Minutes of the Work Session Meeting of the Mayor and Council, Borough of Keyport, held on the above date in the Borough Hall Council Chambers, Keyport, N.J., pursuant to the adoption of the Annual Notice on file with the Borough Clerk, forwarded to the Asbury Park Press, 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 7:03 PM and Borough Clerk Heilweil read the Sunshine Law Notice.

ROLL CALL
On Roll Call the following were present: Councilmembers Tomczak, McPeek, Lamberson, Toglia, Howe, and Mayor Aumack. Others present: Borough Administrator, Lorene Wright. Borough Attorney Gordon Litwin, Esq. Absent: Sheridan

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE
Mayor Aumack asked for a moment of silence in memory of his late wife, Elaine Aumack

OATH OF OFFICE TO MAYOR HARRY M. AUMACK II

PROCLAMATION
Recognizing retired Police Officer Richard Ely Jr.

APPROVAL OF MINUTES
September 3, 2013 – Work Session

Motion to approve minutes made by Howe, carried by McPeek
Roll Call:
Ayes: Tomczak, McPeek, Lamberson, Toglia, Howe
Nays:
Abstain:
Absent: Sheridan

Borough Clerk Valerie Heilweil read the resolutions on the Consent Agenda.

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.)

R343-13 Payment of Bills
R344-13 Authorizing Execution of Special Citizens Area Transportation 2014 Agreement
R345-13 Governor's Council on Alcoholism and Drug Abuse Fiscal Grant Extension January 1, 2014 to June 30, 2014
R346-13 Authorizing Requests for Professional Services Proposals for 2014
R347-13 For Renewal of Membership in the Monmouth Municipal Joint Insurance Fund *(pulled for separate consideration)*
R348-13 Authorizing the Borough Administrator to Sign the 2014 Edmunds & Associates Software Support Agreement
R349-13 Appropriation Transfer
R350-13 Authorizing Formation of Creative Team for Sustainable Jersey
R351-13 Supporting Sustainable Land Use
R352-13 Reducing Sewer Portion of Water Bill – Kliemisch
R353-13 Certifying the Cost of Cleaning Up 21 Properties and Placing a Lien upon Such Lands
R354-13 Accepting Proposal for Tax Map Update Services (pulled for further consideration)
R355-13 Authorizing Contract for Emergency Services for Monroe Street Water Main Repair (pulled for separate consideration)
R356-13 Granting a Taxicab Driver License to Keyport Yellow Taxi – Manuel Gonzalez-Diaz (pulled for separate consideration)

Administrator requested pulling R354-13 Accepting Proposal for Tax Map Update Services and R355-13 Authorizing Contract for Emergency Services for Monroe Street Water Main Repair for further discussion.

Tomczak requested R347-13 For Renewal of Membership in the Monmouth Municipal Joint Insurance Fund be pulled for further discussion.

Howe requested R352-13 Reducing Sewer Portion of Water Bill – Kliemisch be pulled for further discussion.

Lamberson requested pulling R356-13 Granting Taxicab Driver License to Keyport Yellow Taxi – Manuel Gonzalez-Diaz for further discussion.

PUBLIC COMMENT PORTION

At 8:15 PM the Meeting was opened to the public for comments or questions on any items listed on the agenda by McPeek, carried by Howe with all ayes present.

Jessica Aumack, W. Front Street – asked about garbage being picked up at 4:45AM. Is it necessary for pick up to be that early?

Council requested Administrator go back to Future Sanitation and be sure pick up is not made before 6AM.

Michael Lane, 51 First Street – Congratulated the Mayor on winning the election. Asked about the Sustainable Jersey resolutions. Suggested Engineers become familiar with the Rutgers Study. Spoke about Master Plan Re-Examination and recommendations made, which have not been implemented.

At 8:26PM the Public Comment Portion closed to the public by McPeek, carried by Toglia with ayes by all present.

APPROVAL OF RESOLUTIONS

Motion on the Consent Agenda (Excluding R347-13, R352-13, R354-13, R355-13, & R356-13, which were pulled for separate consideration) made by Howe, carried by McPeek.

Roll Call:
Ayes: Tomczak, McPeek, Lamberson, Toglia, Howe
Nays:
Abstain: Tomczak from R343-13 Payment of Bills to Future Sanitation.
Absent: Sheridan

RESOLUTIONS PULLED FOR SEPARATE CONSIDERATION:

R347-13 – For Renewal of Membership in the Monmouth Municipal Joint Insurance Fund

Tomczak - asked costs and coverage and inquired whether we have looked at other insurance cost and coverage.

Administrator – anticipates a 2% increase in renewal over last year. Premium $405,000 for workmen's compensation alone. Total renewal $438,000. Deadline is January 1, 2014.

A more detailed presentation was requested.

Motion to table until November 26th meeting made by McPeek, carried by Howe with ayes by all present.

Roll Call:
Ayes: Tomczak, McPeek, Lamberson, Toglia, Howe
Nays:
Abstain:
Absent: Sheridan

R352-13 – Reducing Sewer Portion of Water Bill – Kliemish

Discussed resident who put sod down and had quite an increase in water use, resulting in increase in sewer charges.
Council would like more information including sewer average for last year.

Motion to table until November 26th meeting made by Tomczak, carried by McPeek

Roll Call:
Ayes: Tomczak, McPeek, Lamberson, Toglia, Howe
Nays:

Abstain:
Absent: Sheridan

R354-13 – Accepting Proposal For Tax Map Services
Two proposals given, one from Hatch Mott and one from T&M Associates. T&M made initial submission to the State to get the requirements.

<u>Administrator Wright</u>– Recommended T&M because they gave an amount not to exceed number and did the initial work.

First step submittal to the State within six weeks. Two weeks after follow up by State.

Motion made to use T&M Associates by Howe, carried by Toglia
Roll Call:
Ayes: Tomczak, McPeek, Lamberson, Toglia, Howe
Nays:
Abstain:
Absent: Sheridan

R355-13 – Contract for Emergency Services for Monroe Street Water Main Repair
$100,000 cost to replace waterline or the Borough could handle each leak as it comes.

Motion to approve made by McPeek, carried by Toglia with ayes by all present.
Roll Call:
Ayes: Tomczak, McPeek, Lamberson, Toglia, Howe
Nays:
Abstain:
Absent: Sheridan

R356-13 – Granting a Taxicab Driver License to Keyport Yellow Taxi – Manuel Gonzalez-Diaz
McPeek saw a taxi in a handicap spot at 7-11. Discussion ensued regarding limiting the number of taxis and on how to get the taxi company to comply with the conditions of the Ordinance.

Motion to approve made by Tomczak, carried by Toglia
Roll Call:
Ayes: Tomczak, McPeek, Lamberson, Toglia, Howe
Nays:
Abstain:
Absent: Sheridan

<u>COMMUNICATIONS AND PETITIONS</u>

1. Letter from Jesus the Lord Church requesting permission to hold processions on:

December 12, 2013 – Feast of Our Lady of Guadalupe – (3PM)
April 13, 2014 – Palm Sunday (11:15AM)
April 18, 2014 – Good Sunday (4:00PM)

Motion to approve and refer to the Police Department and DPW made by Tomczak, carried by McPeek with ayes by all present.

2. Notice from Keyport Fire Department requesting support in the form of an ad in its program book to honor 2013 Department Chief Robert Aumack at its 44th Annual Fireman's Ball.

Motion made to approve by McPeek, carried by Howe to place a full page ad with ayes by all present.

3. Fire Department request to hold St. Patrick's Day Parade on March 22, 2014

Motion made to approve by Tomczak, carried by Lamberson with all ayes present.

4. Results of the 2014 KBBC election

Motion made to receive and file by McPeek, carried by Tomczak with all ayes present.

5. Letter from Keyport Hook & Ladder Co. No 1 notifying the Borough that Daniel Fox was elected to be the Company's Third Assistant Chief for 2014

Motion made to receive and file by McPeek, carried by Tomczak with all ayes present.

6. Letter from Keyport Fire Department Secretary advising that Daniel Fox was elected as the nominee for Third Assistant Chief in 2014 and notifying the Borough that the Fire Department Election will be held on Wednesday, December 4, 2013

Motion to receive and file made by McPeek, carried by Tomczak with all ayes present.

7. Email from KBBC requesting closure of West Front Street from Broad Street to the mini-park on Saturday, November 30, 2013 from 4PM-9PM for the purpose of the annual Christmas Tree Lighting and visit with Santa.

Motion to approve made by McPeek, carried by Howe with all ayes present.

DISCUSSION

1. Update FEMA Claims Report
   We have $696,899.25 in expenses as of 11/1/13.

   Tomczak proposes a 2nd alternate be appointed, such as our OEM Coordinator, for Online FEMA applications, so that he has access to the program. This would give a second set of eyes since there could be changes in Administration and the current FEMA employee is only a temporary grant employee.

Motion made by Tomczak, carried by Toglia with all ayes present to add a Resolution appointing Ken Krohe.

R357-13 – Appointment of OEM Coordinator Kenneth Krohe as a 2nd Alternate to handle FEMA claims

Motion made by Tomczak, carried by Toglia with all ayes present

Roll Call:
Ayes: Tomczak, McPeek, Lamberson, Toglia, Howe
Nays:
Abstain:
Absent: Sheridan

2. CDBG Streetscape Grant Application – Grants coming through State for Hurricane Relief. Would include East Front Street, West Front Street, Broad Street, Main Street and sections of Maple Place

3. Vacant Property Registration- Councilman Howe would like to mirror Matawan's Ordinance with fees and fines from Cherry Hill Ordinance. Tomczak would like it to include only those properties owned by the Bank and not impose additional fees to a property owner. Or she would like it to include abandoned commercial properties. Feels to target residential property owners would put more burden on someone who is already struggling.

4. Memorial and Honorary Bench Plaques – An Ordinance would need to be prepared. Will have a meeting with Building and Grounds.

UNFINISHED BUSINESS

JOINT COURT – Tomczak will look at dispositions to determine why there are so many dismissals of our cases. She would like quarterly meetings (next one December 10th). We need to determine whether to opt out or negotiate. Council does not have enough information on it to make a decision. Opting out is on a calendar year so once we give notice it would begin the 1st of the year. If we waited until after the 1st to opt out it would take a whole year more to get out of the contract. Council voiced concern that it took the court so many months to provide the numbers.

Property Maintenance Officer Bobby Burlew gave his viewpoint as to what goes on in the Joint Court. He feels this Joint Court is unsuccessful.

Police Chief Casaletto gave the Mayor a 2011 letter that he distributed to the Police Committee at that time outlining the issues he feels the Borough has with this Joint Court.

Council would like a meeting with the Joint Court prior to the Mayor's scheduled meeting.

Administrator explained the process for the Mayor's Strategic Planning Ad Hoc Committee

NEW BUSINESS

Tomczak - feels we need to review job performance beginning with the Administration and then all the department heads.

Administrator – stated that she was glad to hear how this came about getting on the agenda. Response was Council also feels responsible for what is going on in the Building.

ATTORNEY REPORT

Working on several matters

ADMINISTRATOR'S REPORT

- Inventory conducted of all personal computers
- Councilmember would like a relief on the wall behind the dais. Building and Grounds should look at it and prepare a presentation and cost estimate
- Voice radio recording system installed today
- Camera quotes were received
- Lawn cutting contract will be discussed in closed session
- Vending machines in Borough Hall

PUBLIC COMMENT PORTION

At 10:54 PM the meeting was open to the public for comments or questions by Toglia, carried by McPeek with all ayes present.

George Walling, 54 Second Street - Asked about Administrator's Workman's Compensation Claim. Was told it had been turned over to the insurance company. Administrator reported that it was not denied. It is a no-fault policy.

Walling- Asked for an explanation from Tomczak regarding her abstaining from the grievances hearings due to her friendship with Bert Aumack. He then pointed out that she voted to have the Borough place an ad on the Fire Chief's behalf for the Fire Department.

Also stated that he found the Administrator to be a bully and was rough around the edges.

Tomczak – Stated Mr. Aumack is a close personal friend. Should he come up for promotion, she will not be voting.

Bobby Burlew, 104 Chandler Ave. – Thought it was nice to see Council discussing things.

Nancy Carew, 64 Broadway – Approached by Historical Society for a museum. Could that fall under the CDBG Grant? Signage for historic buildings (Museum in the Streets) would plaque historical buildings. Has not yet been approved by KBBC.

Michael Lane, 51 First Street – Thinks performance reviews should be done in private. Mentioned Tax Assessor has new property values and they have changed dramatically. Can't believe Sandy money is available for street scape. We are becoming a community where we have more rentals than non-rentals. Thinks we should be seeking higher value properties in town. Asked for a date on the Strategic Recovery Plan; by the end of the year.

Bobby Burlew – Stated we did have rentals destroyed by Sandy but the Borough had to give up a little bit to get a little more. Feels we will get a much nicer look from some of these buildings now going up.

Michael Lane – Trailer park on Green Grove was to originally be replaced with town homes. Now the project is coming in with apartments.

At 11:21PM motion to close the Public Comment portion was made by McPeek, carried by Howe with ayes by all present.

CLOSED SESSION

R358-13 – Closed session Resolution:

Motion made at 11:22PM to go into closed session after a four minute break moved by Tomczak, seconded by McPeek.

RESOLUTION No. 358-13

1. Resolution No. 358-13 Closed Session Meeting

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, Mayor and Council of the Borough of Keyport are of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss:

- Litigation
  - Lawn Cutting Contract
- Purchase or Lease of Municipal Property

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that a meeting of the Mayor and Council shall be held forthwith from which the public shall be excluded in the Council Chambers, Borough Hall, for the purpose of discussing the above-mentioned items.

BE IT FURTHER RESOLVED that discussions on Litigation, Purchase or Lease of Municipal Property be conducted at said Closed Session shall be disclosed when the matters discussed are resolved and this meeting shall continue in approximately 20 minutes.

At 11:56 PM to reconvene to open session.

ADJOURNMENT

Motion made to adjourn at 11:56 PM.