

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 7:04PM. Borough Clerk 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: Borough Administrator Stephen Gallo and CFO Tom Fallon. Borough Attorney Jong Sook Nee arrived at 7:05PM.

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

PRESENTATION

A Certificate of Appreciation was presented by Mayor Aumack, on behalf of the Mayor and Council, to Senior Citizen Director, Wendy Tooker, upon her retirement after more than 21 years of service to the Borough of Keyport

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 Heilweil read the items listed on the Consent Agenda

R106-17 Payment of Bills

R107-17 Authorizing Shared Service Agreement to Provide Registrar and Deputy Registrar of Vital Statistics

R108-17 Authorizing an Agreement with Good Mowin' for Restoration of the Baseball Field at Cedar Street Park

R109-17 Budget Appropriation

R110-17 Referring the Redevelopment Plan for the Property Commonly Known as Block 20, Lots 1, 2, 3, 5, 6, 6.01, 7 and 9 on the tax map of the Borough of Keyport to the Keyport Unified Planning Board for Review Pursuant to N.J.S.A. 40A:12A-7(E)

R111-17 Authorizing an Agreement with Matrix New World Engineering for General, Coastal and Marine Engineering Services Not to Exceed \$30,000

PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions on items listed on the agenda at 710PM moved by Sheridan, carried by Pacheco with ayes by all present

Elmer Graham, Jr., 22 St. Peters Place – asked for an explanation of **R107-17** Authorizing Shared Service Agreement to Provide Registrar and Deputy Registrar of Vital Statistics which the Administrator provided. He asked about **R108-17** Authorizing an Agreement with Good Mowin' for Restoration of the Baseball Field at Cedar Street Park and why our DPW cannot do the work. Also, he requested an explanation of **R110-17** Referring the Redevelopment Plan for the Property Commonly Known as Block 20, Lots 1, 2, 3, 5, 6, 6.01, 7 and 9 on the tax map of the Borough of Keyport to the Keyport Unified Planning Board for Review Pursuant to N.J.S.A. 40A:12A-7(E) which refers to Brown's Point Marina and **R111-17** Authorizing an Agreement with Matrix New World Engineering for General, Coastal and Marine Engineering Services Not to Exceed \$30,000.

Andrew Kelsey, 29 St. Peters Place – asked about taping meetings last month and requested an update. The Administrator explained it is being looked into. Mr. Kelsey also requested the Borough Calendar be available in an iCloud format.

Ed Carew, 64 Broadway – asked about the closing of the Captain John fishing boat and what future the plans may be.

Michael Lane, 51 First Street – stated he did an extensive review of the Redevelopment Plan for Brown’s Point Marina. He asked that **R110-17** Referring the Redevelopment Plan for the Property Commonly Known as Block 20, Lots 1, 2, 3, 5, 6, 6.01, 7 and 9 on the tax map of the Borough of Keyport to the Keyport Unified Planning Board for Review Pursuant to N.J.S.A. 40A:12A-7(E) not be adopted tonight. He believes there are significant changes needed.

Ed Burlew, 59 W. Front Street – asked about **R111-17** Authorizing an Agreement with Matrix New World Engineering for General, Coastal and Marine Engineering Services Not to Exceed \$30,000.

Administrator Gallo – stated the Army Corps report is being appealed. We need appropriate expertise to appeal. Also, there are funds available to dredge the harbor. These are consulting engineers who will assist the Borough with these items.

Ed Burlew – asked whether the KBBC hired a consultant to market Keyport. He also asked whether it was in their budget.

Councilwoman Kennedy – yes, it is called “My Town.”

Alan Yunker, 28 Washington Street – stated he is concerned about the impact of the redevelopment of Brown’s Point Marina on his property.

There being no further comments or questions the meeting was closed to the public at 7:29PM moved by Sheridan, carried by Cooper with ayes by all present

APPROVAL OF RESOLUTIONS

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

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

INTRODUCTION OF ORDINANCE

1. Ordinance – COLA rate

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

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

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

CFO Tom Fallon – stated this ordinance allows the Borough to bank its unused cap.

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 Pacheco with ayes by all present

INTRODUCTION OF 2017 MUNICIPAL BUDGET

1. Resolution R112-17 - Introducing the 2017 Municipal Budget

The Clerk read the Budget by Title: **2017 MUNICIPAL BUDGET OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, FOR THE YEAR 2017**

Offered: Sheridan

Seconded: Kennedy

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

CFO Tom Fallon – stated a public hearing on the 2017 budget will be held on April 18, 2017. The budget will be published in the newspaper and posted on the Borough website. Copies will be available in the Clerk's office. This budget is well under State mandated appropriations and levy caps. There is a slight increase in the amount to be raised by taxation – 1.8%. The tax rate will be slightly reduced and the average homeowner will pay \$10 less in municipal taxes.

Motion authorizing the Clerk to publish the Budget Summary as introduced for a Public Hearing moved by Sheridan, carried by Cooper with ayes by all present

COMMUNICATIONS AND PETITIONS

1. Letter from Kiwanis Club regarding its Flea Market in the Firemen's Parking lot starting Sunday, April 2, 2017 through December 3, 2017, 7AM-3PM

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

2. Shared Service Agreement Resolution from the Borough of Union Beach

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

3. Application for a raffle license from the Knights of Columbus #3402 St. Joseph's for a pull-tab machine to be licensed from March 31, 2017 through March 30, 2018

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

4. Application for a Raffle License from Keyport Education Foundation for a 50/50 on-premise cash raffle to be held May 6, 2017 from 10AM-2PM

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

5. Application for Use of Borough Property from the Keyport Green Team requesting the use of Council Chambers on Wednesday, May 24 from 6:30-8:30PM for the purpose of Rain Barrel Demonstration and Water Conservation Education. Also requesting waiver of the fee.

Motion to approve and place on website and electronic sign moved by Goode, carried by Pacheco with ayes by all present

6. Application for Use of Borough Property from the Keyport Green Team requesting the use of the Mini-Park on Saturday, May 13, 2017 from 9AM-3PM for the purpose of selling rain barrels and compost bins. Also requesting waiver of the fee.

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

7. Notice regarding Keyport School District's Community Day to be held at the Central School on Saturday, May 6, 2017 from 10AM-1PM

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

8. Letter from Keyport Fire Chief regarding Decommissioning of KFD Apparatus Unit #2288 (resolution included)

Mayor Aumack - explained the Fire Patrol building has been sold. They are going to use Consolidated's building.

Attorney Jong – explained this resolution gives the Borough to the authority to sell it.

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

9. 2016 Clean Communities Annual Report

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

10. Letter from Captain John Connell regarding closure of Captain John's party fishing and cruising Vessel

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

11. Email from Keyport Garden Club regarding 2017 Plant Sale:
-date has been changed from Sat., May 6th to Sat., May 13th.
-in case of inclement weather, the sale will be held on the 13th in the Consolidated Firehouse, 34 First Street
-requesting three large picnic tables
-permission to place a Plant Sale banner at the Mini Park and on the pavilion a week prior to the sale

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

12. Email from Keyport Garden Club requesting permission for a Memorial Service for Ted Miller on Saturday, May 6, 2017 at 11AM marking the installation of a bronze memorial plaque to be installed at the Waterfront Rain Garden

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

REPORTS OF DEPARTMENTS

1. Municipal Clerk's Report for February 2017
2. Tax/Water/Sewer Collector's Report for February 2017 and 2016 Annual Report
3. Board of Health Treasurer's Report for February 2017
4. Building Department Monthly Report for February 2017
5. Municipal Court Monthly Report for February 2017

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

COMMITTEE REPORTS

Councilwoman Pacheco: Buildings/Grounds/Library:

- library audit report is complete
- NJ Library Trustees – roadshow presentation on May 11th – trustee meeting changing
- Friends of the Library – looking for members

Councilman Sheridan: Finance/Grants/Redevelopment:

- good job with Finance Committee on the budget
- Historic Museum, 34 Main Street ADA bathroom being installed

Councilwoman Kennedy: Public Works/Recycling/Property Maintenance:

- read Property Maintenance report
- DPW did a good job with snow removal
- May 20th – Artisan Festival
- Recycling Committee Poster Contest
- St. Patrick's Day Parade – Saturday at 1PM

Councilwoman Lamberson: Police:

- read Police Department report
- 2017 Operation Take Back – April 29th from 10AM-2PM to dispose of unwanted medications

Councilman Cooper: Health/Recreation:

- reported the Food Pantry closed two days last week due to weather

Councilman Goode: Fire/First Aid/Emergency Services

- read Fire Department report
- read First Aid call report – 258 runs for the month
- Fire Patrol property being sold and will go back on the tax rolls

NEW BUSINESS

None

UNFINISHED BUSINESS

None

ATTORNEY'S REPORT

None

ADMINISTRATOR'S REPORT

- had lunch with the Baykeeper
- met with a resident regarding the potential DPW site
- met with the Board of Education regarding interagency cooperation
- had several Finance Committee meetings
- met with Andy Raichle and Harbor Commission members
- met with the CFO and our counsel regarding billing issues
- met with George Dakes of T&M Associates
- met with Jackie Caddle
- held a meeting on Brown's Point redevelopment
- had a meeting with the Board of Fire Chiefs, Fire Commission and Council Member Kennedy regarding their budget request
- had cataract surgery and took a week vacation
- Winter Storm – the Borough experienced a severe winter storm last week that had all the elements of a nor'easter including wind-driven waves, flooding, heavy, wet snowfall and icing conditions. Borough Hall was closed due to the forecast. DPW and emergency services worked around the clock salting and plowing snow and ice. Post-storm cleanup continues into this week.
- Garbage Hauling Contract – the current hauler continues to perform admirably. The general consensus is that the citizens are happy with the early start and the truck being out the Borough before the school rush starts.
- 2016 Road Improvement Project – the pre-construction meeting was canceled due to the storm but has been rescheduled for this week. The project should kick off by the end of the month.
- Keyport Master Plan – a final draft of the plan has been provided to the Steering Committee, the Environmental Commission and the Planning Board. We are

hopeful that the Plan can be adopted at the next Planning Board meeting.

- Brown's Point Redevelopment Plan – a community meeting was held on March 8th to present the Plan to the public. About 45 people attended. The Plan will now be referred to the Planning Board for their review on Thursday. Following that, it would return to Council for final adoption.
- Aeromarine Redevelopment Plan – the owner is apparently speaking with potential developers to collaborate on a project.
- Longview/Boatworks Redevelopment Plan – the developer is expected to break ground sometime this spring.
- Ye Cottage Inn – the liquor license transfer is being processed and the new owners hope to gain land use approvals in time to open for this summer.
- Olsen's Boat Yard – we continue discussions to possibly acquire this property for open public space following its use by Anbaric for a power cable crossing
- Gales Hardware – a new owner is planning on developing market rate apartments at this location over ground floor retail.
- 333 First Street – a new buyer is reported to have purchased this project and will pursue what has been approved with minor deviations.
- Post Sandy Planning Assistance Grant Round 2 – projects are beginning to wrap up and we have begun processing the grant draw downs. We intend to use the reports as a basis to apply for grant funding for flood protection measures.
- Benjamin Terry Park County Open Space Grant – we will move forward with a project to rehabilitate Terry and Veteran's Park using county and local open space funds.
- USDA-RD Funded Perry Street Water Treatment Plant Upgrades – project continues
- Ladder Truck – we are making an initial payment on the ladder truck to preserve a significant discount.
- Senior Center Director – at long last this position has been posted on the Civil Service Commission website. We are utilizing the process prescribed by law to identify an appropriate hire for this position.
- Vacant Property Initiatives – a follow up meeting for this initiative is being scheduled where we will hear from counsel and planner regarding how we can move these properties back into productive use.
- Cedar Street Field – we are awarding a contract for maintenance work on the field at this meeting.

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments or questions at 8:16PM moved by Sheridan, carried by Pacheco with ayes by all present

Councilwoman Kennedy – explained Property Maintenance was more lenient this storm as long as an attempt was made to clear the snow. She mentioned Jo-Jo Merla cleared snow in the downtown area.

Councilman Goode – stated the First Aid Squad just elected Jim Lawson as its new president.

Ed Carew, 64 Broadway – the Library will put aside capital funds to improve its interior. Asked if the Borough included a line in the budget for brick and mortar projects.

Administrator Gallo – stated we have adequate funding in Buildings & Grounds to do any work that needs to be done.

Mike Lane – had questions for CFO Tom Fallon regarding the introduced budget.

CFO Tom Fallon – stated the Borough evaluation increased by 15 million.

Mike Lane - asked about the quarterly report from the Tax Assessor. He would like to know when and what areas will be covered in the reval program.

Elmer Graham, Jr. – asked if the former Gales property will be affordable housing.
Administrator Gallo – No, that will be luxury apartments.

There being no further comments or questions the meeting was closed to public at 8:23PM moved by Sheridan, carried by Goode with ayes by all present

Motion to go into Closed Session at 8:24PM moved by Sheridan, carried by Goode with ayes by all present

CLOSED SESSION

RESOLUTION #113-17

**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) potential litigation regarding 40 Broad Street, 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 21, 2017 and determined that an Executive Session closed to the public shall be held on March 21, 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: Goode

AYES: Pacheco, Sheridan, Kennedy, Lamberson, Cooper, Goode

NAYS:

ABSENT:

Council reconvened to Open Session at 8:45PM. Attorney Nee stated potential litigation was discussed in Closed Session.

ADJOURNMENT

Motion to Adjourn at 8:46PM moved by Goode, carried by Sheridan with ayes by all present.