

May 4, 2010
Keyport, New Jersey

Minutes of the Work 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 Gross, Sefcik, Bolte, Sheridan, Kovacs, Mc Peek, Mayor Bergen. Others present: Borough Attorney, John Wisniewski and Borough Administrator Ms. Wright

RESOLUTION No. 114-10

1. Resolution #114-10 Closed Session Meeting Personnel, Litigation

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:

Personnel: Hearing on Preliminary Notice of Discipline: Brian Miloski
Litigation

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: Mr. Sheridan, Seconded by: Ms. Sefcik

Roll Call Vote: Ayes: Councilmembers Gross, Sefcik, Bolte, Sheridan, Kovacs, McPeek
Nays:
Absent:
Abstain:

Council went into closed session at 6:34 PM and this meeting was reconvened at 7:40PM

ROLL CALL

On Roll Call the following were present: Councilmembers Gross, Sefcik, Bolte, Sheridan, Kovacs, Mc Peek, Mayor Bergen. Others present: Borough Attorney, John Wisniewski, CFO Tom Fallon and Borough Administrator Ms. Wright

PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions at 7:42 P.M.

Jon Barone, Board of Health member – Board of Health came to Council to prohibit smoking in cars with children – first town in New Jersey. Mr. Barone feels the Board of Health is doing a great job, understands that there would be financial savings. Mr. Barone would like Council to think hard about their decision.

Mayor stated the letter sent would simply allow the Borough to withdraw from the Health Commission.

Change in prescription Health Plan. An increase of about \$30,000; not a 10% increase in the line item. Amendment can be prepared tomorrow by CFO if it is Council's pleasure.

There being no more comments or questions from the public, the meeting was closed to the public at 7:49 P.M.

PUBLIC HEARING ON THE 2010 MUNICIPAL BUDGET

Motion to Open Public Hearing:

The Meeting was opened to the Public for Comments or Questions on the 2010 Municipal Budget at 7:50PM.

Mike Lane, 51 First Street, spoke about the capital program; asked the status of the notes. Mayor stated it's in the audit.

Mr. Lane asked about specific Bond Ordinances, particularly the one from 2003 for a public works building. Mayor explained the Ordinance just authorizes the debt.

Mr. Lane asked about Terry Park Bulkhead Bond Ordinance, stated municipal budget has gone up 100% in the last decade. Mr. Lane wants to encourage setting a target for shared services. If we have no target, we cannot achieve it.

CFO – proposed increase 1.6 cent of 2.2% on your municipal tax bill. Average tax increase of \$44.00 per year. Had a \$200,000 reduction in State Aid this year. Lost \$715,000 in four years in State Aid.

Once adopted, can't amend the budget but can do a transfer of appropriation at the end of the year if we can save money elsewhere.

There being no more comments or questions from the public, the meeting was closed to the public at 8:06 P.M.

ADOPTION OF 2010 MUNICIPAL BUDGET

1. Resolution Adopting the 2010 Municipal Budget

The Clerk reads the Budget by Title: **2010 MUNICIPAL BUDGET OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, FOR THE YEAR 2010**

Sheridan made a motion to introduce, no one carried the motion.

INTRODUCTION OF ORDINANCE

1. Ordinance – Abandoned Property

The Clerk reads the Ordinance by Title:

AN ORDINANCE OF HE BOROUGH OF KEYPORT IN MONMOUTH COUNTY, CREATING CHAPTER 12-17 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT WITH REGARD TO ABANDONED PROPERTY

Motion to introduce made by Mr. Sheridan, second by Ms. Bolte

Roll Call Vote: Ayes: Councilmembers Gross, Sefcik, Bolte, Sheridan, McPeek
Nays: Councilman Kovacs
Absent:
Abstain

Motion authorizing the Clerk to publish the Ordinance as introduced, in the Asbury Park Press for a hearing to be held on June 1, 2010

Motion made by Ms. Sefcik, second by Mr. Sheridan with ayes by all present

COMMUNICATIONS AND PETITIONS

1. Letter from KBA President Charles Kojza along with the proposed 2010 KBA budget

Request to send back to KBA – table until the next meeting- year end report or balance sheet motion made by Ms. Bolte

Budget revenues and appropriations don't match. Administrator sent back to KBA to tell them to balance their budget. Mayor would like to significantly reduce KBA budget.

2. Letter from the Keyport Fire Department 2010 Fair Committee Chairperson requesting the use of the parking lot at American Legion Drive and West Front Street to hold their 44th Annual Fireman's fair. They are further requesting that American Legion Drive from West Front Street to the fishing pier be closed from 6PM until 12midnight
3. Letter from Keyport Fire Department 2010 Fair Committee Chairperson requesting the suspension of the two hour parking ordinance in the center of the business district during the week of the Fireman's Fair, July 26th – July 31st
4. Letter from Keyport Fire Department 2010 Fair Committee Chairperson requesting the use of public works equipment during the Fireman's fair for moving garbage and equipment to and from the parking lot. They will pay for a dumpster for the removal of the garbage
5. Letter from the Keyport Fire Department 2010 Fair Committee Chairperson requesting the use of the Borough picnic tables and the portable stage from July 24th – August 1st
6. Letter from the Keyport Fire Department 2010 Fair Committee Chairperson requesting that American Legion Drive be closed on July 29th from 5PM-11:30PM for the purpose of parking apparatus from visiting towns

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

7. Email from resident Kishore Chigurupati regarding the proposal to charge a fee for the use of the Minipark Special event plan for 2011

Motion to refer back to Committee to establish policy moved by Mr. Sheridan, second by Ms. Bolte with ayes by all present.

Ms. Bolte stated we will have a special event plan for 2011 to pay for electric or DPW help or garbage removal. Not in effect this year.

8. Letter and Petition from resident Amy Testa requesting a dog park in Keyport

Motion to refer to Recreation Commission moved by Mr. Sheridan, second by Ms. Sefcik with ayes by all present.

9. Updated letter from Espresso Joe's requesting the use of Minipark area and use of electricity for Third Annual Twilight Concert Series for Friday and Saturday evenings, 6PM-9PM from May to September, as well as a Special Show on Thursday, May 13th, 6-9PM in conjunctions with Brookdale Radio Station 90.5FM. Further requesting that any fees be waived

Motion to refer to committee moved by Mr. Sheridan, second by Ms. Sefcik with ayes by all present

10. Application for a Social Affairs Permit from the Organization for the Unity of the Puerto Ricans of Keyport (Spanish-American Club)

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

11. Letter from Captain John Connell offering to suspend their regular operating service and provide two separate one-hour boat rides for the public at the Grand Opening of the Waterfront Park on May 22, 2010

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

12. Application for a Raffle License from St. Joseph Church for On-Premise Non-Draw Raffle games to be held nightly from May 26th - May 30th, 2010
13. Application for a Raffle License from St. Joseph Church for an On-Premise 50/50 cash raffle to be held nightly from May 26th – May 30th, 2010
14. Application for a Raffle License from St. Joseph Church for a Big Wheel Game of Chance to be held nightly May 26th – May 30th, 2010

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

UNFINISHED BUSINESS

None

ADMINISTRATOR'S REPORT

Ms. Wright reported on the following:

- met with FEMA regarding insurance
- available flood mitigation grants for flood prevention
- prescription drug plan
- police vehicle needs a transmission, used transmission would be best
- CDBG hearing – May 18th
- Spoke about Bridge meeting in Aberdeen
- Capital road projects moving along
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ATTORNEY'S REPORT

None

NEW BUSINESS

Mayor authorized to get a vendor for Italian Ice or Ice cream; maybe a fiberglass building. Would like to see what the market will bear. Can't be moveable – a stationary object for the season.

RESOLUTIONS

- 3 Resolution No. 115-10 Canceling Water/Sewer Capital Improvement Fund
4. Resolution No. 116-10 Approving Correct Action Plan
5. Resolution No. 117-10 Governing Body Certification of the Annual Audit
6. Resolution No. 118-10 Authorizing Sale of Concrete Dock to the Township of Neptune no less than \$1500
7. Resolution No. 119-10 Appointing David J. Sorber as Temporary Police Sergeant
8. Resolution No. 120-10 Payment of Bills
9. Resolution No. 121-10 Authorize Issuance of final Disciplinary Notice
10. Resolution No. 122-10 Authorize Administrator to go out to bid for kiosk at Waterfront for potential Italian Ice Stand

PUBLIC COMMENT PORTION

The Meeting was opened to the Public for Comments at 8:47 PM.

Tom Mitchell asked about appointment of temporary Sergeant. Who recommended it? Mr. Mitchell asked why it was done. Mayor stated it came from him.

Mr. Mitchell stated he doesn't understand why someone is being made a temporary Sergeant when he would then need to be paid at that rate even when on vacation. Feels person in charge should make that decision.

Police Commissioner Gross stated that he did not make the recommendation.

Mr. Mitchell stated procedure was not followed until after the appointment for dispatch position. Spoke of the Click It or Ticket It grant.

Terry Bolte, 65 Elizabeth Street – doesn't see any enforcement of laws/ordinances. Ms. Bolte asked about Cheryl Hill property; shouldn't that foundation be fenced in?

Vinnie, resident, feels Espresso Joe's needs an answer for both Friday & Saturday nights. Feels this is for the community. Ms. Wright explained that Friday's will be approved until the next meeting for the Twilight Concert Series.

Kishore, stated that many towns would love these events every weekend. This is not just for one business.

Bob Burlew, 64 Chandler Ave, if it is part of Green Acres are we allowed to charge, feels it is nice to have the concerts.

Mike Lane, asked why the dock resolution was increased to \$3,000.00. Stated we are past the objective as to having a budget by March.

There being no more comments or questions from the public, the meeting was closed to the public at 9:25 P.M.

APPROVAL OF RESOLUTIONS

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

Roll Call: Ayes: Councilmembers Gross, Sefcik, Bolte, Sheridan, Mc Peek, Kovacs

Nays:

Abstain:

Absent:

Resolution #7 Resolution No. 119-10 Appointing David J. Sorber as Temporary Police Sergeant

Roll Call: Ayes: Councilmembers Sefcik, Bolte, Sheridan, Mc Peek, Kovacs

Nays: Councilmember Gross

Abstain:

Absent:

ADJOURNMENT

Motion to adjourn was made and carried at 9:26 PM.