

January 20, 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 Kovacs, Sheridan, Ortman, Mayor Bergen. Others present: Mr. Winston, Borough Attorney and Borough Administrator Ms. Wright. Absent: Councilmembers Bolte, Sefcik and Hill

RESOLUTION 54 -09

1. Resolution #54 -09 Closed Session Meeting - Personnel, Litigation, Attorney - Client Privilege

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:

1. Potential Litigation
 - Hot Dog Lease
 - TNT Rebuilders - Division Street
2. Contract Negotiations
 - Police Arbitration

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 Potential 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. Kovacs, seconded by Mr. Sheridan

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

Council went into Closed Session at 6:38 P.M. and this meeting was reconvened at 7:10 P.M.

Mayor Bergen called the meeting to order at 7:10 P.M. and the Borough Clerk read the Sunshine Law Notice. The Pledge of Allegiance was said and there was a moment of silence.

On Roll Call the following were present: Councilmembers Kovacs, Sheridan, Ortman, Mayor Bergen. Others present: Mr. Winston, Borough Attorney and Borough Administrator Ms. Wright. Absent: Councilmembers Bolte, Sefcik and Hill

APPROVAL OF MINUTES

April 1, 2008 - Work Session
November 3, 2008 - Work Session

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

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

COMMUNICATIONS AND PETITIONS

1. Letter from St. Joseph School requesting permission to schedule their 1st Annual St. Joseph School *Shamrock Go for the Green* 5K/Fun Run event for Saturday, May 16, 2009 at 9AM

Motion to approve but refer to Police Chief moved by Mr. Kovacs, second by Mr. Walling with ayes by all present

2. Application for a Social Affairs Permit from St. Joseph School Advancement for a Texas Hold Em Fundraiser to be held on April 4, 2009 from 6PM - 11PM
3. Request for Raffle License from St. Joseph School PTA for a Casino Night to be held on February 28, 2009 at St. Joseph School Auditorium
4. Request for Raffle License from St. Joseph School PTA for a Casino Night to be held on April 4, 2009 at St. Joseph School Auditorium
5. Request for Raffle License from St. Joseph Church for an On-Premise 50/50 Cash Raffle to be held on April 4, 2009
6. Request for Bingo license from Keyport First Aid Squad for Bingo to be held on various Thursdays evenings in 2009
7. Request for Raffle License from the Keyport First Aid Squad for an Instant-Raffle (Pull-Tab) to be held daily from March 13, 2009 to March 10, 2010
8. Request from Keyport First Aid Squad for a Penny Auction (Tricky-Tray) to be held on March 7, 2009 from 6:30 to 11PM
9. Request for Raffle License from Keyport First Aid for an On-Premise 50/50 Cash Raffle to be held on March 7, 2009 from 6:30 - 11PM

Motion to approve moved by Mr. Kovacs, second by Mr. Sheridan with ayes by all present.

10. Letter from Michael and Silvia Erazo-Kase of 77 Fulton Street requesting to be able to put a "Private" or "Resident Parking Only" sign up at their property.

Mayor Bergen talked about pulling the Planning Board file. Refer to Administrator; Mr. Kovacs stated it is a private road.

Motion to refer to Administrator moved by Mr. Sheridan, second by Mr. Kovacs with ayes by all present.

11. Request for Street Opening from NJ Natural Gas for 226 Washington Street for the Purpose of an oil & propane conversion

Check if \$10,000 bond posted by Gas Company, Mayor wants it saw cut.

Motion to approve moved by Mr. Walling, second by Mr. Sheridan with ayes by all present.

12. Letter from Keyport First Aid Squad requesting waiver of all Borough Bingo and Raffle License fees

13. Letter from Keyport First Aid Auxiliary requesting waiver of all Borough Bingo and Raffle License fees

Motion to approve moved by Mr. Sheridan, second by Mr. Kovacs with ayes by all present.

14. Letter from Keyport Engine Co. No. 1 informing the Borough that Christopher Menendez became an active member at their December meeting

15. Letter from Keyport Engine Co. No. 1 informing the Borough that Pat Strang became an active member at their December meeting

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

16. Letter from T & M regarding Stimulus Package/Federal Grants for Infrastructure.

Mayor suggested to look at roadways that need to be paved.

Motion to refer to Borough Administrator moved by Mr. Sheridan, second by Mr. Walling with ayes by all present.

17. Application to Film a Motion Picture

Mr. Sheridan makes motion, no problem getting money back.

Motion to approve with contingency moved by Mr. Sheridan, second by Mr. Kovacs with ayes by all present.

REPORTS OF DEPARTMENTS

1. Borough Clerk's Monthly Report for December 2008
2. Tax\Water\Sewer Collector's Report for December 2008
3. Monthly Report for Building Department for December 2008
4. Minutes of December 9, 2008 Board of Health Meeting and Treasurer's Reports for December 2008 and 2008 Annual Report
5. Property Maintenance Report for December 2008 and 2008 Annual Report
6. Municipal Court's Monthly Cashbook Report for December 2008

On file in Borough Clerk's office for review.

Motion to approve all reports as read, moved by Mr. Kovacs, second by Mr. Walling with ayes by all present.

COMMITTEE REPORTS

Councilwoman Bolte, Police: Absent

Councilwoman Sefcik, Buildings, Grounds and Library - Ms. Sefcik submitted a written report.

Councilman Hill, Health and Recreation: Absent

Councilman Sheridan, Fire, First Aid & Emergency Services - Mr. Sheridan mentioned the Fireman's Ball. Fire, First Aid and Emergency - Ice rescue on Sunday 1/18/09.

Councilman Walling, Finance, Grants and Redevelopment - Mr. Walling had nothing to report

Councilman Kovacs, Public Works/Recycling/Property Maintenance - Mr. Kovacs reported that five (5) water main breaks since Friday, Green Grove, Walnut, Atlantic, Kearney Street by St. Peters. We need to buy a box for going into the holes to prevent the side from collapsing. Mr. Kovacs stated that it is a safety issue.

ADMINISTRATOR'S REPORT

Ms. Wright reported on the following:

- The senior center now has heat but the project is not complete
- Waiting for initial budget numbers from CFO
- Waterfront Park - still waiting for CAFRA permit; letters have gone out to residents adjoining the property

ATTORNEY'S REPORT

Mr. Winston has nothing to report.

DISCUSSION

Economic Recovery Funding Options

NEW BUSINESS

Mr. Sheridan mentioned that there will be a Skate park meeting on Monday, February 2nd at 7 PM.

Mayor Bergen asked Chief for a final Downtown Plan. He would like to see it within the next two months.

Mr. Walling asked about KBA liaison.

Mayor spoke about the Committee that will be formed to look at the KBA: Kovacs, Sefcik and Bolte would like another civilian as well as representatives from public groups. Mr. Kovacs stated that Ms. Bolte expressed that she no longer wanted anything to do with the KBA. Mr. Kovacs feels that Mr. Walling should be on it. Mayor stated four Councilmembers would then be subject to Open Public Meeting Act. Mr. Walling stated he thinks it should be done outside of the Council.

RESOLUTIONS

2. Resolution No. 55-09 Recommending Amendment to NJSA 40:54-8 Regarding Tax Levies for Free Public Libraries
3. Resolution No. 56-09 Authorizing Emergency Repairs to the Water Main in the Area of 279 Broad Street on December 24, 2008
4. Resolution No. 57-09 Accepting Proposal from CME Associates to Provide Design and Engineering Services for Upper Maple Place Streetscape Improvements Project that was awarded a Monmouth County Community Development Block Grant
5. Resolution No. 58-09 Accepting the Proposal from CME Associates to Provide Design and Engineering Services for Phase II Beers Street Reconstruction Project that was awarded NJDOT Grant Funding
6. Resolution 59-09 Payment of Bills

PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions at 7:38 P.M.

Mike Lane, 51 First Street, asked what the latest status is on the reevaluation letters. Mayor stated that they will go out middle of February.

Mr. Lane asked about locations of the skate park; Division Street parking lot and Cedar Street. Mr. Lane asked for a summary of litigation activities; Mr. Winston explained Paff case.

Mr. Lane spoke about KCCC meeting held after Council's December meeting, gave his synopsis of the minutes. Mr. Lane asked about CME Associates Resolutions on the agenda, pointed out that CME was a major contributor to the Democratic Party and to KCCC events.

Kishore Chigurupati, 22 First Street, stated does not have a problem with KCCC giving contributions since they are a non-profit but does have an issue with contributions to campaigns. Asked about how minutes will be provided in 30 days when, if a meeting is canceled, it may be more than 30 days between meetings. How will minutes get approved in time? Mayor stated that minutes will be released as a "draft" if they are unapproved.

There being no more comments or questions from the public, the meeting was closed at 7:53 P.M.

APPROVAL OF RESOLUTIONS

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

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

ADJOURNMENT

At 7:53 P.M. Motion to adjourn was made by Mr. Sheridan, second by Mr. Walling with ayes by all present.