

Minutes of the Work 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 and Borough Clerk Heilweil read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Chamberlain, Sheridan, Howe, Lamberson, Cooper and McPeck. Others present: Mayor Aumack and Borough Administrator Stephen Gallo. Borough Attorney Andy Provence arrived at 7:18PM.

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

PROCLAMATION

Read Across America

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.)

Clerk Heilweil read the items on the Consent Agenda

R95-15 Payment of Bills

R96-15 Authorizing Grant Agreement for Coastal Vulnerabilities Assessment between Borough of Keyport and the State of New Jersey by and for the Department of Environmental Protection

R97-15 Authorizing Award of Contract with Qscend Technologies, Inc. for Website Redesign, Mobile App Development and Related Services and Proprietary Software

R98-15 Authorizing Award of Luppatatong Avenue Area CDBG Improvements, Phase II, to S. Brothers, Inc.

R99-15 Municipal Drug Alliance – Accepting Award for Additional Funding

R100-15 Declaring Surplus Property

R101-15 Authorizing Acceptance of Grant Agreement between the Borough of Keyport and the County of Monmouth

R102-15 Authorizing Approval of Raffle License – Eagle Hose Company #4 – Off-Premise 50/50 Cash Raffle to be held August 15, 2015 at 11PM

R103-15 Authorizing Approval of Raffle License – Keyport Indians – Off-Premise Merchandise Raffle to be held October 12, 2015 at 8PM

R104-15 Authorizing Grant Submission to DCA for Post-Sandy Planning Grants

R105-15 Authorizing a Three-Year License to Interfaith Neighbors to Access and Use the Keyport Senior Center for its Senior Meal Program

R106-15 Accepting Proposal of CME for Professional Surveying Services for Work Related to Appealing to FEMA for the Review of Flood Zones (not to exceed \$7,500)

R107-15 Ratifying and Confirming the Actions of the Business Administrator in Preparing and Executing an Application With Respect to the Tri-Party Agreement between the Borough of Keyport, Shorelands and the New Jersey Water Supply Authority

R108-15 Authorizing Execution of Contract of Sale for the Sale of the Borough's Interest in Williamson Street

PUBLIC COMMENT PORTION

The Meeting is opened to the public for comments or questions on items listed on the agenda at 7:08PM moved by Howe, carried by Sheridan with ayes by all present

Bob Ludwig, 50 Beers Street – had questions regarding **R97-15** Authorizing Award of Contract with Qscend Technologies, Inc. for Website Redesign, Mobile App Development and Related Services and Proprietary Software, **R105-15** Authorizing a Three-Year License to Interfaith Neighbors to Access and Use the Keyport Senior Center for its Senior Meal Program and **R108-15** Authorizing Execution of Contract of Sale for the Sale of the Borough's Interest in Williamson Street. He would like these resolutions pulled from the Consent Agenda.

- Regarding **R97-15** Authorizing Award of Contract with Qscend Technologies, Inc. for Website Redesign, Mobile App Development and Related Services and Proprietary Software – he feels QScend has problems with copyright infringement. He says system should be XP compatible on the Windows side. He also wants policy restrictions put in place and is concerned about anonymity.
- Regarding **R105-15** Authorizing a Three-Year License to Interfaith Neighbors to Access and Use the Keyport Senior Center for its Senior Meal Program – he feels it's sticky to give a three-year license to someone to use a public facility.
- Regarding **R108-15** Authorizing Execution of Contract of Sale for the Sale of the Borough's Interest in Williamson Street – he feels it should be contingent on approval of a site plan.

Administrator Gallo – explained **R108-15** Authorizing Execution of Contract of Sale for the Sale of the Borough's Interest in Williamson Street is the vacation of a street, not linked to any particular project. This has been discussed amongst Council for months. Property has no value except to the adjacent property owners.

Attorney Provence – explained **R108-15** Authorizing Execution of Contract of Sale for the Sale of the Borough's Interest in Williamson Street was heavily negotiated. The contract is contingent upon zoning approval for the property. Council also considered the benefit of no longer having to maintain the street.

Administrator Gallo – stated QScend is the same vendor we use for our current website and we have been using them for about ten years. There will be no requirements to sign up to access data. He is familiar with the company and finds them reputable. We will assist and direct the vendor with how they modify our website.

Rick Ely, 2014 Fire Chief – received notifications from ISO that the Fire Department's rating has been lowered from a 5 to a 4. Last time we were inspected was 1999. Age of the apparatus was a big factor against the Department. We received a 98 out of 100 points for the number of fire hydrants we have.

Councilwoman Lamberson – would like **R108-15** Authorizing Execution of Contract of Sale for the Sale of the Borough's Interest in Williamson Street voted on separately.

There being no further comments or questions, the Meeting is closed to the public at 7:38PM moved by Chamberlain, carried by Sheridan with ayes by all present

APPROVAL OF RESOLUTIONS

Motion to approve the Consent Agenda with the exception of **R108-15** Authorizing Execution of Contract of Sale for the Sale of the Borough's Interest in Williamson Street, moved by Sheridan, carried by Lamberson

Roll Call Vote: Ayes: Chamberlain, Sheridan, Howe, Lamberson, Cooper, McPeek
Nays:
Abstain:
Absent:

Councilmembers Howe and McPeek abstained from **R98-15** Authorizing Award of Luppataong Avenue Area CDBG Improvements, Phase II, to S. Brothers, Inc.

Councilman Howe abstained from **R102-15** Authorizing Approval of Raffle License – Eagle Hose Company #4 – Off-Premise 50/50 Cash Raffle to be held August 15, 2015 at 11PM

Motion to approve **R108-15** Authorizing Execution of Contract of Sale for the Sale of the Borough's Interest in Williamson Street moved by Sheridan, carried by Chamberlain

Roll Call Vote: Ayes: Chamberlain, Sheridan, Howe, Cooper, McPeek
Nays: Lamberson
Abstain:
Absent:

APPROVAL OF MINUTES

July 15, 2014 (Cooper Abstained)
August 5, 2014 (Cooper Abstained)
August 19, 2014 (Cooper and Sheridan Abstained)

Motion to approve moved by McPeek, carried by Howe

Roll Call Vote: Ayes: Chamberlain, Sheridan, Lamberson, Cooper, McPeek
Nays:
Abstain: Cooper, Sheridan from 8/19/14
Absent:

PUBLIC HEARINGS/ADOPTION OF ORDINANCES

1. Ordinance #6-15 – Establishing Fees for registration of vacant/abandoned properties

The Clerk reads the Ordinance by Title:

AN ORDINANCE AMENDING CHAPTER XII, SECTION 19 (ABANDONED PROPERTIES) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT, TO REQUIRE PROPERTY OWNERS TO REGISTER ABANDONED PROPERTIES

1a. Motion to Open Public Hearing moved by McPeek at 7:42PM, carried by Sheridan with ayes by all present

There being no comments or questions from the public, the hearing is closed at 7:42PM moved by McPeek, carried by Sheridan with ayes by all present

1b. Motion to adopt Ordinance moved by McPeek, carried by Howe

Roll Call Vote: Ayes: Chamberlain, Sheridan, Howe, Lamberson, Cooper, McPeek
Nays:
Abstain:
Absent:

1c. Motion authorizing the Clerk to publish the Ordinance as adopted moved by Sheridan, carried by Howe with ayes by all present

INTRODUCTION OF ORDINANCES

1. Ordinance – Snow and Ice Removal

The Clerk reads the Ordinance by Title:

AN ORDINANCE AMENDING SECTION 5 OF CHAPTER IV (POLICE REGULATIONS/SNOW AND ICE REMOVAL) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT

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

Roll Call Vote: Ayes: Chamberlain, Sheridan, Howe, Lamberson, Cooper, McPeek
Nays:
Abstain:
Absent:

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

COMMUNICATIONS AND PETITIONS

1. Application for a Street Opening Permit (No. 3178) from NJ Natural Gas on Chingarora (between Maple and West 4th) for the purpose of retiring a 6" Main in Conflict with Proposed Sanitary Manhole

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

2. Application for a Street Opening Permit (No. 3179) from NJ Natural Gas at the intersection of Maple and Chingarora for the purpose of offsetting existing 4" Main due to Conflict with new Sanitary Manhole

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

3. Application for a Street Opening Permit (No. 3187) from Lancha Construction Corp. on Elizabeth Street for the Purpose of Improvements to Elizabeth Street Phase I

Motion to approve moved by McPeek, carried by Chamberlain with ayes by all present

4. Letter from St. John's United Methodist Church requesting permission to close off partial access to Florence Avenue from their driveway to the first house across the street from the church for the purpose of a Corn Fest to be held on Saturday, July 25, 2015 from 10am-4pm

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

5. Letter from Attorney for Family Dollar Store, 17 West Front Street, requesting a 90 foot "loading/unloading" zone from 6-9AM on Wednesdays for the purpose of deliveries

There was a concern that this is a County road and would require approval from the County.

Motion to approve for one year with anti-idling agreement and expires on vacancy, subject to County approval moved by McPeek, carried by Sheridan with ayes by all present

NEW BUSINESS

Sheridan – American Legion has had approval for \$400 for flowers but would like to use that money for other Memorial Day parade expenses.

UNFINISHED BUSINESS

Waterfront Park Concession

Administrator Gallo has received a letter from the business owner but no recommendation from the Harbor Commission.

Discussion ensued on the grass cutting of parks as well as abandoned properties. Grass cutting quotes will be received next week.

ATTORNEY'S REPORT

- Actively negotiating terms of the water supply agreements with Shorelands
- Energy aggregation consultant conducted an auction today with disappointing

results. Only bid that represented a savings was only for a six-month period. Will review the market and come back with a new auction date

Administrator Gallo – we are not about to undertake a project of this size unless there is a significant savings to the community.

Councilman McPeek – would like something on the website alerting residents.

ADMINISTRATOR'S REPORT

- working with Building Department to improve property maintenance
- attended NJ Transit meeting
- attended Flood Risk Open House at Henry Hudson High School. The Mayor, Mike Lane and Bob Burlew also attended. Working on presenting a case to FEMA. Focusing on Preliminary Flood Insurance Rate maps.
- working on Perry Street generator project – funded by FEMA
- have begun to take an aggressive stance on post-Sandy planning funding
- ongoing projects:
 - Water/Sewer Improvements
 - Elizabeth Street Standpipe Demolition
 - Water Meter Replacement Project
- water supply assessment nearly complete
- work continuing on Firemen's Park Boardwalk
- reconstruction of Chingarora Avenue – more expansive than just resurfacing
- Public Access Plan and Coastal Vulnerabilities back on track
- Citizen Relationship Management Software Program

Mayor Aumack – Monmouth County Board of Chosen Freeholders will be here in Keyport on May 28th.

PUBLIC COMMENT PORTION

The Meeting is opened to the public for comments or questions at 8:47PM moved by McPeek, carried by Sheridan with ayes by all present

Ed Carew, 64 Broadway – clarified snow ordinance is going from 48 hours to clear sidewalks after a snowfall to 24 hours. Pointed out that the Borough needs to conform to its ordinance for Borough properties, particularly the Library.

Nancy Carew, 64 Broadway – Keyport Garden Club has offered to pay for the flowers for American Legion for Memorial Day. That is why they would now like to use the \$400 Council approved for other Memorial Day Parade expenses.

Rick Ely, 203 7th Street – asked if there was something in the snow removal ordinance to address corner property owners to clear crosswalk area to the street.

Bob Ludwig – regarding Family Dollar's request he assumes there is something limiting a truck to park or extend into the street. He feels there is an issue by the Central School allowing parking next to the crosswalk.

Chief Casaletto – stated yellow curbs will be put there as soon as the snow clears.

Councilman McPeek – stated the Green Team is looking to do a crosswalk study.

Administrator Gallo – asked the Borough Engineer to review crosswalks on First Street and around the school.

Bob Ludwig – spoke of Beers Street sidewalks not being completely cleared of snow. He said there was an incomplete posting on our website regarding FEMA funding for handicapped access. He is putting on the record that Council should have revoted on a resolution involving 45 Beers Street because he felt the approval was incomplete due to Attorney Provence's misunderstanding of Mr. Ludwig's question.

There being no further comments or questions the Meeting is closed to the public at 9:21PM moved by Sheridan, carried by McPeek with ayes by all present

Motion to go into Closed Session at 9:21PM moved by Sheridan, carried by McPeek with ayes by all present

CLOSED SESSION

RESOLUTION # 109-15 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:

- Litigation
 - Aberdeen Ambulance
- Personnel

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.

Offered for adoption by: Sheridan
Second: McPeek

Roll Call Vote: Ayes: Chamberlain, Sheridan, Howe, Lamberson, Cooper, McPeek
Nays:
Absent:
Abstain:

Motion made to return to Open Session

Attorney Provence reported on items from Closed Session.

ADJOURNMENT

Motion to Adjourn at 9:40PM moved by Sheridan, carried by Chamberlain with ayes by all present