

Approved 4/14/08

September 19, 2006
Keyport, New Jersey

Minutes of the Regular Meeting of the Mayor and Council, held on the above date in the Council Chambers, Borough Hall, 70 West Front Street, Keyport, New Jersey pursuant to Annual Notice on file with the Borough Clerk, forwarded to the Asbury Park Press, Courier, Independent, Two River Times and Newark Star Ledger and posted on the Bulletin Boards in accordance with the Open Public Meetings Act, P.L. 1975, Ch. 231.

Mayor Merla called the meeting to order at 7:00 P.M. and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Hassmiller, Walling, Wedick, Sheridan. Absent: Councilmembers Bergen (arrived 7:22 P.M.) and Ortman (arrive 7:04 P.M.) Others Present: Mr. Ken Ebner, Borough Attorney.

RESOLUTION

1. Resolution #299-06, Closed Meeting - Personnel, Litigation, Labor Relations, Contract Negotiations

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

Personnel

1. Administration
2. Fire Department
3. Police Department
4. Planning Board Secretary
5. Department of Public Works

Litigation

1. Kara Homes
2. Tax Sale Certificates

Contract Negotiations

1. Old Municipal Building
2. RFP - Vending Machines
3. Advertising on the Water Tower
4. Garbage Contract

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

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

Personnel, Litigation and Contract Negotiations

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

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

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

Nays: None
Abstain: None
Absent: None

ROLL CALL

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

The meeting was called to order at 8:10 P.M. Councilman Walling led the Pledge of Allegiance/Moment of Silence.

Chief Regan read his memo dated September 19, 2006 regarding Bill Jeandron, Raritan Hose.

APPEARANCE AND DISCUSSION

1. 180 Turning Lives Around - Susan Levine

Susan Levine, the Domestic Violence Representative, came to speak. She explained the program to the Mayor and Council and the public. Patrolman Hyman took required training and courses. Mrs. Levine thanked the Borough, Mayor and Council, and Police Department. Mayor said that anything the Borough can do to help, just let them know.

PROCLAMATION

1. Race Equality Week

Mayor Merla read and presented Carlos Maldonado of the Spanish America Club the Proclamation. One will be presented to the Second Baptist Church this weekend.

APPROVAL OF MINUTES

Minutes of the Special Meetings of April 4th, May 2nd, May 16th and Regular Meeting of April 17th, 2006.

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

HEARING ON ORDINANCE

1. Ordinance No. 19-06, Create Salary for Superintendent of Engineering Position

The Clerk reports that the Ordinance was published as introduced in the Asbury Park Press, issue of September 8, 2006 that the Affidavit of Publication is on file in her office, that copies were posted on the Bulletin Boards and made available to the public.

The Clerk reads the Ordinance by Title:

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE BOROUGH OF
KEYPORT ORDINANCE NO. 23-05 FIXING THE SALARIES OF THE VARIOUS
OFFICERS, CLERKS AND EMPLOYEES OF THE BROOUGH OF KEYPORT, N.J.
IN THE COUNTY OF MONMOUTH AND THE STATE OF NEW JERSEY.**

The Hearing is opened to the public for comments or questions at 8:46 P.M. There being no further comments or questions the Hearing was closed to the public at 8:46 P.M.

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

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

Nays: None
Abstain: None
Absent: None

- 1a. Motion authorizing the Clerk to publish the Ordinance as finally adopted according to law in the Courier, issue of September 21, 2006 moved by Mr. Walling, second by Mr. Ortman with Ayes by all present.

INTRODUCTION OF ORDINANCE

1. Ordinance No. 20-06, Green Grove Avenue Parking Permits

The Clerk reads the Ordinance by Title:

**AN ORDINANCE AMENDING 7-3.13 (PERMIT PARKING ON
CERTAIN STREETS AT CERTAIN TIMES) OF TRAFFIC
REGULATIONS OF THE BOROUGH OF KEYPORT**

WHEREAS, the Mayor and the Borough Council are aware that the present Traffic Ordinances allow for permit parking on certain streets at certain times in certain areas of the Borough, and

WHEREAS, the Borough Police Department has produced recommendations to remediate the parking problems in the area of Green Grove Avenue, said recommendations are attached hereto and made a part hereof, and

WHEREAS, the Mayor and Borough Council believe that permit parking as specified in this ordinance will benefit both the residents and business communities of the Borough, now therefore

BE IT ENACTED by the Mayor and Council of the Borough of Keyport that 7-3.13 of the Revised Ordinances of the Borough of Keyport are amended as follows;

Permit Parking on Certain Streets at Certain Times. No person except a resident displaying on the vehicle a valid permit issued by the Borough of Keyport for said purpose shall be permitted to park a vehicle on any of the following streets or parts of streets thereof.

Permits shall be issued only to vehicles registered to residences in the applicable areas or to a non-resident family member thereof. Exemptions for work vehicles required to be brought home are to be made to the police chief or his designee.

The number of permits issued to a residence, including non-resident family members thereof, is limited to three (3), except Williamson Street. Because there are only twenty two (22) parking spaces on Williamson Street, residents, including non-resident family members thereof, of Williamson Street would be issued one (1) permit for each residence; and the remaining spaces would be issued to those residents who own a second vehicle on a first come, first serve basis.

Permits, other than temporary permits, will expire one (1) year after date of issuance.

Temporary permits for visitors are available upon application to the police chief or his designee, in advance of an event that requires additional parking. Said permit is of a different color and will specify the dates and times of validity.

Name of Street	Side	Hours/Days	Location
Jackson Street	Both	7:00 A.M. - 7:00 P.M. Saturday and Sunday August through December	Between Atlantic Street and its most easterly terminus

Williamson Street	Both	24 hrs.	Entire length
Eighth Street	North	24 hrs.	Entire length
Seventh Street	North	24 hrs.	Entire length
Manchester Ave.	Both	24 hrs.	Between Eighth Street and Maple Place
Fulton Street	West	24 hrs.	Between Eighth Street and Maple Place

If any part or parts of the Ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this Ordinance.

All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency.

This Ordinance shall become effective immediately upon its final passage and publication as required by law.

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

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

Nays: None
Abstain: None
Absent: None

1a. Motion authorizing the Clerk to publish the Ordinance as introduced, in the Courier, issue of September 21, 2006 for a Hearing to be held on October 3, 2006 moved by Mr. Wedick, second by Mr. Sheridan with Ayes by all present.

2. Ordinance No. 21-06, Create One Way Traffic on Manchester Avenue

The Clerk reads the Ordinance by Title:

**AN ORDINANCE AMENDING 7-5 SCHEDULE IX (ONE WAY
STREETS) OF TRAFFIC REGULATIONS FOR THE BOROUGH OF
KEYPORT**

WHEREAS, the Mayor and Borough Council are aware that the present Traffic Ordinances allow for one way traffic on certain streets at certain times and certain areas of the Borough, and

WHEREAS, the Borough Police Department has produced recommendations as to the appropriate parking problem in the area of Green Grove Avenue, and

WHEREAS, the Mayor and Borough Council believe that permitting only one way traffic as specified in this ordinance will benefit both the residents and business communities of the Borough, now therefore

BE IT ENACTED by the Mayor and Council of the Borough of Keyport that 7-5 Schedule IX of the Revised Ordinances of the Borough of Keyport are amended as follows;

Name of Street	Direction	Limits	Parking
Manchester Avenue	North	From Eighth Street to Maple Place	East and West

If any parts of the Ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this Ordinance.

All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency.

This Ordinance shall become effective immediately upon its final passage and publication as required by law.

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

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

Nays: None

Abstain: None

Absent: None

Chief Gajewski spoke on this matter.

2a. Motion authorizing the Clerk to publish the Ordinance as introduced, in the Courier, issue of September 21, 2006 for a Hearing to be held on October 3, 2006 moved by Mr. Sheridan, second by Mr. Walling with Ayes by all present.

REPORTS OF COMMITTEES

Councilman Bergen; Fire: Mr. Bergen reported on the following. Mr. Bergen said he met with the Keyport Fire Department this evening and it worked positively. Mr. Bergen is to speak with the Borough administrator on Hook & Ladder's truck.

Councilman Walling; Public Works/Recycling/Property Maintenance: Mr. Walling reported on the following. In regards to the Department of Public Works, the trucks that were needed were purchased. In regards to Property Maintenance, the June, July, and August reports were received. There is also a new brochure for 2007. The Harbor Commission has a question for the engineer.

Councilman Wedick; Police: Mr. Wedick said he will discuss in Closed Session.

Councilman Hassmiller; Finance and Redevelopment: Mr. Bergen gave the report for Mr. Hassmiller. There is a decision on Century Land Group and meetings will be set up. The rehab area in Keyport needs to be looked at. There should be a Planning Board meeting on multiuse. Standards should be developed for downtown area. End of year budget transfers.

Councilman Sheridan; Library/Recreation & Parks: Mr. Sheridan reported on the following. The library railings are being put in on September 19th and the lights will be put in on September 21st. There is litter around the new benches. Mayor said there is a trash can in the area. Speak with the Department of Public Works to stop and pick up. Rowland Seckinger, Property Maintenance Officer, had trash cans placed near the Bagel Shop. In regards to Recreation, the Monmouth County Open Space Grant went out on September 13th. The Halloween Parade is to be run by the PBA and the KBA will co-sponsor with Recreation for prizes. Pumpkins are being donated by the Kiwanis Club and the Calvary Church is donating cupcakes. Mr. Sheridan thanked Mr. Seckinger for his report and stated the Beach Clean Up will be held on October 21st.

Councilman Ortman; Buildings & Grounds/Health: Mr. Ortman reported on the following. The Old Municipal Building and Water Tower were discussed in Closed Session. Mr. Ortman stated he spoke with the Borough Administrator.

Administrator: Read the Payment of Bills from September 12th. Borough Hall hours are now 9-4:30 and Borough Clerk certified till September of 2008. There will be a meeting on William Ralph Pier at 10 A.M. on September 26th. Mr. Bergen said one designated person should be in contact with Birdsall on the Bulkhead. Mr. Sheridan said that John Olsen should be involved. The Administrator should handle this matter when he takes over. Mr. Bergen said the state has contract with Birdsall Construction. Mr. Valesi said to make him the contact with the state.

Engineer Norbut: Mr. Norbut reported on the following. Pioneer General completed their work; the punchlist is done and issued. Mr. Norbut spoke with J. LaPolla, the railing will be done September 20th and the Lighting will be done September 21st; landscaping is to be addressed. The reconstruction on Warren Street has begun. Spoke with resident and explained requirements for width contractor will work with the resident on plantings. Therese Street Application is on file with clerk \$120,000 for a 50/50 Grant. Recreation Committee had a great vision. Crestview Cove Project was moved with them last week, contacting people about the proceeding. Crestview Cove is committed to share cost of First Street Improvements. County has to be called about Broad Street. Mayor Merla said a letter states they are working on Saturdays.

Attorney Wisniewski: Mr. Wisniewski had no report.

Mayor Merla: Mayor Merla reported on the following. Mayor Merla thanked everyone who went to the 9/11 services. He met with the NPP last week and former resident with Union Beach; he didn't pinpoint an area but included the whole area. On October 3rd there will be an orientation and then they will hire. Mr. Valesi said there is a 3-5 year cycle with the NPP. Mayor Merla said they previously awarded a 5 year term with a two year extension. Work with the KBA; KBA and Borough to hire and fund together. KBA Meeting on September 18th. They spoke about a Haunted Harbor House and Calendar of Events; proceeds to the Historical Museum. There will be a meeting with the Board of Freeholders on September 28th in Hazlet. There is an application for 26 acres near the old Bradlees. In regard to shared services, asked Amy Handlin for Grants for Interlocals. Folders have been given to Mayor and Council.

REPORTS OF DEPARTMENTS

June, July and August 2006

1. Property Maintenance

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

Submitted by Rowland Seckinger, Property Maintenance Officer

June 2006

2. Board of Health

TOTAL COLLECTED IN THE BOARD OF HEALTH OFFICE	\$	4583.00
DOG LICENSES	\$	343.20
CAT LICENSES		11.20
MARRIAGE LICENSES		224.00
BURIAL PERMITS		110.00
DEATH CERTIFICATES		1500.00
MARRIAGE CERTIFICATES		370.00
DOMESTIC PARTNERSHIP AFFIDAVITS		-0-

BIRTH CERTIFICATES	-0-
POOL PERMITS	-0-
PLAN REVIEW	200.00
FOOD HANDLERS	475.00
MISCELLANEOUS	1350.00

DISBURSEMENTS

CHECK #2890	- BOROUGH OF KEYPORT MISC. ACCT.	\$	4029.00
CHECK #2891	- BOROUGH OF KEYPORT TRUST ACCT.	\$	200.00
CHECK #2892	- BOROUGH OF KEYPORT DOG ACCT.	\$	293.20
CHECK #2893	- NJ STATE DEPT. OF HEALTH	\$	61.20

July 2006

3. Board of Health

TOTAL COLLECTED IN THE BOARD OF HEALTH OFFICE	\$	3372.80
DOG LICENSES	\$	177.80
CAT LICENSES		-0-
MARRIAGE LICENSES		140.00
BURIAL PERMITS		100.00
DEATH CERTIFICATES		1510.00
MARRIAGE CERTIFICATES		310.00
DOMESTIC PARTNERSHIP AFFIDAVITS		-0-
BIRTH CERTIFICATES		-0-
POOL PERMITS		-0-
PLAN REVIEW		-0-
FOOD HANDLERS		285.00
MISCELLANEOUS		850.00

DISBURSEMENTS

CHECK #2894	- BOROUGH OF KEYPORT MISC. ACCT.	\$	3070.00
CHECK #2895	- BOROUGH OF KEYPORT TRUST ACCT.	\$	125.00
CHECK #2896	- BOROUGH OF KEYPORT DOG ACCT.	\$	152.00
CHECK #2897	- NJ STATE DEPT. OF HEALTH	\$	25.80

August 2006

4. Borough Clerk

WATER/SEWER ACCOUNT

WATER CONNECTION	\$	-0-
TURN ON CHARGE		-0-
WATER METER		-0-
SEWER CONNECTION		-0-
SEWER/POOL PERMIT		15.00
WATER METER W/TO		100.00
OTHER: DEMOLITION		900.00

TOTAL WATER/SEWER	\$	1015.00	CK #3702
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CURRENT ACCOUNT

BINGO LICENSE	\$	-0-
FIREARM & FINGERPRINTING		31.00
LIMO LICENSES		-0-
PHOTOCOPIES		86.25
POSTAGE		-0-
RAFFLE LICENSE		50.00
TAXI LICENSE, DRIVER		-0-
TAXI LICENSE, OWNER		-0-
POLICE DEPT. ACCIDENT RPT		505.00
SEARCHES		-0-
VENDING LICENSE		-0-
LIQUOR LICENSE		-0-
STREET OPENING		225.00
RECYCLING PERMITS		400.00
PARKING PERMITS		10.00
AUCTION		-0-

OTHER: MISC 20.00
 OTHER
 OTHER

TOTAL CURRENT \$ 11082.25 CK #3703

ESCROW ACCOUNT

CASH REPAIR \$ 2102.50 CK #3704

RECREATIONAL BAYFRONT IMPROVEMENT TRUST

BOAT RAMP PASSES \$ 5475.00
 BAIT 958.50
 ICE 152.25
 WATER 51.50

TOTAL RBIT \$ 6637.25

TOTAL RECEIPTS \$ 11082.00

Submitted by Allyson M. Cinquegrana, Borough Clerk

5. Tax Collector

2007 TAXES \$ 10,124.43
 2006 TAXES 1,350,389.71
 2005 TAXES 10,101.92
 INTEREST AND COSTS 3,463.78
 MUNICIPAL COURT FINES 16,024.81
 UNIFORM FIRE SAFETY 11,729.40
 SENIOR CITIZEN HOUSING IN LIEU OF TAXES 20,062.00
 UNIFORM CONSTRUCTION CODE 8,257.00
 LANDLORD REGISTRATION FEES 1,700.00
 ADMINISTRATIVE FEES 40.00
 LOAN FROM GENERAL CAPITAL 1,000,000.00
 CMPTRA - STATE AID 254,243.25
 SUPPLEMENTAL ENERGY RECEIPT TAX 211,290.30
 ALL OTHER MISCELLANEOUS REVENUE 16,223.91
TOTAL CURRENT RECEIPTS \$2,913,650.51

WATER/SEWER RENTS \$ 98,503.15
 INTEREST AND COSTS 1,937.77
 TURN ON CHARGE 100.00
 NSF CHECK CHARGES 40.00
 POOL FILL PERMITS 105.00
 METER TEST 180.00
 METER WITH TURN ON CHARGE 100.00
 ANNUAL FIRE SERVICE FEES 42,000.00
 SHORELANDS ANNUAL FEE 300.00
 CELLULAR TOWER LEASE 9,640.21
TOTAL WATER/SEWER RECEIPTS \$ 152,906.13

Submitted by Keri Stencel, Tax Collector

6. Building Department

PERMIT TYPE	# ISSUED	AMOUNT
State DCA Fee	44	\$ 2,711.00
Construction Certificates	4	2,564.00
Plumbing	24	2,639.00
Electrical	24	5,049.00
Building	31	25,782.00
Fire Sub Code	8	1,188.00
Code Enforcement C of O	52	1,330.00
Transfer of File C of O	13	455.00

Smoke Detector Inspector	52	2,395.00
Zoning	7	70.00
200 Ft. Property List	5	50.00
Miscellaneous	5	125.00
Copies	0	0.00
Const. Debris Deposit	7	350.00
Construction Violations	0	0.00
Re-Inspection	0	0.00
Total		44,708.00

ACCOUNTS PAYABLE

Amount Paid to Borough:	CK #2564	\$	41,647.00
Debris Deposit to Borough:	CK #2563		350.00
State Fee Due	Paid Quarterly		

Submitter by Carole Cerase, Senior Permit Clerk

7. Municipal Court

STATE FINES	\$	175.00
STATE SURCHARGE	\$	23.00
STATE UNINSURED	\$	531.14
COUNTY FUNDS	\$	2,608.92
COUNTY FINES	\$	5,887.44
MUNICIPAL FINES	\$	5,887.42
MUNICIPAL COSTS	\$	3,521.50
MUNICIPAL PARKING	\$	1,466.00
MISCELLANEOUS	\$	1,018.58

Submitted by Kathie Coffey, Court Administrator

8. Board of Health

TOTAL COLLECTED IN THE BOARD OF HEALTH OFFICE	\$	4104.20
DOG LICENSES	\$	111.00
CAT LICENSES		23.20
MARRIAGE LICENSES		140.00
BURIAL PERMITS		150.00
DEATH CERTIFICATES		2310.00
MARRIAGE CERTIFICATES		520.00
DOMESTIC PARTNERSHIP AFFIDAVITS		-0-
BIRTH CERTIFICATES		40.00
POOL PERMITS		-0-
PLAN REVIEW		-0-
FOOD HANDLERS		360.00
MISCELLANEOUS		450.00

DISBURSEMENTS

CHECK #2898	- BOROUGH OF KEYPORT MISC. ACCT.	\$	3845.00
CHECK #2899	- BOROUGH OF KEYPORT TRUST ACCT.	\$	125.00
CHECK #2900	- BOROUGH OF KEYPORT DOG ACCT.	\$	116.20

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CHECK #2901	- NJ STATE DEPT. OF HEALTH	\$	18.00
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9. Librarian

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

Submitted by Jacqueline LaPolla, Librarian

Motion to Accept as read moved by Mr. Walling, second by Mr. Sheridan with Ayes by all present.

COMMUNICATIONS & PETITIONS

1. Response from Rowland Seckinger, Property Maintenance, regarding request for litter signs on Clark Street

Mr. Seckinger stated that Mr. Hill called him back on this matter. The Home Depot, the dollar store, and Buy Rite are the problems.

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

2. Letter from KBA requesting assistance from the Borough Clerk and Municipal Judge in their October Elections.

The election is October 17, 2006. The ballots will be out in October.

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

3. Letter from NJ Water Supply Authority regarding July 1, 2007 Proposed Rate Adjustments for the Sale of Water.

Motion to Refer to Finance Committee by Mr. Bergen, second by Mr. Ortman with Ayes by all present.

4. Letter from Jessica Richiuso requesting the event date for the Leukemia and Lymphoma Society be changed from September 30th until October 7th or 14th.

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

5. Letter regarding St. Joseph Church requesting tax exemption status for two pieces of church owned property.

Motion to Refer to Finance Committee by Mr. Bergen, second by Mr. Sheridan with Ayes by all present.

6. Letter from Espresso Joes requesting use of the Mini Park on Sunday, October 1st, 11 A.M. - 7 P.M.

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

7. Letter from John Semple, Esq., of K. Hovnanian requesting elimination of Parking Spaces on Broad Street.

Motion to Refer to Clerk, Engineer, Police, and County by Mr. Wedick, second by Mr. Sheridan with Ayes by all present.

8. Request from Aberdeen/Matawan Girls Softball to use Cedar Street field Monday, Wednesday and Thursday from 5-9 P.M.

9. Mayor Merla advised of the Board of Education policy. School is using our fields when they don't use their field (Main St. and Cedar St.). Borough has coverage for organized sports. There was a discussion about policies for the use of the field. The park is destroyed by soccer. \$3,000 in grass seed was torn up; this is a shame. Mr. Bergen said that there should be an Ordinance created about no soccer playing with out a permit. Mr. Sheridan said that recreation OK'd the use of the park. Mayor Merla said anchor in field could have a major accident. It's a league and they are practicing. With no grass there is no landscaping. There should be an Ordinance to have a permit to play soccer. This matter

should be referred to Recreation Commission. Mr. Sheridan said that they have talked about this matter. There is no organized soccer there and the field is being used. Mayor advised Mr. Sheridan to speak with the Zwingrafs. Captain Mitchell said that there were Cedar Street field complaints last year.

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

UNFINISHED BUSINESS

1. **Water/Sewer Bill - Mateo.** This matter will be taken care of by Keri Stencil on October 3rd.
2. **3 Maple Place.** Mayor Merla asked Mr. Sheridan to give the report on 3 Maple Place. Motion to Approve by Mr. Bergen, second by Mr. Walling with Ayes by all present.

Mr. Seckinger, Property Maintenance Officer, said he has submitted a report on the entire complex of 75 Manchester Avenue. This is a complex matter. Plans were shown for redeveloping the area. There are two different zones of property; industrial zone and light industrial zone. Everyone should get together to discuss this matter. This needs direction since it is such a complex matter. Mayor and Council thanked Mr. Seckinger for the attention to this matter.

3. **Senior Center Walkway.** Mr. Sheridan said replacement work needs a supervisor at the scene. Mr. Valesi said he will address this matter.

NEW BUSINESS

1. **NPP Coordinator.** Orientation is on October 3rd. This matter will be addressed then.
2. **Commercial Business Parking Permit.** Mr. Walling said many employees need to move their cars every 2-3 hours; many also get \$42 tickets. Mr. Bergen said KBA should do a survey of how many spaces they need. KBA should report by October 3rd.
3. **PTA Issue.** Mr. Sheridan said unsupervised kids are dropped off by their parents in the morning. Mayor Merla said this is a Board of Education issue. Let the Board of Education make the call and we will work with them if they need our help. There should be an interlocal for a School Crossing Guard if needed. Captain went to school and there are kids dropped off before 7:30 A.M.

PUBLIC COMMENT PORTION

This meeting was opened to the public for comments or questions at 10:10 P.M. Isaiah Cooper, Atlantic Street, there is regionalization of welfare with secure jobs in Freehold; there is nothing like that here. There needs to be accountability. Mayor Merla said times have changed since Keyport has joined the county with welfare. The interlocal process was explained. Mr. Cooper is being stone walled at the county. Mr. Wedick said to bring this up at the Freeholder Meeting on September 28th. Mr. Bergen said to call county and ask how many residents are on their list. Mr. Cooper helps and so does St. Vincent DePaul.

Pat DeNardo submitted pictures of the new Borough Hall. The roof was replaced too soon. He took pictures of all the spots with leaks; we paid a lot of money. There are a lot of issues and bucking of walls. Mayor and Mr. Ebner said that we are in litigation and cannot comment. Issues were raised and put in our complaint. Professionals and experts are hired and inspections are made. Mr. DeNardo said this is very costly. Who is paying for the replacement? Mr. Bergen said every defect has been documented and

professionals were hired. There is a claim against the new contractor. The Bond Company will pay for what wasn't done properly. Mr. DeNardo said a Clerk of Works and Consultants were hired and gave reports. Mr. DeNardo said he is entitled to get copies of the reports. It was asked if a CO was issued; a temporary CO. He also said he is going to stay on this issue. Mr. Bergen said we hired lowest responsible bidder by the law. They sued us for payment and we counter sued.

John Kennedy stated Chingarora and Luppatatong need to be done. The Public Packet is in a loose leaf binder. Mr. DeNardo asked about the Fireman's Fair Performers.

John Kovacs, Eighth Street, stated there are Ordinances on the agenda. There are issues with the Green Grove residents parking all over Eighth Street. Chief Gajewski said Eighth Street is in the Ordinance. Mr. Kovacs said to line the street for parking. There is a problem with overhang in driveways.

Mike Lane, First Street, addressed the Borough Engineer regarding Crestview Cove. Improvements have been made to Mr. Lane's home and he is looking to update the status of his home. Steve Barrett from K Hovnanian is their contact. There is an error to Ordinance 19-06; it should have a minimum and maximum. Mrs. Ciquegrana should advertise by title and statement. In regards to reassessment, Mr. Lane spoke with Scott Pezarras, Tax Assessor, about preparing tax maps; not doing a reassessment. It was asked how the homes are categorized. Mr. Bergen said to slow down the process. Overvaluation that could drop; there are a lot of tax appeals the first year. Mr. Lane said there is a mismatch of information; put the Construction Code Officials' records on file. Mr. Bergen said he is looking into a computer system for access. Mr. Norbut said the GIS system helps. Discussion is on the Planning Board cases. Mr. Lane said to link the county matches to the Borough. Mr. Bergen said the Construction Code Official doesn't approve multifamily. Mr. Lane said there is no zoning officer. There being no further comments or questions this meeting was closed to the public at 10:46 P.M.

RESOLUTIONS

2. Resolution #300-06, Payment of Bills

See full copy of this Resolution on file in the Borough Clerks Office.

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

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

Nays: None
Abstain: None
Absent: None

3. Resolution #301-06, Accept Donation of Furniture to the Police Department from CommVault Systems

WHEREAS, CommVault System has donated office furniture for use by the Keyport Police Department, and

WHEREAS, the Borough greatly appreciates the generosity of CommVault System.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, County of Monmouth, State of New Jersey that the Borough of Keyport on behalf of the Keyport Police Department hereby accepts the office furniture donation from CommVault System

as set forth and detailed in a letter of September 4, 2006 from the Police Department to the Borough's Administrative Secretary, which is attached hereto and incorporated herein by reference.

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

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

Nays: None

Abstain: None

Absent: None

4. Resolution #302-06, Amend Insurance Requirements for Organizations

WHEREAS, by Resolution 274-01, 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 274-01 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 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. Acknowledgement 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.
4. The above requirements are subject to, and may be amended, changed or revised based upon particular or unusual circumstances as approved by the Business Administrator or his/her designee.
5. Copies of the within resolution shall be forwarded to the Borough Clerk, who shall retain a copy for public inspection.

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

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

Nays: None
Abstain: None
Absent: None

5. Resolution #303-06, Amend Resolution regarding advertising on the Water Tower

WHEREAS, the Cass Street Water Tower is undergoing renovation, and

WHEREAS, the Mayor and Council recognize the potential for advertising space on the water tower, and

WHEREAS, leasing advertising space on the Cass Street Water Tower would provide additional income to the Borough of Keyport, and

WHEREAS, the utilization of otherwise vacant space on the Cass Street Water Tower for advertising in the best fiscal interests of the citizens of the Borough of Keyport, and

WHEREAS, the Local Lands and Building Law N.J.S.A. 40A:12-14 requires the leasing of municipal property to be made by public bid, and

WHEREAS, the preparation of bid specifications is highly technical in nature and requires professional legal services to complete, and

WHEREAS, the Borough Attorney has the necessary expertise for preparing said specifications, and

WHEREAS, the Borough Attorney, John S. Wisniewski, Esq., of Wisniewski & Associates, having been appointed on January 1, 2006 pursuant to a fair and open process wherein Wisniewski & Associates was determined to be the most advantageous, price and other factors considered, and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5(a)(i) permits the Borough of Keyport to award a contract for professional services without public advertising for bids and bidding, and

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

1. The Borough Attorney is hereby authorized to prepare bid specifications for the receipt of bids for the leasing of advertising space on the Cass Street Water Tower.
2. The Mayor and Council authorize the Borough Clerk, upon receipt of bid specifications from the Borough Attorney, to advertise for receipt of bids for the leasing advertising space on the Cass Street Water Tower utilizing the bid specifications prepared by the Borough Attorney.
3. The Borough of Keyport expressly reserves the right to reject all bids where the highest bid is not accepted.
4. A copy of the within Resolution shall be forwarded to the Borough Attorney, Municipal Finance Officer and a copy shall be maintained in the office of the Borough Clerk for public inspection.

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

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

Nays: None
Abstain: None
Absent: None

Resolution #304-06, Amend Resolution regarding the Sale of the Old Municipal Building

WHEREAS, the Mayor and Council are of the opinion that the old municipal building property is no longer needed for public use, and

WHEREAS, the sale of the old municipal building property is in the best fiscal interests of the citizens of the Borough of Keyport, and

WHEREAS, the Local Lands and Building Law N.J.S.A. 40A:12-13 authorized the sale of municipal real property to be made by open public sale at auction, and

WHEREAS, the preparation of an invitation to bid for the sale of municipal real property is highly technical in nature and requires professional legal services to complete, and

WHEREAS, the Borough Attorney, John S. Wisniewski, Esq., of Wisniewski & Associates, having been appointed on January 1, 2006 pursuant to a fair and open process wherein Wisniewski & Associates was determined to be the most advantageous, price and other factors considered, and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5(a)(i) permits the Borough of Keyport to award a contract for professional services without public advertising for bids and bidding, and

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

1. The Borough Attorney is hereby authorized to prepare and invitation to bid by open public sale at auction for the sale of the old municipal building property.
2. The Mayor and Council authorize the Borough Clerk, upon receipt of bid specifications for the Borough Attorney, to advertise for an open public sale at auction for the sale of the old municipal building property utilizing the invitation to bid prepared by the Borough Attorney.
3. The Borough of Keyport hereby sets a minimum price of \$600,000.00 for the sale of the old municipal building.
4. The Borough of Keyport expressly reserves the right to reject all bids where the highest bid is not accepted.
5. A copy of the within Resolution shall be forwarded to the Borough Attorney, Municipal Finance Officer and a copy shall be maintained in the office of the Borough Clerk for public inspection.

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

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

Nays: None
Abstain: None
Absent: None

7. Resolution #305-06, Authorize Mr. Bergen to execute License Agreement with TNT Rebuildables, Inc.

WHEREAS, TNT Rebuildables, Inc. has requested the use of space in the Borough parking lot on Division Street for a period not to exceed one hundred and twenty (120) days pursuant to the terms and conditions of license agreement attached hereto and made a part hereof by reference, and

WHEREAS, the Local Lands and Building Law N.J.S.A. 40A:12-1 et seq. and case law interpreting same allows municipalities to grant non-possessory interest in land for limited purposes for limited periods of time without advertising for bids or public bidding, and

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

1. The Council President is authorized to enter into a license agreement with TNT Rebuildables, Inc. for the use of space in the Borough parking lot on Division Street for a period not to exceed one hundred and twenty (120) days pursuant to the terms and conditions of license agreement attached hereto and made a part hereof by reference.

2. A copy of the within Resolution shall be forwarded to the Borough Clerk, who shall maintain a copy for public inspection.

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

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

Nays: None
Abstain: None
Absent: None

8. Resolution #306-06, Appoint Peter Valesi as Relocation Officer effective September 25, 2006

WHEREAS, the Relocation Assistance Law of 1967, N.J.S.A. 52:31 B-1 et seq. requires that "...[a] local government...designate or appoint an officer or employee thereof who shall be charged with the formulation and execution of any workable relocation assistance program"; and

WHEREAS, this position has be vacant since June 2006 and there is a need to appoint a Relocation Officer.

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

1. That Peter Valesi is hereby appointed as Permanent Relocation Officer.

2. The duties of the Relocation Officer shall be implement relocations as contemplated and required pursuant to the Relocation Assistance Law of 1967, N.J.S.A. 52:31 B-1 et seq. and/or the Relocation Assistance Act N.J.S.A. 20:4-1 et seq.

3. The Permanent Relocation Officer shall receive no salary, but shall be compensated at the rate of \$500.00 for each relocation effected pursuant to the requirements of the Relocation Assistance Law of 1967 and/or the Relocation Assistance Act.
4. Copy of the within Resolution shall be forwarded to the Relocation Officer and retained in the office of the Borough Clerk for public inspection according to law.

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

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

Nays: None
Abstain: None
Absent: None

9. Resolution #307-06, Request for Proposals for consulting service for William Ralph Pier and Bulkhead

WHEREAS, the Borough of Keyport has a need to award a contract for the position of Engineering Consultant for Waterfront Development through a fair and open process pursuant to the provisions of N.J.S.A. 10:44 A-20.5; and

WHEREAS, such services are "Professional Services" and therefore, exempt from the public bidding requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.

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

1. The Borough Clerk is hereby authorized and directed to place a notice in the official newspapers(s) of the Borough of Keyport requesting proposals for the above referenced positions for the remainder of the 2006 calendar year.
2. Said notice shall provide:
 - a. that the Borough of Keyport is soliciting requests for proposals for the positions of Engineering Consultant-Waterfront Development; and
 - b. that all proposals must be submitted to the Borough Clerk's Office on or before October 13, 2006 at 9:30 A.M. at which time they will be opened and read aloud; and
 - c. that the proposals are being solicited through a fair and open process in accordance with N.J.S.A. 10:44 A-20.5 et seq.
3. Proposals shall be evaluated by the Borough Council on the basis of that which is most advantageous to the Borough, taking into consideration the following factors:
 - a. Experience and reputation in the field.
 - b. Knowledge of the subject matter.
 - c. Availability to attend all required meetings.

- d. Availability of personnel, facilities, equipment and other resources to provide such services.
- e. Qualifications and experience of personnel.
- f. Any other factors demonstrated to be in the best interests of the Borough of Keyport.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately and/or as required by law.

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

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

Nays: None

Abstain: None

Absent: None

ADJOURNMENT

Motion to Adjourn the meeting moved by Mr. Sheridan, second by Mr. Wedick with Ayes by all present.

Time of Adjournment: 10:47 P.M.