

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 7:01PM and Borough Clerk Heilweil read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Pacheco, Sheridan, Kennedy, Lamberson, Cooper and Goode. Others present: Mayor Aumack, Borough Administrator Stephen Gallo and Borough Attorney James Polles, Esq.

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.)

- R166-17 Payment of Bills
- R167-17 Authorizing the Promotion of Lieutenant Mark Hafner to the Position of Captain in the Borough of Keyport Police Department
- R168-17 Authorizing the Hiring of One Police Officer in the Borough of Keyport – *Adriano Yanez*
- R169-17 Authorizing the Purchase of a Vactor Truck from the Borough of Tinton Falls, New Jersey
- R170-17 Authorizing Payment Plan for Water/Sewer Charges – *29A West Front Street*
- R171-17 Certifying the Cost of Cleaning up Properties and Placing a Lien upon Such Lands – *ten properties*
- R172-17 Certifying the Cost of Cleaning up Properties and Placing a Lien upon Such Lands – *five properties*
- R173-17 Authorizing Reduction in Amount of Manasquan Water Purchased by the Borough of Keyport Pursuant to the May 12 2015 Agreement for Manasquan River Reservoir Water and Emergency/Back-Up Bulk Rate Sales
- R174-17 Authorizing the Keyport Borough Administrator to Enter into Shared Service Agreements with the County of Monmouth
- R175-17 Authorizing Promotion of Finance Department Employees – *Tammy O'Steen & Diana Hoffman*
- R176-17 Authorizing Extension of DPW Lease Agreement for 120 Francis Street, Unit 18
- R177-17 Liquor License Renewal – Keyport-Matawan Elks 230 BPOE of USA

PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions on items listed on the agenda at 7:15 PM moved by Sheridan, carried by Goode with ayes by all present

Elmer Graham Jr., 22 Saint Peters Place - asked for an explanation for **R169-17** Authorizing the Purchase of a Vactor Truck from the Borough of Tinton Falls, New Jersey, which Administrator Gallo provided. Also asked for explanations for **R173-17** Authorizing Reduction in Amount of Manasquan Water Purchased by the Borough of Keyport Pursuant to the May 12 2015 Agreement for Manasquan River Reservoir Water and Emergency/Back-Up Bulk Rate Sales and **R176-17** Authorizing Extension of DPW Lease Agreement for 120 Francis Street, Unit 18. Administrator Gallo provided explanations.

Mike Lane, 51 First Street - asked what shared service agreement we are entering into with the County.

Administrator Gallo - read off the list of available services.

Mike Lane – asked that the following items be covered under Unfinished Business:

- 317 Beers Street Planning Board application was withdrawn.
- 30 Eighth Street
- 17 Maple Place illegal apartment and kitchen.
- problem with Code Enforcement employees identifying the source of information.

Administrator Gallo - stated staff has assured him that no complainant names are revealed.

Mayor - stated there is no mechanism to get back to the complainant.

Administrator Gallo - stated 317 Beers Street has an attorney. Advised property owner to have his attorney call the Borough's attorney.

Mike Lane – stated landlords of illegal apartments do submit a landlord registration but there is no mechanism to deconstruct an illegal dwelling. He said there is no closure between the tax assessment process and checking for illegal apartments. There are still multiple boats at the corner of Broad Street. This is what people see when they come into town. He also asked about dumpster enclosure progress.

Administrator Gallo – explained a key issue for dumpster enclosures is location.

There being no further comments or questions, the meeting was closed to the public at 7:35PM moved by Goode, carried by Sheridan with ayes by all present

APPROVAL OF RESOLUTIONS

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

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

ADOPTION OF ORDINANCE

1. Ordinance #10-17– Amend Salary Ordinance (*Chief of Police, Police Captain, Qualified Purchasing Agent (QPA), Construction Code Official & Zoning Officer*)

The Clerk read the Ordinance by Title: **AMENDING AND SUPERCEDING ORDINANCE #1-17 FIXING THE SALARIES OF THE VARIOUS OFFICERS, CLERKS AND EMPLOYEES OF THE BOROUGH OF KEYPORT**

1a. Motion to Open Public Hearing at 7:40PM moved by Sheridan, carried by Goode with ayes by all present

Elmer Graham, Jr., - asked for an explanation.

There being no further comments or questions, the Public Hearing was closed at 7:40PM moved by Sheridan, carried by Lamberson with ayes by all present

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

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

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

INTRODUCTION OF ORDINANCES

1. Ordinance – Amend Salary Ordinance (*Principal Account Clerk*)

The Clerk read the Ordinance by Title: **AMENDING AND SUPERCEDING ORDINANCE #1-17 FIXING THE SALARIES OF THE VARIOUS OFFICERS, CLERKS AND EMPLOYEES OF THE BOROUGH OF KEYPORT**

- 1a. Motion to introduce moved by Sheridan, carried by Pacheco

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

COMMUNICATIONS AND PETITIONS

1. Application for Use of Borough Property for the purpose of a Memorial to be held at Waterfront Park on Saturday, August 19, 2017 beginning at 4:00PM (*tabled at 6/20 meeting*)

Mayor Aumack – asked if anyone was in attendance for this request.

Mary Koehler of Aberdeen and Nicole Mocci came forward. Ms. Koehler explained Ms. Mocci's mother, Carmela Bucco Mocci, passed away 10 years ago. She was a Keyport resident.

Motion to approve moved by Goode, carried by Sheridan with ayes by all present – no balloons.

2. Application for Raffle License – K of C #3402 St. Josephs – for an Off-Premise 50/50 cash raffle to be held on September 23, 2017 at 7PM
3. Application for Raffle License – K of C #3402 St. Josephs – for a Money Wheel to be played October 15, 2017 from 2-6PM
4. Application for Raffle License – K of C #3402 St. Josephs – for an On-Premise 50/50 cash raffle to be held October 15, 2017 from 2-6PM
5. Application for Raffle License – for K of C #3402 St Josephs for a Tricky Tray Auction to be held October 15, 2017 from 2-6PM
6. Application for Raffle License – K of C #3402 St Josephs for an Off-Premise 50/50 cash Raffle to be held October 15, 2017 at 4PM

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

7. Letter from Keyport Ghost Tours/Jersey Shore Ghost Tours regarding scope of business for the 2017 season

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

8. Letter of Resignation from DPW custodian Eddie Cheatum effective July 28, 2017

Motion to receive and file with regret moved by Goode, carried by Kennedy with ayes by all present

9. Flyer from Donald Aquilano regarding September 10th walk to raise awareness and support for 9/11 victims and all of the fire, police and military

Motion to approve moved by Sheridan, carried by Cooper with ayes by all present.
Borough Administrator to coordinate with Police and Fire Patrol.

10. Social Affair Permit from Keyport Fire Department for Firemen's Fair

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

11. Letter from Keyport Fire Department requesting the use of the Steamboat Dock Museum parking lot for staging of rides and carnival equipment from Sunday, July 30- Sunday, August 6

Motion to approve moved by Sheridan, carried by Lamberson with ayes by all present.
Forward to Harbor Commission.

12. Letter from NJDOT advising the Borough that it is unable to fund the Central School Area Sidewalk Improvements as part of the Safe Routes to School (SRTS) Program

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

13. Email from the Harbor Commission regarding the August 26th Annual Children's Snapper Contest. Requesting closure of American Legion Drive, Police Explorers for crowd flow, DPW assistance in transporting tables, chairs, trash and recycling.

Motion to approve moved by Goode, carried by Lamberson with ayes by all present.
Forward to Police Department, DPW and Harbor Commission.

NEW BUSINESS

None

UNFINISHED BUSINESS

Councilman Sheridan – stated the Senior Bus Grant was approved. The fire hydrant at Maple and Broad has been out of service. There is no valve to shut off in order to replace. They were prepared to do an insertion valve but the pipe was not round. The contractor will be conducting some test pits.

ATTORNEY'S REPORT

None

ADMINISTRATOR'S REPORT

- attended a meeting regarding the draft Keyport Flood Damage Prevention ordinance.
- attended a KBBC Events Committee meeting
- held a conference call with labor counsel regarding employee issues
- met with Sue Kleinberg and Ed Carew regarding water conservation
- presented the request for a redevelopment study to the Planning Board
- met with Roger Benedict
- had a meeting with Counsel regarding labor negotiations
- denied a grievance at Step 2
- held a TRC meeting regarding the former Gale's Hardware property
- held a neighborhood meeting with several owners of the townhomes on First Street
- had a meeting with a local contractor regarding improvements to the mini-park
- met with members of the Green Team regarding water conservation
- met with a business owner regarding a high water consumption
- met with an individual who wants to hold a classical music concert
- held a second meeting regarding the draft Flood Damage Prevention ordinance
- met with our grant consultants
- held a meeting with staff regarding cell tower rentals
- met with Jim Polling regarding the Beach Park veteran's trees
- held a meeting with staff and council members regarding KCC/DPW/Recycling issues

- met with counsel and the developer for Mariner's Village
- held a phone conference with Sal of Local 68 regarding contractual issues
- **Route 36 DOT Work** – we still await the unveiling of the ped heads at Atlantic and Route 36. I will follow up with NJDOT.
- **2016 Road Improvement Program** - the contractor is finally diligently pursuing this project. Water main and sewer work is essentially complete and now they are doing curbs and sidewalks where needed prior to milling and resurfacing the target streets.
 - Elizabeth Street from Beers Street to Broad Street
 - Stout Street from Main Street to Kearny Street
 - Kearny Street from Stout Street to Maple Place
 - Monroe Street from Beers Street to Cass Street
 - Cass Street from Monroe Street to Jackson Street
 - Jackson Street from Cass Street to Perry Street
- **Outfall Project** - CME await final approval of our permit from NJDEP. Once we receive it we can proceed to going out to bid.
- **Replacement of Matawan Creek Bridge (MA-14)** – the project seems to move forward in fits and starts. We are checking with the County but we have no reason to believe they are not on schedule.
- **Brown's Point Redevelopment Plan** - we met with the developer and respective counsel last week to discuss the project schedule, land use application and possible incentives.
- **Longview/Boatworks Redevelopment Plan** - the developer has installed a stone road way bed and a silt fence prior to demolition. They will be working with the Keyport Fire Department to use the premises for training prior to demo.
- **Ye Cottage Inn** – I met with the owner today who is still in the process of finalizing their land use application. I am informed they are focusing on getting the permanent building opened for next spring.
- **Gale's Hardware** - the developer is revising their plans following our technical review and will be filing their land use application for six residential units with parking over two residential uses.
- **Long Range Flood Mitigation Planning** - we are reviewing the neighborhood plans and working with our consultants to prepare grant applications to address the identified issues.
- **Benjamin Terry Park County Open Space Grant** - our engineers have completed the site survey and will be drafting a site plan which we will use as the basis for a neighborhood meeting to discuss how we should pursue the project.
- **USDA-RD Funded-Perry Street Water Treatment Plant Upgrades** - we have written to our water purveyor requesting to reduce our contract purchase in two years once the new plant is up and running as required by our contract. We expect to be able to lower our water costs in this manner.
- **Vacant Property Initiatives** - I have personally delivered the resolution requesting that the Planning Board study the vacant properties for possible redevelopment declaration. I expect they will have a recommendation at their next meeting.
- **Madison Street** - I have observed that the Turnpike Authority siding has been coned off to prevent trucks from parking at this location.
- **Main Street Park** - we are filing our application for additional grant funding and are hopeful to have the balance of funds available for this project by the end of the year. We hope to commence construction early next year.
- **Movie Nights** - Movie Nights on the waterfront continue with growing attendance. I have assigned a summer intern from my office to operate the projection equipment to be sure that someone is there to make sure the movies get shown. We also have DPW employees available to set up, take down and control litter.
- **Senior Transportation Program** - we have received word that our application for a senior bus has been approved by NJ Transit and will be part of their funding package to be submitted to the federal government.
- **Transportation Alternatives Grant** - we understand that our application for grant funding from the North Jersey Transportation Association is on their agenda for approval. Our submitted project includes pedestrian safety improvements and wayfinding initiatives on First, West Front, Broadway and Maple Place.

- **Complete Streets Project** - I have been gathering information regarding launching a complete streets program and hope to have something off the ground soon.

Councilman Goode – asked about striping on County crosswalks. Administrator Gallo will call the County Administrator.

Councilman Goode – also asked about any possible grants for a traffic study.

PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions at 8:21 PM moved by Sheridan, carried by Goode with ayes by all present

Karen McBride, 31 Myrtle Avenue - asked the status of the Poseidon project.

Administrator – explained the company has not yet been awarded a contract. The company has an option to purchase the land. There will be an Open Public Session for the public. The timeline is contingent upon the award of a contract. New York State Power Authority is the customer.

Mike Lane- asked about a use variance for the property at Gale's Hardware. He spoke about drafts of a Master Plan on our website. He asked when they will be finalized. He expressed concern that balloons will be released if brought to the upcoming memorial service at the waterfront.

Elmer Graham, Jr. - asked about Communication #12 in relation to the passing of the State budget.

Nancy Carew, 64 Broadway - asked status of 80 Broad Street.

There being no further comments or questions, the meeting was closed to the public at 8:44PM moved by Sheridan, carried by Lamberson with ayes by all present

Motion at 8:44PM to go into Closed Session after a three-minute recess moved by Sheridan, carried by Pacheco with ayes by all present

CLOSED SESSION

RESOLUTION #178-17

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, (a) negotiations relating to the development of Mariner's Village, and (b) matters subject to attorney-client privilege as authorized by N.J.S.A. 10:4-12(b) 3, 7 and 8.

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 July 11, 2017 and determined that an Executive Session closed to the public shall be held on July 11, 2017 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, Lamberson, Cooper, Goode

NAYS:

ABSENT:

Council reconvened to Open Session at 9:18PM.

Attorney Polles reported on items discussed in Closed Session:

- Mariner's Village update
- Certain employment matter – steps towards resolution of grievance; potential litigation so no Rice Notice was necessary.

ADJOURNMENT

Motion to adjourn at 9:20PM moved by Sheridan, carried by Lamberson with ayes by all present.