

August 17, 2004
Keyport, New Jersey

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

Mayor Merla called the meeting to order at 8:02 P.M. and read the Sunshine Law Notice. Councilman Bergen led the Pledge of Allegiance and Moment of Silence.

ROLL CALL

On Roll Call the following were present: Councilmembers Wedick, Bergen, Doyle, Atkins, Hyer. Absent: None. Others present: Mr. Kain, Borough Attorney, Mr. Freda, Borough Engineer, and Mr. Palamara, Borough Administrator.

PRESENTATION

Mayor Merla presented a plaque in recognition of the Cornucopia Restaurant's donation at the August 7th Dedication of the New Municipal Complex. They made, donated and served the food for this event. There are a lot of generous people in Keyport.

Mayor Merla read the plaque to the public.

Republican Municipal Chairman's memo submitting three names to fill the vacancy of Brian Stalter's Council seat.

Motion to Accept the name of George J. Strang moved by Mr. Wedick, second by Mrs. Atkins with Ayes by all present.

RESOLUTION

1. Resolution No. 271-04, Appointment to fill Councilmember Vacancy

WHEREAS, the Mayor and council of the Borough of Keyport have previously accepted the resignation of Brian Stalter effective August 16, 2004; and

WHEREAS, there presently exists a vacancy on the Borough Council for a term expiring on December 31, 2004; and

WHEREAS, the Mayor and Council of the Borough of Keyport have received a list as to three (3) potential successors to fill the unexpired term in accordance with the applicable statutes; and

WHEREAS, the Mayor and Council are resolved to make an appointment to fill the unexpired term on the Borough Council effective August 17, 2004.

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

1. The Mayor and Borough Council hereby appoint George J. Strang to serve as a Councilman of the Borough of Keyport for the balance of the term expiring December 31, 2004.
2. Copies of the within Resolution shall be forwarded to Councilman George J. Strang, Borough Administrator, Municipal Finance Officer and Borough Attorney and a copy of the within Resolution shall be retained in the Office of the Borough Clerk for public inspection.

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

Roll Call Vote: Ayes: Councilmembers Wedick, Bergen, Doyle

Atkins, Hyer

Nays: None
Abstain: None
Absent: None

George Strang said he is looking forward to serving the people of Keyport.

HEARING ON DISCIPLINARY MATTER

1. Carole Cerase, Senior Permit Clerk - Charles McDonald, Local 68, requested this matter be held and relisted on September 7, 2004.

RESOLUTION

2. Decision on Disciplinary matter - This was held and will be relisted on the September 7, 2004 Council Meeting Agenda.

HEARING ON ORDINANCE

1. Ordinance No. 16-04, Ordinance Repealing Sections of Ordinance No. 23-03, Chapter VII, Traffic, Parking on Manchester, West Side, Third to Seventh and Stop Intersection at Therese Street and Provost Avenue.

The Borough Clerk reported that the Ordinance was published, in the Asbury Park Press, issue of August 6, 2004, that the Affidavit of Publication is on file in her office and that copies were posted on the Bulletin Board.

The Borough 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
23-03**

The Hearing was opened to the public for comments or questions at 8:09 P.M. There being none, the Hearing was closed to the public at 8:09 P.M.

Motion to list the adoption of the Ordinance on the Work Meeting of September 7, 2004 moved by Mr. Hyer, second by Mrs. Atkins with Ayes by all present.

COMMITTEE REPORTS

Councilman Wedick; Police: Mr. Wedick reported on the following. There was another accident this week at the intersection of Green Grove Avenue and Maple Place. The County should be contacted to make it a 4 way stop at this intersection. Mayor Merla said he and Mr. Hyer attended the Bayshore Conference of Mayors Meeting. Mr. Tore will send Carol Melnick, County Traffic Engineer over to the site for a traffic study. People are not stopping on Maple Place; there are several options. Mr. Hyer said a traffic light was discussed for this area.

Councilman Bergen; Finance: Mr. Bergen did not have a report.

Councilman Doyle; Building & Grounds/Library: Mr. Doyle reported on the following. The Official Opening of the new Municipal Complex took place on August 7th. People enjoyed going through the building and the Police Department.

There was a full Library Meeting held. An estimate was received from Masons for repairs of the Library steps. The Computer Service Contract should be combined with the Borough. The Library will file a grant.

Councilwoman Atkins; Health/Recreation/Parks: Mrs. Atkins reported on the following. She thanked everyone for their attendance at the Opening of the New Municipal Complex on August 7th.

There was a dedication of a new Fire Truck on August 7th for Fire Patrol.

Bert Morris will set up a meeting regarding the parks.

Councilman Hyer; Public Works/Recycling/Property Maintenance. Mr. Hyer reported on the following. Manzo Contracting has done an excellent job on Therese Street. There are two homes that experienced dirt erosion; they need a retaining wall. A stop sign is also needed on the street. Construction has begun on Atlantic Street. A valve will be inserted on Third and Fulton Streets. Manzo Contracting submitted an estimate on the bandstand.

Thomas Gallo, Recycling Coordinator, submitted a Recycling report and requested a Garbage Ordinance for the Business District.

There are new floats at the ramp according to the Harbor Commission. Also discussed by the Harbor Commission is the height of the bulkhead.

A property maintenance report is forthcoming.

Councilman Strang; Fire: Mayor Merla advised him to set up meetings regarding the Fire Department.

Administrator Palamara: Mr. Palamara reported on the following. In April 2004, the Borough received a Stormwater Grant in the amount of \$8400. He thanked Mr. Hyer and George Sappah. He said Engineer Freda needs to meet with him and the Department of Public Works regarding several Ordinances. Mapping and Master Plan matter should be scheduled for 6 months, 1 year and 1 more year. The resolutions regarding water bills are in Council's boxes. The Water Plant is doing well and repairs were done. As of July, the Borough has been producing all of the water. We will buy from Manasquan. This Labor Day, the borough will change over and complete its obligation for a savings of \$15,000. An analysis is needed for the long term needs of the plant; we must get input from the professionals. Ed Ranier has submitted initial ideas. Dave Rooke had first hand information. Mr. Bergen said he has contacted people. There are tree growing in the Therese Street water line. The Borough will terminate operating the Water Plant on September 5th. Administrator Palamara said the Water Plant was opened in July instead of May. Mr. Bergen said the Borough should continue operating to save money. Mr. Palamara said he has spoke with Shorelands and to turn the matter over in September would meet the Borough's obligation to Manasquan (July 1st to June 30th; 2004/2005). Shorelands should be asked about purchasing 40 million gallons.

Old files have to be transferred from the Old Municipal Building; the storage of the files should be weather tight. Three people should be hired and it should take one week (28 hours) to go through the files using the old Detective Bureau area as a work room.

A memo was sent to Mayor and Council regarding a new Borough newsletter; it would be 8 pages. For 5,000 copies the cost would be \$975.00 plus \$300.00 postage. This will be listed on the September 7th Agenda.

Engineer Freda: Mr. Freda reported on the following. The Harbor Commission requested a marker in the channel. It is the busy part of the season right now. He will coordinate with the Department of Public Works and will set the marker leaving it for one week.

He submitted a proposal for engineering services for the Park Improvement and Roadway Relocation at the waterfront. Mayor Merla asked if he spoke with Ben Kaiser, DEP. Engineer Freda will reach out to Mr. Kaiser and report back on September 7th. The Borough could submit an application for funds. The Mayor said the Borough

received funds.

The Road Program and Atlantic Street Project are being held up by New Jersey Natural Gas. The Mayor said he would contact a New Jersey Natural Gas representative tomorrow. Mr. Doyle said New Jersey Natural Gas restructured its managerial level.

Attorney Kain: Mr. Kain reported on the following. Reports were received from Mr. Cummins regarding the roof proposal. We need to obtain a report on moisture (\$1,500). A meeting was held with the Architect, Ned Gaunt. He spoke with Mr. Rubenstein regarding Keyport Plaza's tax appeal. A letter was received from the State on August 14th and Mr. Mullen received a faxed copy on July 6th. There is a conflict. Mr. Mullen will appeal and a Hearing will be held. Mr. Bergen raised concerns regarding conflicts. He voted no on the position. The redevelopment plans may be slowed down. Mr. Mullen should give up one position.

Mayor Merla: The Mayor reported on the following. On Friday, he met with the new County Engineer regarding the bridge replacement near the Town and Country diner; it will be done in 2008. The signal will be replaced on Holmdel Road and Bethany Road and Broadway near the Town and Country. Work will be done on the bridge on County Road 6 in 2005.

The Borough Hall dedication went off great. The Blue Claws game held on August 7th was greatly attended. Fire Patrol held a wet down on August 7th. A Ferry Service (Glen Cove Company) will make a presentation to the Harbor Commission.

He asked when the Public Works Facility lease bid is being held; Engineer Freda said August 26th. The Mayor said if the bids received are too high, Mr. Swift made a proposal to subdivide the property.

Green Grove Apartments are going before the Planning Board in September. CAFRA denied the asphalt.

With regard to the new pier, the Borough approved two years ago \$750,000; \$375,000 grant and a \$375,000 loan. The Borough just received a letter that we have been awarded a \$750,000 grant.

There is a traffic problem with Galbright's building at the corner of Manchester Avenue and Maple Place; there are no stop signs (this has been brought to the County's attention). An in house traffic study should be done. There should also be a study on Hurley, Church and Atlantic Streets.

The Post Office Lease should be reviewed. There are concerns with Therese Street. The Gas Company turned the gas off and then back on. There is a problem with the Ely's sidewalks. A retainer wall should be wrapped around the bushes at 155 Therese Street. Engineer Freda will inspect. There was heavy rain last week and there was flooding on Division Street; Third and Broad Street took the brunt of the water. There are radio communication problems with the First Aid (they need a generator); Mr. Bergen was asked if there was funding for this.

There should be registrations for the clothing drop boxes. There are 3 locations to drop off clothes. The boxes should be emptied. There are two containers on Broadway. A couch and a hot water heater were left and are creating an eyesore. This is happening in several towns. Mr. Palamara said there could be control under the existing Property Maintenance rules. Mr. Wedick said a pick up schedule should be required.

With regard to the Senior Center, the Mayor called the State. There is a voucher for the Farmer's Market; we only received 25 vs. 100 (it will be reinstated).

Cathy McLane was a volunteer for one day through a National

Volunteer Program for 9-11.

With regard to Atlantic Street, Phase II, Engineer Freda will send a letter. The property owner of Second and Atlantic Streets wants to purchase Borough property at Second and Church Streets. The NJ Assembly wants support for ACR 181. Engineer Freda will meet with Ken Krohe regarding the fall schedule and stripping (Handicap spot) the parking lot. Engineer Freda said the lot was not paved up to the fence (10 feet) which would have provided more parking and it still can be done. Mr. Bergen asked about the new high performance macadam; Engineer Freda will follow up.

The Mayor said Pop Warner has a game this weekend. The Borough tables went to the Elks for their picnic and we got them a tent.

Engineer Freda said he would have more information regarding the pier.

REPORTS OF DEPARTMENTS

June 2004

1. Municipal Court

STATE FINES	\$ 350.00
STATE SURCHARGE	314.00
STATE UNINSURED	225.00
COUNTY FUNDS	2,028.80
COUNTY FINES	3,055.00
MUNICIPAL FINES	3,055.00
MUNICIPAL COSTS	4,123.50
MUNICIPAL PARKING	2,150.00
MISCELLANEOUS	1,593.70

Submitted by Kathie Coffey, Court Administrator

July 2004

2. Borough Clerk

WATER/SEWER ACCOUNT

WATER CONNECTION	\$ -0-
WATER METER	9,121.46
TURN ON CHARGE	40.00
SEWER CONNECTION	4,500.00
SEWER/POOL PERMIT	90.00
WATER METER W/TO	100.00
DEMOLITION	

TOTAL WATER/SEWER, CHECK #3611 \$13,851.46

CURRENT ACCOUNT

BINGO LICENSE	\$ -0-
GUN PERMITS & ID'S	24.00
LIMO LICENSE	-0-
PHOTOCOPIES	59.75
POSTAGE	-0-
RAFFLE LICENSE	120.00
TAXI LICENSE, DRIVER	25.00
TAXI LICENSE, OWNER	-0-
POLICE DEPT ACCIDENT REPORT	423.00
SEARCHES	-0-
VENDING LICENSE	540.00
PEDDLAR LICENSE	-0-
LIQUOR LICENSE	-0-
STREET OPENING	525.00
FISH & GAME	-0-
NEWSPAPER VENDING MACHINES	-0-
RECYCLING PERMITS	560.00

PARKING PERMITS	10.00
AUCTION LICENSES	-0-
TOTAL CURRENT, CHECK #3612	\$2,286.75

RECREATIONAL BAYFRONT IMPROVEMENT TRUST

BOAT LAUNCHING RAMP PASSES	\$4,995.00
BAIT	421.00
ICE	126.00
ICE CREAM	-0-
SODA	-0-
TOTAL RBIT, CHECK #3614	\$5,542.00

ESCROW ACCOUNT

CASH REPAIR DEPOSIT, CHECK #3613	\$ 890.00
TOTAL RECEIPTS	\$22,570.21

Submitted by Joanne Clemente, Deputy Borough Clerk

3. Tax Collector's Report

2004 TAXES	\$ 67,866.36
2003 TAXES	12,671.27
INTEREST AND COSTS	3,224.73
MUNICIPAL COURT FINES	21,148.94
UNIFORM CONSTRUCTION CODE FEES	17,500.50
POST OFFICE LAND RENT	137.50
SENIOR CITIZEN HOUSING IN LIEU OF TAXES	25,235.96
PLANNING/ZONING APPLICATION	475.00
POLICE ACCIDENT REPORTS	658.00
LANDLORD REGISTRATION	1,300.00
ALL OTHER MISCELLANEOUS REVENUE	19,087.62
TOTAL CURRENT RECEIPTS	\$ 169,305.88

WATER & SEWER RENTS	\$ 662,998.16
INTEREST AND COSTS	3,618.97
WATER/SEWER CONNECTION FEE	4,500.00
TURN ON CHARGES	300.00
RETURNED CHECK CHARGES	100.00
POOL FILL PERMITS	135.00
WATER METERS/WITH TURN ON	4,600.00
ANNUAL FIRE CONNECTION CHARGE	6,001.24
NEW METER CHARGE	155.98
METER TEST CHARGE	35.00
CELLULAR TOWER LEASE	10,435.02
NEW METER INSTALLATION FEE	40.00
ANNUAL FIRE SERVICE	300.00
FROM CURRENT TO FUND WATER/SEWER DEFICIT	138,150.00
ALL OTHER MISCELLANEOUS REVENUE	10.00
TOTAL WATER/SEWER RECEIPTS	\$ 831,379.37

Submitted by Keri Stencel, Tax Collector

4. Building Department Report

<u>PERMITS</u>	<u>NUMBER OF PERMITS</u>	<u>AMOUNT RECEIVED</u>
STATE DCA FEE	44	\$ 617.00
CONSTRUCTION CERTIFICATES	04	390.00
PLUMBING PERMITS	18	1816.00
ELECTRICAL PERMITS	25	1720.00
BUILDING PERMITS	29	6698.00
FIRE SUB CODE	12	840.00
CODE ENFORCEMENT C OF O	31	815.00
TRANSFER OF TITLE	09	315.00
SMOKE DETECTORS	31	980.00

ZONING	26	260.00
200 FOOT PROPERTY LIST	01	10.00
MISCELLANEOUS	11	270.00
COPIES	00	-0-
CONST. DEBRIS DEPOSIT	05	250.00
CONST. VIOLATIONS	00	-0-
REINSPECTION	00	-0-
TOTAL		14,981.00 + \$95.00
		(returned June check)
		15,076.00

ACCOUNTS PAYABLE

AMOUNT PAID TO BOROUGH, CHECK #2468 \$14209.00
 STATE FEE DUE - PAID QUARTERLY 617.00

Submitted by Carole Cerase, Senior Permit Clerk

5. Municipal Court

STATE FINES	\$ 841.00
STATE SURCHARGE	-0-
STATE UNINSURED	475.00

COUNTY FUNDS	2,281.88
COUNTY FINES	8,532.50

MUNICIPAL FINES	8,532.50
MUNICIPAL COSTS	5,568.00
MUNICIPAL PARKING	1,773.50
MISCELLANEOUS	2,609.62

Submitted by Kathie Coffey, Court Administrator

6. Librarian's Report

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

Jacqueline LaPolla, Librarian

Motion to accept reports as submitted moved by Mr. Bergen, second by Mrs. Atkins with Ayes by all present.

COMMUNICATIONS & PETITIONS

1. Letter from Historical Society regarding ten year extension of lease.

This property is in the redevelopment zone.

Motion to refer to Councilmembers Bergen and Doyle moved by Mr. Hyer, second by Mrs. Atkins with Ayes by all present.

2. Request from Raritan Post No. 23, American Legion to waive Borough raffle fees for Pull Tab Raffle.

Motion to Approve moved by Mr. Bergen, second by Mrs. Atkins with Ayes by all present.

3. Raffle Application from Raritan Post 23, American Legion for Pull Tab Raffle License.

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

4. Application from Henry Young, Jr. for membership in the Keyport Fire Department/Liberty Hose Co (contingent upon State Approval)

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

5. Raffle Application from St. Joseph PTA for Off Premise Cash Raffle (Calendar).

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

6. Application from Thomas Gallo, Jr. for membership in the Keyport Fire Department/Fire Patrol (contingent upon State approval)

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

7. Application from Jason Miller for membership in the Keyport Fire Department/Fire Patrol (contingent upon State approval).

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

UNFINISHED BUSINESS

1. **Proposed Ordinance Amendment/Private Fire Service.** Listed on this evening's Agenda.

NEW BUSINESS

1. **Intersection of Green Grove Avenue and Maple Place.** This matter was discussed.
2. **Statewide Livable Communities Grant.** Engineer Freda said he will resubmit the application for Theresa Street.
3. **Business Registration Certificates.** Mr. Kain said this will be dealt with in future bids or quotes.
4. **3 Maple Place.** Mr. Wedick asked about the property of 3 Maple Place. Mr. Kain said there was a meeting today with the property owners. In attendance were Mr. Burlew, Mr. Vecchio and William Cerase. The landlord advised his tenant did work inside, not outside. A Police Inspection was made. Chief Gajewski said there have been 4 noise complaints since January. An emergency repairs permit will be issued by Robert Burlew; they have to go to the Planning Board. Mr. Wedick asked if the building is secured. Administrator Palamara said the Manchester doors will be closed and boarded up and the dumpster will be removed. It will take 1-2 dumpster to clean out the building.

Mr. Wedick asked about the smells that are coming from the back yard of 3 Maple Place and if there is any ventilation. Administrator Palamara said the smell is nothing toxic; the Board of Health and Building Inspector did not find evidence of dust or anything toxic. Property Maintenance violations were issued; no summonses. The Board of Health noted problems in July and they have been abated. Mr. Bergen questioned if a summons was issued; Administrator Palamara said no. Mr. Hyer asked who will check the property; Mr. Burlew. Mr. Wedick asked if a chemical list has been filed; yes, with the Police and Fire Departments. It was asked that the last OSHA inspection be looked into.

Mrs. Atkins asked if the dumpsters require lights. Police Chief Gajewski said if the Police Department is advised of a dumpster, a recommendation is made to have the area lit. The Police Department will send a memo to the Building Department. Mr. Bergen said the dumpsters should be covered.

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments or questions at 9:12 P.M. Robert Ludwig, 50 Beers Street, questioned a yield sign at the Monroe and Broad Street intersection. It has varied over the years between a Stop and Yield sign. The State should be contacted regarding safety. Captain Dayback will handle.

Douglas Stout said he has reported a Mosquito problem at his house (by the Marina) and nothing has been done. Mayor Merla said the Monmouth County Mosquito Commission has sprayed twice. There has been illegal dumping of tires at the marina. The Monmouth County Mosquito Commission has put in pipe and back filling; people have been cited. Donna Purcell said the Monmouth County Mosquito Commission was out at the marina site today and did a manual spraying. Engineer Freda will contact the DEP. Mayor Merla said the boats have been broken up and taken away.

Ken Goble, Chandler Avenue, said his property was used as a test site. The pipe and water were removed, grass grew. Someone built an oversized moat near the marina and it has trapped all drainage at the creeks. The Monmouth County Mosquito Commission came many times to test. Administrator Palamara and Engineer Freda said the adjacent property owners should be asked if they would provide the permits they have.

Attorney Kain said the Monmouth County Mosquito Commission meets tomorrow and it will be requested that the Goble and Stout families be contacted. Attorney Kain said he would call the State. Carol Goble asked whose property it is? Can the marina infringe upon it; no. The mosquito problem began in March when the marina started dredging. Mayor Merla said Roy Cadoo advised him. Mr. Bergen said they could be working on old permits.

Roy Cadoo, Washington Street, said his property is inundated with mosquitoes; the whole town needs to be sprayed. A resident said she took pictures of her property which is inundated also. Maurita Vecchio, Washington Street, said the Mosquito Commission came to her house today; there is stagnant water adjacent to the property. Mrs. Vecchio asked if the Borough could send a memo to the residents regarding the mosquito problem. Mayor Merla said he is going to have the Monmouth County Mosquito Commission distribute their brochure to the residents of Washington Street, Therese Street, Provost Avenue and Chandler Avenue.

Donna Purcell, Board of Health, said there are reports of stagnant pools. Mr. Cadoo said the creek behind the marina is full of mosquitoes.

Barbara Hassmiller, Green Grove Avenue, asked about Resolutions No. 7 and 8 on the agenda; this is part of a grievance and asked why the Borough is settling with Casey Andrews and not the rest of the Union employees. Mayor Merla said Local 68 advised that the Governing Body can decide on the matter separately. Mrs. Hassmiller asked what makes it different. Mayor Merla said Borough Clerk Poling advised there was an error regarding Casey Andrews salary. Attorney Kain said the circumstances were different and the salary needed to be corrected. The other three employees agreed to a salary when they were hired. Mr. Bergen said there is a policy that new hires will not receive the same salary as the previous employees. Mrs. Hassmiller said the salary for the position is higher than what was advised. Attorney Kain recommended Mrs. Hassmiller go the Union and file a grievance. The Mayor said there is nothing in the contract that states the Borough has to settle with all; Local 68 advised it could settle with Ms. Andrews. Ms. Andrews should be at this meeting to respond.

Donna Purcell said other Borough Employees could have had an opportunity to apply for the position. The Mayor said the salary is within the range. Mrs. Purcell said the position was not posted. Mr. Bergen said the union members should grieve their salary; Council agreed to a certain salary.

Carole Cerase said she was not given the salary she was promised by Mr. Burlew. Attorney Kain said in 2002 a salary resolution was adopted based on the incumbents in the positions. There was a clerical error and the correction made reflects the salary promised. Attorney Kain said Mary Moriarity's, Local 68, letter states they will not arbitrate 3 and settle 1. Mayor Merla

said union members should not question another union members agreement. Attorney Kain said there is correspondence from the Union and they will not arbitrate the remaining 3. Mr. Hyer said Local 68 will make a decision on the other three. Mr. Bergen said Carole Cerase is saying she was not paid what she was promised. Attorney Kain said an offer was made to the three employees and they declined.

David Vicory asked if salary is public; yes.

Donna Purcell said the 4 grievances that were submitted were for the same reason. Mayor Merla said the Borough is trying to settle the grievances and Ms. Andrews settled. He recommended the other union members go through the Union. Mr. McDonald, Local 68, agreed.

Eric Greer, Business Designs, said there were derogatory remarks made at the last meeting and he is trying to take care of the problems at Galbrights located in the rear building on Manchester Avenue. Mr. Greer said he does custom cabinetry and he was under the impression that he had rights to the use of the property. The dust and smells are non toxic. The Police have come for dust or smells at the location. Mayor Merla said there is an obligation to check and make sure the laws are upheld. William Cerase, Property Maintenance Officer, said the building has complied when he has gone out and inspected. Mr. Bergen asked how many time Mr. Cerase has been to the location; two times for the grass. Tim Telemondi said he was in the hospital and it will not happen again. He said he is trying to improve the building. The Main building is empty with no tenants.

Melissa Smith, 318 Main Street, said 323 Main Street is an abandoned property and a health hazard. The garage is a fire hazard, there are bugs, fleas, rodents and there is a smell. The house is in foreclosure and has been vacant for 6 years. Tony Vecchio, Fire Official, will be sent to make an inspection. The house and garage are unlocked. Attorney Kain said he will try to contact the Attorney for the property. The water has been shut off. Mayor Merla said a lien can be placed on the property. Mr. Hyer said there was 5 feet of water in the dwelling which attracted bugs and there was someone living in the garage.

Kathy Shaw, KBA, said the Borough could use eminent hazard leverage and to call the principal lien holder.

Mike Lane, First Street, asked for an update on the Dubleski property. Attorney Kain said the first round is a summons which was sent a week from Wednesday and a property maintenance summons. If there are no results, the Borough can file a suit against the owner and tenant in Superior Court. Mrs. Atkins asked if the boat is a hazard and it should be removed from the property. Attorney Kain said the property owner has been cited and is appearing in Court. Administrator Palamara said there have been summonses issued on safety issues.

George Walling, Second Street, commended George Strang. He said he received his tax bill and he is not happy. The 2005 revaluation will effect 2006. He said the Dubleski property keeps going on and on; there is debris on the property.

David Vicory asked Council to re-evaluate the two hour parking limit. He said the last ticket he received was under the two hour limit. Tenants are allowed parking permits and the Borough employees are allowed parking permits, but the business owners are not. Kathy Shaw, KBA, said she is working on the storage of trash and parking circulation (employees, tenants).

Joanne Staeger, 428 Main Street, asked that the entire community be advised about the mosquitoes via flyers or newspapers. The Shell Station pond has not been touched or Stultz Fuel Oil.

Joe Vecchio, Broad Street, said the Pop Warner Football field is covered with mosquitoes. He congratulated George Strang on becoming a Councilmember. The First Aid advised they cannot help Pop Warner with tables. The Mayor asked what was going on with parking last night. Mr. Vecchio said there were 12 teams and there is no parking on one side (baseball side) for emergency evacuation.

Sandra Shevlin, Beers Street, asked if the Borough received \$50,000 in Homeland Security money. Mayor Merla said the money was used for tax relief. Mrs. Shevlin asked if the Borough received \$200,000 for Beach erosion; it was used for a beach replenishment study which will go to the Army Corps of Engineers. The money has been allocated for Keyport. Mrs. Shevlin asked if there is a letter regarding the Endeavor House eminent domain; this is not from the Borough.

There being no one further from the audience who wished to be heard, the meeting was closed to the public at 10:52 PM.

RESOLUTIONS

2. Resolution #272-04, Payment of Bills

See full copy of Resolution as pages 25-29 of these minutes.

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

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

Nays: None

Abstain: Councilman Strang

Absent: None

3. Resolution No. 273-04, Improvement to Therese Street/Change Order No. 1 (\$60,700) pump underdrain system.

WHEREAS, the Mayor and Council of the Borough of Keyport have previously authorized certain improvements to Therese Street based on funding received from the 2003 Monmouth County Community Development Block Grant Program; and

WHEREAS, the Mayor and Council have received a written request from the Borough Engineer recommending approval of Change Order No. 1 for the Improvements to Therese Street as it relates to the Contractor, Ace Manzo, Inc. and D. Manzo & Son, Inc.; and

WHEREAS, the Mayor and Council have reviewed the proposed change order request and have determined to approve the change order request relative to the within project which will result in the installation of additional improvements including a six inch (6") sump pump underdrain system with connections and clean outs for an additional cost of \$60,700.00 to the base contract; and

WHEREAS, based upon the review of the Mayor and Council and the recommendation of the Borough Engineer, the Mayor and Council are inclined to approve the within change order increasing the amount of the original contract from \$499,786.50 by the amount of \$60,700.00 for a revised final total of \$560,486.50 for the project identified as Improvements to Therese Street; and

WHEREAS, the Mayor and Council desire to memorialize the within Resolution approving the change order and authorizing the Borough Engineer to proceed with the completion of the within project, based upon Change Order No. 1 dated July 28, 2004; and

WHEREAS, the Mayor and Council have been advised that there are sufficient funds within the grant, existing bond ordinances of the Borough of Keyport of the general funds of the Borough of Keyport to approve said change order for the amounts 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 approve Change Order No. 1 as recommended by the Borough Engineer for the Improvements to Therese Street based upon a change order dated July 28, 2004.
2. The Mayor and Council hereby approve the change order which increases the original contract in the amount of \$60,700.00. The total current contract between the Borough of Keyport and Ace Manzo, Inc. and D. Manzo & Son, Inc. is hereby increased and fixed at \$560,486.50.
3. That the Mayor and Borough Clerk be authorized to execute the within change order on behalf of the Borough of Keyport.
4. That a copy of the within Resolution, duly certified, be forwarded to the Borough Engineer and the Municipal Finance Officer.
5. That a copy of the within resolution shall be retained in the Office of the Borough Clerk for public inspection.

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

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

4. Resolution No. 274-04, Adjustment to Water/Sewer Account #1441005, James and Donna Atkins, waive sewer charge for two pool fillings

WHEREAS, James & Donna Atkins, 121 Second Street, Keyport, NJ, Water/Sewer Account #1441005 have requested an adjustment to the Water/Sewer bill for filling their pool two times; and

WHEREAS, Mayor and council have reviewed this matter.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that Water/Sewer Account #1441005 shall be adjusted as follows:

1. The sewer portion of the bill as it relates to the pool fillings (total of 6,860 gallons) shall be waived contingent upon applying and paying for two (2) Pool Filling Permits at \$15.00 each for a total of \$30.00.

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

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

5. Resolution No. 275-04, Approve Partial Settlement of Grievance filed by Local 68 relative to Employee Casey Andrews

WHEREAS, the Mayor and Council of the Borough of Keyport did previously hear and consider the grievance of Local 68 as it relates to claim for salary increases for Casey Andrews, Carole Cerase, Barbara Hassmiller and Donna Purcell based upon a calculation error made by the Borough in a certain salary resolution adopted by the Mayor and Council and following the execution of the contract between Local 68 and the Borough of Keyport; and

WHEREAS, the Borough of Keyport did correct the miscalculation

and paid all salaries due to the employees pursuant to the contract which resulted in the denial of the grievance filed by Local 68 by the Mayor and Council; and

WHEREAS, the Mayor and Council of the Borough of Keyport have previously been advised that Local 68 will not pursue arbitration of the within grievances based upon the facts presented and an offer of the Borough to resolve these grievances; and

WHEREAS, the Mayor and Council have been advised that Casey Andrews has agreed to accept a proposal to finally resolve her individual grievance with the Borough which would involve a salary adjustment based upon her promotion to Police Records Clerk effective March 18, 2003; and

WHEREAS, based upon the totality of facts and circumstances, including the promotion to Police Records Clerk, the Mayor and Council have determined to adjust her yearly salary from \$27,061.92 to \$30,000.00 pro-rata, retroactive to march 18, 2003, based upon her new duties and responsibilities; and

WHEREAS, the Mayor and Council have further determined that the within grievance should be settled based upon the proposed terms and that the employee should receive an increase for her new position effective March 18, 2003 together with a four (4%) percent increase as provided under the current collective bargaining agreement effective January 1, 2004 to a base salary of \$31,200.00.

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

1. The Mayor and Borough Council hereby authorize the partial payment of a grievance filed by Local 68 as it relates solely to Casey Andrews which will provide for an increase in salary to \$30,000.00 per year, pro rata, effective March 18, 2003, based upon her promotion to Police Records Clerk.
2. The Mayor and Council further authorize payment to Casey Andrews of all past due salary from and after March 18, 2003 with appropriate payroll deductions as permitted. The Mayor and Council further direct that her current salary be fixed at \$31,200.00 in accordance with the current Collective Bargaining Agreement effective January 1, 2004, which shall include the current increase provided in that contract.
3. Copies of the within Resolution shall be forwarded to Charles McDonald, Business Representative Local 68, Municipal Finance Officer, Borough Attorney and a copy of the within Resolution shall be retained in the Office of the Borough Clerk for public inspection.

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

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

Nays: None

Abstain: Councilman Strang

Absent: None

6. Resolution No. 276-04, Salary Resolution/Police Records Clerk Casey Andrews

WHEREAS, the Mayor and Council periodically fix and determine the salaries for all employees of the Borough of Keyport; and

WHEREAS, the Mayor and Council having further resolved to

amend the current salary ordinance now in effect to determine the following salary for an employee/position within the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that the following annual salaries are hereby established for the indicated positions as filled by the present named employees effective January 1, 2002 or the effective date of hire or transfer, whichever is later, in accordance with the salary ordinances currently in effect:

1. **SECTION 1.**

TITLE/ EMPLOYEE	EFFECTIVE 1/1/2002	EFFECTIVE 1/1/2003	EFFECTIVE 1/1/2004
Police Records Clerk (Andrews 3/18/03)	open	\$30,000.00	\$31,200.00

2. All additional terms and conditions of any previous salary resolution not affected by the within Resolution shall continue in full effect.

3. A copy of the within resolution shall be forwarded to the Municipal Finance Officer and a copy shall further be maintained in the Office of the Borough clerk for public inspection.

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

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

7. Resolution No. 277-04, Authorize Administrator to hire Part time Laborers

WHEREAS, it is necessary to continue the process of transferring records and equipment from the old Borough Hall into the new Borough Hall and the Administrator advises that some of this work can be most cost effectively completed by temporary Part Time Summer Laborers under the direction of Public Works; and

WHEREAS, the CFO has determined that there are funds available for three part time employees for one week and related supplies; and

WHEREAS, the availability of Part Time Summer Laborers will be limited at the start of the school year and is appropriate to begin this work before the next scheduled meetings of the Mayor and Council; and

WHEREAS, applications for these positions can be accepted and effectively reviewed by the Public Works Superintendent and Borough Administrator.

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 Borough Administrator is authorized to hire three Temporary Part Time Summer Laborers.

BE IT FURTHER RESOLVED that the hourly rate shall be \$10.00 per hour, that the duration of employment shall not exceed one week, that the maximum number of hours is not to exceed 28 hours per employee and that there are no benefits provided for these part time positions.

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

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

8. Resolution No. 278-04, Adjustment and/or Refunds - Taxes - 2004 Appeals

WHEREAS, the Municipal Collector of Taxes, 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 Taxes.

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 adjust the taxes on the below listed properties due to successful appeals of taxes in 2004.

Block & Lot	Name	Address	Original Assessment	Adjusted Assessment	Amount of Reduction
B58, L3	Ayers	184 Broad	\$95,000	\$43,500	\$2,052.79
B21.01, L56	Uptown Key- port Hotel	32 Broad	\$212,400	\$130,000	\$3,492.94
B79, L14	Romond	31 Division	\$230,800	\$196,000	\$1,475.17
B12, L1	Velos, Inc.	Hwy 35 & Broadway	\$1,062,500	\$1,010,500	\$2,204.28

2. Formal authorization is hereby given to refund the taxes on the below listed properties due to successful appeals of taxes in 2003.

Block & Lot	Name	Address	Original Assessment	Adjusted Assessment	Amount of Reduction
B12, L 1	Velos, Inc.	Hwy 35 & Broadway	\$1,062,500	\$1,010,500	\$1,884.48

3. Certified copies of this Resolution to Municipal Collector of Taxes, Administrator and any other interested parties.

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

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

9. Resolution No. 279-04, Adjustment and/or Refunds-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
1-1096004	Melton	\$237.90	Residence Vacant, water had been terminated, unaware we continued to bill.

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

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

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

Nays: None
Abstain: Councilman Strang
Absent: None

10. Resolution No. 280-04, Adjustment and/or Refunds/Taxes-Added Assessments

WHEREAS, the Municipal Collector of Taxes 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 Taxes.

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 uncollectible taxes as per NJSA 54:4-91.1. When the added assessments were entered in 2003 they were entered twice. It was discovered that a few of them were not corrected properly thus creating an overbilling of taxes to the below taxpayers:

BLOCK & LOT	NAME	AMOUNT
25 1	Riordan	\$ 1.52
26 6	Carinha	.01
33 11.01	Mills	822.63
49 8	Fogler	.01
105 1	Csik	298.42
135 1	Dalaridis	605.20

2. Certified copies of this Resolution shall be forwarded to the Municipal Collector of Taxes, Administrator and any other interested parties.

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

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

Nays: None
Abstain: Councilman Strang
Absent: None

11. Resolution No. 281-04, Adjustment and/or Refunds-Taxes (Overbilling)

WHEREAS, the Municipal Collector of Taxes submits a schedule of adjustments an/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 Taxes.

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 due to overbilling of taxes due to a decrease in the total assessment of said property.

BLOCK & LOT	NAME	AMOUNT
49 13	Liggio	\$1511.42
67 23	Grandon	104.20
50.01 24	Daly	82.17

2. Certified copies of this Resolution shall be forwarded to the Municipal Collector of Taxes, Administrator and any other interested parties.

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

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

Nays: None
Abstain: Councilman Strang
Absent: None

12. Resolution No. 282-04, Authorize Purchase of Secured Delivery Box for Tax or Water/Sewer Payments

WHEREAS, there is a need for a secured delivery box for Keyport residents to have access to 24 hours per day, seven days per week to deposit their tax or water/sewer payments; and

WHEREAS, sufficient funds are available in the 2004 budget for this purpose. The cost of said installation will be approximately \$450.00.

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 install a Borough secured delivery box in the vestibule of the Borough Hall. This box will be for Keyport residents to deposit payments of taxes or water/sewer payments when paying by check. This box will be accessible twenty four (24) hours per day, seven (7) days per week.
2. Said box will be bolted to the floor for security purposes.
3. Certified copies of this Resolution shall be forwarded to Municipal Collector of Tax, Administrator and any other interested parties.

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

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

Nays: None
Abstain: Councilman Strang
Absent: None

13. Salary Resolution - 2004 Administrative and Non Union employees Salaries. This was deleted and will be relisted on the September 7, 2004 Agenda.
14. Resolution No. 283-04, Retain Professional Expert to Evaluate Municipal Complex and prepare moisture survey on Main Roof and Lower Roof

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

complex for the Borough of Keyport; and

WHEREAS, the Borough of Keyport did commence occupancy of the new municipal complex on or about January 18, 2004; and

WHEREAS, since commencing occupancy, the Borough of Keyport has experienced numerous difficulties with respect to the complex roof which has resulted in numerous leaks and damage to the municipal complex throughout many of the offices throughout the new building; and

WHEREAS, the Mayor and Council did appoint an expert to evaluate the construction and installation of the roof by Resolution adopted May 18, 2004 as Resolution No. 198-04 which evaluation did lead to concerns as to the presence of moisture in the roofing structure; and

WHEREAS, the Mayor and Council are further resolved to retain the services of a qualified expert to determine the presence of moisture within the roofing structure and have considered the proposal of Henry Vitale, RRO, James D. Cummins and Company, Red Bank, New Jersey dated August 17, 2004 to conduct a Troxler Moisture Survey and thereafter to prepare a detailed report for a fee in the sum of \$1,500.00 which the Mayor and Council believe is necessary to complete the evaluation of the new complex roof.

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

1. The Mayor and Borough Council hereby authorize and retain the professional services of Henry Vitale, RRO, James D. Cummins & Company, Red Bank, New Jersey to conduct a moisture study of the new municipal complex roof and thereafter to prepare a written report summarizing any findings and recommendations for a total cost in the sum of One Thousand, Five Hundred (\$1,500.00) Dollars.
2. The Mayor and Council further direct the Mayor to execute a letter of agreement between the Borough of Keyport and James D. Cummins & Company, Red Bank, New Jersey for the services to be performed pursuant to that agreement.
3. The appointment herein is made without competitive bidding under the Local Public contracts Law as same is a professional service and therefore not subject to competitive bidding.
4. The Borough Clerk is directed to public notice of the within appointment pursuant to NJSA 40A:11-1 et seq. within ten days following the adoption of this Resolution in a newspaper of general circulation.
5. Copies of the within Resolution shall be forwarded to Henry Vitale, James D. Cummins & Company, Red Bank, New Jersey, Municipal Finance Officer, Borough Attorney and a copy of the within Resolution shall be retained in the Office of the Borough Clerk for public inspection.

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

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

Nays: None

Abstain: Councilman Strang

Absent: None

15. Resolution No. 284-04, Provide Temporary Regulation of Traffic/Intersection of Green Grove Avenue and Maple Place

WHEREAS, NJSA 30:4-197.3 permit a municipality to enact a resolution declaring that an emergent or temporary condition dictates the adoption of special traffic regulations cognizable under NJSA 39:4-197, including regulating the passage or stopping of traffic at certain congested street corners or other designated points for a period not to exceed 3 months from the date of adoption; and

WHEREAS, the Mayor and Council have received and considered the increased number of motor vehicle accidents at the intersection of Green Grove Avenue and Maple Place and the recommendation of the Chief of Police that the creation of a four way stop would reduce the number of accidents and slow traffic utilizing Green Grove Avenue as a through street which would further address safety consideration at the within location which the Mayor and Council believe are in the best interests of the Borough; and

WHEREAS, based upon review and consideration of this condition, the Mayor and Council have determined to provide for a four way stop at the intersection of Green Grove Avenue and Maple Place, which the Mayor and Council believe will provide greater safety, traffic control, reduce vehicle speeds and reduce accidents at the within location for a period of three months as provided under the aforesaid statute; and

WHEREAS, the Mayor and Council have determined to exercise their power under NJSA 39:4-197.3 to enact a four way stop at the within intersection and further direct appropriate notification to the residents of the Borough of Keyport, the County of Monmouth and the Department of Transportation for a period set forth in the statute.

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

1. The Mayor and Council hereby establish a four way stop intersection at the intersection of Green Grove Avenue and Maple Place for a period of three (3) months in accordance with the provisions of NJSA 39:197.3 et seq. based upon the current conditions and the recommendation of the Chief of Police.

2. The Mayor and Council further direct the Department of Public Works in conjunction with the Police Department to post appropriate signage in the effected area to notify the public of the four way stop and to install the appropriate traffic control devices at the within intersection and to further comply with notification as required under NJSA 39:4-198.

3. That a certified copy of this resolution be forwarded to the New Jersey Department of Transportation, County Engineer, County of Monmouth, Chief of Police, Keyport Police Department, Superintendent of Public Works, Borough Engineer and that a copy of the within Resolution be retained in the Office of the Borough Clerk for public inspection.

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

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

Nays: None

Abstain: Councilman Strang

Absent: None

16. Resolution No. 285-04, Correct Sewer Charges/Reformed Church, Warren Street

WHEREAS, sewerage charges for the Borough of Keyport are based upon water consumption unless it can be shown that the water consumed does not enter the sewerage system; and

WHEREAS, the Borough has received and confirmed information that the water consumptions readings for the property listed below does not fairly show sewerage discharge because breaks in their water lines caused water to be discharged into the ground rather than in the sanitary sewer; and

WHEREAS, the Utility Collector has reviewed the usage for the past year and determined the appropriate consumption for this property for the period shown.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Keyport, County of Monmouth, State of New Jersey that the Utility Collector is hereby authorized and directed to cancel the following sewerage charge. The water consumption charge for this property shall remain as originally billed.

Reformed Church, Warren Street, Account 1-0678007
Amount Billed for 4/1/2004 - \$344.61
Amount cancelled - \$259.89

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

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

Nays: None
Abstain: Councilman Strang
Absent: None

17. Resolution No. 286-04, Correct Sewer Charge - Endeavor House

WHEREAS, sewerage charges for the Borough of Keyport are based upon water consumption unless it can be shown that the water consumed does not enter the sewerage system; and

WHEREAS, the Borough has received and confirmed information that the water consumptions readings for the property listed below does not fairly show sewerage discharge because breaks in their water lines caused water to be discharged into the ground rather than in the sanitary sewer; and

WHEREAS, the Utility Collector has reviewed the usage for the past year and determined the appropriate consumption for this property for the period shown.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Keyport, County of Monmouth, State of New Jersey that the Utility Collector is hereby authorized and directed to cancel the following sewerage charge. The water consumption charge for this property shall remain as originally billed.

Endeavor House, 6 Broadway - Account 1-0342004
Amount billed for 4/1/2004 - \$3,357.41
Amount cancelled - \$2,636.59

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

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

Nays: None
Abstain: Councilman Strang
Absent: None

18. Resolution No. 287-04, Correct Sewer Charge, Mustafa Kilic, Atlantic Street

WHEREAS, sewerage charges for the Borough of Keyport are based upon water consumption unless it can be shown that the water consumed does not enter the sewerage system; and

WHEREAS, the Borough has received and confirmed information

that the water consumptions readings for the property listed below does not fairly show sewerage discharge because breaks in their water lines caused water to be discharged into the ground rather than in the sanitary sewer; and

WHEREAS, the Utility Collector has reviewed the usage for the past year and determined the appropriate consumption for this property for the period shown.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Keyport, County of Monmouth, State of New Jersey that the Utility Collector is hereby authorized and directed to cancel the following sewerage charge. The water consumption charge for this property shall remain as originally billed.

Mustafa Kilic, 203 Atlantic Street, Account 1-1115002
Amount billed for 1/1/2004 - \$1,261.51
Amount cancelled - \$615.59

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

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

Nays: None

Abstain: Councilman Strang

Absent: None

INTRODUCTION OF ORDINANCE

1. Ordinance No. 18-04, Establish Private Fire Service Connection Fees

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 AND SUPPLEMENTING CHAPTER XIV, WATER AND SEWER, TO FIX AND ESTABLISH A SCHEDULE FOR CONNECTION FEES FOR FIRE SUPPRESSION OR SPRINKLER SYSTEMS IN RESIDENTIAL AND COMMERCIAL PROPERTIES AND FOR REVISIONS RELATIVE TO PRIVATE FIRE SERVICE

BE IT ORDAINED by the Mayor and Council of the Borough of Keyport that Chapter XIV, Water and Sewer, is hereby amended and supplemented as follows:

Section 1. Declaration. The Mayor and Council of the Borough of Keyport have received requests from residential and commercial property owners to install fire suppression or sprinkler systems within structures situated within the Borough of Keyport. The installation of said suppression or sprinkler systems would require an additional connection into the Borough's water system through existing laterals or mains in order to supply water necessary to activate these systems. The Mayor and Council believe that the installation of these fire suppression or sprinkler systems would be beneficial to the Borough and should be encouraged. The Mayor and Council further desire to establish a schedule for connection fees for a second connection dedicated exclusively to fire suppression or sprinkler systems within residential or commercial properties within the Borough of Keyport.

Section 2. Title. Borough Ordinance Chapter XIV, Water and Sewer, Chapter XIV, is hereby amended and supplemented as follows:

Section 14-1.1 Definitions. As used in this chapter:

"Fire Suppression System or Sprinkler System" shall mean the

installation of a dedicated line connected to the Borough's potable water system which shall be used exclusively for the installation and service of a fire suppression system or sprinkler system designed to extinguish or contain fires within the appropriate structure, which may be of any type, wet or dry, as may be approved for the structure.

"Second Connection or Additional Connection" shall mean the connection of the dedicated line for fire suppression system or to the Borough's potable water system which shall be in addition to the primary connection for the delivery of water for consumption at the individual unit. Each unit must have a primary connection for the delivery of water for consumption or use before a second or additional connection shall be permitted.

"Proof of Fire Suppression of Sprinkler System" shall mean a copy of the plans, diagrams, schematic or other blueprint which identifies and depicts the proposed fire suppression or sprinkler system to be installed. The within plans, diagrams, schematics or the blueprints shall be delivered to the Construction Official for his review and inspection prior to installation. Applicant shall comply with any and all recommendations of the Construction Official and shall pay all fees due in accordance with this schedule.

Section 14-1.14: Private Fire Service is hereby amended and supplemented as follows:

- (a) Fire Suppression, Sprinkler System and Hydrants. For fire suppression systems, sprinkler systems or other automatic fire suppression devices or systems located inside commercial or residential structures, a second and additional connection dedicated exclusively for fire suppression or sprinkler system shall be required. This second or additional dedicated connection for fire suppression or sprinkler system shall be made directly to the Borough's potable water supply. Each separate service line shall be metered and shall be subject to charges shown on the within rate schedules. The Borough reserves the right to refuse approval for an application to connect a second or additional line for fire suppression where, in the judgment of the Borough, such service is not practical.
- (b) Ownership and Location. Meters for private fire suppression or sprinkler systems shall be furnished and installed by the borough or its designated agent. Meters shall be set in approved locations according to specifications on the premises of the applicant. Each location shall have a minimum of one connection for general water consumption in addition to the dedicated line for fire suppression.

Section 12-1.15 Rate Schedules:

SCHEDULE 1
METER SERVICE

Those residential or commercial properties who install a second or additional connection dedicated for a fire suppression or sprinkler system shall be exempt from the minimum quarter charges as set forth in Schedule I (c) for the second or additional connection used solely for fire suppression purposes. The residential and commercial properties will be obligated to pay all excess water consumption charges in accordance with Schedule I(d).

SCHEDULE V
CONNECTION FEES FOR FIRE
SUPPRESSION OR SPRINKLER SYSTEMS

The initial fees for the right to connect a dedicated line for the purpose of installing a fire suppression or sprinkler system to the Borough's potable water system shall include a Connection Fee for the cost of connection as illustrated below. These connection fees or charges do not diminish or replace any other fees, charges or costs which may be due to the Borough, including but not limited to review and inspection of work relative to the connection to insure compliance with all state and municipal codes or any charges by any other entity or agency having authority relative to the connection. These fees shall apply to all connections whether direct, indirect, separate or shared which shall be dedicated exclusively to a fire suppression or sprinkler system at the structure.

A customer seeking to connect a second or additional line dedicated to the installation of a fire suppression or sprinkler system to the water system shall pay the following connection fees in addition to those fees established in the within schedules relative to the installation and maintenance of water meters:

Residential Home:

One Family:

(Up to 2" Lateral Size Connection)	\$1,000.00
(Up to 4" Lateral Size Connection)	\$2,000.00
(Above 4" Connection)	as determined by the Borough Engineer

Two Family:

(Up to 2" Lateral Size Connection)	\$1,500.00
(Up to 4" Lateral Size Connection)	\$3,000.00
(Above 4" Connection)	as determined by the Borough Engineer

Multi-Family:

Per Separate Dwelling Unit:

(Up to 2" Lateral Size Connection)	\$1,000.00
(Up to 4" Lateral Size Connection)	\$2,000.00
(Above 4" Connection)	as determined by the Borough Engineer

Townhouse:

Per Separate Dwelling Unit:

(Up to 2" Lateral Size Connection)	\$1,000.00
(Up to 4" Lateral Size Connection)	\$2,000.00
(Above 4" Connection)	as determined by the Borough Engineer

Commercial:

Per Separate Unit:

(Up to 2" Lateral Size Connection)	\$3,000.00
(Up to 4" Lateral Size Connection)	\$6,000.00
(Above 4" Connection)	as determined by the Borough Engineer

In instances where the second or additional connection, the water line must be installed from the water main or other location to the curb and/or a curb shutoff box installed, the applicant shall be charged 125% of the Borough's total actual cost of installation plus the cost of the meter. If this work is performed by the applicant or his agent, an inspection fee of \$100.00 per inspection hour, with a minimum of two (2) hours shall be applied. When water and sewer lines are run at the same time, only one (1) minimum for inspection shall be applicable.

Section 3. 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. All sections not expressly modified herein are hereby confirmed.

Section 4. 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 5. This Ordinance shall take effect immediately upon final passage and publication as required by law.

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

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

- 1a. Motion authorizing the Clerk to publish the Ordinance, as introduced, in the Courier issue of August 19, 2004 for a Hearing to be held on September 7, 2004 moved by Mr. Hyer, second by Mr. Wedick with Ayes by all present.

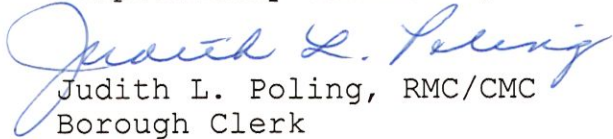
There was discussion on the Tax Office appointment and who made the recommendation. CFO Fallon and Keri Stencel, Tax Collector made the recommendation.

ADJOURNMENT

Motion to Adjourn moved by Mr. Doyle, seconded by Mrs. Atkins, with Ayes by all present.

Time of Adjournment: 11:10 P.M.

Respectfully submitted,


Judith L. Poling, RMC/CMC
Borough Clerk


per Allyson M. Cinquegrana, RMC
Deputy Borough Clerk