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

ROLL CALL
On Roll Call the following were present: Councilmembers Pacheco (arrived 7:01PM), 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 read the Arc Awareness Month 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.)

Borough Clerk Valerie Heilweil read the items listed on the Consent Agenda. The Clerk had a coughing fit so Councilwoman Lamberson finished reading the items listed.

R102-18 Payment of Bills
R103-18 Amending Resolution #270-17 Authorizing Execution of Shared Services Agreement with the Township of Freehold for the Provision of Operational Services for Keyport Water-Sewer Utilities to Include Payment for January 2018
R104-18 2017 Budget Transfer
R105-18 Authorizing the Execution of an Agreement to Provide Restoration Work at the Borough's Minipark – *PV and Sons*

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 Pacheco, carried by Lamberson with ayes by all present

Michael Lane, 51 First Street – spoke of storm surge wiping out a restaurant in St. Maarten where he vacations. He gave suggestions about certain items which should be tied down under Flood Management Prevention Ordinance. He mentioned issues in the Planning Board project at 149 W. Front Street. He provided Council with a hand-out regarding that property and talked about discrepancies in the lot boundaries. He stated this was first identified in October 2010. Scott Pezzaras recommended to Mayor Macleod at that time that the Borough not challenge it.

Administrator Gallo – gave an explanation and stated he believes the tax maps are incorrect. We will have to determine whether the tax maps are wrong or right. 0.1 (point one) acre is missing.

Mike Lane – stated the Planning Board Attorney would not allow him to bring this up at the Planning Board meeting. The Attorney told him this was an issue for the Council. Also, his perception is there was no Flood Plain Manager report which is required under the Flood Damage Prevention Ordinance.

Mayor Aumack – stated we are getting into the Construction Official realm.

Mike Lane – mentioned things that were not noted.

Elmer Graham, Jr., 22 St. Peters Place – asked for an explanation of **R103-18** Amending Resolution #270-17 Authorizing Execution of Shared Services Agreement with the Township of Freehold for the Provision of Operational Services for Keyport Water-Sewer Utilities to Include Payment for January 2018, which Administrator Gallo provided. He also asked for an explanation of **R104-18** 2017 Budget Transfer, which was provided, and he asked again if the Governor and Lt. Governor could be invited to Keyport.

Administrator Gallo – stated they have been invited but we have not yet received a response.

Elmer Graham, Jr. – also asked Council's position on the legalization of marijuana.

Penny Van Dorn, Kiwanis Club – wanted to let Council know what the Kiwanis Club does before the Council voted on listed communications.

Councilwoman Lamberson – would like it put in the rules that cars must be parked in their space where their table is set up.

Council also requested that garbage be carried out.

There being no further comments or questions, the Meeting was closed to the public at 7:44PM moved by Sheridan, carried by Kennedy with ayes by all present

APPROVAL OF RESOLUTIONS

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

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

PUBLIC HEARINGS/ADOPTION OF ORDINANCES

1. Ordinance #4-18 – 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 Open Public Hearing at 7:45PM moved by Sheridan, carried by Goode with ayes by all present

Seeing no one, Motion to Close Public Hearing at 7:45PM moved by Sheridan, carried by Goode with ayes by all present

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

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

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

2. Ordinance #5-18 – 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 Open Public Hearing at 7:50PM moved by Sheridan, carried by Goode with ayes by all present

Elmer Graham, Jr. – suggested having an unmarked car there.

There being no further comments or questions, the Public Hearing was Closed at 7:51PM moved by Sheridan, carried by Goode with ayes by all present

2b. Motion to adopt Ordinance moved by Pacheco, carried by Sheridan

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

2c. Motion authorizing the Clerk to publish the Ordinance as adopted moved by Sheridan, carried by Pacheco with ayes by all present

3. Ordinance #6-18 – COLA rate

The Clerk read the Ordinance by Title: **ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**

3a. Motion to Open Public Hearing at 7:52PM moved by Sheridan, carried by Goode with ayes by all present

Seeing no one, Motion to Close Public Hearing at 7:52PM moved by Sheridan, carried by Goode with ayes by all present

3b. Motion to adopt Ordinance moved by Goode, carried by Pacheco

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

3c. Motion authorizing the Clerk to publish the Ordinance as adopted moved by Sheridan, carried by Goode with ayes by all present

4. Ordinance #7-18 – Amend Ordinance to reflect updates to the Municipal Land Use Law

The Clerk read the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING CHAPTER 25:1-21 OF THE BOROUGH CODE TO REFLECT UPDATES TO THE MUNICIPAL LAND USE LAW**

4a. Motion to Open Public Hearing at 7:53PM moved by Sheridan, carried by Goode with ayes by all present

Seeing no one, Motion to Close Public Hearing at 7:54PM moved by Sheridan, carried by Pacheco with ayes by all present

4b. Motion to adopt Ordinance moved by Sheridan, carried by Goode

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

4c. Motion authorizing the Clerk to publish the Ordinance as adopted moved by Sheridan, carried by Cooper with ayes by all present

INTRODUCTION OF ORDINANCE
1. Ordinance – Five-Year PILOT program

The Clerk read the Ordinance by Title: **AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING BOROUGH CODE CHAPTER XII, SECTION 12-8 AUTHORIZING FIVE-YEAR TAX EXEMPTIONS FOR IMPROVEMENTS TO DWELLINGS PURSUANT TO *N.J.S.A.* 40A:21-1 *ET AL*. AS WELL AS AMENDING BOROUGH CODE CHAPTER XII, SECTION 12-16 AUTHORIZING FIVE-YEAR TAX EXEMPTIONS FOR IMPROVEMENTS TO MULTIPLE DWELLINGS AND COMMERCIAL OR INDUSTRIAL STRUCTURES PURSUANT TO *N.J.S.A.* 40A:21-1 *ET AL*. AND RATIFYING CERTAIN TAX EXEMPTIONS AUTHORIZED BY THE BOROUGH COUNCIL**

Motion to Pull this Ordinance moved by Goode, carried by Sheridan with ayes by all present

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

APPROVAL OF MINUTES
Motion to approve the December 19, 2017 Regular Session Minutes and the January 16, 2018 Regular Session Minutes moved by Kennedy, carried by Sheridan with ayes by all present, with the exception of Councilman Cooper who abstained

COMMUNICATIONS AND PETITIONS
1. Letter from NJDOT informing the Borough that Keyport has been selected to receive funding from the NJDOT's Fiscal Year 2018 Municipal Aid Program for 2018 Road Program in the amount of $350,000

This grant covers E. Third Street, Division Street and E. Front Street.

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

2. Letter from Art Society of Keyport (ASK) requesting use of the waterfront promenade for painting, acoustic music and/or poetry reading at the Pavilion on May 19, 2018 (R.D. 5-20-18) from 10AM-5PM

Councilwoman Kennedy requested the use of drop cloths.

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

3. Application from Kiwanis Club of Keyport requesting the use of Firemen's Park for the purpose of a flea market to be held from Sunday, April 8, 2018 through Sunday, December 2, 2018 from 7AM-3PM

Attorney Polles – stated his legal opinion is that the use of that parking lot for short term events would be allowable.

Motion to approve with rule changes requiring vendors to park their cars in their table space and also carry out their own garbage, moved by Kennedy and carried by Sheridan with ayes by all present

4. Letter from Kenneth Schwartz (owner of Old Glory, 84 Broad Street) requesting use of Borough Property behind the Fire Museum to put up a 10 X 20 foot shed for the purpose of storage for Old Glory

Councilman Goode believes this is a question for legal counsel.

Motion to refer to legal counsel moved by Goode, carried by Sheridan with ayes by all present

5. Application for Use of Borough Property for the purpose of a wedding to be held on March 31, 2018 at 12:30PM – *Johnson/Lucarelli*

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

6. Application for Raffle License from Jesus the Lord Parish for an On-Premise 50/50 Cash Raffle to be held on Sunday, April 22, 2018 from 1-5PM

7. Application for Raffle License from Jesus the Lord Parish for a Tricky-Tray to be held Sunday, April 22, 2018 from 1-5PM

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

8. Application for a Raffle License from Keyport Garden Club for an Off-Premise 50/50 Cash Raffle to be held Sunday, June 3, 2018 at 6PM

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

9. Keyport Unified Planning Board Resolution Adopting Open Space and Recreation Plan Element of the Master Plan of the Borough of Keyport

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

10. Email from Hackensack Meridian Health regarding *Paint the Town Pink 2018*

Motion to receive and participate moved and carried with ayes by all present. Councilwoman Pacheco is our Paint the Town Pink 2018 representative.

REPORTS OF DEPARTMENTS

1. Municipal Clerk's Report for February 2018
2. Tax/Water/Sewer Collector's Report for February 2018 & 2018 Annual Report for 2017 collections
3. Board of Health Treasurer's Report for February 2018
4. Building Department Monthly Report for February 2018
5. Municipal Court Monthly Report for February 2018

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

COMMITTEE REPORTS

Councilwoman Pacheco: Board of Health/Library

- Read Board of Health report
- Family Bingo and Tax Preparation
- Weekly story and craft time at the Library

Councilman Sheridan: Finance/Grants/Redevelopment

- Thanked Finance Committee
- Thanked Recreation for this past Sunday's Easter Egg Hunt
- Historical Society Museum will be open every Saturday from 1-4PM

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

- Read Building Department report
- KBBC is replacing Executive Director
- Thanked First Aid for assistance with Perth Amboy fire boat

Councilwoman Lamberson: Police/Drug Alliance

- Read Police Department report
- Keyport Response to Recovery Initiative
- Now have a drop box for unneeded and expired medication
- Spoke of informative events being held at the school
- Hazlet's Hope Foundation
- Opioid event on March 22nd
- Narcan training at Borough Hall in May
- Police Department has a portable drop box

Councilman Cooper: Recreation/Senior Center

- East Egg Hunt was held on Sunday, March 18th
- Summer Recreation will begin the first week of July
- KeyportFest 5K race will be September 22nd

Councilman Goode: Fire/First Aid/Emergency Services

- Read Fire Department call report
- Large house fire Saturday evening on Broadway. Keyport Fire Department was very professional and impressive.
- First time the new ladder truck was used at a night-time fire

NEW BUSINESS

Councilwoman Kennedy – would like clock removed from the waterfront since it does not work. She would like a sign put in its place so boats can see it. She also inquired about kayak rentals. She asked who owns the triangle at Atlantic & Church, across from the Cornucopia.

Mayor Aumack – stated that is County property.

Councilwoman Kennedy – regarding the predicted storm, spoke of other municipalities who have already closed or have delayed openings. Schools are closed.

Administrator Gallo – if we are closed, union workers such as DPW, who need to work, would be compensated with a comp day.

Motion by Sheridan, carried by Pacheco with ayes by all present to close the Borough offices tomorrow due to the anticipated inclement weather conditions

Administrator Gallo - stated he circulated a proposal for TNR program for cats. Will have Associated Humane Society come and give a presentation on the program.

UNFINISHED BUSINESS

None

ATTORNEY'S REPORT

Nothing to report

ADMINISTRATOR'S REPORT

Administrator Gallo reported on the following:

- Held a meeting with Monmouth Telecom and Dennis Fotopoulos regarding Borough telephone service
- Had a meeting with the owners of a tax delinquent property along with the Clerk and the Tax Collector
- Had a meeting with Counsel regarding various development projects

- Had a meeting with the Police Department regarding St. Patrick's celebration preparation
- Attended the NJ Future Redevelopment Forum
- Participated in a conference call with Windstream regarding Borough phone service
- Met with Mike Lane
- Met with Sal Costanza and Chief Hafner
- Met with Dr. Savoia
- Maple Place Fire Hydrant Replacement – we've received competitive quotes for the tapping of the main in Broad Street to install a new hydrant. I've asked the CFO to certify funds and we expect to commission the job next week.
- Beach Park and Beers Street Outfall Reconstruction – waiting for final approval for this project from NJDEP and Army Corps of Engineers.
- Improvement to Benjamin Terry and Veteran's Parks – I reviewed the plans with Trevor Taylor and Tom Fallon. We should have a final set for release shortly.
- DPW Building-Rollo Place – bid specs should be ready for review this month.
- Scattered Site Redevelopment Plan – I have a meeting next week with counsel to determine our next steps.
- Upcoming Capital Projects:
    - I have received competitive proposals for engineering services from CME, Mott MacDonald and Maser Engineering. CME provided us with the lowest price: $92,000. The CFO is arranging financing and we expect to award the design contract at our next meeting;
    - 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. This important project is waiting for instructions from NJDOT regarding how to proceed;
    - We've been advised that NJDOT has awarded us $340,000 for the 2018 local aid paving project. Streets to be included include sections of Division Street, E. Front Street and Third Street.
    - Main Street Park – We are still waiting for the federal government to release this year's CDBG funding. The County has reported favorably on our funding request.
- Brown's Point Redevelopment Plan – the project is currently under review by the board professionals. The developer is finalizing his LTTE application. I am meeting with Redevelopment Counsel next week.
- Aeromarine Redevelopment Plan – the owner seems to be moving very slowly to put forth a redevelopment proposal. We know there are parties interested in acquiring the property and moving forward with a project.
- Ye Cottage Inn - the project for this site received site plan approval last week. There seems to be an issue regarding what lots the developer actually owns but the problem seems to be in the tax maps.
- USDA-RD Funded Perry Street Water Treatment Plan Upgrades – we are negotiating for the purchase of water while our plan is under construction. We expect this to be resolved within the next week or so.
- Harbor Issues – we have posted an RFP for the boat slip. We are also scheduling a meeting with NJDEP to discuss. Our Marine and Coastal Engineer is developing an overall concept plan for the future of the harbor. We are also scheduling maintenance cleaning of the boat ramp for this summer and will be installing a pay station for patrons to use anytime.
- County Dispatch – we have completed our financial analysis of County versus local dispatch. Following that, if we get a positive reception, we intend to schedule a presentation by the County at a public meeting to answer any questions that people may have.
- Henry Hudson Trail – Tom Gallo has conducted an assessment of conditions on the trail. A meeting is scheduled for next week with County Parks Officials to discuss our concerns which include litter, standing water, safety, old telephone poles and periodic maintenance.
- MA14 Bridge Project and Route 6 Bridge Project – I have had several conversations with the County Engineer regarding these two project and issues involving the landings. We were scheduled to meet tomorrow on this, but the

weather has forced a postponement. The MA14 Bridge is expected to reopen by Memorial Day.
- It was mentioned that the Swift water tower has graffiti on it. The owners are waiting for warmer weather to paint over it so the paint will stick.

PUBLIC COMMENT PORTION
The Meeting opened to the public for comments or questions at 8:53PM moved by Sheridan, carried by Pacheco with ayes by all present

Elmer Graham, Jr. – asked about the Captain John slip.

Administrator Gallo – stated it is out to bid right now.

Mike Lane – mentioned no report from the Tax Assessor, specifically the status of revaluation and tax appeals. He is delighted that the Administrator has been pressing the County about the bridge over Chingarora Creek.

There being no further comments or questions, the Meeting was closed to the public at 8:58PM moved by Sheridan, carried by Goode with ayes by all present

ADJOURNMENT
Motion to Adjourn at 8:58PM moved by Sheridan, carried by Goode with ayes by all present