Approved 5/21/07

August 15, 2006
Keyport, New Jersey

Minutes of the Regular 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 Annual Notice on file with the Borough Clerk, forwarded to the Asbury Park Press, Courier, Independent, Two River Times and Newark Star Ledger 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 7:09 P.M. and read to Sunshine Law Notice.

ROLL CALL

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

RESOLUTIONS

1. Resolution #273-06, Closed Meeting - Personnel, Possible Litigation, Labor Relations and Contract Negotiations

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

Personnel

1. Administrator's Position
2. Fire Department
3. Police Department

Litigation

Labor Relations

Contract Negotiations

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

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

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

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

ROLL CALL

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

Councilman Walling led the Pledge of Allegiance/Moment of Silence.

APPEARANCE AND DISCUSSION

1. Dr. Blachford - New Superintendent of Schools

Mayor Merla met with Dr. Dan Blachford last week. Dr. Blachford has met with a lot of people. There is a bad problem with geese at the football field and Board of Health should be involved with this issue. The geese police will work.

Dr. Blachford thanked the Mayor for inviting him; it has been a pleasure working so far. Dr. Blachford said he is happy with the Guidance Department and went over the programs in both schools. There is a lot of information to improve the test scores. There will be structured learning prior to the test being taken. Dr. Blachford said he needs Mayor and Council's help, County is difficult. There needs to be a academic emphasis in schools; Pop Warner is involved. There needs to be more shared services between the school and the borough. The Budget is tight and there has to be no hidden surprises. There will be a tentative budget in January or February. Mayor Merla said Dr. Blachford stated the Board of Education cannot mandate the State to prepare the kids for testing, courses must correspond. There was a discussion on the Discovery Island Program. Dr. Blachford said to align the curriculum. Mr. Wedick asked if individual talent is factored in; make offerings to children in a test oriented society. Mayor Merla said he would like Dr. Blachford to be sent committees. There should be information from Mrs. Cinquegrana on August 16th. Mayor Merla said Keyport welcomes Dr. Blachford and wished him good luck.

APPROVAL OF MINUTES

1. January 1, 2006 Reorganization Meeting

Motion to Approve moved by Mr. Wedick, second by Mr. Walling with Ayes by all present.

HEARING ON ORDINANCES

1. Ordinance No. 16-06, Amend Fire Department Ordinance/Temporary Appointment

The Clerk reports that the Ordinance was published as introduced in the Courier, issue of July 27, 2006 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 reads the Ordinance by Title:

AN ORDINANCE AMENDING THE BOROUGH OF KEYPORT ORDINANCE CHAPTER III, ARTICLE II, FIRE DEPARTMNET

The Hearing is opened to the public for comments or questions at 8:30 P.M. There being no further comments or questions the Hearing is closed at 8:30 P.M.

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

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

1a. Motion authorizing the Clerk to publish the Ordinance as finally adopted according to law in the Courier, issue of August 17, 2006.

Motion to Approve by Mr. Walling, second by Mr. Sheridan with Ayes by all present.

2. Ordinance No. 17-06, Regulate the Procedures and Conditions for Special Duty Assignments for Police Officers

The Clerk reports that the Ordinance was published as introduced in the Courier, issue of July 27, 2006 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 reads the Ordinance by Title:

AN ORDINANCE REGULATING PROCEDURES AND CONDITIONS FOR SPECIAL DUTY ASSIGNMENTS FOR POLICE OFFICERS

The Hearing is opened to the public for comments or questions at 8:32 P.M. There being no further comments or questions the Hearing is closed at 8:32 P.M.

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

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Wedick, Bergen, Sheridan, Ortman
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 17, 2006.

Motion to Approve by Mr. Wedick, second by Mr. Sheridan with Ayes by all present.

3. Ordinance No. 18-06, Amend Parking on Jackson Street

The Clerk reports that the Ordinance was published as introduced in the Courier, issue of August 3, 2006 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 reads the Ordinance by Title.

AN ORDINANCE AMENDING CHAPTER VII, "TRAFFIC" OF THE REVISED GENERAL ORDINANCE OF THE BOROUGH OF KEYPORT, 1988

The Hearing is opened to the public for comments or questions at 8:33 P.M. Mrs. Joanne Staeger said to elaborate on this issue. There being no further comments or questions the Hearing is closed at 8:33 P.M.

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

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Wedick, Bergen, Sheridan, Ortman
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 17, 2006.

Motion to Approve by Mr. Bergen, second by Mr. Sheridan with Ayes by all present.

REPORTS OF COMMITTEES

Councilman Hassmiller; Fire: Mr. Hassmiller reported on the following. Mr. Hassmiller read the man hours and report from the Fire Department. A firefighter with heat exhaustion was hospitalized. Mr. Hassmiller also said that he met with the Fire Engineers.

Councilman Walling; Public Works/Recycling/Property Maintenance: Mr. Walling reported on the following. The Property Maintenance Officer was sent out to Manchester and Maple for fumes. Everything is ventilated appropriately except for some property regarding issues with a boat.

Councilman Wedick; Police: Mr. Wedick has no report.

Councilman Bergen; Finance and Redevelopment: Mr. Bergen reported on the following. The payment on the Waterfront Redevelopment is $250,000.00. Payment balance is due by December 15, 2006; and he thanked Mr. Fallon. Mayor Merla asked if September 16th was the start date; Mr. Norbut said there is no update on the actual date. We need to be notified and have a preconstruction hearing for residents and businesses. Mr. Bergen said they have to meet with Mayor and Council and then there will be a public meeting. There also needs to be a aeromarine decision by September. The judged rehabilitation process was described by Mr. Bergen.

Councilman Sheridan; Library/Recreation & Parks: Mr. Sheridan reported on the following. BRSW Council meetings are here every 2nd Thursday at 7:30 P.M. The library renovations are continuing, but it looks good. Railings are needed for two new sets of steps; there was a discussion on drainage. In regard to the interior plan issues, when would we bid; not sure. In regard to Recreation, Mr. Sheridan thanked Jon Caspi for his benefit. Their Spanish American Festival was a great event. We are planning the Halloween parade and the Snapper Contest is on August 26th. Mayor Merla said the tree near the new light pole needs to be trimmed.

Councilman Ortman; Buildings & Grounds/Health: Mr. Ortman reported on the following. In regards to the water tower completion, haven't heard and will speak to Pete Valesi. Regional Health will be called on the geese police.

Administrator: The Administrator had no report.

Engineer Norbut: Engineer Norbut reported on the following. Third and Atlantic Street is moving forward. At Warren and Coluco the water main work will be started. Birdsall was at the Harbor Commission meeting. September 1st will be the bid on the fishing pier. The Harbor Commission was satisfied and authorized to bid. Mr. Ortman asked if the Atlantic Street issues were straightened out. Mr. Norbut said the grade in the sidewalks was changed and a report was done by the contractor. Woodmont construction - Mr. Bergen spoke with Woodmont on the performance bond. T&M will meet with K Hovnanian regarding the raising of the road. Mr. Norbut said in regards to Atlantic and Third Street, T&M passed this matter along and it is being followed up on; will advise Mrs. Cinquegrana. Mr. Bergen asked about the price to mill and pave the north side of Green Grove down to Third Street. In regards to Atlantic Street to Green Grove on Third Street there will be a change order. This has to be addressed now before winter. Mr. Sheridan asked if the lights work on the fishing pier; Mr. Bergen put a pole on the roof.

Attorney Ebner: Mr. Ebner had no report.

Mayor Merla: Mayor Merla reported on the following. Mayor Merla said he met with Dr. Blachford last week. The Spanish American Festival was well attended. Tom Bach from the National Committee of American Legions was presented with a Proclamation. Mayor Merla said he went around town to the Business District early this morning on West Front Street. Five businesses on Lower Broad Street had 85 bags of garbage. That is three times what the ordinance allows. The four can garbage ordinance needs to be enforced; the budget will run dry. The Absentee Landlords need to address their own problems; there were 35 bags in front of one business. The businesses were cautioned at a KBA meeting last year. The truck left to go to the landfill which is a abuse of the system. Mayor Merla said he blames himself since the Governing Body is also responsible. Mr. Bergen said to have a proposal back to council; they have tried to work with the KBA and taxpayers cannot foot the bill. Mayor Merla said many issues will arise. The problems must be addressed. Family Dollar had a huge delivery early this morning and you couldn't tell what was garbage. Mayor Merla said he met individually with a hot dog vendor. The meeting couldn't be county dispatched; Fire Chief Regan attended the meeting. Mr. Hassmiller is to speak with Chief Regan just to switch Fire.

REPORTS OF DEPARTMENTS

June 2006

1. Fire Department

See full copy of Report on file in the Clerk's Office

Submitted by Tim Regan, Fire Chief

July 2006

2. Borough Clerk

WATER/SEWER ACCOUNT

WATER CONNECTION	$ 4,500.00	
TURN ON CHARGE	-0-	
WATER METER	-0-	
SEWER CONNECTION	4,500.00	
SEWER/POOL PERMIT	105.00	
WATER METER W/TO	100.00	
OTHER: DEMOLITION	300.00	
TOTAL WATER/SEWER	**$ 9,505.00**	CK #3698

CURRENT ACCOUNT

BINGO LICENSE	$ -0-
FIREARM & FINGERPRINTING	-0-
LIMO LICENSES	-0-
PHOTOCOPIES	226.00
POSTAGE	.48
RAFFLE LICENSE	150.00
TAXI LICENSE, DRIVER	-0-
TAXI LICENSE, OWNER	-0-
POLICE DEPT. ACCIDENT RPT	425.00
SEARCHES	-0-
VENDING LICENSE	-0-
LIQUOR LICENSE	-0-
STREET OPENING	150.00
RECYCLING PERMITS	280.00
PARKING PERMITS	10.00
AUCTION	-0-
OTHER: MISC	-0-
OTHER	
OTHER	

TOTAL CURRENT	**$**	**1,247.48**	CK #3699

ESCROW ACCOUNT

CASH REPAIR	$	54.00	CK #3700

RECREATIONAL BAYFRONT IMPROVEMENT TRUST

BOAT RAMP PASSES	$	9,000.00
BAIT		788.00
ICE		215.50
WATER		66.00
TOTAL RBIT	**$**	**10,069.50**
TOTAL RECEIPTS	**$**	**20,869.98**

Submitted by Allyson M. Cinquegrana, Borough Clerk

3. Tax Collector

2006 TAXES	$	83,924.77
2005 TAXES		23,293.88
INTEREST AND COSTS		6,132.53
MUNICIPAL COURT FINES		23,853.59
UNIFORM FIRE SAFETY		2,725.00
SENIOR CITIZEN HOUSING IN LIEU OF TAXES		29,062.00
UNIFORM CONSTRUCTION CODE		15,121.00
LANDLORD REGISTRATION FEES		1,100.00
ADMINISTRATIVE FEES		2,915.00
LOAN FROM GENERAL CAPITAL		1,700,000.00
SUPPLEMENTAL ENERGY RECEIPT TAX		12,076.00
ALL OTHER MISCELLANEOUS REVENUE		45,193.57
TOTAL CURRENT RECEIPTS	**$**	**1,945,397.34**

WATER/SEWER RENTS	$	599,783.95
INTEREST AND COSTS		487.78
TURN ON CHARGE		.00
NSF CHECK CHARGES		20.00
POOL FILL PERMITS		.00
METER TEST		.00
METER WITH TURN ON CHARGE		.00
ANNUAL FIRE SERVICE FEES		7,897.69
SHORELANDS ANNUAL FEE		17,967.68
CELLULAR TOWER LEASE		9,640.21
TOTAL WATER/SEWER RECEIPTS	**$**	**635,797.31**

Submitted by Keri Stencel, Tax Collector

4. Building Department

PERMIT TYPE	**# ISSUED**	**AMOUNT**
State DCA Fee	26	$ 317.00
Construction Certificates	4	267.00
Plumbing	14	1,524.00
Electrical	10	1,342.00
Building	21	3,666.00
Fire Sub Code	7	463.00
Code Enforcement C of O	31	820.00
Transfer of File C of O	5	175.00
Smoke Detector Inspector	30	1,075.00
Zoning	11	110.00
200 Ft. Property List	3	30.00
Miscellaneous	3	75.00
Copies	0	0.00
Const. Debris Deposit	1	50.00
Construction Violations	0	0.00

Re-Inspection	0	0.00
Total		**9,914.00**

ACCOUNTS PAYABLE

Amount Paid to Borough:	CK #2562	$ 9,547.00
Debris Deposit to Borough:	CK #2561	50.00
State Fee Due	Paid Quarterly	

Submitter by Carole Cerase, Senior Permit Clerk

5. Municipal Court

STATE FINES	$ 475.00
STATE SURCHARGE	$ 200.00
STATE UNINSURED	$ 235.00
COUNTY FUNDS	$ 4,204.44
COUNTY FINES	$ 4,117.00
MUNICIPAL FINES	$ 9,222.00
MUNICIPAL COSTS	$ 3,340.00
MUNICIPAL PARKING	$ 1,165.00
MISCELLANEOUS	$ 5,442.31

Submitted by Kathie Coffey, Court Administrator

6. Fire Department

See full copy of Report on file in the Clerk's Office

Submitted by Tim Regan, Fire Chief

7. Librarian

See full copy of Report on file in the Clerk's Office

Submitted by Jacqueline LaPolla, Librarian

Motion to Accept by Mr. Walling, second by Mr. Ortman with Ayes by all present.

COMMUNICATIONS & PETITIONS

1. Letter of Retirement from Nicie Hammond as School Crossing Guard effective August 20, 2006.

Motion to Accept and give plaque on September 5th by Mr. Hassmiller, second by Mr. Wedick with Ayes by all present.

2. Application for Off Premise Draw Raffle License from St. Joseph PTA for October 13, 2006.

Motion to Approve by Mr. Wedick, second by Mr. Sheridan with Ayes by all present.

3. Request from Raritan Post #23/American Legion:
   a. Waive Annual Fee for Raffle License
   b. Approval of Instant Pull Tab Raffle License Application for 2006/2007

Motion to Approve by Mr. Ortman, second by Mr. Wedick with Ayes by all present.

4. Request from Rocco Furiero to hold a benefit concert at the band stand area on Saturday, September 30, 2006 from 6-11 P.M. to raise funds for the Leukemia/Lymphoma Foundation.

Motion to Approve by Mr. Sheridan, second by Mr. Wedick with Ayes by all present.

5. Request for an Ad Donation from Keyport Pop Warner/Keyport Indians, Inc.

   Motion to File page by Mr. Hassmiller, second by Mr. Sheridan

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

6. Request for 15 Parking Permits from Woodmont Properties for their employees in the professional buildings adjacent to where construction will take place.

   Motion to Approve with working out a plan by Mr. Bergen, second by Mr. Wedick with Ayes by all present.

7. Correspondence from KBA regarding cancellation of Fall Festival.

   Mayor and Council approved this matter in February of 2006. No one on Council was aware of this matter. KBA's executive committee made a decision. Mr. Sheridan is to meet with the new KBA President on the plans for the events. Mr. Bergen said this is a violation of the Ordinance and bylaws. Mr. Ortman said to bring KBA President to the September 5th meeting. Mr. Sheridan said the Recreation Commission can make this happen. Mr. Sheridan said to give him a location, and asked if there was an alternative. Mr. Norbut said the stage is not occupying the entire waterfront. Mayor Merla said that the KBA needs this money and that we are a partnership.

   Motion to Receive and File by Mr. Bergen, second by Mr. Wedick with Ayes by all present.

8. On Premise Cash Raffle License Application from St. Joseph PTA.

   Motion to Approve by Mr. Bergen, second by Mr. Walling with Ayes by all present.

9. Request from Aberdeen/Keyport Woman's Softball League to use Cedar Street field from September 5th until November 14th

   Motion to Approve by Mr. Sheridan, second by Mr. Wedick with Ayes by all present.

10. Letter of Resignation from Kimberly Sullivan as a Recreation Commission Member effective August 3, 2006.

    Motion to Accept with Regret by Mr. Sheridan, second by Mr. Wedick with Ayes by all present.

11. Request from Keyport Indians, Inc. for use of Borough Picnic Tables for August 20, 2006 for the Mitey Mite Fun Day.
    Motion to Refer to the Mayor by Mr. Sheridan, second by Mr. Bergen with Ayes by all present.

12. Request from Espresso Joe's to use the Waterfront Stage on September 9th and 16th from 1-6 P.M. for their First Annual Acoustic Showcase Series.

    John Fahey is to open the panel cut.

Motion to Approve by Mr. Sheridan, second by Mr. Wedick with Ayes by all present.

UNFINISHED BUSINESS

1. **Green Grove Avenue.** To address parking on Green Grove, the Chief wanted an Ordinance. The Chief is supposed to report at the next meeting. Mr. Bergen said to introduce an Ordinance on September 5th regarding Green Grove.

NEW BUSINESS

1. **Resident Complaint/Maple Place.** Mr. Sheridan said bad fumes are coming from the building. Mr. Bergen said to Mr. Norbut to speak with Robert Burlew on ventilation. The fumes are strong and the residents have been more than patient. Mr. Sheridan asked Mr. Norbut to have a representative from T&M to contact Mr. Ziobro.

2. **Property Maintenance Officer Position.** Mr. Bergen said to hire Bob Parcells for $10,000.00 annually pending the Interlocal, effective August 21, 2006. Also advise Mr. Rowland Seckinger to assist.

RESOLUITONS

2. Resolution #275-06, Payment of Bills

See full copy of Resolution attached hereto and made a part hereof there minutes.

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

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

3. Resolution #276-06, Accept Donation of a Ford Bus to the Keyport Police Department/Keyport Explorers from Unlimited Autos, Inc

WHEREAS, through the Keyport Police Department/Keyport Explorers has offered to donate a 1992 Ford School Bus to the Borough of Keyport; and

WHEREAS, this bus can legally be used without commercial driver's license; and

WHEREAS, the Borough Mechanic has inspected and driven this bus and finds it is in very good condition; and

WHEREAS, this bus could provide beneficial, safe, and economical transportation for Keyport residents and activities.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Keyport, County of Monmouth, State of New Jersey, that the donation of this bus is graciously accepted and that the bus be made available for the Keyport Police Explorers activities and, subject to approval of the Borough Administrator, for other Police activities and for other transportation needs beneficial to Keyport.

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

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

4. Resolution #277-06, Accept Donation of Mesh Safety Vests to the Keyport Police Department from Unlimited Autos

WHEREAS, Unlimited Autos has purchased and donated personalized mesh traffic safety vests for the Keyport Police Department; and

WHEREAS, these vests will be utilized by the officers when visibility is an issue; and

WHEREAS, the cost of these vest were $869.75.

NOW, THERFORE, BE IT RESOLVED by the Governing Body of the Borough of Keyport, County of Monmouth, State of New Jersey that the donation of these vest is graciously accepted,

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

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

5. Resolution #278-06, Approve Performance Bond Reduction for Crestview Cove (formerly known as Woodmont Harbor Point)

WHEREAS, development activity has been undertaken on Block 80, Lots 1.03 through 1.14 in the Borough of Keyport by K. Hovnanian at Keyport, LLC pursuant to valid municipal land use approvals which required the posting of a Performance Guarantee, and

WHEREAS, the Borough Engineer T&M Associates, Inc., has recommended the reduction of the Performance Guarantee as certain items have been completed and are acceptable, and

WHEREAS, T&M Associates, Inc.'s recommendation is attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that the Performance Guarantee given by the developer of Block 80, Lots 1.03 through 1.14 be reduced to the following amounts:

1. Two hundred and six thousand one hundred and twelve dollars and sixty cents ($206,112.60) in the form of a surety, and

2. Twenty two thousand nine hundred and one dollars and forty cents ($22,901.40) in the form of cash.

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

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

6. Resolution #279-06, Set Last Day to Pay Third Quarter Taxes

WHEREAS, due to delayed passing of the state budget, receipt of extraordinary aid figures and receipt of the tax rate for the year 2006, the Borough of Keyport mailed its Final 2006/2007 Preliminary tax bills to Borough property owners on or about August 18, 2006.

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

WHEREAS, N.J.S.A. 54:4-66.4 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, 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 Tuesday, September 12, 2006.

2. Any payment received after Tuesday, September 12, 2006 at 4:00 P.M. will be charged interest accruing from August 1, 2006 at the rates set forth in Borough Resolution #46-04.

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

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

7. Resolution #280-06, Amend Resolution No. 214-06, Community Forestry Grant Acceptance

The governing body of Keyport Boro desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately $3000 to fund the following project: Community Forestry Management Plan.

Therefore, the governing body resolves that John J. Merla or the successor to the office of Mayor is authorized (a) to execute a grant with the State in an amount not less than $3,000.00 and not more than $3,000.00, and (b) to execute [ ] and amendments thereto [X] any amendments thereto which do not increase the Contractor's obligations.

The Keyport Boro authorizes and hereby agrees to match 33.3% of the Total Project Amount, in compliance with the match requirements to the contract. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. 100% of the match will be made up of in-kind services (if allowed by program requirements and the contract).

The Grantee agrees to comply with all applicable federal, State, and municipal laws, rules, and regulations in its performance pursuant contract.

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

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

8. Resolution #281-06, Authorize evaluation of censes track for Rehabilitation

9. Resolution #282-06, Authorize Birdsall to move forward/ Fishing Pier ROB

WHEREAS, the Mayor and Council of the Borough of Keyport wish to promote the use of the municipal waterfront, and

WHEREAS, the use of the municipal waterfront requires the replacement of the existing One Hundred and Eighty (180) foot long fixed pier, known as the Ralph Pier, and

WHEREAS, the Mayor and Borough Council are aware that the Ralph Pier is in poor condition, and

WHEREAS, the Mayor and Borough Council recognize that it would be in the best interest of the citizens of Keyport to replace the Ralph Pier for their enjoyment and use, and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) has permitted said replacement of the one Hundred and Eighty (180) foot Ralph Pier, and

WHEREAS, Birdsall Engineering Inc., was authorized to and prepared bid documents for the Ralph Pier replacement, and

WHEREAS, the Mayor and Council direct the Borough Clerk to advertise for the receipt of bids for the replacement of the Ralph Pier utilizing the bid specifications prepared by Birdsall Engineering Inc.

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

1. The Mayor and Council authorize the Borough Clerk to advertise for receipt of bids pursuant to N.J.S.A. 40AP:11-1 et seq. for the replacement of the Ralph Pier utilizing the bid specifications prepared by Birdsall Engineering, Inc.

2. A copy of the within Resolution shall be forwarded to the Borough Attorney, Municipal Finance Officer and a copy shall be maintained in the office of the Borough Clerk for public inspection.

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

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

10. Resolution #283-06, Hire Bob Parsells - Property Maintenance Officer - $10,000 Annually

BE IT RESOLVED the Robert Parsells is hereby appointed Property Maintenance Officer effective August 16, 2006.

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Keyport that the salary for this position is $10,000.00 annually.

BE IT FURTHER RESOLVED that Mr. Parsells will work 10 hours per week.

BE IT FURHTER RESOLVED that since this is a part time position, there are no benefits.

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

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

11. Resolution #284-06, Authorize full page ad - Keyport Indians Ad Book

WHEREAS, the Keyport Indians Pop Warner Football Organization is an organization located in the Borough of Keyport which conducts activities that benefit the public good; and

WHEREAS, the Keyport Indians Pop Warner Football Organization has requested that the Borough of Keyport contribute the sum of $125.00 for the purpose of assisting them with funds for a full page Ad in their 2006 program; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that the sum of $125.00 is hereby approved as a contribution to the Keyport Indian Pop Warner Football Organization and the Mayor and Chief Financial Officer are authorized and directed to pay said sum.

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

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

PUBLIC COMMENT PORTION

The Meeting was opened to the public at 9:30 P.M. for comments or questions. There was an accident in front of Borough Hall on Sunday with Charles Morera.

John Olsen, said there will be a Snapper Contest on August 26th from 10 A.M. to 12 Noon. Mr. Olsen said he met with Paul Calabrese at Birdsall with the new plans from the Harbor Commission. In regards to the Bulkhead Project Group, put together a group to minimize impact for Police, Emergency Management, and Harbor Commission.

Bob Ludwig, 50 Beers Street, Maple Place is to determine the CFC or acetone in fumes. This is a cancer hazard. Air Quality Samples can be ordered. On August 11th at 8:45 P.M., Motorcyclists using sidewalks near the Clever Hen. Stated he spoke with the Police on this matter. A hazard happened near Beach Park last weekend. In regards to Garbage with Businesses, no one wants to listen, be aggressive with the Business owners. The master plan has to be updated. On August 13th there were large speaker systems on Borough Property. They were very loud and could be heard at the high rise. Private Businesses should not be able to use loud noises to promote business.

Mike Lane, First Street, asked if a new application was submitted with the corrected data; no. A letter was sent on June 26th with 13 errors and deficiencies. Mr. Lane said he has reviewed the testimony and application with Ken Ebner. Mr. Ortman said he gave the Attorney's letter which was received on August 14th. Mr.

Lane said he needs an application with a new Affidavit. There was a discussion on the Place to Place License Application. Mr. Lane said there were many errors in the application. Mr. Bergen said that is not true. They do not own the testimony. They signed the testimony to the best of their ability.

Bob Ludwig, 50 Beers Street, said there is an ABC Certification nearby the Churches. The Borough should proceed by doing by the numbers. They should clean the record and do properly. Use is a problem on the duck. There is a chain of title and legal entity. Misrepresentations have been given. Mr. Bergen said as of 10/1/05 this was listed exempt, they can not make them pay but they can go back.

Joanne Staeger, said she walks early; she asked why does the street sweeper sweep on garbage days. The garbage men are picking up what they are not suppose to and the truck stinks. They drive horribly and they park in the middle of the road. Mrs. Staeger presented Council with signs on the poles. Mr. Bergen said the signs should be given to Bob Parcells and information for summonses to be issued. Mrs. Staeger thanked Mayor and Council for inviting Dr. Blachford. Mayor Merla said he is trying to create more parking. Mr. Bergen said there should be a meeting to address the parking issues.

Mike Lane, First Street, said there was a correspondence from John Wisniewski. Clarify the Ownership, who owns the Uptown Bar and Grille and Hotel. Mayor Merla said Charles Merla owns 100%. Mr. Bergen said to cast a vote on this Place to Place transfer. Has spoken with Scott Pezzarras, Tax Assessor and Riparian Rights will be amended.

Mayor and Council went into Closed Session at 10:16 P.M. and this meeting reconvened at 10:53 P.M.

ADJOURNMENT

Motion to Adjourn moved by Mr. Bergen, second by Mr. Sheridan with Ayes by all present.

Time of Adjournment: 10:53 P.M.