

**BOROUGH OF KEYPORT
REGULAR MEETING MINUTES
TUESDAY, NOVEMBER 21, 2023 – 6:30 P.M.**

CALL TO ORDER: 6:36 PM

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, Council President Davidson, Mayor Araneo

EXECUTIVE SESSION

Resolution #2023-336 read by Borough Attorney.

R2023-336 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. 10:4-12b for the following item(s): attorney-client privilege matters pertaining to Borough property; Mariner's Village Redevelopment/PILOT; Hudson Pointe/Contract Negotiations; Personnel

RESOLUTION #2023-336

**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 privileged matters related to Borough Property; Mariner's Village Redevelopment/PILOT and Hudson Pointe Contract Negotiations pursuant to *N.J.S.A. 10:4-12b (7)*; and Personnel matter pursuant to *N.J.S.A. 10:4-12b(8)*

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 November 21, 2023 and determined that an Executive Session closed to the public shall be held on November 21, 2023 at approximately 6:30 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 6:36 PM.

Moved by Peperoni, Carried by Reilly. Ayes by all present.

Council reconvened to Open Session at 7:02 PM.
The Borough Attorney stated that no action was taken in Closed Session.

PUBLIC COMMENTS

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

Opened: 7:03 PM Motion by Reilly, Carried by Davidson. Ayes by all present.

George Walling, 54 Second Street – asked why the public was not allowed to speak prior to entering closed session. The attorney explained the law and stated the Governing Body is allowed to go into executive session at any time during a meeting.

Michael Lane, 51 First Street – asked about **R2023-326** contract for 31 W. Front and **R2023-328** performance guarantee reduction. Supports the tax abatement resolutions, **R2023-331 through 335**. Asked about the notice to the papers concerning the earlier start time, which the attorney explained. Remarked that the meeting time change was buried on the Borough website and should have been on top. Provided a handout about Mariner's Village to Governing Body members. Spoke to assessments and timing for different properties.

Yulia Kravchin, 7 Main Street – commented on **R2023-324 and R2023-325** concerning the KBBC event changes to support businesses during the holiday season.

William Cruz, 7 Main Street – summarized the request for the event changes, including road closures, related to **R2023-324 and R2023-325**.

Elmer J. Graham Jr., 22 St. Peters Place – commented on **R2023-328**.

John Merla, 34 Broad Street – asked about Mariners Village project, which is 7 years old. Stated the issue should not be the PILOT; it should be if they are going to build it.

Closed: 7:28 PM Motion by Peperoni, Carried by Davidson. Ayes by all present.

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
No report.

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

- Environmental Commission – joined by Clean Ocean Action on October 21st to participate in a beach sweep at Cedar Street Park beach. On November 11th, volunteers cleaned out plants for living shoreline at Cedar Street. The commission submitted its budget to the Borough Administrator. The commission meets next Monday, November 27th at 8 PM.
- Fire Department – attended Fire Department meeting. There are concerns regarding budget and cost of gear. Chief Strang is working with the Borough Administrator. Hoping to have a meeting about insurance policy. Flood training is yet to be determined. The Fire Department election for next year's chiefs is December 6th. Three hydrants are still out of service. The Fire Museum hosted 3rd graders. The chief submitted a grant for upgraded radios.
- Daylight Saving was November 5th; and it's a good reminder to check smoke detector batteries
- Thanked volunteers for their work. Expressed thankfulness for opportunity to work for the Borough.

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

- Harbor Commission – needs to purchase a new kiosk at the boat ramp. RFPs for concessions should be out early December.
- MAC – still working on a vaping ordinance; looking into a MAC-sponsored club at the Keyport School, similar to SADD, Students Against Dangerous Decisions.

- Police – Academy of Law and Public Safety hosted the annual Women in Law Enforcement event introducing 3 female chiefs in Monmouth County, which included Chief Torres from Keyport.
- Police held Operation Take Back, October 28th where residents bring medications for safe disposal.
- There was great police presence on Halloween.
- Commends decision to include Kathy Shaw as a part of NPP.

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

- Work continues on 31 W. Front Street.
- Read Union Beach Registrar and Board of Health reports.
- Halloween house decoration contest awards announced.

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

- Budget worksheets were due from department heads.
- NPP update includes railing installation at Mini Park and the stage will be stored until the spring; Kearney Street Park sign is up; conversations about Beach Park and the ARP grant; replacement of NPP resident member; Keyport team working with DCA.
- Green Team performed dune grass weeding at Cedar Street. The Green Team may change meeting dates and request use of council chambers. Spoke to representatives of Littoral Society about Explore the Bay efforts.
- Attended two NJLM conference sessions specific to cannabis, as well as sessions about social media, local government ethics, and liquor licenses.
- Attended American Legion's Veterans Day ceremony. Fire Museum hosted school groups; 7th and 8th graders are working on Keyport history game and visited the museum. Shared acknowledgment from Keyport Historical Society.

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

The November Planning Board meeting was canceled but will meet December 7th.

MAYOR'S UPDATES

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

- Congratulated for KBBC Asbury Park Press Community Choice Awards "Best of Monmouth County" businesses in Keyport: Miles of Smiles preschool, Keyport Fishery, Stress Free Body, Keyport Funhouse Boutique.
- December 22nd will be showcasing Keyport's Main Street businesses with News12, 5-8 AM.
- Thanked DPW and volunteers who helped with the tree display. Keyport Central School students will also add decorations. Thanked all for their donations.
- This Saturday, November 25th, all are invited from noon to 8 PM to dine, shop, and stroll prior to tree lighting. There will be Santa and Mrs. Clause, ice skating, selfie station, chorus, Glee Club and Keyport elves.
- December 7th is the Ugly Sweater event and Hanukkah menorah lighting.
- Library – October 29th the clock was disassembled and waiting for quotes for it to be fixed; scarecrow fundraiser with Friends of the Library was successful. Recent programming includes student programs, scavenger hunts, and stories. The 2024 budget will be increased \$11,000.
- Attended NJLM conference sessions concerning cannabis, Mayor's wellness, mayors luncheon briefing.

EXECUTIVE SESSION

Motion to return to Closed Session at 7:45 PM.

Moved by Davidson, Carried by Peperoni. Ayes by all present.

Council reconvened to Open Session at 8:24 PM.

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.)

- R2023-309 Payment of Bills Listed on the October 20, 2023 Bills List
- R2023-310 Payment of Bills Listed on the November 6, 2023 Bills List
- R2023-311 Payment of Bills Listed on the November 17, 2023 Bills List
- R2023-312 Payment of Bills Listed on the November 21, 2023 Bills List
- R2023-313 Resolution of the Borough of Keyport, County of Monmouth, New Jersey
Permitting the Transfer of Excess Appropriations Pursuant to N.J.S.A. 40A:4-58
- R2023-314 Authorizing Refund of Bayshore Christian Fellowship, Inc. Music Festival
Security Deposit
- R2023-315 Authorizing Sewer Relief Due to Leaking Dishwasher
- R2023-316 Governor's Council on Alcoholism and Drug Abuse Fiscal Grant Cycle July
2020-June 2025 Form 1B
- R2023-317 Authorizing Execution of Monmouth County Special Citizens Area
Transportation (SCAT) 2024 Agreement
- R2023-318 Approve Eagle Hose Company No. 4 to Solicit Donations on a Public Roadway
- R2023-319 Appointing Member to the "Downtown Keyport" District Stakeholder Planning
Team as Part of the Borough of Keyport's Participation in the Neighborhood
Preservation Program
- R2023-320 Authorizing the Appointment of Special Law Enforcement Officers
- R2023-321 Authorizing the Appointment of a Part-Time Building Maintenance Worker in the
Department of Public Works
- R2023-322 Resolution of the Borough of Keyport, County of Monmouth, New Jersey,
Supporting RevolutionNJ and the Commemoration of the 250th Anniversary of
the United States of America
- R2023-323 Approving New Jersey State Firemen's Association Application for Membership
- R2023-324 Approving Change to Keyport Bayfront Business Cooperative Ugly Sweater Shop
& Stroll Event
- R2023-325 Approving Change to Keyport Bayfront Business Cooperative Sip & Shop Event
- R2023-326 Authorizing a License Agreement with 31 West Front Street, LLC for the use of
Space in a Borough parking lot behind 31 West Front Street
- R2023-327 Authorizing Municipal Auction of Surplus Property
- R2023-328 Authorizing the Reduction of a Performance Guarantee for Baron Builders, LLC
for the Property Located at Block 138, Lot 11 on the Keyport Borough Tax Map
- R2023-329 Authorizing Change Order No. 1 to Contract with S. Brothers, Inc. for
Improvements to Fulton, Seventh and Eighth Street
- R2023-330 Authorizing Change Order No. 1 to Contract with Absolute Fire Protection Co.
for the Purchase of Fire Apparatus and Utility Equipment
- R2023-331 Approving a Five-Year Tax Abatement for 1 Raritan Cove in the Borough of
Keyport
- R2023-332 Approving a Five-Year Tax Abatement for 3 Raritan Cove in the Borough of
Keyport
- R2023-333 Approving a Five-Year Tax Abatement for 6 Raritan Cove in the Borough of
Keyport
- R2023-334 Approving a Five-Year Tax Abatement for 22 Van Dorn Street in the Borough of
Keyport
- R2023-335 Approving a Five-Year Tax Abatement for 24 Van Dorn Street in the Borough of
Keyport

APPROVAL OF RESOLUTIONS

Council President Davidson – in reference to **R2023-314**, asked about the location of the Bayshore Christian Fellowship Church; Pastor Michael Shahid replied that they meet in the Elks Lodge. Regarding **R2023-329**, asked if the sinkhole was caused by work that was done. Asked if the Van Dorn properties, receiving tax abatements under **R2023-334 and 335**, have they been sold to individuals yet; if this is a corporation and it sells, what happens to the abatement. The attorney replied that the abatement travels with the title.

Councilmember Vecchio – regarding **R2023-334 and 335**, Van Dorn tax abatement resolutions, asked whether it is an ethics issue for her to vote on the resolutions. The attorney advised there is no ethical reason she cannot vote.

Councilmember McNamara – asked about the policy in Building & Construction regarding tax abatements, and whether residents are given the abatement information. Asked about **R2023-316** grant cycle and matching. Asked about programming through MAC. Councilmember Vecchio responded that there wasn't enough money to do programs this year.

Councilmember McNamara – asked if there was a part-time building maintenance resignation since there was a new hire, which the Borough Administrator confirmed.

Questioned **R2023-312**, Payment of Bills – one from Apollo and two from Oswald, and why the Borough is paying for jetters when the Borough owns one. The Borough Administrator explained that the Borough's jetter isn't powerful. She asked about shared services, which the administrator replied is possible but requires additional research. Asked about B&W Construction and the storm sewer collapse. Asked about **R2023-310** and the purchase order for conference badges; the Borough Administrator responded there was a last-minute change with attendees and this was updated.

Council President Davidson – asked about **R2023-312**, Payment of Bills for Keyport Fire Department's charge of \$2,170 for pizzas in Wildwood, and why it's in the Borough's budget and not theirs. The Borough Administrator responded that it's in their budget and is approved every year.

Mayor Araneo – asked about **R2023-312**, Payment of Bills for Aurora Environmental, and whether it was an emergency. Yes, it was.

Motion to approve resolutions **R2023-309 through R2023-335**, with the exception of purchase order #23-01458 listed on **R2023-310**, on the Consent Agenda.

MM: Peperoni 2nd: Davidson

Roll Call: Ayes: Demarest, Reilly, Vecchio, Peperoni, McNamara, Davidson

Nays:

Absent:

Abstain:

REPORTS

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

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

NEW BUSINESS

Best Practices statement read by Mayor Araneo; Borough Administrator commented on the report.

UNFINISHED BUSINESS

DAIS UPDATES

Engineer – Reported on the status of:

- NJNG Church Street line replacement;
- NPP complete project at Mini Park, including outstanding punch list items;
- Priority road improvement plan;
- NJDOT punch list;
- CDBG Broad Street;
- Butler and E Third are on hold until spring 2024;
- Fulton 7th and 8th; and
- Cedar Street Park work will continue into 2024.

Police Chief Torres – Reported the following:

- Police provided the Bayshore Buccaneers an escort after their victory.
- The Keyport 5K was successful, and thanked many volunteers and volunteer organization.

- On November 10th, police responded to reported overdose where Patrolwoman Aumack performed CPR until First Aid arrived and continued CPR, and a full recovery made.

Case updates include the following:

- Detective Devlin is working on two internet crime victims, both children under 12, concerning the transmission of sexual abuse photos.
- On November 1st a pickup truck was stolen from Toms Ford and used in multiple smash and grabs. The truck was recovered and suspects identified.
- A Keyport shoplifting arrest led to a largescale investigation of an interstate shoplifting ring; working with FBI.
- Arrests included child abuse investigation and child endangerment charge; domestic violence investigation and child endangerment and assault charge.
- On October 23rd the department was involved in the search and rescue of a missing kayaker, subsequently located and identified. Thanked many who provided assistance throughout the operation. Mr. Ding's family was incredibly gracious in thanking everyone for their tireless efforts.

PUBLIC COMMENTS

The Meeting was opened to the public for comments.

Opened: 8:50 PM Motion by Peperoni, Carried by Davidson. Ayes by all present.

John Merla – discussed tax abatements and applauded efforts. Spoke about being kind and compassionate.

Elmer J. Graham Jr. – mentioned We Care Adult Care. Wished all a happy Thanksgiving and urged others to think about the service men and women unable to be home for Thanksgiving.

Michael Lane – commented on NPP meeting and the design of playground at Beach Park, recommending they be presented at a Council meeting; new plans have to be certified for our flood damage prevention. Previously presented data on tax assessments and tax bills; recommended having a Tax Assessor report. Asked about the status of land use requirement updates recommended in a letter from the Planning Board as well as inconsistencies with parking requirements. Talked about crosswalks and four-way stops.

Closed: 9:01 PM Motion by Peperoni, Carried by Reilly. Ayes by all present.

ADJOURNMENT

Motion to Adjourn

MM: Peperoni 2nd: Davidson

Ayes: all present

Nays:

Time of Adjournment: 9:01 PM