

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 Kennedy called the meeting to order at 7:01PM and the Borough Clerk read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present via teleconference: Councilmembers Fotopoulos, Goode, Pacheco and Sheridan. Present in Council Chambers: Mayor Kennedy and Acting Borough Administrator Thomas Henshaw. Borough Attorney Mark Moon, Esq. was present via teleconference. Councilmember McDermott was acknowledged via teleconference at 7:13PM and Councilmember Cooper was acknowledged via teleconference at 7:22PM.

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

Mayor Kennedy dedicated a moment of silence to all the front-line workers including police, EMTs, firefighters, nurses, doctors, support staff at hospitals, DPW and Borough staff.

Mayor Kennedy dedicated a second moment of silence to all the New Jersey residents and people around the globe who have lost their lives due to the COVID-19 virus.

MAYOR'S UPDATES

Mayor Kennedy commended the efforts everyone has made to lower the curve of the COVID-19 global pandemic. She spoke about the downtown fire four years ago, the aftermath of Hurricane Sandy and how Keyport is once again uniting in many unique ways. Several weeks ago we began initial stages of setting up preparations and plans should we need them. Within a couple weeks of the initial talks we began implementing several precautionary measures, including:

- Closing the Senior Center and stopping the Skipper Bus transportation on March 13th
- Closing the Library six days prior to State requirement
- School district did a phenomenal job implementing remote learning plans
- Daily and sometimes hourly communication occurs with a core team consisting of the Borough Administrator, Police Chief Hafner, OEM Chief Krohe and myself
- Nearly daily conference calls with department heads, Fire Chief Moscatiello and all OEM coordinators
- Update emails go out to Councilmembers and department heads
- We have been in communication with Local, County, State and Federal Leaders to obtain pertinent and necessary information.

Please keep our front line workers and volunteers in mind when deciding if you are leaving your home for something essential.

We are in this together and we will help in any way we can through this new but hopefully temporary norm.

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.)

R131–20 Payment of Bills

R132–20 Authorizing Emergency Temporary Appropriations

R133–20 Authorizing Execution of the Project Agreement with Monmouth County for Performance and Delivery of Fiscal Year 2018 Community Development Project – Broad Street Sidewalk Improvements

R134–20 Authorizing Execution of Certification Prohibiting Use of Excessive Force and Prohibiting the Use of Federal Funds for Lobbying

R135–20 Authorizing the Borough to Enter into a Shared Service Agreement with the Keyport Public Schools for the Use of School Resource Officer/Special Law Enforcement Officers in the Keyport Public Schools

R136–20 Authorizing Extension of Agreement with Government Strategy Group for Extended Appointment of Temporary Borough Administrator Services for an Additional Term of Three (3) Months – *Thomas Henshaw*

R137–20 Authorizing Appointment of Susan Mulligan as Part Time Building Maintenance Worker

R138–20 Authorizing Retention of Grass Cutting and Lawn Maintenance Services

Councilmember Goode asked if there were any other bids submitted with regard to **R138-20** Authorizing Retention of Grass Cutting and Lawn Maintenance Services.

Attorney Mark Moon explained we received one other bid in the amount of \$37,000 from Scenic View Landscaping.

PUBLIC COMMENT PORTION

The Meeting was opened to the public at 7:13PM for comments or questions on **resolutions listed on the Consent Agenda** moved by Sheridan, carried by Goode with ayes by all present

Michael Lane, 51 First Street asked if any effort was made to curb the list of expenditures in **R132–20** Authorizing Emergency Temporary Appropriations that will not occur due to the shutdown.

Mayor Kennedy explained that all operations are still functioning, staff is reporting to work every day and working on several projects.

Michael Lane asked whether the council has given any thought to postponing the due date for the property taxes coming due in May.

Councilman Goode explained we can't suspend collection because we still need to pay the school taxes and county taxes.

Councilman Sheridan has spoken with CFO about options concerning taxes. A lot of it has to come from the State level and higher. We can offer ideas.

Mayor Kennedy said the State has asked the mortgage companies to be understanding with mortgage payments but did not ask them to stop continuing with the escrow of taxes to come forward to the municipalities. We are continuing to look at all options.

Michael Lane asked what stimulated **R135–20** Authorizing the Borough to Enter into a Shared Service Agreement with the Keyport Public Schools for the Use of School Resource Officer/Special Law Enforcement Officers in the Keyport Public Schools.

Mayor Kennedy explained it is an extension of one we do every year.

Councilman Goode confirmed that we did have this in place last year and are turning it over for the new year.

Michael Lane with regard to **R138–20** Authorizing Retention of Grass Cutting and Lawn Maintenance Services there was discussion at the Harbor Commission meeting that in the past expenses for the grass cutting of the parks was charged to the RBIT account. You might want to think about that as you work the budget problem.

Councilman Fotopoulos spoke about the Harbor Commission's concerns regarding the use of pesticides.

Elmer J. Graham, Jr., 22 St. Peters Place asked for an explanation of **R134–20** Authorizing Execution of Certification Prohibiting Use of Excessive Force and Prohibiting the Use of Federal Funds for Lobbying.

Attorney Mark Moon provided an explanation.

Elmer J. Graham, Jr. asked for an explanation of **R136-20** Authorizing Extension of Agreement with Government Strategy Group for Extended Appointment of Temporary Borough Administrator Services for an Additional Term of Three (3) Months – *Thomas Henshaw*.

Attorney Mark Moon provided an explanation.

There being no further comments or questions, the Meeting was closed to the public at 7:21PM moved by Sheridan, carried by Goode with ayes by all present

APPROVAL OF RESOLUTIONS

Motion to approved the items listed on the Consent Agenda moved by McDermott, carried by Cooper

Roll Call: Ayes: Cooper, Fotopoulos, Goode, McDermott, Pacheco, Sheridan
Nays:
Absent:
Abstain:

COMMUNICATIONS BY CONSENT

(For Approval)

1. Request to revise date of previously approved Use of Borough Property – Waterfront Park Gazebo – for a wedding ceremony to now be held on Saturday, June 6, 2020 at 5PM.
2. Request for Use of Borough Property - Keyport Waterfront/Bulkhead - from the Arts Society of Keyport for the 6th Annual Art Around the Bay event to be held on Saturday, September 12, 2020 (rain date of Sunday, September 13, 2020) from 10AM-5PM and requesting waiver of fee
3. Application for an Off-Premise 50/50 Raffle from St. Joseph's Church to be held Saturday, December 5, 2020 at 7PM.

Discussion ensued regarding weddings and funerals being allowed to be held in light of the Governor's Executive Order regarding social gatherings.

Councilman Goode would like clarification on the Governor's Order.

Councilwoman Pacheco agrees that clarification is needed from the Governor's office.

(To Receive and File)

None

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments or questions on **Communications above** at 7:28PM moved by Goode, carried by Pacheco with ayes by all present

Michael Lane feels the Borough needs to have a Letter of Responsibility from the parties documenting they will not have more than 10 people in attendance.

There being no further comments or questions, the Meeting was closed to the public at 7:30PM moved by McDermott, carried by Cooper with ayes by all present

APPROVAL and/or RECEIPT AND FILE OF COMMUNICATIONS

Motion to approve items listed on Communications by Consent moved by Goode subject to the State's Emergency Declaration and clarification from the Governor's Office, carried by McDermott

Roll Call: Ayes: Cooper, Fotopoulos, Goode, McDermott, Pacheco, Sheridan
Nays:
Absent:
Abstain:

APPROVAL OF MINUTES

Motion to approve the March 17, 2020 Regular Meeting Minutes moved by Goode, carried by Pacheco

Roll Call: Ayes: Cooper, Fotopoulos, Goode, McDermott, Pacheco, Sheridan
Nays:
Absent:
Abstain:

NEW BUSINESS

Mayor Kennedy requested Council input regarding the Recreation Committee's request for the Easter Bunny to be able to ride around town on a firetruck.

Councilwoman McDermott clarified that no candy will be distributed. There will be no interaction aside from waiving.

Councilman Fotopoulos said he is not opposed to anything that will lift the spirits of the children and parents, but we can't have crowds standing in front of houses.

Councilman Goode asked if the Mayor said other towns were doing this.

Mayor explained what a few other towns were doing to celebrate big moments.

Councilman Goode agrees with Councilman Fotopoulos but is concerned about the firefighters being gathered on the firetruck.

Mayor Kennedy suggested doing something unique by towing the Easter Bunny in a fireboat behind a pickup truck to have distance between the driver of the truck and the fireboat.

Councilman Cooper said discussion was had at the Recreation Committee meeting and he recommended that OEM, fire, police, and the Borough Administrator coordinate with the Mayor as to what they feel the pros and cons are. If all are in line, they could work out a single plan. If there is any strong opposition, then we could kill it right there.

Councilman Goode feels the question is not what we are willing to do but really what are we allowed to do.

Councilwoman McDermott asked what the feedback was from the Police Department.

Mayor Kennedy asked if any councilmember was opposed to having the Easter Bunny ride around town.

Councilmembers not opposed so long as social distancing rules were adhered to.

Councilman Goode said the Governor closed State parks today. It was appropriate of us to block off the parking lots, but should we follow the lead and close our parks. He spoke of a group sitting six feet apart but thinks if you're outside you should be walking, not standing.

Mayor Kennedy said things are changing by the hour at some points. The Governor said closing municipality parks is up to the municipality, although that is not stated in his Order, but he did reference that. Also, signage will be posted at the entrance to all parks. Monmouth County brought us barrels and Hazlet Township brought us signs. People were still moving the barrels to put out boats and to park so we added signage today to put in the parking lots. We also moved benches and fishing was eliminated on the promenade but is still allowed on the pier. We are monitoring situation and hope to not have to close the parks down.

Councilman Goode asked if we had concrete barriers, specifically for use at the boat ramp.

Mayor said we are a municipal emergency boat ramp for water rescues. Tom Henshaw, Chief Hafner and Bob Kutschman requested not to use the concrete barriers. That's why we have the barrels instead.

UNFINISHED BUSINESS

Councilman Fotopoulos asked Councilwoman McDermott for an update on progress at 317 Beers Street.

Councilwoman McDermott said the inspectors are working at a limited level due to COVID-19. She deferred to Administrator Henshaw as to whether the inspection occurred.

Councilman Fotopoulos and Councilwoman McDermott deferred the matter to the next meeting.

Councilman Goode said the Flood Damage Prevention Ordinance should be introduced at the next meeting.

Mayor Kennedy thanked Attorney Mark Moon for his assistance.

ATTORNEY'S REPORT

Attorney Mark Moon asked the Mayor and Council what they would like to do as far as holding Planning Board meetings. He said he set up a Zoom account for the Borough to utilize. He spoke to the Planning Board Attorney who expressed some concerns regarding proceeding with applications based on the State of Emergency and the potential for challenges to any decisions adopted by the Planning Board. Mr. Moon asked if the Planning Board meetings should be held off as to applications or try to utilize technology available to move forward.

Councilwoman Pacheco said Montclair had a Planning or Zoning Board meeting through Zoom or a like software which had screen sharing so they could utilize documents and it went very well.

Councilman Goode said he sat through a webinar and they were going over similar programs as Zoom that allowed you to upload exhibits and share documents.

Councilman Fotopoulos said we can overcome any technology issues in Council Chambers. He said we could run an Ethernet cable to the computer.

Councilwoman Pacheco said we could use a hot spot.

Councilwoman McDermott spoke about having to download any chat conversations that would have to be put into the record.

Councilwoman Pacheco said the capability is there to record for the minutes.

Mayor Kennedy addressed Councilman Goode about the State and County parks being at seasonal staffing which is bare minimum so they haven't been able to handle the influx of the crowds.

Councilman Goode agrees that our police have enough to do without having to break up gatherings and we should take it as it comes.

PUBLIC COMMENT PORTION

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

Please limit comments to no more than five minutes per person.

Elmer Graham, Jr. asked about Governor Murphy coming to Keyport for a Town Hall meeting.

Councilwoman Pacheco said she put a bug in some friends' ears who work at the Governor's Office about this.

Elmer Graham, Jr. asked about televising the meetings.

Mayor Kennedy said teleconferencing is a move in the right direction. We could possibly move to video conferencing.

Michael Lane complimented the Council and OEM for the changes that were made to the promenade. He asked if bicycles are allowed on the promenade. There is no signage. Now with the parking restrictions in place, walking there is much better. He expressed concern as to the ability to present or review exhibits for Planning Board meetings. He asked if the Borough would be providing laptops for people who don't have access to Zoom.

Attorney Mark Moon explained ways to proceed with the meeting and submit documents.

Councilman Fotopoulos suggested Mr. Lane submit a list of his concerns regarding online meetings so we can see if we can solve them.

Councilman Goode said maybe we would have to have multi-day hearings.

There being no further comments or questions the Meeting was closed to the public at 8:18PM moved by Sheridan, carried by Pacheco with ayes by all present

ADJOURNMENT

Motion to Adjourn at 8:18PM moved Sheridan, carried by Pacheco with ayes by all present