

Minutes of the Regular 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 Kennedy called the Meeting to Order at 7:00PM. Borough Clerk Valerie Heilweil read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Sheridan, Cooper, Pacheco, Fotopoulos and McDermott. Others present: Mayor Kennedy, Borough Attorney William P. Opel, Esq., Tax Assessor Michael Delre and Borough Administrator Stephen Gallo. Councilmember Goode arrived at 7:34PM.

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

COMMITTEE REPORTS

Councilman Sheridan: Finance/Grants/Redevelopment/LEPC

- Thanked Chief Young, Fire Department, CERT and Police for a well-run fair and awesome fireworks
- House Tour will be December 14th
- Fashion Tea at the Yacht Club will be held October 19th
- Thanked those who participated in National Night Out
- Senior Bus Subcommittee starting bus service on Tuesday beginning August 20th

Councilman Cooper: Recreation/Senior Center/Green Team

- Will combine his report with Councilwoman McDermott's report

Councilman Goode: Fire/First Aid/Emergency Services/Planning Board – *Not Present; Arrived 7:34PM*

Councilwoman Pacheco: Police/MAC/Harbor Commission

- Read figures from the Police Department Report
- Chief Hafner attended a three-day active shooter class
- Emergency Personnel Tour
- Successful Car Show
- Commended Police Department for a great job at the Fireman's Fair
- Snapper Contest will be held Saturday at 10AM
- Narcan Training will be held August 26th at 6PM

Councilman Fotopoulos: Board of Health/Registrar/Recycling/Environmental/MAC

- Forgot Environmental Committee notes but will report on that next month
- Board of Health report is in your packets
- Mayor Kennedy attended Environmental Committee meeting discussing use of plastics. Some municipalities have already limited its single-use plastics.
- Sarrynna participated in Sustainable Jersey and Green Team meetings

Councilwoman McDermott: Public Works/Construction/Zoning/Property Maintenance/
Library/Harbor Commission/KBBC

- Building Department report has been submitted
- Read some figures from that report
- Friday Movie Nights here in Keyport
- Recreation looking at showing September/October movies once a month
- Keyport 5K registration has begun and can be done online
- KBBC Thursday night music is held at the Mini-Park
- Library is planning to hire a new director

- Library chimney is still an issue

ADMINISTRATOR'S REPORT

Administrator Gallo reported on the following:

- Met with Grants Counsel
- Met with our new phone service provider
- Participated in a Clean Energy Program Outreach meeting
- Attended a Bayshore 2020 meeting
- Participated in a Finance Committee meeting
- Met with the Borough Engineers
- Progress meeting for the Water Treatment Plant Upgrade Project
- Met with an environmental engineering firm
- Met with staff regarding the Senior Transportation Bus
- Held a Fireman's Fair planning meeting
- Met with developer for 75 Manchester along with our Planner
- Attended the NPP Kick-off meeting along with the Mayor
- Held the Main Street Park preconstruction meeting – planning groundbreaking ceremony for Monday at 5:30PM
- Met with Anbaric regarding their energy project
- Met with Paul McKeefry and Nancy Smalling
- Held Deputy Court Administrator interviews
- Met with NJ DOT regarding federal aid project
- Met with Sarrynna Sou regarding energy and Sustainable Jersey issues
- Attended depositions in a court matter
- Met with Clay Perlman regarding his project
- Met with the Green Team regarding Sustainable Jersey
- Met with Mike Lane regarding property assessments and ADP
- Participated in a meeting regarding dumpster enclosures

Ongoing Capital Projects

- Beach Park and Beers Street Outfall Reconstruction
- Improvements to Benjamin Terry and Veteran's Parks
- DPW Building – Rollo Place
- Scattered Site Redevelopment Plan

Upcoming Capital Projects

- 2018 Road Program Phase 1 (\$235,000 NJDOT 2017 grant) Black Rock
- 2019 Road Program Phase 2 (\$325,000 NJDOT 2019 grant)
- 2019 Road Program Phase 3 (\$350,000 NJDOT 2018 grant)
- 2016 TAP Grant (\$569,000 + Design)
- Main Street Park
- Jack Conway Park
- Mini-Park
- Dog Park

Redevelopment

- Mariner's Village
- Aeromarine
- Scattered Sites
- Longview/Boatworks
- 149 W. Front Street

Water and Sewer Projects

- Perry Street Water Treatment Plan Upgrades

Other:

- Complete Streets Project/Pedestrian Safety
- Tech Review

- Library Bond
- Summer Recreation Camp
- Keyport Energy Initiatives
- Neighborhood Preservation Program NPP
- Hazard Mitigation Program
- Atlantic Street Water Leak

Councilwoman McDermott asked about the LimeBike program.

Administrator Gallo stated they are phasing out pedal bikes. They are now proposing scooters which he does not feel fits our community. He hopes to find another bike company.

Councilwoman McDermott asked about the Library grant and whether any action is to be taken by the Library at this point.

MAYOR'S UPDATES

Mayor Kennedy reported on the following:

- Emergency Personnel Tour – toured two locations
- Attended the Bayshore 2020 Initiatives
- 117 Things to do at Exit 117 – marketing the Bayshore as a day-trip region
- KBBC Car Show was very successful – thanked all the volunteers
- Conducted three more weddings
- American Sign Language session held through Keyport Special Education Group
- Meeting with JCP&L to discuss storms
- Attended Summer Camp final day carnival
- A Canoe To You provided kayaks for access to the water
- Fireman's Fair and National Night Out were successful
- Highlighted Kiwanis and Elks on the Mayor's Facebook Page
- Received word from Congressman Pallone of a Press Conference to be held at Cedar Street Park on August 22nd at 11AM
- Elks fundraiser will be held on August 24th
- Kiwanis fundraiser will be held on August 31st

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.)

*Clerk Heilweil read the items listed on the Consent Agenda
Councilman Goode arrived at 7:34PM*

R233-19 Payment of Bills

R234-19 Setting the Last Date to Pay Third Quarter 2019 Taxes Before Interest Will Accrue

R235-19 Authorizing the Hiring of Personnel in the Borough Police Department:

Anthony Rosa – Part-time Special Law Enforcement Officer 1;

Elijah Smith – Part-time Special Law Enforcement Officer 2;

Denilo Ferrer – Part-time Clerk;

Tyler Ely – Part-time Clerk

R236-19 Authorizing the Borough's Membership in the North Jersey Wastewater Cooperative Pricing System

R237-19 Authorizing Award of Funds for Keyport Boy Scout Troop 364 for Program Fees Pursuant to 2019 Keyport Recreation Micro-Grant Program

R238-19 Authorizing Award of Funds for Keyport Cub Scouts Pack 364 for Program Fees Pursuant to 2019 Keyport Recreation Micro-Grant program

R239-19 Approving the Agreement with Associated Humane Societies, Inc., for Animal Control Services throughout the Borough

R240-19 Certifying the Cost of Cleaning Up Properties and Placing a Lien Upon Such Lands: 1 & 3 Walnut Terrace; 216 Second Street

- R241-19 Approval to Submit Grant Application and Execute a Grant Contract with the NJDOT for Improvements to Church Street project
- R242-19 Authorizing Payment Plan due to an extraordinary increase in water usage due to leak – *Lamberson*
- R243-19 Requesting Approval of Items of Revenue and Appropriation – N.J.S.A. 40A:4-87 Drunk Driving Enforcement Fund
- R244-19 Authorizing Promotions and Salary Adjustments of Certain Personnel Employed by the Borough: *Supervising Account Clerk, Principal Account Clerk, Pension/Payroll Supervisor, and Deputy Borough Clerk*
- R245-19 Authorizing Refund for Canceled Permit – *Fahey for 285 Church Street*
- R246-19 Adopting Policies and Procedures for the Administration and Inspection of Federal Highway Aid Projects

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments or questions on **resolutions listed on the Consent Agenda** moved by Sheridan, carried by Pacheco with ayes by all present

Elmer Graham, Jr., 22 St. Peters Place, praised this year’s Fireman’s Fair - great job. He asked for an explanation of **R241-19** Approval to Submit Grant Application and Execute a Grant Contract with the NJDOT for Improvements to Church Street project, and **R246-19** Adopting Policies and Procedures for the Administration and Inspection of Federal Highway Aid Projects, which the Administrator provided. Mr. Graham also asked about having the Governor or the Lt. Governor coming to Keyport for a town-hall meeting.

Mayor Kennedy sent a hand-written note to the Lt. Governor.

There being no further comments or questions, the Meeting was closed to the public at 7:39PM moved by Fotopoulos, carried by Sheridan with ayes by all present

APPROVAL OF RESOLUTIONS

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

Roll Call: Ayes: Sheridan, Cooper, Goode, Pacheco, Fotopoulos, McDermott
 Nays:
 Absent:
 Abstain:

ORDINANCE INTRODUCTIONS

1. Ordinance – Revised Parking Restrictions in Municipal Parking Lots

The Clerk read the Ordinance by Title: **AMENDING CHAPTER VII, TRAFFIC, TO REFLECT REVISED PARKING RESTRICTIONS AT CERTAIN MUNICIPAL PARKING LOTS**

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

Roll Call: Ayes: Sheridan, Cooper, Goode, Pacheco, Fotopoulos, McDermott
 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 McDermott, carried by Sheridan with ayes by all present

2. Ordinance – Property Owners Duty to Keep Sidewalks Free of Litter and Weeds

The Clerk read the Ordinance by Title: **AMENDING CHAPTER IV, “POLICE REGULATIONS,” SECTION 4.1, LITTER, TO REFLECT REVISIONS REGARDING MAINTENANCE OF WEEDS**

Councilman Goode asked how we define weeds. It is a bit subjective and he feels it needs additional language to refer to it obstructing the pedestrian traffic.

Administrator Gallo said he does not want to limit it to that but can include it. He does not want that to be the only criteria. The goal is “...to eliminate unwanted growth on the sidewalks and to ensure the safe passage...”

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

Roll Call: Ayes: Sheridan, Cooper, Goode, Pacheco, Fotopoulos, McDermott
Nays:
Absent:
Abstain:

2b. Motion authorizing the Clerk to publish the Ordinance as introduced in the Asbury Park Press for a public hearing moved by Pacheco, carried by Sheridan with ayes by all present

PUBLIC HEARING

Administrator Gallo explained certain improvements planned for our Mini-Park; new picnic tables, benches, landscaping, improved pavers, seasonal canopy over stage, improve electrical service, put up a small shed to store chairs to provide temporary seating, include a phone charging station and a water station.

The Meeting was opened to the public for input **on the contents of the Monmouth County Open Space Grant Application for the Mini-Park Improvement Project** at 7:47PM moved by Pacheco, carried by Sheridan with ayes by all present

Elmer Graham, Jr., thinks it is a good idea.

Administrator Gallo stated this is part of the Mayor’s and Council’s initiative to upgrade all of the Borough parks.

Carole Grabowski, 48 Walnut Street, asked about improvements to Cedar Street Park. She asked whether the school is helping to fund it; *No*.

Administrator Gallo said Cedar Street Park will be done at some point in the future. There will be a community meeting on this. Our track record has been good with getting these improvements done with grant funding.

Paul McKeefry, 107 Maple Place, said he would like a staircase for the stage included in the Mini-Park improvements. He thinks the project is a great idea to attract more people to Keyport.

There being no further comments or questions, the Meeting was closed to the public at 7:57PM moved by Pacheco, carried by Sheridan with ayes by all present

RESOLUTION – R247-19 - AUTHORIZING GRANT APPLICATION TO THE COUNTY OF MONMOUTH FOR THE MINI-PARK IMPROVEMENT PROJECT

RESOLUTION #247-19

**RESOLUTION AUTHORIZING GRANT FROM MONMOUTH COUNTY OPEN SPACE
FOR THE MINI PARK IMPROVEMENT PROJECT**

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS, the Governing Body of the Borough of Keyport desires to obtain County Open Space Trust Funds in the amount of \$155,000 to fund the Mini Park Improvement Project (West Front Street, Keyport, NJ 07735; Block 21.01, Lot 34); and

WHEREAS, the total cost of the project including all matching funds is \$310,000; and

WHEREAS, the Borough of Keyport is the owner of, and controls, the project site.

NOW, THEREFORE, BE IT RESOLVED BY the Keyport Borough Council **THAT**:

1. Stephen Gallo, Borough Administrator, or his successor is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program, and (c) act as the municipal contact person and correspondent of the above named municipality; and
2. The Borough of Keyport is committed to this project and will provide the balance of funding necessary to complete the project as described in the grant application in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations and statutes thereto; and
4. Stephen Gallo, Borough Administrator, or his successor is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and
5. This resolution shall take effect immediately.

Offered: Sheridan

Seconded: Cooper

Ayes: Sheridan, Cooper, Goode, Pacheco, Fotopoulos, McDermott

Nays:

Absent:

COMMUNICATIONS BY CONSENT
(For Approval)

Clerk Heilweil read the items listed on the Communications by Consent Agenda

1. Email (with application) from DeafBlind Community Access Network of NJ (DBCAN-NJ) requesting Use of Gazebo at Waterfront Park on Thursday, September 5, 2019 from 1-3PM for the purpose of hosting a small drum circle of no more than 20 people. As a non-profit, they are requesting a waiver of the fee.

2. Application for Raffle License from Keyport First Aid Squad for an Off-Premise 50/50 Cash raffle to be held on December 19th, 2019 at 9PM
3. Application for Raffles License from Knights of Columbus #3402 St. Joseph's for an Off-Premise 50/50 Cash Raffle to be held December 4, 2019 at 8PM
4. Application for Use of Borough Property from The Art Society of Keyport requesting use of Waterfront Park & Gazebo on September 14, 2019 from 11AM-6PM for the purpose of a "Art on the Bay", a public painting event (Certificate of Insurance included)
5. Application for a Social Affairs Permit from Keyport-Matawan Elks Lodge for the 5th Annual Kathleen Thomson Hog Roast & Run to be held Saturday, August 24, 2019 from 9AM-7PM and request for road closure of Chingarora between Highway 35 and 4th Street from 9AM-7PM (Petition with signatures included)
6. Letter from Knights of Columbus, St. Joseph's Council 3402, requesting permission to hold its Annual Breast Cancer Awareness Walk through the Borough beginning at the Waterfront Park Gazebo around 11:45AM on Sunday, October 20, 2019. Assistance is requested from the Keyport PD and Fire Department
7. Email from KBBC member requesting to present changes being made to the KBBC Music Festival as well as permission to close West Front Street and to apply for a social affair permit for beer and wine consumption on the street as was permitted last year
8. Free Narcan Training from the Keyport Municipal Alliance to Prevent Alcoholism and Drug Abuse and the Keyport Response to Recovery to be held at Keyport Borough Hall on Monday, August 26, 2019 at 6PM
9. Application for Use of Borough Property from Keyport Historical Society requesting use of Council Chambers for a presentation entitled "Hidden History of Monmouth County" to be held Monday, October 7, 2019 at 7PM. Further requesting waiver of the fee.
10. Email from Clean Ocean Action regarding its 34th Annual Fall Beach Sweeps to take place Saturday, October 26, 2019 from 9AM-12:30PM. Also included is the 2018 Beach Sweeps Annual Report.

(To Receive and File)

11. Email from resident Michael Lane regarding Redevelopment Guidelines and "a statement of guidelines for pursuing any future redevelopment projects in the Borough based on R105-07"
12. Letter of Intent from Community Health Center, Visiting Nurse Association of Central Jersey, regarding its National Health Center Week Event held Tuesday, August 6, 2019 from 10AM-2PM
13. Letter from Keyport Fire Department's Fair Committee requesting use of the Steamboat Dock Museum Lot for storage and staging of carnival rides, equipment and trailers from Sunday, August 4, 2019 thru Sunday, August 11, 2019
14. Aberdeen's Resolution No. 2019-97 regarding "Notice of Appeal to the Borough of Keyport Unified Planning Board regarding the property located at 275 Clark Street, Block 1, Lot 1, supporting the Zoning Officer's decision and requesting "the Keyport Planning Board deny the appeal based upon the negative effects that the proposed use would have on traffic and wear and tear on the roadways of the Township of Aberdeen, which is adjacent to the subject property."

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments or questions on **Communications listed above** at 7:59PM moved by Goode, carried by Sheridan with ayes by all present

Michael Lane, 51 First Street, asked about **R205-19** Authorizing the Preparation of a Redevelopment Plan for Properties Identified as Block 120, Lots 8 and 9 and Block 130, Lot 42, 48, 49, 50, 51 and 52 on the Tax Map of the Borough, and an amendment that was not made that should have been made.

There being no further comments or questions, the Meeting was closed to the public at 8:04PM moved by Sheridan, carried by Pacheco with ayes by all present

APPROVAL and/or RECEIPT AND FILE OF COMMUNICATIONS

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

Roll Call: Ayes: Sheridan, Cooper, Goode, Pacheco, Fotopoulos, McDermott
Nays:
Absent:
Abstain:

APPROVAL OF MINUTES

Motion to approve the July 2, 2019 Regular Session Minutes and the July 16, 2019 Regular Session Minutes moved by Pacheco, carried by Goode with ayes by all present, with the exception of Councilman Sheridan who abstained from the July 16, 2019 Regular Session Minutes.

REPORTS OF DEPARTMENTS

1. Municipal Clerk's Report for July 2019
2. Tax/Water/Sewer Collector's Report for July 2019
3. Board of Health Treasurer's Report for July 2019
4. Building Department Monthly Report for July 2019
5. Municipal Court Monthly Report for July 2019

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

NEW BUSINESS

Ordinance regarding False Alarms

Councilman Goode stated there has been discussion by the Board of Fire Chiefs due to the number of false alarms.

Councilman Sheridan stated he appreciates the intent, but does not believe it is necessary.

The Meeting was opened to the public for comments or questions at 8:17PM moved by Sheridan, carried by Pacheco with ayes by all present

Police Chief Mark Hafner came forward. He agreed each residence should be allowed one false alarm a year.

Mayor Kennedy stated Life-Alert alarms should be excluded.

Councilman Goode said this ordinance does not include that type of alarm, but he does believe this proposed ordinance needs to be tightened up a bit.

Ezra Hill, 86 Manchester, said he was an ADT specialist for ten years. He knows that the Fire Department responds very quickly.

Mayor Kennedy suggested a meeting to discuss this ordinance.

Dan Fox, former Fire Chief, confirmed there are a lot of repeated false alarms.

There being no further comments or questions, the Meeting was closed to the public, moved and carried with ayes by all present

UNFINISHED BUSINESS

None

ATTORNEY'S REPORT

Nothing to report

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments or questions at 8:35PM, moved and carried with ayes by all present

Elmer Graham, Jr., spoke of one of the trash cans not being picked up when he put four out.

Mayor Kennedy clarified only three cans are allowed.

MD Abramowitz, 75 First Street, mentioned that cultivated gardens are to be excluded from the weed ordinance. She has several books with photos published on the property. She has had a problem for years with one person who complains about her gardens. She feels it is harassment. She stated she has formal gardens. She does not feel there is a problem with passing or walking on the sidewalk. She spoke of years of anonymous letters sent to property maintenance about weeds on her property. She feels she is being harassed by this anonymous complainer.

Mayor Kennedy stated she has personally seen people with strollers have to go out into the street to navigate.

Ed Burlew, 59 W. Front Street, stated he knows this resident fairly well. He is glad the Mayor spoke up because he believes there is a problem there with overgrowth around the sidewalks. He feels it should be cut down. He mentioned we had a dumpster meeting today and only two people came to the meeting. He asked who the Code Enforcement Officers are.

Administrator Gallo stated Michael Mulcahy; *He was asked if Tony Vecchio is a Code Enforcement Officer.* Administrator Gallo advised he is the Fire Code Enforcement Officer.

Ed Burlew spoke of an incident where Tony Vecchio told someone who was selling crabs that he could not do so, and stated that he was the Code Enforcement Officer. He also stated that the Board of Health stated it was okay.

Elmer Graham, Jr., asked about the progress of getting these meetings televised.

Administrator Gallo said he had received a proposal and the cost is about \$7,000. It will be included in the budget next years.

MD Abramowitz stated she has the utmost respect for both Vecchios.

Michael Lane spoke of a problem with cars parking overnight in municipal parking lots. He also spoke of oscillation of values in the realty assessment program. He questioned how one could be low one year and high another.

Councilman Goode explained that could be very possible based on comp sales that year in each neighborhood.

Michael Lane said he would like a sale data link put on the website and that neighborhood definitions be made public on the website. He would like the inspection rate to be published. He needs to check property record card data for illegal improvements.

Administrator Gallo stated this year 40% of the homes were inspected. The goal is to inspect 100% of homes every five years. Mr. Lane dropped off more than 100 pages this week which need to be reviewed and digested. Each year 100% of properties are assessed and values float with the market.

Dan Fox called the 0706 number to report a downed wire. He spoke of problems reporting it. He stated 911 was busy. He described how he tried to reach the County

and stated there was no answer. He reported other issues he has experienced with County Dispatch.

Mayor Kennedy stated a lot of this was happening during a severe storm which left some homes without power for 48 hours. She could not deny that it could have been handled better.

Chief Hafner was asked to come forward. He stated there were 197,000 outages in the County from that storm. He also stated there were times locally where the Police Department did not have phones and we were unaware, so things happen sometimes. He still feels we are better off with the County Dispatch System.

Mayor Kennedy agreed there was a major flaw that day and there was a major storm that day in the County. She requested a test page be sent out.

There being no further comments or questions, the Meeting was closed to the public at 9:44PM moved by Sheridan, carried by Pacheco with ayes by all present

ADJOURNMENT

Motion to Adjourn at 9:44PM moved and carried with ayes by all present.