

Approved 8/21/07

August 1, 2006
Keyport, New Jersey

Mayor Merla called the meeting to order at 7:12 P.M. and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Hassmiller, Walling, Wedick, Bergen, Sheridan, Ortman. Others Present: Ken Ebner, Borough Attorney.

RESOLUTION

1. Resolution #256-06, 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. Board of Health
3. Time Clocks
4. Senior Center Social Worker
5. Police Department
6. Administration

Litigation

1. A&K Excavating vs. Borough of Keyport
2. St. Johns United Methodist Church

Labor Relations

Contract Negotiations

1. Kara Homes Project
2. Seventh Street - Block 131, Lot 5.01
3. Uptown Bar and Grille License Extension

WHEREAS, the Governing Body has determined that within the provisions of the Open Public Meetings Law, the Public should be excluded from the discussion of said subjects.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that a meeting of the Mayor and Council shall be held forthwith from which the public shall be excluded in the Council Chambers, Borough Hall for the purpose of discussing the following subjects:

Personnel, Litigation, Labor Relations, and Contract Negotiations

BE IT FURTHER RESOLVED that the discussions on Personnel conducted at said Closed Session shall be disclosed when the matters discussed are resolved and with regard to Labor Relations when negotiations are completed and contract executed and this meeting shall continue in approximately 20 minutes.

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

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

Nays: None
Abstain: None
Absent: None

Mayor Merla called the meeting to order at 8:42 P.M. and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Hassmiller, Walling, Wedick, Bergen, Sheridan, Ortman. Others Present: Ken Ebner, Borough Attorney and Mr. Norbut, Borough Engineer.

PRESENTATIONS

1. Certificates for Police Academy Graduates

Chief Gajewski said that Ros Lee and Robert Dane graduated the Academy. It took them 10 months from 6-11 P.M., 3 days a week. They have the same powers as Police Officers. Uniforms and school are their expenses. Chief presented Mr. Lee and Mr. Dane with plaques. Special I, Carol Fox, was not in attendance.

APPEARANCE AND DISCUSSION

1. Ken Marr - Emergency Management

Mr. Marr was not in attendance.
2. Ken Marra - New Energy Concepts, LLC (Gas and Electric)

Mr. Marra was not in attendance.

2006 BUDGET RESOLUTIONS

2. Resolution #257-06, Authorize Amendment to 2006 Budget

(see full copy of Resolution attached hereto and made a part hereof)

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

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

Nays: None
Abstain: None
Absent: None

3. Resolution #258-06, Adoption of 2006 Budget

(see full copy of Resolution attached hereto and made a part hereof)

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

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

Nays: None
Abstain: None
Absent: None

Mr. Bergen said there was \$300,000.00 in Extraordinary Aid this year. He thanked the State. The increase has been cut from \$.24 to \$.12. This is a prudently sound Budget; and we must address the Budget. Mayor Merla said the Council worked hard with their departments. He appreciates all the work that was done. We have seen a lot and it is time to realize New Jersey is losing programs and aid.

INTRODUCTION OF ORDINANCES

1. Ordinance #18-06, Amend Parking Regulations on Jackson Street

The Clerk reads the Ordinance by Title:

AN ORDINANCE AMENDING CHAPTER VII, "TRAFFIC"

**OF THE REVISED GENERAL ORDINANCE OF THE
BOROUGH OF KEYPORT, 1988**

**BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF
KEYPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AS FOLLOWS:**

SECTION I. Chapter VII, "Traffic", Section 7-3.6, "Parking Time Limited On Certain Streets" and Schedule IV, "Time Limited Parking" are hereby amended to include the following:

No Person shall park a vehicle for longer than the time limit shown, at any time between the hours listed on any day, (except Sundays and holidays) upon any of the streets or parts of streets described in Schedule IV.

<u>Name of Street</u>	<u>Side</u>	<u>Time</u>		<u>Hours</u>	<u>Location</u>
		<u>Limit</u>			
Jackson St.	South	No Pkg.		Sun-Sat	Main St. east to Broad St.
Jackson St.	South	15 Min.		8:00A.M.- 4:00P.M. Weekdays	Broad St. east to Atlantic St.

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

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

SECTION IV. Effective Date. This Ordinance shall take effect upon its passage and publication according to law, and upon the approval of the Department of Transportation of the State of New Jersey if required.

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

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

Nays: Councilman Walling

Abstain: None

Absent: None

- 1a. Motion authorizing the Clerk to publish the Ordinance, as introduced, in the Courier, issue of August 3, 2006 for a Hearing to be held on August 15, 2006.

Motion to approve by Mr. Hassmiller, second by Mr. Wedick with Ayes by all present.

COMMUNICATIONS AND PETITIONS

1. Letter from a taxpayer regarding parking in the area of the schools.

Mayor Merla has a lunch date with the new Superintendent of Schools. School has the property that 30 spaces are for faculty. There are 148 parking spaces for teachers and staff to park. Mr. Bergen said to work on this matter and meet with the school; hold off on parking permit ordinance.

should be allowed to go through and he gave some examples. It is a statement of opinion; the Board can do as it wants. Let the voters be heard. Mayor Merla said the Planning Board did not take action. They follow the Municipal Land Use Laws. There are some discrepancies with r. Jeandron's Petition. This matter should be referred to Legal Experts and have a question on the August 15th Agenda. Mr. Bergen said it should not reference Master Plan question. We should preserve Keyport. There should be a special meeting on this issue.

ADMINISTRATOR'S REPORT

The Borough Clerk said there will be a Flag Raising at 11:30 A.M. at the Waterfront and Library. There is an invitation for Mayor and Council at 3:00 P.M. The Department of Public Works set

up all the tables and fencing on August 12th. The Board of Education meeting on August 2nd was moved to the First Aid Building due to the heat.

ENGINEER'S REPORT

Mr. Norbut reported on the following. On August 2nd there was a Monmouth County Community Development Presentation in Freehold (on Cedar Street). A payment needs to be made to Pioneer of \$283,000.00. Mr. Bergen said there is a meeting with Woodmont this Friday or next Friday to maintain their property before the Spanish American Festival. The Construction Code Official is to control K Hovnanian construction activity. Mr. Norbut said there will be a Warren Street pre-construction meeting; Lucas will start. Third Street is coming together. There is a lot less maintenance in the winter. Lights and Benches have been ordered and will be here soon. There was some discussion on depressed curbs and the hazards. The contractor will now be moving over to Atlantic Street. Third Street and Green Grove will be milled and paved and we need to do a change order. Mr. Bergen said New Jersey Natural Gas is in First Street where there is a 3 x 3 trench. Have the gas company mill and pave trench and the 3 x 3's. Signage has to be in a non-hazardous state. Mr. Walling said Atlantic St. from Third to Second is not being filled in. Mr. Walling asked Mr. Norbut and the Department of Public Works where the drain will be, the curb or the sidewalk. The sump pump will be behind the curb. Mr. Norbut is working with the residents on their concerns about Third Street.

ATTORNEY'S REPORT

The Attorney had no report.

NEW BUSINESS

1. Therese Street Park Renovation

There is a Monmouth County Open Space Grant for this. Mr. Norbut will speak with Gerry Freda. The subcommittee is impressive.

2. State Green Acres

Mayor Merla and Mr. Bergen went to State Green Acres. Wetland inventory was suggested. Paulene Redmond prepared a list. The Planning Board discussed this matter last week. Keyport Marine Basin and Knights of Columbus are willing to also donate. There are three acres of wetlands on Fulton Street. There is also a conservation easement. Mr. Norbut said they used to swap land for equal value. Mr. Bergen asked if it was credit; no. Andy Willner recommended Drainage and Conservation Easement. The applicant is willing to go with the three acres wetlands easement. Mr. Norbut will speak with Pat Menna.

3. Channel 22

Chief of Police
Effective 1/1/2004 - \$92,215
Effective 1/1/2005 - \$95,903
Effective 1/1/2006 - \$99,739

SECTION II. The above base salaries shall be increased for longevity at the following percentages of base salary.

After 5 years of service	1.0%
After 10 years of service	3.5%
After 15 years of service	5.0%
After 20 years of service	6.5%
After 25 years of service	7.0%

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

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

Nays: None
Abstain: None
Absent: None

7. Resolution #262-06, Approve Nicie Hammond - Back Pay

WHEREAS, it has been requested by the Chief of Police that Nicie Hammond, a crossing guard for the Borough of Keyport for over 30 years, be paid for her accumulated sick time, vacation time and holiday as she is unable to return to work due to health related issues; and

WHEREAS, the Borough understands that the vacation time and holiday pay are unique to Ms. Hammond as she was "grand-fathered" to receive the same benefits as the Board of Education offered when they were responsible for the hiring of crossing guards.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Keyport, in the County of Monmouth, that Nicie Hammond be paid for half of her accumulated sick time amounting to 304.5 hours. Vacation time of 147 hours and holiday pay of 94.5 hours, aggregating to a total payment of \$5,596.50.

BE IT FUTHER RESOLVED that the Administration of the Borough be hereby authorized and directed to forward a copy of this resolution to the Finance Department for processing.

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

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

Nays: None
Abstain: None
Absent: None

8. Resolution #263-06, Pioneer General Contracting - Payment Voucher

WHEREAS, the Borough of Keyport has entered into an agreement with the County of Monmouth for the completion of Third Street Improvements; and

WHEREAS, the Borough of Keyport has engaged the services of Pioneer General Contracting Co. for the completion of this project; and

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, August 8, 2006, 7:00 P.M.

in the Municipal Complex, Council Chambers, 70 W. Front Street, Keyport, N.J. for the purpose of:

Discussing the placement of a Non-Binding Question for the November 2006 Election and any other business which may come before the Governing Body;

and

WHEREAS, the Open Public Meetings 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 Municipal Complex, Council Chambers, 70 W. Front Street, Keyport, N.J.

NOW, THEREFORE, BE IT RESOLVED that notification of said meetings be mailed or faxed forthwith to the Asbury Park Press, The Courier, The Independent, The Star Ledger, and The Two River Times.

BE IT FURTHER RESOLVED that notice of said meetings be posted on the Bulletin Board 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. Walling, second by Mr. Sheridan

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

Nays: None

Abstain: None

Absent: None

PUBLIC PARTICIPATION

The meeting was opened to the public for comments or questions at 9:58 P.M. Rowland Seckinger, regarding the Century Land Group status, barriers have been taken off the property doors and people are working with three trucks. The Construction Code Official is to look into this matter. The Judge will decide the decision by Labor Day. Mayor Merla called Robert Burlew to see if there are permits. Mr. Bergen asked if he took anything out; not sure.

Christian Bolte, asked if there were any questions concerning the Jazz Festival; there will be tents. It is always on the waterfront and never on the street. We are trying to attract people through the town, working on feedback. Mayor Merla stated there is electric needed on the waterfront and the stage area. Ms. Bolte asked regarding specials, who is picking up the tab? Concern is the bouncing locations. Mayor Merla said to Mr. Sheridan the Recreation Commission and Keyport Business Alliance are to meet on this matter. Don't mislead anyone.

John Olsen, said there is some anticipation of the Bulkhead Construction. The Fire Department is to announce and have the concert slip go in the tax bills.