

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, 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 7:01PM and Borough Clerk Heilweil read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Pacheco, Sheridan, Kennedy, Lamberson, Cooper and Goode. Others present: Mayor Aumack, Borough Administrator Stephen Gallo, Borough Attorney James E. Polles, Esq. and Councilmember-elect Dennis Fotopoulos.

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

A moment of silence was held in honor of the late President George Bush

PRESENTATIONS

Police Chief Hafner presented the November proceeds collected from "No Shave November" to Councilman Cooper for the Keyport Food Ministerium and the proceeds collected from "No Shave December" to Councilwoman Lamberson for Project Little Soldier

PROCLAMATION

Mayor Aumack read the National Impaired Driving Prevention Month Proclamation

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.)

R240-18 Payment of Bills

R241-18 Authorizing the Hiring of Per Diem Plumbing Subcode Official for the Borough – *Joseph Crane*

R242-18 Authorizing Execution of the Shared Services Agreement with the Township of Freehold for the Provision of Licensed Operational Services for the Borough of Keyport Water-Sewer

R243-18 Authorizing the Borough to Enter into Shared Service Agreements with the Borough of Tinton Falls for the Provision of Tax Collector, Utility Collector and Borough Treasurer Services

R244-18 Authorizing the Administrator to Enter into a Shared Service Agreement with the County of Monmouth for Dispatch and 911 Services

R245-18 Setting and Confirming Salaries of Various Positions within the Borough

R246-18 Authorizing Person to Person Transfer of ABC License to 6 Broad St Waterfront Liquor LLC (from Kurtis Enterprises, formerly trading as Bayside Bar & Grill)

R247-18 Correcting Resolution R232-18, Which Authorized the Hiring of Part-Time Dispatcher for the Borough – *Vito Koempel, Jr.*

Mayor Aumack requested **R244-18** Authorizing the Administrator to Enter into a Shared Service Agreement with the County of Monmouth for Dispatch and 911 Services be pulled for separate consideration.

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments or questions on items listed on the agenda at 7:08PM moved by Pacheco, carried by Sheridan with ayes by all present

Ed Burlew, 59 W. Front Street – regarding **R242-18** Authorizing Execution of the Shared Services Agreement with the Township of Freehold for the Provision of

Licensed Operational Services for the Borough of Keyport Water-Sewer, Mr. Burlew asked whether we already had someone in the Borough who is always at the Water Plant.

Administrator Gallo – explained our Borough employee does not have the required W-4 and C-4 licenses, although he is pursuing them, which takes about ten years.

Michael Lane, 51 First Street – asked about the benefit to tax payers for the Shared Service with Tinton Falls.

Administrator Gallo – stated the benefit is about \$60,000 in savings a year to the Borough. We will be sharing that employee with another town. Tinton Falls will pay benefits and pension for that employee.

Michael Lane – asked about County Dispatch Resolution and whether there will be someone at the desk here in Keyport.

Administrator Gallo – said we felt it was important that we have someone here at all times. There will be a Special Officer covering the desk when weekday employees are not there.

Michael Lane – asked whether the part-time Special Officers receive benefits.

Administrator Gallo – said they would have pro-rated sick time and vacation time as part-time employees. No health benefits.

Elmer Graham, Jr., 24 St. Peters Place – asked for an explanation of **R242-18** Authorizing Execution of the Shared Services Agreement with the Township of Freehold for the Provision of Licensed Operational Services for the Borough of Keyport Water-Sewer, **R243-18** Authorizing the Borough to Enter into Shared Service Agreements with the Borough of Tinton Falls for the Provision of Tax Collector, Utility Collector and Borough Treasurer Services, and **R245-18** Setting and Confirming Salaries of Various Positions within the Borough. He asked again about having the Governor come to a Town Hall meeting in Keyport.

George Walling, 54 Second Street – asked who would monitor the cells during the day when there are no dispatchers. He asked whether the Specials will be doing double-duty.

Chief Hafner – stated someone in Police Administration will watch prisoners. Class III's and Class I's will sit at the desk as well.

There being no further comments or questions, the Meeting was closed to the public at 7:22PM moved by Cooper, carried by Sheridan with ayes by all present

APPROVAL OF RESOLUTIONS

Motion to approve items listed on the Consent Agenda, with the exception of **R244-18** Authorizing the Administrator to enter into a Shared Service Agreement with the County of Monmouth for Dispatch and 911 Services which was pulled for separate consideration, moved by Sheridan, carried by Pacheco

Roll Call: Ayes: Pacheco, Sheridan, Kennedy, Lamberson, Cooper, Goode
Nays:
Absent:
Abstain:

Motion at 7:23PM to open the Meeting to the public for questions or comments on **R244-18** Authorizing the Administrator to enter into a Shared Service Agreement with the County of Monmouth for Dispatch and 911 Services moved by Sheridan, carried by Pacheco with ayes by all present

Dan Fox, 40 Church Street – asked why we need \$400,000 in radios. He doesn't believe we need to spend this money to go to encrypted radios.

Councilwoman Kennedy – said it is her understanding that we need this equipment whether we go to County or not.

Chief Hafner – explained we are not digital. He said Middletown has their own dispatchers at County because of the size of the municipality. Middletown just replaced its system before going to County.

Administrator Gallo – stated non-digital radios could not penetrate certain structures where digital equipment can. This could be a life-saver for an officer.

Councilwoman Kennedy – wants everyone to understand that this is under the Sheriff's Department which is supposed to operate jails and courts. She wants to make sure Chief Hafner and Chief Krohe are okay with that.

Rick Ely – clarified the only courts they are involved with is the Superior Court. They also have someone monitor the coastline 16 hours a day.

Councilwoman Kennedy – questioned whether they had jurisdiction in the water.

Mayor Aumack – clarified that our Fire Boat has jurisdiction quite a way out into the water.

Councilwoman Kennedy – regarding SLEO II Officers, questioned whether their covering the desk would reduce their availability for their assignments since their number of hours are limited.

Councilwoman Lamberson – asked the term of the contract.

Chief Hafner – said he was not sure whether it is 3 or 5 years.

Administrator Gallo – explained that there is a 90-day cancellation clause.

Mayor Aumack – asked whether this proposal, which is a year old, is still valid. He has some reservations on this.

Rick Ely – said just the Police Department and First Aid are going digital, not the Fire Departments.

Mayor Aumack – asked whether County will also dispatch our DPW; Yes.

Ken Krohe, First Aid – stated regarding the First Aid, all information can be pulled up on our laptops with the County's CAD system.

Michael Lane – spoke of his experience calling the Police Department's 0706 phone number. He asked whether 0706 will go to County; Yes.

Chief Hafner – stated 0707 will be landline phone number here.

Councilwoman Kennedy – asked whether there would be union issues having a union employee watching prisoners.

Administrator Gallo – said we haven't crossed that bridge yet.

Dan Fox – asked why not the Fire Department?

Rick Ely – said because County doesn't use encrypted radios for Fire Departments.

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

Motion to approve **R244-18** Authorizing the Administrator to enter into a Shared Service Agreement with the County of Monmouth for Dispatch and 911 Services moved by Sheridan, carried by Goode

Roll Call: Ayes: Pacheco, Sheridan, Kennedy, Lamberson, Cooper, Goode
Nays:
Absent:
Abstain:

PUBLIC HEARINGS/ADOPTION OF ORDINANCES

Motion by Councilman Goode, carried by Sheridan to Table the Public Hearings and Adoptions of the following Ordinances so the Planning Board will have time to make its recommendation

Roll Call: Ayes: Pacheco, Sheridan, Kennedy, Lamberson, Cooper, Goode
Nays:
Absent:
Abstain:

1. Ordinance #26-18 – Stormwater Management Control Ordinance

The Clerk read the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING CHAPTER 24 OF THE BOROUGH CODE TO REFLECT CHANGES TO THE BOROUGH STORMWATER MANAGEMENT AND CONTROL ORDINANCE**

2. Ordinance #27-18 – Site Plan and Land Subdivision Approval Process

The Clerk read the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING THE LAND USE SUBDIVISION AND SITE PLAN ORDINANCE TO REFLECT CHANGES TO THE SITE PLAN AND LAND SUBDIVISION APPROVAL PROCESS**

3. Ordinance #28-18 – Amend Zoning Ordinance

The Clerk read the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING CHAPTER 25 OF THE BOROUGH CODE TO REFLECT CHANGES TO THE BOROUGH ZONING ORDINANCE**

INTRODUCTION OF ORDINANCES

1. Ordinance – Recycling Committee

The Clerk read the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING CHAPTER XVI, “STREETS, SIDEWALKS AND SANITATION,” SECTION 6.6, “RECYCLING COMMITTEE,” TO REFLECT REVISIONS TO THE MEMBERSHIP AND MEETING SCHEDULE OF THE COMMITTEE**

1a. Motion to introduce moved by Pacheco, carried by Kennedy

Roll Call: Ayes: Pacheco, Sheridan, Kennedy, Lamberson, Cooper, Goode
Nays:
Absent:
Abstain:

- 1b. Motion authorizing the Clerk to publish the Ordinance as introduced in the Asbury Park Press for a public hearing moved by Pacheco, carried by Goode with ayes by all present

2. Ordinance – Municipal Alliance Committee

The Clerk read the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING CHAPTER II, ADMINISTRATION, TO ESTABLISH A MUNICIPAL ALLIANCE COMMITTEE WITHIN THE BOROUGH**

- 2a. Motion to introduce moved by Pacheco, carried by Lamberson

Roll Call: Ayes: Pacheco, Kennedy, Lamberson, Cooper, Goode
Nays: Sheridan
Absent:
Abstain:

- 2b. Motion authorizing the Clerk to publish the Ordinance as introduced in the Asbury Park Press for a public hearing moved by Lamberson, carried by Pacheco with ayes by all present

3. Ordinance – Bond Ordinance for Public Safety Communications Equipment

The Clerk read the Ordinance by Title: **BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PUBLIC SAFETY COMMUNICATIONS EQUIPMENT IN AND BY THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$400,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$380,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

- 3a. Motion to introduce moved by Sheridan, carried by Lamberson

Roll Call: Ayes: Pacheco, Sheridan, Kennedy, Lamberson, Cooper, Goode
Nays:
Absent:
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 Lamberson with ayes by all present

COMMUNICATIONS AND PETITIONS

1. Letter from the Keyport Fire Department regarding the 49th Annual Firemen's Ball and requesting support through the purchase of an advertisement in its program book

Motion to approve the purchase of the same advertisement as last year moved by Goode, carried by Sheridan with ayes by all present

2. Letter from Jersey Shore Ghost Tours regarding December 2018 walking tours

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

3. Application for membership in Hook & Ladder Company from George Cavanaugh (subject to State approval) and notice that Hook & Ladder accepted the resignation of David Sorber as an active member at its January 11, 2018 meeting

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

4. Letter from 2019 St. Patrick's Parade Committee requesting permission to hold its parade on Saturday, March 23 beginning at 1PM and as well as requesting sponsor money

Motion to approve and do what was done last year moved by Goode, carried by Pacheco with ayes by all present

5. Application for a Street Opening Permit on Second Street (between Church & Atlantic) for the installation of a sanitary sewer main and water main

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

6. St. Joseph's raffle applications which they would like to walk-in to Newark tomorrow

Motion to approve moved by Sheridan, carried by Pacheco with ayes by all present.
Send a letter advising the application process must be done in more a timely manner.

NEW BUSINESS

Historical Society's Candlelight House Tour will be this Saturday from 2PM-8PM

Location for January 1st Reorganization Meeting – Councilwoman Kennedy stated it will be held in the Central School. We have permission to hold it there once we fill out the form.

UNFINISHED BUSINESS

None

ATTORNEY'S REPORT

None

ADMINISTRATOR'S REPORT

Administrator Gallo reported on the following:

- Participated in a Complete Streets planning meeting
- Held a meeting regarding Shared Services
- Met with a prospective developer
- Met with redevelopment counsel and financial advisor
- Participated in a Special Council Meeting regarding Mariner's Village
- Had a meeting regarding supplemental employee benefits
- Held a Borough events calendar meeting
- Met with staff regarding updated employee handbook
- Met with Keyport Historical Society regarding planning for their house tour
- Had a meeting with Monmouth County Engineering Department to discuss County issues

Ongoing Capital Projects

- Beach Park and Beers Street Outfall
- Improvements to Benjamin Terry and Veteran's Parks
- DPW Building – Rollo Place
- Scattered Site Redevelopment Plan

Upcoming Capital Projects

- 2018 DOT Local Aid project
- TAP Grant Streetscape project
- NJDOT 2018 Local Aid paving project
- Main Street Park

Redevelopment

- Brown's Point Redevelopment Plan
- Ye Cottage Inn property

Water and Sewer Projects

- Perry Street Water Treatment Plant Upgrades

Other:

- Zoning and Flood Control Ordinance Updates
- Shared Services
- Library Bond

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments or questions at 8:23PM moved by Sheridan, carried by Pacheco with ayes by all present

Elmer Graham, Jr. – mentioned day of mourning for President Bush. He asked about hearings on Complete Streets.

George Walling, 54 Second Street – said he would like a bench named for John Olsen by Benjamin Terry Park. He asked why the Mariner's Village Ordinance was postponed to December 18th.

Administrator Gallo – said there was a clerical error in the advertising, as well as requests from the public for more time.

George Walling – asked about no deed for one of the lots (lot 16) for Mariner's Village.

Administrator Gallo – explained the project has already been approved.

Michael Lane – feels there is a process issue with transparency. He explained how he asked for proposed resolutions which have not yet been passed. He requested them from the Clerk and was told her policy is to provide them once they have been voted on, not prior to Council consideration. He falsely stated he was denied, however, the Clerk reported she did provide them to Mr. Lane the following day, well within the seven-day requirement. Mr. Lane went on to speak about some issues with the Mariner's Village Financial Agreement.

George Walling – feels the Borough Attorney should not speak the way he did to a tax payer. He felt it was disrespectful. He suggested the hall at St. Joseph's for the Reorganization Meeting.

Mayor Aumack – explained he had discussed with Mayor-elect Kennedy and felt there needed to be a separation between Church and State.

There being no further comments or questions, the Meeting was closed to the public at 8:51PM moved by Sheridan, carried by Goode with ayes by all present

Motion moved and carried to go into Closed Session after a 4-minute break

CLOSED SESSION

RESOLUTION #248-18

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, negotiations relating to the project commonly known as Mystic at Keyport, specifically, the Borough’s potential acceptance of an access easement agreement, pursuant to *N.J.S.A. 10:4-12b(5)* and the resolution of potential litigation and/or settlement negotiations concerning an issue regarding the Borough’s First Aid Building, pursuant to *N.J.S.A.10:4-12b(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 December 4, 2018 and determined that an Executive Session closed to the public shall be held on December 4, 2018 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: Goode

AYES: Pacheco, Sheridan, Kennedy, Lamberson, Cooper, Goode

NAYS:

ABSENT:

Council reconvened to Open Session at 9:19PM and Attorney Polles spoke of the matters discussed in Closed Session: Updates on two matters:

- Improvements to be made at the First Aid Building which will be implemented by the Borough
- Status of Mystic at Keyport – the Borough Administrator will reach out to owners and potential future Borough interests

ADJOURNMENT

Motion to Adjourn at 9:20PM moved by Goode, carried by Sheridan with ayes by all present