

February 7, 2012
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, 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 McLeod called the meeting to order at 7:00 PM and Borough Clerk read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Bolte, McPeck, Sheridan, Tomczak, Ambrose, Mayor McLeod. Others present: Borough Administrator Ms. Wright, Borough Attorney, Gordon Litwin. Absent: Councilman Toglia

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.)

- R83-12 Payment Of Bills
- R84-12 Declaring Surplus Property
- R85-12 Accepting Donated Fire Department Mini Bus
- R86-12 Adjust Sewer Charges Due to Leak
- R87-12 Raffle License Application – Eagle Hose Company – Off Premise Cash Raffle to be held July 14, 2012 at 11PM at Firemen's Park
- R88-12 Authorizing the Property Maintenance Office to Direct the Department of Public Works to Clean Up 138 Broad Street
- R89-12 Authorizing Approval of Taxi License
- R90-12 Accepting Ten Year Riparian License and Authorizing Payment of Annual Fee Set Forth Therein
- R91-12 Authorizing Change Order for Benjamin Terry Park Bulkhead Replacement

Administrator Wright requested that Resolution 84-12 Declare Surplus Property be pulled for discussion.

Regarding Resolution 90-12 the fee has slightly increased. This is for the property surrounding William Ralph Pier.

Amend Resolution 84-12 to delete the mini-bus and include only the boat moved by Councilwoman Bolte and carried by Councilwoman Ambrose with ayes by all present.

PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions at 7:17PM motion made by Mr. Sheridan, second by Ms. Tomczak with ayes by all present.

Ed Burlew, 59 West Front Street, asked about the recording of the minutes of the last meeting. The Clerk explained there was a problem with the recording but the minutes will be approved at the next meeting.

Mike Lane, 51 First Street, spoke of criteria for the pier. Asked about Benjamin Terry Park change order. Suggested 16.5 & 16.6 on Recycling Ordinance be consolidated.

Mr. Lane asked the status of the library audit. How much money has been accumulated?

Administrator Wright stated that it was completed but that she does not yet have the report.

Betty Schreiber, Atlantic Street, asked whether it is necessary to read Rules of Conduct at each meeting.

Dennis Fotopoulos, 77 Beers Street, asked about the Master Plan on website. Seems to be from 2001. Are there any more current revisions of the plan? Noticed there were topical issues still relevant today.

Mayor explained we have run out of time for a review and explained costs involved. The Borough Planner would create the Master Plan, and it would be approved by the Planning Board.

Mr. Fotopoulos spoke of litter in parking lot by Ye Cottage Inn which seems to be created by seagulls pulling trash out of the garbage. Also, spoke of loose boards there.

Councilwoman Bolte suggested hiring seasonal help to empty the garbage.

Mr. Fotopoulos spoke of the loss of Drew Capachina and Mat Adams – two young people that had died since our last meeting

There being no more comments or questions from the public, the meeting was closed to the public at 7:37 P.M. Motion made by Mr. Sheridan, second by Ms. Tomczak with ayes by all present

APPROVAL OF RESOLUTIONS

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

Roll Call: Ayes: Councilmembers Bolte, McPeek, Sheridan, Tomczak, Ambrose

Nays:

Abstain:

Absent: Councilman Toglia

PUBLIC HEARINGS/ADOPTION OF ORDINANCES - TABLED

1. Ordinance– Recycling Committee

The Clerk reads the Ordinance by Title:

AN ORDINANCE AMENDING SECTION 16-6, MANDATORY SEPARATION OF RECYCLABLE MATERIALS FOR COLLECTION AND RECYCLING, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT

1a. Motion to Open Public Hearing:

Opened: Closed:

1b. Motion to table Ordinance

MM: Sheridan 2nd: Ambrose

Roll Call Vote:

Ayes: Bolte, McPeek, Sheridan, Tomczak, Ambrose, Toglia

Nays:

Absent:

Abstain:

COMMUNICATIONS AND PETITIONS

1. Communication from Keyport Public Schools regarding Community Day to be held Saturday, March 31, 2012

Administrator would like storm water management plan at that location. Brochures will be put out and Calendar of Events.

Motion to receive and file, send to Environmental Commission etc, moved by Mr. Sheridan, second by Ms. Bolte with ayes by all present.

2. Application for membership in the Keyport Fire Department/Engine Company from Wayne Lawson (contingent upon State approval)

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

3. Letter from the Keyport Spanish American Club requesting:
 - a. the use of Beach Park on Saturday, August 11, 2012 from 10AM to 9PM for their 13th Annual Keyport Spanish American Festival
 - b. the closing of First Street between Church & Broad Streets
 - c. the use of picnic tables and garbage cans for the festival

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

4. Letter from the Keyport Fire Department requesting the waiving of local raffle fees for their Annual Firemen's Fair and Super 50/50 to be held July 9, 2012 through July 14, 2012

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

5. Letter and Resolution from the Keyport Board of Education changing the School Board Election date from April to November

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

6. Letter from Clean Ocean Action (COA) requesting permission to perform spring and fall volunteer cleanups (27th Annual Beach Sweeps) to be held on Saturday, April 21, 2012 and Saturday, October 20th, 2012 from 9AM-12:30PM

Attorney Litwin has a conflict with Clean Ocean Action and will not be participating in this conversation.

Councilman McPeek recommends that DPW have their back hoe there.

Motion to approve and give to Environment Commission, put on Website, give to school, made by Ms. Bolte, second by Mr. Sheridan with ayes by all present.

7. Communication from Keyport Garden Club Chair regarding pedicabs for the Keyport Garden Walk of June 9-10, 2012

Councilwoman Tomczak believes traffic safety concerns can be addressed.

Motion to receive, file and refer to Borough Administrator moved by Ms. Tomczak, second by Mr. Sheridan with ayes by all present.

Antoinette Ehlbeck, Student Council Representative from Keyport High School reported the following:

- Juniors had a Valentine's Day fund raiser – a match making quiz
- February 23-25 Drama club is performing Aida
- Drama Club will be going to see Mary Poppins
- Collecting candy for Women's Shelter
- Senior tribute
- Baseball/Softball cookie coupon fund
- Sponsorship for equipment
- Battle of the Classes – April 2nd to 5th
- March 2nd NFL vs. Keyport Raiders
- March 10th - 11AM to 2 PM – Hazlet Middle School
- Invitation to Coat Drive
- Class calendars being made for March
- Jr. Class fundraiser for TGI Fridays
- Spoke of loss of one student and former student in the past month

UNFINISHED BUSINESS

Red Light Camera Enforcement

Administrator Wright was able to get sample contracts. Can easily get specs but contracts are difficult to obtain. Looking into safety statistics since installation in those towns that have them.

Councilwoman Tomczak spoke of her concern as to whether this is to generate revenue or whether it is mainly a safety issue.

ADMINISTRATOR'S REPORT

Ms. Wright reported that the received input from Solar Company. All four of our buildings are not large enough for installation to make it worth it. Solar Company now looking for a solar site.

- Now getting estimates to repair the roof
- Did Air Quality testing in Police Department – expects results by Thursday
- Met to go over St. Patrick's Day Parade
- LED street lights
- Promenade Spalling – engineer giving a report on that. New ADA compliance for Recreational facilities – awaiting proposals

Councilwoman Tomczak asked for status of full time Dispatch position

Administrator Wright – Eligibility list will be available by April

Councilwoman Ambrose asked about Jackson Street; Ms. Wright replied that there is no activity

Administrator Wright stated that she is trying to locate Green Grove Planning Board application; will be calling the managers

- Benjamin Terry Park – all sheets should be in
- Division Street is moving along. Underground work now being done
- Luppataong/Chingarora will be done in the Spring
- South Wall façade for Municipal Building will be done in the Spring as well

ATTORNEY'S REPORT

Mr. Litwin reported on the following:

- D&D Trenches Contract – completing some incomplete items. Attorney will ask for a waiver of the certified financial audit report. D&D stated it was not provided due to a \$25,000 cost plus they have not been in business very long. Administrator Wright felt she was comfortable with D&D due to her check on their finances.

Motion to waive the certified audit financial statement was made by Mr. Sheridan, second by Ms. Bolte with ayes by all present.

Attorney spoke the proposal received for the Old Borough Hall there are technical issues with the completion of the bid form which can be resolved. Spoke of negotiating the contract of sale and the process involved going forward.

Motion was made to negotiate the terms of same made by Mr. Sheridan, second by Mr McPeek with ayes by all present.

Attorney – negotiations with Clerical Unions and DPW

NEW BUSINESS

Ms. Tomczak – meeting with the Fire Commission. Damage to rear axle of the 1978 Liberty Hose truck. Replacement of axle no longer in production. Trying to track down a used axle to replace it.

Mayor – item brought up with the Recreation Commission last night to convert Cedar Street Park to a dog park. Mayor's opinion is that it would open the Borough up to liability.

Councilman McPeek stated that this was brought to Council in 2010.

PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions at 8:27PM motion made by Mr. Sheridan, second by Ms. Tomczak with ayes by all present.

Chief McCleaster, Fire Chief reported of calls covered by the Fire Department.

Mike Lane, 51 First Street, spoke of Chapter 25 in our Ordinance book as well as solar panels. Doesn't feel solar panels are very pretty. Some municipalities have "appearance" criteria in their zoning ordinance. Hoboken is one such town.

Mr. Lane spoke of deterioration of the promenade – asked when report is expected; Tuesday

Ordinance 21-11 passed on November 1, 2011 – has been observing trash cans and dumpsters and asked how it will be enforced.

Mayor stated that he sent Property Maintenance Officer to begin enforcement. Would like to send out notices in the water bills that enforcement will begin. Integrated enforcement was discussed.

Mike Lane asked whether enforcements would apply to Borough trash cans. Feels spring-loaded tops could be put on the garbage cans at the Waterfront Park. Suggested restaurants that provide take out should be required to provide bags and a statement to remove your own trash, similar to what Sandy Hook does.

Kyle Keelan, Keyport High School, NFL Alumni coming to High School to play basketball against members of the community. Would like an EMT, Police and Fire Team of five members each. Not just for the High School but opened up to the Community. Would like us to put it on our website.

- fundraiser at Cheeseburger, Cheeseburger and Fridays tomorrow
- would like to open up a clinic for baseball and softball
- would like to set up a Youth Government Day

Elmer Graham Jr. 22 St. Peters Place, asked about minutes being posted on the site.

At 8:48 pm, motion to go into closed session was made by Ms. Ambrose, second by Mr. Sheridan with ayes by all present.

CLOSED SESSION

R 92 -12 - Closed Session Resolution:

RESOLUTION NO. 92 - 12 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:

- Contract Negotiations
- Personnel - Potential 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, Personnel, Potential Litigation, 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. Tomczak

Roll Call Vote: Ayes: Councilmembers Bolte, Mc Peek, Sheridan, Tomczak, Ambrose
 Nays:
 Absent: Councilman Toglia
 Abstain:

ADJOURNMENT

Motion to adjourn was made by Mr. Sheridan, second by Ms. Tomczak with ayes by all present at 9:36 pm