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, 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 Michele Clark read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Pacheco, Fotopoulos, McDermott, Davidson, and McNamara. Others present: Mayor Kennedy, Borough Administrator Jay Delaney and Borough Attorney Leslie London. Councilmember Goode arrived at 7:44PM.

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

Mayor Kennedy dedicated a moment of silence in remembrance of 9-11 on this 20th anniversary.

Councilwoman Davidson – Regarding **R193-21** Authorizing the Continued Participation in the Emergency Intra-County Mutual Aid and Assistance Agreement between Participating Units in the County of Monmouth, she asked who has the authority to call in mutual aid and how the process works.

Administrator Delaney provided an explanation.

Councilwoman Davidson – In regards to the application from the Keyport Cooking Group, she would like them to carry out any garbage.

Discussion ensued amongst the dais regarding the application from the Keyport Cooking Group. It was agreed to no staking of tents, no open flames, and carry out garbage.

Councilwoman Davidson – Regarding **R196-21** Authorizing the Purchase of Public Works Equipment through the Educational Services Commission of New Jersey Cooperative Purchasing Program, she asked about getting the jetter.

Administrator Delaney – It will be on the next meeting.

Councilwoman Davidson – She asked about the estimated delivery of the equipment.

Councilwoman McNamara – Regarding **R194-21** Approving a Five-Year Tax Abatement for 80 Fulton Street; Block 130, Lots 28, 29 and 30, she asked if the house is on all three lots.

Administrator Delaney – It is a single tax line item.

Councilwoman McNamara – In reference to Communication #4, she asked where do they go at the end of the walk. Mayor Kennedy said they remove the barricade and walk down the hill into the Knights of Columbus building.

In reference to Communication #3, she asked if we received a letter.

Councilwoman Pacheco – She asked how many people will be there for Communication #1.

Councilwoman McDermott – In reference to Communication #1, she asked for them to remove their own garbage.

Chief Torres provided details regarding the logistics for parking.

Councilwoman McDermott – Regarding **R194-21** Approving a Five-Year Tax Abatement for 80 Fulton Street; Block 130, Lots 28, 29 and 30, she asked why there is a tax abatement. Mayor Kennedy provided an explanation.

Councilwoman Davidson – Regarding the "Dog Day Afternoon" event, she asked if the 2k is coming from the KBBC budget. Mayor Kennedy said yes.

Mayor Kennedy – Regarding **R191-21** Payment of Bills for the August 24, 2021 Bills List, she asked what the $342 for the pizzas for the Municipal Alliance was for.

Business Administrator – He said it was for the DARE Graduation Program.

Mayor Kennedy - Be mindful when the Borough is purchasing food to rotate different businesses. She asked for the payment to be held for camera in Bills List.

Regarding R197-21 Authorizing the Appointment of a Temporary Part-Time Electrical Inspector – *Richard Such*, she asked if we are posting for a permanent position. Administrator Delaney responded that it has been posted.

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments or questions listed on the Agenda at 7:23PM moved by Pacheco, carried by McDermott with ayes by all present.

Elmer J. Graham, Jr, 22 St. Peters Place – He asked how much we are paying for the part time Electrical Inspector. Regarding, **R198-21** Appointing Member to the "Downtown Keyport" District Stakeholder Planning Team as Part of the Borough's Participation in the Neighborhood Preservation Program – *Aleksandr Zhdanov*, he asked for an explanation. Mayor Kennedy provided an explanation.

John Merla, 34 Broad St. – He agrees with the tax abatement for 80 Fulton, but is opposed to the tax abatement on the Waverly Homes. Regarding **R195-21** Appointment of KBBC Members – *Douglas Weider, Dolores Rilho and Julia Kravchin*, he asked what the terms are of those appointments. Mayor Kennedy provided an explanation.

Regarding **R198-21** Appointing Member to the "Downtown Keyport" District Stakeholder Planning Team as Part of the Borough's Participation in the Neighborhood Preservation Program – Aleksandr Zhdanov, he asked if he is filling the vacancy of Cat. Mayor Kennedy replied, yes.

Michael Lane, 51 First Street – He asked about the Cannabis Ordinance under new business.

Discussion ensued regarding tabling the Cannabis Ordinance.

Attorney Leslie London – She discussed the process for the Cannabis Ordinance. She said a revised version will be coming.

Michael Lane – He asked that we rethink the policy of not posting resolutions listed on the Agenda prior to the meetings. He shared with Council examples of the hardware that will be on the poles regarding 5G.

George Walling, 54 Second Street – He asked who puts together the Agenda and asked about the position being posted.

There being no further comments or questions, the Meeting was closed to the public at 7:44PM moved by McDermott, carried by Fotopoulos with ayes by all present.

Council President Goode arrived at 7:44PM.

MAYOR'S UPDATES

- Planning Board meeting
- Green Team meeting
- 9-11 ceremony at the waterfront
- Thanked the Police Department and all responding emergency units for their response during storm IDA last week.
- 49 calls for service during storm IDA
- To report traffic safety email Keyporttrafficsafety@keyportpd.org

Mayor Kennedy – She asked Administrator Delaney for an update on the Anbaric meeting. She also asked about a meeting with the Redeveloper regarding Mariners Village.

Council President Goode – He said the meeting with Mr. Pape is tomorrow.

Mayor Kennedy – She asked the Finance Committee to provide documentation for what we are providing to FEMA for reimbursement at the next meeting.

She also asked what the deadline is for submission to FEMA.

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.)

R191-21 Payment of Bills for the August 24, 2021 Bills List
R192-21 Payment of Bills for the September 7, 2021 Bills List
R193-21 Authorizing the Continued Participation in the Emergency Intra-County Mutual Aid and Assistance between Participating Units in the County of Monmouth
R194-21 Approving a Five-Year Tax Abatement for 80 Fulton Street; Block 130, Lots 28, 29 and 30
R195-21 Appointment of KBBC Members – *Douglas Weider, Dolores Rilho and Julia Kravchin*
R196-21 Authorizing the Purchase of Public Works Equipment through the Educational Services Commission of New Jersey Cooperative Purchasing Program
R197-21 Authorizing the Appointment of a Temporary Part-Time Electrical Inspector – *Richard Such*
R198-21 Appointing Member to the "Downtown Keyport" District Stakeholder Planning Team as Part of the Borough's Participation in the Neighborhood Preservation Program – *Aleksandr Zhdanov*

APPROVAL OF RESOLUTIONS

Motion to approve Consent Agenda with the exception of the camera payment moved by Fotopoulos, carried by Pacheco.

Roll Call: Ayes: Pacheco, Fotopoulos, McDermott, Davidson, McNamara
Nays:
Abstain: Goode
Absent:

Mayor Kennedy asked to Table the Introduction Ordinance for the 4-Way Stop Intersections.

INTRODUCTION OF ORDINANCES

1. **Ordinance – Designating Four-Way Stop Intersections within the Borough**

The Clerk reads the Ordinance by Title: **AMENDING CHAPTER 7 OF THE BOROUGH CODE ENTITLED "TRAFFIC" AND CHAPTER 7A ENTITLED "TRAFFIC SCHEDULES" TO DESIGNATE CERTAIN INTERSECTIONS WITHIN THE BOROUGH OF KEYPORT AS FOUR-WAY STOP INTERSECTIONS**

1a. Motion to table moved by McDermott, carried by McNamara

Roll Call: Ayes: Goode, Pacheco, Fotopoulos, McDermott, Davidson, McNamara
Nays:
Abstain:
Absent:

COMMUNICATIONS BY CONSENT
(For Approval)

1. Recreation Committee 2021 Field Permit Application from NJ Cheetah's Fastpitch Softball to use Cedar Street Field on Fridays beginning September 10, 2021 through October 29, 2021 from 6PM-8PM. Recreation Committee approval pending.

2. Application requesting Use of Borough Property for a memorial gathering to be held at Waterfront Park on Sunday, September 19, 2021 from 3PM-4:30PM

3. Application for a Film Permit from NBC Universal for 60 Walnut Street for Monday, September 20, 2021 from 8AM-7PM. Also using 707 Locust Street property for basecamp. Requesting police coverage for filming exterior scene. Requesting use of approximately eight parking spaces in the Municipal Lot for two catering vehicles and possibly overflow parking at Fireman's Lot.

4. Letter from Knights of Columbus requesting to hold their Annual Breast Cancer Awareness Fundraiser and Walk on Saturday, October 2, 2021 beginning at noon. Requesting assistance from Police and Fire Department. County approval of the route is pending.
5. KBBC proposal for the event "Dog Day Afternoon" to be held on Saturday, October 9, 2021 from 12PM-5PM (rain date: October 10, 2021). Requesting closure of West Front Street, use of Mini Park stage and six picnic tables.
6. Application requesting Use of Borough Property for a group picnic for Keyport's Cooking Group to be held at Benjamin Terry & Veterans Park on Saturday, October 9, 2021 from 3PM-7PM (rain date: October 10, 2021).
7. Request from Keyport Environmental Commission to participate in a Clean Ocean Action Beach Sweeps event at Cedar Street Park on Saturday, October 23, 2021 from 9AM-Noon.

(To Receive and File)

8. Email dated August 9, 2021 from the Environmental Commission regarding Brown's Point Marina remediation activities.
9. Letter dated August 13, 2021 advising of the retirement of Supervising Account Clerk Diana Hoffman effective January 1, 2022.
10. Letter dated August 15, 2021 advising of the resignation of Electrical Sub Code/Inspector Frederick Hansen effective August 31, 2021.
11. Email dated August 19, 2021 advising of the resignation of KBBC Board Member Catherine Galli effective immediately.
12. Email dated September 1, 2021 advising of the resignation of NPP Stakeholder Planning Team Member Catherine Galli effective June 29, 2021.

APPROVAL and/or RECEIPT AND FILE OF COMMUNICATIONS

Motion on Communications by Consent to approve #1, #3 carry out garbage, #4, 5, 6 with the approval of permits if they are using grills, carry out garbage and no staking of tents, #7 and to receive and file #8-12 moved by Davidson, carried by Fotopoulos

Roll Call: Ayes: Goode, Pacheco, Fotopoulos, McDermott, Davidson, McNamara
Nays:
Abstain:
Absent:

APPROVAL OF MINUTES

August 17, 2021 Regular Meeting

Motion to approve the Minutes as edited moved by Fotopoulos, carried by Pacheco.

Roll Call: Ayes: Goode, Pacheco, Fotopoulos, McDermott, McNamara
Nays:
Abstain: Davidson
Absent:

Motion to approve the Garden Club Gathering with the same stipulations of no staking of tents, no open flames, and remove own garbage moved by Goode, carried by Pacheco.

Roll Call: Ayes: Goode, Pacheco, Fotopoulos, McDermott, Davidson, McNamara
Nays:
Abstain:
Absent:

NEW BUSINESS

1. Cannabis Ordinance – Tabled
2. Waiving of Fees – Tabled

UNFINISHED BUSINESS
5G

Attorney Leslie London – She provided an update on State Legislation.

Councilman Fotopoulos – 5G Ordinance discussion has to include condition of the poles provided by Mr. Lane.

Attorney Leslie London – The options regarding the 5G Ordinance is
1. Wait to see State Legislation
2. Move forward with the Ordinance as drafted
3. Amend the current version

Councilman Fotopoulos – He would like to look at the last version of the 5G Ordinance and asked Attorney Leslie London to provide him with a copy.

Mayor Kennedy – She asked the status of Waverly Street development.

Trevor Taylor – He provided an update and will start to get quotes on resurfacing of the roadway.

Mayor Kennedy – She asked about Church Street bid and the Broad Street project.

Trevor Taylor – Church Street plans were submitted to the DOT in August. Once we receive the approval we can go out to Bid. It was always envisioned that the water main would be done over the fall and the paving in the spring.

Councilman Fotopoulos – He asked what the process is to get the mosaic benches turned over to the Borough.

Administrator Delaney – He will provide information to the Attorney to prepare a form of agreement.

ATTORNEY'S REPORT
None

PUBLIC COMMENT PORTION
The Meeting was opened to the public for comments or questions at 8:26PM moved by Pacheco carried by McDermott.

Carol Grabowski, 48 Walnut Street – She spoke about the mess on the beach due to IDA and said that we need to address it.

Mayor Kennedy – She asked DPW to review it.

Elmer J. Graham, Jr. – He asked Mayor Kennedy when we will have the next Veteran's Committee meeting. Mayor Kennedy provided an update. He asked about the flooding at the bulkhead and what can be done.

Nancy Carew, 64 Broadway – She asked who we are using to clean up the Rugosa Rose area at the waterfront.

Mayor Kennedy – It is being addressed.

Catherine LaBuona, 142 Third Street – She spoke about the flooding on Third Street and asked if there are plans to remedy the problem.

Administrator Delaney – He provided a response. The long term solution is to do a stream cleaning. We need to obtain permits and funding to do the stream cleaning.

Mayor Kennedy – She asked for the outfall pipe to be addressed. She also asked for the sweeping schedule to be reviewed and put it up on the websites so residents can move their cars.

John Merla, 34 Broad Street – He put in a complaint eight weeks ago for Property Maintenance. The stop sign covered by St. Joe's has not yet been addressed. He spoke about the Agenda being posted for the Public. The alley at the bottom of Broad Street needs to be made a one way.

George Walling – He asked Administrator Delaney if Paul Murphy was contacted for the Property Maintenance position. He also asked about the dumpster enclosures.

Councilwoman Davidson – She will resend the information to Administrator Delaney.

Al Caruso, 110 Luppatatong – He said that Bill Wright is harassing him. Police advise him to make a complaint. He has a towing business out of his yard and nobody does anything.

Administrator Delaney – The Zoning Officer issued a Notice of Violation to the property owner.

Mayor Kennedy – She asked if the weight of a tow bed is allowed on that street.

Al Caruso – He said that someone is flashing a strobe light in his window.

Jack Straub, 239 Main Street – He agrees that the full Agenda should be posted online. He asked why KBBC status was not listed on the Agenda.

Mayor Kennedy – She said that she is still waiting for information.

Michael Lane – There is a drainage ditch issue at the Henry Hudson trail, which is why there is a flooding issue on Third Street. He spoke about the floodway drainage ditches being filled in.

Elmer J. Graham, Jr. – He notices the graffiti on the Henry Hudson Trail.

There being no further comments or questions, the Meeting was closed to the public at 9:10PM moved by Goode, carried by Davidson with ayes by all present

Roll Call: Ayes: Goode, Pacheco, Fotopoulos, McDermott, Davidson, McNamara
Nays:
Abstain:
Absent:

ADJOURNMENT

Motion to Adjourn at 9:11PM moved by Pacheco, carried by Davidson with ayes by all present