

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 6:34 P.M. Clerk Valerie Heilweil read the Sunshine Law Notice.

### **ROLL CALL**

On Roll Call the following were present: Councilmembers Sefcik, Bolte, Sheridan, McPeek, Kovacs, Mayor Bergen. Others present: Mr. Ryback, Borough Attorney and Borough Administrator Ms. Wright. Absent: Councilman Gross

### **RESOLUTION 76-10**

#### **TITLE: CLOSED EXECUTIVE SESSION**

**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

Personnel Issues

Contract Negotiation – License Agreement between the Borough of Keyport and 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 Contract Negotiations, Litigation, and Personnel 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: Sheridan, Seconded by: Sefcik

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

Nays:

Absent: Councilman Gross

Abstain:

Council went into Closed Session at 6:36 P.M. and this meeting was reconvened at 7:24P.M.

Mayor Bergen called the meeting to order at 7:24P.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 Sefcik, Bolte, Sefcik, Sheridan, McPeek, Kovacs, Mayor Bergen. Others present: Mr. Ryback, Borough Attorney and Borough Administrator Ms. Wright. Absent: Councilman Gross

### **APPROVAL OF MINUTES**

January 19, 2010

Offered for adoption by Mr. Sheridan, seconded by Ms. Sefcik

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

Nays:

Absent: Councilmember Gross

Abstain

## **PRESENTATION**

### Arts Society of Keyport (ASK)

Arts Society of Keyport Lois Reilly and Ed Carew gave presentation. The mission is to stimulate interest and awareness to all forms of art.

The Arts Society of Keyport is proposing to donate five mosaic tiled recycle bins to the Borough to be used at the new Waterfront Park. The Art Society feels this will encourage environmental awareness through recycling. We will be asking for public donations tentative date of April 17<sup>th</sup>. We will begin construction immediately with Council approval.

The Art Society asked for the following:

- small lawn sign next to project for six weeks
- \$100.00 donation for project
- Utilize April 17<sup>th</sup> from 12-3 to accept donations of tile & ceramic plates (same day as paper shredding)

## **DISCUSSION**

### DCA Discipline of Building Inspector, Robert Burlew, for Conflict of Interest

Mayor spoke of former Construction Code Official and Building Inspector Bob Burlew who received on April 15, 2009 a letter of warning against his license from Department of Community Affairs (DCA) for engaging in a conflict of interest on a building owned by his brother Ed Burlew. In addition, there was no architectural plan which is a life safety hazard. As a result the deck had to be removed. A stop-work order was issued. Mayor hoped that Bob Burlew would be here to answer why he never alerted the Borough. He, in another instance appeared and gave testimony against the Borough. Mayor will review this again with the Borough Attorney.

## **PUBLIC COMMENT PORTION**

The meeting was opened to the public for comments or questions at 7:49 P.M. moved by Mr. Sheridan, second by Ms. Sefcik with ayes by all present

Debra Dow, West Keansburg requested the use of the Gazebo for an April 10<sup>th</sup> wedding for her daughter.

There being no more comments or questions from the public the meeting was reconvened at 7:55 PM

## **COMMUNICATIONS AND PETITIONS**

1. Email from the Northern Monmouth Chamber of Commerce regarding their annual Meet Your Elected Officials networking event to be held on Wednesday, March 24<sup>th</sup>, 5:30-8:00PM, at Jacques Reception Center, 500 Palmer Avenue, Middletown

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

2. Invitation from Keyport Senior Center for their Annual Volunteer Luncheon to be held Wednesday, April 7<sup>th</sup> at 11:00AM at the Keyport First Aid Building

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

3. Letter from Ansell Zaro Grimm & Aaron (with attachment from Bureau of Tidelands Management) regarding License Renewal Application for the Keyport Fishing Pier

Motion to receive and file moved by Mr. Sheridan second by Ms. Sefcik with ayes by all present

4. Application for a Raffle License from Liberty Hose Co. No. 3 for a Big Wheel Game of Chance to be held July 26<sup>th</sup> through July 31, 2010 between 6PM and Midnight

Motion to approve moved by Mr. Sheridan second by Ms. Sefcik with ayes by all present.

5. Application for Social Affairs Permit from the Leukemia & Lymphoma Society for a Morning Skipper Meeting and Charity Dinner to be held at the Keyport Yacht Club on June 12, 2010 from 6AM to 9PM

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

6. Application for a Street Opening Permit from NJ Natural Gas for 55 Walnut Street for the purpose of an oil conversation

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

### **REPORTS OF DEPARTMENTS**

1. Borough Clerk's Monthly Report for February 2010
2. Tax\Water\Sewer Collector's Report for February 2010, Annual Receipts for Tax Department 2009
3. Monthly Report for Building Department for February 2010
4. Property Maintenance Report for February 2010
5. Board of Health Annual Treasurer's Report for Year Ending 2009, Treasurer's Report for February 2010 and Board of Health Meeting Minutes of February 9, 2010
6. Keyport Historian's Annual Report for 2009
7. Municipal Court's Monthly Cashbook Report for February 2010

On file in Borough Clerk's office for review.

Motion to receive and file all reports as read, moved by Mr. Sheridan, second by Ms. Sefcik with ayes by all present.

### **COMMITTEE REPORTS**

Councilman Gross: Police: Absent.

Councilwoman Sefcik: Health and Recreation: Ms. Sefcik stated that the Easter Egg Hunt will be held on March 27 at the Waterfront Park

Councilman Bolte: Public Works/Recycling/Property Maintenance: Ms. Bolte reported on the following:

- park and historical society held up well
- Keyport Fishery was opened the following day
- Majority of damage was at Beach Park
- A boat was hooked to a trailer and pulled out
- Terry Park had severe damage at the dead end of Cedar Street
- Thanked First Aid for their annual Dinner Saturday night
- Cheryl Hill case – feels foundation is a hazard and should be removed as per the original agreement.

Mayor Bergen directed the attorney to send a letter to enforce the agreement that is in place.

Ms. Bolte spoke about the Brant Geese at the Waterfront Park – will breed in the Artic Circle in June, they will be leaving shortly.

Councilman Sheridan: Fire/First Aid/Emergency Services: Mr. Sheridan thanked the First Aid Squad for their Award dinner, had a great time. First Aid received multiple calls during the storm. Fire Patrol responded 12 people were rescued from Ye Cottage Inn and additional rescues on Beers Street. Mr. Sheridan thanked all emergency services.

Councilman Kovacs: Finance/Grants/Redevelopment: Mr. Kovacs reported that the Finance Committee is working on the budget and is close to finalizing.

Councilman McPeek: Buildings/Grounds/Library: Mr. McPeek reported that the Library signed off on the fire alarm system update. Mr. McPeek read the library report. Senior Center had a heating issue which is now fixed. Volunteer Appreciation Luncheon on April 7<sup>th</sup>, had upholstery cleaned.

**UNFINISHED BUSINESS**

None

**ADMINISTRATOR'S REPORT**

Ms. Wright reported on the following:

- two road projects are started
- thanked DPW for snow and Storm work
- St. Patty's Parade Saturday
- Exploring cost sharing opportunities
- CDBF – need project for this year for 2011 money
- Pre-bid meeting on Friday for Grass cutting

Ms. Sefcik requested information on road & streetscape projects to be put on the website.

**ATTORNEY'S REPORT**

None

**RESOLUTIONS**

2. Resolution No. 77-10 Resolution Authorizing Payment Plan – Hadid
3. Resolution No. 78-10 Authorizing Credit for Senior Citizen Deduction - Gonzalez
4. Resolution No. 79-10 Budget Transfer Appropriation
5. Resolution No. 80-10 Authorizing the Borough of Keyport to Enter into a Cooperative Pricing Agreement for Grass Cutting and Fertilizing
6. Resolution No. 81-10 Payment of Bills
7. Resolution No. 82-10 Authorizing the Mayor to Enter Into a License Agreement with 19 Division Street LLC
8. Resolution No. 83-10 Accept Mosaic Bins from ASK
9. Resolution No. 84-10 Authorize wedding for April 10<sup>th</sup> - \$100 at Waterfront Park Gazebo
10. Resolution No. 85-10 Authorize payment to Bureau of Tidelands for License renewal application for Fishing Pier
11. Resolution No. 86-10 Closed Session – Litigation and Personnel

**PUBLIC COMMENT PORTION**

The meeting was opened to the public for comments or questions at 8:22 P.M.

John Olsen – spoke of Tidelands fees of Harbor Commission

Mike Lane, 51 First Street, will contact waterfront property owners regarding damage.

Administrator Wright stated that there three are categories of damage Major, Minor and effective

Social Affairs Permit – thinks it should be for two days. Spoke of buildings constructed without permits.

Sam Minor stated he can't see the white lines when parking at night, thinks lines should be extended. Asked about two hour enforcement of parking; doesn't feel there is daily enforcement.

Mayor explained that enforcement is random, so that people don't know when to expect a ticket.

Isaiah Cooper, Keyport Food Ministerium, spoke of parking on the street and asked the Police to give an extension.

Mike Reedy, 42 First Street, rents at 25 East Front Street; neighbors are the Endeavor House, complained of vomiting, urinating and throwing down cigarette butts during the day.

Ms. Bolte asked if Mr. Reedy would be willing to come in for a meeting with her and the Administrator. Mayor will ask for a report from the Police Department for calls answered there.

Jennifer Henning, 102 Main Street, anyone who currently drops a cigarette butt on the ground can be ticketed now. Feels pedestrian crossing signs are not effective, and should be taken down.

Mike Lane wants to reinforce what Mr. Reedy said. Says there are also people sleeping in the cars at the Endeavor House during the day.

Ms. Bolte said that cigarette butts are a property maintenance issue.

Lois Reilly, Osborn Street, talked about smoking at the corner by her home and throwing cigarette butts down outside of where AA meetings are held.

There being no more comments or questions from the public the meeting was closed at 7:57 PM

Council went into Closed Session at 9:04 P.M. and this meeting was reconvened at 9:53 P.M.

### **APPROVAL OF RESOLUTIONS**

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

Roll Call: Ayes: Councilmembers Sefcik, Bolte, Sheridan, Kovacs, McPeek

Nays:

Abstain:

Absent: Councilman Gross

### **ADJOURNMENT**

Motion to adjourn was made by Mr. Kovacs, second by Mr. McPeek with ayes by all present at 9:53 PM.