

Minutes of the Work Meeting of the Mayor and Council, Borough of Keyport, held on the above date in the Borough Hall Council Chambers, Keyport, N.J., pursuant to the adoption of the Annual Notice on file with the Borough Clerk, forwarded to the Asbury Park Press, 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.

Council President Bolte called the meeting to order at 7:00 PM and Borough Clerk read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Bolte, Tomczak, McPeek, Sheridan, Ambrose, Toglia. Others present: Borough Administrator Ms. Wright, Borough Attorney, Andrew Provence. Absent: Mayor McLeod

As a courtesy to those around you, please silence your cell phones

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

Council President Bolte read the Rules of Conduct for Council meetings.

PROCLAMATION

Councilwoman Bolte read the Older American's Month proclamation.

PRESENTATION

By James Brown, Monmouth County Recycling, Assistant Coordinator, on the benefits of Recycling.

In 1987, the State of New Jersey began the Source Separation Act beginning with the bottles and cans. It was revised in 2007 by the Recycling Enhancement Act. Mr. Brown spoke of the benefits of recycling as well as the Annual Tonnage Grant where the Borough receives money for recycling compliance. He explained the environmental benefits of recycling; trees saved, energy saved, less wastewater and green house gases as well as less material in our landfills. Monmouth County just began a Municipal Recycling Improvement Grant. Mr. Brown offered to come and speak to the schools to educate the students on recycling. He also suggested the town sponsor a paper shredding event. Councilwoman Ambrose asked if any brochures are available in Spanish. She stated that in Puerto Rico, they do not recycle.

The meeting was opened to the public for comments or questions at 7:23 PM moved by Mr. Sheridan, second by Ms. Tomczak with ayes by all present.

Ed Carew, 64 Broadway, asked if figure of what fuel we saved by recycling included pick-up of the recyclables. Suggested a parade float from the recycling committee which would show savings to Keyport for recycling.

There being no more comments or questions from the public the meeting was closed to the public at 7:26 PM moved by Mr. Sheridan, second by Mr. McPeek 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.)

Councilwoman Bolte went over Resolutions on the Consent Agenda.

R138-12 Payment Of Bills

R139-12 Authorize Tonnage Grant Application

R140-12 Application for a Raffle License – Organization for the Unity of Puerto Ricans of Keyport (Spanish American Club) – 50/50 Cash – to be held August 11, 2012

R141-12 Authorizing Payment Plan – Shadel

R142-12 Salary Resolution – IUOE/Clerical Employees

R143-12 Ratifying the Settlement Agreement to Resolve Pending Arbitration Filed on Behalf of Police Communication Operators

PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions at 7:27 PM moved by Mr. Sheridan, second by Mr. McPeek with ayes by all present.

Councilwoman Bolte read the Rules of Conduct at public meetings.

Jim Bocchi, 145 Church Street, asked about the water tower cleanup at Church and Second Street. He also asked about paving.

Councilwoman Bolte, replied that the contractor will begin to clean up in 72 hours.

Administrator Wright, stated that on Thursday they will be milling and paving.

Michael Lane, 51 First Street, asked about resolution 143-12. Mr. Lane also asked about the costs to the Borough.

Administrator, replied yes, confidential at this moment, but will let him know when it is no longer confidential.

Michael Lane, asked that the chair warn the public when the five minute limitation speaking time is about to conclude.

Ann Panzarelli, 144 Third Street, on the School Board, feels that too many resources are spent on garbage compliance rather than recycling compliance.

Councilwoman Ambrose, stated that the key to reducing garbage is by recycling.

Councilwoman Bolte, explained that the notice of violations of garbage compliance going out are actually just warnings at this point.

Next Board of Education meeting will be the second Tuesday of the month.

There being no more comments or questions from the public, the meeting was closed to the public at 7:39 PM moved by Mr. Sheridan, second by Mr. McPeek with ayes by all present.

APPROVAL OF RESOLUTIONS

Motion on the Consent Agenda made by Mr. Sheridan second by Mr. McPeek

Roll Call Vote: Ayes: Councilmembers Bolte, McPeek, Sheridan, Tomczak, Ambrose, Toglia
Nays:
Absent:
Abstain

PUBLIC HEARING

On the contents of an application to be submitted to the Monmouth County Community Development Program.

Administrator Wright explained the CDBG application. Ms. Wright is currently submitting an application for the improvement of Osborn Street. Ms. Wright will make grant application in June to NJDOT for Elizabeth St.

No requirements on Osborn Street to add sidewalks, it would simply be a repaving project.

Motion was made by Mr. Sheridan, second by Mr. McPeek with ayes by all present to open the hearing to the public for comments or questions at 7:44 PM.

Jim Bocchi, 145 Church Street, asked about the colors on the road.

Councilwoman Bolte, explained the County looks favorably upon anything coming off a County road or highway which would help to get more access off the highway.

Administrator Wright, stated that the idea would be to extend it as far as we could based on how far the money will go. Ms. Wright also stated that we will know the scope of the project before we go to bid.

Dennis Fotopoulos, 11 Beers Street, asked about the west side of Walling Terrace. He believed it was paved in the last ten years or so and would like to know if the Borough will ever complete Walling to Perry curb project. Would also like to see Cass Street and Jackson Street get some attention too.

Administrator, replied that it was a NJ DOT project. The Borough can extend the limit of paving if it falls under what the contract specifies as paving quantities.

Jim Bocchi, asked about the order of the project.

Administrator, explained the order of projects:

2012 – Osborn Street

2013 – Elizabeth Street, Warren Street, Stout Street

2014 – Church Street

Elmer Graham Jr., 22 St. Peters Place, asked if there were any plans for St. Peters Place.

Administrator, responded that it is not part of this project. Ms. Wright also stated that the Borough likes to do main arteries and then the streets off those. This means the west side of town has been completed in the last 12-15 years.

There being no more comments or questions from the public, the meeting was closed to the public at 7:54 PM moved by Mr. Sheridan, second by Mr. McPeek with ayes by all present.

Administrator Wright asked Council if they would like to move forward with the application. Next step is to prepare the scope of work. She will need to make a three minute video to be presented in August, voting is in September, notified in November. Told what your ranking is then wait for HUD money. In the past, CME did the application for free.

Motion to move forward with application moved by Mr. Sheridan, second by Mr. McPeek

Roll Call Vote: Ayes: Councilmembers Bolte, McPeek, Sheridan, Tomczak, Ambrose, Toglia

Nays:

Absent:

Abstain

COMMUNICATIONS AND PETITIONS

1. Waterfront Park Facilities Use Permit Application from Thomas DeGiglio and Susan Giblock to for the purpose of a wedding to be held on July 21, 2012 at 5:00 pm

Motion to notify Police Department and DPW and forward to Administrator moved by Mr. Sheridan, second by Mr. McPeek with ayes by all present.

2. Request from Patrolman Salvatore to close Maple Place by St. Joseph's Church for the Police Department's Blue Mass to be held June 14, 2012 between 9:00 am and 12Noon

Motion to approve, moved by Mr. Sheridan, second by Ms. Tomczak with ayes by all present, would like more details forwarded to Administrator. Administrator is worried about business in that area.

3. Email from Keyport Garden Club requesting the closure of Third Street between Broad and Division on May 12th from 10 am-12Noon for the purpose of allowing local children to help them plant flowers in the READ garden on the library grounds

Motion to approve moved my Mr. McPeek, second by Mr. Sheridan with ayes by all present.

4. Letter from the Keyport Fire Chief inviting all to the Keyport Fire Department's 2012 Annual Inspection to be held at Firemen's parking Lot on Saturday, May 5, 2012 beginning at 6 pm. Following the ceremony, a short parade will be routed along W. Front Street to Broad, Maple and Atlantic ending at the Keyport First Aid building

Motion to approve and refer to the Police Department moved by Ms. Tomczak, second by Mr. Sheridan with ayes by all present

5. Letter from 2012 Keyport Fire Department Fair Committee requesting permission to hold their annual Firemen's Fair Monday, July 9th through Saturday, July 14th. They are requesting:
- a) exclusive use of Firemen's Park and the adjacent municipal parking lot;
 - b) Pier on American Legion Drive be closed for a period to the public while a barge is loaded with fireworks display;
 - c) permission to have a firework's display launched from the barge on Saturday, July 14th at 11 pm

Motion to approve and forward to Administrator moved by Mr. Sheridan, second by Ms. Tomczak, with ayes by all present.

Administrator, stated current insurance carrier has strict regulations on fireworks which have been forwarded to the Police Department and Fire Department.

6. Letter from 2012 Keyport Fire Department Fair Committee requesting:
- a) Exclusive use of the Firemen's Parking lot from July 7th through July 15, 2012;
 - b) Closing access to American Legion Drive from West Front Street to the fishing pier from 6 pm through 12 Midnight beginning Monday, July 9th through Saturday, July 14th. On Wednesday, July 11, 2012, requested this portion of the road be closed one hour earlier to accommodate visiting apparatus during firemen and first-aider's night;
 - c) Suspension of two-hour parking ordinance in the business district the weekend before and during the week of the Firemen's Fair to accommodate alternate parking options

Motion to approve and forward to Administrator and Police Department moved by Mr. Toglia, second by Mr. Sheridan with ayes by all present.

7. Email from NY/NJ Baykeeper expressing interest in putting four fishing line recycling tubes at the waterfront

Motion to approve by Ms. Tomczak, second by Mr. Sheridan with ayes by all present.

8. Notice from NJ DEP regarding "Spirit of the Jerseys" State History Fair to be held at Washington Crossing State Park in Titusville, NJ, on May 12th

Motion to receive and file moved by Mr. Sheridan, second by Ms. Ambrose with ayes by all present.

9. Application for a Social Affairs Permit from St. Joseph Church for their Annual Parish Fair to be held May 30th through June 3rd, 2012

Motion to approve moved by Mr. Sheridan, second by Mr. Toglia with ayes by all present

10. Keyport Historical Society's Annual Schedule – Museum Hours - May 5th-September 30th, Sundays from 1 PM-4 PM

Motion to receive and file moved by Mr. Sheridan, second by Ms. Tomczak with ayes by all present.

11. News from New Jersey Department of Environmental Protection Urging Residents to Conserve Water

Motion to receive and file and post on website moved by Ms. Tomczak, second by Mr. Sheridan with ayes by all present.

12. Email from Keyport Bayfront Business Cooperative (KBBC) Event Chairperson regarding moving the Farmer's Market from the minipark to Fireman's Parking Lot on Thursdays from 1 PM-8 PM

Motion to approve moved by Mr. Toglia, second by Mr. Sheridan with ayes by all present

UNFINISHED BUSINESS

None

ATTORNEY'S REPORT

Mr. Provence stated that he will make a short report in closed session

ADMINISTRATOR'S REPORT

Administrator Wright reported on the following:

- Old Borough Hall – Attorney will draw up escrow agreement. Developer agrees to proceed.
- Safe in Old Borough Hall could be sold at auction. Will present auction date at next meeting.
- Aeromarine – Borough Attorney and owners met. Next step would be to prepare an escrow agreement.
- Brown's Point Marina – Administrator suggested she meets with Borough Attorney and then with the owners.
- Bayshore Regional – perpetual agreement would replace 1973 agreement which expires in 2013.
- Wind Turbine – contacted by Conti Engineering, the contractor responsible for delivery. To be delivered in July. Requirement for two million dollar bond.
- T-Mobile – Cass Street water tower increasing capability of their antennas
- JCP&L – working on unlit lights.
- Last year authorized telecommunications audit which has been slowly moving along – will be going to a modern system.
- NJSEM – joined by resolution last year.
- Aberdeen lawn care interlocal
- Posted RFP for reassessment – re-bid due today. Again, no bidders.
- Joint Court – Full court begins June 10-11th
- Magnetometer – our machine was unusable so we were obligated to purchase one. Expenditure was to be \$5,000 - \$6,000 but Administrator found one for \$1400.
- PEOSH inspections of Fire Department buildings.
- Monmouth County Road Plan has been issued. Any suggestions due at County by May 16th.
- Division Street – unhappy with the housekeeping in the area. Should be able to resolve that within 72 hours.
- Chingarora / Luppamong – punch list but some driveway aprons need to be completed.
- Benjamin Terry Park – mild winter – should be complete by Memorial Day – concrete work to begin on Monday, May 7th.
- Water plant will be operating in two weeks.
- DEP requiring water storage inspection at Cass Street, DEP recommending a conversion.
- Cedar Street Sewer Plant - \$2500 worth of work needed – emergent in nature.
- USDA Sewer Repair Rehab – contract documents almost finalized. Need a resolution for additional funding.
- Improvement to Clark Street – we own half and Hazlet owns the other half. Hoping to get some discretionary aid.
- Fire Chief's vehicle has a \$1400 repair issue.
- Planning board approved moving forward with T&M for re-examination of Master Plan; this will put us in compliance.
- Borough Hall – Safety measures are in place for demo portion and should take two weeks. May have to close off back door.
- Carpeting in Detective Bureau installed.
- Library has a meeting scheduled with the auditor.
- May be a good time for the library to convert from oil to gas.

Councilwoman Ambrose asked about a letter from a resident with a high water bill.

Administrator has not yet analyzed it. It was a calculation based on multi-family, there was an issue with access for six quarters. Scheduled for turn-off on Friday.

PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions at 8:34 PM moved by Mr. Sheridan, second by Mr. Toglia with ayes by all present.

Ed Burlew, 59 W. Front Street, asked about cost of tonnage grant and who writes it.

Administrator, No cost for application. It is being submitted by the recycling coordinator. Administrator writes the grant. T&M helps with the Grant free of charge so that we use them to oversee the project.

Ed Burlew, asked about a house boat that dragged its mooring and became grounded.

Councilwoman Tomczak, stated that they are waiting for a high tide and are in the process of planning how to move it.

Ed Burlew, asked when the electronic sign by IHOP will be lit.

Administrator, stated there is a right of way issue which will be discussed in closed session.

Ed Burlew, asked what will be in closed session.

Nancy Carew, 64 Broadway, asked about the Senior Center electrical issues.

Councilman Sheridan, said that he signed a purchase order for it.

Councilwoman Tomczak, thanked Nancy Carew for voluntarily running a successful knitting class.

Isora Rocano, 326 First Street, and **Mr. Garcia**, 324 First Street, spoke about their neighbors' delinquent water bill and his being unable to come up with the money. Water will be shut off on Friday.

Administrator, this is not a Borough policy but a state law. Explained to Council that these are tough times and we will be getting more and more of these requests.

Isora Rocano, said that her mortgage company will pay her water bill but she cannot get the money by Friday when it will be shut off, says it takes 72 hours.

Administrator, suggested that Mr. Garcia contact her.

Isaiah Cooper, Keyport Food Ministerium – gave them a card to call "CALL 211" and explain their needs. Mr. Cooper also suggested contacting St. Vincent's Society.

Ann Panzarelli, Green Grove and Third Street – a new gutter was put in but there are drainage issues now that Haven Way townhouses are there.

Councilwoman Bolte, suggested speaking to DPW Superintendent about this.

Ann Panzarelli, turning from Third onto Green Grove Street is not wide enough.

Michael Lane, 51 First Street, one of the worst streets in town is between Division Street and Second.

Councilwoman Bolte, stated it is in the long term plan but was too costly to do.

Administrator, stated that because of the shallow depth of the sewer line we should get USDA money. We are in the first stage of the project but will be going out for the second phase.

Michael Lane, confirmed Brown's Point Marina is in the redevelopment area. Feels there should be a recycling plan as well as an area of reexamination for the Master Plan.

Elmer Graham Jr., feels Borough Administrator should step aside pending legal issues.

Councilwoman Bolte, replied that it is a personal matter and is not to be discussed here.

There being no more comments or questions from the public, the meeting was closed to the public at 9:06 pm

CLOSED SESSION

R 144 -12 - Closed Session **Resolution:**

RESOLUTION NO. 144-12
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:

- Settlement Agreement
- Litigation
- Contract Negotiation

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 Settlement Agreement, Litigation 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 Mr. Sheridan, Seconded by: Ms. Tomczak

Roll Call Vote: Ayes: Councilmembers Bolte, McPeek, Sheridan, Tomczak, Ambrose, Toggia
Nays:
Absent:
Abstain:

Council returned to open session at 9:45 pm.

ADJOURNMENT

Motion to adjourn was made by Mr. Sheridan, second by Ms. Tomczak and carried with ayes by all present at 9:46 pm