

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

At 7:02PM Motion to go into Closed Session for intel briefing moved by Sheridan, carried by Lamberson

RESOLUTION #253-16

**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, discussions involving the tactics and techniques in protecting the safety of the public as authorized by N.J.S.A. 10:4-12(b)(5), (6) and (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 September 20, 2016 and determined that an Executive Session closed to the public shall be held on September 20, 2016 at approximately 7:10 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: Lamberson

AYES: Sheridan, Howe, Lamberson, Cooper, Goode

NAYS:

ABSENT: Chamberlain

ABSTAIN:

At 7:02PM the public left and Chief Casaletto remained to update Council on security for the upcoming 5K race.

At 7:15PM Council reconvened to Open Session

Attorney Nee spoke about what was discussed in Closed Session:

- techniques and tactics relating to matters of public safety.

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

R246-16 Payment of Bills

R247-16 Requesting Approval of Items of Revenue and Appropriation – NJSA 40A:4-87
– Hazardous Discharge Site Remediation Fund

R248-16 Certifying the Cost of Cleaning Up Properties and Placing a Lien upon Such
Lands-seven properties

R249-16 Certifying the Cost of Cleaning Up Properties and Placing a Lien upon Such
Lands-41 & 45 Oak

R250-16 Authorizing the Property Maintenance Office to Direct the DPW to Clean up
114 Maple Place

R251-16 Authorizing Emergency Repair of Hydrant at Maple Place & Broad

R252-16 Authorizing Appraisal and Negotiation for Sale of Borough Property Located
at Block 22, Lots 20.01 and 29 Pursuant to NJSA 40A:12-13(b)(5)

Mayor Aumack – asked why DPW cannot repair the hydrant referred to in **R251-16**
Authorizing Emergency Repair of Hydrant at Maple Place & Broad.

Administrator Gallo – explained there is no shut-off valve for that hydrant.

Councilman Goode – asked the extent of the clean-up at 114 Maple.

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments or questions on items listed on the agenda at 7:21PM moved by Sheridan, carried by Lamberson with ayes by all present

Bob Ludwig, 50 Beers Street – asked for an update on the Senior Bus application. He spoke about Open Public Records requirements for a Planning Board issue.

Councilman Sheridan – gave an update on the bus application. He stated meetings have been held and minutes are available. Surveys will go out to Seniors for their input.

Michael Lane, 51 First Street – asked about the appraisal and sale of Borough properties referenced in **R252-16** Authorizing Appraisal and Negotiation for Sale of Borough Property Located at Block 22, Lots 20.01 and 29 Pursuant to NJSA 40A:12-13(b)(5)

Administrator Gallo – stated the property will be offered for sale to the adjacent property owners.

Mike Lane – requested feedback on the following:

- Dumpster plan for commercial area
- Status of Skate Park
- Front Yard Parking Ordinance (one of the worst cases is on First Street). He would like a notice put in the water bill mailings regarding front yard parking prohibitions.
- Boatworks Redevelopment Plan – the Plan states dredge spoil area will be separated from the project. He wants to know what keeps someone from abandoning that property since it has no use.
- Army Corps of Engineers update

Elmer Graham, Jr., 22 St. Peter's Place – asked about **R247-16** Requesting Approval of Items of Revenue and Appropriation – NJSA 40A:4-87 – Hazardous Discharge Site Remediation Fund

Administrator Gallo – explained those HDSRF grant funds need to be included in the budget.

Elmer Graham, Jr. – asked which seven properties are being cleaned up in **R248-16** Certifying the Cost of Cleaning Up Properties and Placing a Lien upon Such Lands-*seven properties*. He mentioned a spot in town where he saw three cars run a stop sign early this morning.

Chief Casaletto – stated he will check it out tomorrow morning.

Elmer Graham, Jr. – spoke about St. Peter's Place where large trucks are prohibited.

Bob Ludwig – stated the owner of Boatworks has made a commitment to take on the dredge spoil site.

There being no further comments or questions, the Meeting was closed to the public at 7:38PM moved by Goode, carried by Sheridan with ayes by all present

APPROVAL OF RESOLUTIONS

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

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

PUBLIC HEARING/ADOPTION OF ORDINANCES

1. Ordinance # 20-16 – Vacating a Portion of Division Street

The Clerk read the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT VACATING A PORTION OF DIVISION STREET FROM MONROE STREET TO NJ ROUTE 36**

1a. Motion to Open Public Hearing at 7:39PM moved by Sheridan, carried by Goode with ayes by all present

Mike Lane – recommended a minor change to specify the drawing (map) in the Ordinance, naming the document in the Ordinance. He stated Council passed a resolution when the Borough was made an area in need of rehabilitation that could apply to the Division Street property. He doesn't feel this is the right time and suggested waiting until a new master plan is in place.

Councilman Goode – the Borough does not own this property. It is a paper street. All we could do is pave it. Now we vacate the street and that property will become part of the contiguous property owner's assessment which will add to the rateable base.

Administrator Gallo – this property is currently being occupied by the contiguous owners.

There being no further comments or questions, the Public Hearing is closed at 7:46PM moved by Sheridan, carried by Howe with ayes by all present.

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

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 – Creation of positions in Keyport Fire Department

The Clerk read the Ordinance by Title: **ORDINANCE CREATING NEW POSITIONS IN THE FIRE DEPARTMENT OF THE BOROUGH OF KEYPORT**

- 1a. Motion to introduce moved by Goode, carried by Howe

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

2. Ordinance – Amending Noise Ordinance & Land Use Regulation on Entertainment

The Clerk read the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING CHAPTER IV, SECTION 2 (NOISE) AND CHAPTER XXV (LAND USE REGULATIONS ON ENTERTAINMENT) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT**

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

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 Lamberson with ayes by all present

COMMUNICATIONS AND PETITIONS

1. Letter of resignation from DPW laborer Jeremy Lazar effective September 22nd

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

2. Application for Raffle License – Jesus the Lord Parish for a Tricky-Tray to be held Sunday, October 23rd from 1-5PM

Motion to approved moved by Sheridan, carried by Lamberson with ayes by all present

3. Thank you note from Grace Henning for scholarship award

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

4. Email from Keyport Garden Club regarding holiday decorations in Council Chambers

Motion to receive and request Administrator provide dates to Garden Club moved by Sheridan, carried by Howe with ayes by all present

5. Application for Raffle License – Raritan Post 23 American Legion – Pull-Tab machine from November 11, 2016- November 10, 2017

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

6. Letter of Resignation from Property Maintenance Officer, George Walling, effective September 16th

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

7. Letter from Bethany Manor providing an update on Bethany Manor I and II Refinancing

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

8. Letter from Knights of Columbus, St. Joseph's Council 3402, requesting approval of its Annual Breast Cancer Awareness Walk through the Borough. Walk would begin at the Waterfront Park gazebo around noon on Sunday, October 2, 2016. Requesting assistance from the Keyport Police and Fire Departments.

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

REPORTS OF DEPARTMENTS

1. Municipal Clerk's Report for August 2016
2. Tax/Water/Sewer Collector's Report for August 2016
3. Board of Health Treasurer's Report for August 2016
4. Building Department's Monthly Report for August 2016
5. Keyport Municipal Court Report for August 2016

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

COMMITTEE REPORTS

Councilman Chamberlain: Buildings/Grounds/Library: Absent

Councilman Sheridan: Finance/Grants/Redevelopment:

- had a Finance meeting
- 2017 budget
- thanked Harbor Commission for successful Snapper Contest
- had a meeting regarding dumpsters
- Keyport 5K race is this Saturday morning

Councilman Howe: Public Works/Recycling/Property Maintenance:

- reminded residents about leaf pickup and that leaves must be in recyclable bags

Councilwoman Lamberson: Police:

- read Police calls for service report
- read Detective Bureau report
- Police Department received Certification of Appreciation from Vietnam Vets Chapter 721

Councilman Cooper: Health/Recreation:

- meeting with churches to see what could be available through OEM

Councilman Goode: Fire/First Aid/Emergency Services

- read Fire Department call report for both the month and the year
- reminded all that these are volunteers, including CERT
- thanked all volunteers

NEW BUSINESS

No new business

UNFINISHED BUSINESS

Update on First Street Pedestrian Safety Improvements

Administrator Gallo – stated he scheduled a meeting with the County on how to implement these improvements. Our Engineer, Trevor Taylor, reached out to the Army Corps of Engineers. Regarding Main Street Park, we are looking for the balance of funds to complete this improvement. We are trying to improve the park at no cost to the taxpayers.

Mayor Aumack – stated he liked Mr. Lane's suggestion to put notices in water bills regarding front yard parking prohibitions.

ATTORNEY'S REPORT

Attorney Nee reported that she did some work on Mariner's Village.

ADMINISTRATOR'S REPORT

Administrator Gallo reported on the following:

- met with Wendy Tooker regarding senior issues
- met with John and Art Olsen regarding their property
- meeting was held regarding Keyport Senior transportation
- met with Sal Costanza and resolved a few outstanding union issues
- met with KBBC and two council members regarding dumpsters along the waterfront. We need a better understanding of who or what businesses would be included or impacted.
- Boatworks dredge spoil issues – it is all one block/lot and not something easy to walk away from.
- attend seminar with Chief Casaletto hosted by office of State Comptroller and Monmouth County Prosecutor regarding preventing municipal waste, fraud and abuse. We will appoint a debris manager to work with our OEM Coordinator.
- Community Aggregation Program
- met with CFO and our Engineer regarding financing several ongoing projects
- met with a developer regarding the Olsen property
- safety meeting regarding blood borne pathogen training
- Entertainment Ordinance
- 2016 Road Improvement Program
- replacement of Matawan Creek Bridge (MA-14)
- New Jersey Natural Gas Renewal Project
- Browns Point Redevelopment Plan
- Aeromarine Redevelopment Plan
- Longview/Boatworks Redevelopment Plan
- Municipal Public Access Plan (MPAP) and Coastal Vulnerabilities Assessment
- Post Sandy Planning Assistance Grant – Round 2
- Benjamin Terry Park County Open Space Grant
- USDA-RD Funded-Water and Sewer Improvements (Phase 2)-Contract 2-Water Meter Replacements
- USDA-RD Funded-Perry Street Water Treatment Plant Upgrades
- Water Allocation Permit Major Modification
- ladder truck order has been issued
- Master Plan sub-committees

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments or questions at 8:24PM moved by Sheridan, carried by Cooper with ayes by all present

Collette Kennedy, Atlantic Street – spoke about the following:

- 5K race and website
- asked for Council representation on the Environmental Commission
- Environmental Commission has two members making an inventory of crosswalks
- asked why all of the crosswalks have not been painted
- asked for a sign inventory

Councilman Goode – asked why the sign inventory has not been done.

Administrator Gallo – offered to let CERT do the sign inventory.

Collette Kennedy – stated she had been told previously that it needs to be done with the Police Chief and DPW.

Councilwoman Lamberson – suggested starting with parking ordinances for proper signage.

Collette Kennedy – also spoke of temporarily marking sidewalks for events. She saw this at a recent Red Bank event.

Larry Vecchio, 55 W. Front Street – spoke about the following:

- sidewalk behind fire on W. Front Street needs to be repaired
- stated Keyport's reputation prevents developers from coming here due to the process. In reviewing the Master Plan, he feels the process needs changing.
- stated he is spending \$6,000 in costs to get relief for a \$5,000 fence that was on his original plan before the Planning Board
- concerned about home values which are decreasing in our town, the only town in the Bayshore area – he believes this is due to the school system not promoting the schools. He thinks the ratings are better than the perception.

Administrator Gallo - stated he believes we also need to improve transportation access. He wished we had a ferry that was free for Keyport residents.

Elmer Graham, Jr. – suggested writing to legislators regarding the Transportation Trust Fund. He also thinks there should be a town meeting. He asked about the new Fire Department positions. He also asked about the progress of 45 Beers Street which the Administrator gave.

Mayor Aumack – mentioned they are raising the grade at 45 Beers Street.

Bob Ludwig – wanted to know if you can come to the Master Plan meeting and sign up for a committee.

There being no further comments or questions, the Meeting was closed to the public at 8:57PM moved by Howe, carried by Sheridan with ayes by all present

Motion to go into Closed Session after a 4-minute recess moved by Sheridan, carried by Goode with ayes by all present

CLOSED SESSION

RESOLUTION #254-16

**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, discussions involving the transfer of interests in real property and matters subject to attorney-client privilege as authorized by N.J.S.A. 10:4-12(b)(5), (6) and (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 September 20, 2016 and determined that an Executive Session closed to the public shall be held on September 20, 2016 at approximately 9:00 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: Goode

AYES: Sheridan, Howe, Lamberson, Cooper, Goode

NAYS:

ABSENT: Chamberlain

ABSTAIN:

Council reconvened to Open Session at 9:17PM.

Attorney Nee went over items discussed in Closed Session:

- real estate acquisition
- matters subject to attorney/client privilege

ADJOURNMENT

Motion to Adjourn at 9:19PM moved by Sheridan, carried by Lamberson with ayes by all present