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 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 Sheridan, Howe, Lamberson, and Cooper. Others present: Mayor Aumack, Borough Administrator Stephen Gallo and Borough Attorney Jong Sook Nee Esq. Councilmembers Chamberlain and Goode were absent.

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

PROCLAMATIONS
Mayor Aumack read the Proclamation Supporting the *Click It* or *Ticket* Mobilization of May 23 – June 5, 2016

Clerk Heilweil read the Proclamation in support of Older American's 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 resolutions on the Consent Agenda

R164-16 Payment of Bills
R165-16 Making Appointments to Specific Positions in the Borough of Keyport
R166-16 Authorizing a Contract with FSD Enterprises LLC for Cell Tower Contract Services
R167-16 Accepting a Grant from the HDSRF Municipal Grant Program through the NJEDA and the DEP for the Former Benjamin Terry Boat Yard Property
R168-16 Accepting a Grant from the HDSRF Municipal Grant Program through the NJEDA and the DEP for the Former Humphrey's Shipyard
R169-16 Approving and Authorizing the Execution of a Memorandum of Agreement with the International Union of Operating Engineers, Local 68-DPW and Communications Operators
R170-16 Approving and Authorizing the Execution of a Collective Bargaining Agreement with the International Union of Operating Engineers, Local 68-68A-68B, AFL-CIO Clerical
R171-16 Authorizing the Award of Contract with CME Associates for Professional Engineering Services Related to the Rehabilitation of Storm-Water Outfalls
R172-16 Authorizing the Award of Contract with CME Associates for Professional Engineering Services Related to the 2016 Road Program
R173-16 Authorizing Payment Plan – Stack
R174-16 Authorizing Release of Performance Bond for Pennybags LLC, One Monroe Street, Also Knows as Block 35.01, Lot 1 on the tax Map of the Borough upon the Posting of a Maintenance Bond
R175-16 Authorizing Release of Performance Bond for the Property located at 180 Church Street, also Commonly Known as Block 85, Lots 11 and 12 on the Tax Map of the Borough

PUBLIC COMMENT PORTION
The Meeting was opened to the public for comments or questions on items listed on the agenda at 7:08PM moved by Sheridan, carried by Lamberson with ayes by all present

Bob Ludwig, 50 Beers Street – asked about an ordinance removed from the agenda. He asked why it was removed.

Mayor Aumack – stated it was removed at his request.

Ed Burlew, 59 W. Front Street – asked about the phrase "Operating Engineers" in reference to **R170-16** Approving and Authorizing the Execution of a Collective Bargaining Agreement with the International Union of Operating Engineers, Local 68-68A-68B, AFL-CIO Clerical.

Elmer Graham, Jr., 22 St. Peter's Place – asked for an explanation of several resolutions which Administrator Gallo provided.

Michael Lane, 51 First Street – attended a meeting today on sustainability in coastal areas. He believes the Borough needs to focus on long-range planning. He mentioned flooding on Beers Street from a fast-rising moon tide this past week.

Councilman Sheridan – stated he just had a fire chief cooperative meeting. There will be an ad-hoc meeting, part two.

There being no further comments or questions the Meeting was closed to the public at 7:24PM moved by Howe, carried by Cooper with ayes by all present

APPROVAL OF RESOLUTIONS

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

Roll Call: Ayes: Sheridan, Howe, Lamberson, Cooper
Nays:
Absent: Chamberlain, Goode
Abstain: Sheridan abstained from **R164-16** Payment of Bills due to a conflict

PUBLIC HEARING ON BOND ORDINANCE

Ordinance – Bond Ordinance #7-16

The Clerk read the Ordinance by Title: **BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE PERRY STREET WATER TREATMENT PLANT IN AND BY THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING $3,750,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $3,250,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

The Meeting was opened to the public for comments or questions at 7:25PM moved by Howe, carried by Sheridan with ayes by all present

Administrator Gallo – explained the water plant needs to be upgraded. Since we must make an investment in the plant anyway, we will be modernizing it. We will then be able to supply water more often during the year, purchasing less from Shorelands. This is a 40-year loan at extremely competitive rates, along with a grant. There will be a ceremony when the groundbreaking occurs, probably in the fall of this year.

Elmer Graham, Jr. - asked if the water is tested for lead. He asked if up the upgrades will lower taxes.

Administrator Gallo – explained lead pipes leach lead into the water. Our water is tested annually. Upgrades are self-financing and will not affect taxes.

There being no further comments or questions, the Meeting was closed to the public at 7:36PM moved by Sheridan, carried by Howe with ayes by all present

PUBLIC HEARINGS/ADOPTION OF ORDINANCES
1. Ordinance #8-16 – Redevelopment Plan

The Clerk read the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN FOR THE PROPERTY COMMONLY KNOWN AS BLOCK 22, LOTS 12.01, 19 AND 20 ON THE TAX MAP OF THE BOROUGH OF KEYPORT**

James Clark, CME Associates – described the Longview/Boatworks Project:

The basis for the plan is the 2008 declaration as an area in need of rehabilitation – 8.5 acres in the redevelopment plan with more than six (6) acres in the wetlands. The project is approved for 26 townhouse units. No uses allowed in wetlands or riparian areas. If adopted tonight, redevelopers will move to site plan approval through the Planning Board.

1a. Motion to Open Public Hearing at 7:42PM moved by Sheridan, carried by Howe with ayes by all present

Bob Ludwig – stated he is concerned about maintenance of the access road, as well as other items that were addressed by James Clarkin.

Michael Lane – stated he has two (2) sets of comments: one (1) on the process and the other on the plan itself. He mentioned the redevelopment plan was not available to either the Planning Board or residents until the day of the Planning Board meeting. He stated the Planning Board agenda did not give the public the opportunity to object.

Attorney Nee – stated the Borough provided a standalone public hearing on the plan prior to going to the Planning Board.

Administrator Gallo – explained this project has been kicking around for a decade.

Michael Lane – stated during the Aeromarine project the plan was available before going to the Planning Board. The tax map of this Longview project appears on the last page without a page number. He said it should be numbered as “Figure 3.” He said the demarcation line on the map is unreadable. Adjacent to this project is a Borough-owned lot. He believes Council needs to decide what to do with that lot.

Ed Burlew – stated he thinks it will be a nice project although he believes it is a bad curb.

Dennis Fotopoulos, 77 Beers Street – asked if the Seabrook House would be torn down. The Mayor replied it would not but the house behind it will be. Dennis stated, as a Planning Board member, they were unhappy with the timeframe in considering the plan.

There being no further comments or questions, the Public Hearing is closed at 8:06PM moved by Sheridan, carried by Howe with ayes by all present

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

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

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

INTRODUCTION OF ORDINANCES

1. Ordinance – Amending Property Maintenance Code

The Clerk read the Ordinance by Title: **AMENDING SECTION 12-4, PROPERTY MAINTENANCE CODE, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT**

Councilman Howe – stated this amendment includes an extra tool in our tool box of enforcement and expands standards of practice from which the Borough can draw.

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

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

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

2. Ordinance – Amend Vacant Property Ordinance

The Clerk read the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING CHAPTER XII, SECTION 19 (ABANDONED PROPERTIES) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT, TO INCREASE THE REGISTRATION FEES FOR PROPERTIES INCLUDED ON THE ABANDONED PROPERTY LIST**

2a. Motion to introduce moved by Sheridan, carried by Howe

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

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

3. Ordinance – Bond Ordinance for Ladder Truck

The Clerk read the Ordinance by Title: **BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A LADDER TRUCK IN AND BY THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING $1,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $950,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

Mayor Aumack – stated we have something in the works to help pay for this.

3a. Motion to introduce moved by Sheridan, carried by Lamberson

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

Absent: Chamberlain, Goode
Abstain:

3b. Motion authorizing the Clerk to publish the Ordinance as introduced in the Asbury Park Press for a public hearing moved by Sheridan, carried by Cooper with ayes by all present

4. Ordinance – Bond Ordinance for Various Road Improvements

The Clerk read the Ordinance by Title: **BOND ORDINANCE PROVIDING FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING $950,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $442,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

Councilman Sheridan – asked which streets were affected.

Councilman Howe – replied Jackson, Cass, Monroe, Stout, Elizabeth and Kearney Streets.

Administrator Gallo – stated this includes the sidewalks and curbs. We will ask the property owners whether they would like their sidewalks replaced prior to doing the work.

4a. Motion to introduce moved by Sheridan, carried by Howe

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

4b. Motion authorizing the Clerk to publish the Ordinance as introduced in the Asbury Park Press for a public hearing moved by Sheridan, carried by Cooper with ayes by all present

APPROVAL OF MINUTES

Motion to approve the following Minutes moved by Sheridan, carried by Lamberson

April 5, 2016 – Work Session
April 19, 2016 – Regular Session

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

COMMUNICATIONS AND PETITIONS

1. Social Affair Permit for Organization for the Unity of the Puerto Ricans of Keyport, NJ Inc. (Spanish-American Club) for an event to be held on August 13th from 12Noon-9PM (*Chief has signed off*)

Motion to approve and forward to DPW moved by Howe, carried by Sheridan with ayes by all present

2. Application for a Raffle License from the Organization for the Unity of the Puerto Ricans of Keyport, NJ Inc. for an Off-Premise 50/50 cash Raffle to be held on August 13, 2016 at 7PM

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

3. Application for a Raffle License from Keyport Matawan Elks Lodge #2020 for an Off-Premise 50/50 Cash Raffle to be held on May 21, 2016 at 6PM

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

4. Memo from resident Michael Lane regarding Severe Storm Preparation

Motion to receive, file and forward to OEM, DPW, Fire Department and Police Department moved by Sheridan, carried by Cooper with ayes by all present

5. Press Release from the Keyport Police Department regarding *Click It or Ticket* Mobilization to take place May 23 – June 5, 2016

Motion to receive and file moved by Sheridan, carried by Howe with ayes by all present

6. Email from Keyport Alliance Coordinator requesting to hold a free Narcan training on June 20th at 6PM in the Council Chambers

Motion to approve and advertise date moved by Lamberson, carried by Sheridan with ayes by all present

7. Application for Raffle License for Hazlet youth Athletic League, Inc. for an On-Premise 50/50 Cash Raffle to be held on June 11, 2016 from 9AM-9PM

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

REPORTS OF DEPARTMENTS

1. Municipal Clerk's Report for April 2016
2. Tax/Water/Sewer Collector's Report for April 2016
3. Board of Health Treasurer's Report for April 2016
4. Building Department's Monthly Report for April 2016
5. Keyport Municipal Court Report for April 2016

Motion to receive and file moved by Sheridan, carried by Howe with ayes by all present.

Councilman Howe – requested a report from the Tax Assessor

COMMITTEE REPORTS

Councilman Chamberlain: Buildings/Grounds/Library: Absent

Councilman Sheridan: Finance/Grants/Redevelopment:

- Had a Finance meeting - discussed redevelopment
- Memorial Day Parade - Sunday, May 29th
- Last Saturday was Community Day at the Central School
- Went to Incident Threat Training at the High School

Councilman Howe: Public Works/Recycling/Property Maintenance:

- Public Works is doing a great job
- Property Maintenance is stepping up vacant property enforcement
- Antiques & Artisan Festival is this Saturday

Councilwoman Lamberson: Police:

- Read Police calls for service/Detective cases/number of arrests
- April – launch of Special Needs Registry
- Operation Take Back
- Community Day at the Central School
- Memorial Day Parade

Councilman Cooper: Health/Recreation:

- Daddy/Daughter Dance is set for June 3rd
- Keyport 5K Race – September 24th; t-shirts and race numbers can be picked up at Borough Hall the night before the race
- Movie Nights
- Summer Camp

Councilman Goode: Fire/First Aid/Emergency Services: Absent

NEW BUSINESS

Mayor Aumack – stated he and the Police Chief went to the groundbreaking of the new MA-14 Bridge which will be closed for up to two (2) years.

Councilman Cooper – regarding the April 8th fire, he thinks we could have had better coordination with OEM.

Administrator Gallo – spoke about creating a Keyport Wall of Honor for active service members of the Borough.

UNFINISHED BUSINESS

Administrator Gallo – we are still working on the revised Taxi Ordinance to enhance enforcement.

Councilman Sheridan – asked about the grant for senior busing.

Administrator Gallo – stated we are still pursuing it.

ATTORNEY'S REPORT

Attorney Nee – reported on the following:

- Worked on labor and redevelopment matters
- Spoke of legal ramifications of some Monmouth County municipalities opting out of the RDS program

ADMINISTRATOR'S REPORT

Administrator Gallo – reported on the following:

- Filed insurance claims for the Front Street fire
- Met with property owners for rebuilding
- Web-based community survey conducted
- Property maintenance staff identified the top 100 property maintenance properties
- Considering using redevelopment process for acquiring vacant properties
- Met to discuss creation of an entertainment ordinance
- Working on revisions to taxi ordinance
- Hired a new Court Administrator
- Meeting for storm water improvements
- Attended Fire Department inspection
- Met with Police Committee and Library Board
- Met with
- Settled Union contracts for next five (5) years
- Engineer working on CRS for flood insurance
- Attended local resilience program today
- Master Plan process is underway – seeking members for a steering committee
- Applied for pre-disaster mitigation funding for Fireman's Park
- Had a meeting scheduled with Mariner's Harbor – will be rescheduled
- Waiting to hear back from Aeromarine owners
- Ye Cottage Inn Property
- 75 Manchester
- Olsen's Marina – seeking a buyer
- Waiting to hear from FEMA on flood map

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments or questions at 8:59PM moved by Sheridan, carried by Howe with ayes by all present

Dennis Fotopoulos – stated he does not know the time frame for submitting redevelopment plans to the Planning Board. He asked for an update on park improvements.

Administrator Gallo – stated we currently have Open Space grants for two parks – Main Street and Benjamin Terry and Veteran's Park.

Dennis Fotopoulos - asked about funds that developers pay in lieu of adequate parking. Can the Planning Board ask for that or must it be done by ordinance?

Borough Attorney Nee – stated it could be negotiated in a redevelopment agreement.

Mike Lane – stated the Borough needs a process for overnight parking for projects without adequate parking. He spoke about plans for the Steamboat Dock property and the Bayside property. He asked whether the Tax Assessor will set the 2017 revaluation values prior to his retirement.

Bob Ludwig – spoke about an idling taxi vehicle that he has now seen twice in the Borough. He asked again about a time frame for acquiring the senior bus.

Administrator Gallo - stated the grant application is due in August. He hopes to have bus service in place by the end of the year.

Elmer Graham, Jr. – asked if Kushner has expressed an interest in the Ye Cottage Inn property.

Administrator Gallo – stated we have not heard from them.

There being no further comments or questions, the Meeting was closed to the public at 9:26PM moved by Sheridan, carried by Cooper with ayes by all present

Motion to go into Closed Session following a four-minute recess moved by Howe at 9:26PM, carried by Sheridan with ayes by all present

CLOSED SESSION

RESOLUTION #176-16
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 certain matters relating to (a) labor and employment negotiations with the Keyport Police Department, (b) potential lease of property owned by the Borough, (c) contract negotiation with the Keyport Free Public Library and (d) potential litigation to which the Borough may be a party, all as authorized by *N.J.S.A.* 10:4-12(b).

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 17, 2016 and determined that an Executive Session closed to the public shall be held on May 17, 2016 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: Howe
SECONDED: Sheridan
AYES: Sheridan, Howe, Lamberson, Cooper
NAYS:
ABSENT: Chamberlain, Goode

Council reconvened to Open Session at 10:19PM

Attorney Nee spoke of items discussed in Closed Session

ADJOURNMENT
Motion to Adjourn at 10:21PM moved by Sheridan, carried by Howe with ayes by all present