

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 7:00PM and Borough Clerk Heilweil read the Sunshine Law Notice.

ROLL CALL

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

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

PROCLAMATION

Mayor Aumack read the ARC Awareness Proclamation

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.)

- R94-17 Payment of Bills
- R95-17 Authorizing an Agreement with Matrix New World Engineering, Land Surveying and Landscape Architecture, PC for Planning Services Related to Preparation of an Updated Open Space and Recreation Plan
- R96-17 Authorizing the Business Administrator to Purchase Up to Two Weeks of Accumulated Vacation Leave from Scott Hicks, Superintendent of the Department of Public Works
- R97-17 Appointing Temporary Seasonal Public Safety Dispatcher within the Police Department – *Robert Deegan*
- R98-17 Supporting the Filing of a Complaint by the NJ Association of Counties with the NJ Council on Local Mandates that the Criminal Justice Reform Act N.J.S.A. 2A:162-15 et. seq., Constitutes an Unfunded State Mandate in Violation of Article VIII, Section II, Paragraph 5 of the New Jersey Constitution
- R99-17 Appointing PT Clerical Worker within the Building Department – *Jessica Wroblewski*
- R100-17 Authorizing Second Extension to the Agreement for Collection and Disposal of Solid waste and Recyclable Materials – *Suburban Disposal, Inc.*
- R101-17 Appointing Keyport Library Board of Trustees Mayor's Alternate – *Victoria Pacheco*
- R102-17 Authorizing Agreement with Mott MacDonald for Preparation of the Lead and Copper Sampling Plan and Water Quality Parameter Sampling Plan for the Keyport Water System
- R103-17 Hiring of Crossing Guard – *Michael Gregory*
- R104-17 Releasing Escrow Fees for 4 Snyder Lane, Block 136, Lot 37.03

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

Ed Burlew, 59 W. Front Street – asked about R95-17 Authorizing an Agreement with Matrix New World Engineering, Land Surveying and Landscape Architecture, PC for Planning Services Related to Preparation of an Updated Open Space and Recreation Plan. The Administrator provided an explanation. An updated Open Space grant is being prepared for the whole Borough.

Dan Fox, 40 Church Street – stated under State law, one cannot be hired as a seasonal employee when they already work here. He also spoke of the Police Chief’s comp time. He cited a case from Cape May. He stated “there is a lot of criminal activity going on in the Police Department.”

Attorney Kemm – stated he is not aware of any such law for seasonal employees.

Michael Lane, 51 First Street – requested items be updated under Unfinished Business:

- creation of a driveway at the school for student drop off. Asked if we have spoken to the Board of Ed.
- enforcement of enclosed dumpsters at apartment complexes and condos
- questioned the budget introduction which was said to be introduced at this meeting. He also questioned whether three employees received a raise totaling \$50,000, as well as a buy out of \$180+ thousand over three years for another senior employee.
- regarding the redevelopment plan for Brown’s Point Marina, he mentioned shortage of parking spaces which under the ordinance would require a payment to the Borough for that deficiency. He heard that the payment would be waived. He asked if the Planning Board has the power to waive it.

Administrator Gallo – stated by adopting a redevelopment plan, the requirements are changed.

Councilwoman Kennedy – stated she will look into dumpster enclosure enforcement. She believes the driveway at the school was just a suggestion.

Mayor Aumack – mentioned the school is on a County road so that would need to be approved by the County in order for that to happen.

Elmer Graham, Jr., 22 St. Peters Place – asked for an explanation of **R95-17** Authorizing an agreement with Matrix New World Engineering, Land Surveying and Landscape Architecture, PC for Planning Services Related to Preparation of an Updated Open Space and Recreation Plan which Administrator Gallo stated would help with grants, and **R100-17** Authorizing Second Extension to the Agreement for Collection and Disposal of Solid waste and Recyclable Materials – Suburban Disposal, Inc.

Administrator Gallo – this will help grants.

Deter Abels, 47 Elizabeth Street – stated there is a safety issue on Elizabeth Street. The curbs are at an angle and the street needs repaving.

Administrator Gallo – stated Elizabeth Street will be reconstructed this year.

There being no further comments or questions the meeting was closed to the public at 7:28PM moved by Sheridan, carried by Pacheco with ayes by all present

APPROVAL OF RESOLUTIONS

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

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

COMMUNICATIONS AND PETITIONS

1. Letter from Jesus the Lord Church seeking permission to hold scheduled processions on Palm Sunday, April 9th beginning 11:15 -11:30AM, and Good Friday, April 14, beginning 4-4:15PM

Motion to approve and forward to Police Department moved by Sheridan, carried by Pacheco with ayes by all present

2. Letter from Clean Ocean Action inviting the Borough to participate in the Spring Beach Sweeps on Saturday, April 22nd, and the Fall Beach Sweep on Saturday, October 21st from 9am-12:30PM

Motion to approve, forward to Environmental Commission, post on website and electronic sign moved by Sheridan, carried by Kennedy with ayes by all present

3. Report from Millennium Strategies through February 2017

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

4. Letter from Monmouth County Mosquito Control Division (with sample resolution) regarding the Countywide Mosquito Control program

Councilman Sheridan would like them to focus on standing water on the Henry Hudson Trail.

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

5. Application for Raffle License from Eagle Hose Company for an Off-Premise 50/50 cash raffle to be held August 5, 2017 at 11PM

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

6. Notice from KBBC requesting street closures for:

- Keyport Antiques & Artisan Festival, Saturday, May 20, 2017 from 11AM-8PM (Rain date Sunday, May 21st). Requesting West Front Street be closed to traffic/parking from 9AM-10PM from Broad Street to Beers Street
- Dawg's Night Out, Thursday, June 29th from 4PM-10PM. Requesting West Front Street be closed to traffic/parking from Broad Street to Main Street
- Keyport Car Show, Thursday, July 27th from 4-10PM from Broad Street to Beers Street

Motion to approve and forward to Police Department and DPW moved by Sheridan, carried by Pacheco with ayes by all present

7. KBBC 2017 Event Calendar (for approval)

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

8. Request for approval of transfer of fireman Matthew Farparan from Engine Company to Raritan Hose Company

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

APPROVAL OF MINUTES

Motion to approve the February 21, 2017 – Regular Session Minutes moved by Kennedy, carried by Pacheco

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

NEW BUSINESS

None

UNFINISHED BUSINESS

Administrator Gallo will look into dumpster enclosure enforcement.

Councilman Sheridan thanked the Fire Department for efforts at recent brush fire behind Semcor.

ATTORNEY'S REPORT

Attorney Jong stated she reviewed the Administrator's Report

ADMINISTRATOR'S REPORT

- attended a seminar with Borough Clerk on OPRA and the Common Law
- held a meeting on our post Sandy planning projects
- attended the Planning Board meeting regarding the draft Master Plan
- met with the Police Chief
- interviewed by insurance investigators
- held the first meeting of our vacant properties committee
- met with engineers from Mott MacDonald
- met with the developers of the Poseidon project
- had another meeting on our post Sandy planning to review neighborhood plans
- met with the owners of Mr. Green Tea
- met with Wendy regarding Senior Center issues
- met with Alex Burke regarding neighborhood issues
- met with the Baykeeper regarding several issues
- met with the Keyport Board of Education regarding the Master Plan
- Garbage Hauling Contract – we continue to enjoy good service from our replacement garbage hauler. We have received a number of inquiries regarding starting hours. Administrator explained this company starts early and is gone by sunup which is better for the Borough.
- 2016 Road Improvement Program – the project will include the reconstruction of the following roadways:
 - Elizabeth Street from Beers Street to Broad Street
 - Stout Street from Main Street to Kearney Street
 - Kearney Street from Stout Street to Maple Place
 - Monroe Street from Beers Street to Cass Street
 - Cass Street from Monroe Street to Jackson Street
 - Jackson Street from Cass Street to Perry Street
- a pre-construction meeting has been scheduled for March 14th with a start date a few weeks after. The project will include water main and sewer work, street resurfacing and sidewalks and curbs when needed.
- Outfall Project – Geotechnical work is being completed and specifications are being finalized to go out to bid.
- Replacement of Matawan Creek Bridge (MA-14) – bridge work is continuing and it appears they are on schedule.
- Brown's Point Redevelopment Plan - a community meeting will be held on March 8th to reveal the plan prior to the Planning Board Meeting.
- Aeromarine Redevelopment Plan – we are awaiting a revised plan for the developer based on our prior meetings.
- Longview/Boatworks Redevelopment Plan – the developer is expected to break ground sometime this spring.
- Ye Cottage Inn – the new owners are hoping to be at the land use board in April.
- Olsen's Boat Yard – met with Anbaric/Aurora regarding their impending purchase of the property and began talks about possibly acquiring the site after their use is in place. We have on our agenda a request to authorize an Open Space and Recreation Plan which will serve to qualify us for improved Green Acres funding.
- Gales Hardware – the former Gales Hardware store has been sold to a developer who intended to have rental apartments over retail or office space. We strongly encouraged him to incorporate adequate parking space for his prospective tenants.

- 333 First Street – a potential buyer has expressed interest in purchasing this property to develop the approved use of 12 townhomes.
- Long Range Flood Mitigation Planning – will be meeting with coastal consulting engineer to discuss how we can proceed with appealing the ACOE decision about a long range plan for Keyport.
- Post Sandy Planning Assistance Grant – Round 2 – met with all of our assigned professionals and most of our projects are in the end stages. The neighborhood plans are being posted on the Borough website for review and comment.
- Benjamin Terry Park County Open Space Grant – budgeting for the improvements at Terry Park to be funded by County Open Space funds and capital funds. We expect to move forward with this at our next meeting.
- Water Allocation Permit Major Modification – we will not need a permit modification.
- Mr. Green Tea – this Keyport business is hoping to acquire property at 75 Manchester Avenue to expand their business.
- Vacant Property Initiatives – had a very productive initial meeting where we discussed strategies to move these properties from vacant to productive. Our next meeting will be scheduled for the end of the month and will include our redevelopment counsel and planning consultant to decide upon a strategy to move forward. The public is invited to attend and participate.
- Keyport Master Plan – the Planning Board hearing on the Master Plan will continue on March 23rd. The Planning Board will be furnished with final copies with all of the requested changes by Friday.
- Cedar Street Field – we have solicited proposals for improvements at this field and will have a recommendation for our next meeting.

Councilman Sheridan asked whether Cedar Street Field will be improved before the start of the season; Yes.

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments or questions at 7:46PM moved by Pacheco, carried by Sheridan with ayes by all present

Ed Burlew – asked about **R102-17** Authorizing Agreement with Mott MacDonald for Preparation of the Lead and Copper Sampling Plan and Water Quality Parameter Sampling Plan for the Keyport Water System.

Administrator Gallo – explained this came about from the Flint, Michigan water situation. We need to have a report to the DEP by the end of the month.

Ed Burlew – asked about the rehabbed house on Therese Street and whether it remains on the tax rolls. He was also concerned about the KBBC Events Calendar and pointed out the KBBC website needs to be updated.

Administrator Gallo – stated there will be separate Recreation Events Calendar.

Andrew Kelsey, 29 St. Peters Place – stated he would like a flyer to go out to all residents regarding standing water.

Mike Lane – stated he is looking for some enthusiasm about fixing the downtown area. The parking problem on Broad Street needs to be solved. He suggested there is no need for parking on the East side of Broad Street and would make the town more desirable to visit.

Administrator Gallo agreed we need to come up with a solution for parking and stated he appreciates Mr. Lane's reminders.

Councilman Goode – clarified that it will be up to Council to approve the redevelopment plan for Brown's Point Marina.

Elmer Graham, Jr., 22 St. Peters Place – asked for an explanation of **R104-17** Releasing Escrow Fees for 4 Snyder Lane, Block 136, Lot 37.03. He asked for an update on the MA-14 Bridge work by the Blue Rock.

Administrator Gallo – stated the work will be completed by the end of the year.

Nancy Carew, 64 Broadway – asked for the status of 108 Broad Street across from the Library. She suggested that it would be good place for a parking lot.

Administrator Gallo – stated he knows there has been enforcement action. The owner of the property does not show up in Court.

Nick Vecchio, 36 Broadway – stated he thinks we need to start pressing the County regarding Keyport's County roads. He agreed with Mr. Lane about the parking on Broad Street and making the Broad Street entrance into the Borough more attractive. He also mentioned the Complete Streets program. He suggested "Welcome to Keyport" be painted on the trestle bridge.

There being no further comments or questions the meeting was closed to public at 8:24PM moved by Sheridan, carried by Pacheco with ayes by all present

Motion at 8:24PM to go into Closed Session after a short break moved by Sheridan, carried by Pacheco with ayes by all present

CLOSED SESSION

RESOLUTION #105-17

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) an appeal of disciplinary action brought against Borough employee Police Chief George Casaletto, and (b) matters subject to attorney-client privilege as authorized by N.J.S.A. 10:4-12(b)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 March 7, 2017 and determined that an Executive Session closed to the public shall be held on March 7, 2017 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, Cooper, Goode

NAYS:

ABSENT: Lamberson

Council reconvened to Open Session at 8:57PM.

Attorney Kemm – stated the purpose was to discuss an employment action in regard to the Chief and his accidental posting on the Police Department Facebook page. The Chief acknowledged it was an error. Council has determined to reduce the discipline from a written warning to an oral warning. Council asked for the Chief's cooperation.

Motion at 9:00PM to return to Closed Session moved by Sheridan, carried by Pacheco with ayes by all present

Council reconvened to Open Session at 9:16PM. Attorney Kemm stated what was discussed in Closed Session: potential contract negotiation for Chief of Police position.

ADJOURNMENT

Motion to Adjourn at 9:16PM moved by Sheridan, carried by Pacheco with ayes by all present