Approved 10-5-04

August 19, 2003
Keyport, New Jersey

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

Mayor Merla called the meeting to order at 7:04 P.M. and read the Sunshine Law Notice.

ROLL CALL

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

RESOLUTION

1. Resolution #302-03, Closed Meeting - Personnel, Litigation, Labor Relations and Contract Negotiations

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

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

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

Council went into Closed Session at 7:04 P.M. and this meeting was reconvened at 8:08 P.M.

Mayor Merla called the meeting to order at 8:08 P.M. and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Bergen (arriving at 7:15 PM), Atkins, Hyer, Stalter (arriving at 7:12 PM), Doyle, Green. Others present: Mr. Kain, Borough Attorney and Mr. Al Hilla, Jr., Borough Engineer's Office

Councilwoman Atkins led the Pledge of Allegiance and Moment of Silence.

INTRODUCTION OF ORDINANCE

1. Ordinance #23-03, Amend Chapter VII, Traffic, Section 7-6, Parking 7-3

The Clerk read the Ordinance by Title:

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

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

SECTION I: Chapter VII, "Traffic," Section 7-6, Parking Prohibited at All Times on Certain Street, Schedule I is hereby amended and changed as follows:

Name of Street	Side	Location
Manchester Avenue	West	Third Street south to Seventh Street

SECTION II: Chapter VII, "Traffic," Section 7-3.4, Parking Prohibited During Certain Hours on Certain Streets, Schedule II is hereby amended by adding the following:

Name of Street	Side	Hours	Location
Division Street	Both	9:00 AM-3:00 PM School days	Jackson Street North for a distance of 130 feet

SECTION III: Chapter VII, "Traffic," Section 7-6.2, Stop Intersections, Schedule XI is hereby amended by adding the following:

Therese Street and Provost Avenue:
STOP signs shall be installed on Provost Avenue

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

SECTION V: Severability. If any section, paragraph, subdivision, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall remain in effect.

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

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

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

1a. Motion authorizing the Clerk to publish the Ordinance as introduced in the Courier, issue of August 21, 2003 for a Hearing to be held on September 2, 2003, moved by Mr. Stalter, seconded by Mr. Hyer, with Ayes by all present.

COMMITTEE REPORTS

Councilman Bergen; Police: Mr. Bergen reported on the following: School is opened and he asked everyone to drive carefully. There is aFederal Grant in the amount of $25,000 for police vests. There are two Resolutions on the agenda to hire School Crossing Guards.

Councilwoman Atkins; Fire: Mrs. Atkins reported on the following: Eagle Hose has submitted William Larkin's name as 3rd Assistant Fire Chief for 2004. Mrs. Atkins read the July, 2004 Fire Department Report. She attended the Library Meeting last week and the Senior Citizen Advisory Council Meeting (they are thrilled with the Bus donation). Community Development will hold meetings tomorrow, next week and there will be two in September for the 2004 grants.

Councilman Hyer; Public Works/Recycling/Property Maintenance. Mr. Hyer reported on the following: Work was done on the Main Street storm drain and the sidewalks and curbs are due for repairs. They have addressed the fountain in the Cedar Street Park. Trees have been removed from the Main Street Parking Lot. The Mechanic is in need of equipment. The curbs and benches have been painted. Site work has been performed at the proposed Public Works Facility. There have been several Recycling meetings (the Borough Attorney has been asked to review ordinances and enforcement has to be addressed. A new WARNING notice is being prepared and the next meeting will be September 10th. Mayor Merla expressed his appreciation for the work done regarding bulk items, clean up and stickers. Mr. Hyer advised that the Health Dept., Property Maintenance Office, Recycling Committee, Code Enforcement Officer and Construction Code Official all have give their review.

Councilman Stalter; Health, Recreation and Parks. Mr. Stalter reported on the following: In July the Recreation and Pop Warner attended the Blue Claws Game and a Keyport representative threw out the pitch. There will be another game next year. Recreation will be sponsoring a Karate Class at 88 Broad Street for 10 weeks, 2 nights per week, 1 hour each night from October 6th thru December 10th, cost $50.00 (no one under 6 years of age). He has received positive feedback on the water fountain and the summer Recreation program.

Councilman Doyle; Finance: Mr. Doyle reported on the following: Pauline Redmond, Tax Collector/Treasurer will be retiring and interviews have been held. On Monday and Tuesday Mark Sessa, June Atkins and Kathy Shaw held interviews for the Smart Growth Planner; this is a hard decision which will effect the next 100 years.

Councilman Green; Buildings & Grounds and Library.: Mr. Green reported on the following: The hydrant will be eliminated in front of the New Municipal Complex and a lane will be used for the building. There will be a construction meeting on this Thursday. Mrs. Atkins said the walls have been painted and the tile put down, the carpeting will go in and Verizon has to complete their work. Mayor Merla said there will be Department meeting Friday and moving the offices will be discussed. Mr. Green said he will contact moving companies.

Administrator Poling: Mrs. Poling had no report.

Engineer Freda: Mr. Freda reported on the following: The Punch List has been completed on Washington Street-Phase III. Mayor Merla asked about companies spray painting the sidewalks and curbs that they scar them. He asked about putting in the contracts (site Ordinance) using reflective tape or flags. He asked Mr. Freda why they are being marked up by the utility companies and contractors.

Attorney Kain: Mr. Kain reported on the following: He has received the signed order from the Monmouth County Board of Taxation, the revaluation will be in 2005 for 2006. The Engineer's report has been received and the Ordinance to vacate a portion of Willow Street will be listed on the next agenda. A settlement proposal has been received on the Magic

Touch litigation. The Mayor has signed the Easement Agreement with Mr. Kantor adjoining property of the New Municipal Complex and utilities will be installed. He will review the bulk pick up ordinance revisions and he will meet on September 10th with the ad hoc committee.

Mayor Merla: The Mayor reported on the following: An ordinance has to be advertised on the water/waste water question. He spoke with similar municipalities. Highland Park has lines that go back to 1920, they decided to stay in the business and they cleaned and relined 4-8" lines over four years (Superintendent of Public Works with 28 years experience) and the project was successful. Mayor Merla spoke with Councilman Hyer. They have 28 miles of road, 3000 accounts and they did three phases, each $3 million, total $12 million dollars and now they are starting on the sewer lines. He will go to Highland Park. They went from 23% to below 1% unaccounted water. He will collect more information. FEMA funds have been received in the amount of $17,654.57 for the February 17-18th snow storm and the Mayor acknowledged George Sappah, Supt. of Public Works, Theodore Gajewski, Police Chief and Jim Atkins, Emergency Management Coordinator. Mr. Atkins has requested to appoint Ken Marr, Jr. as a Deputy Coordinator. He referred the possible changing of liquor license establishment hours to Councilman Bergen. He referred to Councilman Hyer to discuss the Councilman Green and the Harbor Commission a wave runner jet ski business using the boar launching ramp. He requested that the Borough accept the bus as a donation, have it painted, lettered and registered. He said the Bayshore Development Office sent a letter in regarding channel dredging and said Freeholder Narozanick had been very helpful. The Army Corp has granted a 15 day extension on Union Beach hearings and they will be meeting with Keyport and Union Beach when each concerns will be made known. The Mayor reported on wetlands and conservation easements (Mr. Jones of Essex County). There is a New Jersey American rate increase of 20%. He referred the matter of the Storm Water Master Permit to Mr. Freda. The Mayor has been working with the attorney for the Aeromarine. He will fax to the Administrator a request for a Handicapped Parking space and the Police Chief and Captain will address the issue. He asked Councilman Bergen to speak with Pop Warner and the Police Department, that there was confusion on Jackson Street when Pop Warner held its Mitey Mite weekend. The Mayor asked Mr. Bergen to contact Pop Warner (they said they wanted traffic control) that the schedule received was not complete. Captain Dayback advised early in the year to address the issue. The County will not do it all the time. Councilman Hyer asked to be excused as a member of the Police Committee as he lives on the street. Chief Gajewski said Pop Warner was told to man the street and advised not to direct traffic. On August 9th the Mayor attended the Spanish Festival. On August 10th the Second Baptist Church celebrated its 110th anniversary and Mary Alan was honored. He referred to Mr. Kain the matter of bicycles being tied to poles and trees overnight and blocking sidewalks. Mr. Bergen asked the Police to do a survey on how many bicycles. Kathy Shaw said a letter was sent to the Borough regarding skateboarding on the medallion benches and said bikes being tied damage the trees. Mayor Merla referred the matter of a bond ordinance for improvements to sidewalks and curbs to Councilman Hyer for a recommendation. The adjacent property owner to the Senior Center has offered his property for sale to the Borough and Mayor Merla referred the matter to the Finance Committee. A letter regarding bulk pick up will be inserted into the

October water bill mailing. Councilman Doyle said thank you for the brush pick up. Councilman Hyer reported that the Postmaster has contacted him regarding removing the vending boxes, that where they are they fall over and are a nuisance. There were two at the fishing pier. Motion that the boxes be removed and taken to Public Works, moved by Mr. Bergen, seconded by Mr. Green with Ayes by all present.

REPORTS OF DEPARTMENTS

January, 2003

1. Police Traffic Safety Bureau Report:

Checks	$107.00
Cash	11.00
Total:	**$118.00**

Submitted by Theodore J. Gajewski, Police Chief

2. Police Detective Bureau Report:

Firearms:	0	
Firearms ID:	0	
Fingerprinting:	2	at 10.00 each = $20.00

Total..................................**$20.00**

Submitted by Theodore Gajewski, Police Chief

February, 2003

3. Police Detective Bureau Report:

Firearms:	0
Firearms ID:	0
Fingerprinting:	0

Submitted by Theodore Gajewski, Police Chief

March, 2003

4. Police Traffic Safety Bureau Report:

Checks	$255.00
Cash	74.00
Total:	**$329.00**

Submitted by Theodore J. Gajewski, Police Chief

5. Police Detective Bureau Report:

Firearms:	4	at $2.00 each	= $ 8.00
Fingerprinting:	3	at 10.00 each	= 30.00

Total..................................**$38.00**

Submitted by Theodore Gajewski, Police Chief

April, 2003

6. Police Traffic Safety Bureau Report:

Checks $256.00

Cash	90.00
Total:	**$346.00**

Submitted by Theodore Gajewski, Police Chief

7. Police Detective Bureau Report:

Firearms:	6	at $2.00 each	= $12.00
Firearms ID card	1	at 5.00 each	= 5.00
Fingerprinting:	1	at 10.00 each	= 10.00

Total.................................$27.00

Submitted by Theodore Gajewski, Police Chief

May, 2003

8. Police Traffic Safety Bureau Report:

Checks	$347.00
Cash	40.00
Total:	**$387.00**

Submitted by Theodore J. Gajewski, Police Chief

9. Property Maintenance Report

Copy of Report on file in the Borough Clerk's office.

Submitted by William R. Cerase, Property Maintenance Officer

June, 2003

10. Tax Collector's Report

2002 TAXES	$13,561.45
2003 TAXES	83,294.27
2004 PREPAID TAXES	-0-
PRIOR YEARS TAXES	-0-
PROPERTY REDEEMED	-0-
INTEREST AND COSTS	2,830.31
TAX SEARCHES	10.00
POST OFFICE LAND RENT	-0-
SENIOR CITIZEN HOUSING IN LIEU OF TAXES	16,500.00
RETURNED CHECK CHARGES	-0-
ALL OTHER MISCELLANEOUS REVENUE	98,663.16

TOTAL CURRENT RECEIPTS...$214,859.19

WATER & SEWER RENTS	$36,292.98
INTEREST AND COSTS	838.80
TURN ON CHARGES	-0-
RETURNED CHECK CHARGES	-0-
POOL PERMITS	135.00
WATER METERS/WITH TURN ON	-0-
NEW METERS AND INSTALLATION CHARGE	-0-
WATER & SEWER CONNECTIONS	61.46
METER TEST CHARGE	-0-
FIRE SERVICE	-0-
METER REPLACEMENT, PARTS ETC	-0-
DEMOLITION PERMIT	-0-
ALL OTHER MISCELLANEOUS REVENUE	-0-

TOTAL WATER/SEWER RECEIPTS...$37,328.24

Submitted by Pauline Redmond, Tax Collector

July, 2003

11. Borough Clerk's Report:

WATER/SEWER ACCOUNT

WATER CONNECTION	$ 800.00
WATER METER	
TURN ON CHARGE	400.00
SEWER CONNECTION	1,000.00
SEWER/POOL PERMIT	90.00
WATER METER W/TO	
DEMOLITION	
TOTAL WATER/SEWER, CHECK #3568	**$2,290.00**

CURRENT ACCOUNT

BINGO LICENSE	$
GUN PERMITS & ID'S	
LIMO LICENSE	
PHOTOCOPIES	115.50
POSTAGE	.37
RAFFLE LICENSE	130.00
TAXI LICENSE, DRIVER	50.00
TAXI LICENSE, OWNER	150.00
POLICE DEPT ACCIDENT REPORT	539.00
SEARCHES	10.00
VENDING LICENSE	180.00
PEDDLER LICENSE	
LIQUOR LICENSE	
STREET OPENING	75.00
FISH & GAME	
NEWSPAPER VENDING MACHINES	
RECYCLING PERMITS	460.00
PARKING PERMITS	20.00
AUCTION LICENSES	
TOTAL CURRENT, CHECK #3569	**$1,729.87**

RECREATIONAL BAYFRONT IMPROVEMENT TRUST

BOAT LAUNCHING RAMP PASSES	$10,080.00
BAIT	691.75
ICE	414.25
ICE CREAM	
SODA	140.75
TOTAL RBIT, CHECK #3571	**$11,326.75**

ESCROW ACCOUNT

CASH REPAIR DEPOSIT, CHECK #3569	$ 96.00
TOTAL RECEIPTS	**$15,442.62**

Submitted by Judith L. Poling, Borough Clerk

12. Board of Health Report

TOTAL COLLECTED IN THE BOARD OF HEALTH OFFICE $3,313.40

DOG LICENSES	$ 458.60
CAT LICENSES	92.80
MARRIAGE LICENSES	168.00
BURIAL PERMITS	34.00
DEATH CERTIFICATES	1,460.00
MARRIAGE CERTIFICATES	105.00
BIRTH CERTIFICATES	
POOL PERMITS	
PLAN REVIEW	
FOOD HANDLERS	270.00
MISCELLANEOUS	725.00

DISBURSEMENTS

CHECK #2758 - BOROUGH OF KEYPORT MISC. ACCT	$2,612.00
CHECK #2759 - BOROUGH OF KEYPORT TRUST ACCT	150.00
CHECK #2760 - BOROUGH OF KEYPORT DOG ACCT	508.80
CHECK #2761 - NJ STATE DEPT OF HEALTH	542.60

Submitted by Anne R. Biagianti, Treasurer

13. Municipal Court Report

STATE FINES	$1,406.00
STATE SURCHARGE	523.00
STATE UNINSURED	462.50
COUNTY FUNDS	1,290.94
COUNTY FINES	6,463.25
MUNICIPAL FINES	413.00
MUNICIPAL COSTS	4,463.25
MUNICIPAL PARKING	771.50
MISCELLANEOUS	144.24

Submitted by Kathie Coffey, Court Administrator

14. Tax Collector's Report

2002 TAXES	$ 5,937.51
2003 TAXES	285,214.78
2004 PREPAID TAXES	4,964.89
PRIOR YEARS TAXES	-0-
PROPERTY REDEEMED	-0-
INTEREST AND COSTS	2,850.43
TAX SEARCHES	10.00
POST OFFICE LAND RENT	137.50
SENIOR CITIZEN HOUSING IN LIEU OF TAXES	22,474.00
RETURNED CHECK CHARGES	-0-
ALL OTHER MISCELLANEOUS REVENUE	69,193.53

TOTAL CURRENT RECEIPTS...$390,782.64

WATER & SEWER RENTS	$548,772.83
INTEREST AND COSTS	2,835.59
TURN ON CHARGES	-0-
RETURNED CHECK CHARGES	-0-
POOL PERMITS	75.00
WATER METERS/WITH TURN ON	-0-
NEW METERS AND INSTALLATION CHARGE	-0-
WATER & SEWER CONNECTIONS	-0-
METER TEST CHARGE	-0-
FIRE SERVICE	900.00
METER REPLACEMENT, PARTS ETC	-0-

DEMOLITION PERMIT	-0-
ALL OTHER MISCELLANEOUS REVENUE	6,962.03

TOTAL WATER/SEWER RECEIPTS...$559,545.45

Submitted by Pauline Redmond, Tax Collector

15. Building Department Report

PERMITS	NUMBER OF PERMITS	AMOUNT RECEIVED
STATE DCA FEE	54	$ 478.00
CONSTRUCTION CERTIFICATES	0	-0-
PLUMBING PERMITS	17	1,604.00
ELECTRICAL PERMITS	12	865.00
BUILDING PERMITS	40	3,312.00
FIRE SUB CODE	7	325.00
CONST CERT OF OCCUPANCY	59	1,515.00
ZONING PERMITS	12	120.00
200 FT PROPERTY LIST	2	20.00
TRANSFER OF TITLE	14	505.00
REINSPECTION FEES	0	-0-
CONSTRUCTION VIOLATIONS	0	-0-
COPIES	0	-0-
MISC.	12	275.00
ELEVATOR INSPECTION AGENCY	0	-0-
ELEVATOR-BOROUGH	0	-0-
SMOKE DETECTORS	52	1,040.00
CONST. DEBRIS DEPOSITS	9	450.00
TOTAL		$10,509.00

ACCOUNTS PAYABLE

AMOUNT PAID TO BOROUGH, CHECK #2419 $9,581.00
STATE FEE DUE - PAID QUARTERLY

Submitted by Annette Kovacs, Senior Permit Clerk

16. Librarian's Report

Copy on file in the Clerk's Office

Submitted by Jacqueline LaPolla, Librarian

17. Fire Department Report

Total Man Hours: 1,545.0

Submitted by Harry Aumack, III, Fire Chief

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

COMMUNICATIONS & PETITIONS

1. Request from Keyport Aberdeen Women's Softball to change starting time from 7:00 P.M. to 6:30 P.M.

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

2. Letter from Harbor Commission regarding placement of pier (discussion on location)

Motion to refer to Harbor Commission moved by Mr. Stalter, seconded by Mr. Doyle with Ayes by all present.

3. Letter from Shorelands Water Company regarding Keyport's share in the Manasquan User's Group

   Motion to add a resolution to the agenda, moved by Mr. Bergen, seconded by Mrs. Atkins, with Ayes by all present.

4. Request from Raritan Post 23 American Legion to waive Borough instant raffle

   Motion to approved, moved by Mr. Bergen, seconded by Mr. Hyer, with Ayes by all present

5. Letter from Linda Zaleski, 116 Second Street, inquiring as to whether the Borough would be interested in purchasing her property

   Motion to refer to the Finance Committee, moved by Mr. Doyle, seconded by Mrs. Atkins, with Ayes by all present

6. Notice from County Solid Waste Coordinator of proposed amendments to Monmouth County Solid Waste Plan

   Motion to receive and file, moved by Mr. Bergen, seconded by Mr. Doyle, with Ayes by all present

PUBLIC PARTICIPATION

The Meeting was opened to the public for comments or questions at 9:05 P.M. Joanne Staeger, Main Street asked about curb painting and discrepancies in footage. Chief Gajewski said the Stop Signs and Crosswalk Signs were not properly placed and the Police Department is in the process of completing a survey. Mrs. Staeger asked about people who have received tickets in the past. Mrs. Staeger asked about the new striping on the highway and was it part of the project; Mr. Hyer said yes. Mrs. Staeger asked about the rewards program in the Fire Department and Mrs. Atkins said the information was not received timely, that it would not be addressed this year and it needs work. Mrs. Staeger asked about plans for the old Borough Hall and Mayor Merla said there are none at the present time, that there are old records in the building. Mrs. Staeger asked if the Borough sold its property on Beers Street and Mayor Merla said no. Mrs. Staeger asked Mr. Kain if a settlement had been made in the Magic Touch case and Mr. Kain said yes, it is being discussed. Mrs. Staeger asked why the Special Meeting on Monday at 6 PM was being held in the Borough Hall and Mayor Merla said it was convenient. Mrs. Staeger said the building is not handicapped assessable. The meeting will be moved to the Senior Center. Mayor Merla said other meetings are held in the Borough Hall. Mr. Kain said there are three issues; diversion, parking of cars and parking of the ferry overnight. Mr. Bergen said Mr. Cummins was given site plan approval for his property on Beers Street and he is in default on the payment to the Borough on the Ferry. Robert Burlew, CCO is to be asked to give a status report. Mr. Kain will review the ordinances regarding dirt and other storage on the property. Mitch Myerson, 67n Church Street asked about the West Furniture site, what was being done about the sign, air conditioning units, lighting and businesses and the certificates of occupancy. Mayor Merla said they are coming to the Planning Board next Thursday, have noticed property owners within 200', that they have new plans and have posted escrow fees. Mr. Bergen asked that the Property Maintenance Officer have the windows boarded up on the corner property. Joseph Wedick, Therese Street asked about the sign Ed Burlew put up on the waterfront, will there be a marina there and will the Borough lose the property. Mr. Kain said the matters are being negotiated and there is a December trial date. Mr. Myerson asked about the 52 unit project on Beers Street and the impact on a 100 year old water/sewer system. Mayor Merla said that Mr. Cummins donated a bus to the Borough and regarding the project, no one has come to the Planning Board. Dorothy Bikatis spoke with Mr. Caddle's grandson who said there will be 52 units on the property. Mayor Merla said there are rumors; there are in negotiations with Kara Homes. Julie Astasi, Main Street thanked the Borough for their response to her drainage problem. Mary Alan, Maple Place asked about the new homes on Atlantic Street and who dug up the road, that it is uneven. It takes 90 days for settlement. Mrs. Alan said she was honored at the 110th anniversary of the 2nd Baptist Church.The Public Comment Portion was closed at 9:29 P.M.

RESOLUTIONS

2. **Resolution #303-03,** Acceptance of Award of Additional Title III B Funding from County of Monmouth, Office on Aging

WHEREAS, the County of Monmouth, Department of Human Services, Office on Aging has awarded the Borough of Keyport, Keyport Senior Center, Grant Agreement Number 13-067, for FY 2003 an additional amount of $1,000.00 in Title III B funding.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the Borough of Keyport hereby accepts the additional Title III B funding in the amount of $1,000.00.

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

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

3. **Resolution #304-03,** Liquor License Renewal 2003/2004

WHEREAS, application for renewal of certain plenary retain consumption, plenary retail distribution and club licenses has been made to the Mayor and Council of the Borough of Keyport as hereinafter set forth; and

WHEREAS, the Borough Clerk reports that each and every instance notice of renewal has been published by the Alcoholic Beverage Control; and

WHEREAS, the Borough Clerk further reports that the requisite fee by each and every applicant has been paid and is in her office; and

WHEREAS, the Borough Clerk reports that each of the applicants has received approval from the Keyport Building Inspection Department that all pertinent Ordinances of the Borough of Keyport have been complied with by each of the applicants.

NOW, THEREFORE, BE IT RESOLVED that plenary retail consumption licenses be issued by the Borough of Keyport and the appropriate officers of the Borough of Keyport are hereby authorized to issue and sign the same in the name of the

Borough of Keyport for the period commencing July 1, 2003 and ending June 30, 2004, upon application filed by:

1322-33-077-008 DTV Corp.

BE IT FURTHER RESOLVED that all licenses renewed herein, except Package Stores, but including Retail Consumption Licenses, Retail Plenary Distribution Licenses and Club Licenses, shall have exit and entrance doors to Licensed premises closed during all business hours.

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

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

4. **Resolution #305-03,** Tax Reductions Granted by Monmouth County Board of Taxation; Block 25, Lot 8.01; Block 39, Lot 26; Block 79, Lot 14

WHEREAS, the Tax Collector of the Borough of Keyport, New Jersey, has determined that action is required as a result of the 2003 tax reductions granted by the Monmouth County board of Taxation; and

WHEREAS, the Tax Collector has certified to the foregoing as well as to the amount of the tax cancellation which is set forth with the name and address of the taxpayers.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Keyport that the required tax cancellations be made and a credit applied to the 3rd and 4th quarters 2003 taxes since all taxes for the full year were not paid.

BLOCK/LOT		OWNER	LOCATION	CANCELLED	CREDIT
25	8.01	Laurie Eng	98 Luppatong	$ 253.68	$ 253.68
39	26	H. & A. Smith	21 Beers	181.20	181.20
79	14	Oakland Investment	31 Division	2,714.60	2,714.60

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

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

5. Resolution #306-03, Special Meetings, Hearings on Borough of Keyport providing for the acquisition of the Borough of Keyport's Water and Wastewater System

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

THURSDAY, SEPTEMBER 25, 2003 AT 7:00 P.M. IN THE ALL-PURPOSE ROOM, KEYPORT CENTRAL SCHOOL, BROAD STREET, KEYPORT, NJ AND THURSDAY, OCTOBER 9, 2003 AT 7:00 P.M. IN THE KEYPORT FIRST AID BUILDING, 1927 ATLANTIC STREET, KEYPORT, NJ

for the purpose of discussing the following matters:

Hearings on the Borough of Keyport providing for the acquisition of the Borough of Keyport's Water and Wastewater Systems, and any other business which may come before the Governing Body; and

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Keyport shall hold Special Meetings as stated above.

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

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

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

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

6. **Resolution #307-03**, Cancellation of taxes due to tax exempt status, Block 94, Lot 30.032

WHEREAS, John McGinty purchased property located at 125 First Street Unit 3B in Keyport, NJ and known as Block 94, Lot 30.032; and

WHEREAS, John McGinty is a 100% Disabled Veteran and has been granted tax exempt status by the Borough Tax Assessor; and

WHEREAS, THIS CREATES A NEED TO CANCEL TAXES FROM THE DEED DATE OF MARCH 25, 2003.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, that the Tax Collector is hereby authorized to cancel the tax amount of $5,665.04 and due to the fact that first half taxes were paid, to refund $1,809.04. This represents the amount prorated from the deed date of $113.04 and second quarter of $1,696.00.

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

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

7. **Resolution #308-03**, Municipal Complex: Change Order #12, Bump Out ($27,500.00)

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

WHEREAS, the Mayor and Council have received a revised, written request from the project architect for a change order for the municipal complex as it relates to the construction of a "bump out" of the street and sidewalk in front of the new municipal complex to be performed by the general contractor, A&K Excavating; and

WHEREAS, the Mayor and Council have reviewed the proposed amended change order which consists of the removal and replacement of the concrete apron, additional curb, sidewalks and pavers and the installation of 6 bollards with lights and appropriate electrical connections as set forth in the revised Change Order No. 12 as submitted by the general contractor, A&K Excavating, Holmdel, New Jersey, and approved by the project architect; and

WHEREAS, based upon the review of the Mayor and Council and the recommendation of the project architect, the Mayor and Council are included to authorize an amended change order for the additional work relative to the reconfiguration of the public street to include the "bump out" in the amounts of $11,304.50 for the sidewalk, curbs, and pavers and six (6) lighted bollards with appropriate electrical connections, plus such additional minimum costs necessary to install lights in six (6) bollards and electric as required by the Monmouth County Planning Board; and

WHEREAS, the Mayor and Council desire to memorialize the within resolution approving the amended change order and authorizing the project architect to proceed with the within change to the municipal complex as set forth in revised Change Order No. 12 to the Keyport Municipal Complex, with the provision that the substantial completion date remain as August 13, 2003 in accordance with the previous determination;

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

1. The Mayor and Council the Borough of Keyport hereby approve the revised change order request, designated Change Order No. 12 submitted and recommended by the project architect consisting of removal and replacement of the concrete apron, additional sidewalk, curb, pavers and 6 bollards with lights and electric connections as required by the Monmouth County Planning Board.

2. The Mayor and Council hereby approve the amended change order in the amount of $11,304.50 as it relates to the sidewalk, curbs, pavers and bollards. The within approval shall not alter the substantial completion date fixed as August 13, 2003.

3. That the within contract sum for the construction of the within municipal complex is hereby increased to $3,396,412.14, inclusive of Amended Change Order No. 12.

4. The within resolution is specifically contingent upon the Certification of the Municipal Finance Officer as to the available funds within the appropriate bond ordinance adopted by the Mayor and Council and amended thereafter.

5. That a copy of this Resolution, duly certified, shall be forwarded to the Project Architect, General Contractor, A&K Excavating, Clerk of the Works, Borough Engineer, Consulting Engineer and the Municipal Finance Officer.

6. Copies of the within Resolution shall be retained in the office of the Borough Clerk for public inspection.

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

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Hyer
Stalter, Doyle, Green *
* as corrected

8. Resolution #309-03, Salary Resolution/Part Time Employees

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Keyport in accordance with the Salary Ordinance now in effect, that:

Section I. The following annual salaries are hereby established for the indicated positions retroactive to January 1, 2003 or date of hire or transfer, whichever is later:

Title:	Annual Salary:
Mayor	$ 3,000.00
Councilmembers	$ 2,500.00
Fire Chief	$ 1,700.00
Assistant Fire Chief	$ 1,500.00
Tax Assessor	$11,094.00
Municipal Court Judge	$17,998.00
Municipal Prosecutor	$11,350.00
Municipal Public Defender	$ 4,678.00
Unified Planning Board Secretary	$ 4,207.00
Fire Sub Code Official	$ 4,500.00
Fire Official	$10,000.00
Electrical Sub Code Official	$ 4,500.00
Electrical Inspector	$ 4,000.00
Plumbing Sub Code Official	$ 3,500.00
Construction Code Officer	$25,000.00
Water Plant Operator	$ 5,260.00
Recreation:	
Director	$ 3,200.00
Assistant Director	$ 2,100.00
Supervisor	$ 1,500.00
Counselor	$ 900.00
Fire Alarm Repairman	$ 1,000.00
Fire Inspector	$ 3,000.00
Drug Alliance Coordinator	$ 6,675.00
Recycling Coordinator	$ 2,920.00
Assistant Recycling Coordinator	$ 2,682.00
Bloodborne Pathogen Officer	$ 3,120.00
Chief Financial Officer	$41,057.00
Code Enforcement Officer	$ 7,930.00
Property Maintenance Officer	$ 4,160.00
Asst Property Maintenance Officer	$ 3,640.00
Smoke Detector Inspector	$ 5,200.00

Section II. The following hourly salaries are hereby established for the indicated positions effective January 1, 2003, or date of hire or transfer, whichever is later:

Title:	Hourly Rate:
Deputy Registrar of Vital Statistics	$ 15.00
Account Clerk	$ 11.50
Building Maintenance Worker	$ 8.50
Clerk/Typist	$ 7.00
Special Police Officer	$ 9.50
Police Matron	$ 7.25

Laborer - Public Works	$ 10.00
Clerical Employees - Senior Ctr	$ 5.15
Parking Enforcement Officer	$ 8.50
Public Safety Telecommunications Operator - Trainee	$ 6.75
Public Safety Telecommunications Operator	$ 8.85
School Crossing Guard	$ 9.00

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

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

9. **Resolution #310-03**, Payment of Bills

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

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

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Hyer, Stalter*, Doyle, Green
*Mr. Stalter abstained on payments to Wesley Kain

10. **Resolution #311-03**, Hire School Cross Guard/Donna Deville

WHEREAS, it is necessary to hire a School Crossing Guard; and

WHEREAS, Police Chief Theodore Gajewski has submitted a recommendation; and

WHEREAS, funds are available in the 2003 budget for this position.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that Donna Deville is hereby hired as a part time School Crossing Guard, effective August 20, 2003 at the hourly rate now in effect for the position.

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

BE IT FURTHER RESOLVED that the maximum hours are not to exceed 28 hours per week.

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

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

11. **Resolution #312-03**, Hire of School Crossing Guard/Elise Kmetz

WHEREAS, it is necessary to hire a School Crossing Guard; and

WHEREAS, Police Chief Theodore Gajewski has submitted a recommendation; and

WHEREAS, funds are available in the 2003 budget for this position.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that Elise Kmetz is hereby hired as a part time School Crossing Guard, effective August 20, 2003 at the hourly rate now in effect for the position.

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

BE IT FURTHER RESOLVED that the maximum hours are not to exceed 28 hours per week.

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

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

12. **Resolution #313-03,** Liquor License 1322-33-003-007, Adamo, Eugene, Renewal for 2003/2004

WHEREAS, application for the renewal of certain plenary retail consumption, plenary retail distribution and club licenses has been made to the Mayor and Council of the Borough of Keyport as hereinafter set forth; and

WHEREAS, the Borough Clerk reports that in rach and every instance notice of renewal has been published by the Alcoholic Beverage Control; and

WHEREAS, the Borough Clerk further reports that the requisite fee by each and every applicant has been paid and is in her office; and

WHEREAS, the Borough Clerk reports that each of the applicants has received approval from the Keyport Building Inspection Department and that all pertinent Ordinances of the Borough of Keyport have been complied with by each of the applicants.

NOW, THEREFORE, BE IT RESOLVED that plenary retail consumption licenses be issued by the Borough of Keyport and the appropriate officers of the Borough are hereby authorized to issue and sign the same in the name of the Borough of Keyport for the period commencing July 1, 2003 and ending June 30, 2004, upon application filed by:

1322-33-003-007 Adamo, Eugene

BE IT FURTHER RESOLVED that all licenses renewed herein, except Package Stores, but including Retail Consumption Licenses, Retail Plenary Distribution Licenses and Club Licenses, shall have exit and entrance doors to Licensed premises closed during all business hours.

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

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

13. **Resolution #314-03,** Acceptance of Donation for the Benefit of the Borough of Keyport

WHEREAS, Michael Cummins has donated a 1988 BLU Bus for use by the Keyport Senior Center; and

WHEREAS, the Borough greatly appreciates the generosity of Mr. Cummins; and

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

1. A list containing this donation accepted by the Borough is hereby attached.

2. The Borough hereby acknowledges receipt of this donation and expresses its appreciation to Mr. Cummins.

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

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

14. **Resolution #315-03**, Vacating Suspension, Authorizing Acceptance of Resignation in Good Standing and Directing Payment of Accrued Benefits

WHEREAS, Jonathan Rhodes is a full time permanent employee with the Borough of Keyport assigned to the Public Works Department; and

WHEREAS, the Mayor and Council have previously suspended the within employee indefinitely pending resolution of certain criminal matters involving a theft from the Keyport Senior Center; and

WHEREAS, the employee having requested the suspension be vacated to allow the employee to submit his resignation in good standing as an employee of the Borough of Keyport; and

WHEREAS, the Mayor and Council have considered the employee's 15 years of service to the Borough of Keyport and are resolved to permit the resignation in good standing as well as accrued benefits due to the public employee; and

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

7. The Mayor and Council of the Borough of Keyport hereby vacate the current suspension and accept the resignation in good standing as well as accrued benefits due to the public employee.

8. The Mayor and Council further direct that said Borough Employee immediately surrender to his supervisor and/or the Borough Clerk, all Borough property presently in his possession or control, including, but not limited to keys to any public buildings or facilities, equipment and records which the employee may possess.

9. The Mayor and authorize the continuation of all health benefits through August 31, 2003. The Mayor and Council further authorize the payment of any accrued benefits due to the Borough Employee as a condition of employment with the Borough of Keyport, including vacation and personal time, through July 17, 2003.

10. Copies of the within resolution shall be forwarded to the Union Representative, Municipal Finance Officer, Borough Employee and a copy of the within Resolution shall be maintained in the office of the Borough Clerk

for public inspection.

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

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

15. **Resolution #316-03,** Appointment of Deputy Emergency Management Coordinator

BE IT FURTHER RESOLVED by the Council of the Borough of Keyport that the appointment of Kenneth Marr, Jr., as Deputy Emergency Management Coordinator with a term to expire on December 31, 2003 be and the same is hereby confirmed.

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

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

16. **Resolution #317-03,** Authorize Participation in the Manasquan User's Group Year 2003

WHEREAS, the Borough of Keyport has been and desires to continue to be a participant in the Manasquan User's Group whose purpose is to fight rate increases for the New Jersey American Water Company which effect the municipalities in the Group.

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

1. The Borough hereby authorizes participation in the Manasquan User's Group and authorizes the payment of its share of the $25,000.00 budget in the amount of $26,640.65.

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

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

<u>ADJOURNMENT</u>

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

Time of Adjournment: 9:45 P.M.

Respectfully submitted,

Judith L. Poling

Judith L. Poling, RMC/CMC
Borough Clerk