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, Cooper and Goode. Others present: Mayor Aumack, Borough Administrator Stephen Gallo and Borough Attorney James Polles, Esq. Councilmember Lamberson was absent

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

PROCLAMATION
Mayor Aumack read the National Impaired Driving Prevention Month Proclamation

Clerk Heilweil read the items listed 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.)

R252-17 Payment of Bills
R253-17 Requesting Approval of Items of Revenue and Appropriation – N.J.S.A. 40A:4-87 – *Bayshore Saturation Patrol*
R254-17 Requesting Approval of Items of Revenue and Appropriation – N.J.S.A. 40A:4-87– *Drive Sober or Get Pulled Over*
R255-17 Supporting the *Drive Sober or Get Pulled Over 2017 Year End Holiday Crackdown*
R256-17 Setting the Time and Place for the Annual Reorganization Meeting of the Mayor and Council of the Borough of Keyport
R257-17 Declaring Surplus Vehicle – *1988 Seagrave Firetruck #2291*
R258-17 Appointing Certain Individuals to the Keyport Bayfront Business Cooperative (KBBC) by the Mayor of the Borough of Keyport with Advice and Consent of the Borough Council
R259-17 Authorizing Execution of Special Citizens Area Transportation (SCAT) 2018 Agreement
R260-17 Setting and Confirming Salaries of Various Positions within the Borough – Non-Union Employees

Mayor Aumack requested to vote separately on **R258-17** Appointing Certain Individuals to the Keyport Bayfront Business Cooperative (KBBC) by the Mayor of the Borough of Keyport with Advice and Consent of the Borough Council

Councilmember Kennedy requested to vote separately on **R259-17** Authorizing Execution of Special Citizens Area Transportation (SCAT) 2018 Agreement

Motion by Goode, carried by Sheridan with ayes by all present to pull for separate consideration **R258-17** Appointing Certain Individuals to the Keyport Bayfront Business Cooperative (KBBC) by the Mayor of the Borough of Keyport with Advice and Consent of the Borough Council and **R259-17** Authorizing Execution of Special Citizens Area Transportation (SCAT) 2018 Agreement

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 Goode, carried by Sheridan with ayes by all present

Mike Lane, 51 First Street – asked if there is any process to determine the value of the firetruck being declared surplus.

Mayor Aumack – stated they will try to sell it to someone.

Mike Lane - asked about the increase in **R260-17** Setting and Confirming Salaries of Various Positions within the Borough – Non-Union Employees.

Administrator Gallo – stated it is a 2.5% increase.

Mike Lane - asked to hold a hearing on the ordinance regarding Mariner's Village in January. He asked how this agreement is different. He spoke of bridge construction that was done but noticed this morning that it was impassable. He would like the pedestrian scramble covered under Unfinished Business.

Administrator Gallo – stated the County has approved the "No Turn on Red" at W. Front and Broad Streets. He recently attended a "Complete Streets" seminar and hopes to do a comprehensive plan for the entire community.

Mike Lane - mentioned it is now duck hunting season, but he doesn't see any signs regarding duck hunting.

Mayor Aumack – stated we will look into it.

Elmer Graham, Jr., 22 St. Peters Place – asked for an explanation of **R253-17** Requesting Approval of Items of Revenue and Appropriation – N.J.S.A. 40A:4-87 – *Bayshore Saturation Patrol* and **R254-17** Requesting Approval of Items of Revenue and Appropriation – N.J.S.A. 40A:4-87– *Drive Sober or Get Pulled Over*, which Administrator Gallo explained is an adjustment to our budget.

Elmer Graham, Jr. – asked for an update on the KBBC and why the Director resigned.

Ed Burlew, 59 W. Front Street – said he is glad there have been no lawsuits recently.

There being no further comments or questions, the Meeting was closed to the public at 7:20PM moved by Goode, carried by Sheridan with ayes by all present

APPROVAL OF RESOLUTIONS
Motion to approve items listed on the Consent Agenda with the exception of **R258-17** Appointing Certain Individuals to the Keyport Bayfront Business Cooperative (KBBC) by the Mayor of the Borough of Keyport with Advice and Consent of the Borough Council and **R259-17** Authorizing Execution of Special Citizens Area Transportation (SCAT) 2018 Agreement, moved by Goode and carried by Sheridan

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

Mayor Aumack read **R258-17** Appointing Certain Individuals to the Keyport Bayfront Business Cooperative (KBBC) by the Mayor of the Borough of Keyport with Advice and Consent of the Borough Council

Motion to Open the Meeting to the public at 7:22PM for comments or questions on **R258-17** Appointing Certain Individuals to the Keyport Bayfront Business Cooperative (KBBC) by the Mayor of the Borough of Keyport with Advice and Consent of the Borough Council, moved by Sheridan and carried by Pacheco with ayes by all present

Jack Straub, 239 Main Street (member of KBBC) – asked which person replaces which vacancy.

Administrator Gallo – explained this is only until the next election.

Michael Lane – asked if appointees were interviewed and Mayor Aumack stated they were.

There being no further comments or questions, the Meeting was closed to the public at 7:25PM moved by Sheridan, carried by Cooper with ayes by all present

Motion to approve **R258-17** Appointing Certain Individuals to the Keyport Bayfront Business Cooperative (KBBC) by the Mayor of the Borough of Keyport with Advice and Consent of the Borough Council, moved by Sheridan and carried by Pacheco

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

Motion to Open the Meeting to the public at 7:26PM for questions or comments on **R259-17** Authorizing Execution of Special Citizens Area Transportation (SCAT) 2018 Agreement, moved by Kennedy and carried by Sheridan with ayes by all present

Seeing no one, the Meeting was closed to the public at 7:26PM moved by Sheridan and carried by Pacheco with ayes by all present

Motion to approve **R259-17** Authorizing Execution of Special Citizens Area Transportation (SCAT) 2018 Agreement moved by Sheridan, carried by Goode

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

PUBLIC HEARINGS/ADOPTION OF ORDINANCE

1. Ordinance #14-17— Amend Parking Restrictions at First and Broad Streets

The Clerk read the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING CHAPTER VII, TRAFFIC, TO REFLECT NEW PARKING RESTRICTIONS AT FIRST STREET AND BROAD STREET**

1a. Motion to Open Public Hearing at 7:27PM moved by Kennedy, carried by Sheridan with ayes by all present

This ordinance eliminates one parking spot at the end of Broad Street by First Street.

Mike Lane – believes when this was before the Planning Board, it was his understanding that the parking space was not allowed due to a site triangle. He also spoke of ingress and egress at that location.

Administrator Gallo – explained that was a Planning Board resolution and cannot be enforced without an ordinance of the Mayor and Council.

There being no further comments or questions, the Public Hearing was Closed at 7:31PM moved by Sheridan, carried by Cooper with ayes by all present

1b. Motion to adopt Ordinance moved by Kennedy, carried by Sheridan

Roll Call: Ayes: Pacheco, Sheridan, Kennedy, Cooper, Goode
Nays:
Absent: Lamberson
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 – Amend Towing Ordinance

The Clerk read the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY AMENDING CHAPTER V, TOWING**

Councilmember Goode – suggested amendments prior to Introduction.

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

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

2. Ordinance – Amend Police Department Structure

The Clerk read the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING AND SUPPLEMENTING SECTION 3.4 OF CHAPTER III "POLICE AND FIRE DEPARTMENTS" ARTICLE I "POLICE DEPARTMENT" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT**

Councilmember Goode – suggested making the limit of each position higher than what we currently have so we would not need to amend with each new hire.

2a. Motion to introduce moved by Sheridan, carried by Pacheco

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

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

3. Ordinance – Authorizing Financial Agreement and Approving Long-Term Tax Exemption application regarding Mariner's Village at Keyport Urban Renewal LLC

The Clerk read the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY APPROVING THE APPLICATION FOR A LONG TERM TAX EXEMPTION AND AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT WITH MARINER'S VILLAGE AT KEYPORT URBAN RENEWAL, LLC**

Administrator Gallo – this is a 30-year tax abatement for this project. The project would not happen without financial support. They were paying $88,000 of which the Borough receives 40%. The Borough gets 95% of the PILOT which is 10% of their annual gross revenues. Mr. Lane asked how we were going to fill the stores in the business district. The way we fill them is with customers.

Mayor Aumack – stated this will hardly bring any costs to the Borough.

Administrator Gallo – stated this broadens the tax base and provides additional revenue.

2a. Motion to introduce moved by Cooper, carried by Sheridan

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

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

COMMUNICATIONS AND PETITIONS

1. Letter of Resignation from Recreation Committee President George Strang

Motion to receive with regret moved by Sheridan, carried by Kennedy with ayes by all present. Councilwoman Kennedy would like to have a letter sent to him thanking him for his service.

2. Monthly Report from Millennium Strategies dated December 1, 2017

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

3. Letter from Keyport Fire Department requesting that the 1988 Seagrave #2291 be declared surplus (See R257-17) and additionally requesting the new Board of Chiefs be granted permission to have their official photo taken in Council Chambers

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

4. Application for Raffle License from BPOE #2030 Keyport-Matawan for a Pull-Tab machine to be permitted from January 1, 2018 through December 31, 2018

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

5. Letter of Resignation emailed from Recreation Committee member Tara Hunt, effective immediately

Motion to accept with regret moved by Sheridan, carried by Pacheco with ayes by all present

NEW BUSINESS

Councilwoman Kennedy – thanked the Garden Club and its members for decorating Council Chambers. She thanked those who made the Tree Lighting Ceremony a success.

UNFINISHED BUSINESS

Councilman Sheridan – announced the Candlelight House Tour is this Saturday from 2PM-7PM. The trolley will be available.

ATTORNEY'S REPORT

Borough Attorney James E. Polles – stated he has nothing new to report. We will be going into Closed Session on a pending litigation matter.

ADMINISTRATOR'S REPORT

Administrator Gallo reported on the following:

- met with Mike Lane
- met with Senior Center staff regarding janitorial services
- met with Matt McMahon, Keyport resident and developer
- met with Scott Hicks and Donna Purcell regarding recycling issues
- spoke with our Grants Consultant regarding outstanding grant applications
- met with the owner of a property for sale on Butler Street
- attended the Keyport Tree Lighting
- attended a Police Commission meeting regarding developing a comprehensive opioid plan
- attended a Police Commission meeting to interview potential Police Officer candidates
- met with the County Sheriff's Office regarding County dispatch along with other Keyport officials
- **2016 Road Improvement Program (Lucas Brothers, Inc.)** - the paving for this year has been completed and we are waiting for final striping to be done
- **Maple Place Fire Hydrant Replacement** – we are still waiting for a competitive quote. We are planning on declaring this an emergency and going ahead with the quote we have since we are unable to obtain others.
- **Beach Park and Beers Street Outfall Reconstruction** – we are pending approval of the plans from NJDEP and US ACE
- **Improvements to Benjamin Terry and Veterans Parks** – revised plans are being finalized by CME for final review before going out to bid. This work should be completed by next summer.
- **DPW Building** – Rollo Place – survey work is being completed prior to finalizing the design and bid specs. We expect to be out to bid in the spring.
- **Scattered Site Redevelopment Plan** – the study is being finalized and will be presented to the Planning Board in the near future
- **Post Sandy Grants** – both ordinances are being reviewed by the Planning Board. We will incorporate their suggestions prior to finalizing introduction.
- **Brown's Point Redevelopment Plan** – a meeting has been scheduled with our professionals, the applicant's professionals and counsel to get the plan finalized for the Planning Board Hearing. We are also introducing the Financial Agreement at tonight's meeting.
- **Aeromarine Redevelopment Plan** – several developers seem to be competing for the project site. We hope to have a developer who will actually do something in the near future.
- **Longview/Boatworks Redevelopment Plan** – requested a meeting with the developer to find out what's going on here
- **45 Beers Street** – this project is complete and is being occupied
- **Ye Cottage Inn Property** – the developer is in engineering review prior to a land use hearing. There have been issues regarding a pile of dirt that has been placed on site and the Soil Conservation District is addressing. The Borough has issued violations as well.
- **USDA-RD Funded-Perry Street Water Treatment Plan Upgrades** – we are negotiating with NJ American Water for water supply for next summer while our plant is out of service
- **Bike Share Program** – we will have a presentation by the bike share company at our next meeting
- **Complete Streets Project/Pedestrian Safety** – I am meeting with the Complete Streets Coordinator from Asbury Park, along with the City Manager to find out about their program and process. We intend to hold a town meeting in January regarding complete streets and we will kick off our program.
- **Harbor Issues** – Andy Raichle is drafting a white paper outlining issues that we would like to address at our waterfront. I expect the report to be available next month.

- **Stormwater Drainage** – the Borough Engineer, Superintendent and I met with resident Patrick Maroney and his neighbor regarding drainage issues that occur at high tide and heavy rains on Main Street at Jackson Street. We examined the storm sewer that drains a wide area of Keyport and found it full of plastic bottles. We also discovered that the Chingarora Creek headwaters that the sewer drains into is full of debris and overgrown. Trevor will issue a memo and we will work together to develop a project to address this issue. The pipe drains everything from Main Street across the school property, apartments on Atlantic Street and onto Green Grove.
- **County Dispatch** – we met this afternoon with Bob Dawson of the County Sheriff's Office to tour their facility and get an idea of what they could do for us. Attending were Police, Fire and EMS personnel, along with Councilwoman Kennedy and Mayor Aumack. I expect that we will meet again internally to further discuss.

Councilwoman Kennedy – stated 108 Broad Street, across from the Library, has a new owner. The vacant home at Maple and Beers has been sold and will now come off the vacant property list. The Building Department is working hard on vacant properties and property maintenance.

PUBLIC COMMENT PORTION
The Meeting was opened to the public for comments or questions at 8:05PM moved by Sheridan, carried by Pacheco with ayes by all present

Andrew Kelsey, 29 St. Peters Place – asked for an analysis of Brown's Point. He asked about the KBBC's request to change the by-laws.

Mayor Aumack – stated that has been put on hold.

Andrew Kelsey – understood that the KBBC does not wish to be involved in economic development.

Councilman Goode – clarified they don't want to focus on the economic development of the entire Borough.

Mike Lane – requested a copy of the financial analysis of Mariner's Village from the Administrator. He assumed the schools would not receive any money from Mariner's Village. He suggested giving some money to the school since they will lose the taxes on that property. He mentioned the Green Grove project by Keyport Realty Development. He believed old CAFRA permit would suffice but that has expired. He said the land use requirements are what is stalling some of these projects.

Nancy Carew, 64 Broadway (Co-Chair of Tree Lighting) – thanked all who helped with the Tree Lighting. She had cooperation from the Art Department in the Central School.

There being no further comments or questions, the Meeting was closed to the public at 8:22PM moved by Sheridan, carried by Goode with ayes by all present

Motion at 8:23PM to go into Closed Session after a 4-minute recess moved by Sheridan, carried by Goode with ayes by all present

CLOSED SESSION

RESOLUTION #261-17

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, relating to a matter potential litigation 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 5, 2017 and determined that an Executive Session closed to the public shall be held on December 5, 2017 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, COOPER, GOODE
NAYS:
ABSENT: LAMBERSON

Council reconvened at 8:38PM. Borough Attorney Polles spoke about the items discussed in Closed Session:

- Appeal of employment decision by Borough Council to Office of Administrative Law
- Discussed thresholds for Administrator to negotiate a settlement

ADJOURNMENT
Motion to Adjourn at 8:40PM moved by Sheridan, carried by Cooper with ayes by all present