

April 7, 2009
Keyport, New Jersey

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

Mayor Bergen called the meeting to order at 6:35 P.M. Clerk Valerie Heilweil read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Bolte, Sefcik, Sheridan, Kovacs (arrived 6:38 PM), Walling, Mayor Bergen. Others present: Borough Administrator Ms. Wright, Borough Attorney, Eric Winston. Absent: Councilman Hill

RESOLUTION 101-09

1. Resolution #101-09 Closed Session Meeting Contract Negotiation, Personnel

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, Mayor and Council of the Borough of Keyport are of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss:

LITIGATION

Uptown bar
Municipal Building

CONTRACT NEGOTIATION

Aeromarine
19 Division Street

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 above-mentioned items.

BE IT FURTHER RESOLVED that discussions on Litigation and Contract Negotiations be conducted at 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, seconded by Ms. Sefcik

Roll Call Vote: Ayes: Councilmembers Bolte, Sefcik, Sheridan, Walling, Kovacs

Nays:
Absent: Hill
Abstain:

Council went into closed session at 6:36 PM and this meeting was reconvened at 7:00 PM

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

PROCLAMATION

Alcohol Awareness Month
National Volunteer Month
National Start! Walking Day

Mayor read Alcohol Awareness Month Proclamation. Mayor asked Ms. Hilliard if she would like to speak. Ms. Hilliard, Drug Alliance Coordinator, thanked the Council for the Proclamations we do and told a little about her program. Ms. Hilliard spoke about the Hold Harmless legislation, a bill that hopefully will pass so that underage drinkers will not be prosecuted when they call for help.

Mayor read National Month Proclamation National Start! Walking Day

APPROVAL OF MINUTES

1. January 10, 2006 - Closed Session
2. March 7, 2006 - Closed Session
3. March 28, 2006 - Closed Session

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

Roll Call Vote: Ayes: Councilmembers Sheridan, Walling
Nays:
Absent: Hill
Abstain: Bolte, Sefcik, Kovacs

4. March 17, 2009 - Closed Session

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

Roll Call Vote: Ayes: Councilmembers Bolte, Sefcik, Sheridan, Walling,
Kovacs
Nays:
Absent: Hill
Abstain:

PRESENTATION

A meeting was held on March 27th regarding the proposed streetscape. Jeff Bottger Licensed Landscape Architect, for T&M made the presentation with Chief Mitchell. Jeff did Red Bank Downtown and other streetscapes in the area. Expect construction to take two weeks and be done before Memorial Day. Spoke about eighteen (18) new trees which will be planted. This is a reduction in the current number. Types are American Maple, Lilac, Macia Tree, Purple Leaf plum tree. Looking at trees that are more compact and easy to maintain. Appropriate for a tight location.

Envision a three foot wide band rather than the two foot wide band out there now. Chief Mitchell explained that West Front Street will be closed for one day. Trees will be ground down. There will be areas of no parking in the areas being worked on, from Broad Street to Beers Street. Jeff assured merchants that their businesses will remain open.

Mayor stated that the current handicap ramps are of questionable compliance. \$16,000 to \$20,000 for the new handicap ramps.

Sidewalks will be replaced where need be, no curbs will be cut.

Ms. Sefcik asked about the tree pattern. Jeff's recommendation is to put purple leaf plums at the ends and alternate with the others. There should be more color and virtually no maintenance.

Mike Lane would like to see this extended to the downtown, not just West Front Street.

INTRODUCTION OF ORDINANCES

Mayor explained why he asked for this ordinance. Feels there is a safety issue around the muster zone.

1. Ordinance - Amending No Stopping or Standing Ordinance

The Clerk reads the Ordinance by Title:

AN ORDINANCE AMENDING CHAPTER VII (TRAFFIC), SCHEDULE III (NO STOPPING OR STANDING) OF THE ORDINANCES OF THE BOROUGH OF KEYPORT

WHEREAS, the Mayor and the Borough Council are aware that the present Traffic Ordinances allow for no stopping or standing on certain streets at certain times in certain areas of the Borough, and

WHEREAS, the Mayor and the Borough Council believe that no stopping or standing 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 Schedule III relating to Section 7.35 of the Ordinances of the Borough of Keyport are amended as follows:

**SCHEDULE III
NO STOPPING OR STANDING**

In accordance with the provisions of subsection 7-3.5, no person shall stop or stand a vehicle between the hours specified upon any of the following described streets or parts of streets: (Amendments are underlined)

<i>Name of Street</i>	<i>Sides</i>	<i>Hours</i>	<i>Location</i>
Beers Street	Both	All	Between Highway No. 35 southbound and Clark Street
Maple Place (County Rd. 516)	East	All	Beginning at a point 112 feet north of the northerly curblin of Orchard Street and extending 112 feet northerly thereof.
<u>Maple Place</u>	<u>South</u>	<u>All</u>	<u>Starting at Broad Street 220 feet East to Division Street</u>
Pimper Place	Both	At all times	Entire length

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.

Motion to introduce moved by Ms. Bolte, second by Ms. Sefcik

Roll Call Vote: Ayes: Councilmembers Bolte, Sefcik,

Nays: Sheridan, Walling, Kovacs

Absent: Hill

Abstain:

Ordinance did not pass.

COMMUNICATIONS AND PETITIONS

1. Letter of Resignation from Recycling Committee member Al DeGracia. Claudia DeGracia is interested in becoming involved with the Committee.

Motion to accept, receive and file moved by Mr. Sheridan, second by Mr. Kovacs with ayes by all present

2. Letter from St. Joseph Church announcing annual parish fair to be held Wednesday, May 27th through Sunday, May 31st, 2009 and requesting authorization to close a portion of Geran Street during the duration of the fair

Motion to accept, receive and file moved by Mr. Sheridan, second by Mr. Kovacs with ayes by all present.

3. Letter from St. Joseph Fair Committee requesting use of the Borough's picnic benches for their annual parish fair - May 27th - May 31st.

Motion to accept, receive and file moved by Mr. Sheridan, second by Mr. Kovacs with ayes by all present.

4. Letter from St. Joseph Church requesting permission to sponsor and hold a fireworks display on their church property on May 29th, 2009 (rain dates May 30th or May 31st)

Motion to accept, receive and file moved by Mr. Sheridan, second by Mr. Kovacs with ayes by all present.

5. Letter from Anne Zaccardi regarding water/sewer bill at 196 Washington Street

Motion to refer to Administrator and Tax Collector moved by Mr. Kovacs, second by Mr. Walling.

Roll Call Vote: Ayes: Councilmembers Bolte, Sefcik, Walling, Kovacs
Nays:
Absent: Councilman Hill
Abstain: Councilman Sheridan

6. Letter from Keyport Recreation Commission requesting to hold the 3rd Annual Keyport Fest 5K Run on September 12, 2009 beginning at 8:30AM

Motion to accept, receive and file moved by Mr. Kovacs, second by Mr. Sheridan with ayes by all present.

UNFINISHED BUSINESS

Mr. Walling asked about the flyer that was put into water bills for the Garden Club. Who is administering this? T-shirt given with \$25.00 donation. Ms. Bolte replied that the Garden Club is. Mr. Walling asked how this happened when there was no vote by Governing Body. Ms. Cefalo gave an explanation on how the checks are received. Mr. Walling feels these things should be addressed to the Council.

Mayor spoke about the Live Where you Work Grant Program. Carla attended training yesterday. This program promotes home ownership in areas where you work. This is for first time home buyers who live and work in Keyport. Resolution is on tonight to advance us to the next step.

Carla explained that this program helps not only with closing costs but with a down payment. Second mortgage given to cover those fees; forgivable in five years.

Al DeGracia, asked about the requirements, does it apply to part timers, volunteer firemen or Councilmembers? Ms. Cefalo explained that a person must be a full-time employee in Keyport within 60 days of closing.

Mayor spoke about Sustainable Communities Grant and the need for a Green Team. Would like to ask all committees to have a member participate through the Environmental Commission. Borough Departments and residents are encouraged to participate.

Mayor would like to add a resolution appointing Tom Gallo as an Alternate to the Recycling Committee.

ADMINISTRATOR'S REPORT

Ms. Wright reported on the following:

- First of two Public Works vehicles are in
- Waterfront Park work going on; temporary striping being done
- Leak at Elizabeth Street Water tank

Mayor stated long-term decision needs to be made. Administrator explained the purpose of Adoption of Procedures to be followed in the Purchase of Equipment and Supplies.

ATTORNEY'S REPORT

Attorney had no report.

NEW BUSINESS

1. Building Use Policy - Administrator explained how the school requires a form and insurance policy for the use of Borough buildings. Mayor suggests a deposit for the purpose of making sure building gets cleaned up. Nominal fee is being collected at the Senior Center for an exercise class. Mayor suggests Borough get a small fee for that.

2. Cable Ordinance - 4% Franchise fee once Verizon comes in.

Mr. Walling spoke about the last Planning Board meeting and Earl Swift's looking into putting an antenna on their building for a cell tower. Mayor explained that our tank had been painted and that we could take no further carriers on our tank because they would need to be welded on. That is why they went somewhere else.

Mr. Sheridan spoke about the 4th annual Easter Egg Hunt; thanked the Spanish American Club and Recreation Committee for doing a great job, also thanked Mr. Hill and Ms. Bolte.

Mr. Strang found items from KYAL that he would like to donate to Recreation, summer recreation and school. Mayor stated that Mr. Strang needs to get an inventory together in order, then do a resolution.

Mr. Sheridan would also like the school to be invited to the Green Team.

Mr. Walling stated he is not in favor of allowing the building to be used for a forum for school board candidates; feels it is opening up a can or worms.

Resolution to be added to consent agenda allowing candidates to use the municipal building to hold a forum for candidates.

RESOLUTIONS

2. Authorizing Monmouth County Mosquito Extermination Commission Aerial Surveillance and Treatment Program for the Year 2009

Motion to introduce moved by Mr. Walling, second by Mr. Kovacs

Roll Call Vote: Ayes: Councilmembers Sefcik, Kovacs
Nays: Councilmembers Bolte, Sheridan, Walling
Absent: Hill
Abstain:

3. Resolution No. 103-09 Authorizing Adoption of Procedures to Be Followed in the Purchase of Equipment and Supplies
4. Resolution No. 104-09 Authorizing Acceptance and Ratification of the Plumbing/Mechanicals Settlement Agreement - A & K
5. Resolution No. 105-09 Authorizing the Execution of A Memorandum of Agreement With State of New Jersey Housing & Mortgage Finance Agency (HMFA)
6. Resolution No. 106-09 Authorizing the Disposal of Certain Personal Property Not Needed for Public Use
7. Resolution No. 107-09 Payment of Bills
8. Resolution No. 108-09 Authorizing formation of a Green Team for Sustainable NJ
9. Resolution No. 109-09 Tom Gallo as Alternate on Recycling Committee
10. Resolution 110-09 Allowing candidates to use the building to have a forum for candidates.

PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions at 8:02 P.M.

Isaiah Cooper asked about solar panels for the school. Will this be funded by the stimulus package; Mayor replied that they have been approved for about 40% of that project.

Al DeGracia asked about the Ordinance on for Introduction tonight, did it pass; No.

Mike Lane hoped that Monmouth County does a better job on the streetscape this time around. Broad Street Waterfront will be beautiful. Sidewalks on Broad Street are wider. Mr. Lane spoke about protecting new trees from being broken off.

John Olsen mentioned that 12' to 14" trees will be placed

There being no more comments or questions from the public, the meeting was closed at 8:07P.M.

APPROVAL OF RESOLUTIONS

Motion on the Consent Agenda made by Mr. Sheridan, second by Ms. Sefcik

Roll Call: Ayes: Councilmembers Bolte, Sefcik, Kovacs, Sheridan, Walling
Nays:
Abstain:
Absent: Hill

ADJOURNMENT

Motion to adjourn was made at 8:10 PM by Mr. Sheridan, second by Mr. Walling with ayes by all present.