

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 Harry Aumack called the meeting to order at 7:00PM and Borough Clerk Heilweil read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Tomczak, Lamberson, Chamberlain, Sheridan, Howe, McPeek and Mayor Aumack. Others present: Borough Administrator Lorene Wright, Borough Attorney Gordon Litwin

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

PROCLAMATIONS

Mayor Aumack read and presented to Keyport High School students:

1. Alcohol Awareness Month 2014
2. Drop. Stop. Drive recognizing traumatic brain injuries and encouraging all to commit to driving without distractions

Barbara Hilliard spoke on important dates:

- April 29th Mandatory Prom Meeting
- May 29th Hands-On Program Driving Golf Carts

Clerk Heilweil read the resolutions on the Consent Agenda.

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.)

R124-14 Payment of Bills

R125-14 To Affirm the Borough of Keyport's Civil Rights Policy with Respect to All Officials, Appointees, Employees, Prospective Employees, Volunteers, Independent Contractors and Members of the Public that Come into Contract With Borough Employees, Officials and Volunteers

R126-14 Authorizing Approval of Monmouth County Mosquito Extermination Commission Aerial Surveillance and Treatment Program

R127-14 For Approval of a Formal Agreement for a Hot Dog Vendor In Keyport Waterfront Park

R128-14 Authorizing the Lease of Pitney Bowes Connect+ 1000 Digital Mailing System

R129-14 Authorizing the Purchase of Video Surveillance Equipment Under State Contract

PUBLIC COMMENT PORTION

Motion was made by Councilman McPeek and carried by Sheridan to open the meeting to the public for comments or questions at 7:12PM.

Betty Schriber, Gateway Park – thanked the police and fire department for their help during the recent gas leak.

Ed Carew, 64 Broadway – is a bee-keeper in town and is concerned about the Mosquito Extermination Treatment Program and how it affects his bees. He feels by

spraying mosquitos we are killing food for the dragonflies. He would like the community to be educated on what to do to reduce the mosquito population.

Motion made by McPeek, carried by Tomczak to move R126-14 for separate consideration.

Elmer Graham, Jr., 22 St. Peters Place – asked what brought about R125-14 To Affirm the Borough of Keyport's Civil Rights Policy with Respect to All Officials, Appointees, Employees, Prospective Employees, Volunteers, Independent Contractors and Members of the Public that Come into Contact With Borough Employees, Officials and Volunteers. He also asked about new cameras.

Administrator Wright and Attorney Litwin – this Resolution was brought about by our insurance carrier.

M.D. Abramowitz, First Street – asked about debris in the bay.

Mayor Aumack – the Borough will be having an upcoming Beach Clean Up on Saturday, April 26th.

Michael Lane, 51 First Street – wanted to address the vacating of Williamson Street. He spoke about the vacating of Atlantic Street which was to create more parking by the yacht club but has actually created less. It was done without any expense to the contiguous property owners. He would like conditions attached to the vacation of Williamston Street based on the experience with Atlantic Street. He is concerned that Williamston Street will be split between two LLCs.

He asked:

- for a time-line of the revaluation process (completion of inspections, conference scheduling, etc.). He feels the loop has not been closed on the transparency of the process.
- when the public hearing would occur for the Strategic Planning Report.
- if a visual inspection of the waterfront from Ye Cottage Inn to Aeromarine was done for mapping
- for an explanation in the drop in FEMA insurance claims

John Merla, 15 Main Street – voiced his complaint about the garbage company. He says they are coming in later, around 1PM, in the business district. He is concerned about bags that are being left and not picked up which causes more trash around the town. He feels it is a waste to have a DPW worker follow the garbage truck when they could be filling pot holes instead.

Administrator Wright – explained that the direction to the sanitation company was to not pick up bags.

Tara Hunt, 35 Kearney Street – has an issue with once-a-week garbage pickup since she has a family of seven.

Motion made by Tomczak, carried by McPeek, with ayes by all present requesting a list of the households with large families.

George Walling, 54 Second Street – asked Councilman Howe the cost to move the snow dumped at the beach and then moved again for preparation of the Beach bonfire.

Councilman Howe – did not have a dollar figure but knows it took two laborers half a day.

George Walling – asked about the scaffolding on West Front Street.

Mayor Aumack – stated that it should be moving along.

George Walling – also asked about the container moved behind the Bayside.

Mayor Aumack – reported that the container will be gone by the end of the week. Two-by-fours were removed and the building came down. He mentioned that Ed Burlew was correct about the safety of that building.

Ed Burlew, 59 W. Front Street – feels someone other than Lorene needs to give directions to the garbage company.

Mary Gillard, Communications Operator – asked if the 12-hour shift for dispatchers will be discussed this evening.

Administrator Wright – stated it is not on the agenda tonight but is being reviewed by the attorney.

Councilwoman Tomczak – responded it is something Council hopes to move forward with.

Elmer Graham, 22 St. Peters Place – would like to know the possibility of a replacement business where the Bayside Bar was.

M.D. Abramowitz, 75 First Street – feels the garbage men need an apology. She also spoke about Borough dumpsters which she was told was not for the use of all neighbors.

Janet Buggle, 67 E. Front Street – asked about an update for the Strategic Recovery Planning Report.

Administrator Wright – explained the purpose of the report.

Michael Lane – stated he has had no dialogue with the Borough Engineer, Trevor Taylor. It was reported from the Borough Engineer to Bob Burlew that the FEMA people were here to do an inspection report. Mr. Lane asked the Council to commit to getting the Strategic Recovery Planning Report posted.

Christine Bennett, President of Recreation Committee, 66 Fulton Street – would like a closet to store items for recreation. She also asked about homes in foreclosure that need to have tenants or should be torn down.

Councilwoman Tomczak – responded that may be a problem with the Court coming back.

Administrator Wright – would like R127-14 pulled for separate consideration. She informed the Council that the vendor would like to add french fries and pretzels as well as a larger cart.

There being no more comments or questions from the public, the meeting was closed to the public at 8:31PM moved by Sheridan, carried by Howe with ayes by all present.

APPROVAL OF RESOLUTIONS

Motion to approve **R124-14** for the Payment of Bills, **R125-14** To Affirm the Borough of Keyport's Civil Rights Policy with Respect to All Officials, Appointees, Employees, Prospective Employees, Volunteers, Independent Contractors and Members of the Public that Come into Contract With Borough Employees, Officials and Volunteers, **R128-14** Authorizing the Lease of Pitney Bowes Connect+ 1000 Digital Mailing System and **R129-14** Authorizing the Purchase of Video Surveillance Equipment Under State Contract, made by McPeck, carried by Sheridan

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

Motion to approve **R127-14** For Approval of a Formal Agreement for a Hot Dog Vendor in Keyport Waterfront Park made by Sheridan, carried by Tomczak

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

The vendor will present a plan for grease management.

Councilman Sheridan spoke against the Mosquito Exterminating Treatment Program.

Motion made by Sheridan, carried by Lamberson that **R126-14** Authorizing Approval of Monmouth County Mosquito Extermination Commission Aerial Surveillance and Treatment Program not be approved

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

PUBLIC HEARING/ADOPTION OF ORDINANCE

1. Ordinance #3-14 – Cola Rate Ordinance

The Clerk reads the Ordinance by Title: **ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**

- 1a. Motion to Open Public Hearing made by McPeek, carried by Lamberson at 8:46PM with ayes by all.

Elmer Graham, Jr. - needed a further explanation of the Ordinance.

Administrator Wright – responded this has to do with a cost of living adjustment.

There being no further comments or questions from the public, motion was made by Tomczak, carried by Sheridan with ayes by all present to close the hearing at 8:48PM

- 1b. Motion to adopt Ordinance made by Sheridan, carried by Tomczak.

Roll call vote:
Ayes: Tomczak, Lamberson, Chamberlain, Sheridan, Howe, McPeek
Nays:
Absent:
Abstain:

- 1c. Motion authorizing the Clerk to publish the Ordinance as adopted made by Sheridan, carried by Tomczak with ayes by all.

INTRODUCTION OF ORDINANCES

1. Ordinance – Energy Aggregation Program

The Clerk reads the Ordinance by Title: **AN ORDINANCE IN THE BOROUGH OF KEYPORT IN MONMOUTH COUNTY, NEW JERSEY, AUTHORIZING THE ESTABLISHMENT OF A GOVERNMENT ENERGY AGGREGATION PROGRAM**

Administrator Wright – stated Monmouth County will let her know if any other town would be interested in joining us.

1a. Motion to introduce made by Howe, carried by Sheridan.

Roll call vote:

Ayes: Tomczak, Lamberson, Chamberlain, Sheridan, Howe, McPeek

Nays:

Absent:

Abstain:

1b. Motion authorizing the Clerk to publish the Ordinance as introduced in the Asbury Park Press for a public hearing made by Sheridan, carried by McPeek with ayes by all.

2. Ordinance – New Employee Handbook

The Clerk reads the Ordinance by Title: **AN ORDINANCE TO AMEND AND REVISE CHAPTER X (“PERSONAL”) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT TO INCORPORATE A NEW EMPLOYEE HANDBOOK AND OTHER REVISIONS**

Attorney Litwin – explained this incorporates regulations required by our insurance carrier. It will be circulated to the Collective Bargaining Units. It replaces the section regarding grievances as well as other areas.

Administrator Wright – explains this puts all of our Borough policies in one place.

2a. Motion to introduce made by Sheridan, carried by McPeek

Roll call vote:

Ayes: Tomczak, Lamberson, Chamberlain, Sheridan, Howe, McPeek

Nays:

Absent:

Abstain:

2b. Motion authorizing the Clerk to publish the Ordinance as introduced in the Asbury Park Press for a public hearing made by Sheridan, carried by McPeek with ayes by all.

NEW BUSINESS

Vacation of Williamson Street

Councilwoman Tomczak – stated the Planning Board resolution states that the vacation of the street must be done prior to site plan approval but the applicant is asking the vacation not be done until after the site plan approval.

Attorney Christopher Hanlon, of Hanlon Niemann – appeared on behalf of the applicant. He is looking for a commitment from the municipality that the Borough will vacate the property. He says the Planning Board will be the check and balance to be sure the site plan is done properly. He will have to provide the Borough an easement

even if it were vacated. The road will still exist as an access way but would become a maintenance obligation of the applicant. Every other aspect of the use of that land will be subject to site plan review.

Attorney Litwin – believes the Borough should be more informed by the Assessor as to the value of that property prior to the Council making a decision. An ordinance is required to vacate. He asked if a resolution would be adequate when future Councils may not choose to make the same decision to vacate, which may make the resolution non-binding. If the Assessor does not feel confident, it may require an appraisal.

At 9:36PM Mr. Hanlon returned to the audience.

UNFINISHED BUSINESS

1. Community Rating System

Administrator Wright – was instructed at the last meeting to send a Letter of Intent. She states FEMA recommends the CRS Coordinator be an employee of the community rather than a consultant. It was suggested the Flood Plain Manager Bob Burlew be the CRS Coordinator. Other programs such as the Stormwater Management program will be a part of this. She stated we cannot send a Letter of Intent until we know who the coordinator is going to be.

Administrator Wright – spoke about the New Jersey Natural Gas main renewal project. She said 251 homes will be affected and instructed the Engineer to get a performance bond estimate. New Jersey Natural Gas will be notifying residents.

She also mentioned that tax maps for the revaluation have been resubmitted and she will have an update at the next meeting.

ATTORNEY'S REPORT

He has been working on the Employee Handbook issue.

ADMINISTRATOR'S REPORT

- An inspection was done on the Detective Bureau due to a foul smell
- Landscaper starting April 15th and contracted with True Green to do the testing
- Talking to developer at Up The Creek
- Natural Resources Grant right-of-way agreement given to Borough Engineer
- Elizabeth Street Tower Designs bid, waiting for USDA approval
- Monmouth County Grant – Veteran's and Benjamin Terry Parks require preliminary assessments due to those properties having once been boat repair yards
- Elizabeth Street should be repaved shortly
- Distribution of Tree Seedlings at Consolidated Firehouse April 19th from 9AM–11AM
- New telephone system is up and working
- 45 Beers Street Developer's Agreement has been submitted

PUBLIC COMMENT PORTION

The Meeting is opened to the public for comments or questions at 9:55PM by Sheridan, carried by McPeck with ayes by all present.

Ed Carew – spoke of Mr. Pinto's letter of resignation from the Library that was given to the Mayor.

Mayor Aumack – stated that Mr. Pinto resigned and will give the letter to the Clerk.

Councilwoman Tomczak – recommends Eileen Fotopoulos since she has been regularly attending meetings.

Motion made by McPeck, carried by Sheridan to accept the resignation of Joe Pinto, Sr. with regret. The Mayor will reach out to Mrs. Fotopoulos.

Nancy Carew, 64 Broadway – noticed pesticides being sprayed at Beach Park. She's concerned because it is used by children and pets.

Jacqueline Kovacs-Olsen, 45 Church Street – thinks ground for Veteran's Park must have been tested prior to it becoming a park.

Michael Lane – thinks project on Williamson Street has some potential benefits. He thinks one of the key conditions be that the sewer line be extended in the street and that Mr. Volpe and adjoining neighbors be allowed to hook into it.

He mentioned the Hazard Mitigation program. He wants the tax assessor to place a timeline on the website for the revaluation.

There being no more comments or questions from the public, the meeting was closed to the public at 10:09PM moved by Sherman, second by McPeck with ayes by all present.

ADJOURNMENT

At 10:10PM Motion to adjourn made by Sheridan, carried by Howe.