered for adoption by Mrs. Atkins, second by Mr. Green

Roll Call Vote: Ayes: Councilmembers Atkins, Hyer, Stalter, Doyle, Green
Nays: None
Absent: Councilman Bergen

6. Resolution No. 253-03, New Municipal Complex/Change Order No. 7

WHEREAS, the Mayor and Council of the Borough of Keyport have previously authorized the construction of a new Municipal Complex; and

WHEREAS, the Mayor and Council have received a written request from the project architect for a change order for the Municipal Complex; and

WHEREAS, the Mayor and Council have reviewed the proposed change order which consists of the installation of additional outlets and quad circuits in the areas to be utilized by municipal court and for installation of ground outlets to support data equipment, submitted by A&K Excavating, General Contractor; and

WHEREAS, based upon the review of the Mayor and Council and the recommendation of the project architect, the Mayor and Council are inclined to authorize the change order for the within electrical installation for an additional sum of $1,866.80; and

WHEREAS, the Mayor and Council desire to memorialize the within Resolution approving the Change Order and authorizing the project architect and general contractor to proceed with the within change to the Municipal Complex roof.

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

1. The Mayor and Council of the borough of Keyport hereby approve the change order request (Change Order No. 7) as recommended by the project architect consisting of improvements and electrical upgrades in the areas to be utilized by the municipal court and court personnel based upon the change order submitted.

2. The Mayor and Council hereby approve the change order in the amount of $1,866.80 and further authorize the project architect to instruct the general contractor to proceed with the change order as submitted.

3. The within approval is subject to certification by the Municipal Finance Officer as to the availability of funds within the appropriate bond ordinance or within the general funds of the Borough of Keyport to satisfy the appropriate amount set forth in the change order.

4. That a copy of the within Resolution, duly certified, be forwarded to the Project Architect, General Contractor, Clerk of the Works, Borough Engineer, Consulting Engineer and Municipal Finance Officer.

5. Copy of the within resolution shall be retained in the Office of the Borough Clerk for inspection.

Offered for adoption by Mrs. Atkins, second by Mr. Green

Roll Call Vote: Ayes: Councilmembers Atkins, Hyer, Stalter, Doyle, Green
Nays: None
Absent: Councilman Bergen

7. Resolution No. 254-03, New Municipal Complex/Change Order to Thomas Lloyd, Consultant Agreement

WHEREAS, the Mayor and Council of the Borough of Keyport did, by previous Resolution, authorize the selection of Lloyd Consultants, Inc., Red Bank, New Jersey, as consultants, in conjunction with the specification, design, purchase and installation of the telecommunications and data communications systems within the new municipal complex; and

WHEREAS, the Mayor and Council did, by prior resolution, authorize the consultant to pay the sum of $17,500.00 for services related to the specification, design, purchase and installation of telecommunications and data communications systems within the municipality complex; and

WHEREAS, based upon certain circumstances, it has become necessary for Lloyd Consultants, Inc to perform additional work relative to the design and location of various telecommunication systems within the municipal complex; and

WHEREAS, Lloyd Consultants, Inc. has requested additional compensation in the amount of $12,000.00 for services to be completed in connection with the telecommunications and data communication systems within the new municipal complex; and

WHEREAS, the Mayor and Council have reviewed the recommendation from the project architect supporting such a request for additional payment to Lloyd Consultants, Inc. relative to work performed in the telecommunications area in the municipal complex; and

WHEREAS, the Mayor and Council have reviewed the work performed thus far by Lloyd Consultants, Inc and have reviewed and considered the recommendation of the project architect for additional funding relative to the area telecommunications; and

WHEREAS, Mayor and Council are satisfied that additional services should be rendered by Lloyd Consultants, Incorporated relative to the installation, purchase and design of telecommunications and data communication systems within the municipal complex.

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

1. The Mayor and Council hereby authorize additional funding to be paid by Lloyd Consultants, Inc., Red Bank, New Jersey, as consultants in connection with the additional specification, designs, purchase and installation of telecommunications and data communication systems within the new municipal complex in the additional sum of twelve thousand dollars ($12,000.00).

2. The Mayor and Borough Clerk are authorized to enter into any subsequent agreement with Lloyd Consultants, Inc. to provide the balance of additional services relative to the telecommunications and data communications system within the new municipal complex.

3. The within agreement and resolution is contingent upon a Certification by the Municipal Finance Officer of funds being available for the within services either in the appropriate Bond Ordinance or within the general funds within the Borough of Keyport.

4. The Borough Clerk shall forward copies of the within resolution to Lloyd Consultants, Inc., Red Bank, New Jersey, the project architect, Edmond H. Gaunt, Jr., Clerk of the Works, Municipal Finance Officer and the Borough Clerk shall retain a copy of the within resolution for public inspection.

Offered for adoption by Mrs. Atkins, second by Mr. Green

Roll Call Vote: Ayes: Councilmembers Atkins, Hyer, Stalter, Doyle, Green
Nays: None
Absent: Councilman Bergen

8. Resolution No. 255-03, Authorize Retaining Wall/Basketball Courts/Cedar Street Park

WHEREAS, it is necessary to install a retaining wall at the basketball courts in Cedar Street Park; and

WHEREAS, three (3) quotes have been obtained as follows:

Marco's Masonry Aberdeen, NJ 07747	$ 4,050.00
P.V. & Sons Landscaping Freehold, NJ 07728	$4,158.00
Ferrara Fence, Inc. Middletown, NJ 07748	$7,550.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the quote of P.V. & Sons Landscaping, 131 Quail Run Court, Freehold, NJ 07728 to install a

90'LX3'H retaining wall at the basketball courts in Cedar Street Park in the amount of $4,158.00 is hereby accepted.

BE IT RESOLVED that the Chief Financial Officer is to certify the availability of Funds.

Offered by Mrs. Atkins, second by Mr. Green

Roll Call Vote: Ayes: Councilmembers Atkins, Hyer, Stalter, Doyle, Green
Nays: None
Absent: Councilman Bergen

9. Resolution No. 256-03, Memorandum of Agreement between the Borough of Keyport and Century Land Group, LLC

WHEREAS, the Mayor and Council of the Borough of Keyport appointed Brian A. Mullen, Esq., as Special Counsel for the areas for redevelopment within the Borough of Keyport; and

WHEREAS, Century Land Group, LLC is the contract purchaser for Lots 14 and 15 in Block 14 consisting of approximately 62 acres within the Borough of Keyport; and

WHEREAS, the Mayor and Council are interested in the development of this particular parcel of land; and

WHEREAS, it is in the best interest of the Borough of Keyport and the developer, Century Land Group, LLC to enter into a cooperative relationship which would lead to the development of the subject property; and

WHEREAS, the Borough of Keyport has received a proposed memorandum of understanding between Century Land Group, LLC and the Borough of Keyport to provide for a cooperative relationship by and between the developer and the Borough of Keyport with respect to the subject property; and

WHEREAS, pursuant to the Memorandum of Understanding, the developer will agree to post certain escrows necessary to permit Borough professionals to review proposed zoning and master plan changes which would provide for the residential development of the subject property; and

WHEREAS, the Mayor and Council of the Borough of Keyport desire to authorize the Mayor to execute such a Memorandum of Understanding by and between the parties.

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 the Memorandum of Understanding by and between Century Land Group, LLC and the Borough of Keyport which creates a cooperative relationship between the parties with respect to the development of Lots 14 and 15 in Block 14, Borough of Keyport.

2. Copies of the within resolution shall be forwarded to the Special Counsel, Brian A. Mullen, Esquire, Borough Attorney, Borough Engineer and a copy of the within Resolution shall be maintained in the office of the Borough Clerk for future inspection.

Offered by Mrs. Atkins, second by Mr. Green

Roll Call Vote: Ayes: Councilmembers Atkins, Hyer, Stalter, Doyle, Green
Nays: None
Absent: Councilman Bergen

10. Resolution No. 257-03, Payment of Bills

See full copy of Resolution as pages 22-23 of these minutes.

Offered for adoption by Mrs. Atkins, second by Mr. Green

Roll Call Vote: Ayes: Councilmembers Atkins, Hyer, Stalter, Doyle, Green
Nays: None
Absent: Councilman Bergen

11. Resolution No. 258-03, Set Salary/Deputy Registrar

BE IT RESOLVED by the Mayor and Council of the Borough of Keyport in accordance with Salary Ordinance No. 17-03, now in effect, that:

SECTION 1. The following salaries are hereby established for the indicated positions effective June 19, 2003 or date of hire or transfer, whichever is later:

Deputy Registrar of Vital Statistics Secretary-Board of Health	$15.00 per hour

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

Roll Call Vote: Ayes: Councilmembers Atkins, Hyer, Stalter, Doyle, Green
Nays: None
Absent: Councilman Bergen

12. Resolution No. 259-03, Authorize Floating Dock/Fishing Pier

WHEREAS, it is necessary to replace the floating dock at the Fishing Pier; and

WHEREAS, three (3) quotes have been obtained as follows:

Redd Team MFg 6599 SR 21 Keystone Heights, Florida 32656	$6,730.00
Marine Lumber & Piling, Inc. 15 Lower Shore Road PO Box 977 Barnegat, New Jersey 08005	$7,673.53
Sullivan Floatation Systems Kings Highway PO Box 630 Warwick, New York 10990	$9,116.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the quote of Redd Team Mfg., 6599 SR 21, Keystone Heights, Florida 32656 for two (2) 6'X20' floating docks including hardware and shipping in the amount of $6,730.00 is hereby accepted.

BE IT FURTHER RESOLVED that the Chief Financial Officer is to certify the availability of funds.

Offered for adoption by Mrs. Atkins, second by Mr. Green

Roll Call Vote: Ayes: Councilmembers Atkins, Hyer, Stalter, Doyle, Green
Nays: None
Absent: Councilman Bergen

13. Resolution No. 260-03, New Municipal Complex/Change Order No. 5

WHEREAS, the Mayor and Council of the Borough of Keyport have previously authorized the construction of a new municipal complex; and

WHEREAS, the Mayor and Council have received a written request from the project architect for a change order for the municipal complex as it relates to the general contractor A&K Excavating; and

WHEREAS, the Mayor and Council have reviewed the proposed change order which consists of an increase in the metal stud size used in the exterior walls of the municipal complex, as well as, an additional support structure to support the location of the generator at the municipal complex as set forth in Change Order No. 4, as submitted by the general contractor, A&K Excavating, Holmdel, New Jersey and approved by the project architect; and

WHEREAS, based upon the review of the Mayor and Council and the recommendation of the project architect, the Mayor and Council are inclined to authorize the change order for the additional work relative to the installation of the increased stud size in the exterior walls of the new municipal complex and the additional structural cost relative to the location of the generator at the municipal complex in the amounts of $10,383.84 and $1,650.00 respectively; and

WHEREAS, the Mayor and Council desire to memorialize the within resolution approving the change order and authorizing the project architect to proceed with the within change to the municipal complex as set forth in Change Order No. 5 (which incorporates those change orders previously referred to at GC-3 and GC-8) to the Keyport Municipal Complex.

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

1. The Mayor and Council of the Borough of Keyport hereby approve the change order request, designated Change Order No. 5 submitted and recommended by the project architect consisting of improvements of the stud size for the metal studs located in the exterior walls of the new municipal complex and for additional support necessary for the location of the generator at the new municipal complex.

2. The Mayor and Council hereby approve the change order in the amount of $10,383.84 as it relates to the metal studs and $1,650.00 as it relates to the additional structural work relative to the placement of the generator.

3. The within Resolution is specifically contingent upon the Certification of the Municipal Finance Officer as to the available funds within the appropriate bond ordinance adopted by the Mayor and Council and amended thereafter.

4. That a copy of this Resolution, duly certified, be forwarded to the Project Architect, General Contractor, A&K Excavating, Clerk of the Works, Borough Engineer, Consulting Engineer and the Municipal Finance Officer.

5. Copies of the within Resolution shall be retained in the Office of the Borough Clerk for public inspection.

Offered for adoption by Mrs. Atkins, second by Councilman Green

Roll Call Vote: Ayes: Councilmembers Atkins, Hyer, Stalter, Doyle, Green
Nays: None
Absent: Councilman Bergen

14. Resolution No. 261-03, New Municipal Complex/ Change Order No. 6

WHEREAS, the Mayor and Council of the Borough of Keyport have previously authorized the construction of a new municipal complex; and

WHEREAS, the Mayor and Council have received a written request from the project architect for a change order for the municipal complex as it relates to the contractor, A&K Excavating, and the proposed completion date of the municipal complex; and

WHEREAS, the Mayor and Council have reviewed the proposed change order which proposed to extend the completion date of Macy 6, 2003 through August 31, 2003, a total of an additional 117 days as a result of purported delays and time lost during the construction of the within project as a result of delays in the shipment of steel, delays relative to the completion of the foundation and other weather related delays; and

WHEREAS, the Mayor and Council have reviewed the proposed request and recommendation from the project architect, and further considered the comments of the Clerk of the Works relative to time lost by the contractor as a result of the aforementioned delays and the Mayor and Council are inclined to grant an extension through August 13, 2003, an extension of 100 days as a result o the aforementioned delays relative to the completion of the new municipal complex; and

WHEREAS, the Mayor and Council desire to memorialize the within resolution approving the change order and authorizing the project architect to notify the general contractor, A&K Excavating, that the change order requested is hereby modified to provide an extension of time in the contract or for the completion of the new municipal complex from May 6, 2003 through August 13, 2003 and to further advise the general contractor, A&K Excavating that there shall be no additional delays and that any further delays will result in appropriate penalties as set forth in the contract by and between the parties hereto.

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

1. The Mayor and Council of the Borough of Keyport hereby approve the Change Order No. 6 as per the recommendation of the project architect, as amended hereto, to consist in an extension of time by which the General Contractor, A&K Excavating, shall complete the new municipal complex from May 6, 2003 through August 13, 2003, a total of an additional 100 day extension, based upon weather related delays, shipping related delays and delays related to the installation of the foundation at the new municipal complex.

2. That a copy of the within Resolution, duly certified, be forwarded to the General Contractor, A&K Excavating, Project Architect, Clerk of the Works, Borough Engineer, Consulting Engineer and the Municipal Finance Officer.

3. That a copy of the within Resolution shall be retained in the office of the Borough Clerk for public inspection.

Offered for adoption by Mrs. Atkins, second by Mr. Green

Roll Call Vote: Ayes: Councilmembers Atkins, Hyer, Stalter, Doyle, Green
Nays: None
Absent: Councilman Bergen

15. Resolution No. 262-03, Authorize Special Legal Counsel-Dominic Manco

WHEREAS, the Mayor and Council of the Borough of Keyport have received complaints regarding drainage related problems for properties located on or near Beers Street and Oyster Creek which have resulted in the presence of significant levels of standing water; and

WHEREAS, the Mayor and Council have determined to direct the Borough Engineer to conduct a preliminary investigation into the cause of these drainage problems which are affecting a number of residents along Beers Street and Oyster Creek and which may potentially present a health consideration to the Borough of Keyport; and

WHEREAS, the Mayor and Council of the Borough of Keyport have previously appointed Dominic Manco, Esq., Schibell & Mennie, Ocean, New Jersey as Special Legal Counsel, by Resolution adopted January 1, 2003; and

WHEREAS, the Mayor and Council have determined that should the investigation indicate a source of the drainage problems, litigation may be necessary to affirmatively address the drainage condition present in the area of Beers Street and Oyster Creek; and

WHEREAS, the mayor and Council are resolved to assign and direct Special Legal Counsel, Dominic Manco, Esq., to take appropriate affirmative legal action to protect the interest of the Borough of Keyport and to abate any potential health concerns present as a result of the within investigation.

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. The Mayor and Borough Council hereby assign and direct Special Legal Counsel, Dominic Manco, Esq., to undertake any legal action necessitated as a result of investigation relative to drainage related problems along Beers Street and Oyster Creek within the Borough of Keyport as directed by the Mayor and Council.

2. Special Legal Counsel shall bill and invoice for his professional services at the rate of $130.00 per hour as fixed by the Borough of Keyport for a maximum not to exceed $1,300.00 without further approval.

3. Copies of the within Resolution shall be forwarded to Special Legal Counsel, Dominic Manco, Esq. and to the Municipal Finance Officer and a copy of the within Resolution shall be retained in the Office of the Borough Clerk for public inspection.

Offered for adoption by Mrs. Atkins, second by Mr. Green

Roll Call Vote: Ayes: Councilmembers Atkins, Hyer, Stalter, Doyle, Green
Nays: None
Absent: Councilman Bergen

16. Resolution No. 263-03, Authorize Engineer to undertake services related to Structural Design and Permitting for Municipal Pier/Ferry Terminal

WHEREAS, the Mayor and Council of the Borough of Keyport have determined to proceed with the exploration and expand the municipal pier and to create a ferry terminal which would be utilized in conjunction with a ferry service from the Borough of Keyport to New York City which is consistent with plans to further promote recreational activities and further support the application of the Borough to be considered for designation as a Transit Village by the New Jersey Department of Transportation; and

WHEREAS, the Mayor and Council have concluded that such expansion of the municipal pier and creation of a ferry terminal will promote increased recreational activities beneficial to the waterfront development and consistent with the long term plans of the Borough of Keyport relating to the development of this natural resource and further provide for an operational location of a commuter ferry service which will further promote increased recreational opportunities within the Borough of Keyport; and

WHEREAS, the Mayor and Council have received a four (4) phase proposal from the Borough Engineer for the preparation of engineering services relative to the structural design and permitting, to include required permit applications to the New Jersey Department of Environmental Protection and the U.S. Army Corp of Engineers relative to the structural design and permitting, to include required permit applications to the New Jersey Department of Environmental Protection and the U.S. Army Corp of Engineers relative to expansion of the municipal pier and ferry terminal, including preliminary and final engineering services as required as contained in the written proposal dated June 13, 2003; and

WHEREAS, Borough Engineer has proposed to provide the necessary hydrographic survey and preparation of bathymetric plan, designated as Phase I for a total cost of $6,500.00, and thereafter to perform the necessary preliminary engineering consisting of geotechnical investigations, structural and marine engineering and mapping, base map and construction details necessary for project submission to the various agencies for a Phase II cost of $47,800.00 and thereafter to submit the required permit applications to the New Jersey Department of Environmental Protection and the US Army Corp of Engineers for the necessary expansion for the Phase III cost of $15,500.00 and complete all final engineering including the preparation of final plans, bid specifications and review all bids submitted for a total Phasse IV cost of $31,500.00 for a total project cost of $101,300.00; and

WHEREAS, the Mayor and Council have reviewed the proposal prepared by the Borough Engineer dated June 13, 2003 and have determined to authorize the Borough Engineer to undertake this proposal in conjunction with the expansion of the municipal pier and the creation of a municipal ferry terminal in connection with the development of the waterfront, subject to the certification of availability of funds by the Municipal Finance Officer.

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

1. Borough Engineer is authorized to prepare the structural design and proceed with the permitting required to proceed with the expansion of the municipal pier and creation of a municipal ferry terminal.

2. Borough Engineer shall prepared appropriate hydrographic survey and bathymetric plan, perform preliminary engineering required, prepare and submit appropriate applications to the New Jersey Department of Environmental Protection and the US Army Corps of Engineers and perform all final engineering including bid specifications and review of bids submitted, consistent with their written letter proposal dated June 13, 2003 for a total fee for all phases in the amount of One Hundred and One Thousand, Three Hundred ($101,300.00) Dollars, broken down into various phases and options, upon certification from the Municipal Finance Officer as to the availability of funds from the BRIT account, appropriate bond ordinances or general account of the Borough of Keyport.

3. That a certified copy of this resolution be forwarded to the Borough Engineer and Municipal Finance Officer, and that a copy of the within Resolution be retained in the Office of the Borough Clerk for public inspection.

Offered for adoption by Mrs. Atkins, second by Mr. Green

Roll Call Vote: Ayes: Councilmembers Atkins, Hyer, Stalter, Doyle, Green
Nays: None
Absent: Councilman Bergen

17. Resolution No. 264-03, Authorize Borough Engineer to Prepare a Conceptual Plan to Relocate American Legion Drive

WHEREAS, the Mayor and Council of the Borough of Keyport have determined to proceed with the replacement of the bulkhead along American Legion Drive based upon the previous application to the State of New Jersey, Department of Environmental Protection which will consist of the replacement of approximately 1600 linear feet of the bulkhead along American Legion Drive; and

WHEREAS, the Mayor and Council have concluded that the bulkhead replacement will result in the need to relocate that portion of American Legion Drive which abuts the proposed bulkhead replacement; and

WHEREAS, the Mayor and Council have received a proposal from the Borough Engineer for the preparation of conceptual plans to relocate American Legion Drive, including appropriate pre-application meetings with the New Jersey Department of Environmental Protection and Green Acres as well as with the Monmouth County

Engineering Department relative to such road relocation as set forth in their proposal dated June 16, 2003; and

WHEREAS, the Borough Engineer has proposed to provide engineering services relative to the preparation of conceptual plans depicting two proposed road realignment scenarios for the relocation of American Legion Drive for a total fee not to exceed the sum of Nine Thousand, Six Hundred ($9,600.00) Dollars; and

WHEREAS, the Mayor and Council have reviewed the proposal prepared by the Borough Engineer and have determined to authorize the Borough Engineer to undertake this proposal in conjunction with the relocation of American Legion Drive, subject to the certification of availability of funds by the Municipal Finance Officer.

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

1. Borough Engineer is authorized to prepare conceptual plans for the proposed relocation of American Legion Drive.

2. Borough Engineer shall prepare appropriate conceptual plans, inclusive of a preliminary cost estimate and attendance at all pre-application meetings with State and County Agencies as set forth in their written letter of proposal dated June 16, 2003 for a total fee not to exceed the sum of Nine Thousand Six Hundred ($9,600.00) Dollars upon certification from the Municipal Finance Officer as to the availability of funds from the BRIT Account or general account of the Borough of Keyport.

3. That a certified copy of this resolution shall be forwarded to the Borough Engineer and Municipal Finance Officer and that a copy of this within Resolution be retained in the office of the Borough Clerk for public inspection.

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

Roll Call Vote: Ayes: Councilmembers Atkins, Hyer, Stalter, Doyle, Green
Nays: None
Absent: Councilman Bergen

18. Resolution No. 265-03, Authorize Borough Engineer to prepare Structural Design and Permitting for Municipal Marina Expansion

WHEREAS, the Mayor and Council of the Borough of Keyport have determined to proceed with the exploration to expand the municipal marina through the addition of two (2) new boat slips with the ability to dock charter boats in excess of sixty (60) feet; and

WHEREAS, the Mayor and Council have concluded that such expansion will promote increased recreational activities beneficial to the waterfront development and consistent with the long term plans of the Borough of Keyport relating to the development of this natural resource; and

WHEREAS, the Mayor and Council have received a four (4) phase proposal from the Borough Engineer for the preparation of engineering services to prepare the required permit applications dated June 9, 2003 together with services relating to the preliminary and final engineering services required; and

WHEREAS, the Borough Engineer has proposed to provide the necessary hydrographic survey and preparation of bathymetric plan, designated as Phase IA for a total cost of $9,800.00, which may be reduced to the sum of $4,800.00 depending on the scope of work performed as directed by the Mayor and Council which is designated as Phase IB, and thereafter to perform the necessary preliminary engineering consisting of the preparation of preliminary construction plans and specifications sufficient to obtain governmental approvals for a Phase II cost of $8,500.00 and thereafter to submit the required permit application to the New Jersey Department of Environmental Protection and US Army Corps of Engineers for the necessary expansion for the Phase III cost of $11,000.00 and complete all final engineering including the preparation of final plans, bid specifications and review all bids submitted for a total Phase IV cost of $4,800.00; and

WHEREAS, the Mayor and Council have reviewed the proposal prepared by the Borough Engineer dated June 9, 2003 and have determined to authorize the Borough Engineer to undertake this proposal in conjunction with the expansion of the Municipal Marina in connection with the development of the waterfront, subject to the certification of availability of funds by the Municipal Finance Officer.

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

1. The Borough Engineer is authorized to prepare the structural design and proceed with the permitting required to proceeds with the municipal marina expansion.

2. Borough Engineer shall prepare appropriate hydrographic survey and bathymetric plan, perform preliminary engineering required, prepare and submit appropriate applications to the New Jersey Department of Environmental Protection and US Army Corps of Engineers and perform all final engineering including bid specifications and review of bids submitted, consistent with their written letter proposal dated June 9, 2003 for a total fee for all phases in the amount of Thirty Four Thousand One Hundred ($34,100.00) Dollars, broken down into various phases and options upon certification from the Municipal Finance Officer as to the availability of funds from the RBIT account appropriate bond ordinances or general account of the Borough of Keyport.

3. That a certified copy of this resolution be forwarded to the borough Engineer and Municipal Finance Officer and that a copy of the within Resolution be retained in the Office of the Borough Clerk for public inspection.

Offered for adoption by Mrs. Atkins, second by Mr. Green

Roll Call Vote: Ayes: Councilmembers Atkins, Hyer, Stalter, Doyle, Green
Nays: None
Absent: Councilman Bergen

19. Resolution No. 266-03, Authorize Borough Engineer to prepare Application for the Borough to become designated as a Transit Village

WHEREAS, the State of New Jersey created a new Community Revitalization and Public Transit effort called the Transit Village Initiative to be spearheaded by the New Jersey Department of Transportation (NJDOT) and New Jersey Transit; and

WHEREAS, the purpose and intent of the Transit Village Initiative is to assist in the redevelopment and revitalization of communities around Transit Stations in order to make them appealing choices for people to live, work and play, thereby reducing reliance upon the automobile; and

WHEREAS, the two most important goals of the Transit Village Initiative are the reduction in traffic congestion and improvement to the air quality in communities which receive the designation as a Transit Village; and

WHEREAS, the Borough of Keyport has secured a ferry service which will provide transportation for local residents from the Borough of Keyport into the City of New York and greatly reduce the use of automobiles, further reduce traffic congestion in and around the Borough of Keyport and improve the quality of life for those individuals who utilize this mass transit opportunity; and

WHEREAS, the Borough of Keyport through the Smart Growth Initiative, is in the process of adopting a land use strategy for achieving mixed use development within walking distance of the downtown section of the Borough of Keyport and the ferry location which will promote the use of mass transportation within the Borough; and

WHEREAS, the Mayor and Council of the Borough of Keyport have previously adopted a resolution in support of the preparation of an application requesting the

Borough of Keyport be designated as a Transit Village consistent with the criteria established under the Transit Village Initiative adopted by the State of New Jersey and administered through the New Jersey Department of Transportation (NJDOT) and New Jersey Transit; and

WHEREAS, the Borough Engineer has submitted a proposal for engineering services necessary for the preparation and submission of an application for the borough of Keyport to become designated as a Transit Village for a cost not to exceed the sum of Four Thousand Five Hundred ($4,500.00) Dollars; and

WHEREAS, the Mayor and Council strongly believe that the Borough of Keyport will satisfy all criteria necessary to be designated a Transit Village and further are resolved to authorize the Borough Engineer to submit an application on behalf of the Borough to be designated a Transit Village.

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

1. The Mayor and Council hereby authorize the Borough Engineer to prepare and submit an application under the Transit Village Initiative for the consideration of the Borough of Keyport to be designated as a Transit Village.

2. The Borough Engineer shall prepare and submit such application, inclusive of all engineering services, for a total cost not to exceed the sum of Four Thousand Five Hundred ($4,500.00) which funds are available from the general funds of the Borough of Keyport.

3. Copies of the within Resolution, duly certified, shall be forwarded to the Borough Engineer, Secretary to the Keyport Unified Planning Board, Keyport, Business Alliance and to the Municipal Finance Officer.

4. A copy of the within Resolution shall be further kept on file in the Office of the Borough Clerk for public inspection.

Offered for adoption by Mrs. Atkins, second by Mr. Green

Roll Call Vote: Ayes: Councilmembers Atkins, Hyer, Stalter, Doyle, Green
Nays: None
Absent: Councilman Bergen

20. Resolution No. 267-03, Closed Meeting - Personnel and Litigation

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

Personnel

1. Senior Center

Litigation

1. Marrone Disposal

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 and Litigation

BE IT FURTHER RESOLVED that the discussions on Personnel, Litigation and Contract Negotiations conducted at said Closed Session shall be disclosed when the matters discussed are resolved and this meeting shall continue in approximately 20 minutes.

Offered for adoption by Mrs. Atkins, second by Mr. Green

Roll Call Vote: Ayes: Councilmembers Atkins, Hyer, Stalter, Doyle, Green
Nays: None
Absent: Councilman Bergen

Council went into closed session at 10:05 P.M. and this meeting was reconvened at 10:25 P.M.

ADJOURNMENT

Motion to adjourn moved by Mr. Green, second by Mrs. Atkins with Ayes by all present.

Time of Adjournment: 10:26 P.M.

Respectfully submitted,

Judith L. Poling

Judith L. Poling, RMC/CMC
Borough Clerk

Allyson M. Cinquegrana

Per Allyson M. Cinquegrana
Deputy Borough Clerk

RESOLUTION FOR THE PAYMENT OF BILLS

257-03

Be it resolved by the Mayor and Council of the Borough of Keyport, N. J., that the following numbered vouchers be paid to the persons therein respectively and hereinafter named, for the amounts set opposite their respective names, and endorsed and approved on said vouchers.

No. OF VOUCHER	NAME	DEPARTMENT	AMOUNT
	CURRENT:		
15968	02803 Apple Time, Inc.	0137.459	236.96
15967	02257 A T & T	Misc.	169.93
red 99999	02214 Chase Manhattan Banks	0249.299	180,000.00
red 9999	02214 Chase Manhattan Banks	0253.299	21,083.00
15969	02787 Delta Dental Plan of New Jersey, inc.	0129.214	3,402.30
15970	00135 Jersey Central Power & Light Co.	Misc.	322.51
15971	00142 Keyport Army and Navy	0133.307	1,920.00
15972	02852 MPM Bldg. Svcs. Inc.	0121.440	866.00
15973	01476 New Jersey Highway Authority	0137.606	6,100.00
15974	00204 Pitney Bowes	0103.202	296.75
15975	02623 Pitney Bowes	0113.202	248.59
15976	02426 Verizon	0179.740	359.56
15976	Verizon	misc	37.88
15966	Sears	0121-	388.00
			$215,431.48
	WATER AND SEWER:		
14519	02257 A T & T	1001.743	25.30
red 99999	02214 Chase Manhatten Bank	1901-931	3,422.00
red 99999	02214 Chase Manhatten Bank	1011.299	50,000.00
.4520	02623 Pitney Bowes	1001.202	750.00
.4521	**Verizon**	misc	280.67
			$54,477.97
	GENERAL CAPITAl:		
:152	A & K Excavating, LLC	Ord. #21-99	$173,537.42
		Total General Capital...$	**173,537.42**
	RECREATION BAYFRONT IMPROVEMENT TRUST		
995	Jade Fire c/o Allen Consulting, Inc.		$500.00

Passed July 1, 2003

Approved July 1, 2003

John J. Merla, Mayor

Attest:

Judith L. Poling, RMC/CMC
Borough Clerk

Offered by Councilwoman Atkins, seconded by Councilman Green

Roll Call Vote:

Ayes:	Councilmembers Akins, Hyer, Stalter, Doyle, Green
Nays:	None
Abstain:	None
Absent:	Councilman Bergen

I, Judith L. Poling, do hereby certify this to be a true copy of a Resolution adopted by the Mayor and Council of the Borough of Keyport at a meeting held on July 1, 2003

Judith L. Poling, RMC
Borough Clerk