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, 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 on posted on the Bulletin Board in accordance with the open Public Meeting Act, P.L. 1975, Ch. 231.

Mayor Harry Aumack called the meeting to order at 7:00PM and Borough Clerk Heilweil read the Sunshine Law Notice.

ROLL CALL
On Roll Call the following were present: Councilmembers Tomczak, Lamberson, Sheridan, Howe, McPeek, and Mayor Aumack. Others present: Borough Administrator Lorene Wright, Borough Attorney Gordon Litwin

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

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.)

R54-14 Payment of Bills
R55-14 Accepting the Monmouth County Open Space Grant
R56-14 Authorize Submission of Keyport Municipal Grant DARE
R57-14 Approving Concept Plan for the Redevelopment of Old Borough Hall Site
R58-14 Authorizing Loan for the Purpose of Sewer Improvements
R59-14 Authorizing General Obligation Bond Not to Exceed $2,656,000
R60-14 Appointing Temporary Electrical Sub Code Official and Electrical Inspector – Patrick Callahan
R61-14 Appointment of Borough Engineer – (pulled for separate consideration)
R62-14 Authorizing Approval of Raffle License – BPOE #2030 Keyport Matawan for a pull tab machine for January 29, 2014 through December 31, 2014
R63-14 Authorizing Approval of Borough Holiday Schedule
R64-14 Authorize Engineer to Prepare Solid Waste Specifications - Provided
R65-14 Appointment of Borough Attorney

Clerk Heilweil read the items on the Consent Agenda.

PUBLIC COMMENT PORTION
Motion was made by Councilman McPeek carried by Sheridan to open the meeting to the public for comments or questions at 7:06PM.

A Public Meeting for the Strategic Recovery Plan was discussed and scheduled for Wednesday, January 15, 2014 at 7PM. Lamberson, McPeek, and Howe will attend the meeting so there is not a quorum.

Michael Lane, 51 First Street- Asked about the Borough Engineer Resolution. Response was that Greg Valesi will be appointed. CME has already been appointed as the firm but an individual will be named. Also asked about the Borough Attorney Resolution. Gordon Litwin was appointed. Asked for Sandy damage and FEMA status updating. Also insight on whether Master Plan recommendations will be made.

George Walling – Would like agendas updated on website to show the finalized version.

Elmer Graham Jr., 22 St. Peters Place – Asked about Resolution 58-14 Authorizing Loan for Sewer Improvements, as well as an explanation for General Obligation Bond.

Tom Fallo, CFO – Explained the loan and General Obligation Bond. There will be no impact on the sewer rates. Bond sale consolidates debt.

Elmer Graham Jr., 22 St. Peters Place – Asked status of Bayside Bar property.

Mayor – Having some problem with the owner. Construction official has been involved.

Councilman Howe – Requested R61-14 be pulled for separate consideration.

R61-14 Resolution Appointment of Borough Engineer

Tomczak made motion to appoint Greg Valesi as Borough Engineer, carried by Lamberson.

Roll call vote:
Ayes: Councilmembers Tomczak, Sheridan, Lamberson, McPeek
Nays: Howe
Absent:
Abstain:

There being no more comments or questions, the meeting was closed to the public at 7:19PM by Sheridan, carried by Lamberson with ayes by all present.

PRESENTATION
By Keyport Tax Assessor Scott Pezarras regarding Revaluation/Reassessments

Scott Pezarras- Stated he will explain in general but cannot address specific properties. Anyone who has questions regarding their property can see him in his office. He will explain the timeline and process. The process is a five-year study.

Title 54 – Assessment statute – All former programs were under this statute. This is now a new program. First year of this program has been implemented. The re-inspection program will encompass 20% of all line items. Every property will be inspected every five years. Inspections being performed now are part of the reassessment. Must be done by an approved company of the State of New Jersey. Interior inspection is necessary to confirm number of rooms, bathrooms, bedrooms, etc. Suggests home owners come and look at their property-record card after they receive their 2015 assessment. Tax rate will take effect retrospectively to January 1st. New tax bills sent out in June 2015. All MODIV info is available on the County website. If the inspector cannot enter the premise after three attempts, the assessment will be at a higher number in an effort to prompt an appeal. Reduction in land values due to the decline in the market.

Lamberson – Asked why two postcards were sent; the first was said to be an error.

COMMUNICATIONS AND PETITIONS

1. Notice regarding American Legion Raritan Post 23 Comedy Night to be held on February 15, 2014 and to place a sign.

Motion made to receive, file, and support moved by McPeek, second by Sheridan with ayes by all present.

2. Membership Application for Fire Patrol from Alexander Mabe and letter accepting resignation of Frank Traverse as an active member

Motion made to approve moved by McPeek, second by Howe with ayes by all present.

3. Letter from Fire Patrol regarding active member change

Motion made to approve moved by McPeek, second by Lamberson with ayes by all present.

4. Application for Building Use from Recreation for the use of the Senior Center Fitness Room for Boot Camp and Zumba Classes

Motion made to approve moved by McPeek, second by Lamberson with ayes by all present.

5. Letter of Resignation from Electrical Sub Code Official Nick Fabiano effective December 31, 2013

Motion made to accept moved by Howe, second by Sheridan with ayes by all present.

6. Letter of Resignation from Police Officer Dylan Borders

Motion made to receive, file and accept with regret moved by Tomczak, second by Sheridan with ayes by all present.

7. Request from Recreation for approval of the use of Beach Park on Friday, February 28, 2014, 6-9:30PM, for the purpose of a community bonfire

Councilwoman Lamberson explained on behalf of Recreation. Cost estimate of $42.00 for a fire permit. Fire will be 4X4.

Motion to approve and notify Police, Fire, DPW, and KBBC moved by Sheridan, second by McPeek with ayes by all present.

REPORTS OF DEPARTMENTS

1. Municipal Clerk's Report for December 2013
2. Tax/Water/Sewer Collector's Report for December 2013
3. Board of Health Treasurer's Report for December 2013 and 2013 Year End Report
4. Hazlet/Keyport/Matawan Joint Court Report for December 2013

Council looked over Court report. Councilman Howe had a concern on violations given to an out-of-state person where all charges were dropped. There is now a new prosecutor for the Joint Court. There are no codes showing why cases are dismissed.

Chief Casaletto – Explained it could be because two officers retired and were not available for Court. He will look into it.

Motion to accept made by Sheridan, carried by Lamberson with ayes by all present.

COMMITTEE REPORTS

Councilwoman Lamberson: Health and Recreation: Ms. Lamberson reported on the following:

- Recreation changed meeting dates to Wednesday.
- Volleyball has begun
- Boot camp and Zumba classes beginning

Councilman Sheridan: Finance/Grants/Redevelopment: Mr. Sheridan reported on the following:

- March 7th – Anticipates the budget will be introduced
- Harbor Commission would like a light at the pier
- Harbor Commission will give recommendations for raising fees
- Comedy Night – February 15th
- Spoke of upcoming Library events including meeting local authors
- Historic Society is moving forward with the grant request for a new home

Councilwoman Tomczak: Police: Ms. Tomczak reported on the following:

- New prosecutor hired at Joint Court
- Opted out of Joint Court; A one year opt out
- Read police call report
- Accepted resignation of Officer Dylan Borders; will look at hiring a replacement

Councilman McPeek: Fire/First Aid/Emergency Services: Mr. McPeek reported on the following:

- CERT graduation was held on Saturday (Two were Keyport citizens – Hal Perry, Chris Meyers)
- Read First Aid calls and reported on their training exercise
- Congratulations to newly sworn in Fire Chief Ely
- Read 2013 Volunteer Fire Department man hours

Councilman Howe: Public Works Recycling and Property Maintenance: Mr. Howe reported on the following:

- DPW budget has been submitted
- Christmas trees being picked up by DPW
- Holiday decorations will begin to be removed
- Rt. 36 Billboard is up and lit; modem is now outdated but is on order to be repaired

- Compiling a list of vacant properties
- Summons were issued for failing to remove snow
- New recycling/garbage brochures will be available; they are available online
- Batteries are no longer recyclable

NEW BUSINESS

R66-14 Request for relief due to leaking pipe from resident Sarah Bomersbach

Howe – Explained the request. Recommendation of Utility Collector was to get receipts for the repair.

Tomczak – Valve was shut off so it is not currently leaking.

McPeek – Homeowner is willing to pay for the water from the leak. Looking for relief on the sewer bill.

Howe moved to approve the relief of the sewer bill in the amount of $254.29, carried by McPeek.

Roll Call vote:

Ayes: Tomczak, Lamberson, Sheridan, Howe, McPeek
Nays:
Absent:
Abstain:

Howe – Bill needs to be paid before one requests relief so that the interest does not continue to accrue.

UNFINISHED BUSINESS

1. Kliemisch Sewer bill

   No recommendation from the Utility Collector but Councilman Howe recommends denying the request for relief.
   Tomczak – Explained a separate meter could be installed which would not include a sewer charge.

Motion made by Howe, carried by Sheridan to deny relief and offer a payment plan and recommend a second meter, with all ayes present.

2. Charter Boat Lease

   Attorney will discuss in closed session. It will take no formal action until the next meeting.

3. Animal Control Contract

   Administrator will discuss in closed session the extended current contract and will look at the possibility of a shared service. Attorney says there is no insurance mentioned in the contract, which he would like to include.

4. Letters regarding DPW employee Hassmiller

   Employee wants to return after being granted a leave. Superintendent would like him to return.

ATTORNEY'S REPORT

Sent a letter regarding the procedure for naming a successor for the Council position, which is now vacant due to the untimely death of Councilman Toglia. The Republican Committee will submit a name to the Clerk.

ADMINISTRATOR'S REPORT

- Holding budget meetings with each department head.
- Budget introduction before March 14th
- Tax Maps submitted to state for approval
- Clerk hosted Ethics Class for CEUs; three Borough employees attended at no cost, since we hosted
- JIF offers training and classes for CEU
- Wireless for OEM being installed tomorrow. Purchasing Cablevision; FIOS not available
- Gave an update of FEMA monies received

PUBLIC COMMENT PORTION

The meeting is opened to the public for comments or questions at 8:40PM, moved by Sheridan, seconded by Howe with ayes by all present.

Ed Burlew, 59 West Front St. – Asked again about the condition of the Bayside Bar on 34 East Front St. Thanked Councilwoman Tomczak for trying to bring back the Joint Court. Asked Councilman Howe why he voted no on the Resolution for the Borough Engineer.

Howe – Although he was unhappy with the Engineer, he would like to have stayed with the firm for consistency.

Ed Burlew – Regarding the resignation of the new officer, Mr. Burlew asked about the process for hiring a candidate before going into the police academy.

Police Commissioner Tomczak explained what happened.

Ed Burlew – Not in favor of the hot dog vendor at the Waterfront.

- Spoke of property on First St. where a pole has held up the porch for several years. Would like a summons issued or something done to fix it.
- Spoke of one of the Special Officers who is a Crossing Guard who retired from the Police Department.

Trevor Taylor, CME – Thanked Council for appointing Greg Valesi as Borough Engineer.

Nancy Carew, 64 Broadway – Received a certified letter regarding the Amboy Avenue Bridge; asked about the timeline.

Mayor asked Trevor Taylor of CME to have the Borough Engineer call the County Engineer.

Michael Lane, 51 First St. – Confirmed that revaluation inspections will be done by the end of February. Spoke of the redistribution of tax levies due to the reassessment.

Administrator Wright – Final assessment will be received in November.

Michael Lane – Disappointed that he did not have an opportunity to ask questions of the tax assessor. Suggests setting sewer rate by winter water usage; thinks it would encourage people to water lawns.

George Walling – Spoke of Berkowitz property, 11 West Front Street; asked why scaffolding is still there. Mayor says the Construction Official will look into it. Asked about Bayside's storage container on the property; believes it is not allowed.

Elmer Graham Jr. – Asked about the status of 45 Beers St.

Mayor – New project has been approved for that location by the Planning Board.

Roy Jimenez, 157 Third St. – Asked about a public television channel. People with Verizon do not know what is going on in the town.

Administrator will follow up.

There being no more comments or questions, the public comment portion was closed to the public at 9:14PM moved by Sheridan, seconded by McPeek with ayes by all present.

CLOSED SESSION
R62-14 - **Closed Session Resolution**:

Motion made to go into closed session at 9:14PM after a five minute break made by Sheridan, seconded by Tomczak.

RESOLUTION No. 62-14

1. Resolution #62-14 Closed Session Meeting Personnel, Contract Negotiations,

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
- Contract Negotiations – Property Acquisition
- Personnel – Potential Hiring

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 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.

Motion made to return to Open Session at 10:19PM was moved and carried.

Attorney reported on items discussed in closed session:

- Personnel
- Contract Negotiations – Property Acquisition
- Personnel – Potential Hiring

ADJOURNMENT
Motion to adjourn at 10:20PM moved by Sheridan, seconded by Lamberson with all ayes present.