approved 5/21/07

September 6, 2006
Keyport, New Jersey

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

Mayor Merla called the meeting to order at 8:06 P.M. and read the Sunshine Law Notice.

**ROLL CALL**

On Roll Call the following were present: Councilmembers Hassmiller, Walling, Wedick, Bergen, Sheridan, Ortman. Others present: Mr. Wisniewski, Borough Attorney, and Mr. Norbut, Borough Engineer.

**PRESENTATION/PROCLIAMATION**

1. Nicie Hammond, Retired School Crossing Guard

Mayor Merla read a proclamation and gave Nicie Hammond a clock plaque. Captain Mitchell then spoke.

**HEARING ON MONMOUTH COUNTY OPEN SPACE GRANT PROGRAM APPLICATION – THERESE STREET PARK**

Mr. Norbut said there is $120,000.00 in funding for the project cost. There is a 50/50 share requesting $60,000.00. Recreation has a subcommittee for the park. There are two lot areas. This is a two phase project; 2-5 lot areas will be built. $120,000.00 represents the first of several.

The Meeting is opened to the public for comments or questions at 8:20 P.M. There being no further comments or question this matter was closed to the public at 8:20 P.M.

**RESOLUTION**

1. Resolution #286-06, Authorize Acting Administrator to submit an Open Space Trust Fund Application for Therese Street Park and to execute Grant documents and agreements

**WHEREAS**, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

**WHEREAS**, the Governing Body of the Borough of Keyport desires to obtain County Open Space Trust Funds in the amount of $60,000 to fund Improvements to Therese Street Park - Phase I, located on Therese Street, Lot 12.01, Block 9;

**WHEREAS**, the total cost of the Improvements to Therese Street Park - Phase I project including all matching funds in $120,000; and

**WHEREAS**, the Borough of Keyport is the owner of and controls the project site.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT THAT:**

1. Thomas Fallon, Chief Financial Officer and Acting Borough Administrator, is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the principal contact person and correspondent of the above named municipality; and

2. The Borough of Keyport is committed to this project and will provide the balance of funding necessary to complete the project in the form of non-county matching funds as required in the Policy and procedures Manual for the Program; and

3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations and statutes thereto; and

4. Thomas Fallon, Chief Financial Officer and Acting Borough Administrator, is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and

5. This resolution shall take effect immediately.

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

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Bergen, Sheridan, Ortman
Nays: None
Abstain: Councilman Wedick
Absent: None

## APPROVAL OF MINUTES

1. Regular Meeting of October 18, 2005

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

2. Work Meetings of January 10$^{th}$ and February 7$^{th}$, March 7$^{th}$, April 4$^{th}$, Special Meetings of March 21$^{st}$, March 28$^{th}$ Regular Meetings of January 17$^{th}$, February 21$^{st}$ and March 21, 2006.

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

## COMMUNICATIONS AND PETITIONS

1. Letter of Resignation from Janine Popovich as School Crossing Guard.

Motion to accept with regret and recognize on January 1, 2007 by Mr. Sheridan, second by Mr. Wedick with Ayes by all present.

2. Letter from J.R. Hill requesting litter signs on Clark Street advising of the penalties.

Motion to refer to Property Maintenance Officer by Mr. Bergen, second by Mr. Wedick with Ayes by all present.

3. Certification of Mailing Final 2006 and Preliminary 2007 Tax Bills from Keri Stencel, Tax Collector.

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

4. Request from Keyport Fire Department for and Ad Donation for the 37th Annual Firemen's Ball (see Resolutions).

Motion to receive and file and add a Resolution by Mr. Bergen, second by Mr. Wedick with Ayes by all present.

5. Letter from Stephen Gale regarding Warren Street Reconstruction

Mr. Norbut spoke with Mr. Gale and explained the project to him. The grass strip will be eliminated to gain additional footage.

Motion to receive and file by Mr. Walling, second by Mr. Wedick with Ayes by all present.

## UNFINISHED BUSINESS

1. **Fall Festival.** Mr. Sheridan spoke with various people from the KBA and they want to continue the festival. Mr. Bergen said to discuss in closed session because this is a potential litigation.

2. **Sprint/Nextel Cellular Tower Lease/Antennae.** Refer this matter to Mr. Bergen.

3. **Water/Sewer Bill – 153 Second Street.** Refer this matter to Mr. Bergen for the September 19th meeting.

4. **3 Maple Place.** Mr. Norbut spoke with Mr. Burlew; Board of Health was there. Mr. Bergen asked on the status. Mr. Seckinger said that there are many problems with the property. Mr. Burlew issued summons and is now bringing this matter to court. This has been going on for a number of years. Russ Groves has been there. Mr. Seckinger said that he is at a loss and Manchester and Maple Place. Council is to get a report from Mr. Burlew. He said he issued a citation. Mr. Ortman said that he has the contact numbers; Mr. Seckinger said he also has numbers. The Board of Health is to give a report.

Dana Mania, 57 Green Grove Avenue, said that she has submitted photos. The area is disgusting and is bug infested; the view is despicable. There are bags of drugs; Mr. Walling has advised the Police on this matter. Mr. Bergen said to park behind your home via eminent domain of unsafe structure. There was then a further discussion on this matter.

5. **Geese Problem at Football Field.** Mr. Ortman said Kenny Krohe said the use of the field has eliminated the problem. Mr. Ortman has spoken with Q-Scend about this matter for training.

## ADMINISTRATOR'S REPORT

1. August 29th Payment of Bills

## ENGINEER'S REPORT

Mr. Norbut reported on the following. The William Ralph Pier bid will be held on September 26th and were advertised on September 6th. The bid will be awarded on October 3rd. Third Street has been paved to Atlantic Street. Mr. Ortman asked about the Woodmont Property; Mr. Norbut said the second pre-con meeting was held on September 6th at 9:30 A.M. This kick off will be soon. Mr. Bergen asked about the First Street Improvements; there is a meeting on Friday, September 8th. In regard to the Bulkhead, there has been an agreement for funding providing for contract. This will happen in mid-October, there is one signature left. In regard to the Community Meeting, is the road going to be open and is there going to be a passage on American Legion Drive; yes, won't block off both ends. Mayor Merla asked if there should be two session; morning and night so everyone is aware. Include those with leases, Captain John and Tracey Dell. It was also asked if the pre-con should be here; Mr. Norbut will advise. Mr. Sheridan said there is a litter problem with Woodmont, address at the meeting. Mr. Wedick asked if funding was in place; yes, $1 Million. Mr. Bergen said there is $250,000 now and there will be $250,000 in 45 days and a balance at the end. Mayor Merla said there is damage at the bulkhead from the storm, this should be inspected.

## ATTORNEY'S REPORT

Mr. Wisniewski had no report.

## NEW BUSINESS

1. **Open Hearts for Keyport Parks.** Mr. Sheridan said he had spoken with Assemblywoman Handler who will support and help with Open Hearts for Keyport Parks.

2. **Jersey Central Power and Light Company.** Mayor Merla said he is not happy with the response of JCP&L this weekend. Main Street was out of power for three days and a "flick of the switch" and the power was on. On Lower Broad Street and W. Front Street there is tons of garbage out that should not have been there. Captain Mitchell and Sergeant Gallo handled the situation well. Work on a compactor; this needs to be addressed, there was 32 bags of garbage. Mr. Bergen said to stop collecting garbage from the down town area; speak with Mario at M & S Waste. We have the numbers and address for everyone; pay fair share. Plan in 45 days and pass an ordinance on this matter.

3. **Summer Concert.** The Summer Concert was approved on August 15th for September 21st. There is a hard time getting the insurance; clause to waive the right to insurance by the Mayor and Council. This matter has been referred to Mr. Wisniewski to review and advise; setting the precedent.

4. **PBA.** Approached the PBA with vending machines six weeks ago. There is no interest. Would like to donate a commission from vending machine to Recreation. Mr. Bergen asked if there is room in Borough Hall for vending machines. Mr. Wedick said there should be more cans for trash. Mr. Walling said to check with the High School to find out where the got theirs from.

5. **9-11.** It has been five years since the attack. A memo is being delivered by the Keyport Fire Department on September 11th at 7:30 P.M. Mr. Walling said to display the flag.

6. Mail from Positive Promotions had white powder in it. This was no public health threat. The Department of Public Works will be doing a separate pick up from the storm.

**RESOLUTIONS**

2. Resolution #287-06, Payment of Bills

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

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

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Wedick, Bergen, Sheridan, Ortman
Nays: None
Abstain: None
Absent: None

3. Resolution #288-06, Hire Public Safety Telecommunications Operator Trainee/Mary Gillard

**WHEREAS**, there is a present need for Public Safety Telecommunications Operators due to a vacancy of a full time employee; and

**WHEREAS**, Mary Gillard has served Keyport as a temporary Part Time Public Safety Telecommunications Operator since December 21, 2004; and

**WHEREAS**, the Police Captain has recommended that Ms. Gillard by hired for the position of Full Time Public Safety Telecommunications Operator Trainee; and

**WHEREAS**, sufficient funds have been provided in the 2006 Budget for this position; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council that Mary Gillard is hereby hired as Full Time Public Safety Telecommunications Operator Trainee effective September 6, 2006 at an annual salary of $26,321.82.

**BE IT FURTHER RESOLVED** that Ms. Gillard shall be subject to the probationary period according to NJ Department of Personnel regulations.

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

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Wedick, Bergen, Sheridan, Ortman
Nays: None
Abstain: None
Absent: None

4. Resolution #289-06, Authorize Ad for 37th Annual Fireman's Ball

**WHEREAS**, the Keyport Fire Department is an Organization located in the Borough of Keyport which conducts activities that benefit the public good; and

**WHEREAS**, the Keyport Fire Department has requested that the Borough of Keyport contribute the sum of $125.00 for the purpose of assisting them with funds for their 37th Annual Fireman's Ball Ad Book.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Keyport that the sum of $125.00 is hereby approved as a contribution to the Keyport Fire Department and the Mayor and Chief Financial Officer are authorized and directed to pay said sum.

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

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Wedick, Bergen, Sheridan, Ortman
Nays: None
Abstain: None
Absent: None

5. Resolution #290-06, Special Meeting - Reorganization, January 1, 2007

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

**MONDAY, JANUARY 1, 2007 AT 12 NOON**

in the All Purpose Room, Central School, Broad Street, Keyport, N.J. for the purpose of:

Reorganization, appropriate appointments and such other matters as are normal to a Reorganization Meeting

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

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Keyport shall hold the Council Meetings as stated above in the All Purpose Room, Central School, Broad Street, Keyport, N.J.

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

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

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

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

Nays: None
Abstain: None
Absent: None

6. Resolution #291-06, Accept Sanitary Sewer Evaluation Study

**WHEREAS,** T&M Associates completed a Sanitary Sewer Evaluation Study for the Borough of Keyport's sewer system and issued a report of findings in August 2005; and

**WHEREAS,** the report details the sanitary sewer TV inspection and manhole inspection work performed during the time period December 2004 through June 2005 which recommended the Borough proceed with a sanitary sewer rehabilitation program; and

**WHEREAS,** the Governing Body of the Borough of Keyport had not formally accepted the Sanitary Sewer System Evaluation report at the time it was presented; and

**WHEREAS,** in a letter date August 30, 2006, it was recommended by Borough Engineer Norbut of T&M Associates that said study be formally accepted.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Keyport, County of Monmouth and State of New Jersey that the Sanitary Sewer Evaluation Study prepared by T&M Associates is hereby accepted.

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

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Wedick, Bergen, Sheridan, Ortman
Nays: None
Abstain: None
Absent: None

7. Resolution #292-06, Appointment of Recreation Commission Member - Denise Ellis

**WHEREAS,** a vacancy exists on the Recreation Commission; and

**WHEREAS,** it is the desire of the Mayor and Council to fill said vacancy.

**NOW, THERFORE, BE IT RESOLVED** by the Mayor and Council that Denise Ellis is hereby appointed a member of the Recreation Commission to fill a 5 year unexpired term which will expire on December 31, 2007.

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

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Wedick, Bergen, Sheridan, Ortman
Nays: None
Abstain: None
Absent: None

8. Resolution #293-06, Closed Session - Personnel, Litigations, and Contract Negotiations

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

**Personnel**
1. Fire Department
2. Administration (Vacancies, OPRA)
3. Planning Board Secretary
4. Property Maintenance Officer
5. Police Department

**Possible Litigation**
1. Century Land
2. Uptown Bar and Grill
3. Kara Homes
4. KBA
5. Spring Nextel

**Labor Relations**

**Contract Negotiations**
1. Public Works Facility Lease
2. Vending Machines

**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, THERFORE, 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 discussion on Personnel conducted as said Closed Session shall be disclosed when the matters discussed are resolved and this meeting shall continue in approximately 20 minutes.

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

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Wedick, Bergen, Sheridan, Ortman
Nays: None
Abstain: None
Absent: None

9. Resolution #294-06, Advertise Receipt of Bids for the Cass Street 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 for the Borough of Keyport, and

**WHEREAS**, the utilization of otherwise vacant space on the Cass Street Water Tower for advertising is in the best fiscal interest 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. 10A: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. Sheridan, second by Mr. Ortman

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Wedick, Bergen, Sheridan, Ortman
Nays: None
Abstain: None
Absent: None

10. Resolution #295-06, Request for Proposals for Special Counsel

**WHEREAS**, the Mayor and Council have determined the need for Special Municipal Counsel to handle certain specialized litigation and/or to represent the Borough when conflicts arise, and

**WHEREAS**, the Mayor and Council direct the Borough Clerk to advertise for the request for proposals for Special Municipal Counsel.

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

1. The Mayor and Council authorize the Borough Clerk to advertise for request for proposals for Special Municipal Counsel (including litigation).

2. The appointment is to be made pursuant to a fair and open process determined to be the most advantageous, price and other factors considered.

3. A copy of the within Resolution shall be forwarded to the Borough Attorney and a copy shall be maintained in the office of the Borough Clerk for public inspection.

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

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Wedick, Bergen, Sheridan, Ortman
Nays: None
Abstain: None
Absent: None

11. Resolution #296-06, Hire Property Maintenance Officer - Rowland Seckinger retroactive to August 2, 2006.

**WHEREAS**, the Mayor and Council of the Borough of Keyport have created the position of Code Enforcement Officer pursuant to N.J.S.A. 40A:60-6, and

**WHEREAS**, encompassed in the duties of the Code Enforcement Officer is that of property maintenance code enforcement, and

**WHEREAS**, the Borough of Keyport needs to have additional property maintenance code enforcement officials, and

**WHEREAS**, the position of Temporary Property Maintenance Officer to assists the Code Enforcement Officer is allowed y Borough Ordinance 12-3.10, and

**WHEREAS**, sufficient funds are available and have been or will be appropriated for this specific purpose.

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

1. Rowland Seckinger is appointed Temporary Property Maintenance Officer effective August 2, 2006 at a salary of three thousand five hundred dollars ($3,500.00) annually to be pro-rated.

2. Copies of the within Resolution shall be forwarded to the Municipal Finance Officer and the Borough Clerk, who shall retain a copy for public inspection.

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

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Wedick, Bergen, Sheridan, Ortman
Nays: None
Abstain: None
Absent: None

12. Resolution #297-06, Hire Temporary Assistant Property Maintenance Officer - Marjorie Seckinger retroactive to August 2, 2006.

**WHEREAS**, the Mayor and Council of the Borough of Keyport have created the position of Code Enforcement Officer pursuant to N.J.S.A. 40A:60-6, and

**WHEREAS**, encompassed in the duties of the Code Enforcement Officer is that of property maintenance code enforcement, and

**WHEREAS**, the Borough of Keyport needs to have additional property maintenance code enforcement officials, and

**WHEREAS**, the position of Temporary Property Maintenance Officer to assist the Code Enforcement Officer is allowed by Borough Ordinance 12-3.10, and

**WHEREAS**, sufficient funds are available and have been or will be appropriated for this specific purpose.

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

1. Marjorie Seckinger is appointed Temporary Assistant Property Maintenance Officer effective August 2, 2006 at a salary of two thousand five hundred dollars ($2,500.00) annually to be pro-rated.

2. Copies of the within Resolution shall be forwarded to the Municipal Finance Officer and the Borough Clerk, who shall retain a copy for public inspection.

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

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Wedick, Bergen, Sheridan, Ortman
Nays: None
Abstain: None
Absent: None

13. Resolution #298-06, Appoint Borough Administrator - Pete Valesi

**WHEREAS**, the Mayor and Council of the Borough of Keyport have created the position of Borough Business Administrator pursuant to N.J.S.A. 40A:9-136, and

**WHEREAS**, the position of Borough Business Administrator is set forth in Keyport Borough Ordinance 2-3.2 (Ordinance No. 4-9-62, 1 and 2, 4-6; Ordinance No. 551, 1 and 2; 1972 Code 2-4) and provides that the Business Administrator shall serve at the pleasure of the Mayor and Council, and

**WHEREAS**, pursuant to N.J.S.A. 40A:60-6 the Borough Council may create such offices and positions as it may deem necessary, and

**WHEREAS**, the Mayor and Council of the Borough of Keyport appointed Tom Fallon as Interim Business Administrator effective June 20, 2006, and

**WHEREAS**, Tom Fallon has done an exemplary job as Interim Borough Administrator and the Mayor and Council of the Borough of Keyport extend to him our thanks for a job well done.

**WHEREAS**, it is in the best interests of the Borough of Keyport to have one individual serve as Chief Financial Officer on a full time basis and another individual to serve as Business Administrator on a full time basis.

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

1. Peter Valesi, P.E. is appointed on this 5th day of September, 2006 as the Business Administrator, the Superintendent of Engineering and the Public Agency Compliance Officer of the Borough of Keyport for a pro-rated salary to be negotiated within the parameters of the Borough of Keyport Salary Ordinance for Borough Business Administrator.

2. Copies of the within Resolution shall be forwarded to the Municipal Finance Officer and the Borough Clerk, who shall retain a copy for public inspection.

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

Roll Call Vote: Ayes: Councilmembers Hassmiller, Walling, Wedick, Bergen, Sheridan, Ortman
Nays: None
Abstain: None
Absent: None

**PUBLIC COMMENT PORTION**

This meeting was open to the public for comments or questions at 9:04 P.M. Terry Bolte, business owner, said he counted 23 bags of garbage. He asked who enforces the renter's amount of garbage. There is a lot of garbage from Residents above the Businesses.

Bob Ludwig, 50 Beers Street, said there are handouts on the Uptown, Q-Scend, and Kara Homes; there should be three separate meetings. The Borough Attorney is accommodating applicant and charging the Borough. The Borough shouldn't hold applicants hand during the process; they should re-submit the application. Council should review the application and not defer to the Borough Attorney. It was suggested that Council review the License Handbook and Review. The State Law is predominate and there should be penalties for infractions. Mayor Merla recused himself at 9:12 P.M. There was an Uptown Discussion and Mr. Bergen is now in charge of the meeting. Joe Merla was aggressive at last meeting towards himself and Mr. Lane; he intimidated me and obstructed an investigation. Certificate of Rehabilitation if there is a criminal record. There is a high level of Book Maintenance. Mr. Ludwig said previous licenses may not be valid. If approved now, an objection can be filed by the public with the State.

Make a request to the applicants; obtain Finance Records within 30 days. Have the Chief Financial Officer analyze the records to see if they are valid and who owns what; conditional renewal and look. John Wisniewski has a few inaccuracies; responded to the inquiries of Mayor and Council and public. There is no hand holding, we are answering questions and providing advice. All paperwork has been reviewed. The Governing Body relies on the Certificate of Tax Compliance from the State. Every issue has been looked into; take strong exception. Mr. Ludwig said this should have been denied a while ago.

Mr. Bergen said they answered to the best of their ability. We've gone over for quite some time and researched. Mr. Ludwig said there is an Open Public Records Act issue with Renunciation from Mayor. Mr. Wisniewski said he has this in his office. This is a sworn document in the County Court. 9:27 P.M. Mayor Merla came back into the meeting.

John Olsen, said there was a meeting on Monday with the Harbor Commission. It is safe to give a date for the start of the Bulkhead work. There needs to be a schedule in writing from the contractor. This is frustrating. There is a bad winter coming, go into May of 2007; costs are going up. Waiting for the Department Commissioner to sign off and then pre-construction meeting. The pier should not be started before the Bulkhead is complete. Mr. Norbut said it is erroneous and comment removed from plans via Birdsall Engineering.

**ADJOURNMENT**

Motion to Adjourn was moved and carried with Ayes by all present.