

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, and Newark Star Ledger and posted on the Bulletin Board in accordance with the Open Public Meeting Act, P.L. 1975, Ch. 231.

Mayor Araneo called the meeting to order at 7:00PM and the Borough Clerk read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Demarest, Reilly, Vecchio, Peperoni, Council President Davidson and Mayor Araneo. Councilmember McNamara was absent. Also present were Borough Administrator Kim Humphrey, Borough Attorney Vicky Flynn, Borough Engineer Derek Jordan, and Police Chief Shannon Torres.

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

COMMITTEE REPORTS

(Councilmember is lead or co-lead liaison of Committees in bold)

Mayor Araneo welcomed new Business Administrator Kim Humphrey.

Councilmember Demarest: KBBC, Public Works/Water-Sewer, Harbor Commission, Recreation/Senior Center

Councilmember Demarest reported on discussions had at the KBBC meeting regarding enforcing 3-hour parking on Front Street and on paid parking. Trash bags and trash pickup was brought up and they also discussed businesses putting items out in front of their stores that aren't garbage. The KBBC created an event calendar for 2023. One of the events, the Bayfest Chili & Chowder Crawl on May 13th, is on the agenda tonight for approval so the KBBC has time to book the vendors. The KBBC is working on a new sign for Highway 36. He reported on DPW and the surplus auction.

Councilmember Reilly: Environmental, Fire/First Aid/OEM, Finance/Grants, Heath/Registrar/Construction/Fire Bureau/Code Enforcement/Zoning, Cannabis

Councilmember Reilly reported the Environmental Commission met on the 27th but there was no quorum. There was, however, a very informative presentation by Dr. Chang of Kean University regarding the coastline and how it will be effected by the Union Beach project. The Environmental Commission will be planting baby beach grass at Cedar Street Park on April 23rd. Their next meeting is Monday, March 27th at 8PM. She read the First Aid calls for service report. The vehicle donated to the Fire Department was returned to East Franklin following an inspection. She read Councilmember McNamara's report on the Finance meeting saying CME is helping with work on the lead technical assistance program, a free grant through the NJDEP to identify service lines. We've only identified 250 lines and have 2,100 to do and expect it will take 6-9 months to complete. Councilmember McNamara was able to attend the NJLM all-day budget workshop on March 11th. The Finance Committee met with the Borough Administrator and CFO for an update on the budget process. The 2022 Annual Financial Statement was filed and is online. The Borough Administrator has been meeting with department heads and we are not anticipating much wiggle room in the 2023 budget. We anticipate a budget introduction at the April 18th Council meeting and after 28 days have the public hearing/adoption on May 16th. The Cannabis Subcommittee met and we are working on ordinance, application, and process review. Decision was made to wait on any further applications until litigation is resolved. The Green Team submitted a letter of support for the Fireman's Park Green Acres application. The Keyport School Board member for the Green Team will be Dennis Fotopoulos. We will need a resolution which we anticipate to be on the next meeting agenda. Joe Stahley is stepping down and we thank him for all of his work.

Councilmember Vecchio: Harbor Commission, Municipal Alliance, Police, NPP

Councilmember Vecchio reported the Municipal Alliance Committee meeting was canceled so there is no update. She said the Police are working on the parade coming up this weekend, notices of no parking for the parade have been posted and will continue until parade day. Fire Patrol as well as the Explorer program will be helping with barricades. State Police are on

standby as well as additional towns for extra manpower. They have also been working with JCP&L reporting street light issues. If you see a light out, you can contact the police to report it or contact JCP&L. The Harbor Commission met last night. Kayak locker repairs have started and rentals start April 15th. The applications are on the website. She reported hoping to have boat ramp dredging soon as well as access to a pump out boat. We are in the process of putting together all needed paperwork for both the concession stand and the boathouse contracts. They also spoke to a gentleman looking to place a 24-hour frozen bait machine at the boathouse location. Councilmember Vecchio reported in Councilmember McNamara's absence on the NPP Year 3 funding. Concerning street signs and wayfinding signs, quotes are expected in the next two to three weeks. Kearney Street pocket park is still moving along as we await quotes on equipment and materials. While Therese Street Park access to W. Front Street has been put on hold, we are looking into possible Beach Park improvements. Regarding the Main Street lot line striping. A small section needs to be repaired before the striping can happen. Sealing requires annual resealing so it has been taken off the table. The parking banner should be installed next week.

Councilmember Peperoni: Health/Registrar/Construction/Fire Bureau/Code Enforcement/Zoning, Recreation/Senior Center, Recycling, Municipal Alliance, Police, Redevelopment

Councilmember Peperoni reported on the Construction office saying they continue to write summonses to 162 Second Street and the next court date is April 6th. He spoke about 31 W. Front Street and the letter from the architect deeming the building unsafe and it has been vacated. We are also waiting on various items before we can issue any permits for this property. The contractor for 333 First Street called for final inspection on several units. We are waiting on minor things before we can issue c/o's. Regarding the Recreation Committee he said Union Beach has offered to take Keyport kids and the cost would be \$200 per kid for a four week camp. The time is 9AM to 1PM in July. He said the Easter Egg Hunt is scheduled for April 1st with an April 8th rain date. Cedar Street is rented for softball. The Trunk or Treat will be Saturday, October 21st, the trip to Somerset Patriots game is May 21st. Tickets are \$20 and include a barbecue. Movies at the waterfront start June 28th. He read the Treasurers report for the Health Department.

Councilmember McNamara: Finance/Grants, Cannabis, Green Team, NPP

Councilmember McNamara was absent.

Council President Davidson: Planning Board, Redevelopment, Fire/First Aid/OEM, Public Works/Water-Sewer

Council President Davidson reported the resignation of Greg Kotzas from the Planning Board. She said we thank him for his time serving on the Planning Board and the Mayor will be reviewing some volunteer forms to see who we can appoint in the next few weeks. The next Planning Board meeting is Thursday at 7PM. The Redevelopment Committee met with group and discussed possible project. Next week there is a redevelopment meeting and will discuss goals, objectives and vision for the Borough with the attorney and the Borough Administrator. We hope to bring back the Parking Committee and finish discussing particulars in that report and hope to do some implementation this year and next year.

Mayor Araneo: Library, Planning Board, KBBC, Green Team, Cultural/Civic, Mayors Wellness Campaign

MAYOR'S UPDATES

Mayor Araneo said she and the Borough Administrator attended the Recreation Committee meeting. They are going to start streamlining things and working on bylaws. She said she just approved a grant for \$13k for the American Rescue Plan for firefighters that we applied for last year. The award is going to fund the purchase of cleaning equipment. She attended the Municipal Workshop in Freehold for elected officials with Council President Davidson and Councilmembers Reilly and Vecchio. We discussed shared services, cyber security, municipal and community grant programs, tourism, and economic development. The St. Patrick's Parade is still on for this Saturday but could change to the rain date which is Sunday.

Mayor Araneo asked if the Council had any questions on the Agenda.

Councilmember Reilly had a question about Communication #2. She said we had a discussion last meeting about bathroom use for the Garden Club Garden Walk. She asked how everybody feels about opening Borough Hall for use of the bathrooms.

Mayor Araneo said she thinks Melissa is following what they have done in the past and Melissa will speak on that in a little bit. Mayor Araneo said we've had it on there for every time they've had an event but it has not always been approved.

Councilmember Vecchio requested to pull **R2023-101** Resolution of the Mayor and Council of the Borough of Keyport Authorizing Keyport Garden Club Use of Waterfront Park Gazebo, Mini-Park and Borough Hall on June 3-4, 2023, for separate discussion.

PUBLIC COMMENT PORTION

Mayor Araneo opened the Meeting to the public for comments on Resolutions and Communications only at 7:24PM.

John Merla, 34 Broad Street, regarding **R#2023-96** Resolution of the Borough of Keyport, County of Monmouth, New Jersey, Permitting the Transfer of 2022 Budget Appropriation Reserves Pursuant to N.J.S.A. 40A:4-59, said the transfer of funds for legal fees is astronomical. He questioned \$170k in legal fees for 1.4 square mile town and urged the Council and our legal counsel to review every legal bill that was submitted to the Borough. Mayor Araneo said a lot of this has to do with the cannabis. She said Vicky Flynn has caught some discrepancies in some invoices and has addressed those.

Mr. Merla asked for an explanation of **R2023-97** Authorizing Execution of a Contract with Jobs4Blue for Coordination of Off-Duty Employment of Police Officers. The Borough Attorney provided an explanation.

Mr. Merla asked if **R2023-98** Ratifying and Confirming a One-Year Extension of the Contract for Solid Waste & Recyclable Materials Collection and Disposal – Suburban Disposal, Inc., is the last extension. It is. Regarding **R2023-101** Resolution of the Mayor and Council of the Borough of Keyport Authorizing Keyport Garden Club Use of Waterfront Park Gazebo, Mini-Park and Borough Hall on June 3-4, 2023, he asked Council to consider waiving the fees. He said they are volunteers and also tax payers who live in our community. He also said we need public bathrooms.

George Walling, 54 Second Street, asked is there a family discount for the shared recreation program with Union Beach. Ms. Humphrey said there is not. Regarding the waste contract, he asked if we can have the police issue summonses to the garbage company when they leave garbage cans in the street. Ms. Humphrey said Code Enforcement is addressing this.

Donna Purcell, 396 Maple Place, said in the past the bathrooms were always open during events and thinks the bathrooms started being closed during COVID. She thinks the KBBC has offered to pay to have them monitored. She said as taxpayers we pretty much own the building.

Elmer J. Graham Jr., 22 St. Peters Place, asked for an explanation of **R2023-100**

Authorizing a Refund to Trinity Solar of a Portion of the Construction Fees for Solar Panel Installation at the Property Located at 45 Atlantic Street. Mayor Araneo explained the resolution authorizes a refund on solar panels not being put in. Mr. Graham said he agrees with John Merla and Donna Purcell as far as use of the bathrooms in Borough Hall during events.

Kim Mundrane-Touhy, Keyport Garden Cub President, said 1,000 to 3,000 people come for the Garden Walk and we should consider the bathrooms remaining open. Mayor Araneo asked if the bathrooms were open last year. Ms. Mundrane-Touhy said they were not. She said we didn't ask for them to be open because they always were before COVID. Councilman Peperoni asked if there is anything else in the middle of town besides the two day class here. Kim said people get the maps at the Pavilion, the Mini Park has musicians that play all day long from 11AM to 3PM. They are from Musicians on a Mission and they donate their time. She said the Garden Club pre-promote and encourage people to eat in town. She said the application to sign up is on the Garden Club website. Mayor Araneo asked if prior to last year we had any issues with the bathrooms being open and asked what the reason was for them to be closed. Chief Torres said the

last issues we had when bathrooms were open to the public were DPW ran out of toilet paper and soaps. Chief Torres said if we are providing bathrooms then we have to continue to provide those necessities. She said there was also an incident recently during an event where somebody smeared feces all over and DPW employees had spent the following Monday cleaning it. As for the map, Ms. Mundrane-Touhy said she will give the Chief the map as soon as she knows the addresses.

Mike Lane, 51 First Street, asked is there a reason we are also not deducting the expense of the attorney to prepare the resolution **R2023-100** Authorizing a Refund to Trinity Solar of a Portion of the Construction Fees for Solar Panel Installation at the Property Located at 45 Atlantic Street, from the process. Regarding the bathrooms he said it could be open provided the Garden Club provide a person to monitor the use.

George Walling, 54 Second Street, said Mike brought up a good point about **R2023-100** Authorizing a Refund to Trinity Solar of a Portion of the Construction Fees for Solar Panel Installation at the Property Located at 45 Atlantic Street, and asked if it is possible to pull this tonight and do the research on how much the attorney charged these people.

There being no further comments or questions, the Meeting was closed to the public at 7:44PM Moved by Peperoni, carried by Reilly with ayes by all present.

Councilmember Vecchio said regarding **R2023-101** Resolution of the Mayor and Council of the Borough of Keyport Authorizing Keyport Garden Club Use of Waterfront Park Gazebo, Mini-Park and Borough Hall on June 3-4, 2023, that she did not want to charge the Garden Club. She feels they shouldn't be paying a fee as a volunteer organization and one that is always helping other committees.

Borough Administrator Kim Humphrey suggested that you might not waive the fees but consider their donation to the town for beautification as a payment in kind.

Mayor Araneo asked for a Motion to approve R2023-94 through R2023-101 making R2023-101 where we waive the fees with payment in kind.

Council President Davidson asked if there was going to be any discussion about **R2023-100** Authorizing a Refund to Trinity Solar of a Portion of the Construction Fees for Solar Panel Installation at the Property Located at 45 Atlantic Street, or can we put this through and research afterwards what the recommendation is. The Borough Attorney said you can move it forward and we can look at it. I'm going to assume if there were legal fees and there was an escrow account, it was taken out. If it wasn't, we can go back and redo it.

Mayor Araneo asked for a Motion to approve, Moved by Peperoni and carried by Davidson

Roll Call: Ayes: Demarest, Reilly, Vecchio, Peperoni, Davidson
Nays:
Absent: McNamara
Abstain:

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.)

- R2023-94 Payment of Bills Listed on the March 10, 2023 Bills List
- R2023-95 Payment of Bills Listed on the March 21, 2023 Bills List
- R2023-96 Resolution of the Borough of Keyport, County of Monmouth, New Jersey, Permitting the Transfer of 2022 Budget Appropriation Reserves Pursuant to N.J.S.A. 40A:4-59
- R2023-97 Authorizing Execution of a Contract with Jobs4Blue for Coordination of Off-Duty Employment of Police Officers
- R2023-98 Ratifying and Confirming a One-Year Extension of the Contract for Solid Waste & Recyclable Materials Collection and Disposal – Suburban Disposal, Inc.
- R2023-99 Authorizing Sewer Relief Due to Leaking Pipe at 145 Washington Street

- R2023-100 Authorizing a Refund to Trinity Solar of a Portion of the Construction Fees for Solar Panel Installation at the Property Located at 45 Atlantic Street
- R2023-101 Resolution of the Mayor and Council of the Borough of Keyport Authorizing Keyport Garden Club Use of Waterfront Park Gazebo, Mini-Park and Borough Hall on June 3-4, 2023

APPROVAL OF RESOLUTIONS

Motion to approve resolutions on the Consent Agenda Moved by Peperoni, carried by Davidson

Roll Call: Ayes: Demarest, Reilly, Vecchio, Peperoni, Davidson
Nays:
Absent: McNamara
Abstain:

INTRODUCTION OF ORDINANCE

1. Ordinance – Amending the Zoning Map of the Borough of Keyport

The Clerk read the Ordinance by Title: **AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF KEYPORT TO AMEND THE ZONING MAP TO ZONE BLOCK 94, LOT 18 INTO THE GENERAL MARINE COMMERCIAL DISTRICT (“GMC”)**

- 1a. Motion to introduce moved by Peperoni, carried by Davidson

Roll Call: Ayes: Demarest, Reilly, Vecchio, Peperoni, Davidson
Nays:
Absent: McNamara
Abstain:

- 1b. Motion authorizing the Clerk to forward the Ordinance as introduced to the Planning Board for review and publish the Ordinance in the Asbury Park Press for a public hearing Moved by Peperoni, carried by Davidson with ayes by all present.

2. Ordinance – Amending Chapter III, Article I, Police Department as to Fees

The Clerk read the Ordinance by Title: **AN ORDINANCE AMENDING SECTION 3-6.6 OF CHAPTER III, ARTICLE I (“POLICE DEPARTMENT”) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT WITH RESPECT TO FEES FOR OFF-DUTY POLICE SERVICES**

- 2a. Motion to introduce moved by Peperoni, carried by Davidson

Roll Call: Ayes: Demarest, Reilly, Vecchio, Peperoni, Davidson
Nays:
Absent: McNamara
Abstain:

- 2b. Motion authorizing the Clerk to publish the Ordinance as introduced in the Asbury Park Press for a public hearing Moved by Peperoni, carried by Vecchio with ayes by all present

COMMUNICATIONS BY CONSENT

Councilmember Reilly with regard to Communication #2 KBBC Program & Activity Request for Bayfest (chili and chowder crawl) to be held on Saturday, May 13, 2023 from 11AM-5PM at the Mini-Park/Stage/Gazebo/Waterfront Lawn area, said from the description of the event we want them to go into the restaurants and businesses.

Mayor Araneo asked Melissa O’Connell to come up and speak about the event.

Melissa O’Connell, Broad Street and KBBC, said the KBBC will pay for someone for the bathrooms, and even for the Garden Walk. She asked can we do a bathroom like Jake-A-Bob’s does. Ms. O’Connell said the tickets to walk around to the restaurants and sample chili and chowder are \$25.

Council President Davidson said if we have the agreement that KBBC will pay for a monitor, but then we also have to worry about someone from DPW being on hand to replenish everything, what do we want to do with this? Would that be additional overtime? Mayor Araneo said it would be overtime, but she feels the KBBC is contributing to having people come through our town and feels we should contribute part of it, too. She said let’s do it as split and shared with KBBC and see what the cost is.

(For Approval)

1. Application for a Social Affair Permit from the Keyport Yacht Club for a fundraising event to be held on April 28, 2023 from 6PM to midnight.
2. KBBC Program & Activity Request for Bayfest (chili and chowder crawl) to be held on Saturday, May 13, 2023 from 11AM-5PM at the Mini-Park/Stage/Gazebo/Waterfront Lawn area.

(To Receive and File)

3. Email dated March 7, 2023 from Gregory Kotzas advising of his resignation as an alternate member of Keyport Unified Planning Board.

APPROVAL and/or RECEIPT AND FILE OF COMMUNICATIONS

Motion to Approve Communications #1 and #2 and Receive and File Communication #3 Moved by Peperoni, carried by Reilly

Roll Call: Ayes: Demarest, Reilly, Vecchio, Peperoni, Davidson
Nays:
Absent: McNamara
Abstain:

MINUTES FOR APPROVAL

Motion to approve the February 21, 2023 Council Meeting Minutes Moved by Peperoni, carried by Davidson with ayes by all present

REPORTS

1. Municipal Clerk’s Report for February 2023
2. Tax/Water/Sewer Collector’s Report for February 2023
3. Board of Health Treasurer’s Report for February 2023
4. Building Department Report for February 2023
5. Municipal Court Report for February 2023

Motion to receive and file Reports Moved by Davidson, carried by Vecchio with ayes by all present.

NEW BUSINESS

UNFINISHED BUSINESS

Developer for 31 W. Front Street Tom Galante came forward with his architect Bill Tagland. Ms. Flynn said at the last meeting there were a number of questions and concerns about how your demolition would impact the neighbors. She said they had a meeting and she asked Mr. Galante to explain what was discussed at the meeting to the Council. Mr. Galante said he will shore up the buildings next door on both sides and bring each part down, not all at once. Each floor would be shored up. Mr. Tagland has designed a plan to shore the building up so there will be no collapse of any sort. He said it’s a labor intensive project, probably 15 feet at a time. Mr. Tagland

said we did an extensive inspection of the existing building when we prepared the condemnation letter.

He said there are older pieces of timber in the back. He said two main girders holding it up are tree trunks.

Councilmember Peperoni asked have you been in basements and attics of the buildings next door and Mr. Tagland said we would like to do that. Mr. Galante said our building contains itself, it's self-supporting. Outside that building there is another wall. Mr. Tagland's concern is undermining the foundations of the adjacent buildings. That's why we've prepared a shoring plan. It has to be systematically demolished. Mr. Galante said we talked about a preconstruction meeting. Mr. Jordan will be there. The Borough Administrator would suggest if any of our people from the Borough are going in that the attorney prepare a right of entry and hold harmless agreement. Council President Davidson said the next door owners may want to have their own inspection done as well.

Mayor Araneo asked, on behalf of Councilmember McNamara, who inspects for asbestos and other hazardous materials. Mr. Tagland said the demolition company would have all those bullet points to address. She also asked about FEMA, NJDEP, CAFRA, etc., approval permits required based on the new construction plan that includes extensive excavation, who checked to see if the CAFRA and other permits were applied for. Were all the permits applied for? Mr. Tagland said we are greater than 150 feet from the water and the property is 30 feet wide. CAFRA has what they call intervening development so there are a number of exemptions we would fall under.

Mayor Araneo said the public had raised some questions at the last meeting about special flood hazard area flood zone boundaries not being supplied. Item #25 of the Planning Board resolution it was noted that the site plan failed to show the flood zone map boundaries as required by ordinance. The applicant agreed as a condition of approval to include this information. Mr. Galante said this was updated and the plans are upstairs.

Ms. Flynn asked if they have secured insurance. Mr. Galante will provide a copy to the Borough Administrator to the Borough Engineer. Ms. Flynn said there were some questions about a flood plain manager and Mr. Galante said that's what was updated on the plans. Mr. Jordan said he's given it to his flood plain manager to review.

Councilmember Demarest questioned the digging and asked what you start out with. Mr. Galante said we start out with a backhoe, form everything out, put the steel in, and pour concrete as we go.

Mr. Galante said the Construction Officials are involved every step of the way.

DAIS UPDATES

Chief Torres said she is hoping the weather holds out for Saturday's Parade. She said they are in continued communication with JCP&L regarding light outages. The reporting process has been posted – follow Facebook for updates. Mayor Araneo asked how many lights have been reported besides the initial 68 and Chief Torres said five additional ones.

Borough Administrator Kim Humphrey said she is getting to know what is going on and it's been busy. She looks forward to working with everyone.

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments at 8:20PM Moved by Peperoni, carried by Vecchio with ayes by all present

John Merla said he is glad the lights are being addressed. He said there are two lights out in the back. Ms. Humphrey said the electric company is coming out to work on some lights by the boat ramp. He asked if we were looking at the light poles that are out at the condos on First Street. Mr. Merla said he is glad council approved the bathrooms. He mentioned he saw a male urinating on the Library lawn. He said we should tie in to water and sewer at the boat ramp for a bathroom.

George Walling asked how were those gentlemen were put down as Unfinished Business and said they should have been added prior. He said there is a lot of outstanding business. Mr. Walling asked about the Durango donation.

Mike Lane addressed issues with 31 W. Front Street. He asked if we have sign-off on a flood plain management [development] permit. Mr. Jordan said when T&M signed off all of those permits should have been in place and he's going to double check. Mr. Lane spoke about flood zone boundary delineation and moderate wave action. He said the plans do not show this. He said we are going to have wave action at the back of the building.

Mary Holtz, Manchester Avenue, said the Keyport Fire Museum opening day invitations were sent out. It starts at 10AM and honors the volunteers and an Eagle Scout.

Elmer J. Graham, Jr. spoke about We Care Health Care needing volunteers. The number to call is 732-741-4323.

Nancy Carew, 64 Broadway, announced there is a brand new door on the Library and it works the way it should. She said there was a massive garden cleanup in front of the Library and Mr. Carew cleaned up the benches.

Gary Carr, 16 Broad Street, sells new and used fishing tackle. He talked about a 24-hour bait machine and live-feed video camera to go on the building. He said he would cover cost and also Wi-Fi, if needed. Camera is full pan zoom. Councilman Peperoni asked is it a franchise? No.

Jackie Kovacs, 45 Church Street, said that at the old Steamboat Dock Museum she's sure there's a water and sewer connection. It's past time to look into something like that or a porta-potty trailer could be brought in.

There being no further comments the Meeting was closed to the public at 8:42PM Moved and carried with ayes by all present

ADJOURNMENT

Motion to Adjourn at 8:42PM moved by Peperoni, carried by Reilly with ayes by all present