

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 Kennedy called the Meeting to Order at 7:00PM. Borough Clerk Michele Clark read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Fotopoulos (teleconference), Goode (Council Chambers), McDermott (teleconference), Pacheco (teleconference) and Sheridan (teleconference). Others present: Mayor Collette J. Kennedy (Council Chambers), Borough Attorney Mark Moon, Esq. (teleconference) and Acting Borough Administrator Thomas Henshaw (Council Chambers). Councilmember Cooper was acknowledged via teleconference at 7:39PM

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

COMMITTEE REPORTS

Councilman Fotopoulos: Board of Health/Registrar/Recycling/Environmental/MAC

- Recycling Committee met last month
- Keyport Recycling is up and running
- Thanked Donna Purcell and Robin Sheridan and Recycling Committee
- Harbor Commission met – asked about the grant and discussed licensing rather than leasing
- Plan to discuss with Andy Raichle the work on the Harbor Master Plan
- Army Corps of Engineers to dredge Morgan Creek
- Update requested for kayak lease
- Outfall pipe back on schedule – hope to be done by end of March
- Art Society bricks
- Osprey platform
- Health Department/Registrar report
- Environmental Commission is looking for a small budget increase
- Clean Ocean Action beach sweep is still scheduled
- Reports of COVID-19 are to be directed to the Monmouth County Health Dept.
- Questions regarding COVID-19 should be directed to 800-222-1222
- Read restrictions pursuant to Executive Order
- State information can be found on the nj.gov/health website

Councilman Goode: Fire/First Aid/Emergency Services/Planning Board

- Thanked first responders and volunteers for responding to calls
- Read Fire Department calls for service report
- First Aid volunteers are assisting with calls in Aberdeen and Matawan
- Thanked the First Aid, Fire Department and others for keeping us safe

Councilwoman McDermott: Public Works/Construction/Zoning/Property Maintenance/
Library/Harbor Commission/KBBC

- Thanked Borough staff for their assistance
- Expressed concern for public works, construction and zoning officials going out to public homes at this time
- Thanked businesses for their cooperation and assistance with curb-side service

Councilwoman Pacheco: Police/MAC/Harbor Commission/Green Team

- Thanked first responders who are training on proper protocols
- MAC met and corrections were made to the grant
- Green Team meeting was canceled
- NPP grant was approved by the County

Councilman Sheridan: Finance/Grants/Redevelopment/LEPC

- Finance meeting was held
- Municipal budget should be introduced at the April 7th meeting
- Thanked everyone on the dais as well as the Mayor for communicating on a daily basis

Councilman Cooper: Recreation/Senior Center/Green Team

MAYOR'S UPDATES

Mayor Kennedy reported on the following:

- Updates regarding COVID-19
- Senior Center is closed
- Interfaith is still using the kitchen at the Senior Center to provide meals to the sick and shut-ins in the Bayshore area
- Skipper Bus is not currently operating
- Cost to clean the bus would be between \$400-\$500 per night
- Library is closed to the public
- Borough Hall is closed to the public
- Schools are closed
- St. Patrick's Parade has been postponed
- Posting on website and social media
- Thanked Denise Nellis for coming in Saturday
- Thanked Michele Clark for coming in Sunday
- Thanked Donna Purcell for checking emails this weekend for BOH updates
- Flyers were distributed regarding the crossing guards and Stop & Shop
- SCAT has been inundated – medical appointments are a priority
- Food Pantry is operating as normal
- Payments to water/sewer and tax can be made online
- No utilities are to be shut off
- Check with Edmunds regarding waiving the convenience fee
- First Aid continues to cover neighboring towns
- Four or five more curb-side service parking spots have been reserved
- Daily conference calls are being had with department heads
- Thanked all
- Discussed surrounding towns declaring states of emergency

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.)

The Borough Clerk read the items listed on the Consent Agenda

R114-20 Payment of Bills

R115-20 Resolution of the Borough of Keyport, County of Monmouth, New Jersey, Permitting the Transfer of Appropriation Reserves Pursuant to N.J.S.A. 40A:4-59

R116-20 Authorizing Reduction of the Performance Guarantee Required under the Developer's Agreement with Keyport Homes, LLC, 138 Broad Street, LLC for Approved Construction at 138 Broad Street in the Borough

R117-20 Authorizing Acceptance of \$10,000 Bequest from the Estate of Elizabeth M. Walling for the Benefit of Keyport Senior Citizen's Center

R118-20 Designating Hudson Pointe at Keyport, LLC as the Interim Redeveloper for the Identified Property Designated as an Area in Need of Redevelopment

R119-20 Authorizing Submission of a Strategic Plan to the Governor's Council on Alcoholism and Drug Abuse for the Borough's Municipal Alliance for the Prevention of Alcoholism and Drug Abuse

R120-20 Authorizing Appointment of Patrick Dunn as a Class 1 Special Law Enforcement Officer for the Keyport Police Department for a Term of One (1) Year

R121-20 Authorizing the Borough of Keyport to Purchase Two (2) Police Vehicles for the Keyport Police Department

R122-20 Supporting the New Jersey Department of Transportation Proposal to Reconstruct the Broadway Avenue Bridge over Route 35

R123-20 Authorizing Application to the New Jersey Direct Install Clean Energy Program for Funding to Retrofit Borough Facilities with Energy Saving Material and Equipment

R124-20 Authorizing Extension of Appointment of an Acting Business Administrator for an Additional Term

R125-20 Adopting Borough of Keyport Neighborhood Preservation Program Plan Approved by the Department of Community Affairs

R126-20 Authorizing Appointment of Laurie Graham as Part Time Deputy Registrar of Vital Statistics

R127-20 Authorizing Application to the New Jersey State Library for New Jersey Construction Bond Act Funding

R128-20 Resolution Re-Affirming Opposition to the Williams/NESE Raritan Bay Pipeline Project and Urging the New Jersey Department of Environmental Protection to Extend the Public Comment Period and Conduct a Public Hearing in the Bayshore

Councilman Fotopoulos thanked the Mayor for putting **R128-20** Resolution Re-Affirming Opposition to the Williams/NESE Raritan Bay Pipeline Project and Urging the New Jersey Department of Environmental Protection to Extend the Public Comment Period and Conduct a Public Hearing in the Bayshore on the agenda.

Councilmember McDermott stated with regard to **R121-20** Authorizing the Borough of Keyport to Purchase Two (2) Police Vehicles for the Keyport Police Department that the protocol is to purchase two vehicles per year.

Councilmember Goode stated this has been rotating through the last five years to update the police vehicles which we have done two at a time.

Discussion ensued about lifetime of the vehicles and purpose of this purchase.

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments or questions on **resolutions listed on the Consent Agenda** at 7:30PM moved by Goode, carried by Fotopoulos

Elmer J. Graham, Jr., 22 St. Peters Place – asked for an explanation of **R116-20** Authorizing Reduction of the Performance Guarantee Required under the Developer's Agreement with Keyport Homes, LLC, 138 Broad Street, LLC, for Approved Construction at 138 Broad Street in the Borough. Borough Attorney Mark Moon provided an explanation. Mr. Graham asked for an explanation of **R124-20** Authorizing Extension of Appointment of an Acting Business Administrator for an Additional Term. Councilman Goode provided an explanation to Mr. Graham.

Michael Lane, 51 First Street – asked what the significance is of the “interim redeveloper” in **R118-20** Designating Hudson Pointe at Keyport, LLC as the Interim Redeveloper for the Identified Property Designated as an Area in Need of Redevelopment. Borough Attorney Mark Moon explained it is a temporary designation. Mr. Lane stated with regard to **R121-20** Authorizing the Borough of Keyport to Purchase Two (2) Police Vehicles for the Keyport Police Department that these are not normal times and suggested holding off on the purchase if it is not an essential expenditure. Mr. Lane asked Councilwoman McDermott about the infringement on the wetlands at 317 Beers Street. Acting Borough Administrator Tom Henshaw said there is not much we can do at this point. Councilman Fotopoulos asked to discuss this with Councilwoman McDermott and the Borough Administrator and get back to Mr. Lane next month. Mr. Lane asked about the illegal conversion of 74 Elizabeth Street. He asked Councilman Goode the status of the Flood Damage Prevention Ordinance. Councilman Goode stated Trevor Taylor has reviewed his changes and we expect the ordinance to go out to the attorney for review.

There being no further comments or questions the Meeting was closed to the public at 7:39PM moved by Goode, carried by Fotopoulos with ayes by all present

APPROVAL OF RESOLUTIONS

Motion to approve items listed on the Consent Agenda moved by Goode, carried by Cooper

Roll Call: Ayes: Cooper, Fotopoulos, Goode, McDermott, Pacheco, Sheridan
 Nays:
 Absent:
 Abstain:

PUBLIC HEARING/ADOPTION OF ORDINANCE

1. Ordinance #1-20 – Increase Maximum Number of Authorized Patrol Officers within the Keyport Police Department

The Clerk reads the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER III, SECTION 3.4 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT**

- 1a. Motion to Open Public Hearing at 7:41PM moved by Goode, carried by Pacheco with ayes by all present

Elmer J. Graham, Jr., asked for an explanation of Ordinance #1-20. Councilwoman Pacheco provided an explanation.

Michael Lane brought up a procedure concern regarding notice of the ordinance. The Borough Clerk and Mayor Kennedy advised Mr. Lane the ordinance was properly noticed.

There being no further comments or questions the Public Hearing was closed at 7:44PM moved by Sheridan, carried by Pacheco with ayes by all present

- 1b. Motion to adopt Ordinance moved by Pacheco, carried by Goode

Roll Call: Ayes: Cooper, Fotopoulos, Goode, McDermott, Pacheco, Sheridan
Nays:
Absent:
Abstain:

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

COMMUNICATIONS BY CONSENT

(For Approval)

1. Letter from Our Lady of Fatima Parish requesting permission to have scheduled processions on Palm Sunday, April 5th beginning at 9AM and on Good Friday, April 10th at 10AM and 8:15PM.
2. Letter from Girl Scout Troop 60278 requesting permission to create a Kindness Rock Garden around the gazebo at the waterfront.
3. Email from KBBC requesting use of the Mini-Park and stage for Keyport Thursday summer concerts, every Thursday from June 18th through August 27th (except July 30th) from 5PM-10PM.
4. Letter from Keyport Fire Department requesting use of Fireman's Parking lot from Monday, April 6th at 11PM through Thursday, April 9th at 7PM to hold Annual Hose and Ladder Testing
5. Letter from Keyport Fire Department requesting use of Fireman's Parking lot from Friday, May 1st at 11PM through Saturday, May 2nd at 7:30PM to hold their Annual Department Inspection

(To Receive and File)

6. Email from Daniel Carrol, A Canoe to You, regarding the boathouse rental for the next season.
7. Letter of resignation from Robert J. Koches, Licensed Water Treatment Plant Operator, effective June 30, 2020.
8. Letter from NJDOT regarding our application requesting funds under the NJDOT Fiscal Year 2020 Safe Streets to Transit Program.
9. Letter from NJDOT regarding our application requesting funds under the NJDOT Fiscal Year 2020 Bikeway Program.
10. Letter from business owner requesting relief of water-sewer bill.

Councilmember Fotopoulos asked if we are putting the boathouse rental out to bid. The Harbor Commission is asking for clarification regarding the rental fee and whether we will be issuing a license as opposed to a lease.

Councilmember McDermott expressed concerns regarding the ongoing construction at Beach Park and whether it would interfere with the rental season.

Councilmember Fotopoulos agreed to move Communication #6 to New Business for further discussion.

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments or questions on **Communications above** at 7:53PM moved by McDermott, carried by Sheridan with ayes by all present

Michael Lane asked if all members of council received the letter from the 38 Manchester residents regarding the Manchester redevelopment plan. He asked because the letter has not shown up under Communications for the last two meetings.

Councilmember Fotopoulos stated he did see the letter.

Mayor Kennedy stated the letter was read by the members of Council.

There being no further comments or questions the Meeting was closed to the public at 7:55PM moved by Goode, carried by McDermott with ayes by all present

APPROVAL and/or RECEIPT AND FILE OF COMMUNICATIONS

Motion to approve and/or receive and file the listed Communications by Consent subject to any guidelines put forth by the State as to the emergency situation moved by Goode, carried by Sheridan

Roll Call: Ayes: Cooper, Fotopoulos, Goode, McDermott, Pacheco, Sheridan
Nays:
Absent:
Abstain:

APPROVAL OF MINUTES

Motion to approve the Minutes for the September 17, 2019 Regular Meeting and the March 3, 2020 Regular Meeting moved by McDermott, carried by Goode

Roll Call: Ayes: Cooper, Fotopoulos, Goode, McDermott, Pacheco, Sheridan
Nays:
Absent:
Abstain: Cooper – March 3, 2020 Minutes

REPORTS OF DEPARTMENTS

1. Municipal Clerk's Report for January 2020
2. Tax/Water/Sewer Collector's Report for January 2020
3. Board of Health Treasurer's Report for January 2020
4. Building Department Monthly Report for January 2020
5. Municipal Court Monthly Report for January 2020
6. Tax Collector's Annual Report for 2019 Collections
7. Clean Communities Report for January-March 11, 2020

Motion to receive and file the Reports of Departments moved by McDermott, carried by Fotopoulos with ayes by all present

NEW BUSINESS

Mayor Kennedy proposed a resolution approving the change in dates for any events previously approved such that the Clerk may proceed with the paperwork without Council revisiting the matters.

Motion to open the Meeting to the public at 8:01PM to discuss the proposed resolution moved by Goode, carried by Pacheco with ayes by all present

Councilmember Goode explained this resolution will authorize the Clerk to administratively process any amendments to previously approved events.

There being no further comments or questions the Meeting was closed to the public at 8:02PM moved by McDermott, carried by Goode with ayes by all present

Councilmember Goode moved to authorize the Clerk to administratively approve amendments to any previously approved raffle application without resubmitting for approval, carried by McDermott

Roll Call: Ayes: Cooper, Fotopoulos, Goode, McDermott, Pacheco, Sheridan
Nays:
Absent:
Abstain:

NEW BUSINESS

Mayor Kennedy asked to revisit the boathouse (kayak) rental matter.

Councilmember Fotopoulos suggested getting together with the Administrator, the applicant and Councilmember Pacheco to discuss further.

Discussion ensued and decision was made to take the matter off-line.

UNFINISHED BUSINESS

Kiwanis Flea Market – Acting Borough Administrator Tom Henshaw asked to postpone discussion on this matter in order to allow him time to discuss with the attorney correspondence received today regarding use of Green Acres property.

ATTORNEY'S REPORT

Mayor Kennedy thanked the Attorney for all the questions he fielded and all of his efforts during this COVID-19 emergency.

Attorney Mark Moon stated please reach out to him regarding the need for any potential resolutions that may come up regarding the ongoing emergency.

Councilmember Fotopoulos asked if the Mayor received the letter from Lt. Governor Sheila Oliver regarding the Sunshine Law rules moving forward.

Mayor Kennedy stated she did receive the communication.

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments or questions at 8:14 moved by Goode, carried by Fotopoulos with ayes by all present

Please limit comments to no more than five minutes per person.

Elmer J. Graham, Jr. asked for the latest update regarding the Complete Streets Initiative.

Attorney Mark Moon stated there are no updates at this time.

Elmer J. Graham, Jr. asked about the chance of the Governor coming to Keyport.

Mayor Kennedy stated we do not have an answer at this time.

Elmer J. Graham, Jr. asked Councilman Sheridan about having a teleconference meeting for the Veteran's Committee.

Councilmember Sheridan said it is a possibility, but may be difficult.

Michael Lane asked about feedback on his March 7, 2020 email recommending we institute a CRS project. This would result in lower costs for flood insurance.

Mayor Kennedy hopes to be able provide an update at the next meeting.

There being no further comments or questions, the Meeting was closed to the public at 8:18PM moved by Sheridan, carried by McDermott with ayes by all present

ADJOURNMENT

Motion to Adjourn at 8:18PM moved by Sheridan, carried by Cooper with ayes by all present