

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 (arrived 7:02PM), 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.)

Borough Clerk Heilweil read the resolutions listed on the Consent Agenda

R185-17 Payment of Bills

R186-17 Amending Payment Plan – Kurdes (Braken)

R187-17 Amending Payment Plan – Rossics

R188-17 Authorizing Reduction for Half-minimum Charge for Deduct Sewer Meter – Giglioli

R189-17 Authorizing Tax Collector to Issue Duplicate Tax Certificates for 16-00006

R190-17 Authorizing the Issuance of a “New” Liquor License Upon Failure to Timely Renew Pursuant to N.J.S.A. 33:1-12.18 for the 2016-17 License Term and to Permit Renewal of an Inactive License Pursuant to N.J.S.A. 33:1-12.39 for the 2016-17 License Term, Regarding DTV Pizza, Inc.

PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions on items listed on the agenda at 7:03PM moved by Sheridan, carried by Cooper with ayes by all present

Mike Lane, 51 First Street – stated Schedule B of the ordinance being introduced is in Chapter 25, not Chapter XXI and that should be corrected.

Administrator Gallo – stated these are businesses that should be included in the BID. It is Chapter XXI.

Mike Lane – asked questions regarding **R190-17** Authorizing the Issuance of a “New” Liquor License Upon Failure to Timely Renew Pursuant to N.J.S.A. 33:1-12.18 for the 2016-17 License Term and to Permit Renewal of an Inactive License Pursuant to N.J.S.A. 33:1-12.39 for the 2016-17 License Term, Regarding DTV Pizza, Inc. Clerk Heilweil explained the licensee is trying to get this license in good order in order to transfer. It is currently under contract and will become active after it is transferred. Mr. Lane also spoke about boats in the downtown area. There was also discussion about the FatKat property, as well as 108 Broad Street.

Administrator Gallo – stated we are looking at a scattered site redevelopment plan with condemnation.

Mike Lane – asked about dumpster enclosures.

Dan Fox, Fire Chief – asked what roads are going to be closed for the fireworks during the Country Jamboree.

Andrew Kelsey, St. Peter's Place – asked if we know the tax values of the abandoned properties.

Administrator Gallo – told Mr. Kelsey he can get it.

There being no further comments or questions, the meeting was closed to the public at 7:21PM moved by Sheridan, carried by Kennedy with ayes by all present

APPROVAL OF RESOLUTIONS

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

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

INTRODUCTION OF ORDINANCES

1. Ordinance – Amending Schedule B of Chapter XXI

The Clerk read the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY AMENDING CHAPTER XXI, BUSINESS IMPROVEMENT DISTRICT, TO INCLUDE CERTAIN OTHER PARCELS**

1a. Motion to introduce moved by Goode, carried by Sheridan

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 Goode, carried by Sheridan with ayes by all present

APPROVAL OF MINUTES

Motion to approve the May 16, 2017 Regular Session Minutes moved by Sheridan, carried by Cooper

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

Motion to approve the June 20, 2017 Regular Session Minutes moved by Sheridan, carried by Cooper

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

COMMUNICATIONS AND PETITIONS

1. Application for Raffle License from Keyport Indians, Inc. for an On-Premise 50/50 Cash Raffle to be held Saturdays and Sundays from 8/26/17 through 11/26/17 from 9AM-4PM

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

2. Flyer regarding Keyport Senior Center 4th Annual Art Show to be held Wednesday, August 23, 2017 from 1-3PM

Motion to receive, file, post on website and billboard moved by Sheridan, carried by Goode with ayes by all present

3. Letter from Jayden Graham thanking Mayor and Council for his being chosen as the 2017 recipient of the Keyport Central School Mayor's Award

Mayor Aumack read the letter aloud.

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

4. Letter from NJDOT advising the Borough that NJDOT is unable to provide a Safe Streets to Transit grant for Keyport Pedestrian Improvements

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

5. Application from Richard A. Brister, Jr. for membership in Engine Company #1, and notice that the membership accepted the resignation of James Dressel as an active member

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

6. Application from Zachary G. Sappah for membership in Engine Company #1 and notice that the membership accepted the resignation of Robert McLeod as an active member

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

7. Application to transfer membership of Kenneth R. Goble to Liberty Hose Fire Department and notice that his membership was accepted at the July 3, 2017 meeting (*Tabled at July 25th meeting. Residency requirement in the Ordinance*)

Councilman Goode - said the ordinance is clear and he does not see how Council can accept the transfer application.

Motion to deny moved by Goode, carried by Lamberson with ayes by all present to deny

Councilman Goode - asked if we have a list of life members of the department, not just the company. The ordinance says Council must approve life membership of the department.

8. Memorandum from Millennium Strategies of work performed on behalf of the Borough through July 2017

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

9. Letter from resident Alison Lehnert regarding a "block party," previously approved, to be held on Washington Street on August 19, 2017, and rescinding her written consent and requesting Police presence, "due to the sensitive nature of the event and the current political climate"

Alison Lehnert, 180 Washington Street – came forward regarding the "block party" and "meet and greet" and explained why she is rescinding her signature. She is disapproving of the scale of the event.

Administrator Gallo – stated the host could contract for police presence.

Councilwoman Kennedy – stated the party could still take place but can be held at the requestor's property. Partial road closure would be approved. There will be no police presence whether it is in the road or at someone's home.

Councilman Goode – explained the only thing that Council can control is whether or not the road is closed.

Mayor Aumack – asked if this is a “block party” or a political rally? He is not in favor of a political rally.

The second letter sent to residents of Washington Street was read aloud by Councilwoman Kennedy.

Motion to accept letter and request party be moved to end of block by 197 Washington Street moved by Goode, carried by Kennedy with ayes by all present, with the exception of Sheridan and Cooper who both abstained

10. Jersey Shore Tour Agenda showcasing projects after Superstorm Sandy scheduled for August 16th

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

11. Letter of Resignation from Planning Board Member Terry B. Musson, effective immediately

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

Mayor Aumack – announced his appointment of Lori Ann Davidson to fill Terry Musson’s unexpired term.

12. Request for approval of fireworks from KBBC in connection with the Keyport Screamin’ Country Jamboree to be held October 7th at dusk. Further requesting that lower Main Street, from West Front Street to #10 Main Street be closed on Sunday, October 8th from 9-6PM for those restaurants who participate in the Chili contest. Also requesting the closing time on the Jamboree on Saturday, October 7th from 8PM to 9:30PM

Motion to approve moved by Kennedy, carried by Pacheco with ayes by all present. Notify Police Department, Fire Department and DPW.

NEW BUSINESS

Keyport Harbor issues:

Administrator Gallo met with several Harbor Commission members to discuss pay station, dredging of boat ramp and harbor, concession in boat house for kayaks and stand-up paddleboard rentals, and charter boat lease.

UNFINISHED BUSINESS

Councilwoman Kennedy – we are still waiting for the State to fix pedestrian lighting at Route 36.

ATTORNEY'S REPORT

None

ADMINISTRATOR'S REPORT

Administrator Gallo reported on the following:

- attended Keyport movies at the waterfront
- participated in several calls and meetings regarding Aeromarine
- attended the Keyport Unified Planning Board meeting
- met with counsel regarding redevelopment projects
- met with Local 68 regarding police dispatch issues
- attended National Night Out
- met with Ken Schwartz regarding several projects and properties in town
- had a conference call with the US EDA and FEMA regarding waterfront issues
- had a grants meeting with the Keyport Masons, Keyport Arts Council, Keyport Recreation and Keyport schools
- met with a developer for First and Walnut

- attended the Keyport Fireman's Fair
- met with members of the Harbor Commission
- held a site visit at the FatKat Tattoo location
- **Route 36 DOT work** – we still await the unveiling of the ped heads at Atlantic and Route 36. Apparently they are having an issue with programming the head to function with the traffic signals. They are working on it.
- **County Crosswalks** – the county has responded positively regarding our request for “no turn on red” designation at Broad and Front. They have installed traffic monitoring equipment at the location and will report back once they have the data.
- **2016 Road Improvement Program** – the contractor has returned and commenced installing sidewalks and curbs where needed. Following this they will mill and resurface the designated streets. We have impressed upon them the need to be completed before school resumes.
 - Elizabeth Street from Beers Street to Broad Street
 - Stout Street from Main Street to Kearney Street
 - Kearney 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
- **Benjamin Terry/Veterans Park** – CME has prepared a concept plan which will be used to schedule a community meeting to see what citizens would like to see in their park.
- **FEMA Outfall Project** – preliminary design complete
- **Hydrant Replacement** – we have received an exorbitant price for the removal and replacement of the damaged hydrant. We are planning on installing a new hydrant and then dealing with the old one at a later time.
- **Post Sandy Grants** – we are in the process of wrapping up each of completed projects under this program. These include our GIS, new zoning laws, storm damage prevention ordinances and several others.
- **Brown's Point Redevelopment Plan** – I have a meeting with the redevelopment counsel on Thursday to finalize the details of the redeveloper's agreement for this project.
- **Aeromarine Redevelopment Plan** – we have received a sudden and increasing number of inquiries regarding this location. I expect the site will be acquired and a plan to move forward will be completed this year.
- **Longview/Boatworks Redevelopment Plan** – I reached out to the developer today to find out where we are with this project.
- **Ye Cottage Inn** – we had a discussion with the US EDA about possible grant funding for improving and hardening the bulk head in this location to facilitate the redevelopment of this site into a job producing property. We were well received and are working with FEMA and EDA to develop a project that can get funded.
- **Gales Hardware** – the zoning board approved this project including 6 apartments over first floor retail.
- **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.
- **USDA-RD Funded Perry Street Water Treatment Upgrades** – a meeting is scheduled for August 22nd to discuss the path forward which will begin in earnest once the plant is off line in the fall.
- **Ladder Truck** – I have been advised by the Mayor that the scheduled delivery may be in August.
- **Cedar Street Field** – we are working with Councilman Sheridan and the Environmental Commission to deal with the wind erosion of the protective dune next to Cedar Street Park.
- **Bike Share Program** – I am hoping to have a developer provide some funding for this project.
- **Main Street Park** – we are pursuing several minor grants to assist in financing this project. Once we receive word from the County CDBG program, we should be good to go out to bid.

- **Movie Nights** – we continue to show movies on Thursday evenings at the waterfront. This week's feature is Moana.
- **Summer Season** – camp is in its final week with another successful season in the books. We are planning on having a post-event meeting to discuss how to make the program even better.
- **KBBC Assessment** – we have several recommended changes to Schedule B of the BID ordinance based upon new businesses and commercial properties that have come into town.
- **Broad and Third** – I visited the business located at this intersection along with our code enforcement official, property maintenance officer and TACO personnel. We met with the owner's father. The site has over six derelict vessels and various and sundry types of debris. The owner agreed to make substantial progress in cleaning up the property within two weeks and to have the site cleared within a month. There were several issues that required immediate attention including standing water in old fish tanks and buckets that could serve as mosquito breeding grounds. We will be monitoring this location in the days to come.
- **Harbor Issues** – I had a meeting with members of the Harbor Commission to discuss plans for the 2018 season. We are working on a new tenant for our municipal dock, a pay station for the boat ramp, dedicated SLEO's for the waterfront, dredging of the boat ramp and the harbor in general, concessions such as kayak rental and SUP classes, and a concession at the boat house. I have asked Andy Raichle to provide a cost estimate and proposal to manage a dredging operation and project.
- **Harbor Cam** – I am exploring the possibility of installing a waterfront and harbor cam that would be active at all times to allow people to view our waterfront at any time. I am also looking at various forms of equipment to video and capture meetings for rebroadcast on the internet.

PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions at 8:36PM moved by Sheridan, carried by Lamberson with ayes by all present

Mike Lane – mentioned a list of projects from the Master Plan that are not on the Borough website. Spoke of tidal flooding in Venice. Mentioned Fireman's Fair lucked out this year because moon tide on Sunday was six feet and there was no heavy wind. He suggested moving the fair to a location three feet higher.

Dan Fox, 40 Church Street – mentioned his OPRA Request for emails which was denied by the Borough Clerk due to attorney/client privilege. He also claimed the Chief has not put in his retirement papers with the State.

Attorney Polles – advised Council to refrain from responding to Mr. Fox due to the threat of litigation.

There being no further comments or questions, the meeting was closed to the public at 8:50PM moved by Sheridan, carried by Cooper with ayes by all present

Motion to go into Closed Session after a four minute recess moved by Sheridan, carried by Cooper with ayes by all present

CLOSED SESSION

RESOLUTION #191-17

**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, personnel matters, including Personnel *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 August 8, 2017 and determined that an Executive Session closed to the public shall be held on August 8, 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: Cooper

AYES: Pacheco, Sheridan, Kennedy, Lamberson, Cooper, Goode

NAYS:

ABSENT:

Council reconvened to Open Session at 9:36PM. Attorney Polles spoke of items discussed in Closed Session:

- Clean Communities potential increase
- Senior Center Director discussion; recommendation will be made

ADJOURNMENT

Motion to Adjourn at 9:38PM moved and carried with ayes by all present