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 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, Howe, Lamberson, Cooper, Goode. Others present: Mayor Aumack, Borough Administrator Stephen Gallo and Borough Attorney Jong Sook Nee, Esq. Councilman Chamberlain was absent.

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

PRESENTATIONS
1. Mayor Aumack and Recycling Coordinator Purcell presented an award, along with Claudia DeGracia of the Spanish American Club, to the winner of the 2016 Recycling Poster Contest, Douglas Graham
2. Mayor Aumack presented a Certificate of Appreciation to his son, Sgt. Robert Aumack, upon his retirement after 25 years of service. Sgt. Aumack's fellow officers wished him well.

Joe Ruth, as PBA President, presented a New Jersey State Senate Resolution to Sgt. Robert Aumack

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 resolutions on the Consent Agenda

R219-16 Payment of Bills
R220-16 Certifying the Cost of Cleaning Up Properties and Placing a Lien Upon Such Lands – *1 Chingarora, 23 Pine St.,*
R221-16 Certifying the Cost of Cleaning Up Properties and Placing a Lien Upon Such Lands – *7 Hurley*
R222-16 Authorizing Payment Plan (due to inside and outside meter reading mismatch)
R223-16 Amending Resolution #214-16 Authorizing the Hiring of Laborers and a Part-Time Tax Assessor, the Appointment of a Supervisor of the Department of Public Works and the Adjustment of certain Salaries for Certain Employees
R224-16 Authorizing the Award of Contract with Mott MacDonald, LLC for Professional Engineering Services for the Borough's Water Allocation Permit Major Modification
R225-16 Authorizing the Promotion of Police Officer Joseph Ruth to Step One on the Sergeant's Guide
R226-16 Approving and Authorizing the Payment of Certain FLSA Payments
R227-16 Adopting Water Conservation Policy
R228-16 CDBG – Authorizing Execution of Project Agreement with Monmouth County for Performance and Delivery of Fiscal Year 2014 Community Development Projects
R229-16 CDBG – Authorizing Execution of Certification Prohibiting the Use of Excessive Force and a Certification Prohibiting the Use of Federal Funds for Lobbying
R230-16 Place-to-Place Transfer of Keyport Waterfront Liquors, trading as Old Glory
R231-16 Order Enforcer Aerial Ascendant 107" Heavy Duty Ladder Truck for Keyport Fire Department

Motion was made and carried to pull **R225-16** Authorizing the Promotion of Police Officer Joseph Ruth to Step One on the Sergeant's Guide for separate consideration

Clerk Heilweil read **R225-16** Authorizing the Promotion of Police Officer Joseph Ruth to Step One on the Sergeant's Guide

Offered: Sheridan
Seconded: Goode

Roll Call: Ayes: Sheridan, Howe, Lamberson, Cooper, Goode
Nays:
Absent: Chamberlain
Abstain:

SWEARING IN SERGEANT JOSEPH RUTH
Clerk Heilweil swore in Sergeant Joseph Ruth while his sons held the Bible.

Chief Casaletto presented a badge to Police Commissioner Lamberson.

Councilman Sheridan requested a short recess at 7:12PM. Council reconvened at 7:17PM

PUBLIC COMMENT PORTION
The Meeting was opened to the public for comments or questions on items listed on the agenda at 7:19PM moved by Sheridan, carried by Howe with ayes by all present

Beth Lasch, 59 Green Grove Avenue – stated Borough positions are not being posted on the website. She brought up several complaints regarding the KBBC, specifically regarding marketing. She requested Stuart, Administrator Gallo and Clerk Heilweil resign.

Administrator Gallo – directed her to make her complaints to the KBBC at one of their meetings since they are separate from the Borough.

Elmer Graham, Jr., 22 St. Peter's Place – asked about **R226-16** Approving and Authorizing the Payment of Certain FLSA Payments.

Administrator Gallo – explained this was payment for employers who did not receive overtime and should have.

Elmer Graham, Jr. – asked about the police cars on St. Peter's Place.

Administrator Gallo - stated we have applied for funding through the Safe Routes to Schools program to improve safety.

Mayor Aumack mentioned that Mike Lane, after having his own sidewalk repaired, sent contractors to replace Consolidated's sidewalk.

Councilman Goode thanked Mr. Lane for his work on the flood maps.

Mike Lane, 51 First Street **–** regarding vacation of Williamson Street he mentioned the Planning Board noted that the project is 23 parking spaced short. He believes the applicant owes $44,000 to the Borough for the parking deficiency.

Administrator Gallo – stated at the time of approval, the applicant did not know if the DEP would allow some of the parking spaces due to wetlands. If they do not receive approval from the DEP, they will need to come back to the Planning Board to address the issue.

Mike Lane – asked if the Borough has plans for the Borough-owned lot on W. Front Street near 44 Beers Street.

George Walling, 54 Second Street – asked about the badges for the retired police officers, specifically Dave Sorber, Ken Marr and Rick Ely.

There being no further comments or questions, the Meeting was closed to the public at 7:51PM moved by Sheridan, carried by Howe with ayes by all present

APPROVAL OF RESOLUTIONS

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

Roll Call: Ayes: Sheridan, Howe, Lamberson, Cooper, Goode
Nays:
Absent: Chamberlain
Abstain:

PUBLIC HEARING/ADOPTION OF ORDINANCES

1. Ordinance # 16-16 – Repealing Ordinance relating to Low Speed Vehicles

The Clerk read the Ordinance by Title: **AN ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, REPEALING CHAPTER 4, SECTION 26, OF THE BOROUGH CODE RELATING TO LOW SPEED VEHICLES**

1a. Motion to Open Public Hearing at 7:52PM moved by Sheridan, carried by Goode with ayes by all present

Seeing no one, the Public Hearing was Closed at 7:52PM moved by Sheridan, carried by Goode with ayes by all present

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

Roll Call: Ayes: Sheridan, Howe, Lamberson, Cooper, Goode
Nays:
Absent: Chamberlain
Abstain:

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

INTRODUCTION OF ORDINANCES

1. Ordinance – Vacation of portions of Williamson Street

The Clerk read the Ordinance by Title: **VACATING PORTIONS OF CERTAIN RIGHTS-OF-WAY IDENTIFIED AS WILLIAMSON STREET**

1a. Motion to Table until after Closed Session moved by Sheridan, carried by Goode

Roll Call: Ayes: Sheridan, Howe, Lamberson, Cooper, Goode
Nays:
Absent: Chamberlain
Abstain:

2. Ordinance – Amending Bond Ordinance #15-03

The Clerk read the Ordinance by Title: **ORDINANCE AMENDING SECTION 3(A) OF BOND ORDINANCE #15-03 OF THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, FINALLY ADOPTED JUNE 2, 2003 IN ORDER TO AMEND THE DESCRIPTION OF THE PROJECT**

2a. Motion to introduce moved by Sheridan, carried by Howe

Roll Call: Ayes: Sheridan, Howe, Lamberson, Cooper, Goode
Nays:
Absent: Chamberlain
Abstain:

2b. 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

3. Ordinance – Payroll/Pension Supervisor

The Clerk read the Ordinance by Title: **ORDINANCE AMENDING AND SUPPLEMENTING AN ORDINANCE FIXING THE SALARIES OF THE VARIOUS OFFICERS, CLERKS AND EMPLOYEES OF THE BOROUGH OF KEYPORT**

3a. Motion to introduce moved by Sheridan, carried by Goode

Roll Call: Ayes: Sheridan, Howe, Lamberson, Cooper, Goode
Nays:
Absent: Chamberlain
Abstain:

3b. 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

APPROVAL OF MINUTES

July 5, 2016 – Work Session

Motion to approve July 5, 2016 Work Session Minutes moved by Sheridan, carried by Cooper

Roll Call: Ayes: Sheridan, Cooper, Goode
Nays:
Absent: Chamberlain
Abstain: Howe, Lamberson

COMMUNICATIONS AND PETITIONS

1. Application for Raffle License – K of C #3402 St. Josephs for an Off-premise 50/50 cash raffle to be held October 2, 2016 at 4PM
2. Application for a Raffle License – K of C #3402 St. Josephs for a Tricky Tray (Gift Basket) raffle to be held on October 2, 2016 from 2-6PM
3. Application for a Raffle License – K of C #3402 St. Josephs for an On-Premise 50/50 cash raffle to be held on October 2, 2016 from 2-6PM
4. Application for a Raffle License – K of C #3402 St. Josephs for a Money Wheel to be played October 2, 2016 from 2-6PM
5. Application for a Raffle License – K of C #3402 St. Josephs for an Off-Premise 50/50 cash raffle to be held on November 12, 2016 at 8PM

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

6. Application for a Raffle License – Keyport First Aid for an Off-Premise 50/50 cash raffle to be held March 4, 2017 at 11PM – Additionally requesting the waiver of the local fee

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

7. Application for Raffle License – St. Joseph Church – for an On-Premise 50/50 Cash Raffle to be held October 15, 2016 from 9AM-3PM

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

8. Application to Amend a Raffle License – BPOE #2030 Keyport Matawan to amend the date of its raffle from 8/26/16 to 8/27/16

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

9. Request from Hurley Street resident for street closing of Brook Avenue and Hall Place for a reunion to be held on Saturday, August 27th from 10AM-10PM, with a rain date of August 28th. Petition included.

Motion to approve and forward to Police Department moved by Sheridan, carried by Goode with ayes by all present

10. Letter from KBBC making the following requests for approval in connection with the Keyport Screamin' Country Jamboree to be held October 8-9, 2016:

- Fireworks on Saturday, October 8, 2016 at dusk. Launch site will be across the harbor from the Keyport Waterfront at the Aberdeen Township public works property.
- Fireworks will end no later than 8:30PM, weather permitting, with a rain date of Sunday, October 9, 2016
- Closure of lower Main Street, from the intersection of West Front Street to #10 Main Street, on Sunday, October 9th from 9AM-6PM to provide location for out of area restaurants who may participate in the Chili Contest. Will not interfere with access to the Borough parking lot.
- Extension of closing time of the Jamboree on Saturday, October 8th from 8PM to 9:30PM, so that fireworks display can be held during the intermission of the last band. Previously approved Social Affairs Permit will be amended to permit beverage sales until 9:30PM and vendors will remain open until 9:30PM. Request to Aberdeen Township Council also included.

Need assurance from KBBC. Council would like to Table until plan for amusement rides. Need a location where the amusements will be stored and payment of unpaid tickets from vendors.

Motion to Table to next Meeting moved by Goode, carried by Sheridan with ayes by all present

11. Monthly Memorandum from Millennium dated August 1, 2016

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

REPORTS OF DEPARTMENTS

1. Municipal Clerk's Report for July 2016
2. Tax/Water/Sewer Collector's Report for July 2016
3. Board of Health Treasurer's Report for July 2016
4. Building Department's Monthly Report for July 2016
5. Keyport Municipal Court Report for July 2016
6. Senior Bus Project Sub-Committee Kickoff Meeting – August 4th minutes
7. Clean Communities Monthly Report for July 16 – August 16, 2016

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

COMMITTEE REPORTS

Councilman Chamberlain: Buildings/Grounds/Library: Absent

Councilman Sheridan: Finance/Grants/Redevelopment:

- Spoke of Senior Bus kickoff meeting and Hurricane Preparedness Meeting

Councilman Howe: Public Works/Recycling/Property Maintenance:

- Read Property Maintenance report
- Vacant Property Registration-51 properties registered this year. All electric is disconnected on those properties.
- Public Works water main break on Broad Street
- DPW & Clean Communities employees are keeping our Borough and streets clean

Councilwoman Lamberson: Police:

- Read the Police Department calls for service report and Detective Bureau report
- Thanked the Police Department, Explorers and CERT for their help during recent events
- Two Narcan saves since our last Council Meeting

Councilman Cooper: Health/Recreation:

- Reported on Recreation Commission Summer Camp
- Reported on Movie Nights; Next movie is Wizard of Oz on August 20th
- 5K Fest
- Sk8te Jam

Councilman Goode: Fire/First Aid/Emergency Services

- Firemen's Fair was a great success
- Read Fire Department report including calls and man hours
- National Night Out. Police horse was sworn in. Fire Department also has a horse.

NEW BUSINESS

None

UNFINISHED BUSINESS

Councilwoman Lamberson asked if there was any progress on the construction of the MA-14 Bridge. The Administrator stated there is no movement yet. He will ask our Engineer to talk to the County Engineer.

ATTORNEY'S REPORT

- Working with Borough Administrator on Abandoned Properties for a strategy for bankrupt properties
- Request for purchase of a portion of Willow Street by contiguous property owner

ADMINISTRATOR'S REPORT

Administrator Gallo reported on the following:

- 39-45 W. Front Street Fire
- Vacant Properties Initiative
- Entertainment Ordinance
- Taxi Ordinance
- 2016 Road Improvement Program
- Storm Water Outfall Project
- Fireman's Park Boardwalk Replacement
- Replacement of Matawan Creek Bridge (MA-14)
- New Jersey Natural Gas Renewal Project

- Review of Preliminary Flood Insurance Rate Maps (FIRMs)
- Municipal Public Access Plan (MPAP) and Coastal Vulnerabilities Assessment
- Monmouth County Traffic Study – First Street
- Benjamin Terry Park County Open Space Grant
- Ladder Truck
- FEMA Pre-disaster Mitigation Funding
- USDA-RD Funded - Water and Sewer Improvements (Phase 2) – Contract 2 – Water Meter Replacements
- USDA-RD Funded – Perry Street Water Treatment Plan Upgrades
- Master Plan
- Redevelopment
    - Aeromarine
    - Long View/Boatworks
- Keyport Summer Recreation
- Borough Insurance

PUBLIC COMMENT PORTION
The Meeting was Opened to the public for comments or questions at 8:35PM moved by Sheridan, carried by Lamberson with ayes by all present

Ed Burlew, 59 W. Front Street – asked where funding is coming from to repair the bulkhead at Ye Cottage Inn. He asked whether or not that is private property.

Administrator Gallo – stated an estimate for repair is $4 million but property owner is ultimately responsible.

Ed Burlew – asked about the sidewalk behind where the W. Front Street fire occurred. It needs to be repaired.

Administrator Gallo – stated our insurance would not cover the sidewalk but it does need to be repaired.

Ed Burlew – stated he owns 62 Highway 35. He offered to allow the KBBC to store rides there. He asked about the Park Warden position. He believes we need one. He is concerned about dog issues at Waterfront Park. He spoke about construction being done in the Borough without permits yet CO's are issued, just as Mike Lane mentioned. He mentioned the problem selling homes in Keyport is due to the poor school system.

Dennis Fotopoulos, 77 Beers Street – he asked if there was a meeting with the KBBC regarding the storage of amusements. He spoke of the heroin epidemic and Narcan education and availability.

Councilwoman Lamberson – stated she believes the Drug Alliance can educate more than just the children.

Elmer Graham, Jr. – urged the Council to send a letter to the Transportation Trust Fund to allow ideas to come from the public. He asked about the progress of 45 Beers Street.

Mayor Aumack – stated the contractor has notified residents in the area about the installation of pilings, so construction should begin in a couple of weeks.

Beth Lasch – again asked about the KBBC positions not being posted on the Borough website. She doesn't understand why there are no TV commercials for Keyport.

Attorney Nee – explained that the Borough has no authority over the KBBC. They are a separate entity.

Mike Lane – mentioned last few years school budget has increased 4% a year because they have been tapping out their capital budget. He asked about the walkway installed

by Unbowlievable. He asked if there is a lease for installing a sidewalk over Borough property.

Ed Carew, 64 Broadway – stated he noticed the Stultz property is back up for sale. He knows the Borough has been interested.

Mayor Aumack – stated we have investigated and negotiated.

There being no further comments or questions the Meeting was Closed to the Public at 9:21PM moved by Sheridan, carried by Howe with ayes by all present

CLOSED SESSION

RESOLUTION #232-16

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 certain matters regarding:

Personnel
- Police Department Appeal of Disciplinary Action

Contract Negotiation
- Vacation of Williamson Street

as authorized by *N.J.S.A.* 10:4-12(b).

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 16, 2016 and determined that an Executive Session closed to the public shall be held on August 16, 2016 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: Howe
AYES: Sheridan, Howe, Lamberson, Cooper, Goode
NAYS:
ABSENT: Chamberlain

Council reconvened to Open Session at 10:49PM and Attorney Nee spoke of items discussed in Closed Session

Regarding the Disciplinary Action, Motion made by Sheridan, carried by Cooper to uphold the recommendation of the written warning from the Borough with certain conditions to follow

Roll Call: Ayes: Sheridan, Lamberson, Cooper, Goode
Nays: Howe
Absent: Chamberlain
Abstain:

INTRODUCTION OF ORDINANCES

1. Ordinance – Vacation of portions of Williamson Street

The Clerk read the Ordinance by Title: **VACATING PORTIONS OF CERTAIN RIGHTS-OF-WAY IDENTIFIED AS WILLIAMSON STREET**

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

Roll Call: Ayes: Sheridan, Howe, Lamberson, Cooper, Goode
Nays:
Absent: Chamberlain
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

ADJOURNMENT

Motion to Adjourn at 10:52PM moved by Sheridan, carried by Goode with ayes by all present