

Keyport, NJ

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 on posted on the Bulletin Board in accordance with the open Public Meeting Act, P.L. 1975, Ch. 231.

Mayor Harry 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, McPeek, Lamberson, Toglia, Howe and Mayor Aumack. Absent: Councilwoman Tomczak. Others present: Borough Administrator Lorene Wright, Borough Attorney Andrew Provence.

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

PRESENTATION

By Art Society of Keyport (ASK) regarding proposed construction of three mosaic sculptures at Waterfront Park and Public Art Application

Members of the Mosaic Committee, Mary Ann McKay, Mort Herman, Ed Carew and Charles Merla appeared on behalf of ASK. Mary Ann spoke about the proposed construction of three mosaic sculptures at Waterfront Park. The site is 69' x 108'. There was a concern by Council on how the area would be fenced off during construction; snow fencing will be installed.

Administrator Wright explained that upon completion the Borough will accept the donation of the artwork. There would then be a maintenance plan.

Motion to approve the project made by Councilman Sheridan, Carried by Councilman Toglia.

Roll Call Vote:

Ayes: Councilmembers Sheridan, McPeek, Lamberson, Toglia Howe

Nays:

Absent: Tomczak

Abstain:

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.)

R241-13 Payment of Bills

R242-13 Appointment of Temporary Part-Time Summer Clerical Worker – Ronald Cox

R243-13 Authorizing Family Leave of Absence – Carol Fox

R244-13 Memorializing Denial of Grievance by Carol Fox

R245-13 Authorizing Submission of Grant Application for Post Sandy Planning Assistance from the DCA

R246-13 Authorizing Place-to-Place Transfer (extension of licensed premises to outdoor patio area) for Uptown Keyport Bar & Grille LLC

R247-13 Granting a Taxicab Owner and Driver Licenses to Keyport Yellow Taxi for the 2013-2014 Licensing Period

R248-13 Authorizing Development of Draft Bid Specifications for Cellular Antenna Lease for 70 West Front Street

R249-13 Authorizing Borough Administrator to Negotiate a Cross Easement Agreement with the Owner of 55 West Front Street

R250-13 Authorizing Refund for Canceled Transfer of Title Inspection

Clerk Heilweil read the items on the Consent Agenda.

Motion was made by Councilman Sheridan carried by McPeek with ayes by all present to consider the following resolutions separately:

R244-13 Memorializing Denial of Grievance by Carol Fox

R248-13 Authorizing Development of Draft Bid Specifications for Cellular Antenna Lease for 70 West Front Street

Councilman McPeek asked about the Taxi Ordinance and recommendations to keep the taxis moving. An ordinance will be forthcoming.

PUBLIC COMMENT PORTION

Motion was made by Councilman Sheridan carried by McPeek to open the meeting to the public for comments or questions at 7:29PM.

Nancy Carew, 64 Broadway- Received a newsletter regarding Middlesex County. Thanked Council and Administration for work being done on Waterfront. Feels we are way ahead of Middlesex County in repairs to parks damaged by Sandy.

Michael Lane, 51 First Street- Doesn't believe a cell tower is an allowable use in town. Believes it should go before the Planning Board and that residents should be allowed input. Would like the resolution to state the process requiring public notice to those residents within 200 feet. He also asked about post-Sandy Planning Assistance Grant.

Administrator Wright explained options available through the grant.

Michael Lane- Asked council to speak of uncollected court fees reported in the newspaper. He would like an overview of Sandy expenses at the next meeting and would like the attorney to report on the Electronic Billboard, 17 Atlantic Street, Ye Cottage Inn and Captain John's Pier.

There being no more comments or questions from the public, the meeting was closed to the public at 7:42PM by McPeek, carried by Sheridan with Ayes by all present.

Regarding Resolution R248-13, Authorizing Bid Specs for Cellular Antenna Lease, **Councilman Sheridan** stated that the Finance Committee had looked at this and thought this was a good way to increase revenue. Councilman Toglia concurred.

Administrator explained that advancements in cell phone technologies have developed smaller equipment such as antennas rather than towers. The anticipated revenue would be \$25,000/year for 20 years.

Administrator Wright will advertise an invitation for public input to attend a presentation for the next meeting.

R248-13 **Resolution** Authorizing Development of Draft Bid Specifications for Cellular Antenna Lease for 70 West Front Street

Motion to approve made by Councilman Sheridan carried by Councilman McPeek.

Roll Call Vote:

Ayes: Councilmembers Sheridan, Toglia, Howe

Nays: McPeek

Absent: Tomczak

Abstain: Lamberson

PUBLIC HEARINGS/ADOPTION OF ORDINANCES

1. Ordinance #9-13 - Salary Ordinance

The Clerk reads the Ordinance by Title: **AN ORDINANCE AMENDING AND SUPPLEMENTING AN ORDINANCE FIXING THE SALARIES OF THE VARIOUS OFFICERS, CLERKS AND EMPLOYEES OF THE BOROUGH OF KEYPORT, NJ, IN THE COUNTY OF MONMOUTH.**

1a. At 7:51PM motion was made by Councilman Sheridan, carried by Councilman McPeek to open the public hearing.

There being no comments or questions from the public, the public hearing was closed at 7:52PM by Councilman Sheridan and carried by Councilman Toglia.

- 1b. Motion to adopt ordinance made by Councilman Sheridan carried by Councilman Toglia

Roll Call Vote:

Ayes: Councilmembers Sheridan, McPeek, Lamberson, Toglia, Howe

Nays:

Absent: Tomczak

Abstain:

- 1c. Motion authorizing the Clerk to publish the ordinance as adopted made by Councilman Sheridan carried by Councilman McPeek with Ayes by all present

2. Ordinance #10-13 – Brush and Weed Removal

The Clerk reads the ordinance by Title: **AMENDING SECTION 12-9 BRUSH AND WEED REMOVAL OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT**

- 2a. At 7:53PM motion was made by Councilman McPeek, carried by Councilman Sheridan to open the public hearing.

There being no comments or questions from the public, the public hearing was closed at 7:55PM by Councilman McPeek and carried by Councilman Sheridan.

- 2b. Motion to adopt ordinance made by Councilman Sheridan, carried by McPeek

Roll Call Vote:

Ayes: Councilmembers Sheridan, McPeek, Lamberson, Toglia, Howe

Nays:

Absent: Tomczak

Abstain:

- 2c. Motion authorizing the Clerk to publish the ordinance as adopted made by Councilman Sheridan carried by Councilman McPeek with Ayes by all present.

INTRODUCTION OF ORDINANCES

1. Ordinance – Bond Ordinance – Various Equipment and a Vehicle

The Clerk reads the Ordinance by Title: PROVIDING FOR THE ACQUISITION OF VARIOUS EQUIPMENT AND A VEHICLE IN AND BY THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$190,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

- 1a. Motion to introduce made by McPeek, carried by Sheridan.

Roll call vote:

Ayes: Councilmembers Sheridan, McPeek, Lamberson, Toglia, Howe

Nays:

Absent: Tomczak

Abstain

- 1b. Motion authorizing the Clerk to publish the Ordinance as introduced in the Asbury Park Press for public hearing to be held.

Motion made by Sheridan, carried by McPeek.

Roll call vote:

Ayes: Councilmembers Sheridan, McPeek, Lamberson, Toglia, Howe

Nays:

Absent: Tomczak

Abstain

COMMUNICATIONS AND PETITIONS

1. Invitation from Knights of Columbus, St. Josephs Council 3402 to their Knights of Columbus "Shield Award" for emergency service workers (Police, Fire, and First Aid) of Union Beach, Keyport, Hazlet, and Aberdeen to be held July 21, 2013. They are requesting submission of names for award by July 9, 2013

Motion made by McPeek and carried by Sheridan for receive and file to forward to Police, Fire, and First Aid for emergency service workers names with all ayes present.

2. Letter from resident Elizabeth Walling regarding her desire to donate "a handicap toilet or two" to the ladies room at the Keyport Senior Center

Motion made by McPeek and carried by Sheridan to forward to Wendy at the Senior Center and Borough Administrator for donation of handicap toilet(s) with all ayes present.

3. Letter and Application from Keyport Historic Society for Use of Borough Park Facilities for Firemen's Park on Saturday, September 14, 2013 from 9AM-4PM, with a rain date of September 15, 2013, for the purpose of their Art and Craft Show and Sale. They are also requesting a waiver of the fee. A Certificate of Insurance will be provided.

Motion made by Sheridan and carried by McPeek to approve with all ayes present.

4. Email from Recreation Commission requesting use of Beach Park (First Street) on Thursdays in July and August from 6PM until dusk for the purpose of beach volleyball. Also requesting Certificate of Insurance.

Motion made by McPeek and carried by Sheridan to approve and place on website with all ayes present.

5. Email from Keyport Garden Walk Chair requesting to secure the dates of June 7th-8th, 2014 for the 2014 Keyport Garden Walk

Motion made by Sheridan and carried by McPeek to approve with all ayes present.

UNFINISHED BUSINESS

Administrator Wright, spoke about:

- Uncollected court fees which are not unusual. Explained that the fee could be collected using a private vendor for a percentage of the uncollected court fees
- Billboard sign- had a conference call and met with mason today. Need to remove about 4 inches which currently encroaches on state property
- No decision on 17 Atlantic Ave.
- No report on Ye Cottage Inn

Howe- Current landscaper (through a Cooperative Purchasing Agreement) has been advised that they need to "step-up". Councilman Howe is not pleased with his [landscaper] performance. Borough Administrator will obtain quotes for the remainder of the year.

Motion made by McPeek and second by Sheridan with all ayes to have Administrator go out for quotes for grass cutting.

ATTORNEY'S REPORT

1. Sale of Municipal Property – Lot 43 – Chingarora – should be able to close by next meeting.
2. Kantor, Linderorth has asked for a cross easement agreement. Their access is through the Borough driveway. Anticipates having an easement for Council consideration by next meeting.
3. Ye Cottage Inn and Captain John are ROSI issues (Open Space). Attorney will be reviewing this week.

ADMINISTRATOR'S REPORT

- Waterfront Park – Electrical moving forward. Set meter at boat trailer and have electric on First Street; Firemen's Park should be ready for the Firemen's Fair
- Railing should be done by July 4th. Fishing pier should be open in time for fireworks
- Started street sweeping
- Inspections conducted on water/sewer repairs
- Taking applications for Public Works
- Conducting interviews for Administrative support in Clerk's office

Mayor mentioned we will be getting 90% rather than 75% for reimbursement from FEMA for the railings at Waterfront Park.

PUBLIC COMMENT PORTION

The meeting is opened to the public for comments or questions at 8:23PM moved by Mr. Sheridan, second by Mr. Toglia with ayes by all present.

Alexandra Burke, 210 Luppataong; and **Diane Andrews**, 15 Luppataong; - Ms. Burke's house is behind DPW on Rollo Place. She and Ms. Andrews were there before DPW was located there. DPW used to be well-kept but as of a few years ago, became an eyesore. Now concerned because street sweeping remains are being dumped there once again, as the remains had been dumped there before. Asked when this site became a dumping facility. Says the pile of sweepings is not clean and smells badly.

Administrator apologized and said she will be out at the site tomorrow morning. Explained that the vegetative waste and salt are stored there. Agreed there is bad housekeeping at the site. Ms. Andrews asked about the area by the cemetery. Area is overgrown and filled with poison ivy. Dead End sign is at the dead end of the street.

Michael Lane, 51 First St - Would like signage at Beach Park saying dogs are not allowed. Asked if there is any management process for collection of uncollected court fines. Asked about telephone system being replaced. Administrator explained we currently have no support from a phone vendor. We cannot get a maintenance plan.

There being no more comments or questions from the public, the meeting was closed to the public for comments or questions at 8:42PM moved by Mr. Sheridan, second by Mr. McPeek with ayes by all present.

CLOSED SESSION

R251-13 - Closed Session Resolution: Personnel

Motion made to go into closed at 8:43PM after a 5 minute break made by Sheridan, second by McPeek with all ayes present.

Roll Call:

Ayes: Sheridan, McPeek, Lamberson, Toglia, Howe

Nays:

Absent: Tomczak

Abstain:

Returned to Open Session at 9:24PM.

R244-13 – RESOLUTION: To Approve memorializing the Denial of Grievance by Carol Fox as Penned by the Borough Attorney

Motion to approve made by Sheridan, second by Toglia.

Roll call:

Ayes: Sheridan, McPeek, Lamberson, Toglia, Howe

Nays:

Absent: Tomczak

Abstain:

**RESOLUTION NO. 251-13
CLOSED EXECUTIVE SESSION**

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, Mayor and Council of the Borough of Keyport are of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss:

- Personnel
 - Police Department Grievance
 - Construction Employee Grievance
 - Dispatcher Grievance Denial

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that a meeting of the Mayor and Council shall be held forthwith from which the public shall be excluded in the Council Chambers, Borough Hall, for the purpose of discussing the above-mentioned items.

BE IT FURTHER RESOLVED that discussions on Personnel be conducted at said Closed Session shall be disclosed when the matters discussed are resolved and this meeting shall continue in approximately 20 minutes.

Offered for adoption by Mr. Sheridan, Seconded by: Mr. Toglia

Roll Call Vote: Ayes: Councilmembers McPeck, Sheridan, Lamberson, Toglia, Howe
Nays:
Absent: Tomczak
Abstain:

DPW yard

McPeck- Asked about other potential properties for DPW. Osborn Street property was sold.

Howe- Asked for a hiring policy.

ADJOURNMENT

Motion to adjourn at 9:30PM moved by Sheridan, second by Howe with all ayes present.