

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 7:01PM. Borough Clerk Valerie Heilweil read the Sunshine Law Notice.

ROLL CALL

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

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

PROCLAMATIONS

Mayor Aumack presented a Proclamation to Dorothy Poling in honor of her 100th Birthday

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 Valerie Heilweil read the items listed on the Consent Agenda

R89-18 Payment of Bills

R90-18 Authorizing the Purchase of Certain Vehicles for the Keyport Police Department

R91-18 Ratifying and Confirming the Emergency Declaration by the Borough Engineer that the Water Main Break at West Third Street Constituted an Emergency and Ratifying the Authorization for the Borough to Make any Necessary Payments for Repairs

R92-18 Authorizing Cancellation of Municipal Tax Sale Certificate 17-00013 – Blk 110, Lot 24, aka 105 Hwy 35

R93-18 Authorizing Cancellation of Municipal Tax Sale Certificate 1700003, Blk 9, Lot 74, aka 350 West Front Street

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments or questions on items listed on the agenda at 7:05PM moved by Sheridan, carried by Pacheco with ayes by all present

Michael Lane, 51 First Street – asked for an update on the following:

- Spoke of Engineer's report for Mariner's Village. He said an environmental analysis was done without any backup data of the assertion.
- He asked topic of last meeting's Closed Session item regarding Aeromarine.
 - Attorney Polles spoke of landfill remediation prior to redevelopment.
- Are Aeromarine discussions including hazardous mitigation? How will those living at Aeromarine have sufficient street elevation?

Administrator Gallo – agrees a second area of ingress and egress will be required.

Mike Lane – requested updates on:

- Green Grove parking issue
- Tax abatement for Mariner's Village

Elmer Graham, Jr., 22 St. Peters Place – asked for an explanation of **R90-18** Authorizing the Purchase of Certain Vehicles for the Keyport Police Department.

Administrator Gallo explained we will be getting two new police vehicles. Elmer also asked about **R93-18** Authorizing Cancellation of Municipal Tax Sale Certificate 1700003, Blk 9, Lot 74, aka 350 West Front Street. He also asked whether anyone has contacted the Governor to have a town hall meeting.

Jessica McGee, Fulton Street – asked about construction of apartments and parking on Green Grove.

Mayor Aumack – stated there will be separate parking for that building.

Mike Lane – explained he just took pictures over there.

Mayor Aumack – expressed that there is something wrong with the parking there.

Larry Vecchio, 55 W. Front Street - disappointed to say that our school system is now tied with Keansburg. Our school system is a mess and it is affecting Keyport's property values. He spoke of the school board being out of line.

There being no further comments or questions the Meeting was closed to the public at 7:26PM moved by Sheridan, carried by Goode with ayes by all present

Councilwoman Kennedy – wanted to clarify **R90-18** Authorizing the Purchase of Certain Vehicles for the Keyport Police Department is for two police vehicles.

APPROVAL OF RESOLUTIONS

Motion to approve items listed on the Consent Agenda moved by Kennedy, carried by Sheridan with ayes by all present

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

INTRODUCTION OF ORDINANCES

1. Ordinance – Schedule of Penalties Payable without a court appearance

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 REFLECT SCHEDULE OF PENALTIES PAYABLE WITHOUT A COURT APPEARANCE REQUIRED**

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

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

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

2. Ordinance – New Stop sign at Second & Church St

The Clerk read the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING CHAPTER VII, TRAFFIC, AT SCHEDULE XI REGARDING STOP INTERSECTIONS TO REFLECT A NEW STOP SIGN AT SECOND STREET AND CHURCH STREET**

2a. Motion to introduce moved by Sheridan, carried by Kennedy

Roll Call: Ayes: Pacheco, Sheridan, Kennedy, Lamberson, Cooper, Goode

Nays:

Absent:

Abstain:

2b. 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. Letter from Keyport Marine Basin requesting abatement of penalties and interest regarding the municipal lien on 340 West Front Street and Tax Collector's response

Motion to refer to Administrator to further investigate moved by Kennedy, carried by Sheridan with ayes by all present

2. Keyport Historian's Annual Report

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

3. Letter from Jesus the Lord Church requesting permission to have scheduled processions on Palm Sunday, March 25th, between 11:15-11:30AM, and Good Friday, March 30th, between 4:00-4:15PM

Motion to approve and forward to Police Chief moved by Sheridan, carried by Goode with ayes by all present

4. Application for Street Opening Permit for 72 Jackson Street for the purpose of installing a gas service line for oil conversion

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

5. Relisted email request for road-closure for the purpose of a block-party in conjunction with the St. Patrick's Parade to be held on March 24th. Requested petition has now been submitted.

Motion to approve and forward to Police Chief and DPW Superintendent moved by Kennedy, carried by Sheridan with ayes by all present. Councilwoman Kennedy requested day and time be placed on any block party petition.

6. Keyport Unified Planning Board Resolutions:

- Appointment of Planning Board Attorney
- Appointment of Planning Board Engineer
- Appointment of Planning Board Planner

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

7. Email from Fulfill, the FoodBank of Monmouth and Ocean Counties, advising that they will be honoring the Keyport Ministerium Food Pantry at its 2018 Humanitarian Gala on March 16th and further requesting the Borough participate in the event by taking out a full page ad (\$500) to show support

Motion to approve an ad at a cost of up to \$250 moved by Goode, carried by Sheridan with ayes by all present

REPORTS OF DEPARTMENTS

1. Municipal Clerk's Report for January 2018
2. Tax/Water/Sewer Collector's Report for January 2018
3. Board of Health Treasurer's Report for January 2018

4. Building Department Monthly Report for January 2018
5. Municipal Court Monthly Report for January 2018

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

COMMITTEE REPORTS

Councilwoman Pacheco: Board of Health/Library

- Board of Health dog and cat licensing reminders were sent out
- Gave Library update:
 - weekly story and craft time
 - ESL classes
 - Massage and meditation
 - Tax preparation – no appointments needed
- Complete Streets kickoff meeting tomorrow night

Councilman Sheridan: Finance/Grants/Redevelopment:

- Finance meeting to discuss 2018 municipal budget
- Bus meeting

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

- Read Construction and Property Maintenance report
- Had DPW pizza lunch
- KBBC meetings
- CERT holding information meeting to recruit

Councilwoman Lamberson: Police/Drug Alliance:

- Read Police Department report including calls for service
- Active shooter training at St. Josephs
- Parade security meeting
- Soon to have a Drug Drop Box here in the municipal building
- County coming in March for a community-based resource meeting on opioids

Councilman Cooper: Recreation/Senior Center:

- No quorum at last Recreation meeting

Councilman Goode: Fire/First Aid/Emergency Services:

- Read Fire Department report for the month

NEW BUSINESS

Discussion of proposed BYOB ordinance

Administrator Gallo – spoke on what the law currently allows.

Attorney Polles – explained there are three options:

- Do nothing
- Ordinance prohibit BYOB's
- Permitting BYOB in restaurants and to Paint & Sip crowds

Councilman Goode – stated unlicensed establishments, such as beauty salons and art galleries, cannot serve alcohol to patrons. That clearly is a violation of state law.

Motion to open the Meeting to the public for comments or questions at 8:18PM moved by Kennedy, carried by Pacheco with ayes by all present

Larry Vecchio – recommends doing nothing.

George Walling, Second Street – agrees with Larry that this will open up a can of worms.

Andrew Kelsey, St. Peters Place – thinks it is a good idea to regulate.

Mike Lane – stated it must be clear that patrons are bringing their own bottle. Establishments would be responsible for those drinking on its premises. Also, establishments must have insurance relative to this.

Jessica McGee – stated she doesn't agree with this BYOB ordinance.

Elmer Graham, Jr. – agrees with Jessica. He said "if it's not broken, don't fix it." He cautioned Council to be careful.

Administrator Gallo – includes wine and beer only.

Ed Burlew – believes we don't enforce the BYOB's now. He thinks we should leave it alone.

Dennis Fotopoulos, 77 Beers Street – stated he doesn't think sweeping it under the rug is a good option.

Laura Barreca, 308 Main Street – spoke of attending art galleries and regularly being served wine.

Mike Lane – stated Colts Neck firehouses all have liquor licenses.

There being no further comments or questions the Meeting was closed to the public at 8:39PM moved by Goode, carried by Pacheco with ayes by all present

UNFINISHED BUSINESS

ATTORNEY'S REPORT

Attorney Polles will reach out to the New Jersey League of Municipalities on the BYOB issue. He is also working on an ordinance regarding performance bonds.

ADMINISTRATOR'S REPORT

Administrator Gallo reported on the following:

- Participated in a Standard & Poor rating conference call
- Attended several KBBC meetings
- Attended a Recreation Committee meeting
- Met with a party interested in running fishing charters from Keyport
- Met with the Harbor Commission
- Met with the KBBC regarding new director interviews
- Maple Place Fire Hydrant – the Borough Engineer is soliciting proposals for this repair. We should have a recommendation soon.
- Beach Park and Beers Street Outfall Reconstruction – waiting for final approval for this project from NJDEP and Army Corps of Engineers.
- Improvements to Benjamin Terry and Veterans Parks – plans have been forwarded to the Monmouth County Open Space for review. I'd like to have a public meeting to review the final plans, or at least get them up on the website for review. After that, we could go out to bid.
- DPW Building – Rollo Place – the architect is finalizing the layout and design of the building after which we should be close to going out to bid.
- Roadway Improvements to Main Street (W. Front Street to Maple Place) and Monroe Street (Atlantic Street to Broad Street). The Borough received a grant for this project in the amount of \$235,000. I am currently evaluating competing engineering proposals to manage this project for us. We are considering adding Madison Street off of Clark Street to the project.
- TAP Grant Streetscape Project – the Borough received a \$569,000 grant for this project which includes pedestrian enhancements on Broadway, Maple Place, First Street and W. Front Street. We are still waiting for the kick-off letter from NJDOT.

- NJDOT Local Aid Grants due 10/6/17 – the Borough submitted a grant application for Safe Streets to Transit for W. Front Street and Maple Place and a Municipal Aid grant application for E. Front Street, Division Street and Third Street. The NJDOT has not yet awarded these grants.
- Main Street Park – the Borough received a Monmouth County Open Space Grant in the amount of \$204,000. The Borough has also submitted a CDBG grant application to the County in July 2017. The County has indicated that the Borough is slated to receive \$147,500; however, the funding is not expected to be received from HUD until August 2018. The Borough has also submitted for a Tony Hawk Grant in the amount of \$25,000 in January 2018. The grant awards have not yet been announced.
- Aeromarine Redevelopment Plan – we are scheduled to speak with the owner/developer representatives regarding their plans to address the open environmental issues.
- Longview Boatworks Redevelopment Plan – I met with the developer's representatives who advised that they are in the process of applying for an updated CAFRA permit and are discussing sewer connection fees with Bayshore Regional Sewage. As of now, I have no updates.
- Ye Cottage Inn – the developer is still in plan review. Their attorney is working to transfer the premises liquor license.
- Water Allocation Permit Major Modification – I understand that our modification has been approved.
- Complete Streets Project/Pedestrian Safety – the Keyport Complete Streets initiative will kick off tomorrow evening with an information session and volunteer sign up. Guest speakers will include Mike Manzella, Asbury Park's Transportation Manager, and our own Trevor Taylor, who will outline what complete streets is and how we can use the process to improve our community.
- Harbor Issues – we met with members of the Harbor Commission and Andy Raichle to discuss improvements needed and how we can fund them. We have decided that an immediate need is for maintenance cleaning of the boat launch facility which we are scheduling for March. We are also exploring various other improvements such as waterfront concessions, a dock and dine transient boat facility, harbor moorings, permanent boat ramp improvements, a pay station for the boat launch, SLEO presence at the waterfront, expanding the fishing pier, a fishing boat lease and possible harbor cruises.
- County Dispatch – Chief Hafner is continuing his analysis of the costs and benefits of moving to county dispatch
- Senior Center – the termite infestation at the Senior Center has been abated by a licensed exterminator. Our engineer has evaluated the damage and is preparing repairs which we feel we can conduct in house with DPW staff. The affected area has been cordoned off to prevent injury.

Administrator Gallo – spoke about Mystic and said he advised the Building Department no permits should be issued until the easement issue is resolved. Also, the draft ordinance for Mariner's Village should be introduced at the next meeting.

Councilwoman Kennedy – would like a new gate at the park on First Street since the gate can no longer latch.

Mayor Aumack – mentioned the Kiwanis Club Fish Fry signs are still up almost a week later.

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments or questions at 9:01PM moved by Goode, carried by Sheridan with ayes by all present

Elmer Graham, Jr. – asked Administrator Gallo about grants received. He also asked about the Capt. John boat slip.

Mike Lane – wanted to read the Police report from last year's St. Patrick's Parade. He showed a postcard depicting a Scattered Site Redevelopment Project. He believes issued permits for Green Grove should be conditional upon the parking being fixed. He asked the Mayor to look into it.

Larry Vecchio – regarding Scattered Sites, he suggests being careful about the cost. He believes we should send a letter before trying to condemn.

There being no further comments or questions, the Meeting was closed to the public at 9:17PM moved by Sheridan, carried by Goode with ayes by all present

CLOSED SESSION

RESOLUTION #94-18

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, pursuant to *N.J.S.A. 10:4-12b(7)*, potential litigation regarding certain property, zoning and land use issues in the Borough.

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 February 20, 2018 and determined that an Executive Session closed to the public shall be held on February 20, 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: Pacheco

AYES: Pacheco, Sheridan, Kennedy, Lamberson, Cooper

NAYS:

RECUSE: Goode

Council reconvened at 9:43PM and Attorney Polles stated what was discussed in Closed Session:

- Enforcing approvals at a property
- Notify and enforce prior approvals

ADJOURNMENT

Motion to Adjourn at 9:44PM moved by Sheridan, carried by Lamberson with ayes by all present