

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.

Councilman Sheridan ran the meeting in the absence of Mayor Aumack and Council President McPeck. Councilman Sheridan called the meeting to order at 7:01PM and Borough Clerk Heilweil read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Chamberlain, Sheridan, Howe, Lamberson and Cooper. Others present: Borough Administrator Stephen Gallo and Borough Attorney Gordon Litwin. Mayor Aumack and Councilman McPeck were absent.

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

PROCLAMATIONS

Councilman Sheridan read each Proclamation:

- Alcohol Awareness Month
- National Volunteer Month

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.)

Clerk Heilweil read the items on the Consent Agenda

R124-15 Payment of Bills

R125-15 Appointing as Part-Time Clerical Worker in the Building Department on a Temporary Basis – Jessica Wroblewski

R126-15 Setting and Confirming Salary of the Police Records Clerk

R127-15 Provisional Appointment to the Position of Technical Assistant to the Construction Official (TACO) – Laurie Graham

R128-15 Appointment of 2015 Tax Defense Counsel

R129-15 Appointing Two Class II Police Officers to the Keyport Police Department – Michael Handler & Francis Currier

R130-15 Authorizing the Purchase of a John Deere Backhoe Loader through the NJPA Purchasing Cooperative

R131-15 Authorizing the Keyport Police Department to Apply and Participate in the New Jersey Federal Surplus Property Program

R132-15 Authorizing the Application of the Keyport Police Department in the United States Department of Defense's 1033 Program for the Transfer of Surplus Military Equipment

R133-15 Authorizing Approval of Raffle License – Jesus the Lord Church – On-Premise Tricky Tray to be held on April 26th from 1-5PM

R134-15 Authorizing Approval of Raffle License – Jesus the Lord Church – On-Premise 50/50 Raffle to be held April 26th from 1-5PM

R135-15 Authorizing Award of Contract for Computer Support and Technical Services – Aton Computing, Inc.

R136-15 Appointing Consulting Engineering Services – Environmental – Special Projects

R137-15 Authorizing Award of Contract for Consulting Engineering Services relating to the Removal of Library Asbestos

R138-15 Extending the Appointments of the Interim Court Administrator and the Interim Deputy Court Administrator of the Keyport Municipal Court for a Period Not to Exceed Three (3) Months

R139-15 Authorizing Award of Sanitary Sewer System Upgrades, Inflow/Infiltration Reduction Program – Phase III, Contract 3A-2, Sanitary Sewer Rehabilitation – North American Pipeline, LLC

Councilman Chamberlain – asked about the Fire Boat invoice for Brown’s Point Marina

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments or questions on items listed on the agenda at 7:11PM moved by Howe, carried by Chamberlain with ayes by all present

Elmer Graham, Jr., 22 St. Peters Place – asked the purpose of certain resolutions:

- **R128-15** Appointment of 2015 Tax Defense Counsel
- **R130-15** Authorizing the Purchase of a John Deere Backhoe Loader through the NJPA Purchasing Cooperative
- **R132-15** Authorizing the Application of the Keyport Police Department in the United States Department of Defense’s 1033 Program for the Transfer of Surplus Military Equipment
- **R135-15** Authorizing Award of Contract for Computer Support and Technical Services – Aton Computing, Inc.
- **R139-15** Authorizing Award of Sanitary Sewer System Upgrades, Inflow/Infiltration Reduction Program – Phase III, Contract 3A-2, Sanitary Sewer Rehabilitation – North American Pipeline, LLC

Administrator Gallo – explained **R128-15** Appointment of 2015 Tax Defense Counsel is for a specialized service to defend tax appeals, as well providing explanations for the other resolutions.

Michael Lane, 51 First Street – relayed a negative experience he recently had at the joint court in Hazlet. He would like our new Court Administrator to be able to prioritize cases. He requested updated on:

- Lt. Gallo situation
- Tax Assessor’s report (time frame and location of the 20% of properties being inspected this year)
- vacation of Williamson Street

Administrator Gallo – responded saying:

- Lt. Gallo has officially applied for retirement. We are waiting for Pension Board approval.
- Williamson Street – developer needs to go before Planning Board for site plan approval. Upon approval there will be an Ordinance for vacation of that street.

There being no further comments or questions the Meeting is closed to the public at 7:25PM moved by Chamberlain, carried by Cooper with ayes by all present

APPROVAL OF RESOLUTIONS

Attorney Litwin – Regarding the Sanitary Sewer System contract award, the low bidder forfeited the bid by not supplying a Certificate of Surety, which was a fatal flaw. The contract is being awarded to the second-lowest bidder.

Motion on the Consent Agenda moved by Chamberlain, carried by Howe

Roll Call: Ayes: Chamberlain, Sheridan, Howe, Lamberson, Cooper
Nays:
Absent: McPeck
Abstain:

PUBLIC HEARINGS/ADOPTION OF ORDINANCES

1. Ordinance #8-15 – COLA Rate Ordinance

The Clerk read the Ordinance by Title:

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**

- 1a. Motion to Open Public Hearing at 7:28PM moved by Chamberlain, carried by Lamberson with ayes by all present.

Seeing no one, motion to Close Public Hearing at 7:28PM moved by Howe, carried by Chamberlain with ayes by all present

- 1b. Motion to adopt Ordinance moved by Lamberson, carried by Chamberlain

Roll Call: Ayes: Chamberlain, Sheridan, Howe, Lamberson, Cooper

Nays:

Absent: McPeck

Abstain:

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

2. Ordinance #9-15 – Intra-County Mutual Aid & Assistance

The Clerk read the Ordinance by Title:

**AN ORDINANCE AUTHORIZING THE BOROUGH OF KEYPORT TO
PARTICIPATE IN AN INTRA-COUNTY MUTUAL AID AND ASSISTANCE
AGREEMENT BETWEEN PARTICIPATING UNITS IN THE
COUNTY OF MONMOUTH**

- 2a. Motion to Open Public Hearing at 7:29PM moved by Chamberlain, carried by Howe with ayes by all present

Seeing no one, motion to Close Public Hearing at 7:29PM moved by Chamberlain, carried by Lamberson with ayes by all present

- 2b. Motion to adopt Ordinance moved by Chamberlain, carried by Howe

Roll Call: Ayes: Chamberlain, Sheridan, Howe, Lamberson, Cooper

Nays:

Absent: McPeck

Abstain:

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

3. Ordinance #10-15 – Amend Fees for Off-Duty Police Services

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**

- 3a. Motion to Open Public Hearing at 7:30PM moved by Chamberlain, carried by Lamberson with ayes by all present

Seeing no one, motion to Close Public Hearing at 7:30PM moved by Howe, carried by Cooper with ayes by all present

- 3b. Motion to adopt Ordinance moved by Chamberlain, carried by Lamberson

Roll Call: Ayes: Chamberlain, Sheridan, Howe, Lamberson, Cooper
Nays:
Absent: McPeek
Abstain:

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

INTRODUCTION OF ORDINANCES

1. Ordinance – CERT & First Aid Auxiliary members to be exempt from certain fees

The Clerk read the Ordinance by Title:

AN ORDINANCE AMENDING SECTION 20 (“EXEMPTION FROM CERTAIN FEES FOR CERTAIN VOLUNTEERS”) OF CHAPTER II OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT TO INCLUDE COMMUNITY EMERGENCY RESPONSE TEAM MEMBERS AND KEYPORT FIRST AID AUXILIARY MEMBERS

- 1a. Motion to introduce moved by Chamberlain, carried by Howe

Roll Call: Ayes: Chamberlain, Sheridan, Howe, Lamberson, Cooper
Nays:
Absent: McPeek
Abstain:

- 1b. Motion authorizing the Clerk to publish the Ordinance as introduced in the Asbury Park Press for a public hearing moved by Chamberlain, carried by Lamberson with ayes by all present

COMMUNICATIONS AND PETITIONS

1. Letter of Resignation from Keyport Harbor Commission Member Wade Pederson

Motion to Table moved by Lamberson, carried by Chamberlain with ayes by all present.

2. Letter of Resignation from Keyport Recycling Commission Member Christian Bolte

Motion to accept with regret moved by Howe, carried by Lamberson

3. Letter and flyer from Keyport Superintendent of Schools regarding Community Day scheduled for Saturday, May 16, 2015 (same day as Artisan Festival)

Motion to receive, file and display on electronic board moved by Lamberson, carried by Cooper with ayes by all present

4. Email from Espresso Joes requesting the minipark for the 1st, 2nd and last Sunday of each month for the purpose of musical concerts (from June-September 1PM-4PM)

Motion to approve moved by Lamberson, carried by Chamberlain with ayes by all present

5. Letter from NJDCA informing the Borough that Construction Official Robert A. Burlew has been selected as the 2015 Building Inspector of the Year and will be honored at an awards luncheon during the Building Safety Conference of New Jersey to be held on May 7th in the Traymore Ballroom of Bally's Atlantic City from Noon to 2PM

Motion to receive, display on electronic board and present a Certificate of Recognition moved by Cooper, carried by Chamberlain with ayes by all present

6. Letter of Resignation (email) from Recreation Commission member Keith Sargeant

Councilwoman Lamberson - stated Keith Sargeant was a valuable addition to the

Commission.

Motion to accept with regret moved by Lamberson, carried by Chamberlain with ayes by all present

NEW BUSINESS

None

UNFINISHED BUSINESS

Harbor Commission – Hot Dog Vendor

Clerk Heilweil reported RFP's are due next week. No one has picked up specs at this point although the former hot dog vendor was notified.

Councilwoman Lamberson – would like to review the process of how mobile licenses are assigned. She witnessed bread deliveries being made at a mobile vendor's fixed location.

ATTORNEY'S REPORT

Attorney Litwin reported on the following:

- Working on Shoreland issue with the Borough Administrator
- Spoke of the possibility of a second interconnection. Scope of that work is about \$25,000.

Administrator Gallo – stated Keyport was contracted with Shorelands and NJ Water Supply Authority. We operate our plant for four (4) months, from May-August. Everyone seems to prefer Keyport water. The Plant would need upgrades and improvements to be able to produce more water which would reduce our reliance on outside agencies, but the Borough is cautious not to make investments that will not produce a savings.

ADMINISTRATOR'S REPORT

Administrator Gallo reported on the following:

- FEMA update – had a meeting
- Met with new lawn service company who had over 125 municipal references
- Administrator, Clerk and Police Chief met with KBBC regarding upcoming antique event
- On-going meeting with Union Representative
- Attended First Aid dinner and St. Patrick's Day Parade
- Municipal Court functioning well – waiting for certified list
- Continuing with USDA funded water-sewer projects. Replacing sewers and water mains
- Water pressure issue this morning due to opening hydrants
- Elizabeth Street standpipe has been removed
- Hazard Mitigation projects
 - both a backup and permanent generator at the water treatment plant
- Water system assessment is underway
- Firemen's Park repairs – substantially complete
- Repairing W. First, Third and Luppataong
- Working on Municipal Public Access Plan – April 28th meeting
- Scott Hicks has begun certification classes for Municipal Public Works Manager
- Met with Recreation Commission – would like a calendar of events in January
- Working with Mike Lane and Bob Burlew regarding the ramifications of ignoring flood insurance premiums. Will have a meeting with experts for the public.

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments or questions at 8:08PM moved by Chamberlain, carried by Lamberson with ayes by all present

Ed Carew, 64 Broadway – would like to see Elizabeth Street standpipe property become a community garden. Would need fencing and water supply from the Borough. Says Jim Bacci, who lives across the street, would be willing to act as the gatekeeper.

Motion made for Buildings and Grounds to look at this as a temporary possible use moved by Sheridan, carried by Howe with ayes by all present

Elmer Graham, Jr., - asked what the latest is on the abandoned properties in the Borough.

Administrator Gallo – explained an Ordinance requiring registration of those properties was passed and a list is being worked on through the Building Department.

Councilman Sheridan – also requested that the Construction Official attend the second Council Meeting of each month.

Councilman Howe – stated the registration fee will double if not registered by May 1st.

Mike Lane – asked if a vacant lot is considered an abandoned property. He said Freeholders have their own agenda so he feels honoring Construction Official Burlew with recognition at that meeting may not be appropriate.

There being no further comments or questions the Meeting is closed to the public at 8:20PM moved by Howe, carried by Chamberlain with ayes by all present

Motion to go into Closed Session at 8:23PM moved by Howe, carried by Lamberson with ayes by all present

CLOSED SESSION

RESOLUTION # 140-15 CLOSED EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, Mayor and Council of the Borough of Keyport are of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss:

- Litigation
- Contract Negotiation
- Personnel

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that a meeting of the Mayor and Council shall be held forthwith from which the public shall be excluded in the Council Chambers, Borough Hall, for the purpose of discussing the above-mentioned items.

BE IT FURTHER RESOLVED that discussions on Litigation, Personnel and Contract Negotiation be conducted at said Closed Session shall be disclosed when the matters discussed are resolved and this meeting shall continue in approximately 20 minutes.

Offered for adoption by: Sheridan
Second: Chamberlain

Roll Call Vote: Ayes: Chamberlain, Sheridan, Howe, Lamberson, Cooper
Nays:
Absent: McPeck
Abstain:

Motion made to return to Open Session at 9:08PM

Attorney Litwin reported on items from Closed Session:

- Ongoing litigation – Keyport Yacht Club
- Contract negotiation for land
- General personnel matter

ADJOURNMENT

Motion to Adjourn at 9:09PM moved by Howe, carried by Chamberlain with ayes by all present