

**BOROUGH OF KEYPORT  
SPECIAL MEETING MINUTES  
MONDAY, JUNE 17, 2024, 10:00 AM  
In-Person and Video/Teleconference**

**CALL TO ORDER: 10:07 AM**

**SUNSHINE LAW NOTICE:** Read by Municipal Clerk

Minutes of the Special Meeting of the Mayor and Council, Borough of Keyport, held on the above date in Borough Hall Council Chambers, Keyport, NJ, pursuant to the Meeting Notice on file with the Borough Clerk forwarded to the Asbury Park Press, and Newark Star Ledger and posted on the Bulletin Board in accordance with the Open Public Meetings Act, P.L.1975, c.231.

**ROLL CALL:**

Members present: Councilmember Brady, Councilmember McNamara, Councilmember Peperoni, Councilmember Reilly, Council President Vecchio, Mayor Araneo

Members absent: Councilmember Gross

**PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE**

**INTRODUCTION OF ORDINANCES**

Motion to TABLE introduction of the Ordinances “Bond Ordinance Providing for Various Road Improvements” and “Bond Ordinance Providing for Various Water and Sewer Utility Improvements” on the agenda:

MM: Reilly                      2<sup>nd</sup>: Peperoni                      Ayes: all present                      Nays:

**1.      TABLED - Ordinance – Bond Ordinance Providing for Various Road Improvements**

The Clerk reads the Ordinance by Title: **BOND ORDINANCE PROVIDING FOR VARIOUS ROAD IMPROVEMENTS, BY AND IN THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$1,300,000 THEREFOR (INCLUDING A GRANT FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION) AND AUTHORIZING THE ISSUANCE OF \$970,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

**1a.      Motion to introduce: TABLED**

MM: 2<sup>nd</sup>:      **Roll Call:** Brady, Gross, McNamara, Peperoni, Reilly, Vecchio

**1b.      Motion authorizing the Clerk to publish the Ordinance as introduced in the Asbury Park Press for a public hearing:      MM:                      2<sup>nd</sup>:                      Ayes:                      Nays:**

**2.      TABLED - Ordinance – Bond Ordinance Providing for Various Water and Sewer Utility Improvements**

The Clerk reads the Ordinance by Title: **BOND ORDINANCE PROVIDING FOR VARIOUS WATER AND SEWER UTILITY IMPROVEMENTS, BY AND IN THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$2,300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,300,000 OF BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

**2a.      Motion to introduce: TABLED**

MM: 2<sup>nd</sup>:      **Roll Call:** Brady, Gross, McNamara, Peperoni, Reilly, Vecchio

**2b.      Motion authorizing the Clerk to publish the Ordinance as introduced in the Asbury Park Press for a public hearing:      MM:                      2<sup>nd</sup>:                      Ayes:                      Nays:**

**RESOLUTION #2024-206**

Resolution of the Borough of Keyport, County of Monmouth, State of New Jersey Authorizing Shared Services Agreement with the Township of Middletown for Municipal Court Services Pursuant to N.J.S.A. 40a:65-1, et seq. and N.J.S.A. 2b:12-1(C)

Borough Administrator Humphrey provided background information concerning resolution R2024-206.

The Court Administrator has resigned, and the Administrative Office of the Court (AOC) mandates that a new administrator be hired. Efforts to fill the position through Civil Service yielded two qualified applicants, but neither had the necessary experience to manage the court, and the current staff is too small to provide adequate support. As a result, the AOC imposed a July 1st deadline, as temporary hires have been used for court sessions in the meantime.

In response to a shared service proposal from Middletown, a resolution was received late on June 11th, and the governing body would need time to review the agreement. The AOC was notified of the delay, and they emphasized the July 1st deadline, requesting at least a week to finalize financials. The resolution is being presented at this special meeting to allow time for the AOC's transition.

Considering the Police Department's space issues and the potential roof improvements, it was decided to temporarily relocate the court to Middletown, allowing the police to use the current court office space. This arrangement also ensures the staff is not displaced during building repairs.

Middletown was chosen due to favorable cost and logistical considerations. Some contract changes were made to account for additional costs like security and office supplies, as well as added court dates to reduce backlog.

Discussions between the Mayors and Chiefs of Police from Middletown and Keyport, along with other key personnel, resulted in an agreement to retain the judge, prosecutor, and public defender. Going forward, specific roles can be negotiated. The shared service arrangement is expected to save \$40-50k annually in various costs like payroll taxes, pensions, and benefits. Middletown has also offered a position to a part-time court employee with a salary increase.

Councilmember McNamara inquired about leaks in the court space at Borough Hall. The Borough Administrator confirmed that the judge's chambers has leaks, but other court office spaces do not. This issue is compounded by the fact that the judge's chambers was gutted, which has been a point of concern with the AOC.

Councilmember Reilly asked about other municipalities considered for the shared service. The Borough Administrator explained that the AOC reached out to several towns, including Atlantic Highlands, Keansburg, Union Beach, Hazlet, Aberdeen (which shares services with Matawan), and Middletown.

Councilmember McNamara also asked about the additional costs for travel and time for law enforcement. The Borough Administrator clarified that Middletown will provide security, and Keyport will need to supply two officers for courtroom security, but these costs are within the budget. Police Chief Torres noted the \$15k estimated cost for court security, but emphasized that officers can be scheduled during their regular shifts, which helps manage costs. The Borough Administrator added that \$11k was already budgeted for security.

Council President Vecchio asked about a recent meeting between Keyport and Middletown. The Borough Administrator detailed that the meeting included key figures from both towns, including police chiefs, mayors, the court administrator, and the CFO. They discussed the staffing needs and how the shared service would be managed. Chief Torres mentioned that she still requires Middletown's court security plan.

The Borough Attorney explained that Resolution #2024-206 should be approved at this meeting to align with Middletown's actions and move forward with the AOC. The agreement allows for amendments in the future if necessary.

Councilmember McNamara sought clarification about costs, specifically regarding the three-year contract. The Borough Administrator confirmed that the contract allows for early termination without penalties.

Chief Torres asked about the police budget to cover costs related to Middletown, and the Borough Administrator agreed to get that information from the CFO.

Councilmember McNamara inquired about the costs for appointing Keyport's own judge, prosecutor, and public defender. The Borough Administrator confirmed that the CFO anticipated savings, even if the arrangement broke even, particularly because the space needs are also addressed.

Councilmember Brady asked about estimated cost savings. The Borough Administrator explained that savings would depend on various factors, including salaries, benefits, and statutory expenditures.

Councilmember Reilly requested additional financial details, which were previously shared with the governing body.

Councilmember McNamara expressed concerns that the shared service had not been publicly discussed prior to this meeting and wanted it noted for the record.

Councilmember Reilly asked for further clarification on costs and savings. The Borough Administrator stated that additional costs, such as those for outside prosecutors or public defenders, are not fully known yet, but the CFO estimated savings of \$35,000 to \$55,000.

Councilmember McNamara inquired about savings compared to the 2023 municipal budget, and the Borough Administrator confirmed that the CFO had considered shared services in the budget projections.

Finally, Councilmember McNamara asked if the AOC could extend the July 1st deadline to August 1st, but the Borough Administrator confirmed that the deadline would not be extended.

The Police Chief pointed out that the CFO may not have accounted for the fact that Special Law Enforcement Officers (SLEOs) cannot be sent out of town. Council President Vecchio asked if this issue had been previously discussed. The Borough Administrator clarified that Middletown would be providing certain officers for security, and Mayor Araneo read from the agreement, which stated that Middletown would provide officers for interior security and would bill Keyport for the costs. Middletown could use their own SLEOs. Keyport SLEOs would be required to attend court sessions if involved in a case.

### **PUBLIC COMMENT**

The Meeting was opened to the public for comments.

Opened: 10:57 AM Motion by Reilly, Carried by McNamara. Ayes by all present.

George Walling, 54 Second Street – asked about the meeting between the Borough Administrator and CFO without the Police Chief. The Borough Administrator responded that the meeting with the CFO was a budget meeting to discuss all department budgets and there were no separate meetings about the court without the Police Chief; the chief attended the meetings concerning shared services with Middletown. Mr. Walling urged the resolution be tabled.

Donna Purcell, 396 Maple Place – asked for the motivation behind this change. Mayor Araneo responded that this consideration started before the Keyport Court Administrator resigned, and the leaking in the judge's chambers precipitated discussion about moving the court.

Closed: 11:02 AM Motion by Peperoni, Carried by Vecchio Ayes by all present.

(Recess for Borough Administrator to get documentation)

(Returned from recess at 11:20 AM)

(Borough Administrator distributed information to council members)

**RESOLUTION #2024-206**

Continuation of consideration of R2024-206.

Councilmember Reilly acknowledged that at the beginning of the year the governing body identified a wish list of items, one of which was shared services. In furtherance of the governing body goals, the Borough Administrator explored shared services. It was Councilmember Reilly's understanding that the Borough Administrator reached out to the Highlands but the Police didn't think it would work out well, so the Police Chief reached out to Middletown and the Borough Administrator continued those discussions. Although this was not discussed in public sooner, these internal discussions began months ago and were part of budget discussions.

Councilmember Reilly noted that the Borough Administrator moved forward with this at the request of council so it shouldn't be controversial.

Mayor Araneo agreed with Councilmember Reilly's sentiments, and asked why some of these questions weren't posed to the Borough Administrator or Attorney prior to this meeting.

Councilmember Brady noted that part of the conversation at this meeting was made for the public record.

Councilmember Reilly expressed confusion about Chief Torres not being aware when she has been involved in all of this the whole time.

Police Chief Torres said she did not reach out to Middletown Police Chief Weber until she believed Middletown was the only option and they had a casual conversation.

Councilmember Vecchio asked for additional clarification from Chief Torres. Chief Torres responded that she understood shared services could be with Atlantic Highlands or Middletown, and she didn't believe it would be convenient to go to Atlantic Highlands. Chief Torres said that she and Chief Weber don't have the authority to grant shared use of the court and her involvement in these discussions has been minimal.

Councilmember Reilly noted there were many emails and meetings that were set up with appropriate parties. If there were questions, they could have been asked at those meetings. Chief Torres agreed and said now that we have this agreement, we have more specific logistics to work out.

The Borough Administrator provided a detailed review of the timeline, noting that (in December 2023) Keyport's Court Administrator gave notice of her resignation and the following week Atlantic Highlands sent an offer for a shared service; Keyport wasn't necessarily looking for a shared service at that time, but Atlantic Highlands knew Keyport would need a court because the Atlantic Highlands shared court service with Highlands was being terminated because the Highlands court was being opened with Keyport's outgoing Court Administrator taking that position at Highlands. The Borough Administrator acknowledged that she and Police Chief Torres agreed Atlantic Highlands is too far, especially with summer traffic. The Borough Administrator then put out word to Keyport's surrounding towns, excluding Middletown because it was a similar distance from Keyport as Atlantic Highlands. It was Middletown who contacted Keyport, noting the conversation between the two chiefs and the court, and asked about discussing it further. The Borough Administrator acknowledged that Middletown was receptive, was thorough and fair in its review, both police chiefs have a good rapport, and the Middletown staff and Borough Administrator are very professional.

The major factoring in determining to pursue shared court services wasn't just the lack of Court Administrator applicants, but the need for space: having judge's chambers, and repairing the space per the AOC. Borough hall needs to repair the roof and a determination hasn't yet been made but will cost millions. Moving the court so the judge has a chamber would be the easiest way to also put police staff in a safer and higher quality environment. The Borough Administrator stated that the process was very forward with the mayors, police chiefs, and administrators. This has been a lot of work. Currently, a lot of time and work goes into coordinating with the AOC, hiring an administrator for every court session, different employees for call outs, and for office work.

The Borough Administrator emphasized that this needs to be resolved, government must keep moving in continuity, and she is unsure what would happen if Keyport doesn't have a court.

Mayor Araneo reiterated that the costs are within the budget, this is on the public record now, and there is a need to move forward. The agreement addresses security on weapons screening and security within the courtroom. If we want a breakdown of the costs, Kim can get that from Tom. Mayor Araneo asked for motion to approve the resolution.

Motion to approve **R2024-206**:

MM: Reilly 2<sup>nd</sup>: Vecchio

**Roll Call:** Ayes: Brady, Peperoni, Reilly, Vecchio

Nays: McNamara

Absent: Gross

Abstain:

### **ADJOURNMENT**

Motion to Adjourn

MM: Reilly 2<sup>nd</sup>: Peperoni Ayes: Nays:

Discussion ensued regarding opening the meeting again for Public Comment.

Time of Adjournment: 11:34 AM