

Minutes of the Regular Session Meeting of the Mayor and Council, Borough of Keyport, held on the above date in the Borough Hall Council Chambers, Keyport, NJ, pursuant to the adoption of the Annual Notice on file with the Borough Clerk forwarded to the Asbury Park Press, the 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 Aumack called the meeting to order at 7:00PM. Borough Clerk Heilweil read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Pacheco, Sheridan, Kennedy, Lamberson and Goode. Others present: Mayor Aumack, Borough Administrator Stephen Gallo and Borough Attorney James Polles. Councilmember Cooper was absent.

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

Mayor Aumack led the Pledge of Allegiance and asked for a Moment of Silence in honor of Dr. Martin Luther King, Jr.

CONSENT AGENDA

(All resolutions listed hereunder are considered to be routine in nature and will be enacted in one motion. Any person may request that an item be removed for separate consideration.)

Borough Clerk Heilweil read the items listed on the Consent Agenda

R69-18 Payment of Bills

R70-18 Appointment of Borough Auditor – *Hodulik & Morrison*

R71-18 Authorizing the Execution of an Agreement with Neutron Holdings, Inc., DBA LimeBike to Provide and Operate a Bicycle Share Service throughout the Borough at No Cost to the Borough

R72-18 Authorizing the Hiring of Provisional Equipment Operator – *Henry Reich*

R73-18 Authorizing Hiring Laborer 1 – *Matthew Rooke*

R74-18 Authorizing Reduction of the Performance Bond for Alaric Properties, LLC for the Property Located at 45 Beers Street, also Known as Block 39, Lots 12, 13 and 14 on the Tax Map of the Borough

R75-18 Approving Tow Truck Operator Applications

R76-18 Amending Resolution #272-17 Authorizing Sponsorship of Two (2) Candidates in the January 2018 Monmouth County Police Academy SLE II Training Program – *Michael Ferm and Gianna Cogliano*

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments or questions on items listed on the agenda at 7:04PM moved by Sheridan, carried by Goode with ayes by all present

Michael Lane, 51 First Street – questioned the recycling brochure stating two cans are required – one for paper and one for bottles and cans. Is that correct?

It was stated that has not changed in the brochure since last year. The Administrator advised keep doing whatever you have been doing.

Mike Lane – spoke of the Cummins' property easement for a walkway.

Mayor Aumack – believes the easement refers to the outfall.

Mike Lane – asked if the Borough is going to take responsibility for the stone walkway.

Mayor Aumack – stated the Council has not yet been presented with that.

Mike Lane – stated a condition of approval is the Borough would obtain this easement.

There will be a Special Council Meeting on February 13th for the Public Hearing on the PILOT Ordinance regarding Mariner's Village.

Mike Lane – expressed concern the ordinance was approved prior to the site plan approval.

Attorney Polles – explained the two have nothing to do with each other.

Mike Lane – stated the plans that the Planning Board Secretary has, specifically number of square footage, are different from those plans determining the financial agreement. If the square footage is greater, the revenue would then be greater. He also stated the gross rental numbers are inconsistent while the Borough's tax rate has been fairly flat and consistent.

Elmer Graham, Jr., 22 St. Peters Place – asked for an explanation of **R74-18** Authorizing Reduction of the Performance Bond for Alaric Properties, LLC for the Property Located at 45 Beers Street, also Known as Block 39, Lots 12, 13 and 14 on the Tax Map of the Borough, which the Borough Administrator provided. Mr. Graham suggested inviting Governor Murphy to Keyport for a Town Hall Meeting.

There being no further comments or questions, the Meeting was closed to the public at 7:27PM moved by Goode, carried by Sheridan with ayes by all present

APPROVAL OF RESOLUTIONS

Councilwoman Kennedy – wants the address for Dawn's Auto Body changed to their Hazlet location.

Motion to add **R76-18** Amending Resolution #272-17 Authorizing Sponsorship of Two (2) Candidates in the January 2018 Monmouth County Police Academy SLE II Training Program – *Michael Ferm and Gianna Cogliano* and Open to the public, moved by Lamberson, carried by Sheridan with ayes by all present

George Walling, 54 Second Street – asked why **R76-18** Amending Resolution #272-17 Authorizing Sponsorship of Two (2) Candidates in the January 2018 Monmouth County Police Academy SLE II Training Program – *Michael Ferm and Gianna Cogliano* was removed then added.

Motion to close the meeting to the public at 7:36PM moved by Sheridan, carried by Lamberson with ayes by all present

Motion to approve items listed on the Consent Agenda moved by Sheridan, carried by Pacheco

Roll Call: Ayes: Pacheco, Sheridan, Kennedy, Lamberson, Goode
Nays:
Absent: Cooper
Recuse: Goode recused himself from **R75-18** Approving Tow Truck Operator Applications

INTRODUCTION OF ORDINANCES

1. Ordinance – PILOT Program for Mariner's Village

The Clerk read the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY APPROVING THE APPLICATION FOR A LONG-TERM TAX EXEMPTION AND AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT WITH MARINER'S VILLAGE AT KEYPORT URBAN RENEWAL, LLC**

- 1a. Motion to introduce moved by Sheridan, carried by Goode

Roll Call: Ayes: Pacheco, Sheridan, Kennedy, Lamberson, Goode
Nays:
Absent: Cooper
Abstain:

- 1b. Motion authorizing the Clerk to publish the Ordinance as introduced in the Asbury Park Press for a public hearing moved by Pacheco, carried by Sheridan with ayes by all present

The public hearing will be held at a Special Meeting scheduled for February 13th.

2. Ordinance – Business Parking Permits

The Clerk read the Ordinance by Title: **AMENDING AN ORDINANCE ENTITLED ‘THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT, 1988’ CHAPTER VII, TRAFFIC, SECTION 7-3, PARKING, SUBSECTION 7-3.6 PARKING TIME LIMITED ON CERTAIN STREETS, SCHEDULE IV**

- 2a. Motion to introduce moved by Goode, carried by Sheridan

Roll Call: Ayes: Pacheco, Sheridan, Kennedy, Lamberson, Goode
Nays:
Absent: Cooper
Abstain:

- 2b. Motion authorizing the Clerk to publish the Ordinance as introduced in the Asbury Park Press for a public hearing moved Sheridan, carried Pacheco with ayes by all present

3. Ordinance – Amending Schedule I of Traffic

The Clerk read the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING CHAPTER VII, TRAFFIC TO REFLECT NEW PARKING RESTRICTIONS ON A PART OF ATLANTIC STREET TO THE NORTH OF STATE ROUTE 36 AND ON A PART OF VAN DORN STREET TO THE SOUTH OF STATE ROUTE 36**

- 3a. Motion to introduce moved by Goode, carried by Lamberson

Roll Call: Ayes: Pacheco, Sheridan, Kennedy, Goode
Nays:
Absent: Cooper
Abstain: Lamberson

- 3b. Motion authorizing the Clerk to publish the Ordinance as introduced in the Asbury Park Press for a public hearing moved by Sheridan, carried by Pacheco with ayes by all present

4. Ordinance – Establish a Technical Review Committee

The Clerk read the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING CHAPTER XII, BUILDING AND HOUSING, TO ESTABLISH A TECHNICAL REVIEW COMMITTEE**

- 4a. Motion to introduce moved by Goode, carried by Sheridan

Roll Call: Ayes: Pacheco, Sheridan, Kennedy, Lamberson, Goode
Nays:
Absent: Cooper
Abstain

- 4b. Motion authorizing the Clerk to publish the Ordinance as introduced in the Asbury Park Press for a public hearing moved by Sheridan, carried by Pacheco with ayes by all present

COMMUNICATIONS AND PETITIONS

1. Application for Use of Borough Property from Art Society of Keyport. Requesting the Use of the Senior Center Thursday evenings from 7-9PM, January 11th through June 30, 2018

Motion to approve moved by Sheridan, carried by Pacheco with ayes by all present

2. Application for Bingo License from St. Joseph Parish Council for Wednesday Bingo from 12Noon-2PM from January to December 2018
3. Application for Bingo License from St. Joseph RC Church for Sunday Bingo from 2-4PM from January through December 2018
4. Application for Pull-Tab machine from St. Joseph RC Church for the 2018 licensing year

Motion to approve moved by Sheridan, carried by Pacheco with ayes by all present

5. Application for Raffle License from K of C #3402 St. Josephs for an Off-Premise 50/50 cash raffle to be held April 4, 2018
6. Application for Raffle License from K of C #3402 St. Josephs for an Off-Premise 50/50 cash raffle to be held June 2, 2018 at 6PM

Motion to approve moved by Kennedy, carried by Pacheco with ayes by all present

7. Application for Street-Opening Permit from NJ Natural Gas for the purpose of renewing gas service (Sandy damaged) on Second Street
8. Application for Street-Opening Permit from NJ Natural Gas for the purpose of installing a gas service line (oil conversion) at 13 May Street (Block 8, Lot 17)
9. Application for Street-Opening Permit from NJ Natural Gas for the purpose of new gas service line installation to 63 Fulton Street (Block 134, Lot 37)

Motion to approve moved by Sheridan, carried by Pacheco with ayes by all present

10. Letter from DPW laborer Michael Ferm requesting a leave of absence, effective January 29, 2018 through May 23, 2018, in order to attend the Monmouth County Police Academy for SLEO II training

Motion to approve moved by Lamberson, carried by Pacheco with ayes by all present

11. Letter of Resignation from Robert Kelly, SLEO II, effective January 22, 2018

Motion to accept with regret moved by Kennedy, carried by Pacheco with ayes by all present

12. Application for membership in Lincoln Hose Fire Company from Charles C. Biegel and Notice that the membership accepted the resignation of Zachery Sappah as an active member at its January 9, 2018 meeting

Motion to approve moved by Goode, carried by Sheridan with ayes by all present

13. Notice of Charges from NJ Division of ABC against Fantasies Inc. If there is a determination of guilt to the charges, the Enforcement Bureau will seek a suspension and/or revocation of 300 days and will also seek forfeiture and disposal of any cash, evidence, alcoholic beverages seized in connection with the charges.

Motion to receive and file moved by Goode, carried by Sheridan with ayes by all present

14. Application for Bingo License from Keyport First Aid Squad for Thursday Bingo from 6-11PM from March 2018 through March 2019. Further requesting waiver of all Borough bingo and raffle licensing fees
15. Application for Raffle License from Keyport First Aid Squad for the purpose of a pull-tab machine to be licensed from March 2018 through March 2019

Motion to approve and waive fees moved by Goode, carried by Lamberson with ayes by all present

APPROVAL OF MINUTES

Motion to approve November 21, 2017 Regular Session Minutes moved by Sheridan, carried by Goode

Roll Call: Ayes: Pacheco, Sheridan, Kennedy, Lamberson, Goode
 Nays:
 Absent: Cooper
 Abstain:

REPORTS OF DEPARTMENTS

1. Municipal Clerk's Report for December 2018
2. Tax/Water/Sewer Collector's Report for December 2018
3. Board of Health Treasurer's Report for December 2018 and Year-End Report for 2017
4. Building Department Monthly Report for December 2018
5. Municipal Court Monthly Report for December 2018

Motion to receive and file moved by Goode, carried by Sheridan with ayes by all present

COMMITTEE REPORTS

Councilwoman Pacheco: Board of Health/Library

- read Board of Health report
- Library Board had its Reorganization Meeting last Thursday

Councilman Sheridan: Finance/Grants/Redevelopment:

- Finance now meeting on the 4th Monday of the month
- thanked DPW for all its work
- thanked First Aid Squad for ice training

Councilwoman Kennedy: Public Works/Construction Department/Recycling/
Property Maintenance:

- 2018 Recycling Calendars have been delivered to all residents and copies are on the website
- attended KBBC meetings. Meetings will be 2nd Tuesday of the month. February 7th is an exception
- working to get the High School reopened
- read year-end Board of Health statistics
- animal license renewals are due by February 15th

Councilwoman Lamberson: Police/Drug Alliance:

- read December's report of police statistics
- Police Department promotions took place at the Reorganization Meeting

Councilman Cooper: Recreation/Senior Center: Absent

Councilman Goode: Fire/First Aid/Emergency Services:

- read end-of-year report for CERT. We have 13 active members and two inactive members.
- read Fire Department report for December 2017 and year-end report
- congratulated the new Fire Chief, Louis Biagianti

NEW BUSINESS

Councilwoman Kennedy – stated she would like a conversation with Hazlet and the DOT regarding the crossing at Holmdel Road & Route 35

ATTORNEY'S REPORT

None

ADMINISTRATOR'S REPORT

- met with Mariner's Village regarding site plan issues
- met with Matt Mauro of Excel Environmental regarding the landfill at Aeromarine
- met with Peter Wersinger of PRC regarding Longview Boatworks project
- met with DPW Staff regarding departmental issues
- met with Building Department regarding permit issues
- participated in the Keyport Annual Reorganization
- held a storm prep meeting
- met with counsel
- met with Board of Education
- had conferences with Kyle Smith regarding the Water Plant project
- met with our Engineer and Licensed Operator regarding sewer flow issues
- participated in a KBBC meeting
- interviewed DPW candidates
- interviewed a new seasonal custodian
- Maple Place Fire Hydrant Replacement – solicited quotes
- Beach Park and Beers Street Outfall Reconstruction
- Improvements to Benjamin Terry and Veteran's Parks
- DPW Building – Rollo Place
- Scattered Site Redevelopment Plan
- Upcoming Capital Projects:
 - Roadway improvements to Main Street and Monroe Street
 - TAP Grant Streetscape Project
 - NJDOT Local Aid Grants due 10/16/17
 - Main Street Park
 - Senior Center Heating Oil to Natural Gas Conversion
 - Pump Station Generator Plugs
- Brown's Point Redevelopment Plan
- Aeromarine Redevelopment Plan
- Longview/Boatworks Redevelopment Plan
- USDA-RD Funded – Perry Street Water Treatment Plant Upgrades
- Water Allocation Permit Major Modification
- Complete Streets Project/Pedestrian Safety
- Harbor issues

UNFINISHED BUSINESS

Administrator Gallo – Pilot Program for LED lighting

Councilwoman Kennedy – asked about checking generator for municipal building

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments or questions at 8:31PM moved by Sheridan, carried by Kennedy with ayes by all present

Dennis Fotopoulos – spoke of the Mayor, who found the valve at Stop & Shop, and his memory of historic information.

Elmer Graham, Jr. – asked about the Ye Cottage Inn property and the Captain John boat slip.

Administrator Gallo – provided responses and addressed Mr. Graham's questions.

Andrew Kelsey – stated lights exist at 45 Beers Street but were only on for two nights. He suggested discontinuing the street light if lights there are used. He suggested a Bayshore bike tour now that we have these LimeBikes. He also mentioned dog droppings on the sidewalks in his neighborhood. He suggested raising fines for violating the ordinance.

Mike Lane – was happy about the ordinance change and curb painting at First and Broad. He spoke of dumpsters on the waterfront promenade.

Administrator Gallo – explained we are working on enclosed dumpsters at the waterfront.

Kathleen McNamara, 162 Broadway – asked why the Reorganization Meeting was held at the First Aid building when it is was not ADA compliant. She also asked questions regarding Mariner's Village and the PILOT payment.

Administrator Gallo – stated the building itself is ADA compliant. The meeting was moved due to Police Department promotions and the crowd expected.

Attorney Polles – stated the location at the First Aid building was suitable under ADA and recommended the Administrator and Council not make a statement or give legal opinion.

Administrator Gallo – explained under the PILOT program the school does not lose money as has been reported.

Dennis Fotopoulos – asked whether it was possible that this financial plan would change.

Administrator Gallo – stated the Borough hired a financial expert to determine the plan. He arrived at the conclusion that a PILOT would be required to support the project. What's on the table is a 30-year tax abatement.

There being no further comments or questions, the Meeting was closed to the public at 9:16PM moved by Sheridan, carried by Goode with ayes with all present

CLOSED SESSION

RESOLUTION #77-18

**RESOLUTION OF THE BOROUGH OF KEYPORT,
COUNTY OF MONMOUTH, NEW JERSEY AUTHORIZING
A MEETING NOT OPEN TO THE PUBLIC IN
ACCORDANCE WITH THE PROVISIONS OF THE NEW
JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-
12.**

WHEREAS, the Borough of Keyport, County of Monmouth (the "**Borough**"), a public body corporate and politic of the State of New Jersey, is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, *et seq.* (the "**Act**"), and

WHEREAS, N.J.S.A. 10:4-12 provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by resolution; and

WHEREAS, it is necessary for the Borough to discuss, in a session not open to the public, (a) negotiations relating to the development of Mariner's Village, (b) negotiations related to the Keyport Bayfront Business Cooperative (KBBC) and (c) personnel matters, pursuant to N.J.S.A. 10:4-12(b) 3, 7 and 8.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Council of the Borough of Keyport, County of Monmouth, State of New Jersey as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.

2. The Mayor and Council assembled in public session on January 16, 2018 and determined that an Executive Session closed to the public shall be held on January 16, 2018 at approximately 8:00 P.M. at the Borough Hall located at 70 West Front Street, Keyport, New Jersey, for the discussion of matters relating to the specific items designated above.

3. This resolution will take effect immediately.

OFFERED: SHERIDAN

SECONDED: GOODE

AYES: PACHECO, SHERIDAN, KENNEDY, LAMBERSON, GOODE

NAYS:

ABSENT: COOPER

Council reconvened to Open Session at 10:10PM and Attorney Polles stated what was discussed in Closed Session:

- Potential new phone system
- Mariner's Village – certain concerns raised by Board of Education regarding children at Mariner's Village
- KBBC – new position for shared service with the Borough

ADJOURNMENT

Motion to Adjourn at 10:12PM moved by Sheridan, carried by Goode with ayes by all present