

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 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 Pacheco, Sheridan, Kennedy, Cooper and Goode. Others present: Borough Administrator Stephen Gallo and Borough Attorney James E. Polles, Esq. Councilwoman Lamberson was absent.

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

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.)

Borough Clerk Heilweil read the items listed on the Consent Agenda:

R125-18 Payment of Bills

R126-18 Approving the Agreement with Associated Humane Services for Animal Control Services throughout the Borough

R127-18 Authorizing a Salary Increase and Concurrent Increase in Days Worked for Borough Property Maintenance Officer – *Paul Murphy*

R128-18 Accepting Findings of New Jersey Civil Service Commission Regarding Classification of Employee – *Shawna Curry*

R129-18 Authorizing the Purchase of a 2018 Ford F-450 Truck under State Contract for the Borough's DPW

R130-18 Approving the Agreement with Ken's Marine Service for Maintenance and Cleaning of the Keyport Boat Ramp

R131-18 Authorizing the Hiring of Two (2) Special Law Enforcement I Officers – *Michael Antorino & Cody Young*

R132-18 Authorizing the Issuance of a "new" Liquor License Upon Failure to Timely Renew pursuant to N.J.S.A. 33:1-12.18 for the 2017-2018 License Term and to Permit Renewal of an Inactive License Pursuant to N.J.S.A. 33:1-12.39 for the 2017 – 2018 License Term – K. Nosti Enterprises, Inc., trading as Port 149

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments or questions on items listed on the agenda at 7:04PM moved by Sheridan, carried by Pacheco with ayes by all present

Mike Lane, 51 First Street – spoke about construction going on in his neighborhood where there were no permits. One at First and Church and another on Church Street. He inquired about the penalties. He believes the penalties may not be high enough to be a deterrent. There are special requirements for properties in the flood plain hazard areas. He has a packet he will forward to Council regarding the Flood Plain Development permit process.

Administrator Gallo – explained an application wouldn't get to the Planning Board without obtaining the Flood Plain permit first.

Mike Lane – would like a status report on survey work for 149 W. Front Street.

Administrator Gallo – gave an update. A title search has been ordered.

Ed Burlew, 59 W. Street – requested an update on the charter boat lease.

Administrator Gallo – stated we have a meeting with the operator tomorrow. We have reason to believe we don't own the riparian rights where the slip was placed. We have applied for the required license.

Ed Burlew – asked about the increase of hours and pay for Property Maintenance Officer. He also asked about the hours of the Zoning Officer and Construction Official.

Elmer Graham, Jr., 22 St. Peters Place – requested an explanation of **R130-18** Approving the Agreement with Ken's Marine Service for Maintenance and Cleaning of the Keyport Boat Ramp, which the Administrator gave, and **R132-18** Authorizing the Issuance of a "new" Liquor License Upon Failure to Timely Renew pursuant to N.J.S.A. 33:1-12.18 for the 2017-2018 License Term and to Permit Renewal of an Inactive License Pursuant to N.J.S.A. 33:1-12.39 for the 2017 – 2018 License Term – K. Nosti Enterprises, Inc., trading as Port 149, which the Borough Clerk explained.

Administrator Gallo – explained special police officers (part-time seasonal) are being hired for Waterfront Park and the boat ramp.

There being no further comments or questions, the Meeting was closed to the public at 7:28PM moved by Sheridan, carried by Pacheco with ayes by all present

APPROVAL OF RESOLUTIONS

Motion to approve items listed on the Consent Agenda moved by Goode, carried by Sheridan

Roll Call: Ayes: Pacheco, Sheridan, Kennedy, Cooper, Goode
Nays:
Absent: Lamberson
Abstain:

PUBLIC HEARINGS/ADOPTION OF ORDINANCES

1. Ordinance #8-18 – 2018 Road Improvement Project

The Clerk read the Ordinance by Title: **PROVIDING FOR THE 2018 ROAD IMPROVEMENT PROGRAM IN AND BY THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$1,140,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$800,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

1a. Motion to Open Public Hearing at 7:33PM moved by Sheridan, carried by Pacheco with ayes by all present

Doreen Minutella, 34 Kearney Street – spoke of the condition of her street. The sewer line is at a higher elevation than the street. She distributed a packet of complaints from her neighbors about the condition of the street. She says her husband was told the Borough ran out of money in 2017 to complete the paving.

Administrator Gallo – explained the process of how streets are chosen for road improvements. He stated her section of Kearney Street will be done next year. He will arrange a meeting with her and her neighbors.

Jack Straub, 239 Main Street – Main Street from W. Front Street to Maple Place was paved, but there is a section of Main Street that has not been improved. He stated there is also a crosswalk issue there.

Administrator Gallo – stated the Complete Streets program will address the traffic issues raised.

Councilwoman Kennedy – explained Mr. Straub's concerns were brought to the County.

Dennis Fotopolous, 77 Beers Street – would like the stop signs on Beers and on Main rather than at the cross streets. He reported a sinkhole by the sewer at the corner of Walling Terrace and Perry Street.

Administrator Gallo – stated he would take a look at it with the Mayor and our Engineer. He stated there was a catch basin repair there.

Elmer Graham, Jr. – asked whether these ordinances are beneficial to the tax payers.

Mayor Aumack – stated Division and East Front will be done next year. While we are incurring new debt, we are paying off \$1 million in debt this year.

There being no further comments or questions, the Public Hearing was closed at 8:03PM moved by Sheridan, carried by Pacheco with ayes by all present

1b. Motion to adopt Ordinance moved by Sheridan, carried by Cooper

Roll Call: Ayes: Pacheco, Sheridan, Kennedy, Cooper, Goode
Nays:
Absent: Lamberson
Abstain:

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

2. Ordinance #9-18 – Improvements to Veteran's Park & Benjamin Terry Park

The Clerk read the Ordinance by Title: **PROVIDING FOR IMPROVEMENTS TO VETERANS PARK AND TERRY PARK IN AND BY THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$285,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$270,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

2a. Motion to Open Public Hearing at 8:04PM moved by Sheridan, carried by Pacheco with ayes by all present

Dennis Fotopoulos – compared the figure in the budget to this figure and asked where the rest of the money will come from. \$202,000 was budgeted.

Administrator Gallo – stated this is being financed by a \$100,000 County Open Space Grant, as well as several other sources.

Mike Lane – complimented the Borough for posting the plan on the Borough website. He thinks it is a good plan. He asked whether we need an ordinance to vacate the paper street section of Myrtle. He said there is an opportunity for additional parking there.

Councilwoman Kennedy - stated she would like a rinse station by the kayak condo, as well as dog waste stations. She would also like to request solar lighting.

There being no further comments or questions, the Public Hearing was closed at 8:24PM moved by Sheridan, carried by Goode with ayes by all present

2b. Motion to adopt Ordinance moved by Pacheco, carried by Sheridan

Roll Call: Ayes: Pacheco, Sheridan, Kennedy, Cooper, Goode
Nays:
Absent: Lamberson
Abstain:

- 2c. Motion authorizing the Clerk to publish the Ordinance as adopted moved by Sheridan, carried by Pacheco

APPROVAL OF MINUTES

Motion to approve the February 20, 2018 Regular Session Minutes and the March 6, 2018 Work Session Minutes moved by Kennedy, carried by Sheridan with ayes by all present

COMMUNICATIONS AND PETITIONS

1. Application for Raffle License from Knights of Columbus #3402 St. Joseph's for a Pull-Tab machine to be licensed from May 16, 2018 through May 15, 2019

Motion to approve moved by Sheridan, carried by Goode with ayes by all present

2. Application for Use of Waterfront Park gazebo for the purpose of a wedding to be held June 23, 2018 at 4:30PM – *Chris Johnson*

Motion to approve moved by Pacheco, carried by Sheridan with ayes by all present

3. Application for Use of Waterfront Park promenade– Keyport-Matawan Elks to be held on May 6, 2018 from 11AM – 1:30PM for the purpose of its Annual "Walk Out on Drugs." Also requesting a waiver of the fee.

Motion to approve moved by Cooper, carried by Sheridan with ayes by all present

4. Letter from St. Joseph's Church pastor extending an invitation to the merger mass (St. Joseph Church & Jesus the Lord Church) to be held at St. Joseph Church on Sunday, July 1st at 11:30. Also interested in creating a food pantry for its St. Vincent DePaul chapter.

Motion to receive and file moved by Sheridan, carried by Pacheco with ayes by all present, with the exception of Councilman Cooper who abstained. The food pantry is going through Planning Board.

5. Letter from Knights of Columbus St. Joseph's Council #3402 requesting to conduct its Fundraising Drive to raise money for the ARC of Monmouth County by canning at the corners of Broadway and 4th Street from May 24 through 27th from 10AM-4PM

Motion to approve canning but check on condition of the location moved by Kennedy, carried by Sheridan with ayes by all present. Forward to Police Department.

6. Request from landlord of 36-2 Green Grove Avenue requesting relief due to an outdoor water leak and the Borough Utility Collector's recommendation

Motion to table until next meeting moved by Goode, carried by Pacheco with ayes by all present

NEW BUSINESS

Councilwoman Kennedy – DPW hired a seasonal laborer and has begun painting the railings at the waterfront.

UNFINISHED BUSINESS

Administrator Gallo – we have a draft Five-Year Tax Abatement Ordinance which Council has been working to perfect. We will post it on the Borough website. The

Zoning and Flood Damage Prevention Ordinances should be ready for the next meeting. The Five-Year Tax Abatement Ordinance authorizes improvement to homes up to \$25,000.

Councilman Goode – stated the Fire Department requested repainting the yellow curb lines at Eagle Hose.

ATTORNEY'S REPORT

Nothing to report

ADMINISTRATOR'S REPORT

Administrator Gallo reported on the following:

- Participated in the Monmouth County Coastal Reanalysis meeting in Freehold
- Attended the inaugural meeting of the Keyport WWI Memorial Committee
- Attended a Keyport Response to Recovery meeting
- Met with Ken Lawlor from McDonough's
- Met with Sal Costanza regarding Union issues
- Held a coordination meeting regarding the shredding event
- Attended Mayor Aumack's birthday party
- Toured the Borough with Councilwoman Kennedy
- Had a projected kick-off meeting for our Transportation Alternatives grant
- Participated in MEL-JIF training
- Had a conference call regarding Aeromarine
- Met with Harbor Commission members regarding harbor issues
- Had a conference call with the Bureau of Tidelands Resources NJDEP
- Held interviews for summer recreation director and assistant director
- Met with Clay Perlman regarding Mariner's Village
- Attended the Senior Volunteer Luncheon
- Met with Ken Schwartz
- Met with Lisa Savoia

Mariner's Village

I met the developer, Clay Perlman, who is eager to move forward with the project. I will have the draft PILOT agreement circulated for discussion and we will decide on our next steps.

Aeromarine Redevelopment Plan

We have a standing conference call with the owner/designated developer on this project every two weeks. There seems to be little interest in moving this project forward on the part of the owner. We are considering moving in a different direction.

Longview/Boatworks Redevelopment Plan

The developer's counsel advises that they have resolved their open issues and finalized financing with Fulton Bank. We should see some activity in the near future.

Ye Cottage Inn

Our engineer and tax assessor have arrived at an agreement regarding the property boundaries of the subject property. I have ordered a title search just to be sure that we are correct.

Water and Sewer Projects: Mott MacDonald

USDA-RD Funded-Perry Street Water Treatment Plant Upgrades

I am meeting with the project engineer later this week. We are now clear to move forward with bidding this project.

Water Allocation Permit Major Modification

I understand that our modification has been approved.

Bike Share Program

LimeBike has changed their name to just "Lime." They will be a sponsor of the Keyport

Garden Walk and will have a demonstration and information table at the event start. LimeBike has advised that they will be able to launch the project on June 15th.

Complete Streets Project/Pedestrian Safety

I am seeking grant funds to pay for the development of a complete streets policy for the Borough. I am working towards the development of a demonstration project – one way streets. I have spoken with several business owners and they have commented favorable on the idea. I hope to have a follow up meeting soon.

Harbor Issues

The boat ramp will be subject to maintenance clearing next week. The ramp is seeing a lot of use. We are meeting on the pay station and we are staffing up to address the waterfront issues.

County Dispatch

The fire department has reported favorably on going to County dispatch. We are planning a meeting with the principals involved and will then follow up with a community meeting.

MA-14 Bridge Project and Route 6 Bridge Project

The bridge project is expected to be completed by Memorial Day. I have no reason to believe they won't make that date.

Councilwoman Kennedy – would like violations in pedestrian crosswalks enforced.

Councilman Goode – this Saturday, May 5th, is the annual Fireman's Inspection at Fireman's Park awarding 25-year certificates to some of the members.

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments or questions at 8:58PM moved by Sheridan, carried by Pacheco with ayes by all present

Elmer Graham, Jr. – asked if the Administrator could speak on Mariner's Village negotiations. He spoke of a Marlboro program which gives credit to residents who purchase from Marlboro businesses. Those purchases become a credit on their property taxes. He asked whether we could have such a program here. He also asked about a meeting for the Complete Streets initiative.

Councilwoman Kennedy – stated Hazlet was doing it and she believes it was discontinued.

Dennis Fotopoulos – said they have been asking for crosswalk enforcement for a decade. Does this mean it's really going to happen?

Mike Lane – suggested the boat ramp crosswalk needs painting. He asked whether a property was a legal multi-family.

Mayor Aumack – stated it's not a multi-family, it's a duplex.

Mike Lane – spoke of boat trailer parking on First Street, as well as in Waterfront Park parking lot.

Glen Rubenstein, 134 Gettysburg Lane, Holmdel – thanked Council for considering the Five-Year Tax Abatement Ordinance.

There being no further comments or questions, the Meeting was closed to the public at 9:12PM moved by Goode, carried by Pacheco with ayes by all present

Motion at 9:13PM to go into Closed Session after a 2-minute break moved by Sheridan, carried Pacheco with ayes by all present

CLOSED SESSION

RESOLUTION #133-18

**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.**

WHEREAS, the Borough of Keyport, County of Monmouth (the "**Borough**"), a public body corporate and politic of the State of New Jersey, is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, *et seq.* (the "**Act**"), and

WHEREAS, N.J.S.A. 10:4-12 provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by resolution; and

WHEREAS, it is necessary for the Borough to discuss, in a session not open to the public, negotiation of a potential agreement involving the Borough and certain State agencies with regard to certain riparian rights, pursuant to N.J.S.A. 10:4-12(b)(7).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Council of the Borough of Keyport, County of Monmouth, State of New Jersey as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Mayor and Council assembled in public session on May 1, 2018 and determined that an Executive Session closed to the public shall be held on May 1, 2018 at approximately 8:00 P.M. at the Borough Hall located at 70 West Front Street, Keyport, New Jersey, for the discussion of matters relating to the specific items designated above.
3. This resolution will take effect immediately.

OFFERED: Sheridan

SECONDED: Pacheco

AYES: Pacheco, Sheridan, Kennedy, Cooper, Goode

NAYS:

ABSENT: Lamberson

Council reconvened at 9:42PM and Attorney Polles went over items discussed in Closed Session:

- Riparian rights issue with Bureau of Tidelands Resources license
- Aeromarine de-designation of conditional redevelopment
- School Resource Officers

ADJOURNMENT

Motion to Adjourn at 9:44PM moved by Sheridan, carried by Pacheco with ayes by all present