Minutes of the Regular Meeting of the Mayor and Council, Borough of Keyport, held on the above date via videoconference in Borough Hall Council Chambers, Keyport, NJ, pursuant to 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.

Members of the public who wished to participate in the meeting used the following dial in information:

Link: https://zoom.us/j/93968302450?pwd=bHh0ZkwyWGlvZm9KbjBVSExwcndVQT09

Meeting ID: 939 6830 2450
Passcode: 837223
Dial in Number: (646) 558-8656

Mayor Kennedy called the Meeting to Order at 7:00PM. Borough Clerk Michele Clark read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present via videoconference: Councilmembers Goode, Pacheco, Fotopoulos, McDermott, Davidson (left the meeting at 7:57PM) and McNamara. Present in Council Chambers: Mayor Kennedy, Borough Administrator Jay Delaney. Borough Attorney Leslie London was present via videoconference.

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

Mayor Kennedy dedicated a moment of silence to each person's choosing

Council President Goode – Regarding, **R132-21**Authorizing Application to the New Jersey State Library for New Jersey Library Construction Bond Act Funding, he asked if the 50% match is coming from the Library tax or Municipal tax. Administrator Delaney provided an explanation.

Regarding, **R134-21**Authorizing the Borough of Keyport to Enter into a Shared Services Agreement with the Keyport Board of Education for Maintenance, Custodial and Public Works Services, he asked if this was a general interweaving. Administrator Delaney provided an explanation.

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments or questions listed on the Agenda at 7:05PM moved by Goode, carried by McDermott with ayes by all present.

John Merla, 34 Broad St. – Regarding, **R133-21**Authorizing the Purchase of Body Worn Cameras and Related Equipment and Services for the Borough of Keyport Police Department, he asked if this was a grant or budget item.

Administrator Delaney - He said that it is actually both. There are funds included in the Budget to purchase the Body Worn Cameras and Related Equipment. The Chief has submitted a Grant application and it is our hope that a portion of the funding will come back to us in the form of the Grant. The final amount of that is yet to be determined.

John Merla - Regarding, **R132-21** Authorizing Application to the New Jersey State Library for New Jersey Library Construction Bond Act Funding, he asked who prepared the application on behalf of the Library.

Mayor Kennedy – She said it is a continuation of the application that they submitted last year that did not go through, so it is a resubmission.

Administrator Delaney – He confirmed that it was slightly modified and was prepared and reviewed by both the Borough Engineer and the Grant Writer.

John Merla - Regarding, **R139-21** Amending the Introduced 2021 Municipal Budget, he asked for an explanation of the amendments.

Administrator Delaney – He said it was a result of the Public Hearing to provide two additional increases in Funding, specifically this amendment provides for an additional $20k in Police salary and wages. Additionally, it provides for $25k in anticipation in COVID related costs and expenses.

John Merla – He said that he is opposed to Communication #7.

Michael Lane, - He asked when Communication #7 was added to the Agenda. Regarding, **R134-21** Authorizing the Borough of Keyport to Enter into a Shared Services Agreement with the Keyport Board of Education for Maintenance, Custodial and Public Works Services, he feels it is a very loose document and needs more detail. He asked Council President Goode to report on the Aeromarine site regarding the significant erosion according to the Borough Ordinance. He asked Councilwoman Pacheco about the sidewalks on both sides of the street for the Complete Streets project. He asked Councilman Fotopoulos to look at the scientific article he sent regarding fire pits. He asked Mayor Kennedy for an update on the First and Waverly project regarding paving the street, the underground utilities and the filing of the Homeowners Association Deed. He asked Administrator Delaney for an update on the 25MPH signs for Broad Street.

There being no further comments or questions, the Meeting was closed to the public at 7:16PM moved by Goode, carried by McDermott with ayes by all present.

COMMITTEE REPORTS

(Councilmember is lead or co-lead liaison of Committees in bold)

Councilman Goode: **Fire/First Aid/OEM/Redevelopment**/Finance/Grants/Recreation/Senior Center

- Fire Department Calls for Service report read
- Fireman's Fair
- Keyport First Aid Donation Mailings
- Redevelopment meeting for a redeveloper who submitted an idea for Pedersen's Marina
- Scheduling a meeting with Aeromarine
- Cannabis Sub Committee met and they are currently working on a draft Ordinance

Councilwoman Pacheco: **Police/MAC/Harbor/Complete Streets/Library Construction**/Redevelopment/ Public Works/Construction/ Fire Bureau/Property Maintenance/Zoning

- Discussed the Complete Streets demo project
- Revisions to Chapter 3
- Police Department Calls for Service report read
- Keyport Assist Program has begun on Wednesday's from 12:30-2PM
- Municipal Alliance met and discussed prom and graduation
- Barbara Hilliard is retiring

Councilman Fotopoulos: Finance/Grants/Board of Health/Registrar/Recycling/Environmental/ Complete Streets/Fire/First Aid/OEM

- Discussed the Complete Streets demo project
- Finance Committee meeting tomorrow
- Recycling Committee met and would like to send out a one-page flyer about the recycling schedule
- Shredding Event tentatively scheduled for June 5th at Fireman's Park pending approval
- Environmental Commission met and discussed the fill being stored at the Brown's Point Marina site
- Safe and permitted use of fire pit regulation discussions
- Osprey nest at Fireman's Park

Councilwoman McDermott: **Keyport Bayfront Business Cooperative/Neighborhood Preservation Program/Library Construction**/Police/MAC

- New KBBC website is up and coming
- New KBBC events – possibly six weeks of salsa lessons
- Library Construction Committee Resolution to be approved for Library repairs
- Library Construction Grant was resubmitted with amendments
- NPP year one will be completed by June 30, 2021
- NPP year two will begin on July 1, 2021 through June 30, 2022

Councilwoman Davidson: **Public Works/Construction/Fire Bureau/Property Maintenance/ Zoning/Planning Board/Neighborhood Preservation Program**

- Building and Construction Department Report read

- Hydrant flushing complete
- Borough properties to be cleaned up and maintained
- Parking Committee Advisory meeting
- Landscaper proposals still being reviewed
- DPW employee hiring process still in progress

Councilwoman McNamara: **Recreation/Senior Center/Green Team/Harbor/**Board of Health/Registrar

- Recreation summer chalk contest
- Five tentative movie dates, starting June 30th
- Cedar Street permits were issued for the Monday through Friday evenings
- 5K Planning Summary will be followed up
- Senior Center (Mother's Day photos, Movie Night gift bags, Photos submitted by members, eligibility for Food vouchers, Exploring options for Picnic/BBQ)
- Thanked the Garden Club for weeding and sprucing up the front of the Senior building
- Green Team first round of submission dates is June 6th and some of the projects being worked on are Dune Grass, Energy Efficiency, establishing the Creative Team, Community Garden education and outreach, Emergency Systems and Communications, Green Challenges, reestablishing and activating the BDA membership and Save the Wildlife Efforts
- Sustainable Jersey Summit is this week
- Harbor Commission tentative date for the Snapper Contest is August 28th
- Harbor Commission would like to work on signage along the waterfront
- Discussions about the wear on the Kayak Lockers
- Creative Team met with County reps and first official meeting will be on May 7th
- Historical Society will be reopening their doors on June 6th between 1-4PM with limited access

Mayor Kennedy – She asked Trevor Taylor if he could provide an update about the First and Waverly project that Mr. Lane inquired about.

Trevor Taylor – He said that he will reach out to the applicant or Developer for an update and that he has not heard back from them since their last letter to them two weeks ago.

MAYORS UPDATE

- Meet with members of Keyport Assist
- Collaboration meeting with the BOE
- Met with Oyster Bay management regarding their final stages of construction
- American Legion meeting and discussed the initiatives being revisited by the Veteran's Committee
- NPP and KBBC meeting held to discuss the archway initiatives
- Ribbon cutting for the track
- KBBC meeting
- Library Board of Trustees meeting and they continue their search for a new Director
- APEX software program meeting
- Toured the new emergency room at Bayshore Hospital with the Bayshore Mayor's Association
- Wave Parade meeting

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.)

R131-21 Payment of Bills for the May 18, 2021 Bills List
R132-21 Authorizing Application to the New Jersey State Library for New Jersey Library Construction Bond Act Funding
R133-21 Authorizing the Purchase of Body Worn Cameras and Related Equipment and Services for the Borough of Keyport Police Department
R134-21 Authorizing the Borough of Keyport to Enter into a Shared Services Agreement with the Keyport Board of Education for Maintenance, Custodial and Public Works Services
R135-21 Authorizing the Borough Administrator to Initiate the Hiring Process to Fill an Anticipated Vacancy within the Finance Department
R136-21 Authorizing the Appointment of Michael Miele as Laborer-1 in the Department of Public Works
R137-21 Authorizing the Hiring of Seasonal Laborers in the Department of Public Works – *Andrew Krohe and Nicholas Trapani*

R138-21 Appointing Business Owner Member to the Parking Advisory Committee – *Christopher Matey*
R138A-21 Providing the Chief of Police and Borough Administrator with Designated Authorization during Site and Parking Lot Improvements at the Oyster Bay Apartments

APPROVAL OF RESOLUTIONS

Motion to approve Consent Agenda moved by Davidson, carried by Pacheco.

Roll Call: Ayes: Goode, Pacheco, Fotopoulos, McDermott, Davidson, McNamara
Nays:
Absent:
Abstain:

RESOLUTION #R139-21 AMENDING THE INTRODUCED 2021 MUNICIPAL BUDGET

Administrator Delaney read Resolution #**139-21** Amending the 2021 Municipal Budget.

BOROUGH OF KEYPORT
COUNTY OF MONMOUTH

RESOLUTION #139-21
AMENDING THE 2021 MUNICIPAL BUDGET

WHEREAS, the local municipal budget for the year 2021 was approved on the 6th day of April, 2021: and

WHEREAS, the public hearing on said budget has been held as advertised; and

WHEREAS, it is desired to further amend said approved budget.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Keyport, County of Monmouth that the following amendments to the approved budget of 2021 be made:

		FROM	**TO**
GENERAL BUDGET			
Current Fund - Anticipated Revenues			
General Revenues			
1. Surplus Anticipated		1,100,000.00	1,120,000.00
Total Surplus Anticipated		1,100,000.00	1,120,000.00
Summary of Revenues			
1. Surplus Anticipated		1,100,000.00	1,120,000.00
7. Total General Revenues		10,779,216.82	10,799,216.82
8. GENERAL APPROPRIATIONS			
A. Operations Within "CAPS"			
Administrative and Executive			
	Other Expenses	72,100.00	71,100.00
Police Department			
	Salaries and Wages	2,480,000.00	2,500,000.00
	Other Expenses - Misc.	90,000.00	88,000.00
Emergency Management			

Services		
Other Expenses	14,000.00	13,000.00
Road Repair and Maintenance		
Salaries and Wages	534,000.00	519,000.00
Public Buildings and Grounds		
Other Expenses	90,000.00	84,000.00
Total Operations Within "CAPS"	7,196,145.00	7,191,145.00
Total Operations Including Contingent Within "CAPS"	7,196,645.00	7,191,645.00
Detail:		
Salaries and Wages	4,072,800.00	4,076,800.00
Other Expenses	3,123,845.00	3,114,845.00
Total General Appropriations for Municipal Purposes Within "CAPS"	8,187,078.00	8,182,078.00
	FROM	TO
(A) Operations - Excluded from "CAPS"		
Declared State of Emergency Costs for Coronavirus Response		
NJSA 40A:4-45.45(b) and 40A:4-45.3(bb)	0.00	25,000.00
Total Other Operations - Excluded from "CAPS"	270,248.00	295,248.00
Total Operations - Excluded from "CAPS"	653,031.70	678,031.70
Detail: Other Expenses	612,031.70	637,031.70
(H-2) Total General Appropriations for Municipal Purposes		
Excluded from "CAPS"	2,019,611.70	2,044,611.70
(O) Total General Appropriations - Excluded from "CAPS"	2,019,611.70	2,044,611.70
(L) Subtotal General Appropriations (Items H-1) and (O)}	10,206,689.70	10,226,689.70
9. Total General Appropriations	10,779,216.82	10,799,216.82
SUMMARY OF APPROPRIATIONS		
Total General Appropriations for Municipal Purposes within 'CAPS"	8,187,078.00	8,182,078.00
Operations Excluded from CAPS - Other Operations	270,248.00	295,248.00
Total Operations - Excluded from "CAPS"	653,031.70	678,031.70
Total General Appropriations	10,779,216.82	10,799,216.82

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director Local Government Services for certification of the local municipal budget so amended.

Motion to approve moved by Goode, carried by Pacheco.

Roll Call: Ayes: Goode, Pacheco, Fotopoulos, McDermott, Davidson, McNamara
Nays:
Absent:
Abstain:

ADOPTION OF 2021 MUNICIPAL BUDGET

The Clerk reads the Budget by Title: **MUNICIPAL BUDGET OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY FOR THE YEAR 2021**

RESOLUTION #R129-21 ADOPTING THE 2021 MUNICIPAL BUDGET
Motion to approve the amended Budget moved by Goode, carried by Fotopoulos.

Roll Call: Ayes: Goode, Pacheco, Fotopoulos, McDermott, McNamara
Nays: Davidson
Absent:
Abstain:

Councilmember Davidson left the meeting at 7:57PM

INTRODUCTION OF ORDINANCES

1. **Ordinance – Amending Chapter III Article I "Police Department" of the Borough Code**

The Clerk reads the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING AND SUPERSEDING CHAPTER III, ARTICLE I "POLICE DEPARTMENT" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT IN ITS ENTIRETY**

Council President Goode – In regards to the Appointments in 3-6, subsection C, he said that it doesn't appear that the Council is involved in the resolution of hiring of the Police Officers. In subsection 3-11, Uniform and Equipment, he said a change would be in order to say that the apparel and equipment will be as directed by the Police Chief.

Discussion ensued regarding appointing authority verse appropriate authority.

Council President Goode – He said under Article 1, 3-1 definitions add "Appointing Authority" in capitals to say that the Governing Body of the Borough of Keyport and in Section 3-11, Uniform and Equipment, replace the term Police Commissioner with the Police of Chief or her designee.

1a. Motion to introduce with edits moved by Goode, carried by Pacheco.

Roll Call: Ayes: Goode, Pacheco, Fotopoulos, McDermott, McNamara
Nays:
Abstain:
Absent: Davidson

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

COMMUNICATIONS BY CONSENT
(For Approval)

1. Letter dated May 2, 2021 from Keyport Historical Society recommending the appointment of Angel Jeandron as the Borough's Local Historian
2. Letter dated May 13, 2021 from Recycling Coordinator Donna Purcell requesting approval to hold a shredding event in Fireman's Park on June 5, 2021 from 9AM to 1PM
3. Application for membership in Eagle Hose Company from Tyler Littner (subject to State approval) and notification that at the April 12, 2021 meeting the membership accepted the resignation of Roy Cadoo, Sr.
4. Application for a Social Affair Permit from Keyport Yacht Club for the Annual Bill Volk Regatta Charity Fundraiser to be held June 12, 2021 from 11AM-11:59PM and June 13, 2021 from 11AM-11PM
5. Application for a Social Affair Permit from Keyport Yacht Club for the Annual Open House to be held June 20, 2021 from 2PM-6PM

6. Letter dated May 11, 2021 from Dave Olsen, Keyport Fire Department, requesting approval for various items related to the Fireman's Fair to be held July 12-17, 2021
7. Request for Use of Borough Property from Solomeno for Senate Outdoor for a meet and greet to be held at Cedar Street Park on May 22, 2021 at 1PM contingent upon receipt of certificate of insurance

(To Receive and File)

None

Attorney Leslie London – She said under the New Jersey Campaign Contributions and Expenditure Reporting Act, it does provide in that statute that you can't solicit contributions and fundraising on Public property. Public property is defined as a building as opposed to an outdoor area.

Discussion ensued about the use of Borough Property.

Mayor Kennedy – She asked if anyone checked the tide schedule in regards to the new dates for the Fireman's Fair request.

Council President Goode – He said that in his conversations with Mr. Olsen, who is the Chair of the Fireman's Fair Committee, he said they work around the tide schedule and he told him that this schedule is fine for the tides.

APPROVAL and/or RECEIPT AND FILE OF COMMUNICATIONS

Motion on Communications by Consent moved by McNamara, carried by Pacheco.

Roll Call: Ayes: Goode, Pacheco, Fotopoulos, McDermott, McNamara
Nays:
Abstain: Goode (Communication #7), Fotopoulos (Communication #7)
Absent: Davidson

MINUTES FOR APPROVAL

March 16, 2021 Regular Meeting

Mayor Kennedy – She requested an edit to page one, at the end of the sentence where she requested R189-21 be pulled until the next meeting, to add "pulled by request of Kiwanis."

Motion to approve the Minutes with the edit was moved by McDermott, carried by McNamara.

Roll Call: Ayes: Goode, Pacheco, Fotopoulos, McDermott, McNamara
Nays:
Abstain:
Absent: Davidson

REPORTS OF DEPARTMENTS

1. Municipal Clerk's Report for April 2021
2. Tax/Water/Sewer Collector's Report for April 2021
3. Board of Health Treasurer's Report for April 2021
4. Building Department Monthly Report for April 2021
5. Municipal Court Monthly Report for April 2021
6. Keyport Parking Advisory Committee Report for April 2021
7. Keyport Fire Department PIO/PR Report dated April 29, 2021

Motion to receive and file moved by Goode, carried McNamara by with ayes by all present.

NEW BUSINESS

Fire Pit Safety

Mayor Kennedy spoke about prior discussions regarding fire pit safety.
Discussion ensued about fire pit safety.

Mayor Kennedy – She asked if anyone was opposed to the fire pit safety flyer being posted on the website.

The Dais was not opposed to having the flyer being posted on the website. The proposed draft document is being tabled.

Mayor Kennedy - She said that for Memorial Day the American Legion will be doing their traditional annual ceremonies at different locations throughout the Borough. She asked if they would consider doing a ceremony at their World War I Memorial area and they were amenable to that. Regarding the salsa lessons, it is a potential proposal for the next meeting of KBBC and circulated to the Board as Music and Movement Mondays. Earlier they started a Cultural Committee and last year she reached out to Pastor Pettis and several other members of the Community because Juneteenth actually falls on a Saturday this year. They have been on hold because they were not sure what outdoor gathering limits were going to be. She said it is about a month away and she would like to reconvene with the people she was speaking with about it and maybe have something small at the Mini Park for an hour or so. She said she will do a Proclamation again. She would like to request an ad hoc Committee regarding opening phases as things are starting to loosen up.

UNFINISHED BUSINESS
Road Opening on Main Street
Sunday Games at Cedar Street Park

Road Opening on Main Street
Administrator Delaney – He said that he does not have any updates to report, but prior to the last meeting he distributed some information from the Borough Engineer. On there was a specific recommendation from Trevor's office on addressing the most recent incident with the road opening. There are some changes that will be recommended to our existing road opening permit scheme.

Mayor Kennedy – She asked to table this until the next meeting.

Sunday Games at Cedar Street Park
Councilwoman McNamara – She said the one interested group did not reapply regarding Cedar Street Park.

She asked if there was an update with 19 Division Street LLC.

Administrator Delaney – He said there is no status and the license agreement goes back 10 years. They are still searching for some information and the property owner has indicated verbally that they do not wish to pursue it. They are trying to dig up the original records on the development of that site, which appears to have been what initiated the need for the license agreement to begin with.

ATTORNEY'S REPORT
None

Administrator Delaney – In response to Mr. Lane regarding the speed limit signs, he reported at the last meeting that they did meet with the County and they are waiting for their response to that issue as well as a number of other traffic related and sign issues. They did explain that it would be 30 days before they think they would be able to provide us with a timeline.

PUBLIC COMMENT PORTION
The Meeting was opened to the public for comments or questions at 8:52PM moved by Goode carried by McNamara with ayes by all present.

Elmer J. Graham, Jr. – He said that he agrees with Councilwoman Davidson's vote on the Budget. He said that it needs to be more beneficial for the people of Keyport. He asked if there were more Veteran's Committee meetings scheduled. He said that the Complete Streets initiative is a good project, but he agrees with Mr. Lane that there should be sidewalks by the Cornucopia.

John Merla – He asked Attorney Leslie London if she was familiar with the facility that the event was going to be held on regarding Communication #7. He asked if she was aware that it is on Green Acres

inventory and if she knew the rules and regulations of Green Acres property. He wanted to follow up on the Maple and Church project. He said that it can be, if properly planned, be a good project for Keyport. He said that stop signs are created by Ordinance and when you create a stop sign by Ordinance you have to tell how many feet from the intersection. His concern is that he does not even know if it is legal to cover an existing stop sign that's been created by Ordinance and the day he drove by the temporary sign was facedown. He thinks there should have been a little bit better planning. He said the Fire Department and residents of Church Street should have been notified before. He asked for the salary of the Library Director and who set it.

Mayor Kennedy – Stated the Library Board of Trustees set that salary.

She asked Attorney London to research the Green Acres.

Michael Lane – Regarding the Church Street project, he asked if Council was aware that there is an application before the Planning Board to put four new dwelling units on Church Street and six more on Osborn all fed off of the utilities. He said if the street gets paved they can't open it again. Regarding the Aeromarine bulkhead, the Council adopted the County Multi-Jurisdictional Hazard Mitigation plan and that spells out very clearly that you can't let the erosion continue at the Aeromarine.

Council President Goode – He said that there is active litigation and they cannot discuss that.

Michael Lane – He asked if the Budget was going to be posted on the website. Mayor Kennedy said, yes.

Jacqueline Kovacs Olsen, 45 Church St. – She said that the Complete Streets Project is a nightmare, especially at night. She thinks that they should consider working with the County and pave the section of the old railroad right-of-way that belongs to the County. Then you could put a crosswalk across from where the old Cornucopia was and tie it with the crosswalk on the other side of the street by Fishers Boarding Home to get to the trail. She said that the Church Street project needs to include sidewalks and curbing besides paving just like the other streets in that area.

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.

ADJOURNMENT

Motion to Adjourn at 9:12PM moved by Goode, carried by McNamara with ayes by all Present.