August 7, 2001
Keyport, New Jersey

Approved 8/21/01

Minutes of a Work Meeting of the Mayor and Council, held on the above date in the Keyport Senior Center, 110 Second Street, Keyport, N.J. pursuant to 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 Boards in accordance with the Open Public Meetings Act, P.L. 1975, Ch. 231.

Mayor Graham called the meeting to order at 7:10 P.M. and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Merla, Bergen, Pedersen. Absent: Councilmembers Ashmore, Antonucci, Atkins. Others present were Mr. Litwin, Borough Attorney.

RESOLUTION

1. Resolution #251-01, Closed Meeting - Personnel, Labor Relations and Contract Negotiations

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

Personnel
1. Public Works Department
2. Water Plant

Labor Relations
1. IUOE: Public Works/PSTO Contract

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, Labor Relations, Contract Negotiations

BE IT FURTHER RESOLVED that the discussions on Personnel, 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 20 minutes.

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

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

Council went into closed session at 7:12 P.M. and this meeting was reconvened at 8:00 P.M. On Roll Call the following were present: Councilmembers Merla, Atkins, Bergen, Pedersen. Absent: Councilmembers Ashmore and Antonucci.

Mayor Graham called the meeting to order at 8:10 P.M. and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Merla, Atkins, Bergen, Pedersen. Others present: Mr. Litwin, Borough Attorney and Mr. Kevin Boerner, Borough Engineer's Office.

PRESENTATION

Mr. Pedersen asked that Eugene Regan come to the front of the room. Mr. Pedersen said that other than Police and Fire, the Public Works Department is sometimes overlooked. They plow streets, correct water/sewer problems. Mr. Regan has worked for the Borough for 18 years and had recently retired. Mr. Regan and Frank VanPelt brought Mr. Pedersen and his brother into Lincoln

Hose Fire Company. Mr. Pedersen said that he was proud to present a clock plaque to Mr. Regan for his service to the Borough.

COMMUNICATIONS AND PETITIONS

1. Request for Ad Journal Donations from Keyport Indians Pop Warner.

   Motion to approve a full page ad moved by Mr. Merla, seconded by Mrs. Atkins with Ayes by all present. This will be appropriated out of the Municipal Clerk Budget.

2. Off Premise Cash Raffle (Calendar Raffle) Application from Hook and Ladder Company.

   Motion to Approve moved by Mr. Merla, seconded by Mr. Pedersen with Ayes by all present.

3. Letter from Robert Laughlin, Keyport Legion Apartments, Inc. regarding refuse removal.

   Mr. Litwin said that the Morristown Case does not apply to Senior Citizen Apartment Complexes. The Borough Administrator should respond to Mr. Laughlin that this matter is under consideration.

   Motion to refer to the Finance Committee and Mr. Litwin moved by Mr. Pedersen, seconded by Mr. Merla with Ayes by all present.

4. Raffle License Applications from St. Joseph:
   1. PTA - On Premise Cash Raffle
   2. PTA - On Premise Draw Raffle
   3. Church - Off Premise Cash Raffle

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

5. Requests from Keyport Chamber of Commerce regarding 5th Annual Country Jamboree (October 6th and 7th).

   During the sidewalk sales, West Front Street was spray painted and the County complained. Mr. Bergen said that he would like to meet with the Chamber of Commerce to discuss a 9:00 AM or 9:30 AM street closing east of Main Street or 9:00 AM or 9:30 AM closing from Main to Beers Streets. The businesses that will be affected should be notified by the Chamber if closed at 8:00 AM.

   Motion to Approve with provisos moved by Mr. Merla, seconded by Mr. Bergen with Ayes by all present.

6. Request from Keyport Legion Apartments for use of 5 picnic tables and a tent for their annual barbecue (September 5th).

   Motion to Approve moved by Mr. Bergen, seconded by Mr. Merla with Ayes by all present.

7. Raffle License Application from Raritan Post #23 American Legion/Instant Raffles-Pull Tabs

   Motion to Approve moved by Mr. Merla, seconded by Mr. Bergen with Ayes by all present.

UNFINISHED BUSINESS

1. **Green Grove Apartments.** Mayor Graham said that issues have been discussed. The residents asked for relief on the parking problems because of Green Grove Apartments changing their parking policy. Mayor Graham discussed the history and said that he and Mrs. Poling met with Green Grove Apartment's manager regarding complaints received. The Borough cannot require Green Grove Apartments to change their policy. If the apartments were being built today, then the Planning Board could require certain things and make suggestions. Any changes regarding parking on the street would also apply to residents. The Mayor said that he spoke with Police Chief Gajewski. The Mayor said he is at a loss. The only solution there could be is to suggest that Green Grove Apartments require numbered spaces adhered to during certain hours. There are open parking spaces during the day. Mr. Litwin said that a district could be created with permit parking, but visitors and guests would have a problem. Mayor Graham said that he does not have a solution. A resident said that he understands there is a

grandfather clause, but there are more cars parking on the street. Mr. Merla said that if there are openings, there is a problem on the street. A resident said that visitors cannot park when they visit. Mr. Bergen asked if night time and weekends are worse and about limiting the parking hours. Residents said that they stopped calling the police. Yellow paint for non parking spaces are all different sizes. Apartment residents are doing repairs to cars on the street(leaking oil), people are vomiting in the street. There are cars that have been ticketed for parking in front of fire hydrants, but they are not towed. Mr. Bergen requested that he be called at home or work if the Police are not responsive and courteous. Mayor Graham said that he would speak to Green Grove Apartment's manager again. The Mayor said that there is no ideal system. Mr. Bergen suggested that the residents being affected work up a schematic (principle needs to restrict parking). A resident asked that homeowners be advised when the streets are being swept (cars are not moved); the streets are filled with sand. Mayor Graham said that the Police are paid to respond to complaints and if there is a problem, he would like to be contacted. Mr. Litwin said that the Borough cannot govern private property.

2. **Garbage and Recycling.** Mr. Pedersen said that at the last Recycling Meeting, they discussed enforcement issues. Recycling, which is garbage, falls under the Board of Health Ordinance. In the Board of Health Contract it states that 1.25 persons per day shall be provided. The Health Officer can issues summonses; he requested that it be arranged with the Board of Health to pick up on this. There are too many people listed in the Recycling Ordinance; it should be the Recycling Coordinator, his deputy and the Board of Health. It was asked that a Board of Health member attend the Recycling Meeting (minutes used to be taken)by the Secretary to the Board of Health. Mr. Bergen said that this matter should be referred to the Board of Health to make a proposal. Mr. Pedersen said that he will handle the matter in Committee. Mr. Merla said that the Board of Health went on record opposing the Recycling Ordinance. Mr. Litwin said that this could be brought to the Board of Health's attention. Mayor Graham said that Larry Kasica is responsive and will act on matters when advised and that the Police should enforce these ordinances too. Mr. Pedersen said that the Board of Health should be handling complaints. Mr. Litwin said that he and Mrs. Poling have been talking and he will be forwarding a memo to Mrs. Poling regarding assessing liquidated damage fines to Marrone Disposal. If there is an appeal, Mayor and Council will hear it. Mr. Bergen asked if Garbage collection was getting better; George Sappah, Public Works Supt., said it was. Mr. Litwin said that Caldwell canceled Marrone's Contract because their insurance lapsed. The Insurance Agent was contacted because Mrs. Poling never received a notice of cancellation or a notice of reinstatement. The policy was reinstated retroactive to the termination; this is a serious matter. Mrs. Poling worked out with the Insurance Company to fax any notices to her. Mr. Pedersen said that he and Mr. Antonucci will sit down with the Board of Health to discuss the matter.

3. **Water/Sewer Utility.** Mr. Merla said that a Special Meeting was held regarding Water/Sewer Utility. Tom Fallon submitted Request For Proposal paperwork. Mr. Merla asked if another meeting should be called. Mr. Bergen said that he would make a recommendation for proposals addressing Keyport's situation. Mr. Bergen said that a determination must be made on how much debt and what amount; figures need to be put together. Mr. Merla said that this is a lengthy process and Council should start now; it is O.K. for the Finance Committee to work figures. Mr. Bergen asked if it was the consensus of Council to lease; numbers will be put together. Mayor Graham said at the last Special Meeting pros, cons and consequences were discussed not numbers. Mr. Bergen said that he could have an Attorney come in and explain the process. It was requested that this be listed on the August 21st Agenda under Unfinished Business. A Special Meeting will be held to discuss this matter.

4. **Kutschman Property.** Mayor Graham said that regarding the Kutschman Property, the Borough will proceed with moving forward on the property for a Public Works Facility, not necessarily a Recycling Center. The Mayor advised the public on why Council must move forward (amount of time and money invested). Council understands the resident's concerns; the property would be used to store salt, sand and equipment. Other properties may not "pan" out and the current Public Works lease expires next year. The Borough will do

everything so that there will be no negative impact on the neighborhood. Mr. Merla said that Council has been negotiating on the property a long time; the Borough should move forward and access property and work on a solution. Mr. Merla said that he supports Kutschman's property for a Public Works Facility, not a Recycling Center. Mr. Merla said that Public Works Department has no place to go and Council needs to acquire property for them. There have been no complaints on the present Public Works Facility. A resident said that suppose that there is no other location and the Borough has to put the Recycling Center there. Mr. Merla said that the Borough is looking at other sites. The resident asked if they would be advised on this matter. Mr. Pedersen said that if Kutschman's property become the Public Works Facility, the Borough would fence and landscape the property. Mayor Graham said that he is confident Council will find a location for Recycling and that Council will keep the residents advised. Mary Allen said that the Florence Avenue Recycling site is neat.

ADMINISTRATOR'S REPORT

Mrs. Poling reported on the following. July 31, 2001 Payment of Bills: **CURRENT - $120,065.82, WATER/SEWER - $256.44, RBIT - $231.98, ESCROW - $3,091.25**. A memo was distributed to Mayor and Council regarding permit parking on Broad Street. Mayor Graham said that he does not see a need to amend the Ordinance. Council discussed the pros and cons of permit parking on certain streets. This matter will be listed on the September 4th Council Agenda. A memo was also sent regarding 108 Broad Street and 25 Church Street. The Construction Code Official will be asked to request UL testings air conditioning units for 25 Church Street. Mr. Cifelli (Rollos) is cleaning his property. Mr. Bergen asked the Administrator to contact the DOT regarding a guardrail down near Discount Muffler. The DOT is working on closing the U-turn on the Highway. She called John Olsen regarding the Yacht Club Moorings; he is on vacation. Mr. Pedersen asked about the Amboy Avenue Bridge Detour signs still being up.

ENGINEER'S REPORT

Mr. Boerner reported on the following. Washington Street Phases 1 and 2 will be closed out. Mr. Merla asked about punchlist items; pavement cores. Mr. Merla said that one matter was addressed. Pavement cores and testing quotes ($750-975); they will move forward with $750. The design work was started regarding Phase 3 of Washington Street and will be finalized to go out to bid by the end of this month and the project should be completed by the end of the year. Mr. Kriskowski recommended the release of the Performance Bond for Haven Off The Bay. Mr. Merla asked about repairs to Maple Place and Beers Street. George Sappah advised a company had done it with infrared; other areas were done also.

ATTORNEY'S REPORT

Mr. Litwin reported on the following. Regarding the Ferry Service, actions taken have been completed. We are waiting on the Waterfront Development Permit by Fast Ferry. Mayor Graham said that Fast Ferry is scheduled on the Planning Board's August Agenda. Deputy Attorney Anderson responded regarding Magic Touch; Riparian Rights are further back and almost all are claimed by the State. Keyport can apply subject to Tidelands Council. Mr. Bergen asked if a motion was granted to name individuals. Mr. Litwin said that the General Liability Carrier will assign Counsel; he is discussing this matter with Peter Till, Esq. Mr. Litwin will advise Mr. Till that he should attend the depositions. Mr. Bergen said that he is the Borough Attorney for Carteret and Peter Till handles Insurance matters; Mr. Litwin did not think that there was a conflict, but suggested waiting until assignment and then notifying them.

NEW BUSINESS

1. **Agenda Set Up**. Mrs. Poling submitted a memo to Mayor and Council with her suggestion on how the Work and Regular Meetings should be set up. Mr. Bergen said that there should be demarcation between the Work and Regular Meetings. If items are to be added to the Agenda, there should be a consensus of at least three Council members. Mayor Graham said that there are various opinions and Council takes direction from the Borough Clerk. He disagreed that there should only be Public Participation at Regular Meetings. Mr. Merla said that Council needs direction; other municipalities have Public Participation on Agenda items only. Public Participation is listed at the beginning of the meeting and there is a time limit. Mr. Pedersen suggested that Council submit their ideas to Mrs.

Poling. The Borough Clerk/Administrator should do as she sees fit. Mr. Bergen said that Public Participation will not work on Agenda Meetings that the public should comment on Agenda items only.

Anthony DeVarti addressed Mayor and Council of a coat drive he is doing and would like to set up a bin up town. There is one at Jesus The Lord Church. Mayor Graham asked Mr. DeVarti to call him and he will check with the Library. A notice could be put in the Newsletter.

2. **DOT letter.** A response was received regarding the letter sent to the DOT regarding the accident at Nappi and Maple.

3. **Town Events.** Mr. Merla said that the KBA circus will be held August 18th and 19th. Pop Warner will be holding their Mitey Mite fund day August 17th -19th and there will be a lot of people in attendance. The Borough benches have been given to the circus. Mr. Merla contacted the County who is willing to loan 20 tables and benches, but they have to be picked up. Mr. Sappah will contact Union Beach to work out picking up these items.

4. **Advertisements.** There is an advertisement (a Bait and Tackle) on the Pier in the form of a flower planter in the shape of a boat that says donated by. Mr. Sappah will get the telephone number and give it to Mrs. Poling. The Mayor will contact the person. There are Circus flyers all over the bulkhead and throughout town; Public Works will remove them.

5. **Assembly Bill 1193.** On the last Agenda, there was a request to list a Resolution opposing bill A-1193. Mr. Merla received information and spoke with Anthony Vecchio regarding Home-Based businesses. It was requested that a fax be sent to the League of Municipalities on whether they support this bill or not. This matter will be listed on the September 4th Agenda.

PUBLIC PARTICIPATION

The Meeting was opened to the public for comments or questions at 10:22 P.M. Robert Hyer, Jackson Street, asked about cleaning the lot on Hurley Street; this was already done. Mr. Bergen questioned the school not being allowed to contribute money toward school rings. Mayor Graham said that the Borough is not suppose to either. The Meeting was closed to the public at 10:23 P.M.

RESOLUTIONS

2. Resolution #252-01, Amend Resolution #237-01/Correct Meeting Days Keyport Fire Museum

WHEREAS, citizens of the Borough of Keyport have formed a Non-Profit Corporation known as the Keyport Fire Museum Association, Inc for the purpose of operating a Museum to collect, restore, display and maintain fire related artifacts, memorabilia and documents historically related to the fire service and the Keyport Volunteer Fire Department; and

WHEREAS, a Board of Directors has been selected consisting of the Mayor, representatives of the seven fire companies comprising the Keyport Fire Department and five members of the general public' and

WHEREAS, the Museum shall endeavor to preserve and to educate the public concerning the history, lore and traditions of the volunteer fire service in the Borough of Keyport; and

WHEREAS, the Museum Association meetings are held at the Senior Center on the fourth Wednesday of each month, except December, and the general public is invited to attend, participate and become active members; and

WHEREAS, the Museum Association has undertaken a vital and significant task in the preservation and promulgation of the role of an organization essential to the safety and welfare of the citizens of the Borough of Keyport.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that we express appreciation and recognition by this governing body and on behalf of the residents of Keyport for the services and efforts of the Keyport Fire Museum Association, Inc.; and

BE IT FURTHER RESOLVED that a true and certified copy of this Resolution be forwarded to the Board of Directors of the Keyport Fire Museum Association, Inc.

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

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

3. Resolution #253-01, Chapter 159: Recycling Tonnage Grant - $1,030.62

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Borough will receive $1,030.62 in funding from the State of New Jersey - Recycling Tonnage Grant and wishes to amend its 2001 budget to include this amount as a revenue and offsetting appropriation.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Keyport, County of Monmouth, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2001 in the sum of $1,030.62 which is now available as a revenue from:

Miscellaneous Revenues-Section F:
Special Items of General Revenues
Anticipated with Prior Written Consent
of the Director of Local Government Services
Public and Private Revenues Offset with Appropriations:
Recycling Tonnage Grant $1,030.62

BE IT FURTHER RESOLVED that a like sum of $1,000.00 be and the same is hereby appropriated under the captions of:

(A) Operations-Excluded from "CAPS"-Public and Private
Programs Offset by Revenues:
Recycling Tonnage Grant $1,030.62

BE IT FURTHER RESOLVED that the Borough Clerk forward two copies of the "Chapter 159 Certification and Approval Form" to the Director of the Division of Local Government Services.

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

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

4. Resolution #254-01, Tax Cancellation/83 St. Peters Place

WHEREAS, the Tax Collector of the Borough of Keyport, New Jersey has determined that action is required as a result of the 2001 tax reduction 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 taxpayer.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Keyport that the required tax cancellation be made and a credit applied to the 3rd and 4th quarters 2001 taxes since all taxes for the full year were not paid.

BLOCK	LOT	OWNER	LOCATION	CANCELLED	CREDIT
50	38	RAMADAN, BOBBY & SARAH	83 ST. PETER PLACE	$995.15	$995.15

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

Roll Call Vote: Ayes: Councilmembers Merla, Atkins, Bergen

Pedersen
Absent: Councilmembers Ashmore, Antonucci

5. Resolution #255-01, Award Contract for a retaining wall/Beach Park-Marco's Masonry

WHEREAS, the Borough of Keyport has attempted to solicit multiple price quotations from numerous vendors for the construction of an Allen block retaining wall along the First Street side of Beach Park, inclusive of all labor and material costs; and

WHEREAS, only one (1) quotation was received by the Borough for an amount does not require public bidding; and

WHEREAS, Marco's Masonry, 49 Lake Boulevard, Aberdeen, New Jersey 07747 submitted the only price quotation, which is on the attached proposal; and

WHEREAS, the lack of response to this solicitation of price quotations and time considerations render solicitation of additional price quotations impracticable; and

WHEREAS, the Mayor and Council have reviewed said matter; and

WHEREAS, funds are available for said award.

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

1. Marco's Masonry, 49 Lake Boulevard, Aberdeen, New Jersey 07747, is hereby awarded the construction of an Allen block retaining wall along the First Street side of Beach Park, at a cost not to exceed Four Thousand Eight Hundred Dollars ($4,800).

2. The Borough Clerk is authorized to enter into the attached contract and to otherwise take such steps as may be required to implement said action.

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

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

6. Resolution #256-01, Payment of Bills

See full copy of Resolution as pages 11-12 of these minutes.

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

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

7. Resolution #257-01, Insurance Requirements for events held on Borough Property

WHEREAS, from time to time, organizations and/or groups of people request the use of Borough Property in which they would like to hold an event; and

WHEREAS, any request that is granted by the Mayor and Council is contingent upon the submittal of a Certificate of Insurance which is subject to the Borough Attorney's approval.

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

1. Bodily Injury for any one (1) person in the amount of $1,000,000.00
2. Any aggregate occurrence in the amount of $2,000,000.00
3. Property Damage for each occurrence in the amount of $1,000,000.00

B. Indemnify and save harmless the Borough of Keyport from any and all liability or damages from the use of such public lands.

C. Thirty (30) day cancellation notice.

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. Merla, seconded by Mr. Pedersen

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

8. Resolution #258-01, Appoint Principal Public Works Manager/George Sappah

WHEREAS, pursuant to NJSA 40A:9-154.6g et seq. it is required that the Borough of Keyport appoint a Principal Public Works Manager (PPWM); and

WHEREAS, a PPWM must have a certificate as a Certified Public Works Manager (CPWM) in accordance with the provisions of NJSA 40A:9-154.6a et. seq. (P.L. 1995, c. 46).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, that George Sappah, Superintendent of Public Works, having met the requirements of NJSA 40A:9-154.6a, is hereby appointed as Principal Public Works Manager in the Borough of Keyport.

BE IT FURTHER RESOLVED that George Sappah will receive no additional compensation for the position of Principal Public Works Manager.

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

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

9. Oppose Bill A-1193, as amended, the Home Based Business Act - This was held.

10. Resolution #259-01, Authorize Execution of Green Eggz, No Ham, Inc. Agreement

WHEREAS, by Resolution #205-01, the Mayor and Council of the Borough of Keyport authorized the Keyport Business Alliance to use the balance of the Legislative Grant received by the Borough to fund a proposal for Marketing Professional services; and

WHEREAS, said balance of the $23,409.47 exceeded the threshold for public bidding under the Local Public Contracts Law; and

WHEREAS, said service, which include graphic design, advertising, public relations and artistic consultation, are professional services and therefore do not require public bidding not the solicitation of competitive quotations.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that Resolution #205-01 be amended consistent with and to include the above recitals.

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

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

11. Resolution #260-01, Refund Recycling Sticker/CFC Permit 863/$15.00

WHEREAS, the Permit/License listed below was purchased through the Borough Clerk's Office; and

WHEREAS, the applicant has requested a refund; and

WHEREAS, the Borough Clerk has reviewed the matter and has endorsed the refund.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the following refund be made:

License/Permit	Number	License Permit Fee	Total to be Refunded
Recycling/CFC	863	$15.00	$15.00

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

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

12. Resolution #261-01, Appointment of Public Safety Telecommunications Operator

WHEREAS, the position of Public Safety Telecommunicator Trainee has been established; and

WHEREAS, a recommendation for appointment has been made by Chief Theodore Gajewski.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that Paul Kerwin is hereby appointed Public Safety Telecommunicator Trainee effective August 8, 2001.

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

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

13. Resolution #262-01, Authorize Borough Attorney to conduct final Negotiations and Condemnation/Public Works Facility/Kutschman Property

WHEREAS, the Mayor and Council have previously adopted Ordinance #2-00 authorizing by purchase of condemnation the acquisition of the unimproved property known as Block 1, Lot 40, located at 199 Chingarora Avenue, (formerly 41 Chingarora Avenue), in the Borough of Keyport; and

WHEREAS, the Mayor and Council directed its representatives to engage in negotiations with the owner of said property over a period of time; and

WHEREAS, said property was recently reappraised at a value of $95,000 and the Borough continues to desire to acquire said property as a public works facility.

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

1. The Borough Attorney and Borough Clerk/Administrator are authorized to make an additional effort to negotiate the acquisition of said property without condemnation and if said effort is not productive or successful within a reasonable period of time and no later than August 31, 2001, the Borough Attorney is requested to institute the previously authorized condemnation proceedings.

2. The Mayor and appropriate Borough officials are authorized to take such steps as may be necessary to participate in and assist with said negotiations.

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

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

ADJOURNMENT

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

Time of Adjournment: 10:30 P.M.

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