

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 7:02PM 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:

R144-18 Payment of Bills

R145-18 Requesting Approval of Items of Revenue and Appropriation—N.J.S.A.40A:4-87

R146-18 Authorizing Cancellation of Municipal Tax Sale Certificate 16-00015

R147-18 Certification of Mayor and Borough Council Compliance with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions under Title VII of the Civil Rights Act of 1964"

R148-18 Authorizing the Execution of a Memorandum of Understanding between the Borough and Associated Humane Societies for a Trap, Neuter and Release (TNR) Program

R149-18 Authorizing the Designation of Employment Attorney for the Borough of Keyport – *Leslie G. London, Esq.*

R150-18 Authorizing Liquor License Renewals for 2018-2019 licensing period

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

Michael Lane, 51 First Street – requested updates on the following items:

- 149 W. Front Street – title status
- CO inspections – there is no list of what is inspected
- CO's and zoning permits do not match up and names on zoning permit are illegible. He thinks the names should be printed.
- Mystic at Keyport and Boatworks update

There being no further comments or questions, the Meeting was closed to the public at 7:07PM 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 #10-18 –Salary Ordinance – Amending Records Support Technician III & Property Maintenance Officer

The Clerk read the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT COUNTY OF MONMOUTH, NEW JERSEY, AMENDING AND SUPERSEDING THE ORDINANCE FIXING THE SALARIES OF THE VARIOUS OFFICERS, CLERKS AND EMPLOYEES OF THE BOROUGH OF KEYPORT**

- 1a. Motion to Open Public Hearing at 7:08PM moved by Sheridan, carried by Pacheco with ayes by all present

Seeing no one, Motion to Close Public Hearing at 7:09PM moved by Sheridan, carried by Goode 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 Sheridan, carried by Pacheco with ayes by all present

2. Ordinance #11-18 – Amending Regulations to Municipal Boat Ramp

The Clerk read the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING CHAPTER XI, RECREATIONAL FACILITIES, TO REFLECT CHANGES TO THE REGULATIONS GOVERNING THE MUNICIPAL BOAT LAUNCHING RAMP**

- 2a. Motion to Open Public Hearing at 7:10PM moved by Sheridan, carried by Pacheco with ayes by all present

Mike Lane – brought up a discrepancy in section 11-6.3 of the Ordinance. He asked whether there will be an effort to dispose of the fish waste that floats up to the shore.

Administrator Gallo – stated we can place a barrel there with a liner.

There being no further comments or questions, the Public Hearing was closed at 7:19PM moved by Sheridan, carried by Cooper 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

3. Ordinance #12-18 – Five-Year Tax Exemption for Improvements

The Clerk read the Ordinance by Title: **ORDINANCE OF BOROUGH COUNCIL OF THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING BOROUGH CODE CHAPTER XII, SECTION 12-8 AUTHORIZING FIVE-YEAR TAX EXEMPTIONS FOR IMPROVEMENTS TO DWELLINGS PURSUANT TO N.J.S.A. 40A:21-1 ET. AL. AS WELL AS**

AMENDING BOROUGH CODE CHAPTER XII, SECTION 12-16 AUTHORIZING FIVE-YEAR TAX EXEMPTIONS FOR IMPROVEMENTS TO MULTIPLE DWELLINGS AND COMMERCIAL OR INDUSTRIAL STRUCTURES PURSUANT TO N.J.S.A. 40a:21-1 ET. AL. AND RATIFYING CERTAIN TAX EXEMPTIONS AUTHORIZED BY THE BOROUGH COUNCIL

- 3a. Motion to Open Public Hearing at 7:22PM moved by Sheridan, carried by Goode with ayes by all present

Ann Marie Reedy, 42 First Street – asked whether this is retroactive as she built a house last year for her daughter. She said she was not made aware of this tax incentive.

Attorney Polles – explained the application must be made within 30 days of completion of construction.

Administrator Gallo – stated the previous ordinance does not apply in the case of new residential construction. It was only for improvements to existing construction.

Mike Lane – thinks this tax abatement ordinance is really needed here in Keyport. Mr. Lane provided a hand-out with highlighted comments. Each suggestion was discussed with Council and the Borough Attorney.

Councilman Goode – stated we are following State guidelines.

Mike Lane – believes it falls to the Governing Body to be sure an Ordinance is readable and understandable and he stated he does not think they are there yet with this Ordinance.

Elmer Graham, Jr., 22 St. Peters Place – said he read the Ordinance and believes it is understandable. He suggested we cut through all the mumbo jumbo and approve it.

Administrator Gallo – stated he doesn't believe any of these suggestions are substantive changes.

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

Attorney Polles – stated he agrees that most of the changes are just to rearrange and are not substantive. He suggested a Motion to table rather than doing a rewrite after adoption.

Councilman Goode – suggested tabling the Ordinance until changes are made.

- 3b. Motion to table Ordinance until next meeting moved by Kennedy, carried by Sheridan

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

INTRODUCTION OF ORDINANCES

1. Ordinance – Vacation of a portion of Myrtle Avenue

The Clerk read the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, VACATING A PORTION OF MYRTLE AVENUE PURSUANT TO NJSA 40:67-1, ET. SEQ.**

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

Roll Call: Ayes: Pacheco, Sheridan, Kennedy, Cooper, Goode
Nays:
Absent: Lamberson
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 Pacheco with ayes by all present

COMMUNICATIONS AND PETITIONS

1. Application for Raffle License from Keyport Indians for an On-Premise 50/50 Cash Raffle to be held Saturdays and Sundays from July 28th through November 25, 2018

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

2. Application for a Raffle License from Keyport-Matawan Elks Lodge 2030 for a Tricky-Tray to be held August 25, 2018 from 1-6PM
3. Application for a Raffle License from Keyport-Matawan Elks Lodge 2030 for an Off-Premised 50/50 Cash Raffle to be held on August 25, 2018 at 5PM

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

4. Application for a Raffle License from Board of Fire Wardens for no-draw raffle games to be held July 30, 2018 through August 4, 2018

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

5. Application for Raffle License from Liberty Hose Company No. 3 for a Money Wheel to be played from July 30, 2018 through August 4, 2018

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

6. Application for a Raffle License from Keyport Hook and Ladder Company for an On-Premise 50/50 Cash Raffle to be held from July 30, 2018 through August 4, 2018 from 6PM-Midnight

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

7. Request from Art Society of Keyport (ASK) requesting to display fiberglass butterflies at the waterfront gazebo from June 5, 2018 through October 1, 2018

Administrator Gallo – ASK will maintain and remove.

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

8. Application for Use of Waterfront gazebo for the purpose of a wedding to be held July 28, 2018 at 2:30PM – *Cheryl Hicks*

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

9. Application for a Social Affair Permit from Friends of the Keyport Library for a fundraiser to be held at 42 1st Street on August 18, 2018 from 6:30-11PM

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

10. Email from KBBC requesting the closure of West Front Street from Broad to Beers for Dog's Night Out to be held on Thursday, June 21st

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

11. Letter from Yoga by the Bay Instructor Allison Sorokin requesting to hold a Free class & meditation at the Waterfront on June 23rd from 10AM-3PM to celebrate International Yoga Day

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

12. Letter from Patrolman Christopher DeGroat advising the Borough that he will be taking Family Leave from June 18th-July 30th due to the birth of his son

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

13. Email from Keyport Fire Department requesting waiver of local raffle fees for the Firemen's Fair

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

14. Application for a film permit for ABC Television's "What Would You Do?" to be filmed at Old Glory Kitchen and Spirits on Friday, June 22, 2018 from 8AM-6PM

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

NEW BUSINESS

Personnel – Recreation and DPW

- Discussion of procedure for Recreation Committee's recommendation of pay increase for summer camp counselors

Councilwoman Kennedy – stated she wanted to discuss a paid position for Recreation. This could be a part-time paid position or a stipend for a current employee.

Administrator Gallo – stated the Governor passed legislation requiring part-time employees to be in the Union.

Councilwoman Kennedy – stated the newly appointed DPW equipment operator was here for 2 months and left. She would like to look at our hiring range for those with CDL's. She also stated we can't seem to find a part-time custodian for the building.

Councilman Goode – discussed the "Animal House" Ordinance for those homes where the police are regularly called to respond.

Councilwoman Kennedy – spoke of the Cadet competition held this past weekend.

UNFINISHED BUSINESS

None

ATTORNEY'S REPORT

Nothing to report

ADMINISTRATOR'S REPORT

Administrator Gallo reported on the following:

- Met with Valerie and Denise regarding safety and EPL issues
- Held a TRC meeting with Baron Builders regarding 333 Frist Street
- Participated in a meeting regarding County Dispatch
- Met with Court Administrator regarding staffing issues
- Held a meeting regarding solid waste and recycling
- Met with John Armstrong from Mott MacDonald
- Participated in a review of workflow process regarding storm drainage prevention
- Held a neighborhood meeting on Kearney Street
- Held a planning meeting regarding the Memorial Day Parade
- Participated in a KBBC events meeting
- Met with Mike Lane regarding STTE Ordinance

Ongoing Capital Projects

- Maple Place Fire Hydrant Replacement – the plan to install a new hydrant at Maple Place had to be rescheduled due to an injury to our equipment operator. We will reschedule shortly.
- Beach Park and Beers Street Outfall Reconstruction – the project has been cleared for bidding. Trevor will advertise within the next week or so.
- Improvements to Benjamin Terry and Veteran's Parks – the project is out to bid.
- DPW Building, Rollo Place – the architect continues to work on the project design prior to bidding. We will have a chance to review prior to bidding.
- Scattered Site Redevelopment Plan – I am working with counsel to finalize the condemnation letter that will be sent to the vacant property owners and lien holders. Once this letter is sent out we should see a reaction on the part of the banks.

Upcoming Capital Projects

- A contract has been awarded to CME for the design and management of this project. We expect to be out to bid in the next few weeks and under construction by midsummer. We have included Walnut Terrace as a deductive alternate to see if we can get it done under this job with our available funds.
- We've been advised that NJDOT has awarded us \$340,000 for the 2018 local aid paving project. Streets to be included are sections of Division Street, E. Front Street and Third Street. This project will likely be done in 2019.
- Main Street Park – the environmental assessment of this project is complete and no concerns have been identified. We expect the CDBG grant to be awarded within the next month. I will be requesting a contract for design and construction management at our next meeting.

Redevelopment

- Brown's Point Redevelopment Plan – we are meeting with the developer to finalize their tax agreement next Thursday.
- Aeromarine Redevelopment Plan – we continue to wait for the land owner to come up with a realistic redevelopment proposal.
- Longview/Boatworks Redevelopment Plan – I will follow up with PRC to find out what's going on.

Water and Sewer Projects

- Water Allocation Permit Major Modification – we have resolved our water allocation issues and are assured of adequate water supply for the duration of the project.
- Bike Share Program – we anticipate a launch of LimeBike in Keyport on Friday, June 15th.
- Complete Streets Project/Pedestrian Safety – we have applied for several grant funds to assist in the development of a Keyport Complete Streets Program.
- Harbor Issues – the Boat Ramp has been cleaned and is open for business. We are finalizing the details regarding the pay station which we expect to be

operational within the coming days. Victor Hartley advises that he hopes to be operational in Keyport with his fishing vessel by July 2nd. We have applied for the necessary license to allow this operation. Andy Raichle is working on a comprehensive white paper about the entire Keyport Harbor.

- County Dispatch – we are in the process of scheduling a Town Hall meeting in the next few weeks. Bob Dawson, Undersheriff, will attend to answer any questions
- MA14 Bridge Project and Route 6 Bridge Project – the bridge is completed and open. We met with the Project and County Engineer today regarding punch list items that must be addressed.
- Zoning and Flood Control Ordinance Updates – I expect the final drafts to be available by next Tuesday.

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

Nancy Carew, 64 Broadway – as a representative for ASK – stated she is concerned whether the butterflies were installed within regulations. She asked whether the Borough has accepted them by resolution.

Administrator Gallo – explained if donated, we will put on our insurance. If not, the Borough should be indemnified.

Nancy Carew – reported that there has been more vandalism done to the mosaic benches at the waterfront.

Elmer Graham, Jr., - heard about Diane Turton's Real Estate sign which, due to Superstorm Sandy, was blown into the sea and was found on a beach in France. He also asked for a "complete streets" update which the Administrator provided. He brought up the LimeBike program and asked about State law requiring helmets.

Administrator Gallo – explained it is optional, under the law, for those 17 and older to wear helmets. Children cannot rent the bikes.

Elmer Graham, Jr. – asked for an explanation of certain resolutions.

Mike Lane – said the plan to vacate a portion of Myrtle Street is great. He stated lots will need to be merged and ROSI updated. He believes there needs to be a process to remove the butterflies before a storm. He said the Town-Wide Yard Sale was poorly attended. He asked about the traffic-calming grant that we received.

There being no further comments or questions, the Meeting was closed to the public at 9:17PM moved by Sheridan, carried by Pacheco with ayes by all present

ADJOURNMENT

Motion to Adjourn at 9:17PM moved by Sheridan, carried by Pacheco with ayes by all present