

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 7:02PM and 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: Mayor Aumack, Borough Administrator Stephen Gallo and Borough Attorney Karl Kemm, Esq.

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

PROCLAMATION

The Borough Clerk read the Mayor's Alcohol 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 Heilweil read the items listed on the Consent Agenda

R114-17 Payment of Bills

R115-17 Certifying Cost of Snow Removal and Placing a Lien upon Such Lands – 10 properties

R116-17 Authorizing Cancellation of a Municipal Tax Sale Certificate 16-00009

R117-17 Authorizing Contract Award for Grass Cutting & Soil Testing of Various Municipal Properties – JPV Services

R118-17 For Approval of a Formal Agreement for a Hot Dog Vendor In Keyport Waterfront Park

R119-17 Canceling the June 6th, 2017 Meeting of the Mayor and Council

R120-17 Hiring of Temporary Part-Time Clerical for Senior Center – Amanda Trumbauer

R121-17 Authorizing Temporary Appointment of Acting Supervisor of Senior Center not to exceed six months – Madeline Costello

R122-17 Authorizing Advertisement of Availability of a Lease for Boat Docking Facilities in Keyport Harbor for Recreational and Fishing Services

R123-17 Authorizing Purchase of Two Police Vehicles under State Contract not to exceed \$40,000 each

Councilman Goode asked about the tax appeal invoice on the bill's list and **R117-17** Authorizing Contract Award for Grass Cutting & Soil Testing of Various Municipal Properties – JPV Services

Administrator Gallo gave explanations.

Councilman Goode asked about the purchase of the police vehicles.

Councilwoman Lamberson would like to pull **R123-17** Authorizing Purchase of Two Police Vehicles under State Contract not to exceed \$40,000 each.

Mayor Aumack agreed.

Administrator Gallo explained the State contract prices will be increasing by about \$2,000 per vehicle.

Councilman Sheridan believes we should purchase now.

Councilwoman Kennedy requested to pull **R122-17** Authorizing Advertisement of Availability of a Lease for Boat Docking Facilities in Keyport Harbor for Recreational and Fishing Services for separate consideration because she has questions.

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments or questions on items listed on the agenda at 7:15PM moved by Sheridan, carried by Pacheco with ayes by all present

Dan Fox, 40 Church Street – asked where the police vehicles are coming from.

Elmer Graham, Jr., 22 St. Peters Place – asked about **R115-17** Certifying Cost of Snow Removal and Placing a Lien upon Such Lands – *10 properties*.

Administrator Gallo – explained vacant property owners that do not clear the snow have it cleared by a contractor and the Borough places a lien on the property for the cost.

Elmer Graham, Jr. – asked about **R116-17** Authorizing Cancellation of a Municipal Tax Sale Certificate 16-00009.

Michael Lane, 51 First Street – asked about the following:

- Municipal Public Access Coastal Vulnerability
- Community Rating System
- 2017 Assessment Program overview
- status of Borough-owned property for sale
- what happened to Williamson Street
- disturbances that took place at St. Patrick's Day Parade

Councilwoman Kennedy – stated she has questions about **R122-17** Authorizing Advertisement of Availability of a Lease for Boat Docking Facilities in Keyport Harbor for Recreational and Fishing Services. She has some concerns regarding parking. Those who use the boat come in early in the morning, park all day and leave hours later.

Administrator Gallo – requested a meeting with NJDEP. The DEP wants to encourage recreational use of the waterfront. Some of those who have inquired would like to run a party boat or charter boat but would not stay docked at the waterfront.

Motion at 7:25PM to open the meeting to the public for comments or questions regarding **R122-17** Authorizing Advertisement of Availability of a Lease for Boat Docking Facilities in Keyport Harbor for Recreational and Fishing Services moved by Sheridan, carried by Pacheco with ayes by all present

Ed Burlew, 59 W. Front Street – stated he agrees with Councilwoman Kennedy regarding Captain John's patrons using much of the parking.

Administrator Gallo – stated we can't have a time limitation for parking at the waterfront due to that property being Green Acres. This resolution allows us to advertise.

Dennis Fotopoulos, 77A Beers Street – stated he fishes off the pier and he does catch fish. He spoke of redevelopment plans where variances are given for parking. He says Captain John's fishing boat was a destination business.

Andrew Kelsey, 29 St. Peters Place – Parking is a problem for Keyport, but not because of the boat lease.

Maryanne DeVarti - suggested putting a separate charge for parking into the Waterfront Park boat lease.

Administrator Gallo – stated the next step is to create specs. We could require the person leasing to provide parking.

There being no further comments or questions, the meeting was closed to the public at 7:38PM moved by Sheridan, carried by Goode with ayes by all present

Motion to adopt **R122-17** Authorizing Advertisement of Availability of a Lease for Boat Docking Facilities in Keyport Harbor for Recreational and Fishing Services moved by Sheridan, carried by Goode

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

APPROVAL OF RESOLUTIONS

Motion to approve items listed on the Consent Agenda, with the exception of **R122-17** Authorizing Advertisement of Availability of a Lease for Boat Docking Facilities in Keyport Harbor for Recreational and Fishing, moved by Sheridan, carried by Pacheco

Roll Call: Ayes: Pacheco, Sheridan, Kennedy, Lamberson, Cooper, Goode
Nays:
Absent:
Abstain: Lamberson - **R120-17** Hiring of Temporary Part-Time Clerical for Senior Center – *Amanda Trumbauer* and **R121-17** Authorizing Temporary Appointment of Acting Supervisor of Senior Center not to exceed six months – *Madeline Costello*

COMMUNICATIONS AND PETITIONS

1. Email from Life Scout, John Mallon, of Boy Scout Troop 364 in Keyport requesting permission to build a six by eight-foot shed and two four-foot by eight-foot raised flower beds for the Keyport Garden Club in the Community Garden on Church and Elizabeth Streets for the purpose of an Eagle Scout Service Project benefitting the community

The Garden Club was hoping for electrical hookup. This project would only require a zoning permit - no building permit.

Motion to approve and forward to the Garden Club moved by Sheridan, carried by Pacheco with ayes by all present

2. Monthly Report through March 2017 from Millennium Strategies

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

3. Minutes of the Keyport Senior Bus Project Sub-Committee Meeting of February 28, 2017

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

4. Request for Use of Borough Property from Keyport Garden Club. Requesting the use of Council Chambers on June 3rd and 4th from 8-11AM for the purpose of Keyport GardenWalk GardenTalks

Motion to approve and waive the fee moved by Goode, carried by Sheridan with ayes by all present

5. Email request from Recreation Committee seeking permission for the Keyport Easter Egg Hunt at Waterfront Park on Sunday, April 9th from 1-4PM. Also requesting the closure of American Legion Drive at 12 noon and, extra garbage cans and eight to ten tables

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

6. Email request from Recreation Committee requesting approval of 2017 Calendar of Events

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

7. Letter from Planning Board Attorney recommending adoption of the Brown's Point Marina Redevelopment Plan provided three recommendations are incorporated into the plan

Motion to accept with the understanding that there is a typo in paragraph (2), moved by Goode, carried by Sheridan with ayes by all present

8. Keyport Tax Assessor's Five Year Analysis

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

APPROVAL OF MINUTES

Councilman Goode requested the bottom of page 5 be amended to read "If the Council approves the Redevelopment Plan..."

Motion to approve the March 7, 2017 – Work Session Minutes moved by Pacheco, carried by Sheridan with ayes by all present

NEW BUSINESS

None

UNFINISHED BUSINESS

Mayor Aumack - asked about Williamson Street.

Administrator Gallo – stated it has been vacated. He will inquire further with the Building Department.

Councilwoman Kennedy - reminded everyone the county-wide shredding event will take place here on May 20th.

ATTORNEY'S REPORT

Borough Attorney stated he read the Administrator's report. He asked everyone to review the redevelopment plan for Brown's Point.

ADMINISTRATOR'S REPORT

Borough Administrator Stephen Gallo reported on the following:

- held a pre-construction meeting for the omnibus paving job
- held a meeting about dumpsters
- attended a KBBC events meeting
- attended the Planning Board meeting
- met with our attorneys regarding outstanding issues
- met with Maser Consulting engineers
- met with a resident regarding establishing an art studio on W. Front Street
- met with Local 68 Sal Costanza
- met with Paul McKeefry about several concerns
- met with Charlie Merla
- met with resident Dwight Walker
- met with Bob Burlew regarding succession planning
- had a meeting regarding the new zoning ordinance with Mike Lane, Trevor Taylor and our consultant, Donna Miller from T&M
- met with the Public Defender regarding bail reform

- Route 36 DOT work – contractor Stavola was on site yesterday and should return tomorrow
- Garbage Hauling Contract – we have received generally favorable feedback
- 2016 Road Improvement Program – held a pre-construction meeting regarding the contract which is about to commence. The contractor, Lucas Brothers Paving of Morganville, will begin with water main work, followed by curbs and sidewalks where indicated, and final milling and paving. We will provide advanced notice of work via the Borough website, robocalls and Facebook. Homeowners who do not want their sidewalk disturbed will be given the opportunity to decline.
 - 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
- Keyport Master Plan – has been adopted by the Keyport Unified Planning Board. We are grateful for the high level of public participation and input into this product
- Aeromarine Redevelopment Plan – I am receiving intel that the owner is actively looking to sell the property
- Longview/Boatworks Redevelopment Plan – the developer is expected to break ground sometime this spring
- Ye Cottage Inn property – the liquor license transfer is being processed and the new owners hope to gain land use approvals in time to open for this summer
- Gales Hardware – a new owner is planning on developing market rate apartments at this location over ground floor retail. The ground floor space is currently available for rent.
- Long Range Flood Mitigation Planning – we are meeting tomorrow afternoon with our marine and coastal consultants to develop a plan to respond to the Army Corps of Engineer's report
- Post Sandy Planning Assistance Grant – Round 2 – we are in the process of wrapping up each of these projects. We met with Donna Miller from T&M regarding out zoning ordinance amendments which when complete will be reflective of the approved Master Plan. The new zoning ordinance will encourage storm preparedness and resiliency.
- Benjamin Terry Park County Open Space Grant – we are commissioning a project to make certain improvements at Terry and Veterans Parks
- USDA-RD Funded – Perry Street Water Treatment Plant Upgrades – this project continues
- Senior Center Director – the job posting for the Senior Center Director expires on April 5th. The Civil Service Commission will evaluate and rank all applicants and we will choose one of the top three eligible candidates. Wendy retired as of April 1st and Madeline Costello is serving as Acting Director.
- Vacant Property Initiatives – had a meeting with the team and discussed the process of doing a scattered site redevelopment plan. Laurie and Paul are working to gather relevant information to support the study and we will get a proposal from our planners to conduct the study. If the buildings are found to be in need of rehabilitation, we can utilize all of the tools available to facilitate moving the properties back into productive use.
- Water Tower – we have received a number of inquiries regarding our interest in leasing out a section of the tower for a curved electronic advertising sign. The proposer would pay us rent and provide us advertising time for Keyport events.

PUBLIC COMMENT PORTION

Councilman Sheridan – stated the Environmental Commission is having a clean-up on Stone Road on Saturday, April 8th at 9AM.

Councilwoman Pacheco – stated on April 22nd there will be rain barrel demonstrations at the Library.

The Meeting was opened to the public for comments or questions at 8:06PM moved by Sheridan, carried by Goode with ayes by all present

Junior Romero, Food & Water Watch – spoke about the gas transpipeline from Lancaster County, Pennsylvania through the Raritan Bay. His group is opposed to this project. He is concerned about leaks which every gas pipeline has. The gas is compressed and similar to a liquid form. He wants to work with Mayor and Council to create a resolution opposing the project. He stated he will stay around after the council meeting to answer any questions. He further stated none of this gas goes to New Jersey, it goes from Pennsylvania to Queens.

Maryanne DeVarti – stated the pipe will be underwater but will not be underground. She said that after 70 years, oil still drips in Pearl Harbor.

Mike Lane – spoke about residence at 108 Broad Street which received a use variance several years ago. He asked whether it was still valid. It was going to be a kitchen design center.

There being no further comments or questions, the meeting was closed to the public at 8:16PM, moved by Sheridan, carried by Pacheco with ayes by all present

Borough Attorney read the Closed Session subject matter

Motion at 8:18PM to go into Closed Session after a three-minute break moved by Sheridan, carried by Pacheco with ayes by all present

CLOSED SESSION

RESOLUTION #124-17

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) personnel and contract negotiation matters relating to Police Chief George Casaletto, and (b) matters subject to attorney-client privilege as authorized by N.J.S.A. 10:4-12(b) 3, 7 and 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 April 4, 2017 and determined that an Executive Session closed to the public shall be held on April 4, 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, Lamberson, Cooper, Goode

NAYS:

ABSENT:

Council reconvened to Open Session at 9:23PM. The Borough Attorney stated what was discussed in Closed Session:

- potential contract of employment – Chief of Police
- special counsel to negotiate
- personnel - threatened litigation from specific employee

ADJOURNMENT

Motion made and carried at 9:25PM to Adjourn