

Minutes of the Regular Meeting of the Mayor and Council, Borough of Keyport, held on the above date in Borough Hall Council Chambers, Keyport, NJ, pursuant to 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. The Borough Clerk read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Demarest, Reilly, Vecchio, Peperoni, McNamara, Council President Davidson and Mayor Araneo. Also present were Borough Attorney Victoria Flynn, Borough Engineers Derek Jordan and Robert Bucco, Borough Redevelopment Counsel John Cantalupo, and Police Chief Shannon Torres.

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

Mayor Araneo held a moment of silence for the three children and three adults killed at The Covenant School in Tennessee on March 27th. She also remembered the nine servicemen killed in the Black Hawk helicopter crash in Kentucky, one being from New Jersey, Army Sgt. David Solinas, Jr.

PROCLAMATION PRESENTATION

Mayor Araneo called Dawn Burke forward and read the National Donate Life Month Proclamation. Mayor Araneo said the gazebo lights will be lit green the month of April for Donate Life Month. Ms. Burke thanked the Mayor, the Council, and the businesses in town for posting her posters.

Mayor Araneo stated we are going into Closed Session before the Public Comment Session. Borough Attorney Vicky Flynn read Closed Session **Resolution #2023-116** 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.

Motion to go into Closed Session at 7:07PM moved by Peperoni, carried by Davidson with ayes by all present.

Council reconvened to Open Session, moved and carried, at 8:48PM.

Borough Engineer Derek Jordan provided an update regarding the 31 W. Front Street project. He explained the purpose of the Developer's Agreement and said the approval of the agreement does not supersede or eliminate any construction requirements.

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments on Resolutions and Communications at 8:50PM moved by Peperoni, carried by Davidson with ayes by all present.

Michael Lane, 51 First Street, said he had the opportunity to meet with Derek and Bill White this afternoon. He spoke about the Developer's Agreement and the Flood Damage Prevention Ordinance. Mr. Lane said this project is in a flood hazard area and that requires the applicant to make application for a permit. He said no application has been submitted and the site plan does not delineate the flood zones. He believes the project is not buildable and urged the council to take the time to make sure the issues get worked out and not move forward until then.

Elmer J. Graham, Jr., 22 St. Peters Place, asked for an explanation of **R2023-111** Authorizing the Borough of Keyport to enter into the Buy Board National Purchasing Cooperative Inter-local Participation Agreement, which the Borough Administrator provided.

Motion to close the Meeting to the Public at 8:59PM moved by Peperoni, carried by Davidson with ayes by all present.

Councilmember McNamara, regarding **R2023-114** Authorizing Keyport Bayfront Business Cooperative (KBBC) 2023 Events on Borough Property said she noticed the KBBC estimated what the fees should be but she's not sure we've confirmed that on our side. She also noticed on probably 90% of the event forms they've requested the bathrooms be open. I'm not sure we've resolved how we want to handle all that. My suggestion would be to okay the dates and work through the nitty-gritty. The same thing with **R2023-115** Authorizing Keyport Bayfront Business Cooperative (KBBC) Farmers Market to be Held in Fireman's Park, which says the fees have not yet been determined. No objections were received.

Council President Davidson said she agrees with Councilmember McNamara to approve the dates and the events. She said the event form for the Car Show says "85 cars" and asked wasn't the lot reserved for overflow cars in the past? She believes there have been over 100 cars for the car show.

Mayor Araneo asked Melissa O'Connell to speak on that.

Melissa O'Connell, 81 Broad Street, Fun House said they used to do a lot more cars but we now stop at 85 cars.

Councilmember Vecchio asked about the date for the Snapper Contest. Mayor Araneo said we can approve the resolution with the change of the date.

Councilmember McNamara noticed another overlap with the Recreation Trunk or Treat. She asked to change the date on the resolution for approval from October 21st to October 28th.

Mayor Araneo said we can change the date for the KBBC event from the 21st to the 28th on the resolution.

Mayor Araneo asked to Table **R2023-108** Authorizing the Appointment of Robert Kutschman as Laborer-1 in the Department of Public Works. Motion to Table moved by Peperoni, carried by Reilly with ayes by all present.

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.)

- R2023-89 Authorizing the Borough of Keyport to enter into the Developer's Agreement with 31 West Front Street, LLC (*tabled March 7, 2023*)
- R2023-102 Payment of Bills Listed on the March 24, 2023 Bills List
- R2023-103 Payment of Bills Listed on the April 4, 2023 Bills List
- R2023-104 Authorizing the Purchase of a Police Vehicle and Related Equipment through the New Jersey State Cooperative Purchasing Program
- R2023-105 Authorizing Donation of a Vehicle to Keyport Public Schools for Use and/or Disposal
- R2023-106 Authorizing the Appointment of Special Law Enforcement Officer
- R2023-107 Accepting Resignation of Department of Public Works Superintendent Robert Kutschman and Naming Steven O'Dwyer Temporary Acting Department of Public Works Superintendent
- R2023-108 Authorizing the Appointment of Robert Kutschman as Laborer-1 in the Department of Public Works
- R2023-109 Authorizing Designated Improvements as Part of the Neighborhood Preservation Program (NPP) Year 3 Implementation Plan
- R2023-110 Authorizing an Appointment to the Green Team of the Borough of Keyport – Dennis Fotopoulos
- R2023-111 Authorizing the Borough of Keyport to Enter into the Buy Board National Purchasing Cooperative Interlocal Participation Agreement
- R2023-112 Appointing the Business Administrator as the New Jersey Civil Service Appropriate Authority for the Borough of Keyport
- R2023-113 Authorizing Borough of Keyport Police Department Police Week Event
- R2023-114 Authorizing Keyport Bayfront Business Cooperative (KBBC) 2023 Events on Borough Property

R2023-115 Authorizing Keyport Bayfront Business Cooperative (KBBC) Farmers Market to be Held in Fireman's Park

APPROVAL OF RESOLUTIONS

Mayor Araneo asked for a Motion to approve **R2023-89** Authorizing the Borough of Keyport to enter into the Developer's Agreement with 31 West Front Street, LLC (*tabled March 7, 2023*) through **R2023-115** Authorizing Keyport Bayfront Business Cooperative (KBBC) Farmers Market to be Held in Fireman's Park, with changes to the dates for the KBBC events on September 9th for I Heart Keyport and the date of BeWitched to October 28th, get back on the fees and the bathrooms, and Table **R2023-108** Authorizing the Appointment of Robert Kutschman as Laborer-1 in the Department of Public Works, Moved by Peperoni, carried by Davidson

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

PUBLIC HEARING/ADOPTION OF ORDINANCE

1. 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**

1a. Motion to Open Public Hearing at 9:06PM moved by Davidson, carried by Peperoni with ayes by all present.

Elmer J. Graham Jr., asked for an explanation of this ordinance. Ms. Flynn explained we are cleaning up the ordinance for how we pay for off-duty police services.

1b. Motion to Close Public Hearing at 9:07PM moved by Peperoni, carried by Davidson with ayes by all present.

1c. Motion adopt Ordinance moved by Peperoni, carried by Davidson

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

1d. Motion authorizing the Clerk to publish the Ordinance as adopted moved by McNamara, carried by Peperoni with ayes by all present.

MAYOR'S UPDATES

Mayor Araneo said in past meetings we discussed notices of violations that we were getting from the DEP due to the vehicles that were left behind for years at our DPW yard. She said we put those items up for sale and received \$62,000. We are in compliance with the DEP. She thanked Ms. Humphrey and Councilmember Demarest for pushing that through. She told Mr. Graham that we reached out to We Care Adult Care and received brochures which we will leave here and at the Keyport Senior Center. She advised that the Recreation Easter Egg Hunt has changed to this Saturday due to rain.

DAIS UPDATES

Borough Administrator Kim Humphrey said she will grow a list of Unfinished Business items as things are brought up to her.

Borough Engineer Derek Jordan gave an update regarding the water infiltration problem for which he received a report. He is reviewing it with the Administrator.

MINUTES FOR APPROVAL

Motion to approve the March 7, 2023 Council Meeting Minutes Moved by Peperoni, carried by Davidson with ayes by all present.

NEW BUSINESS

UNFINISHED BUSINESS

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments at 9:10PM, Moved by Peperoni, carried by Vecchio with Ayes by all present.

John Merla, 34 Broad Street, addressed property maintenance issues, specifically downtown regarding garbage not in cans and tenants putting garbage out. He said we should enforce the ordinances. Mayor Araneo and Ms. Humphrey spoke about an additional code enforcement hire and numbers of violations issued. Ms. Humphrey said the current ordinance needs to be amended. It allows 30 days to mitigate a problem and that doesn't assist when it comes to a garbage violation. Mr. Merla talked about lights missing or not working, issues with lights on signs not working. He suggested a 5-year sign replacement program and looking into a shared service with the County sign shop. Ms. Humphrey said she is already working on it with the County and the NPP. Mr. Merla said we need garbage cans on the Henry Hudson Trail and we should look into that with the County. Regarding the Elizabeth Street Community Garden he said a Scout Leader wants a project and Keyport-Matawan Elks is willing to work with them in cleaning the site. He said something in writing will be forthcoming.

Mayor Araneo stated no compost is allowed on Borough property per the DEP. Ms. Humphrey will be reaching out the Garden Club.

Councilmember McNamara said regarding the garden that work is just starting up. She suggested Mr. Merla reach out regarding work parties.

George Walling, 54 Second Street asked who put **R2023-89** Authorizing the Borough of Keyport to enter into the Developer's Agreement with 31 West Front Street, LLC (*tabled March 7, 2023*) on the agenda and asked why the attorney got involved. He said make sure names are given when they come up to speak. Mr. Walling said to follow up with what John said about street signs, a lot of numbers on houses don't comply.

Michael Lane said the new Flood Damage Prevention Ordinance requires us to have a flood plain development process and that it be enforced. Who is going to ensure the process is followed? Ms. Flynn said the Construction Department/Building Department makes sure the laws are enforced. She said the Planning Board resolution terms are incorporated into the Developer's Agreement. Mr. Lane said there are problems in the land use requirements.

Elmer J. Graham, Jr., asked Mayor Araneo if there was anything new on the Veterans Committee. Mary Araneo said she reached out to the American Legion.

There being no further comments the Meeting was closed to the Public at 9:36PM Moved by Peperoni, carried by Davidson with ayes by all present.

ADJOURNMENT

Motion to Adjourn at 9:36PM Moved by Peperoni, carried by Reilly with ayes by all present