Approved 10-7-03

July 15, 2003
Keyport, New Jersey

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

Councilman Hyer in Mayor Merla's absence called the meeting to order at 7:04 P.M. and read the Sunshine Law Notice. Mayor Merla was ill.

ROLL CALL

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

Councilman Bergen arrived at 7:05 P.M. and took over the meeting.

RESOLUTION

1. **Resolution #275-03, Closed Meeting - Personnel, Labor Relations and Contract Negotiations**

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

Personnel

1. Public Works Department
2. Police Department

Labor Relations

1. PBA vs Borough of Keyport

Contract Negotiations

1. Water/Wastewater Facilities
2. New Municipal Complex
3. Easement - Kantor/Borough of Keyport
4. Contract with Bridge Disposal and Contract with Garden State Paper

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, Labor Relations, Contract Negotiations

BE IT FURTHER RESOLVED that the discussions on Personnel, Labor Relations and Contract Negotiations conducted at 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. Doyle, seconded by Mr. Stalter

Roll Call Vote: Ayes: Councilmembers Bergen, Hyer, Stalter
Doyle, Green

Absent: Councilwoman Atkins

Council went into Closed Session at 7:04 P.M. and this meeting was reconvened at 8:20 P.M.

Councilman Bergen called the meeting to order at 8:20 P.M. and read the Sunshine Law Notice. Councilman Bergen led the Pledge of Allegiance and Moment of Silence.

ROLL CALL

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

INTRODUCTION OF ORDINANCE

1. **19-03 Ordinance Establishing Handicapped Parking Space Osborn Street**

The Clerk read the Ordinance by Title:

AN ORDINANCE TO ESTABLISH HANDICAPPED PARKING SPACE ON A MUNICIPAL ROAD

BE IT ORDAINED, by the Borough of Keyport, in the County of Monmouth and State of New Jersey that:

SECTION I. In accordance with Section 7-12, Handicapped Parking and Schedule XXI, Parking Area for Handicapped Persons and pursuant to the authority granted to this Municipality by N.J.S.A. 39:4-197, the following locations are hereby designated as restricted parking spaces for use by persons who have been issued special vehicle identification cards by the Division of Motor Vehicle. No other persons shall be permitted to park in these spaces.

NAME OF STREET	SIDE	LOCATION
Osborn Street	East	Beginning at a point 34' (34 feet) North of the northerly curb-line of Maple Place & continuing 25'(twenty-feet) north therefrom

Offered by Mr. Stalter, seconded by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Bergen, Hyer, Stalter, Doyle, Green
Absent: Councilwoman Atkins

1a. Motion authorizing the Clerk to publish the Ordinance, as introduced in the Courier, issue of July 17, 2003 for a Hearing to be held on August 5, 2003 moved by Mr. Hyer, seconded by Mr. Stalter, with Ayes by all present.

2. Ordinance Amending Chapter VII, Traffic - Manchester Avenue (deleted)

3. **Bond Ordinance #20-03 - Atlantic Street Improvements**

The Clerk reported that the Supplemental Debt Statement was filed in her office prior to Ordinance introduction.

The Clerk read the Ordinance by Title:

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO ATLANTIC STREET BY AND IN THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING $400,000 (INCLUDING A NEW JERSEY DEPARTMENT

OF TRANSPORTATION GRANT IN THE AMOUNT OF $160,000) THEREFOR AND AUTHORIZING THE ISSUANCE OF $240,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

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

SECTION 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the Borough of Keyport, in the County of Monmouth, State of New Jersey (the "Borough"). For the said improvement or purpose stated in Section 3, there is hereby appropriated the sum of $400,000, which sum includes a New Jersey Department of Transportation Grant to be received in the amount of $160,000 (the "Grant") for said improvement or purpose. Pursuant to N.J.S.A. 40A:2-11(c), as amended and supplemented, no down payment is required as the improvement or purpose described in Section 3 hereof is a project being funded by the Grant, which is a State grant.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the part of said $400,000 appropriation not provided for by application hereunder of said Grant, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of $240,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding $240,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3.(a) The improvement hereby authorized and purpose for the financing of which said bonds or notes are to be issued is improvements to Atlantic Street, which improvements may include, but are not limited to, as applicable, reconstruction, resurfacing, excavation of the roadway, as applicable, milling and paving, and the repairing, replacement and/or installation, as applicable, of curbs, curb ramps, sidewalks and driveway aprons, drainage work, sewer main and lateral replacement and/or rehabilitation, water main and service replacement and/or rehabilitation, roadway painting, and also including all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is $240,000.

(c) The estimated cost of said improvement or purpose is $400,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor, being the amount of $160,000, is the Grant for said improvement or purpose.

SECTION 4. Except for the Grant, in the event the United States of America, the State of New Jersey, and/or the County of Monmouth make a contribution or grant in aid to the borough, for the improvement and purpose authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Monmouth. Except for the Grant, in the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Monmouth, shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

This section 4 shall not apply, however, with respect to contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement which the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness of said improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by $240,000 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding $150,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purpose or improvement hereinbefore described.

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

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Borough, or any member of the same "Controlled Group" as the Borough, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2, and no further action (or inaction) will be an abusive arbitrage device in accordance with Treasury Regulation Section 1.148-10 to avoid the arbitrage yield restrictions or arbitrage rebate requirements under section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the borough for any expenditures toward the costs of the improvement or5 purpose described in Section 3 hereof will not be used directly or indirectly (i) to "refund" an issue of governmental obligations within the meaning of Treasury Regulation Section 1.150-1(d),(ii) to create, within one year, following the reimbursement of any expenditures of bond proceeds "replacement proceeds", within the meaning of Treasury Regulation Section 1.148-1 of the bonds, or any other bond issue, or (iii) to reimburse the Borough for any expenditure or payment that was originally paid with the proceeds of any obligation of the Borough (other than borrowing by the Borough from one of its own funds or the funds of a member of the same "Controlled Group within the meaning of Treasury Regulation Section 1.150-1(e)). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvement or purpose described in Section 3 hereof will be issued in an amo9unt not to exceed $240,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code and Treasury Regulation Section 1.150-1. This provision will take effect immediately, but will be of no effect with regard to expenditures for costs paid outside the permitted reimbursement period set forth in Treasury Regulation Section 1.150-2(d)(2).

SECTION 10. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 11. This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Offered by Councilman Hyer, seconded by Councilman Green

Roll Call Vote: Ayes: Councilmembers Bergen, Hyer, Stalter
Doyle, Green
Absent: Councilwoman Atkins

COMMITTEE REPORTS

Councilman Bergen; Police: Mr. Bergen reported on the following: Mr. Bergen will address the hiring of a new police officer.

Councilwoman Atkins; Fire: Mrs. Atkins was absent.

Councilman Hyer; Public Works/Recycling/Property Maintenance. Mr. Hyer reported on the following: Repairs to the fishing pier are completed, the Engineer and Contractor ent above and beyond. The float will be coming in. The Charter Fishing Boat Lease is being worked on. Three quotes will be obtained for work at 154 First Street. Joint meetings are being held by the Recycling, Health and Property Maintenance and they are working on a new warning sticker and enforcement. Sunday at the Bayshore Christian Service the Public Works Department was presented with a plaque as was the Fire Department and the First Aid. The Public Works Committee is moving forward on the sidewalk project. Mr. Bergen asked which roads were going to be paved and if they could be combined with the sidewalk project. Mr. Hyer said the Main Street residents are interested in the project. At 285 Main Street there is a catch basin that runs over to a manhole. Mr. Freda said the support of the residents is needed.

Councilman Stalter; Health, Recreation and Parks. Mr. Stalter reported on the following: Thursday there will be a Blue Claws game. The summer recreation program is going well.

Councilman Doyle; Finance: Mr. Doyle reported on the following: The Part Time Account Clerk has started work and interviews will be held in the next two weeks for the Deputy Municipal Tax Collector position.

Councilman Green; Buildings & Grounds and Library.: Mr. Green reported on the following: There are change orders for the New Municipal Complex and the completion date is August 13, 2003. Mr. Bergen asked why there was an island in the middle of the parking lot and how snow plowing would be effected.

Administrator Poling: Mrs. Poling reported on the following: July 8, 2003 Payment of Bills: Current Account-$129,443.48, Water and Sewer-$55,567.46, General Capital-$2,002.29, Recreational Bayfront Improvement Trust-$1,566.31.

Engineer Freda: Mr. Freda reported on the following: The Transit Village application is due today, Kathy Shaw and John Doyle worked on it. Mr. Bergen asked if there is no ferry then there is no designation. There has to be a bus, train or ferry. The Borough can re-apply. The Department of Environmental Protection wants some revisions/site work for the bulkhead and then it will go to permitting; it is on schedule. The permitting for the roadway is not part of the bulkhead project. It has to be decided where it will be put; alternatives are there, Mr. Freda is doing conceptual drawings and there are also the drawings from Schoor DePalma. Hydrological surveys were not done by Schoor DePalma and Mr. Freda will sent out a letter and the differences will be explained.

Attorney Kain: Mr. Kain reported on the following: A resolution is listed for award of the contract for the back hoe. Monmouth County Tax Appeals have been resolved for 2005/2006. Sjoblom vs the Borough of Keyport has been resolved. There is no change in the matter of Magic Touch vs the Borough of Keyport. The PBA arbitration is adjourned to August 18, 2003.

Mayor Merla: Mayor Merla was absent.

REPORTS OF DEPARTMENTS

March, 2003

1. Treasurer's Report

CURRENT CHECKING	$515,539.24
ASSESSMENT TRUST	621.33
FEDERAL AND STATE GRANTS	588.11
ANIMAL CONTROL	1,507.44
TRUST CHECKING	15,444.00
TRUST SAVINGS	134,738.09
RECREATION BAYFRONT	87,226.02
UNEMPLOYMENT/DISABILITY	67,247.30
RECREATION COMMISSION	8,579.13
GENERAL CAPITAL	1,281,560.68
ESCROW TRUST	182,525.25
LAW ENFORCEMENT	9,429.17
SELF HEALTH INSURANCE FUND	3,605.90
WATER/SEWER OPERATING	6,364.47
WATER/SEWER SAVINGS	84,628.35
WATER/SEWER INVESTMENT	4,385.20
WATER CAPITAL CHECKING	195.00
WATER CAPITAL INVESTMENT	89,987.74
GENERAL CAPITAL INVESTMENT	1,501,971.59

INTEREST EARNED ON INVESTMENTS FOR March, 2003
CURRENT - $2,877.85
WATER - $ 127.41

Submitted by Pauline Redmond, Treasurer

May, 2003

2. Tax Collector's Report

2002 TAXES	$21,680.90
2001 TAXES	1,923,528.76
2003 PREPAID TAXES	-0-
PRIOR YEARS TAXES	-0-
PROPERTY REDEEMED	-0-
INTEREST AND COSTS	5,031.71
TAX SEARCHES	10.00
POST OFFICE LAND RENT	275.00
SENIOR CITIZEN HOUSING IN LIEU OF TAXES	24,487.00
RETURNED CHECK CHARGES	20.00
ALL OTHER MISCELLANEOUS REVENUE	103,222.28
TOTAL CURRENT RECEIPTS $2,078,255.65	

WATER & SEWER RENTS	$69,225.62
INTEREST AND COSTS	957.51
TURN ON CHARGES	-0-
RETURNED CHECK CHARGES	-0-
POOL PERMITS	15.00
WATER METERS/WITH TURN ON	100.00
NEW METERS AND INSTALLATION CHARGE	-0-
WATER & SEWER CONNECTIONS	-0-
METER TEST CHARGE	-0-
FIRE SERVICE	-0-
METER REPLACEMENT, PARTS ETC	-0-
DEMOLITION PERMIT	-0-
ALL OTHER MISCELLANEOUS REVENUE	-0-
TOTAL WATER/SEWER RECEIPTS $70,298.13	

Submitted by Pauline Redmond, Tax Collector

June, 2003

3. Borough Clerk's Report:

WATER/SEWER ACCOUNT

WATER CONNECTION	$
WATER METER	
TURN ON CHARGE	
SEWER CONNECTION	
SEWER/POOL PERMIT	75.00
WATER METER W/TO	
DEMOLITION	
TOTAL WATER/SEWER, CHECK #3563	**$75.00**

CURRENT ACCOUNT

BINGO LICENSE	$
GUN PERMITS & ID'S	
LIMO LICENSE	80.00
PHOTOCOPIES	113.75
POSTAGE	4.42
RAFFLE LICENSE	
TAXI LICENSE, DRIVER	75.00
TAXI LICENSE, OWNER	100.00
POLICE DEPT ACCIDENT REPORT	398.00
SEARCHES	10.00
VENDING LICENSE	40.00
PEDDLER LICENSE	
LIQUOR LICENSE	1,634.16
STREET OPENING	225.00
FISH & GAME	1.00
NEWSPAPER VENDING MACHINES	500.00
RECYCLING PERMITS	10.00
PARKING PERMITS	
AUCTION LICENSES	
TOTAL CURRENT, CHECK #3564	**$3,191.33**

RECREATIONAL BAYFRONT IMPROVEMENT TRUST

BOAT LAUNCHING RAMP PASSES	$ 5,100.00
BAIT	36.75
ICE	28.75
ICE CREAM	20.75
SODA	
TOTAL RBIT, CHECK #3567	**$5,186.25**

ESCROW ACCOUNT

CASH REPAIR DEPOSIT, CHECK #3565	**$ 81.00**
TOTAL RECEIPTS	**$ 8,533.58**

Submitted by Judith L. Poling, Borough Clerk

4. Municipal Court Report

STATE FINES	$2,040.00
STATE SURCHARGE	121.00
STATE UNINSURED	160.00
COUNTY FUNDS	1,159.56
COUNTY FINES	5,211.50
MUNICIPAL FINES	5,211.50
MUNICIPAL COSTS	4,875.50
MUNICIPAL PARKING	1,022.50
MISCELLANEOUS	2,003.94

Submitted by Kathy Coffey, Court Administrator

5. Librarian's Report

See full copy on file in the Clerk's Office

Submitted by Jacqueline LaPolla, Librarian

6. Board of Health Report

TOTAL COLLECTED IN THE BOARD OF HEALTH OFFICE $6,085.00

DOG LICENSES	$ 729.80
CAT LICENSES	125.20
MARRIAGE LICENSES	112.00
BURIAL PERMITS	43.00
DEATH CERTIFICATES	1,635.00
MARRIAGE CERTIFICATES	165.00
BIRTH CERTIFICATES	-0-
POOL PERMITS	-0-
PLAN REVIEW	100.00
FOOD HANDLERS	1,075.00
MISCELLANEOUS	2,100.00

DISBURSEMENTS

CHECK #2754 - BOROUGH OF KEYPORT MISC. ACCT	$5,130.00
CHECK #2755 - BOROUGH OF KEYPORT TRUST ACCT	$ 100.00
CHECK #2756 - BOROUGH OF KEYPORT DOG ACCT	$ 778.20
CHECK #2757 - NJ STATE DEPT OF HEALTH	$ 76.80

Submitted by Anne R. Biagianti, Treasurer

7. Building Department Report

PERMITS	NUMBER OF PERMITS	AMOUNT RECEIVED
CONSTRUCTION STATE FEE	60	$ 216.00*
CERTIFICATE OF OCCUPANCY	52	1,360.00
PLUMBING PERMITS	25	328.00
ELECTRICAL PERMITS	25	2.034.00
BUILDING PERMITS	26	4,253.00
FIRE SUB CODE	14	1,032.00
CONST CERT OF OCCUPANCY	--	--
ZONING PERMITS	28	280.00
200 FT PROPERTY LIST	4	40.00
TRANSFER OF TITLE	12	435.00
REINSPECTION FEES	--	--
CONSTRUCTION VIOLATIONS	--	--
COPIES	--	--
MISC.	13	325.00
ELEVATOR INSPECTION AGENCY	--	--
ELEVATOR-BOROUGH	--	--
SMOKE DETECTORS	52	1,040.00
CONST. DEPOSITS REFUNDABLE	8	400.00
TOTAL		**$13,455.00**

ACCOUNTS PAYABLE

AMOUNT PAID TO BOROUGH, CHECK #2412	$12,839.00
STATE FEE DUE - APR, MAY, JUN CHECK 24131	1,209.00*

*Includes $182.00 not deposited until July 2, 1003

Submitted by Annette Kovacs, Senior Permit Clerk

Motion to Accept all reports as submitted moved by Mr. Stalter, seconded by Mr. Doyle, with Ayes by all present.

PUBLIC PARTICIPATION

The Meeting was opened to the public for comments or questions at 8:50 P.M. Terry Parker, 135 First Street said he attended the Route 36 coalition meeting traffic report. Several entities and municipalities attended. Sandy Hook was overflowing and traffic was diverted. It was discussed other Bayshore Communities take the overflow. The parking for the Ferry in Belford could be diverted to Keyport and South Amboy. A special meeting was held between the

NJDOT, GS Parkway and Keyport. The Route 36 and Broad Street intersection development and ferry traffic wasn't considered also road conditions. Mr. Parker asked if an emergency radio will be put up on the new municipal complex. Mr. Bergen said this is a reverse 9-1-1. He also asked about electronic signs. There is an Army Corp storm protection project for Union Beach (Chingarora Creek) and there is a 45 day comment period. There is 30 days left for written comments and Mr. Parker recommended that the Borough respond. Andy Willner, 89 Osborn Street said the Baykeeper asked for an extension. There is a Congressman's meeting on Friday. 600 yards of sand is going to Union Beach. Mr. Freda, Borough Engineer is to check into this matter and advise the Mayor and Council. Mr. Bergen asked if there will be a public hearing; depends on public response. Mr. Hyer advised that work will be don on the intersection of Highway 36 & Broad Street the last week in July. Michael Lane, First Street said he agrees with the bulkhead plan, that it will be a definite improvement. He asked how the project will be managed with the charter fishing boat and boat launching ramp trailers as there will be a period of time with no access, also the downtown people. He recommended that they start being notified. He asked about the elevation height of 11' between the boat launching ramp and the fishing pier and 16' in other areas. Mr. Freda said he will check to see if it is an error. The Borough will go with the composite and the State will pay their share. Mr. Lane asked about dredging 5' in front of the bulkhead. He asked about a Special Meeting regarding the bids on the Water/Wastewater facilities; Middlesex bid shows a rate increase. Mary Alan, 29 Maple Place asked if there is a power outage, where to people go. Mr. Stalter said the First Aid Building and Mr. Atkins, EMC will be asked. Joanne Stager, 428 Main Street said she also asked about the bulkhead, that more keeps being added, that it was said the bulkhead and the road were being done together. She asked about the bulkhead being done in sections, that the number of cars is unbelievable. She thanked Messrs. Lane, Willner & Parker and asked when will it ever be done. Mr. Bergen said there are different issues regarding the waterfront and everyone has to get involved. Kathaleen Shaw, KBA said all projects in context should be a part of the Smart Growth Planning. It is a systematic process and everything should be put in context and everyone should participate; a visionary process is needed. Mr. Parker asked about funding for behind the bulkhead, the fill and taking samples in the channel. Mr. Freda said if the fill is clean, then ok, how it will be done determines the length of time and there is a $1.8 million dollar dredge application. Mr. Willner said for alternative storm protection grant monies are available from the Army Corp and there are watershed grants available. Joseph Wedick 17 Therese Street asked if riparian rights are needed for the bulkhead and Mr. Freda said yes, rights or easements. Mr. Kain said the Tidelands Hearing is August 6, 2003. It was asked if the sand drips from Union Beach would effect the ferry service and are they being warned. Mr. Wedick said he protests the Thursday Meeting date as there is a Blueclaws game and he bought tickets and the Council Chambers are not ADA compliant. Mr. Freda said the date can be changed and he will arrange the date and time. Mr. Lane asked what the definition if of the Smart Growth Steering Committee of 12 members and who is creating the list. Mr. Doyle said he would know better after the meeting. Mrs. Shaw said the Smart Growth grant specifies certain people and the Governing Body has some latitude. Police Chief Theodore Gajewski said a local church service was held and the Police Department was given a plaque. Monmouth County Vocational School sponsored an intern from Union Beach. The Dare Van received first place in a competition. 40 Church Street has requested a Handicapped parking space. The meeting was closed to the public at 9:40 P.M.

RESOLUTIONS

2. **Resolution #276-03,** Payment of Bills

See copy attached as pages 00-00 of these minutes.

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

Roll Call Vote: Ayes: Councilmembers Bergen, Hyer, Stalter
Doyle, Green
Absent: Councilwoman Atkins

3. **Resolution #277-03,** Adjustment to Water/Sewer Account - 126 Luppatatong Avenue/Account No. 0119003

WHEREAS, a request has been presented by Raymond Angerback, Sr. for an adjustment o f his water/sewer bill; and

WHEREAS, the Mayor and Council have reviewed the circumstances.

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

1. The water/sewer bill covering the quarter when the incident took place is to be adjusted by the Collector of Water/Sewer Utility Rents by waiving the sewer portion of the bill over and above normal usage.

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

Roll Call Vote: Ayes: Councilmembers Bergen, Hyer, Stalter
Doyle, Green
Absent: Councilwoman Atkins

4. Salary Resolution/Part Time Non-Union Employees (deleted)

5. **Resolution #278-03,** Awarding Contract for Purchase of 2003 Backhoe Loader to Jesco, Inc.

WHEREAS, the Mayor and Council of the Borough of Keyport, did authorize receipt of bids for a 2003 Backhoe Loader for the Borough of Keyport; and

WHEREAS, bids were received by the Borough Clerk on July 9, 2003 at the Borough Hall, Keyport, New Jersey consistent with the advertised Notice to Bidders; and

WHEREAS, Jesco, Inc., Mt. Holly, New Jersey, did bid to provide and furnish a 2003 Backhoe Loader for the sum of Forty-Eight Thousand, Six Hundred Seventy-Five ($48,675.00) Dollars with an additional credit of Five Thousand ($5,000.00)Dollars for trade of an existing 1985 Backhoe for a net bid of Forty Three Thousand, Six Hundred Seventy Five ($43,675.00)Dollars, which constituted the lowest bid received pursuant to the specifications proposed ; and

WHEREAS, the within bid documents have been approved upon review by the appropriate borough professionals; and

WHEREAS, the Mayor and Council are resolved to award a contract to Jesco, Inc., Mt. Holly, New Jersey, based upon their low bid submitted subject to the Certification of the Municipal Finance Officer as to the availability of funds for the within purchase from an existing bond ordinance adopted by the Mayor and Borough Council or from the general funds of the Borough of Keyport.

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

1. The Mayor and Council hereby award the contract for the purchase of a 2003 Backhoe Loader for the Borough of Keyport, in the gross amount of Forty Eight Thousand, Six Hundred Seventy-Five ($48,675.00) Dollars, with a credit of Five Thousand ($5,000.00)Dollars for trace of an existing 1985 510B Backhoe, for a net price of Forty Three Thousand, Six Hundred Seventy Five ($43,675.00) Dollars, to Jesco, Inc., Mt. Holly, New Jersey, based upon their low bid submission. The Mayor is hereby further authorized to enter into a contract with the

successful bidder upon certification of the availability of funds by the Municipal Finance Officer from an existing Bond Ordinance adopted by the Mayor and Council of the Borough of Keyport or from the general account of the Borough of Keyport.

2. The Contract shall be contingent upon the certification of the availability of funds by the Municipal Finance Officer, prior to execution, pursuant to the bond ordinance duly adopted or from the general funds of the Borough of Keyport.

3. The Mayor and Council further authorize the appropriate borough officials to execute any documents necessary to complete the trade of the 1985 510B Backhoe to Jesco, Inc., which the Mayor and Council further declare is no longer necessary for use within the Borough of Keyport.

4. Copies of the within Resolution shall be forwarded to the successful bidder, Municipal Finance Officer, and Borough Engineer and a copy shall be retained in the office of the Borough Clerk for public inspection.

5. The Borough Clerk shall provide appropriate notice to the successful bidder and the public as required under N.J.S.A. 40A:11-1 et. seq by publishing a notice of award of contract in a legal newspaper of the Borough of Keyport within ten (10) days hereof.

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

Roll Call Vote: Ayes: Councilmembers Bergen, Hyer, Stalter
Doyle, Green
Absent: Councilwoman Atkins

6. **Resolution #279-03,** Establish Change Fund/Senior Citizen Center

WHEREAS, it has been determined that there is a need to establish a Change Fund in the Senior Citizen Center; and

WHEREAS, once established, this fund will be used solely by the Supervisor of the Senior Center Activities to make change.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that a Change Fund is hereby established in the Senior Citizen Center in the amount of $50.00.

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

Roll Call Vote: Ayes: Councilmembers Bergen, Hyer, Stalter
Doyle, Green
Absent: Councilwoman Atkins

7. **Resolution #280-03,** Establish Bank Account for Senior Center (Voided)

8. **Resolution #281-03,** Awarding Contract for Telephone Call Recording System at the New Municipal Complex to Strategic Products and Services

WHEREAS, the Borough of Keyport has proceeded with the construction of a new municipal complex; and

WHEREAS, the Mayor and Council have reviewed a proposal to provide for the installation of a telephone recording system within the new municipal complex from Strategic Products and Services in the total net amount of Eighty Nine Thousand, Nine Hundred ($89,900.00) Dollars, which amount is submitted under state contract; and

WHEREAS, the Mayor and Council have reviewed the within proposal and considered the recommendation of the Project Architect relative to the proposal submitted; and

WHEREAS, the Mayor and Council of the Borough of Keyport are resolved to award a contract to provide for the installation of a telephone call recording system based upon the state contract price provided by Strategic Products and Services.

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

1. The Mayor and Council hereby award the contract for the installation of a telephone call recording system in the new municipal complex to Strategic Products and Services based upon their net quote of Eighty Nine Thousand, Nine Hundred ($89,900.00) Dollars, as provided under state contract.

2. The within award of contract is contingent upon the certification of the Municipal Finance Officer as to the availability of funds within the applicable bond ordinance as adopted by the Mayor and Council.

3. That Notice of the Amended award of the within contract shall be published in a legal newspaper of the Borough of Keyport, if so required, pursuant to *N.J.S.A.* 40A: 11-1 *et. seq* within ten (10) days of the adoption of this Resolution.

4. Upon execution of the contract, the Borough Clerk is authorized to forward a copy of the completed executed contract to Strategic Products and Services.

5. Copies of the within resolution shall be forwarded to Strategic Products and Services, Cedar Knolls, New Jersey, Gaunt, Kaplan & DeSantis, Municipal Finance Officer, Clerk of the Works, Consulting Engineer and the Borough Engineer and a copy of the within Resolution shall be maintained in the office of the Borough Clerk for public inspection.

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

Roll Call Vote: Ayes: Councilmembers Bergen, Hyer, Stalter
Doyle, Green
Absent: Councilwoman Atkins

9. New Municipal Complex-Change Order for HVAC/A & K Contracting (held)

10. **Resolution #282-03**, Approving Change Order No. 9 with A & K Excavating Relative to Pitch Pocket Upgrades to the Roof of the New Municipal Complex

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 recommending approval of Change Order No. 9 for the Municipal Complex as it relates to the contractor A & K Excavating; and

WHEREAS, the Mayor and Council have reviewed the proposed change order which consists of the installation of pitch pipes into the municipal roof necessary to maintain watertight integrity for cables entering the building as submitted by the General Contractor, A & K Excavating, Holmdel, New Jersey; 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 Change Order No. 9 for the installation of pitch pockets to the roof of the new municipal complex for an additional sum of Seven Hundred Fifty $750,00) Dollars.

WHEREAS, the Mayor and Council desire to memorialize the within Resolution approving Change Order No. 9 as recommended by the project architect to proceed with the within change to the Municipal Complex as set forth in Change Order No. 9 to the Keyport Municipal Center dated July 14, 2003.

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 Change Order No. 9 as recommended by the project architect consisting of installation of pitch pipes to the roof of the new municipal complex dated July 14, 2003.

2. The Mayor and Council hereby approve the change order in the amount of Seven Hundred Fifty ($750.00) Dollars and further authorize the project architect to proceed with Change Order No. 9, based upon the written proposal submitted. The total current contract between the Borough of Keyport and A & K Excavating is hereby further amended to reflect an increase in the sum of Seven Hundred Fifty ($750.00 Dollars).

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

4. That a copy of the within Resolution, duly certified, be forwarded to the General Contractor, Project Architect, 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 public inspection.

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

Roll Call Vote: Ayes: Councilmembers Bergen, Hyer, Stalter
Doyle, Green
Absent: Councilwoman Atkins

11. New Municipal Complex, Change Order #10 (held)

12. **Resolution #283-03,** Authorizing the Mayor and appropriate Borough Officials to Execute an Easement for Public Walkway Abutting New Municipal Complex

WHEREAS, the Mayor and Council of the Borough of Keyport did authorize the construction of a new municipal complex located on West Front Street within the Borough of Keyport; and

WHEREAS, as part of the construction, it has become apparent that an easement must be obtained from the adjoining property owner located at 58 West Front Street, Block , Lot , on the Tax Map of the Borough of Keyport, for the purpose of public access from West Front Street to the rear of the municipal complex as well as for the location of various utility lines at or about the adjoining property; and

WHEREAS, the adjoining proper owner has indicated a willingness to grant to the Borough of Keyport an easement to provide the necessary public access to the new municipal complex and to locate current utility lines under the proposed concrete walkway subject to the agreement by the Borough of Keyport to maintain such easement and concrete walkway on the easement and to indemnify and hold harmless the adjoining property owner from any claims arising from the public usage of the within walkway; and

WHEREAS, the Mayor and Council are resolved to obtain the necessary easement from the adjoining property owner so as to locate a concrete walkway with public access to the municipal complex and further desire the appropriate Borough Professionals to take steps necessary to prepare the appropriate easement, including such engineering to prepare the appropriate description and thereafter to provide for the execution of said easement.

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 an appropriate metes and bounds description to provide for an easement to provide for public access and a public walkway between the Borough of Keyport and the adjoining property owner located at 58 West Front Street, Keyport, New Jersey.

2. The Mayor and Council direct the Borough Attorney to prepare an easement agreement to provide for the public access to the rear of the municipal complex and the location of various sub-surface utility lines with the adjoining property owner located at 58 West Front Street.

3. The Mayor and Council shall agree to maintain the easement and further agree to indemnify and hold harmless the adjoining property owner for injuries sustained through public usage.

4. The Mayor and appropriate Borough Officials are authorized to execute the within easement upon completion of the formal document bu the Borough Attorney.

5. Copies of the within Resolution shall be forwarded to the adjoining property owner, Kantor & Linderroth, Municipal Finance Officer, Borough Engineer, Project Architect, Clerk of the Works and Borough Attorney and a copy shall be retained in the office of the Borough Clerk for public inspection.

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

Roll Call Vote: Ayes: Councilmembers Bergen, Hyer, Stalter
Doyle, Green
Absent: Councilwoman Atkins

13.. Resolution #284-03, Date for Interest Rate Accrual for Nonpayment of Third Quarter 2003 Current Tax Payments

WHEREAS, due to delayed receipt of the tax rate for the year 2003, the Borough of Keyport mailed its 2003/2004 tax bills to Borough property owners on or about July 25, 2003.

WHEREAS, *N.J.S.A.* 454:4-66.4 provides that the third installment of municipal taxes shall not be subject to interest until the later of August 1st the additional interest-free period authorized pursuant to *N.J.S.A.* 54:4-67 (i.e., August 11th), or the twenty-fifth (25th) calendar day after the date that the tax bill or estimated tax bill for the third installment was mailed or otherwise delivered; and

WHEREAS, *N.J.S.A.* 54:4-66.4 further provides that any payment received after the later of the above dates may be charged interest back to August 1st.

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

1. No interest shall accrue on the third installment of any Borough tax bill mailed or otherwise delivered to the Borough on or before Friday, August 21, 2003.

2. Any payment received after Friday, August 21, 2003 may be charged interest accruing from August 1, 2003 at the rate set forth in Borough Resolution #284-04.

3. The Borough Clerk/Administrator is hereby authorized and directed to publish notice specifying the date on which interest may begin to accrue thereunder.

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

Roll Call Vote: Ayes: Councilmembers Bergen, Hyer, Stalter
Doyle, Green
Absent: Councilwoman Atkins

14. **Resolution #285-03,** Resolution of the Mayor and Council of the Borough of Keyport Amending Resolution #274-03 Regarding Temporary Repairs for the Keyport Fishing Pier

WHEREAS, the Mayor and Council have previously received reports from the superintendent, Department of Public Works, and the Borough Engineer relative to temporary repairs which need to be undertaken at the Municipal Fishing Pier; and

WHEREAS, the Mayor and Council of the Borough of Keyport did authorize the Borough of Keyport to obtain certain quotes for the temporary emergency repairs to the Keyport Fishing Pier, including the replacement of joints and boards of the fishing pier; and

WHEREAS, the Mayor and Council did authorize proposals up to the sum of $15,000.00 and it now appears that the quote received will exceed the sum of $15,000.00 based upon the nature and scope of the temporary emergency repairs which need to be undertaken; and

WHEREAS, the Mayor and Council have reviewed the invoice from Atlantic Pile, Inc., and have reviewed the status of the pier with the Borough Engineer and have determined that additional repairs performed by Atlantic Pile, Inc. in the total sum of $16,950.00 wee necessary to repair the structure; and

WHEREAS, the Mayor and Council desire to amend Resolution #274-03 to provide for payment from the BRIT account for temporary emergency repairs to the municipal pier in the amount of $16,950.00 for work performed by the contractor, Atlantic Pile, Inc.

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

1. Resolution #274-03 adopted by the Mayor and Council on July 8, 2003 is hereby amended to provide that proposals shall be submitted for repairs to the Keyport fishing Pier including the replacements of joints and boards of the fishing pier in amounts not to exceed the aggregate total of $16,950.00, which amount is hereby authorized based upon the condition of the municipal pier.

2. That any and such payments authorized by the Mayor and Council relative to the temporary emergency repairs at the Keyport Fishing Pier be and the same shall be paid from the RBIT Account.

3. Copies of the within Resolution shall be forwarded to the Superintendent, Department of Public Works, Borough Engineer, Borough Attorney, Municipal Finance Officer, and a copy of the within Resolution shall be maintained in the office of the Borough Clerk for public inspection.

Roll Call Vote: Ayes: Councilmembers Bergen, Hyer, Stalter
Doyle, Green
Absent: Councilwoman Atkins

15. **Resolution #286-03,** Resolution determining the necessity of scheduling meetings of the Governing Body at the following places

and time.

WHEREAS, the Mayor and Council of the Borough of Keyport have determined it is necessary to schedule meetings of the governing body on the following dates and times:

TUESDAY, JULY 22, 2003 AT 6:30 P.M.

in the Senior Center, 110 Second Street, Keyport, NJ, for the purpose of discussing the following matters:

Appointment of a Police Officer, Sale of Water/Wastewater Facilities, Change Orders to the Contract for the New Municipal Building, the Bulkhead Project and any other business which may come before the Governing Body; and

WHEREAS, the Open Public Meeting Law requires that "48 hour notice" of such meetings be given as required by said law.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and council of the Borough of Keyport shall hold a special meeting as stated in the Senior Center, 110 Second Street, Keyport, NJ.

BE IT FURTHER RESOLVED that notification of said meeting be mailed forthwith to the Asbury Park Press, The Courier, The Independent and The Two River Times.

BE IT FURTHER RESOLVED that notice of said meeting be posted on the Bulletin Bard in the Borough Hall and that a copy of said notice be filed with the Borough Clerk and also furnished to any person who has requested, in writing, that the Governing Body furnish a copy of any regular meetings scheduled or revisions thereof, and any advanced written notice of any regular, special or rescheduled meetings of the Governing Body as required by law.

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

Roll Call Vote: Ayes: Councilmembers Bergen, Hyer, Stalter
Doyle, Green
Absent: Councilwoman Atkins

Council went into Closed Session at 9:55 PM and this meeting was reconvened at 10:35 PM. On Roll Call the following were present: Councilmembers Bergen, Hyer, Stalter, Doyle, Green. Absent: Councilwoman Atkins.

Motion to accept resignation from Brian McGrogan, Class II Special Police Officer, moved by Mr. Hyer, seconded by Mr. Bergen, with Ayes by all present.

16. **Resolution #287-03,** Appointment of Class II Special Law Enforcement Officer

WHEREAS, there is a need to hire a Part Time Class II Law Enforcement Officer (SLEO) in the Police Department; and

WHEREAS, Chief Theodore Gajewski has recommended David Osuch be hired as a Class II Special Law Enforcement Officer; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, that David Osuch is hereby appointed as a Class II Special Law Enforcement Officer (SLEO), effective July 16, 2003 pending the results of a background investigation, completion of the required medical examination and satisfactory graduation from the Monmouth County Police Academy.

BE IT FURTHER RESOLVED that David Osuch will be responsible for his schooling and uniforms.

BE IT FURTHER RESOLVED that since this is a part time position, there are no benefits and this appointment will expire on December 31, 2003.

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

Roll Call Vote: Ayes: Councilmembers Bergen, Hyer, Stalter Doyle, Green
Absent: Councilwoman Atkins

17. **Resolution #288-03,** Appointment of Class II Special Law Enforcement Officer

WHEREAS, there is a need to hire a Part Time Class II Law Enforcement Officer (SLEO) in the Police Department; and

WHEREAS, Chief Theodore Gajewski has recommended Eugene Eng be hired as a Class II Special Law Enforcement Officer; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, that Eugene Eng is hereby appointed as a Class II Special Law Enforcement Officer (SLEO), effective July 16, 2003 pending the results of a background investigation, completion of the required medical examination and satisfactory graduation from the Monmouth County Police Academy.

BE IT FURTHER RESOLVED that Eugene Eng will be responsible for his schooling and uniforms.

BE IT FURTHER RESOLVED that since this is a part time position, there are no benefits and this appointment will expire on December 31, 2003.

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

Roll Call Vote: Ayes: Councilmembers Bergen, Hyer, Stalter Doyle, Green
Absent: Councilwoman Atkins

18. **Resolution #289-03,** Appointment of Class II Special Law Enforcement Officer

WHEREAS, there is a need to hire a Part Time Class II Law Enforcement Officer (SLEO) in the Police Department; and

WHEREAS, Chief Theodore Gajewski has recommended Peter Tortorell be hired as a Class II Special Law Enforcement Officer; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, that Peter Tortorell is hereby appointed as a Class II Special Law Enforcement Officer (SLEO), effective July 16, 2003 pending the results of a background investigation, completion of the required medical examination and satisfactory graduation from the Monmouth County Police Academy.

BE IT FURTHER RESOLVED that Peter Tortorell will be responsible for his schooling and uniforms.

BE IT FURTHER RESOLVED that since this is a part time position, there are no benefits and this appointment will expire on December 31, 2003.

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

Roll Call Vote: Ayes: Councilmembers Bergen, Hyer, Stalter Doyle, Green
Absent: Councilwoman Atkins

19. **Resolution #290-03,** Appointment of Class II Special Law Enforcement Officer

WHEREAS, there is a need to hire a Part Time Class II Law Enforcement Officer (SLEO) in the Police Department; and

WHEREAS, Chief Theodore Gajewski has recommended Paul Kerwin be hired as a Class II Special Law Enforcement Officer; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, that Paul Kerwin is hereby appointed as a Class II Special Law Enforcement Officer (SLEO), effective July 16, 2003 pending the results of a background investigation, completion of the required medical examination and satisfactory graduation from the Monmouth County Police Academy.

BE IT FURTHER RESOLVED that Paul Kerwin will be responsible for his schooling and uniforms.

BE IT FURTHER RESOLVED that since this is a part time position, there are no benefits and this appointment will expire on December 31, 2003.

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

Roll Call Vote: Ayes: Councilmembers Bergen, Hyer, Stalter
Doyle, Green
Absent: Councilwoman Atkins

Motion authorizing the Borough Attorney to request a six (6) month extension on the Police 12 hour shift schedule, moved by Mr. Hyer, seconded by Mr. Doyle, with Ayes by all present.

ADJOURNMENT

Motion to Adjourn moved by Mr. Hyer, seconded by Mr. Green, with Ayes by all present.

Time of Adjournment: 10:35 P.M.

Respectfully submitted,

Judith L. Poling

Judith L. Poling, RMC/CMC
Borough Clerk

Joanne Clemente

per Joanne Clemente
Deputy Borough Clerk