

March 17, 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.

Council President Sheridan called the meeting to order at 6:36 P.M. Clerk Valerie Heilweil read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Bolte, Sefcik, Hill, Sheridan, Kovacs, Walling, Mayor Bergen (arrived 6:47 PM). Others present: Borough Administrator Ms. Wright, Borough Attorney, Eric Winston.

RESOLUTION 85-09

1. Resolution #85-09 Closed Session Meeting Contract Negotiation, 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:

CONTRACT NEGOTIATION

Kayak and Crabbing Lease

LITIGATION

Property Line encroachment

A&K

Hot Dog Lease

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. Walling, seconded by Mr. Sheridan

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

Nays:

Absent:

Council went into closed session at 6:40 PM and this meeting was reconvened at 7:13PM.

ROLL CALL

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

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

APPROVAL OF MINUTES

December 22, 2008 - Regular

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

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

Nays:

Absent:

Abstain: Councilwoman Sefcik

COMMUNICATIONS AND PETITIONS

1. Letter from NJDOT, Division of Local Aid and Economic Development, informing the Borough that Keyport will receive an allotment of \$410,000 from the Transportation Trust Fund for the resurfacing of Main Street, Broad Street, Monroe Street, Maple Place and Nappi Place

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

2. Letter from Keyport Fire Department requesting that the Mayor and Council petition the State to provide funding for annual physicals for volunteer firefighters

Motion to refer to Administration moved by Mr. Sheridan, second by Mr. Walling.

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

Nays: Kovacs

Absent:

Abstain:

3. Letter from Keyport Police Explorer Post 267 requesting:
 - permission to coordinate a clean up of the parks in town on Sunday, April 26, 2009 and also requesting that Public Works pick up trash bags from one designated location on the following day
 - the use of the mini park and the portable stage for a Band Showcase on Sunday, May 24, 2009 beginning at 12Noon (see letter of March 16th requesting date be changed to Sunday, June 7, 2009)

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

4. Letter from the Keyport Police Explorer Post 267 requesting permission to extend their program to 10-13 year olds.

Should have parents sign a release.

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

5. Application for a Raffle License from the PTA Keyport Central School for an On-premise Merchandise Raffle to be held on April 20th, 23rd, 28th and May 5th and 8th

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

6. Amended KBA Calendar of Events

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

REPORTS OF DEPARTMENTS

1. Borough Clerk's Monthly Report for February 2009
2. Tax\Water\Sewer Collector's Report for February 2009
3. Monthly Report for Building Department for February 2009
4. Property Maintenance Report for February 2009
5. Board of Health Minutes for January 13, 2009 and February 10, 2009 and Monthly Reports for January and February 2009
6. Municipal Court's Monthly Cashbook Report for February 2009
7. Minutes of the Keyport Recreation Commission Meeting of February 5, 2009
8. Minutes of the KBA Meeting of December 15, 2008
9. Keyport Historian's Annual Report for 2008
10. CDC/NPP Office - January/February Council Report 2009

On file in Borough Clerk's office for review.

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

COMMITTEE REPORTS

Councilwoman Bolte: Police: Ms. Bolte reported that the Hybrid is almost back, vehicle light bar is being installed. Over the Limit, Under Arrest Grant - we had the third highest number of arrests in the state, after State Police and East Brunswick who a full-time DWI Staff.

Councilwoman Sefcik: Buildings, Grounds and Library: Ms. Sefcik read the Library report. Requested that Jim Burke be appointed as Trustee on the Library Board; last open seat. Information being sent in water bills will also be on website.

Mayor thanked Councilwoman Sefcik for her efforts.

Councilman Hill: Health and Recreation: No Report

Councilman Sheridan: Fire, First Aid & Emergency Services: Mr. Sheridan stated that tickets for the Super 50/50 are now on sale at the Keyport Fishery. Thanked all for the ambulance bid; must be reviewed and subject to certification of funds.

Councilman Walling: Finance, Grants and Redevelopment: Mr. Walling asked about his position on Finance Committee which he refused to accept. Mayor does not want to shift the committee right now. Two other members of that committee will work on the budget. After that he will look at it again.

Councilman Kovacs: Public Works/Recycling/Property Maintenance: Mr. Kovacs reported that Marjorie returned to her job at property maintenance. There will be a fund raiser at VFW this Saturday, April 8th. Motion made and carried approving closing of Waverly street on March 28th to be added as a Resolution.

ADMINISTRATOR'S REPORT

Ms. Wright reported on the following:

- ambulance
- dump truck bids
- extended receipts of bids for garbage contract
- Parade 3/21 at 1 PM
- Stakeouts started at Waterfront Park
- Forms on Keyportonline.com in order to be more accessible to residents

Thanked Borough employees for their work

Mr. Sheridan asked about the reval, tax assessor signed book on Monday and it was sent to County.

ATTORNEY'S REPORT

Attorney has no report.

UNFINISHED BUSINESS

Kayak & Canoe Rentals - Administrator reported that it will qualify as a concession since it is under \$4,000

Mr. Kovacs asked about the light at end of American Legion Drive by Fireman's Park - doesn't work want to go after engineer to have it raised and replaced. Mayor replied that the State was the contractor; it was designed correctly but may not have been installed correctly. We did not hire anyone to watch. State supervised construction. No performance or maintenance bond since it was done by the State. State does not require those bonds. May have contractor for Waterfront Park fix it.

Ms. Sefcik asked who will supervise the Waterfront Park project; T&M will have someone.

Mr. Sheridan mentioned that the First Aid wants to keep the third ambulance in service even after they get the new one. Received a letter from a First Street resident about possible moving of bench at Beach Park.

Mr. Sheridan gave letter to Administrator; Mayor wants a confirming letter sent.

NEW BUSINESS

Ms. Bolte mentioned a problem with dog waste at the promenade, Mayor asked Administrator to check with Police on patrolling down there.

Administrator - Mentioned 2009 contract for lawn cutting and fertilizing. Resolution approving will be added to tonights agenda

RESOLUTIONS

2. Resolution No. 86-09 2008 Recycling Tonnage Grant Application
3. Resolution No. 87-09 Approving Grant Application for DEDR Funds
4. Resolution No. 88-09 Adopting Hazard Mitigation Plan

5. Resolution No. 89-09 Authorizing Award of Contract for New 2007 or Newer 33,000lbs. GVW Dump Truck or Equivalent with vehicle body
6. Resolution No. 90-09 Authorizing Award of Contract for New 2008 or Newer F455 4x4 Mason Body Dump Truck or Equivalent
7. Resolution No. 91-09 Appropriation Transfer
8. Resolution No. 92-09 Supporting Participation in the Sustainable Jersey Municipal Certification Program
9. Resolution No. 93-09 Payment of Bills
10. Resolution No. 94-09 Authorizing Introduction and Approval of Business Improvement District Budget Notice
11. Resolution No. 95-09 Appointment of Jim Burke to the Library Board
12. Resolution No. 96-09 Contract Award for Ambulance subject to attorney review
13. Resolution No. 97-09 Approve Street closing 3/28 Waverly
14. Resolution No. 98-09 Appoint Alternate Crossing Guard at St. Joe's
15. Resolution No. 99-09 Authorize 2009 contract for fertilizer and lawn cutting

PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions at 7:49 P.M.

Mike Lane wanted to share his experience on the reval. Spoke with reval people and could not get any explanation on how waterfront property was appraised. Spoke with the Borough Tax Assessor. Mr. Lane was surprised to hear that the books have been signed off. Handed out paperwork gathered regarding reval. He would like tax page undated on the Boroughs web page. Mr. Lane understands property owners have until May 1st to appeal; wants helpful links added to Borough website.

Mr. Sheridan feels there must be rules somewhere that can help explain some of Mr. Lane's questions. Mayor explained how process works. Equalization rate must be set in order to determine amount of taxes Borough must pay.

Mike Reedy, 42 First Street, home was built in 1840 and he has been working on it for 27 years. Upset about the assessment of the property. \$350,000 for the lot plus \$1,000 per foot for footage along the water. Doesn't think it is fair.

Resident of First Street talked about her reval experience.

Nuray Aykin, stated what a problem this reval is for Keyport

Vincent Mangione, 37 First Street, spoke about his personal situation.

Resident spoke about two trees that were cut down by Pederson's Marina.

Isaiah Cooper suggests that First Street residents meet together before they meet with the tax assessor.

Ms. Solomon spoke about a flood that happened at her home and how responsive DPW workers were.

Craig Slattery partners with Ruben Bea at Tropical 8 wants to put in a deck in the backs; wanted to know what the process was.

There being no more comments or questions from the public, the meeting was closed at 9:11 P.M.

APPROVAL OF RESOLUTIONS

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

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

Nays:

Abstain:

Absent:

ADJOURNMENT

Motion to ajourn was made and carried at 9:12 PM with ayes by all present.