Approved
12/6/05

Keyport, New Jersey
July 27, 2004

Minutes of the Special Meeting of the Mayor and Council, held on the above date in the Council Chambers, Borough Hall, 70 West Front Street, Keyport, New Jersey pursuant to the adoption of Resolution No. 252-04 on July 20, 2004, notices were forwarded to the Asbury Park Press, Courier, Independent and Two River Times and posted on the Bulletin Boards in accordance with the Open Public Meetings Act, P.L. 1975, Ch. 231.

Mayor Merla called the meeting to order at 6:05 P.M. and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Doyle, Atkins, Hyer. Absent: Councilmembers Wedick (arrived 6:15 P.M.), Bergen (arrived 6:09 P.m.) and Stalter (arrived 6:18 P.M. Others present: Wesley M. Kain, Esq., Borough Attorney, David G. Palamara, Borough Administrator and Thomas P. Fallon, Chief Financial Officer.

PRESENTATION

1. **Ken Bowers, Planner/Downtown Redevelopment Plan.** Paul Grygiel appeared instead of Ken Bowers. Mr. Grygiel said he was running late due to inclement weather. He will make a 15 minute presentation to Council only (public to be excluded). Properties will be designated to be added to the study. The letter will be reviewed before Tuesday's meeting.

Mr. Andrew Wilner asked if east of Broad Street on Front Street is in the rehabilitation area. He asked if we can add it now for the study. He also asked if Ken Bowers had discussed it with the team. It was discussed that we can expand the study and add this area to include the Church other other buildings which may qualify for Historic Property grant monies. It was mentioned that the Woodmont Project is approved in that area. Mayor Merla said yes, we can include it and asked how fast can we do it. Mr. Grygiel answered that the study could be done and reported on by August 2004. He stated it's an area we find important. Mr. Wedick commented that the Division Street parking area is a thriving area. Mr. Hyer suggested we add a resolution for next week. Kathaleen Shaw suggested a power point presentation of the downtown area study adjusting it to include the new study area. Mr. Bergen said he and Mr. Bowers had a discussion regarding the need for redevelopment of this area. (A resolution will be prepared to add this area to the study). (Kenneth Bowers of Phillips, Preiss, Shaprio was unable to attend this meeting due to a family emergency and will address the Mayor and Council at the next regular meeting.)

2004 BUDGET

Thomas Fallon, CFO, discussed the budget amendment per resolution and additional charges bringing the budget reduction down $262,000.00. He advised the State approved the budget. Michael Lane asked what the rate for $100.00 value is. Mr. Fallon stated the rate is $1.16 per $100 assessment up from .95 cents per $100.00 assessment. Councilman Bergen stated it was a close approximate. Mr. Bergen suggested we put off decision for one week. Department of Community Affairs could not fund us this year but there are grants to be awarded. We have requested grants for streets, sewer lines and public works building. Lists are to be submitted to the state. We have received discretionary aid from the state in the sum of $250,000.00. It was suggested we do not cut the budget now but try to offset some of the monies. We should try to get more control back. Mr. Palamara was advised to check with all department heads to streamline budgets and save money wherever possible. Mr. Hyer stated

that Mr. Sappah will confirm items put on hold by the Public Works Department. Mayor Merla stated the residents turned down the water/sewer budget and that we must address these items.

RESOLUTION

1. Resolution #256A-04, Closed Meeting - Presentation

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

Presentation of Downtown Redevelopment Plan by Phillips, Preiss, Shapiro

Whereas, the Governing Body has determined that within the provisions of the Open Public Meeting 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 Council Chamber, Borough Hall, for the purpose of discussing the following subject: Presentation by Paul Grygiel of Phillips, Preiss, Shapiro pertaining to the Downtown Redevelopment Plan

Offered by Mr. Hyer, seconded by Mr. Stalter

Roll Call Vote: Ayes: Councilmembers Wedick, Bergen, Doyle
Atkins, Stalter Hyer
Nays: None
Abstain: None
Absent: None

2. Resolution #257-04, Amendment to 2004 Budget

(See copy of Amendment to 2004 Budget attached hereto and made part hereof).

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

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

3. Resolution #258-04, Adoption of 2004 Budget

(See copy of Adoption of 2004 Budget attached hereto and made part hereof).

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

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

DISCUSSION

An Amendment to Ordinance 8-04, Water for Sprinkler/ Suppression Systems was discussed. With regard to St. Joseph's Rectory (a residence) residences and commercial properties. It was felt that each residential application should be decided on an individual

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ROLL CALL

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PRESENTATION

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2004 BUDGET

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basis, with charges in commercial establishments billed as follows: 2" lateral connection at $3,000; 4" lateral connection at $6,000 per commercial unit. It was discussed that existing building should not be charged additional fees as they are choosing to add this feature, it is not mandated. Anthony Vecchio suggested that we take advantage of this opportunity. Wesley M. Kain, Esq. suggested we add a provision to the existing Ordinance regarding Sprinkler/Fire Suppression Systems where it would be an automatic requirement in new construction and would be as determined by the Borough Engineer with regard to existing buildings.

Council went into Closed Session at 6:28 P.M. and this meeting reconvened at 6:52 P.M.

ADJOURNMENT

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

Time of Adjournment: 6:53 P.M.

Transcribed from the notes taken by former Deputy Borough Clerk, Joanne Clemente

THE ATTACHED MINUTES OF THE WORK MEETING OF AUGUST 3, 2004 WERE PREPARED IN JANUARY OF 2006.

DUE TO THE FACT THAT THERE WERE AN INSUFFICIENT NUMBER OF 2004 COUNCIL MEMBERS SERVING IN JANUARY OF 2006 TO VOTE ON THEIR APPROVAL, PER BOROUGH ATTORNEY, JOHN WISNIEWSKI, ESQ., THESE MINUTES CANNOT BE APPROVED.

THEY HAVE BEEN TYPED AND INSERTED INTO THE MINUTE BOOK.

TO THE BEST OF MY KNOWLEDGE, THEY ARE CORRECT.

JUDITH L. POLING, RMC
BOROUGH CLERK

Keyport, New Jersey
August 3, 2004

Minutes of a Work Meeting of the Mayor and Council, held on the above date in the Borough Hall Council Chambers, 70 West Front Street, Keyport, New Jersey pursuant to the Annual Notice on file with the Borough Clerk, forwarded to the Asbury Park Press, Courier, Independent, Newark Star Ledger and Two River Times and posted on the Bulletin Boards in accordance with the Open Public Meetings Act, P.L. 1975, Ch. 231.

Mayor Merla called the meeting to order at 7:10 P.M. and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Wedick, Bergen, Doyle, Atkins, Stalter, Hyer. Others present were Mr. Kain, Borough Attorney and Mr. Palamara, Borough Administrator.

RESOLUTION

1. Resolution #258A-04, Closed Meeting - Personnel, Litigation, Labor Relations and Contract Negotiations

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

Personnel

1. Construction Code Office
2. Municipal Court
3. Police Department
4. Tax Office

Litigation

1. Magic Touch/Tidelands
2. Defino Contracting

Labor Relations

Contract Negotiations

1. Holmdel Pointe Garbage Pick Up
2. Municipal Complex
3. Borough Property (Market Value of 3 properties)

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 Mr. Hyer, seconded by Mr. Doyle

Roll Call Vote: Ayes: Councilmembers Wedick, Bergen, Doyle, Atkins, Stalter, Hyer

Council went into closed session at 7:10 P.M. and this meeting reconvened at 8:18 P.M.

Mayor Merla called the meeting to order at 8:21 P.M. and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Wedick, Bergen, Doyle, Atkins, Stalter, Hyer. Others present: Mr.

Kain, Borough Attorney and Mr. Freda, Borough Engineer and Mr. Palamara, Borough Administrator.

PROCLAMATION

1. Declare the Week of August 7-14, 2004 as Keyport Week

WHEREAS, throughout the long history of Keyport, municipal services have been provided from old building converted for use as a Borough Hall, often limiting the ability of Keyport to effectively provide municipal services; and,

WHEREAS, as a result of the efforts of many current and previous members of the governing body, municipal staff and professionals, a new municipal complex has been built. The culmination of years of work and designed specifically for Keyport, this new facility brings our municipal offices together and makes our government and its offices accessible to everyone.

NOW, THEREFORE, BE IT PROCLAIMED by Mayor John J. Merla that the new municipal complex be dedicated to the citizens of Keyport and that August 7 through August 14, 2004 is hereby proclaimed **Keyport Week.**

PRESENTATION

1. **Kenneth Bowers/Phillips Preiss, Shapiro-Redevelopment Plan.** Mayor Merla said he wanted to add areas to the study. Mr. Bowers gave a presentation recap and Paul Greigel gave a short presentation. The unencumbered Green Acres/Flood Zone area should be dredged. It is felt that it would be logical to redevelop the area. The Borough should look more expansively at Broad and East Front Streets; Mr. Bowers has the map. The Woodmont Property approvals are in place. There is a vacant lot near the firehouse that could have a two story mixed use. There are other vacant lots that are worthy to study. The Wachovia Bank and Church may not meet the study requirements. The old post office may be worth looking at. The Broad Street Municipal Lot and Auto Body area could be used for additional parking. There is a Commercial Building that abuts the Broad Street Parking Lot and the Gas Station may need more frontage. The redevelopment area allows for greater flexibility.

   The next step is to go before the Planning Board in September, add to the study (1-1 ½ months are needed to complete the study). Mr. Bowers said he would like to separate this project or amend the boundaries that are being used. The study should be separate from the first 4 areas. There will be a freestanding report and a meeting.

   The procedure was discussed. All areas should fall under one hearing. The Broad Street area could be included in the original study. Other undertakings could be done separately. The Mayor said part of the area is First Street (Woodmont Developers) and there is a Commercial side on East Front Street. Mr. Bowers asked if the map reflects the Woodmont Property. Mayor Merla asked if the area could be looked at; it may merit a study of the Commercial properties for the future. There could be a GEC District (development without guidance).

   Mr. Bergen said the entire Woodmont Property area could be dealt with as the applications come before the Board. If the Governing Body declares the Redevelopment Plan, the Borough can designate what use can be applied. Mr. Bowers said the Borough needs to do both and negotiate because the project is not just based on the most money. Mr. Bergen said this allows the borough to allow for redevelopment. Mr. Hyer said the buildings with historic significance can be rehabbed. Mayor Merla said the use of the buildings, the bank and Roma Furniture have been the same for years. The Check Cashing store is a story short and too new looking. There is wanted space and which creates taxpayers. Buildings can go up two stories and create a tax ration. Parking would be easier if Area 3 was amended for Broad Street.

A motion to conduct a study of the area from the entire corner of First Street on up moved by Mr. Bergen, second by Mr. Hyer with Ayes by all present.

Mr. Bergen said he assumes the Planning Board can cut it out of the zone at some time in the future. Phase II of the study will be sent to the Planning Board. There will not be any consolidation on the Woodmont Property. Mike Lane asked if all townhomes will have separate lots. The line that extends by metes and bounds is O.K. Block 80 should be included on the attached map. The Borough will still move forward with the original study.

HEARING ON ORDINANCES

1. Ordinance # 13-04, Bond Ordinance Providing for Various Capital Improvements by the Water/Sewer Utility

The Supplemental Debt Statement was received by the Division of Local Government Services

The Clerk reported that the Ordinance was published, as introduced, in the Courier, issue of July 22, 2004, that the Affidavit of Publication is on file in her office, that copies were posted on the bulletin boards and made available to the public.

The Clerk read the Ordinance by Title:

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS BY THE WATER/SEWER UTILITY OF THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY APPROPRIATING $250,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $238,000 BOND OR NOTES OF THE WATER/SEWER UTILITY OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

(SEE FULL COPY OF ORDINANCE ATTACHED HERETO AND MADE PART OF THESE MINUTES)

The Hearing was opened to the public for comments or questions at 8:48 P.M. There being none, the Hearing was closed at 8:48 P.M.

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

Roll Call Vote: Ayes: Councilmembers Wedick, Bergen, Doyle, Atkins, Stalter, Hyer
Nays: None
Abstain: None
Absent: None

1a. Motion authorizing the Clerk to publish the Ordinance, as finally adopted according to law, in the Courier, issue of August 5, 2004 moved by Mrs. Atkins, seconded by Mr. Hyer with Ayes by all present.

2. Ordinance No. 14-04, Bond Ordinance for the Waterfront Park/Reconstruction of American Legion Drive

The Supplemental Debt Statement was received by the Division of Local Government Services

The Clerk reported that the Ordinance was published, as introduced, in the Courier, issue of July 22, 2004, that the Affidavit of Publication is on file in her office, that copies were posted on the bulletin boards and made available to the public.

The Clerk read the Ordinance by Title:

BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF WATERFRONT PARK AND THE RECONSTRUCTION OF AMERICAN LEGION DRIVE, BY AND IN THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING $1,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $952,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

(SEE FULL COPY OF ORDINANCE ATTACHED HERETO AND MADE PART OF THESE MINUTES)

The Hearing was opened to the public for comments or questions at 8:50 P.M. There being none, the Hearing was closed at 8:50 P.M.

Offered for adoption by Mr. Wedick, second by Mr. Doyle

Roll Call Vote: Ayes: Councilmembers Wedick, Bergen, Doyle, Atkins, Stalter, Hyer
Nays: None
Abstain: None
Absent: None

2a. Motion authorizing the Clerk to publish the Ordinance, as finally adopted according to law, in the Courier, issue of August 5, 2004 moved by Mr. Doyle, second by Mrs. Atkins with Ayes by all present.

3. Ordinance No. 15-04, Salary Ordinance/Various Clerks

The Clerk reported that the Ordinance was published, as introduced, in the Courier, issue of July 22, 2004, that the Affidavit of Publication is on file in her office, that copies were posted on the bulletin boards and made available to the public.

The Clerk read the Ordinance by Title:

AN ORDINANCE AMENDING AND SUPPLEMENTING AN ORDINANCE FIXING THE SALARIES OF THE VARIOUS OFFICERS, CLERKS AND EMPLOYEES OF THE BOROUGH OF KEYPORT, NEW JERSEY IN THE COUNTY OF MONMOUTH AND STATE OF NEW JERSEY

The Hearing was opened to the public for comments or questions at 8:51 P.M. There being none, the Hearing was closed at 8:51 P.M.

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

Roll Call Vote: Ayes: Councilmembers Wedick, Bergen, Doyle, Atkins, Stalter, Hyer

Nays: None
Abstain: None
Absent: None

3a. Motion authorizing the Clerk to publish the Ordinance, as finally adopted according to law, in the Courier, issue of August 5, 2004 moved by Mr. Hyer, second by Mr. Wedick with Ayes by all present.

INTRODUCTION OF ORDINANCES

1. Ordinance #16-04, Repeal Ordinance 23-03, An Ordinance Amending Chapter VII, "Traffic" of the Revised General Ordinances of the Borough of Keyport

The Clerk read the Ordinance by Title:

AN ORDINANCE REPEALING PORTIONS OF AN ORDINANCE ENTITLED AN ORDINANCE AMENDING CHAPTER VII, "TRAFFIC" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT ADOPTED BY THE MAYOR AND BOROUGH COUNCIL ON SEPTEMBER 2, 2003 AS ORDINANCE NO. 23-03

BE IT ORDAINED by the Mayor and Council of the Borough of Keyport that Borough Ordinance 23-03, Amending Chapter VII, "Traffic" is hereby repealed so as to remove traffic ordinances rejected by the State of New Jersey, Department of Transportation, as follows:

Section 1. Declaration. The Mayor and Council of the Borough of Keyport have previously enacted an ordinance which would prohibit parking at all times on certain streets to include Manchester Avenue between Third Street south to Seventh Street and to provide for the creation of a stop intersection at Therese Street and Provost Avenue within the Borough of Keyport. Based upon a review, the State of New Jersey has denied the parking request on Manchester and request the stop intersection be created by separate ordinance. Based upon this determination, the Mayor and Council are resolved to repeal those portions of Ordinance 23-03 that address these streets.

Section 2. Repealer. Section 1 of Ordinance 23-03 which provided for the amendment of Chapter VII, "Traffic" to include Parking Prohibited At All Times on Certain Streets, Schedule I to include Manchester Avenue, West Side, between Third Street south to Seventh Street, is hereby repealed in its entirety.

Section 3. Repealer. Section 3 of Ordinance 23-03 which provided for the amendment of Chapter VII, "Traffic" Section 7-6.2, Stop Intersections, to include a Stop Intersection at Therese Street and Provost Avenue, is hereby repealed in its entirety.

Section 4. The balance of Ordinance 23-03 not specifically repealed hereunder is hereby confirmed.

Section 5. All Ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and the same are hereby repealed as to the extent of such inconsistencies.

Section 6. If any section, subsection, part, clause or phrase of this Ordinance shall be declared invalid by judgment of any

Court of competent jurisdiction, the section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of this Ordinance.

Section 7. This Ordinance shall take effect immediately upon final passage and publication as required by law.

Offered for adoption by Mr. Hyer, second by Mr. Wedick

Roll Call Vote: Ayes: Councilmembers Wedick, Bergen, Doyle, Atkins, Stalter, Hyer
Nays: None
Abstain: None
Absent: None

1a. Motion authorizing the Clerk to publish the Ordinance as introduced, in the Courier, issue of August 5, 2004 for a Hearing to be held on August 17, 2004 moved by Mr. Hyer, second by Mr. Wedick with Ayes by all present.

2. Ordinance No. 17-04, Amend Chapter VII, "Traffic" of the Borough of Keyport

The Clerk read the Ordinance by Title:

AN ORDINANCE AMENDING AND SUPPLEMENTING AN ORDINANCE ENTITLED "REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT ADOPTED BY THE MAYOR AND BOROUGH COUNCIL AND AMENDED FROM TIME TO TIME THEREAFTER AMENDING CHAPTER VII, "TRAFFIC" TO ESTABLISH A STOP INTERSECTON AT THERESE STREET AND PROVOST AVENUE

BE IT ORDAINED by the Mayor and Council of the Borough of Keyport that Borough Ordinances, Chapter VII, "Traffic" is hereby amended and supplemented as follows:

Section 1. Chapter VII, "Traffic", Section 7-6.2, Stop Intersection, Schedule XI is hereby amended and supplemented to include the following stop intersection:

Therese Street at the intersection of Provost Avenue; STOP signs shall be installed on Provost Avenue within the Borough of Keyport to control traffic.

Section 2. All Ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and

the same are hereby repealed as to the extent of such inconsistencies.

Section 3. If any section, subsection, part, clause or phrase of this Ordinance shall be declared invalid by judgment of any Court of competent jurisdiction, the section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of this Ordinance.

Section 4. This Ordinance shall take effect immediately upon final passage and publication as required by law and approval by the Department of Transportation of the State of New Jersey.

Offered for adoption by Mr. Wedick, second by Mr. Bergen

Roll Call Vote: Ayes: Councilmembers Wedick, Bergen, Doyle
Atkins, Stalter, Hyer

2a. Motion authorizing the Clerk to publish the Ordinance, as introduced, in the Courier, issue of August 11, 2004 for a Hearing to be held on September 7, 2004 moved by Mr. Hyer, second by Mr. Doyle with Ayes by all present.

COMMUNICATIONS AND PETITIONS

1. Donna & James Atkins request adjustment of sewer portion of their water bill for pool refill

   Motion to refer this matter to George Sappah and the Public Works Department moved by Mr. Bergen, seconded by Mr. Doyle with Ayes by all present except Mrs. Atkins who abstained.

2. Raffle License Applications from St. Joseph PTA

   a) On Premise Draw Raffle - October 15, 2004
   b) On Premise Draw Raffle - November 6, 2004
   c) On Premise Cash Raffles (12 dates in 2004 & 2005)
   d) Off Premise Draw Raffle - January 25, 2005
   e) Off Premise Cash Raffle - December 14, 2004

   Motion to Approve moved by Mr. Hyer, second by Mr. Doyle with Ayes by all present.

Mr. Stalter submitted his letter of resignation from Council effective August 16, 2004; he is moving to North Carolina. Mayor Merla said he appreciated Mr. Stalter's honesty, integrity and time served on Council. The Mayor wished him the best. Mr. Bergen wished Mr. Stalter the best.

Mr. Hyer thanked Mr. Stalter for his involvement with the Soap Box Derby. He also thanked Mayor and Council, Fire Patrol, Roy Jimenez, the First Aid, George Sappah, the Police Department and everyone involved. It was a great day.

Mr. Stalter thanked Council and commended everyone who has been on track in moving Keyport forward.

There was no motion or second or roll call vote to accept this resignation.

NEW BUSINESS

1. **Ordinance Amending Water/Sewer Connection Fees.** This matter was referred to the Finance Committee and Attorney Kain for discussion. This matter will be listed on the August 17th Agenda.

2. There is a banner hung for the Snapper Contest.

3. Pop Warner met last night regarding the season. The Police Chief has a meeting set with them for next week to discuss various matters.

4. There was discussion about amending the Ordinance for Boards and Commissions members to be able to live out of town and still serve.

5. The Board of Education had the parking lot paved. The Borough Engineer did the work pro bono regarding the parking lot. The line work was donated. The Board of Education was saved some money and parking was created. There is a Fire Zone on the other side of the fence.

6. With regard to the Green Grove Apartment's Parking, there is a glitch; CAFRA denied their application. Green Grove Apartments should apply to the Zoning Board and put stone down; Mr. Hyer is working with them. Mr. Bergen said the Borough's Ordinances should be checked. The Borough can look at other areas to see if they are legal before they go to the planning Board. Attorney Kain should look into this. Mrs. Atkins asked about pavers for the run off/flooding. Mayor Merla said Mr. Hyer should make the recommendations. CAFRA governs 300 feet.

7. Some Borough Officials need to meet with the Mexican residents to discuss them leaving the bicycles parked across from 7-11 all day.

   There should be monthly meetings held with the Police Department.

PUBLIC PARTICIPATION

The Meeting was opened to the public at 9:10 P.M. for comments or questions. Mark Zinbro, 3 Maple Place, said he moved to Keyport in 1997 and he has an issue with the warehouses in town. He said in January, a company moved in behind his home and there is a noise issue. The Police have been contacted and Administrator Palamara has also be contacted and nothing has been done. There is paid, fume, dust and people are living there. Mud and sand are coming out of the parking lot. It has been 5 months without relief and several people have complained. Bill Cerase, Property Maintenance Officer advised to call the Police and Borough Administrator daily. Fumes are being vented into the back yard. Mayor Merla said regarding the complaint, there is a gas line that is going in illegally (being done at night). Mr. Wedick said the business that moved into the warehouse, is cabinet making. Administrator Palamara said he went to the site several times; the Building is zoned for light industrial and residential. Mr. Burlew, Mr. Vecchio and Mr. Cerase have all been there as well. There was a stove and countertop installed in the building; some accommodations were made. The property owner is doing stone work and pipe work in the evenings. The building is old and new problems will be addressed in January. Mayor Merla said this is a new business and the researched used goes by the zone the building is in. It was asked what the application that was submitted said. If any portion of the building is being rented, a proper Certificate of Occupancy is needed. Reports should be submitted by Mr. Burlew, Mr. Cerase and the Police Department for any and all violations. The use of the building can be restricted by the Borough Ordinance. Mayor Merla said he got a call that work was being done at night with a jackhammer. Attorney Palamara said improvements are being made. Mr. Zinbro said there is a lot of noise coming from compressors. It was asked if an Ordinance could be drafted. There is an Ordinance on the books for Police/Noise/Zoning Ordinance/Board of Health to be enforced 7 days per week. It was asked if the work could be restricted to only the inside of the building. Everyone has listened. The lawn at the location was mowed after a telephone call to the Board of Health. There is mud in the street and there are tenants at the building. The Police Department said there can be work/noise from 7:00 AM until 11:00 P.M. since the building is in a Commercial area. Mayor Merla said the appropriate department heads are aware of the reports that have been taken over the last 48 hours. The Police Department, Building and Zoning Office, Property Maintenance Officer and Administrator should be notified about Mr. Zinbro's complaint; a report should be submitted within 48 hours. This is a noise to nuisance issue. The Borough will investigate and notify the appropriate people. The gas line work was stopped and the property owner was told he must get the appropriate permits. Paint was being vented into the yards July 4th weekend. No one is responding to the complaints. Mayor Merla said action will be taken and if not, he will do it himself, if necessary. The Police Department has been called a dozen times. It was asked if the Police Department could meet with the Building/Zoning office to try and resolve before the next meeting. Mr. Wedick asked Administrator Palamara if he is bringing the departments up to speed. Each Department seems to be having separate discussions and the Police Chief is not aware of the situation. The Police have gone to the site and advised the property owner will be fined, but nothing has been done. There is grinding work being done from 7:30 AM until 5:00 P.M. seven days a week and it creates constant dust. Mr. Zinbro said his neighbor has called several times as well. Mr. Hyer asked Administrator Palamara to find out why nothing has been done. The Department Heads should be approached to find out what they know and why the matters have not been addressed. Mr. Bergen said there is an expansion of use; the owners are using the outdoors. If a Certificate of Occupancy was issued, it defines the area of work. Mr. Bergen said there are required setbacks for use. This matter will be addressed tomorrow.

Mike Lane, First Street, asked the status of the Boat Ordinance; there is a boat on blocks on the sidewalk in front of the West Furniture property. The Borough took action on the Boat Ordinance. Attorney Kain said the matter was discussed and he looked at Ordinances in other towns; they deal with major recreational vehicles. This matter was presented at the last meeting and it was asked if the Ordinance could be utilized. Mr. Lane said Council stressed at the last meeting that this matter was to be resolved in May, it is now August. Mr. Lane asked when the residents will get some action on this matter. Attorney Kain said there are quality of life issues i.e. connection fee for fire suppression and the Council will vote on that issue. Mr. Bergen said everyone agreed that the boat is not 10 feet from the sidewalk and a boat yard should be used. Mr. Hyer said the Boat is parked in an unsafe manner and it is a Property Maintenance issue; the boat should be removed from the property. The owner agreed to this at the last meeting. Mayor Merla said the he sent the Police to the location and they said it was properly registered. It was not fenced in, it had a gas can underneath it. Mayor Merla said he requested that the property owner remove the boat from the property and he agreed to; as of this date, it has not been moved. Mr. Doyle said there have been other complaints about this property other than cinderblocks holding the boat up. Administrator Palamara said he would speak with the property owner and advise him that the boat should be removed and the property should be maintained in a safe condition. Attorney Kain said the fencing is too close to the sidewalk; kids can knock the fence over. Mr. Bergen said the property is in a residential zone and he should be able to store the boat off of the street or bring it to a boat slip. A letter will be sent to Mr. Dubleski that the boat is unsafe and a hazard and has been at the location for at least 3 years; the boat must be moved as soon as possible. Attorney Kain said he will speak with Bob Burlew. The second issue with this property is the Site Plan approval 2001-2003 he has failed to implement the site plan. Administrator Palamara said there was a court date last week and Mr. Dubleski was out of the country. A letter was sent to the Architect that the site plan is to be in compliance with the County and Planning Board. The Architect spoke with Engineer Freda's secretary. Administrator Palamara said he did not get the feeling that Mr. Dubleski will move forward with all due speed. A summons was issued and the Code Enforcement Officer will follow up. Attorney Kain said the tenant and owner were issued summonses. Attorney Kain said every day is a new issue with Mr. Dubleski's property and he should be summonsed daily or the Borough should take over the property or place a lien on the property. Mr. Hyer said it is time to take action. Court adjourned the matter for two weeks. Mr. Bergen said he is going to request the Judge not grant any more adjournments in this matter.

Mike Lane said his request has been going on since 2003 and the first Tuesday of each month, he would like to have a status report on Mr. Dubleski's property. Mr. Hyer said Mr. Dubleski can be cited for other issues. Mayor Merla said Mr. Dubleski has to be woken up and he would like Bob Burlew to cite him and give him 24 hours to correct the items; action should be taken tomorrow on the windows/sign/van/boat. Someone must be in charge. Mr. Dubleski has a good tenant, but unfortunately the tenant will suffer because of what is going on. There was dirt and stone mounded with a backhoe. There will not be anymore negotiations, the letter from the Mayor will go out tomorrow and summonses will be issued daily. Mr. Wedick thanked Mr. Lane for endorsing he view of what was said a few meetings ago. Mr. Lane thanked Council and wished Councilman Stalter the best of luck.

Mr. Bergen said the Borough should go to court and have the site plan that was granted by the Borough null and voided (try to avoid attorney's fees). Mr. Dubleski should be fined daily. The Certificate of Occupancy was given contingent upon the property owner being in compliance. The letter should be sent certified and by hand, return receipt requested. Mr. Bergen said Mr. Burlew should be directed to enforce the law.

George Walling, Second Street, said he is glad the boat will be removed. He said the dumpsters are still there and the boat is on the egress. Captain Dayback would not do anything about this. Mr. Wedick asked Administrator Palamara if he got the report; no. Mr. Walling asked if there was radiation on Third Street? The bricks on the sidewalk should be addressed. Attorney Kain said he is awaiting a reply. Mr. Walling asked about the Mexican residents loitering near the 7-11. On August 20th, Mr. Dubleski should be given 30 days to clear up any outstanding issues. The tenant received a summons also; no Certificate of Occupancy should have been issued both ways. Attorney Kain said there is no adjudication; the tenant can be fined. Mr. Walling asked if there was a Certificate of Occupancy for the tenant; possibly, the Borough is not sure. Mayor Merla said the property owner acknowledged he did not have a Certificate of Insurance. Mr. Walling said Keyport would be liable if anything happened.

The Soapbox Derby was a really nice day; Mr. Hyer thanked everyone involved.

Mr. Hyer asked if Administrator Palamara could verify permits.

Robert Ludwig, Beers Street, asked about the traffic sign at the bank; the sign was changed to a yield sign from a stop sign. Cars are not required to stop since there is no stop sign. Chief Gajewski will take care of this; it is a State jughandle.

Chief Gajewski said he gave the application to Mayor and Council, the KBA and Kathy Shaw. The Trophy given away at the car show was purchased by Eugene Eng.

There being no one else from the audience who wished to be heard, the meeting was closed to the public at 10:06 P.M.

RESOLUTIONS

2. Resolution #259-04, Payment of Bills

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

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

Roll Call Vote: Ayes: Councilmembers Wedick, Bergen, Doyle
Atkins, Stalter, Hyer
Nays: None
Abstain: None
Absent: None

3. Resolution #260-04, Extend Tax Bill Payment Date

WHEREAS, due to delayed receipt of the tax rate for the year 2004, the Borough of Keyport mailed its 2004/2005 tax bills to the Borough property owners on or about August 16, 2004; and

WHEREAS, NJSA 54:4-66.3d provides that third quarter property taxes shall not be subject to interest until the later of August 1 or the ten (10) day grace period, as authorized by a resolution of the governing body (NJSA 54:4-67) or the twenty fifth (25^{th}) calendar day after the tax bills or estimated tax bills for the third quarter were mailed or otherwise delivered; and

WHEREAS, NJSA 54:4-66.4 provides that any payment received after the later of the above dates may be charged interest back to August 1^{st}.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, Monmouth County, 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 property owners on or before Friday, September 10, 2004.

2. Any payment received after Friday, September 10, 2004 may be charged interest accruing from August 1, 2004 at the rate set forth in Borough Resolution No. 46-04.

3. The Borough Clerk is hereby authorized and directed to

publish notice specifying the date on which interest may begin to accrue hereunder.

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

Roll Call Vote: Ayes: Councilmembers Wedick, Bergen, Doyle
Atkins, Stalter, Hyer
Nays: None
Abstain: None
Absent: None

4. Resolution No. 261-04, Extending Bridge Disposal's Garbage Contract

WHEREAS, the Mayor and Council of Borough of Keyport did advertise certain bid specifications for garbage and recyclable materials collection in and for the Borough of Keyport which were received on May 27, 2004; and

WHEREAS, the Mayor and Council subsequently rejected the bids received and authorized certain amendments to the bid specifications and the readvertisement of bids for proposals relative to the Solid Waste and Recyclable Materials Collection within the Borough of Keyport; and

WHEREAS, the Mayor and Council have determined that it will not be in a position to award a contract and commence collection under a new contract prior to December 1, 2004; and

WHEREAS, Bridge Disposal has consented to extend the term of the contract for an additional period through November 30, 2004 on the same terms and conditions and further will agree to continue to perform all solid waste and recyclable services for the Borough of Keyport; and

WHEREAS, the Mayor and Council of the Borough of Keyport have determined that it is in the best interests of the Borough of Keyport to extend the within contract in order to insure solid waste and recyclable collection pending receipt of bids and award of a new contract by the Governing Body; and

WHEREAS, the Mayor and Council having been advised that Bridge Disposal has consented to the within extension at the same terms and conditions for the period specified herein.

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 agree to extend the Solid Waste and Recyclable Materials Contract previously assigned to Bridge Disposal for an additional period through November 30, 2004 under the same terms and conditions contained in the within agreement.

2. The Mayor and Borough Clerk are hereby authorized to sign an addendum to extend the within contract consistent with the terms of this Resolution.

3. That copies of the within Resolution duly certified by the Borough Clerk, be forwarded to Bridge Disposal, Inc.,

Borough Attorney and the Municipal Finance Officer.

4. That a copy of the within Resolution be retained in the Office of the Borough Clerk for public inspection as required by law.

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

Roll Call Vote: Ayes: Councilmembers Wedick, Bergen, Doyle Atkins, Stalter, Hyer
Nays: None
Abstain: None
Absent: None

5. Resolution No. 262-04, Hire Part Time Summer Laborer James Gorhan

WHEREAS, it is necessary to hire Part Time Summer Laborers for the Keyport Public Works Department; and

WHEREAS, by resolutions passed on June 15, 2004, the Council approved the hiring of three employees by name and also authorized the Borough Administrator to hire four additional employees to bring the total number of Part Time Summer Laborers to seven; and

WHEREAS, following the review of all applicants by the Public Works Superintendent and the Borough Administrator and the recommendation of the Public Works Superintendent, James Gorhan was hired.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Keyport, in the County of Monmouth, State of New Jersey that the hiring of James Gorhan as a Part Time Summer Laborer effective June 21, 2004 is confirmed.

BE IT FURTHER RESOLVED that the hourly rate shall be $10.00 per hour, that the maximum number of hours per week is not to exceed 28 hours and that there are no benefits provided for this part time position.

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

Roll Call Vote: Ayes: Councilmembers Wedick, Bergen, Doyle Atkins, Stalter, Hyer
Nays: None
Abstain: None
Absent: None

6. Resolution No. 263-04, Hire Part Time Summer Laborer - Craig Ward

WHEREAS, it is necessary to hire Part Time Summer Laborers for the Keyport Public Works Department; and

WHEREAS, by resolutions passed on June 15, 2004, the Council approved the hiring of three employees by name and also authorized the Borough Administrator to hire four additional employees to bring the total number of Part Time Summer Laborers to seven; and

WHEREAS, following the review of all applicants by the Public Works Superintendent and the Borough Administrator and the recommendation of the Public Works Superintendent, Craig Ward was hired.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Keyport, in the County of Monmouth, State of New Jersey that the hiring of Craig Ward as a Part Time Summer Laborer effective June 21, 2004 is confirmed.

BE IT FURTHER RESOLVED that the hourly rate shall be $10.00 per hour, that the maximum number of hours per week is not to exceed 28 hours and that there are no benefits provided for this part time position.

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

Roll Call Vote: Ayes: Councilmembers Wedick, Bergen, Doyle
Atkins, Stalter, Hyer
Nays: None
Abstain: None
Absent: None

7. Resolution No. 264-04, Hire Part Time Summer Laborer - Patrick DeNardo

WHEREAS, it is necessary to hire Part Time Summer Laborers for the Keyport Public Works Department; and

WHEREAS, by resolutions passed on June 15, 2004, the Council approved the hiring of three employees by name and also authorized the Borough Administrator to hire four additional employees to bring the total number of Part Time Summer Laborers to seven; and

WHEREAS, following the review of all applicants by the Public Works Superintendent and the Borough Administrator and the recommendation of the Public Works Superintendent, Patrick DeNardo was hired.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Keyport, in the County of Monmouth, State of New Jersey that the hiring of Patrick DeNardo as a Part Time Summer Laborer effective June 21, 2004 is confirmed.

BE IT FURTHER RESOLVED that the hourly rate shall be $10.00 per hour, that the maximum number of hours per week is not to exceed 28 hours and that there are no benefits provided for this part time position.

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

Roll Call Vote: Ayes: Councilmembers Wedick, Bergen, Doyle
Atkins, Stalter, Hyer
Nays: None
Abstain: None
Absent: None

8. Resolution No. 265-04, Hire Part Time Summer Laborer - James Cooney

the Keyport Public Works Department; and

WHEREAS, by resolutions passed on June 15, 2004, the Council approved the hiring of three employees by name and also authorized the Borough Administrator to hire four additional employees to bring the total number of Part Time Summer Laborers to seven; and

WHEREAS, following the review of all applicants by the Public Works Superintendent and the Borough Administrator and the recommendation of the Public Works Superintendent, James Cooney was hired.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Keyport, in the County of Monmouth, State of New Jersey that the hiring of James Cooney as a Part Time Summer Laborer effective June 21, 2004 is confirmed.

BE IT FURTHER RESOLVED that the hourly rate shall be $10.00 per hour, that the maximum number of hours per week is not to exceed 28 hours and that there are no benefits provided for this part time position.

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

Roll Call Vote: Ayes: Councilmembers Wedick, Bergen, Doyle
Atkins, Stalter, Hyer
Nays: None
Abstain: None
Absent: None

9. Resolution No. 266-04, Adjust/refund Water/Sewer Utility Rents

WHEREAS, the Municipal Collector of Water and Sewer Utility Rents submits a schedule of adjustments and/or refunds due for various reasons; and

WHEREAS, it is the desire of the Mayor and Council to approve these adjustments and/or refunds as recommended by the Municipal Collector of Water and Sewer Utility Rents.

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. Formal authorization is hereby given to remove charges as necessary for the accounts listed herein.

ACCOUNT #	NAME	AMOUNT	REASON
1-0847004	Richard Ayers	$ 72.42	Fire at residence vacant
1-1113000	Strother Jackson	118.95	Demolition-water turned off-should not be charged

2. Certified copies of this Resolution to the Municipal Collector of Water and Sewer Utility Rents, Administrator and any other interested parties.

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

Roll Call Vote: Ayes: Councilmembers Wedick, Bergen, Doyle
Atkins, Stalter, Hyer
Nays: None

Abstain: None
Absent: None

10. Appoint Tammy O'Steen as Tax Office Clerk - This matter was deleted from the agenda

11. Resolution No. 267-04, Request for a State Sponsored Financial Aid Program for Military Reservists and National Guard Members deployed in the Global War on Terror (GWOT)

WHEREAS, in the largest deployment since World War II, a large share of New Jersey's 17,000 Military Reserves and National Guard Members are being called up to active military service for extended periods to help the United States in its Global War on Terrorism; and

WHEREAS, Mayor and Councilmembers are greatly concerned for the welfare of these brave men and women and add their prayers to those of other Americans for their safe return; and

WHEREAS, in addition to their concern for the safety of these troops, the Mayor and Council are also very concerned about the financial impact on these individuals and their families by having their jobs, careers or in this difficult economy, their job-hunting efforts interrupted for long periods while serving our country; and

WHEREAS, the Mayor and Council were pleased to receive notification that the State of New Jersey's Department of Banking and Insurance, Department of Military and Veteran's Affairs and the Department of the Treasury are offering a financial aid program known as Freedom Loans "that will provide financial assistance to New Jersey's Military Reserve and National Guard Personnel who have been called up for long military service"; and

WHEREAS, upon reading the details of the Freedom Loan Program, the Mayor and Council were disappointed to learn that after an individual is deployed for at least one year of service, the loans offered are only up to a maximum of $10,000 at an annual percentage rate of 6% percent with a 5 year pay back term "principal and interest deferred for a year during Deployment." Officials think that while such a program might provide immediate relief to some individuals, the Freedom Loan Program falls short of providing long term, meaningful financial help to the Reservists and Guard members being deployed; and

WHEREAS, the Higher Education Student Assistance Authority (HESAA) is an instrumentality of the State which guarantees about $900,000,000 of State Revenue Bonds to provide further access to post secondary education; and

WHEREAS, a variety of Federal and State Student Loan Program are guaranteed by HESAA with many of these programs offering students tens of thousands of dollars, current at interest from 2.8% to 5.5% with no payments required until after graduation, with pay back periods of 10 to 25 years; and

WHEREAS, the Mayor and Council strongly believe no lesser financial aid should be offered to our Reservists and Guard members being deployed than to our students; and

WHEREAS, the Mayor and Council of the Borough of Keyport strongly believe that, in addition to the short term help provided by the Freedom Loan Program, a State Financial Aid Program for Reservists and Guard members deployed for extended periods needs to be established similar to the student loan programs that have been so successful over the years in helping thousands of our young people advance their education.

NOW, THEREFORE, BE IT RESOLVED on this 20th day of July 2004, by the Mayor and Council of the Borough of Keyport, County of Monmouth, State of New Jersey that:

1. The Mayor and Council respectfully request Governor McGreevey and members of the New Jersey Senate and Assembly to work with the Department of Banking and Insurance, Department of Military and Veterans Affairs, Department of the Treasury and any other department or agencies to implement a financial aid program for our Reservists and Guard members that offers loans similar to those offered to our students.

2. Specifically, our Reservists and Guard members should be offered financial aid a) of sufficient size, b)at low interest rates, c) with payments deferred until one year after completion of service and d) with at least ten year pay back period with the same type of terms as given to students to help them get their lives back in order when they return home. New Jersey is one of the wealthiest States in the Union. Certainly, we can do more to support the individuals who are being deployed, many to dangerous places, to protect us from terrorism.

3. A copy of this Resolution be sent to every Monmouth County municipality asking that, if they agree, in principle, they pass a similar resolution and forward it to the Governor and members of the State Legislature representing the Borough of Keyport.

4. A copy of this resolution be sent to the American legion Post and Veterans of Foreign Wars Post in Keyport with the request that they add their voice to this endeavor by writing to the Governor and Members of the State Legislature.

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

Roll Call Vote: Ayes: Councilmembers Wedick, Bergen, Doyle
Atkins, Stalter, Hyer
Nays: None
Abstain: None
Absent: None

12. Resolution No. 268-04, Appoint Ezra Hill as a Recreation Commission Member

BE IT RESOLVED by the Council of the Borough of Keyport that the foregoing appointment of Ezra Hill as a member of the Recreation Commission to fill a 5 year unexpired term which will expire on December 31, 2004 be and the same is hereby confirmed.

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

Roll Call Vote: Ayes: Councilmembers Wedick, Bergen, Doyle
Atkins, Stalter, Hyer
Nays: None
Abstain: None
Absent: None

13. Resolution No. 269-04, Amend Area 3 of the Smart Growth Redevelopment Study to include additional parking lots

WHEREAS, the Mayor and Council of the Borough of Keyport have previously received a grant from the State of New Jersey, Office of Smart Growth and have retained the services of a professional planner to conduct a redevelopment study consistent with the objectives of Smart Growth; and

WHEREAS, the Mayor and Council have directed the planner to conduct a redevelopment study in certain areas of the Borough of Keyport and depicted on certain area maps to determine whether these are areas in need of redevelopment under the New Jersey Redevelopment and Housing Law and thereafter to create a redevelopment plan for the within areas; and

WHEREAS, based upon a further examination of the delineated areas and the input of the various committees and the discussions between the Borough of Keyport and the Redevelopment Planner, a suggestion was made to expand Area 3 of the Redevelopment Study to include Lots 55, 56, 57, 58, 59, 60, 60.01, 61, 62, 63 in Block 21.01 and also an adjacent alleyway, which is located on a public right of way without a specific lot or block number; and

WHEREAS, the Mayor and Council believe that the inclusion of the within additional lots noted herein would be beneficial to the residents of the Borough of Keyport by allowing the detailed study to be completed pursuant to statute; and

WHEREAS, the Mayor and Council of the Borough of Keyport are mindful of the statutory considerations as are contained in NJSA 40A:12A-1 et seq which allows a municipality to adopt a Redevelopment Plan for the redevelopment or rehabilitation plan of all or part of a redevelopment area, or area in need of rehabilitation, which plan shall be sufficiently complete to indicate its relationship to definite municipal objectives as to appropriate land uses, public transportation, utilities, recreation, municipal facilities and other public improvements and to indicate proposed land uses and building requirements in the redevelopment zone; and

WHEREAS, the Mayor and Council have previously determined that it would be in the best interest of the Borough of Keyport to request the Keyport Planning Board to conduct a preliminary investigation and hearing(s) and thereafter to make specific recommendations to the Governing Body as to whether these areas are in need of redevelopment or rehabilitation with such specific recommendations for redevelopment as contemplated under NJSA 40A:12A-1 et seq; and

WHEREAS, the Mayor and Council are resolved to amend the properties included in Area 3 to include the additional lots and blocks contained herein and to formally refer this matter to the Keyport Planning Board and to direct the Board to conduct a preliminary investigation as contemplated under the within statute to incorporate the within lots and block as part of the study of Area 3.

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

1. The Mayor and Council hereby amend the Redevelopment Study to include an expansion of the study into Area 3 to include Lots 55, 56, 57, 58, 59, 60, 60.01, 61, 62, 63 in Block 21.01 and the adjacent alleyway, which is a public right of way without a lot number.

2. The Mayor and Council hereby request the Keyport Planning Board to amend the preliminary investigation and hearing(s) include the additional lots in Area 3 and to make specific recommendations to the governing body as to whether the areas designated as part of the Redevelopment Study are in need of redevelopment or rehabilitation in accordance with NJSA 40A:12A-1 et seq.

3. The Mayor and Council further request that the Keyport Planning Board make any recommendations which it deems appropriate concerning any area or part of any area on the previously submitted maps which shall be amended to include the additional lots referenced herein is in need of redevelopment in accordance with the provisions of NJSA 40A:12A-1 et seq.

4. Copies of the within Resolution shall be forwarded to the Keyport Planning Board, Planning Board Attorney and Engineer, Municipal Finance Officer, Borough Attorney, Borough Engineer and Smart Growth Planner.

5. That a copy of the within Resolution be retained in the Office of the Borough Clerk for public inspection as required by law.

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

Roll Call Vote: Ayes: Councilmembers Wedick, Bergen, Doyle
Atkins, Stalter, Hyer
Nays: None
Abstain: None
Absent: None

14. Resolution No. 270-04, Establish Area 5 of the Smart Growth Redevelopment Study

WHEREAS, the Mayor and Council of Borough of Keyport have previously received a grant from the State of new Jersey, Office of Smart Growth and have retained the services of a professional planner to conduct a redevelopment study consistent with the objectives of Smart Growth; and

WHEREAS, the Mayor and Council have directed the Planner to conduct a redevelopment study in certain areas of the Borough of Keyport and depicted on certain area maps to determine whether these are areas in need of redevelopment under the New Jersey Redevelopment and Housing Law and thereafter to create a redevelopment plan for the within areas; and

WHEREAS, based upon a further examination of the delineated areas it has been determined that the area included in the Redevelopment Study should be expanded to include Area 5, which shall be deemed to include Block 61, Lots 4, 5, 6, 7, 8, 9, 14.01 and 15, Block 52, Lots 1, 2, 3, 4, 5, 6, 7, 8, and 18, Block 79, Lots 1, 2, 3, 4, 5, 18, 19, 20, 21, 22 and 22.01, Block 80, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22 and 29, Block 81, Lots 1, 20 and Block 93, Lots 1, 8, 9, and 10 which properties are further delineated and identified on the attached map; and

WHEREAS, the Mayor and council believe that the expansion of the Redevelopment Study to include those properties identified above as part of Area 5 would be beneficial to the residents of the Borough of Keyport by allowing the detailed study to be completed pursuant to statute; and

WHEREAS, the Mayor and Council of the Borough of Keyport are mindful of the statutory considerations as are contained in NJSA 40A:12A-1 et seq., which allows a municipality to adopt a Redevelopment Plan for the redevelopment or rehabilitation plan or all or part of a redevelopment area or area in need of rehabilitation which plan shall be sufficiently complete to indicate its relationship to definite municipal objectives as to appropriate land uses, public transportation, utilities, recreation, municipal facilities and other public improvements and to indicate proposed land uses and building requirements in the redevelopment zone; and

WHEREAS, the Mayor and Council have previously determined that it would be in the best interest of the Borough of Keyport to request the Keyport Planning Board to conduct a preliminary investigation and hearing(s) and thereafter to make specific recommendations to the Governing Body as to whether these areas are in need of redevelopment or rehabilitation, with such specific recommendations for redevelopment as contemplated under NJSA 40A:12A-1 et seq; and

WHEREAS, the Mayor and Council are resolved to establish an additional area for study and review and to designate this as Area 5 and to incorporate the properties identified herein by block and lot and further identified on the attached map of Area 5 and to include all current revisions to the current tax map and to formally refer this matter to the Keyport Planning Board and to direct the Board to conduct a preliminary investigation as contemplated under the within statute to those properties incorporated as Area 5.

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

1. The Mayor and Council hereby amend the Redevelopment Study to include an expansion of the study to include an area to be designated as Area 5 which shall include the following properties designated as Block 61, Lots 4, 5, 6, 7, 8, 9, 14.01 and 15, Block 52, Lots 1, 2, 3, 4, 5, 6, 7, 8, and 18, Block 79, Lots 1, 2, 3, 4, 5, 18, 19, 20, 21, 22 and 22.01, Block 80, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22 and 29,

Block 81, Lots 1, 20 and Block 93, Lots 1, 8, 9, and 10 which properties are further delineated and identified on the attached map; and

2. The Mayor and Council hereby request the Keyport Planning Board to conduct the preliminary investigation and hearing(s) to include those properties identified as comprising Area 5 and to make specific recommendations to the Governing Body as to whether the areas designated as part of the Redevelopment Study are in need of redevelopment or rehabilitation in accordance with NJSA 40A:12A-1 et. seq.

3. The Mayor and Council further request that the Keyport Planning Board make any recommendations which it deems appropriate concerning any area or part of any area on the previously submitted maps which shall be amended to include the additional lots referenced herein is in need of redevelopment in accordance with the provisions of NJSA 40A:12A-1 et. seq.

4. Copies of the within Resolution shall be forwarded to the Keyport Planning Board, Planning Board Attorney and Engineer, Municipal Finance Officer, Borough Attorney, Borough Engineer and Smart Growth Planner.

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

Roll Call Vote: Ayes: Councilmembers Wedick, Bergen, Doyle
Atkins, Stalter, Hyer
Nays: None
Abstain: None
Absent: None

Council went back into closed session to continue the agenda at 10:07 P.M. and this meeting was reconvened at 10:30 P.M.

On Roll Call the following were present: Councilmembers Wedick, Bergen, Doyle, Atkins, Stalter, Hyer

ADJOURNMENT

Motion to Adjourn moved by Mr. Wedick, second by Mr. Doyle with Ayes by all present.

Time of Adjournment: 10:31 P.M.

Typed per the notes taken by Joanne Clemente, Deputy Borough Clerk