

BOROUGH OF KEYPORT
REGULAR MEETING MINUTES
TUESDAY, AUGUST 15, 2023 – 7:00 P.M.

CALL TO ORDER: 7:01 PM by Mayor Araneo

SUNSHINE LAW NOTICE: Read by Municipal Clerk

Minutes of the Regular Meeting of the Mayor and Council, Borough of Keyport, held on the above date in Borough Hall Council Chambers, Keyport, NJ, pursuant to the Annual 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 Demarest, Councilmember Reilly, Councilmember Vecchio,
Councilmember Peperoni, Councilmember McNamara, Mayor Araneo

Absent: Council President Davidson

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

COMMITTEE REPORTS

(Councilmember is lead or co-lead liaison of Committees in bold)

Councilmember Demarest: KBBC, Public Works/Water-Sewer, Harbor Commission, Recreation/Senior Center

- KBBC Light up the Bay event is this Thursday, August 17th at 6:00pm

Councilmember Reilly: Environmental, Fire/First Aid/OEM, Finance/Grants, Heath/Registrar/Construction/Fire Bureau/Code Enforcement/Zoning, Cannabis

- Fire Department had a successful Fireman's Fair; thanked all volunteers and Police
- Environmental Commission project updates concerning plantings, open space inventory, Veteran's Park drainage, and spotted lanternfly grant request.

Councilmember Vecchio: Harbor Commission, Municipal Alliance, Police, NPP

- Municipal Alliance Committee meeting is Thursday, August 17th and will discuss an ordinance addressing smoke shops vape items on display shelves in windows.
- Spring Red Raider Night was a success and they're interested in hosting again in the fall.
- August 31st is International Overdose Awareness Day.
- The Harbor Commission met August 14th and discussed dredging, pump out boat not going to happen this year, Keyport Yacht Club grant for pump out station, railings are still an issue, and the Snapper Contest is Saturday, September 16th.

Councilmember Peperoni: Health/Registrar/Construction/Fire Bureau/Code Enforcement/Zoning, Recreation/Senior Center, Recycling, Municipal Alliance, Police, Redevelopment

- Read the Board of Health monthly report
- Recreation is hosting final movie night August 23rd; 100 runners signed up for 5k, and pre-race packet pickup will be September 22nd

Councilmember McNamara: Finance/Grants, Cannabis, Green Team, NPP

- Finance and grants – applied for NJ Department of Agriculture \$15,000 reimbursement-based grant; noted the NJDOT 2024 Safe Routes to School grant and made the suggestion to focus on the need for a real sidewalk on Maple Place.
- Cannabis – no decision on KGNJ and the Green and Gold trial is scheduled for September 29th.
- Green Team – working on 2024 speaker series with topics to include history, wildlife, present activity in the bay, and shores.
- Year 3 NPP resolutions on agenda; thanked Nicole Henn who is resigning effective September 10th.

Council President Davidson: Planning Board, Redevelopment, Fire/First Aid/OEM, Public Works/Water-Sewer

Council President Davidson was absent.

MAYOR'S UPDATES

Mayor Araneo: Library, Planning Board, KBBC, Green Team, Cultural/Civic, Mayors Wellness Campaign

- Asked about Maple Place (Mott Street) bridge and asked the Borough Administrator to follow up with County because the bridge is sinking.
- Redevelopment Committee met to discuss the PILOT analysis.
- Pursuing NJ Film Ready certification for Keyport – completed first two steps of the certification process, with three additional steps required.
- KBBC special meeting voted in the Mayor as the new president. They also received a resignation that evening. Approved \$35,000 towards mini park improvements to include pavers and concrete pad. Authorized accepting electronic payments, looking to hire an administrator, and accepted another resignation. Light up the Bay event August 17th with a band in the gazebo, with Sharky and Baby Shark appearances and photo opportunities.
- Library Board - the AC unit condenser and air handler went out; director received 3 quotes and the Borough paid for the condenser. Chair and ottoman purchased for teen room. Library volunteer completed maintenance tasks.
- Fireman's Fair was well attended each night; thanked all volunteers for their hard work.

Councilmember McNamara – Noted that under **R2023-248** labor counsel services increased by 150% and inquired whether labor counsel provided information regarding the increase. The Borough Administrator responded that there are multiple grievances and union negotiations this year. Asked how the Borough intends to repair steps in the mini park because **NPP** funds can't be used for this purpose. Asked whether the grant in **R2023-252** is for police. Requested clarification about **R2023-253**. Asked for explanation of “non-fair and open” compared to “fair and open,” to which the Borough Administrator responded. Under **R2023-254**, inquired if the Borough Engineer is on board with the roof repairs, to which the Borough Administrator and Engineer responded. Asked about **R2023-256**, and the Borough Administrator noted significant savings. Regarding **R2023-259**, questioned if the Borough has been using FSD without resolutions the last two years, and the Borough Administrator will investigate further. Councilmember McNamara cited the optics of a firm owned by Senator Declan O'Scanlon being contracted by the Borough. Noted that under **R2023-262** there should be no Farmers Market the day of the Cars & Blues Show.

Councilmember Demarest proclaimed his pride for the Keyport Police Department and interest in keeping Keyport history alive.

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments on **agenda items only**.

Opened: 7:29 PM Motion by Peperoni, Carried by Vecchio. Ayes by all present.

John Merla, 34 Broad Street – Asked if the Borough will observe National Addiction Day (overdose awareness) with a purple flag display. Noted poor condition of the mini park steps. Commented on **R2023-248** concerning the increased labor counsel fee and grievances and the cannabis counsel fee increase in **R2023-249**. Under **R2023-257**, asked whether the 5-year tax abatement resolution is grandfathered for a buyer, and asked about the salary under **R2023-271**.

George Walling, 54 Second Street – Noted that under **R2023-257** the 5-year tax abatement carries over to the buyer and asked about the attachment. Asked who was hired pursuant to **R2023-272**.

Elmer J. Graham Jr., 22 St. Peters Place – Asked about the lease agreement under **R2023-258**. The Mayor responded and further explained that it includes an exit clause because it's time to build or buy property for DPW. Asked why the bylaws, in **R2023-261**, took so long.

Angie Polizzotto, Broad Street - Commented on the Fireman's Fair and her struggle experiencing the fair. She contacted state sensory services for help but was unable to get assistance to help her go to the fair. She attended and a rescue squad member helped her navigate the fair for a period of time until being called away to respond to an emergency.

The Mayor emailed fire chiefs and Borough Administrator about improving this for next year, and suggested the fair committee consider opening earlier. The Borough Administrator noted it will be discussed at the debriefing meeting.

Andrew Kelsey, 29 St. Peters Place – Suggested having a checklist for planning events.

Michael Lane, 51 First Street – Asked about the delineation of the harbor in the bylaws, pursuant to **R2023-261**, and noted that the bylaws state that if a boat were to sink or become disabled in the harbor then the Harbor Commission can deal with it and that’s not true. Requested the bylaws reference to the harbor be removed. The Borough Attorney stated that the bylaws are intended to supplement the borough code.

Closed: 7:52 PM Motion by Peperoni, Carried by Reilly. Ayes by all present.

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.)

- R2023-242 Payment of Bills Listed on the July 28, 2023 Bills List
- R2023-243 Payment of Bills Listed on the August 1, 2023 Bills List
- R2023-244 Payment of Bills Listed on the August 11, 2023 Bills List
- R2023-245 Payment of Bills Listed on the August 15, 2023 Bills List
- R2023-246 Requesting Approval of Items of Revenue and Appropriation – N.J.S.A. 40A:4-87 Bayshore DWI Saturation Patrol
- R2023-247 Requesting Approval of Items of Revenue and Appropriation – N.J.S.A. 40A:4-87 HTS Distracted Driving Grant
- R2023-248 Authorizing Increase in Amount for Labor Counsel Services for 2023
- R2023-249 Authorizing Increase in Amount for Special Cannabis Counsel Services for 2023
- R2023-250 Authorizing Designated Improvements as Part of the Neighborhood Preservation Program (NPP) Year 3 Implementation Plan – Mini Park
- R2023-251 Authorizing Designated Improvements as Part of the Neighborhood Preservation Program (NPP) Year 3 Implementation Plan – Beach Park
- R2023-252 Approval to Submit a Grant Application and Execute a Grant Contract with the State of New Jersey Department of Law and Public Safety for the SFY2023 Safe and Secure Communities Grant Program
- R2023-253 Authorizing Execution of a Commodity Resale Agreement with the County of Monmouth
- R2023-254 Authorizing the Award of a Non-Fair and Open Contract for Architectural Services for Borough Hall Roof Repairs
- R2023-255 Authorizing the Execution of an Agreement with Atlantic Tomorrows’ Office for the Lease of Copy Machines
- R2023-256 Approving an Agreement with Monmouth Telecom for the Provision of Telephone Services
- R2023-257 Approving a Five-Year Tax Abatement for 5 Therese Avenue in the Borough of Keyport
- R2023-258 Authorizing the Extension of the Lease Agreement for 120 Francis Street, Unit 18, Keyport, New Jersey
- R2023-259 Authorizing the Award of a Non-Fair and Open Contract for Continuation of Professional Services for Wireless Telecommunications Consultant
- R2023-260 Authorizing the Award of a Non-Fair and Open Contract for Background Screening Services
- R2023-261 Approval of Harbor Commission Bylaws
- R2023-262 Approving Rain Date Request by the Keyport Bayfront Business Cooperative for the Cars & Blues Show
- R2023-263 Approving the Request of the Keyport Fire Department to Hold the Annual September 11 Service
- R2023-264 Resolution in Support of Via Pal’s Annual Bike Run
- R2023-265 Authorizing Refund of Three-Day Mini Camp Program Fee
- R2023-266 Authorizing Refund of Street Opening Permit Fee
- R2023-267 Approving the Issuance of a Social Affair Permit and Approving Road Closures for Keyport Matawan Elks BPOE 2030
- R2023-268 Approving New Jersey State Firemen’s Association Application for Membership
- R2023-269 Resolution Appointing Marilyn Rusignuolo, Jacqueline Machado, and Susan Montanti to the Board of Directors of Keyport BID, Inc.
- R2023-270 Authorizing the Appointment of Special Law Enforcement Officer Class 1
- R2023-271 Authorizing the Appointment of a Full-Time Laborer-1 in the Department of Public Works

R2023-272 Authorizing the Execution of Employment Agreement for Superintendent of Public Works

APPROVAL OF RESOLUTIONS

Motion to approve resolutions **R2023-242 through R2023-272** on the Consent Agenda.

MM: Peperoni 2nd: Reilly

Roll Call: Ayes: Demarest, Reilly, Vecchio, Peperoni, McNamara
 Nays:
 Absent: Davidson
 Abstain:

PUBLIC HEARINGS/ADOPTION OF ORDINANCES

1. Ordinance #2023-6 – Amending Chapter 6 Alcoholic Beverage Control Police Department Registration Requirements

The Clerk reads the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING SECTIONS OF CHAPTER VI ENTITLED “ALCOHOLIC BEVERAGE CONTROL” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT**

- 1a. Motion to Open Public Hearing: 7:52 PM
 MM: Peperoni 2nd: Reilly

John Merla, 34 Broad Street – Asked if the ordinance pertains to all licenses, including clubs and breweries.

Michael Lane, 51 First Street – commented on Keyport Yacht Club serving alcohol.

- 1b. Motion to Close Public Hearing: 7:56 PM
 MM: Peperoni 2nd: Reilly
- 1c. Motion adopt Ordinance
 MM: Peperoni 2nd: Vecchio
 Roll Call: Ayes: Demarest, Reilly, Vecchio, Peperoni, McNamara
 Nays:
 Absent: Davidson
 Abstain:

- 1d. Motion authorizing the Clerk to publish the Ordinance as adopted
 MM: Peperoni 2nd: Reilly Ayes: all present Nays:

2. Ordinance #2023-8 – Amending Chapter 23 Board of Health Regulations Section 23-8 Tattooing and Body Piercing

The Clerk reads the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING SECTIONS OF CHAPTER XXIII ENTITLED “BOARD OF HEALTH REGULATIONS” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT**

- 2a. Motion to Open Public Hearing: 7:58 PM
 MM: Peperoni 2nd: Reilly

Elmer J. Graham Jr., 22 St. Peters Place – Asked why the amendment is necessary.

The Mayor explained that currently Borough Code omits permanent makeup or microblading.

Councilmember McNamara noted that the number of licenses increases from 3 to 5.

- 2b. Motion to Close Public Hearing: 7:59 PM
 MM: Peperoni 2nd: Vecchio
- 2c. Motion adopt Ordinance
 MM: Peperoni 2nd: Vecchio
 Roll Call: Ayes: Demarest, Reilly, Vecchio, Peperoni, McNamara
 Nays:

Absent: Davidson
Abstain:

2d. Motion authorizing the Clerk to publish the Ordinance as adopted
MM: Peperoni 2nd: Reilly Ayes: all present Nays:

MINUTES FOR APPROVAL

Regular Meeting Minutes of May 2, May 16, and July 18, 2023
Special Meeting Minutes of July 5, 2023

MM: Peperoni 2nd: Vecchio

Ayes: Demarest, Reilly, Vecchio, Peperoni
Nays:
Absent: Davidson
Abstain: McNamara

REPORTS

1. Municipal Clerk’s Report for July 2023
2. Tax/Water/Sewer Collector’s Report for July 2023
3. Board of Health Treasurer’s Report for July 2023
4. Building Department Report for July 2023
5. Municipal Court Report for July 2023

MM: Peperoni 2nd: Reilly Ayes: all present Nays:

NEW BUSINESS

UNFINISHED BUSINESS

DAIS UPDATES

Police Chief Shannon Torres provided updates on the following:
Attended pre-event meeting to prepare for Fireman’s Fair; Fair Week now complete
Attended County Chiefs board meeting – discussed training
NJ State Police theft detection and prevention program
Completed trainings include: MEL Joint Insurance Fund (JIF) training for 50 employees, active shooter training at Saint John Vianney, two days of weapons familiarization, NJ regional center training
Concealed Carry Weapons portal is now live
Countywide community engagement
Ordinance No. 6 rectifies NJ ABC discrepancies; 73 ABC ID cards for employees
Over 60 expungements processed
Narcotics search warrant
Inconsistencies between Keyport parking lots
Processed Firearms ID cards, including 23 concealed carry weapons permits to date
Reviewed operations plan
Accepting applications for Special Law Enforcement Officer 2s and Crossing Guards
Putting together AYF Football season requests
Preparing for a meeting with the Prosecutor’s Office to put together a TEA and new visa community event on September 30th

Borough Engineer Joseph Raftery provided updates on the following:
Paving completed on Church Street;
NPP mini park project;
Keyport well survey to stay compliant with NJ DEP;
CDBG sidewalk project;
NJ DOT improvements to Butler and E. Third Street;
Cedar Street Park.

Mayor noted the Third Street project doesn’t have lights.

Borough Administrator Kim Humphrey provided updates on the following:
Compiling narratives and job duties from departments;
Toilet exploded in the Police Department locker room while unoccupied, and an insurance claim has been submitted;
Code enforcement department reported 70 violations issued and handled since she started as BA;
Stop & Shop property cleaned up;
TAP grant progress;
Maple Place meter was pulled, and creating new account and adding new meter is underway.

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments.
Opened: 8:16 PM Motion by Peperoni, Carried by Reilly. Ayes by all present.

John Merla, 34 Broad Street – Commented about the lights on Maple Place, the DPW Superintendent job description, and the First Street and Walnut Street sidewalk rust;

Michael Lane, 51 First Street – Commented on knee high grass at units on First Street and Walnut Street, Planning Board letter to mayor and council regarding land use requirements, maximum density requirements, TAP project, and Henry Hudson Trail. Borough Administrator responded that Council will be workshopping the land use gaps.

Elmer J. Graham Jr., 22 St. Peters Place – commented on We Care Adult Care. Mentioned that the American Legion is looking for new members.

The Mayor recommended that the American Legion have a table at I ♥ Keyport Day. The Mayor also noted the timeline for Borough Hall roof repairs.

Closed: 8:27 PM Motion by Peperoni, Carried by Reilly. Ayes by all present.

EXECUTIVE SESSION

Resolution #2023-273 read by Borough Attorney.

R2023-273 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 for the following item(s): **attorney-client privilege matters related to borough property**

RESOLUTION #2023-273

**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, attorney-client privilege matters related to borough property pursuant to N.J.S.A. 10:4-12(b)(7).

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 15, 2023 and determined that an Executive Session closed to the public shall be held on August 15, 2023 at

approximately 7:00 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.

Motion to go into Closed Session at 8:28 p.m. Moved by Peperoni, Carried by Reilly. Ayes by all present.

Council reconvened to Open Session at 8:41 PM

ADJOURNMENT

Motion to Adjourn

MM: Peperoni 2nd: Reilly Ayes: all present Nays:

Time of Adjournment: 8:42 PM