Approved 9/18/01

August 21, 2001
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 Graham called the meeting to order at 7:07 P.M. and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Ashmore, Antonucci, Merla, Atkins, Bergen, Pedersen. Others present: Mr. Andrew Provence, Borough Attorney's Office.

RESOLUTION

1. Resolution #263-01, Closed Meeting - Personnel, Litigation, Labor Relations and Contract Negotiations

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

Personnel
1. Water Plant
2. Police Department
3. Public Works Department

Contract Negotiations
1. Interlocal with Matawan
2. Purchase of Property

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

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

Personnel and Contract Negotiations

BE IT FURTHER RESOLVED that the discussions on Personnel, Litigation, Labor Relations and Contract Negotiations conducted at said closed session shall be disclosed when the matters discussed are resolved, and with regard to Labor Relations when negotiations are completed and a contract executed, and this meeting shall continue in approximately 15 minutes.

Offered for adoption by Mr. Merla, seconded by Mr. Pedersen

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Merla Atkins, Bergen, Pedersen

Council went into Closed Session at 7:07 P.M. and this meeting was reconvened at 7:40 P.M. On Roll Call the following were present: Councilmembers Ashmore, Antonucci, Merla, Atkins, Bergen, Pedersen.

Mayor Graham called the meeting to order at 8:12 P.M. and read the Sunshine Law Notice. Councilmember Atkins led the Pledge of Allegiance and Moment of Silence.

ROLL CALL

On Roll Call the following were present: Councilmembers Ashmore, Antonucci, Merla, Atkins, Bergen, Pedersen. Others present: Mr. Andrew Provence, Borough Attorney's Office and Mr. Kriskowski, Borough Engineer.

Mayor Graham advised the public that there was a change in the Agenda format. There are two forms of Meetings (Work and Regular). Both meetings were being combined as far as format; the agendas will now be streamlined to ease into two separate formats. Listed is a Public Participation on agenda items only. Public Participation will be added for other items after Reports of Departments. Mr. Bergen said that he felt that public participation should be on agenda items only on Work Meetings and full public participation on Regular Meetings. Agendas will be set up as requested.

APPROVAL OF MINUTES

Minutes of the Regular Meeting of July 24th, Work Meeting of August 7th, Closed Meetings of July 10th, 24th and August 7, 2001 were approved as read on motion of Mr. Pedersen, seconded by Mrs. Atkins with Ayes by all present.

INTRODUCTION OF ORDINANCE

1. Ordinance #13-01, Ordinance Amending Bond Ordinances #7-99 and 6-00 Washington Street

The Clerk reported that the Supplemental Debt Statement is on file in her office.

The Clerk read the Ordinance by Title:

AN ORDINANCE OF THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, PROVIDING A SUPPLEMENTAL APPROPRIATION OF $200,000 (INCLUDING A GRANT IN THE AMOUNT OF $170,000 FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION) FOR VARIOUS ROAD IMPROVEMENTS AND OTHER RELATED EXPENSES IN AND FOR THE BOROUGH OF KEYPORT AND APPROPRIATING $200,000 THEREFOR AND PROVIDING FOR THE ISSUANCE OF $28,500 IN BONDS OR NOTES OF THE BOROUGH OF KEYPORT TO FINANCE THE SAME

BE IT ORDAINED by the Borough Council of the Borough of Keyport, in the County of Monmouth, New Jersey (not less than two-thirds of all members thereof affirmatively concurring), as follows:

Section 1. The improvement or purpose described in Section 3 of this Bond Ordinance has heretofore been authorized to be undertaken by the Borough of Keyport, in the County of Monmouth, New Jersey (the "Borough") as a general improvement. For the improvement of purpose described in Section 3 hereof, there is hereby appropriated the supplemental amount of $200,000, such sum being in addition to the $650,000 appropriated therefor by bond ordinance of the Borough finally adopted May 16, 200 (the "Prior Ordinance"), and including the sum of $1,500 as the additional down payment for the improvement or purpose required by the Local Bond law. The additional down payment has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the additional cost of the improvement or purpose not covered by application of the additional down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of $28,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued consist of varius road improvements, including reconstruction, repaving and drainage improvements to Washington Street, together with all purposes necessary, incidental and appurtenant thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is $337,250 including the $308, 750 of bonds or notes authorized by the Prior Ordinance, and the $28,500 bonds or notes authorized herein.

(c) The estimated cost of the improvement or purpose is $850,000, including the $650,000 appropriated by the Prior Ordinance, and the $200,000 appropriated herein.

Section 4. All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matter in connection with notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of NJSA 40A:2-8(a). The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the Borough may lawfully undertake as a general improvement, and no part of the costs thereof have been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 20 years.

(d) An aggregate amount not exceeding $260,000 for items of expense listed in and permitted under NJSA 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose. Of this amount, $200,000 was estimated for these items of expense in the Prior Ordinance, and an additional $60,000 is estimated therefor herein.

(e) The Borough reasonably expects to commence the purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Borough further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. After passage upon first reading of this bond ordinance, the Borough Clerk is hereby directed to publish the full text of the bond ordinance, together with the notice set forth below entitled: "NOTICE OF PENDING BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under NJSA 40A:2-19, at least seven days prior to the date set for public hearing and further consideration for final passage (which date shall be at least ten days after introduction and first reading). The Borough Clerk is further directed to comply with all provisions of NJSA 40A:2-17(b) regarding postings, publications and the provision of copies of this bond ordinance.

Section 10. After final adoption of this Bond Ordinance by the Borough Council, the Borough Clerk is hereby directed to publish the full text of this bond ordinance, as finally adopted, together with the notice set forth below entitled: "NOTICE OF ADOPTION OF BOND ORDINANCE" (with appropriate completion, insertions and corrections), at least once in a newspaper qualified under NJSA 40A:2-19.

Section 11. The Borough Council of the Borough hereby covenants on behalf of the Borough to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 12. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make is consistent herewith.

Section 13. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by Section 10 hereof and the Local Bond Law.

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

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Atkins
Bergen, Pedersen
Abstain: Councilman Merla

1a. Motion authorizing the Clerk to publish the Ordinance as introduced in the Courier, issue of August 23, 2001 for a Hearing to be held September 4, 2001 moved by Mrs. Atkins, seconded by Mr. Pedersen with Ayes by all present.

COMMITTEE REPORTS

Councilwoman Ashmore; Police: Mrs. Ashmore reported on the following. She spoke with Chief Gajewski and the parking study is still being conducted regarding intersections and curbs are being painted. The Department was shorthanded this past weekend; Police officers were needed for the circus that was in town over the weekend and Pop Warner traffic had to be handled. Officers were recruited by the Board of Education. Mr. Merla spoke with Chief Gajewski and the Sheriff's Office was contacted for help. An alternate way for this to be handled needs to be considered. Mr. Merla said that this is a Borough issue not a Board of Education matter. People are being told not to go to the field to park. Chief Gajewski said that this is a difficult situation. There was an accident and a decision was made to close the street. The Chief said that if he was wrong, he should be advised. Mr. Merla said that there was lack of communication. Mr. Merla said that the Borough is not obligated to have an Officer at the field. Mr. Bergen said that the matter should be looked at for regulation; an officer is needed to direct traffic. There was a back up at the fence/gate which caused a bottleneck. This matter should be referred to the Police Committee. Mrs. Atkins said that there are cars that race down the street and an Officer at the front of Jackson Street has been a big help. A Jackson Street resident said that there are parking problems. Mayor Graham suggested that Captain Dayback, Pop Warner and the school regroup and review procedures. Mr. Merla asked if tickets were issued; yes. It was suggested that the fence be relocated so as to make the area wider; the Board of Education said that this could not be done. Chief Gajewski said that he should have notified the Police Committee and he apologized.

Councilman Antonucci; Health, Welfare, Recreation and Parks: Mr. Antonucci reported on the following. The Public Works Department has been improving the parks. A selection was made regarding a Borough Web Site; the Keyport Business Alliance has voted on it.

Councilman Merla; Fire: Mr. Merla reported on the following. He hoped that within a month Council will act on the proposal regarding the Fire Inspectors and Fire Official salaries. In Mrs. Ashmore's absence, he ran by Chief Gajewski to have a County Officer help the Borough on Saturday and Sunday with the events in town. He spoke with the Keyport Business Alliance to remove the Circus signs. He recommended that after events, all signs should be removed. He commended the Public Works Department for painting lines by the fire hydrant on Eighth Street. He spoke with Captain Dayback. An off duty officer from another town was ticketed. He thanked Public Works for putting out new advisory signs. Regarding the Post Office Property, they said that they are waiting on the Borough for the approval of permits and to move the trailer; the Mayor said that this was news to him. Mr. Kriskowski said that as a courtesy, the Borough can review and recommend, but it is not a formal site plan.

Councilwoman Atkins; Buildings & Grounds and Library: Mrs. Atkins reported on the following. There were 2327 books and magazines circulated in the Library, 1309 registered residents, 142 new books put on the shelves, 1912 adults and children who used the library in July. There were 76 people who attended arts and crafts and 30 children for story hour and 217 people used the computer. There is a volunteer luncheon Sunday at the Senior Center. The air conditioning went out in the Annex Building; the system is from 1950 and parts are not available. She spoke with Mr. Bergen regarding looking for another office or bringing in a trailer. Motion to amend the Agenda by adding a resolution to authorize the Borough Administrator to investigate these options moved by Mrs. Atkins, seconded by Mr. Bergen with Ayes by all present.

Councilman Bergen; Finance, Purchasing, Insurance and Grants: Mr. Bergen reported on the following. He reviewed the Fire Official's budget and there should be enough money for additional inspectors. Insurance prices are being obtained; the State Plan has a 25% rate increase (this will be looked at for next year). Regarding Public Works, Council needs to look at the Water/Sewer Utility works and work on bid specs and bonding.

Councilman Pedersen; Public Works and Recycling: Mr. Pedersen reported on the following. Trucks for the car trailers are using Beers Street as an unloading area and the street is deteriorating (outer edges of the road). It is a heavily traveled road (no one lives there). He spoke with John Kriskowski, Borough Engineer, about options since it is our street. The Borough could: 1) deed the street to Toms Ford and Straub or 2) request that Toms Ford and Straub contribute money to help repave the street and install curbing. Mr. Merla said to vacate the street since it is not benefitting anyone but the car dealers. It was asked if the Borough should write to each dealership or just pay for the repairs. Mr. Provence asked if there was a special assessment; it would be a Capital Improvement. It was suggested that this be referred to the Finance Committee. Mr. Pedersen said that these trucks are eating away the road. The matter was referred to Mr. Provence and Mr. Bergen. George Sappah, Supt of Public Works said that Hazlet is working on their side of Beers Street. The ramp for the pier is in great improvement. The Mosquito Commission did work on Chandler Avenue. Mr. Pedersen spoke with Mr. Goble regarding the erosion; the Public Works Department put in shoots on both sides of the Street for under $300. Regarding a dog walk area, people are using the parks with their dogs, there could be stands on poles with bags installed. The cost would be $158 each and 3 or 4 would be needed (800 bags). Most of the parks are on the water. This matter was referred to Mr. Bergen regarding the financing portion. The Harbor Commission discussed leasing the ramp building as a concession bait and tackle shop. The Harbor Commission would like control of the ramp and fees; this will be discussed again at their next meeting. Mr. Merla asked about posters for the Snapper Contest. Mr. Pedersen said that it is in his computer, the Borough Clerk runs the copies and Public Works distributes them to the schools. The Clean Communities workers will be going back to school. Signs are being placed on the poles; Public Works will take all of the signs down off of the poles. An article should be placed in the newsletter.

Administrator Poling: Mrs. Poling reported on the following. The Keyport-Aberdeen Women's Softball League has requested to use Cedar Street Ballfield on Tuesdays as well as Fridays. Motion to Approve this request moved by Mr. Merla, seconded by Mrs. Atkins with Ayes by all present. Mr. Bergen asked about the foul balls from Cedar Street; there is netting. Mrs. Ashmore asked if the Borough will look into putting up netting at the Main Street Ballfield. The Chamber of Commerce responded back to the Borough that they need West Front Street closed from Broad to Beers Streets at 8 AM for the Country Jamboree (October 6 and 7). Mr. Bergen said that an explanation for the 8 AM Closing was requested; he was advised to contact the Chamber. Mr. Merla asked about the Borough's expenses for the events that take place in town. Mr. Bergen said that when the crosswalk near the Bakery was taken out, the curb was painted black and it is hard to see; he tripped.

Engineer Kriskowski: Mr. Kriskowski reported on the following. The Plans for Phase III of the Washington Street Project are 95% complete and the project could be advertised by August 30th with Receipt of Bids on September 14th; a recommendation will be given at the next meeting. Mr. Merla asked if the road was done correctly; it seems soft, trucks are cutting into it. Mr. Kriskowski said that corings were ordered before the final paving was done. Mr. Merla said that there are sections in town that the gas company had infrared done; they did a nice job. Mr. Bergen said that a Main Street water main broke and asked if infrared could be done. Mr. Bergen asked about Beers Street from Pershing Place to the Highway; half will be paved by the Gas Company. He asked if Washington on the north could added to the Washington Street project. He asked if the other side of West Front Street could be paved and added to the specs. Mr. Kriskowski said that the State said that both projects are good (Atlantic and continue with Washington Street towards the north).

Attorney Litwin: Mr. Provence reported on the following in Mr. Litwin's absence. Deputy Attorney General Bill Anderson asked questions regarding the Waterfront Tidelands Application; comments should be sent to Mr. Provence's attention. A resolution was forwarded amending the Insurance requirements for events that take place on Borough Property; the Borough is to be listed as additional insured and the organization can be asked for indemnification. He spoke with a representative from Garden State Paper; a contract will be prepared for the September 4th meeting. The Contract expires August 31, 2001; GSP will continue service until a contract is worked out. The Fire Department Ordinance Amendment was distributed in Council's packets. Under the Relief Fund, if a volunteer is not eligible, they can sign a waiver. A draft computer use policy was submitted for Council's review. Mr. Merla asked who would enforce the policy; Supervisors. Mr. Merla said that phone bills, faxes and computer use would have to be reviewed. Mayor Graham said hopefully employees would comply. Mr. Bergen said a policy would have to be in effect so that the Borough could defend disciplinary actions.

Mayor Graham: The Mayor reported on the following. He thanked Council for their attention to the matters listed tonight. This past Saturday (August 18th) was the Grand Opening of EUROMAX Travel Agency on East Front Street. They have locations in West New York, Manhatten, Red Bank. Counsel from Ecuador and Mexico were in attendance, the Governors of New York and New Jersey sent representatives. EUROMAX will do wire transfers, they have plush phone booths, discounted rates. It was opened for the Spanish community. There was music and the Mayor welcomed them on behalf of the Borough Council. The Business Improvement District held their quarterly Board of Directors meeting last night; they reviewed achievements, community activities and plans for the future. The Board of Directors are pleased with the Governing Body's participation and Public Works involvement with the various activities.

Mr. Bergen requested that the Grease Trap Abatement and Fire Department Ordinances be listed for introduction on the September 4th Agenda. He requested that the Borough Administrator forward the computer use policy to the Unions and this be listed on the September 4th Agenda.

REPORTS OF DEPARTMENTS

MAY 2001

1. Police Department-Fingerprint/Firearm Fees

   Total Amount Collected $24.00

   Submitted by Theodore Gajewski, Police Chief

JUNE 2001

2. Treasurer's Report

CURRENT CHECKING	$234,289.51
ASSESSMENT TRUST	621.33
FEDERAL AND STATE GRANTS	588.11
ANIMAL CONTROL	3,990.65
TRUST CHECKING	36,239.56
TRUST SAVINGS	139,298.71
RECREATION BAYFRONT	65,515.17
UNEMPLOYMENT/DISABILITY	61,242.90
RECREATION COMMISSION	7,455.81
GENERAL CAPITAL	251,373.57
ESCROW TRUST	171,268.78
LAW ENFORCEMENT	9,619.25
SELF HEALTH INSURANCE FUND	3,616.04
WATER/SEWER OPERATING	5,280.14
WATER/SEWER SAVINGS	80,915.64
WATER/SEWER INVESTMENT	116,491.82
WATER CAPITAL CHECKING	1,301.73
WATER CAPITAL INVESTMENT	92,219.25
GENERAL CAPITAL INVESTMENT	3,147,406.96

INTEREST EARNED ON INVESTMENTS FOR JUNE, 2001
CURRENT - $14,854.70
WATER - $ 1,060.51

Submitted by Pauline Redmond, Treasurer

3. Police Department-Fingerprint/Firearm Report

   Total Amount Collected $-0-

   Submitted by Theodore Gajewski, Police Chief

JULY 2001

1. Borough Clerk's Report

WATER/SEWER ACCOUNT

WATER CONNECTION	$	-0-
WATER METER		-0-
TURN ON CHARGE		-0-
SEWER CONNECTION		-0-
SEWER/POOL PERMIT		60.00
WATER METER W/TO		-0-
DEMOLITION		300.00
TOTAL WATER/SEWER, CHECK #3446	**$**	**360.00**

CURRENT ACCOUNT

BINGO LICENSE	$	-0-
GUN PERMITS & ID'S		180.00
LIMO LICENSE		-0-
PHOTOCOPIES		39.50
POSTAGE		.68
RAFFLE LICENSE		-0-
TAXI LICENSE, DRIVER		-0-
TAXI LICENSE, OWNER		-0-
POLICE DEPT ACCIDENT REPORT		493.00
SEARCHES		-0-
VENDING LICENSE		-0-
PEDDLER LICENSE		-0-
LIQUOR LICENSE		-0-
STREET OPENING		375.00
FISH & GAME		-0-
NEWSPAPER VENDING MACHINES		275.00
RECYCLING PERMITS		738.00
PARKING PERMITS		10.00
AUCTION LICENSES		-0-
VENDING MACHINES		420.00
RETURNED CHECK CHARGES		20.00
TOTAL CURRENT, CHECK #3447	**$**	**2,551.18**

ESCROW ACCOUNT

CASH REPAIR DEPOSIT, CHECK #3448	$ 1,118.00

RECREATIONAL BAYFRONT IMPROVEMENT TRUST

BOAT LAUNCHING RAMP PASSES	$ 9,520.00
BAIT	768.25
ICE	229.25
ICE CREAM/SODA	204.50
TOTAL RBIT, CHECK #3449	**$ 10,722.00**
TOTAL RECEIPTS	**$ 14,751.18**

Submitted by Allyson M. Cinquegrana, Deputy Borough Clerk

5. Tax Collector's Report

2001 TAXES	$375,569.02
2000 TAXES	16,389.47
2002 PREPAID TAXES	2,320.12
PRIOR YEARS TAXES	-0-
PROPERTY REDEEMED	-0-
INTEREST AND COSTS	3,350.73
TAX SEARCHES	10.00
POST OFFICE LAND RENT	-0-
SENIOR CITIZEN HOUSING IN LIEU OF TAXES	19,873.00
RETURNED CHECK CHARGES	20.00
ALL OTHER MISCELLANEOUS REVENUE	54,745.97
TOTAL CURRENT RECEIPTS	**$472,278.31**

WATER & SEWER RENTS	$460,292.56
INTEREST AND COSTS	2,036.01
TURN ON CHARGES	160.00
RETURNED CHECK CHARGES	52.00
POOL PERMITS	60.00
WATER METERS/WITH TURN ON	-0-
NEW METERS AND INSTALLATION CHARGE	-0-
WATER & SEWER CONNECTIONS	-0-
METER TEST CHARGE	-0-
FIRE SERVICE	5,304.69
METER REPLACEMENT, PARTS ETC	-0-
DEMOLITION PERMIT	300.00
ALL OTHER MISCELLANEOUS REVENUE	-0-
TOTAL WATER/SEWER RECEIPTS	**$468,205.26**

Submitted by Pauline Redmond, Tax Collector

6. Building Department Report

PERMITS	NUMBER OF PERMITS	AMOUNT RECEIVED
CONSTRUCTION STATE FEE	20	$ 56.00
CERTIFICATE OF OCCUPANCY	45	1,175.00
PLUMBING PERMITS	5	465.00
ELECTRICAL PERMITS	5	180.00
BUILDING PERMITS	18	1,487.00
FIRE SUB CODE	3	135.00
CONST CERT OF OCCUPANCY	2	80.00
ZONING PERMITS	12	120.00
200 FT PROPERTY LIST	3	30.00
TRANSFER OF TITLE	15	555.00
REINSPECTION FEES	0	-0-
CONSTRUCTION VIOLATIONS	0	-0-
COPIES	0	-0-
MISC.	3	75.00
ELEVATOR INSPECTION AGENCY	0	-0-
ELEVATOR-BOROUGH	0	-0-
SMOKE DETECTORS	45	900.00
CONST. DEPOSITS REFUNDABLE	3	150.00
TOTAL		**$ 5,408.00**

ACCOUNTS PAYABLE

AMOUNT PAID TO BOROUGH, CHECK #2346	$5,202.00
STATE FEE DUE - PAID QUARTERLY	56.00
ELEVATOR INSPECTION AGENCY, CHECK #	

Submitted by Annette Kovacs, Senior Permit Clerk

7. Police Department/Traffic Safety Report

Total Amount received	$ 493.00

Submitted by Theodore Gajewski, Police Chief

8. Librarian's Report

See full copy on file in the Clerk's Office

Submitted by Jacqueline LaPolla, Librarian

9. Board of Health Report

TOTAL COLLECTED IN THE BOARD OF HEALTH OFFICE		**$2,710.20**
DOG LICENSES	$ 67.20	
CAT LICENSES	-0-	
MARRIAGE LICENSES	84.00	
BURIAL PERMITS	39.00	
DEATH CERTIFICATES	1,630.00	
MARRIAGE CERTIFICATES	85.00	
BIRTH CERTIFICATES	5.00	
POOL PERMITS	-0-	
PLAN REVIEW	100.00	
FOOD HANDLERS	700.00	
MISCELLANEOUS	-0-	

DISBURSEMENTS	
CHECK #2658-BOROUGH OF KEYPORT MISC. ACCT	$ 2,568.00
CHECK #2659-BOROUGH OF KEYPORT TRUST ACCT	75.00
CHECK #2660-BOROUGH OF KEYPORT DOG ACCT	57.00
CHECK #2661-NJ STATE DEPT OF HEALTH	10.20

Submitted by Anne R. Biagianti, Treasurer

10. Fire Department Report

Total Company runs: 169
Mileage on Chief's car: 2,012

Submitted by Larry Stonerock, Fire Chief

11. Municipal Court Report

STATE FINES	$ 533.00
STATE SURCHARGE	202.00
STATE UNINSURED	60.00
COUNTY FUNDS	947.86
COUNTY FINES	4532.25
MUNICIPAL FINES	4532.25
MUNICIPAL COSTS	3548.00
MUNICIPAL PARKING	1152.50
MISCELLANEOUS	1246.14

Submitted by Kathie Coffey, Court Administrator

With regard to the Borough Clerk's report, Mr. Merla questioned the receipts of Recycling permits being down this year vs. the same time last year. Mrs. Poling said that there could be several reasons, i.e. people have disposed of articles already and/or it could be due to permits issued with no fee under the Volunteer Ordinance.

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

PUBLIC PARTICIPATION

The meeting was opened to the public for comments or questions pertaining to Agenda items at 9:27 P.M. Dorothy Scouras asked about the recycling center. Mayor Graham said that this matter was discussed in closed session. Mrs. Scouras had a question regarding how someone would apply for curbs on Luppatatong Avenue since they do not go all the way down and the road is not paved (dead end). Mayor Graham said that it is the property owners responsibility unless there is total reconstruction of the street. The Mayor said that the Public Works Superintendent will inspect the area. The meeting was closed to the public at 9:31 P.M.

RESOLUTIONS

2. Resolution #264-01, Approve Donation to Keyport Indians,Full Page Ad ($100)

WHEREAS, the Keyport Indians are an organization located in the Borough of Keyport which conducts activities that benefit the public good; and

WHEREAS, the Keyport Indians have requested that the Borough of Keyport contribute the sum of $100.00 for the purpose of assisting them with funds for the special Ad Book for the 2001 Pop Warner Program.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that the sum of $100.00 is hereby approved as a contribution to the and the Mayor and Chief Financial Officer are authorized and directed to pay said sum.

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

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Merla
Atkins, Bergen, Pedersen

3. Resolution #265-01, Authorize Tax Collector to issue duplicate Tax Sale Certificate/Culmac Investors, Inc.

WHEREAS, P.L. 1997, Chapter 99, requires the authorization of the governing body for replacement and issuance of a duplicate tax sale certificate held by a third party lien holder which has been destroyed or lost.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, County of Monmouth, State of New Jersey, hereby authorizes the Tax Collector, upon receipt of the appropriate affidavit from the owner of the certificate to prepare a replacement certificate for Tax Sale Certificate #00-0012 and issued to the original lien holder known as: Culmac Investors, Inc. whose address is Box 251, Monmouth Beach, N.J. 07750.

BE IT FURTHER RESOLVED that this replacement certificate duplicated in original form, shall be marked as "duplicate", and that the $100 fee per duplicate certificate be waived as per Resolution #57-01 since the County of Monmouth recorded the original certificate in Book 7265 Page 641 and then lost same.

BE IT FINALLY RESOLVED that a copy of said duplicate shall be attached herewith, and a certified copy be forwarded to the Tax Collector and Lien Holder.

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

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Merla
Atkins, Bergen, Pedersen

4. Resolution #266-01, Authorize Borough Clerk/Administrator to Advertise for Receipt of Bids/Reconstruction of Washington Street, Phase III

BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that the Borough Clerk/Administrator is hereby authorized to advertise for Receipt of Bids for the Reconstruction of Washington Street-Phase III.

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

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Atkins
Bergen, Pedersen
Abstain: Councilman Merla

5. Resolution #267-01, Payment of Bills

See full copy of Resolution as pages 15-18 of these minutes.

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

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Merla*
Atkins, Bergen, Pedersen

*Mr. Merla abstained from voting on the Escrow Account payments to Aniello Ventrone and Schoor DePalma's payment for the Sutton Mills and Merla projects

6. Resolution #268-01, Appointment of Special Police Officer-Class II, Brian McGrogan

WHEREAS, there is a need to hire a Part Time Special Police Officer, Class II, in the Police Department; and

WHEREAS, Police Chief Theodore Gajewski has recommended Brian McGrogan be hired as a Special Police Officer, Class II.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Keyport that Brian McGrogan is hereby appointed as a Special Police Officer, Class II, effective August 22, 2001 pending the results of a background investigation and the completion of the required medical examinations.

BE IT FURTHER RESOLVED that Brian McGrogan is responsible for his own uniform purchases (Academy and Duty), Academy Tuition and Medical and Psychological Exams.

BE IT FURTHER RESOLVED that this appointment is contingent upon graduating from the Academy.

BE IT FURTHER RESOLVED that after one (1) year of satisfactory employment with the Borough of Keyport as determined by Police Chief Theodore Gajewski from the date of Academy graduation, the Academy tuition will be reimbursed.

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

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Merla
Atkins, Bergen, Pedersen

7. Resolution #269-01, Appointment of Library Board of Trustees Member-Marilyn Viray

Mayor Graham announced with the advice and consent of the Council, the appointment of Marilyn Viray, as a member of the Library Board of Trustees to fill an unexpired five year term which will expire on December 31, 2002.

BE IT RESOLVED by the Council of the Borough of Keyport that the appointment of Marilyn Viray as a member of the Library Board of Trustees to fill a five year unexpired term which will expire on December 31, 2002 be and the same is hereby confirmed.

Mr. Merla said that the person being appointed is not a U.S. citizen; Mr. Provence said that this did not pose a problem. Mrs. Atkins said that she had two names for the Board; the Mayor said that Mrs. Atkins had not given him the recommendations.

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

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Merla
Atkins, Bergen, Pedersen

8. Resolution #270-01, Release Maintenance Bond-Eagle Ridge, Inc./Haven Off The Bay

WHEREAS, Eagle Ridge, Inc has requested release of the Maintenance Bond posted for the above project ; and

WHEREAS, the Borough Engineer has made an inspection and has recommended release of the Maintenance Bond as per letter of August 3, 2001, attached hereto.

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

1. The Maintenance Bond in the amount of $2,863.80 and any unexpended balances are hereby released subject to payment of any outstanding fees.

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

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Merla
Atkins, Bergen, Pedersen

9. Resolution #271-01, Approve Person to Person Liquor License

Transfer/Four Seasons Sports Bar to Eugene Adamo

WHEREAS, application has been made to the Mayor and Council of the Borough of Keyport for transfer of Plenary Retail Consumption License #1322-33-003-006 issued to Four Seasons Sports Bar, Inc./Karen E. Bezner Trustee in Bank, 379 Maple Place, Keyport, New Jersey 07735 as a Person to Person transfer to Eugene Adamo, 185 Lynch Road, Middletown, N.J. 07748; and

WHEREAS, the Borough Clerk reports that the application is in order, that the applicant is qualified to be licensed according to all standards, established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder as well as pertinent local ordinances and conditions consistent with Title 33, that the applicant has disclosed and the authority reviewed the source of all funds used in the purchase of the license and the licensed business and the requirements of notice and of publication have been met, with the second publication having been April 4, 2001; and

WHEREAS, all investigations and inspections have been made and are in order; and

WHEREAS, the Mayor and Council are not aware of any circumstances or provisions of law or local ordinance which would prohibit the transfer of the license.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that the application of Eugene Adamo, 185 Lynch Road, Middletown, N.J. 07748 for transfer of Plenary Retail Consumption License #1322-33-003-006 from Four Season Sports Bar, Inc/Karen E. Bezner, Trustee in Bank, 379 Maple Place, Keyport, N.J. 07735 for the year 2001/2002 is hereby granted.

BE IT FURTHER RESOLVED that the aforementioned transfer is hereby effective August 22, 2001.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to execute the endorsement of transfer.

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

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Merla Atkins, Bergen, Pedersen

10. Special Meeting-Water/Sewer Utilities - This was deleted from the Agenda

11. Resolution #272-01, Authorize Fire Chief to purchase miscellaneous Fire Equipment

WHEREAS, Fire Chief Lawrence Stonerock will be attending an annual Firemen's Convention in Wildwood, New Jersey on September 14-15, 2001 where an array of fire fighting equipment is typically sold at discounted prices; and

WHEREAS, Chief Stonerock has filed with the Borough Administrator the attached Requisition #12535 in the amount of $2,600 for the purchase of miscellaneous equipment for the Fire Department at said Convention; and

WHEREAS, the above amount is below the thresholds for public bidding and the solicitation of price quotes under the Local Public Contracts Law; and

WHEREAS, the Chief Financial Officer has certified that funds for same are available.

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

1. The borough Administrator is authorized and directed to grant Requisition #12535.

2. Fire Chief Stonerock is authorized to purchase miscellaneous equipment for the Fire Department at aforementioned Convention for a total amount not to exceed $2,600, and to execute any necessary documents

pertaining to same.

3. Within five (5) business days of his return, Chief Stonerock shall (i) return all unused funds to the Borough Administrator which then shall be credited to the Borough Account #0131.622 and (ii) file a report to the Borough Administrator listing equipment purchased and containing all receipts for same.

4. This action is approved without competitive bids, nor the solicitation of competitive price quotes, in accordance with state law.

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

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Merla Atkins, Bergen, Pedersen

12. Purchase of Photocopier - This was deleted from the Agenda.

13. Resolution #273-01, Purchase of Mail Equipment

WHEREAS, it is necessary to replace the current mailing system equipment; and

WHEREAS, the Chief Financial Officer has certified the availability of Funds under Bond Ordinance #10-01.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the Borough Clerk/Administrator is hereby authorized to purchase a Pitney Bowes U731 Taggerless Galaxy 210WOW System under State Contract #A82969 in the amount of $18,066.00 plus meter rental of $268.50 quarterly.

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

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Merla Atkins, Bergen, Pedersen

14. Resolution #274-01, Amend Resolution #257-01/Use of Borough Property

WHEREAS, by Resolution #257-01, the Mayor and Council of the Borough of Keyport set forth the policy of the Borough regarding insurance requirements for events held on Borough property; and

WHEREAS, amendment of said resolution is necessary and is otherwise in the best interest of the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that Resolution #257-01 be amended as follows:

1. It is the policy of the Borough of Keyport that a Certificate of Insurance is required for any and all events held on Borough Property that have been approved by the Mayor and Council.

2. The Certificate of Insurance shall provide for the following:

   A. Coverages:

      (i) Bodily injury for any one (1) person in the amount of $1,000,000.00.

      (ii) Any aggregate occurrence in the amount of $2,000,000.00; and

      (iii) Property damage for each occurrence in the amount of $1,000,000.00

   B. Acknowledgment of coverage of the Borough as an "Additional Insured";

   C. At least thirty (30) days notice of policy cancellation or change.

3. Where deemed necessary, the organization or individual(s) requesting use of Borough property shall provide in

writing that the Borough of Keyport be indemnified and held harmless from any and all liability or damages from the use of such public lands.

The above requirements are subject to, and may be amended, changed or revised based upon particular or unusual circumstances as approved by Mayor and Council.

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

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Merla Atkins, Bergen, Pedersen

15. Resolution #275-01, Memorandum of Agreement for Water Collection and Distribution Licensed Operator

BE IT RESOLVED by the Mayor and Council that the Mayor and Borough Clerk/Administrator are hereby authorized to execute a Memorandum of Agreement with the IUOE regarding the retention of the professional services of David Rooke, in his capacity as a duly licensed "Waste Water Collection System Operator" and "Water Distribution System Operator" in a form acceptable to the Borough Attorney.

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

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Merla Atkins, Bergen, Pedersen

16. Resolution #276-01, Authorize Administrator to investigate Annex Building Relocation

WHEREAS, it is necessary to relocate the Borough Annex offices.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the Borough Clerk/Administrator is hereby authorized to:

1. Investigate office space availability and/or

2. Effectuate a Rental Lease, in a form acceptable to the Borough Attorney, for a Modular Trailer

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

Roll Call Vote: Ayes: Councilmembers Ashmore, Antonucci, Merla Atkins, Bergen, Pedersen

ADJOURNMENT

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

Time of Adjournment: 9:42 PM

Respectfully submitted,

Judith L. Poling/amc

Judith L. Poling, RMC/CMC
Borough Clerk/Administrator

Allyson M. Cinquegrana

per Allyson M. Cinquegrana, RMC
Deputy Borough Clerk