

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. Borough Clerk Heilweil read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Sheridan, Howe, Lamberson, and Goode. Others present: Borough Administrator Stephen Gallo. Borough Attorney Jong Sook Nee arrived at 7:03PM. Councilmembers Chamberlain and Cooper were absent.

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

PROCLAMATION

Mayor Aumack read the Drive Sober or Get Pulled Over 2016 Year End Holiday Crackdown 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.)

Borough Clerk Heilweil read the resolutions on the Consent Agenda

R292-16 Payment of Bills

R293-16 Setting and confirming Salaries of the Various Positions within the Borough

R294-16 Appointing Part-Time Property Maintenance Officer – *Paul Murphy*

R295-16 Amending Resolution #266-16 Correcting the Amount to be Paid Relating to the Purchase of Vehicles under State Contract for the Department of Public Works of the Borough of Keyport

R296-16 Authorizing the Promotion of two Special Officers 1 – *from SLEO 1 SLEO 2*

R297-16 Appropriation Transfer Resolution

R298-16 Cancel Capital Appropriation Balances

R299-16 Authorizing Assignment of Tax Sale Certificates #16-00007, 16-00016 & 16-00018

R200-16 Authorizing Interlocal Service Agreement with Township of Freehold for Information Technology Services and Licensed Water/Sewer Operator Services

R301-16 Authorize Execution of Indemnity & Trust Agreement with Central Jersey Health Insurance Fund

R302-16 Authorizing Release of Performance Bond – *1 Monroe St, Blk 35.01, Lot 1, Penny Bags, LLC*

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 Sheridan, carried by Howe with ayes by all present

Beth Lasch, Green Grove Avenue – asked that the vote on the KBBC budget be postponed. She has a business in town, not in the commercial district. She stated the KBBC meeting minutes have not been posted. She is upset that she cannot find out about work for the KBBC.

Elmer Graham, Jr., 22 St. Peters Place – had questions about several resolutions which Administrator Gallo addressed. He urged Council to take care of any unfinished business. He wished all Happy Holidays.

Samantha Aumack, student representative from Keyport High School – updated Council on events and activities going on at the high school.

Bob Ludwig, 50 Beers Street – would like an opportunity for the public to speak prior to any vote when coming out of closed session and taking formal action. He stated the Mayor refuses to disclose what compensation he is receiving from the developer of 45 Beers Street.

Administrator Gallo – stated there is nothing to disclose.

There being no further comments or questions, the meeting was closed to the public at 7:29PM moved by Sheridan, carried by Howe with ayes by all present

APPROVAL OF RESOLUTIONS

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

Roll Call: Ayes: Sheridan (abstained from voting on R#293-16), Howe,
Lamberson (abstained from voting on R#293-16), Goode
Nays:
Absent: Chamberlain, Cooper
Abstain:

PUBLIC HEARING - KEYPORT BID (KBBC) 2017 BUDGET

1a. Motion to Open Public Hearing at 7:31PM moved by Sheridan, carried by Howe with ayes by all present

Paul McKeefry, 107 Maple Place – stated he sent Mayor and Council and the Business Administrator an email earlier today regarding economic development and the KBBC. He talked about two banks in town which are or will be leaving. He is concerned about the empty stores.

Elmer Graham, Jr., 22 St. Peters Place – asked questions regarding the KBBC budget.

Mayor Aumack – invited Stuart Koperweis, Director of the KBBC, to come forward and give a presentation of his budget.

Stuart Koperweis – stated the BID is a corporation that represents the commercial business district who pay an additional tax. The audit is done annually and is required by State statute. Reduced its marketing for 2017.

Mayor Aumack – suggested Elmer Graham contact Stuart by email for any further questions.

Beth Lasch – asked that monies be removed from the KBBC budget in order to create a marketing department.

Stuart Koperweis – stated in order to be a member of the KBBC you need to be listed by address in the ordinance.

There being no further comments or questions, the Public Hearing was closed at 7:53PM moved by Sheridan, carried by Lamberson with ayes by all present

Motion to reopen Public Hearing at 7:54PM moved by Sheridan, carried by Lamberson with ayes by all present

Jack Straub, 239 Main Street – stated he has been in business here since 1947 and is one of the largest shareholders in the BID. Events bring people here to see the businesses. He asked that the budget be voted on this evening.

Holly Schult, 139 Third Street, Treasurer of KBBC – stated the budget is worked on all year long. She asked that the Council please approve the budget tonight.

Paul McKeefry – stated a budget without proven success is not a successful budget. You need metrics to judge success. There should be performance.

There being no further comments or questions, the Public Hearing was closed at 7:59PM moved by Sheridan, carried by Lamberson with ayes by all present

- 1b. Motion to adopted Resolution #303-16 – KBBC 2017 Budget moved by Sheridan, carried by Goode

**RESOLUTION #303-16
APPROVING THE KEYPORT BID, INC.
BUDGET FOR 2017**

WHEREAS, the Borough of Keyport has a Business Improvement District, managed by a designated nonprofit corporation known as the Keyport Bid, Inc., doing business as the Keyport Bayfront Business Cooperative [KBBC]; and

WHEREAS, the attached Budget for the Year 2017 has been properly advertised and a hearing has been held,

NOW THEREFORE BE IT RESOLVED, that the Business Improvement District KBBC budget for the year 2017 be adopted as presented.

OFFERED: Sheridan

SECONDED: Goode

AYES: Sheridan, Howe, Lamberson, Goode

NAYS:

ABSENT: Chamberlain, Cooper

ABSTAIN:

PUBLIC HEARING/ADOPTION OF ORDINANCES

1. Ordinance #25-16 – Amend Chapter VII, Schedule IV and Schedule I (Atlantic Street)

The Clerk read the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING CHAPTER VII (TRAFFIC) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT**

- 1a. Motion to Open Public Hearing at 8:00PM moved by Sheridan, carried by Goode with ayes by all present

There being no comments or questions, the Public Hearing was Closed at 8:01PM moved by Sheridan carried by Goode with ayes by all present

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

Roll Call: Ayes: Sheridan, Howe, Lamberson, Goode

Nays:

Absent: Chamberlain, Cooper

Abstain:

- 1c. Motion authorizing the Clerk to publish the Ordinance as adopted moved and carried with ayes by all present

2. Ordinance #26-16 – Salary Ordinance

The Clerk read the Ordinance by Title: **ORDINANCE AMENDING AND SUPPLEMENTING AN ORDINANCE FIXING THE SALARIES OF THE VARIOUS OFFICERS, CLERKS AND EMPLOYEES OF THE BOROUGH OF KEYPORT, NJ, IN THE COUNTY OF MONMOUTH AND STATE OF NEW JERSEY**

- 2a. Motion to Open Public Hearing at 8:01PM moved by Sheridan, carried by Goode with ayes by all present

There being no comments or questions, the Public Hearing was Closed at 8:02PM moved by Sheridan, carried by Howe with ayes by all present

- 2b. Motion to adopt Ordinance moved by Sheridan, carried by Goode

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

- 2c. Motion authorizing the Clerk to publish the Ordinance as adopted moved by Sheridan, carried by Goode with ayes by all present

3. Bond Ordinance #27-16 – Amend Recreation

The Clerk read the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING CHAPTER II (BOARDS, COMMISSIONS AND COMMITTEES) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT**

- 3a. Motion to Open Public Hearing at 8:03PM moved by Sheridan, carried by Goode with ayes by all present

Administrator Gallo - explained the Commission was created by State statute. We are proposing replacing the Commission with a Committee. It would be doing the same functions but under a different structure. A draft copy of the proposed ordinance was sent to the chairman who gave his approval.

There being no further comments or questions, the Public Hearing was closed at 8:06PM moved by Sheridan, carried by Howe with ayes by all present

- 3b. Motion to adopt Ordinance moved by Sheridan, carried by Goode

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

- 3c. Motion authorizing the Clerk to publish the Ordinance as adopted moved by Sheridan, carried by Lamberson with ayes by all present

4. Ordinance #28-16 – Amend Chapter III of the Borough Code, Police & Fire

Councilman Goode made a correction to the Ordinance

The Clerk read the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING CHAPTER III (POLICE AND FIRE DEPARTMENTS) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT**

- 4a. Motion to Open Public Hearing at 8:10PM moved by Goode, carried by Sheridan with ayes by all present

There being no comments or questions, the Public Hearing was Closed at 8:10PM moved by Sheridan, carried by Goode with ayes by all present

- 4b. Motion to adopt Ordinance moved by Goode, carried by Sheridan

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

- 4c. Motion authorizing the Clerk to publish the Ordinance as adopted moved by Goode, carried by Sheridan with ayes by all present

COMMUNICATIONS AND PETITIONS

1. Application for Bingo License – Keyport First Aid Squad – to be held Thursdays from March 16, 2017 – March 8, 2018
2. Application for Raffle License – Keyport First Aid Squad – for a pull-tab machine to be licensed from 3/17/17 – 3/14/18. Further requesting that all Borough licensing fees for the Bingo and Raffle licenses submitted be waived.

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

3. Application for Keyport Fire Department (Lincoln Hose Co.) for Timothy E. Regan and notice that at the December 13, 2016 meeting of Lincoln Hose Company the resignation of Randy Stout as an active member was accepted

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

4. Final results of the 2017 Keyport Fire Department Election

Motion to accept and congratulate Chief Fox moved by Goode, carried by Sheridan with ayes by all present

APPROVAL OF MINUTES

Motion to approve the November 22, 2016 – Regular Session Minutes moved by Goode, carried by Sheridan with ayes by all present

REPORTS OF DEPARTMENTS

1. Municipal Clerk's Report for November 2016
2. Tax/Water/Sewer Collector's Report for November 2016
3. Board of Health Treasurer's Report for November 2016
4. Building Department's Monthly Report for November 2016
5. Municipal Court Report for November 2016
6. Brief Overview of the Keyport Alliance to Prevent Alcoholism & Drug Abuse
7. Brief Status Report from Borough Tax Assessor

Motion to receive, file and thank the Alliance and Tax Assessor moved by Sheridan, carried by Goode with ayes by all present

COMMITTEE REPORTS

Councilman Chamberlain: Buildings/Grounds/Library: Absent

Councilman Sheridan: Finance/Grants/Redevelopment:

- Historical Society had a successful House Tour
- Had a Finance meeting regarding Budget requests
- Thanked Councilmen Howe and Chamberlain as this is their last meeting

Councilman Howe: Public Works/Recycling/Property Maintenance:

- Reminded all that sidewalks need to be snow shoveled within 24 hours
- DPW plowed and salted
- Thanked everyone who worked with him over these last four years

Councilwoman Lamberson: Police:

- Read Police Department monthly report
- Reported on the Bail Reform Act (beginning 2017) which is a new law causing increased paperwork in shorter time period
- E-ticketing has been received by the Police Department
- Ocean County Traffic Association Award was presented to Patrolman Robert Hassmiller who was a runner-up
- License plate reader has been delivered
- CERT is always looking for new members
- Wished all a Happy and Healthy Holiday

Councilman Cooper: Health/Recreation: Absent

Councilman Goode: Fire/First Aid/Emergency Services:

- Read the Fire Department call report
- 8,374.09 hours put in this year, all from volunteers
- Wished all a Happy New Year
- Thanked Councilman Howe for his service

NEW BUSINESS

None

UNFINISHED BUSINESS

None

ATTORNEY'S REPORT

The Borough Attorney stated it was a good year. All is quiet on the legal front. Most of the work was in redevelopment.

ADMINISTRATOR'S REPORT

The Administrator reported on the following:

- Met with grant counsel regarding NJ DOT based grant opportunities
- Met with NJ Green Acres to work towards finalizing funding for Waterfront Park
- Had an events meeting with the KBBC
- Interviewed prospective candidates for the Senior Center Director position
- Had a grievance discussion with union Local 68
- Met with prospective buyer of Gales Hardware along with Bob Burlew
- Met with a copier firm
- Held a unified community events meeting in an effort to devise a comprehensive events calendar for the Borough
- Met with Ed Burlew, Joe Sheridan and George Walling
- Met with redevelopment counsel about Anbaric and Mariner's Village
- Had a meeting with Anbaric
- Open Borough Projects
 - 2016 Road Improvement Program
 - Outfall Project
 - Replacement of Matawan Creek Bridge (MA-14)
 - Brown's Point Redevelopment Plan
 - Aeromarine Redevelopment Plan
 - Longview/Boatworks Redevelopment Plan
 - Long Range Flood Mitigation Planning
 - Waterfront Park Green Acres
- Post Sandy Planning Assistance Grant – Round 2
- Monmouth County Traffic Study – First Street

- Benjamin Terry Park and Veteran's Park Open Space Grant
- USDA-RD Funded – Perry Street Water Treatment Plan Upgrades
- Ladder Truck
- Keyport Main Parking Lot
- Mr. Green Tea
- Keyport Public Wi-Fi
- Inventory
- 2017 Professionals

PUBLIC COMMENT PORTION

The Meeting is opened to the public for comments or questions at 8:35PM moved by Sheridan, carried by Lamberson with ayes by all present

Collette Kennedy, 421 Atlantic Street –

- Read the CERT report
- Thanked Chief Casaletto and James Lawson for the CERT party at Old Glory
- Asked for an update on the following:
 - 911 issue
 - Safe Routes to Schools grant
 - Crosswalks on Route 36

Mayor Aumack – stated for instant service from the Police Department call 732-264-0706. It is faster than calling 911.

Paul McKeefry, 107 Maple Place – thanked Chief Casaletto and CERT members who assisted during the Historic Society's Holiday House Tour. He thanked Ken Schwartz for funding the trolleys. He stated the Historic Society Museum will open in 2017. His wife, Nancy Smalling, is the president.

Beth Lasch – asked again about including her address as a business in the BID Ordinance. After clarification from the Administrator it was made clearer that Ms. Lasch wants to be listed on the Keyport website as a Keyport business.

Attorney Nee – advised Ms. Lasch that the people she should lobby are the board members of the KBBC.

Elmer Graham, Jr. – asked the name of the prospective buyer for Gale's Hardware and for an update on the development at 45 Beers Street.

Collette Kennedy – stated she checked the website and the dates of the KBBC meetings are published.

Administrator Gallo – noted that Ms. Lasch has filed an action against the KBBC and the issues will be decided in a court of law.

Councilman Howe – mentioned the Garden Club again has decorated a part of Drumthwacket, the Governor's mansion.

Mayor Aumack – stated the next Council meeting will be held on January 1, 2017 at noon at the Central School.

There being no further comments or questions, the meeting was closed to the public at 9:01PM moved by Sheridan, carried by Goode with ayes by all present

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

CLOSED SESSION

RESOLUTION #304-16

**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, (a) negotiations relating to the development of Mariner's Village, (b) negotiations relating to the Poseidon Project by Anbaric, (c) matters relating to potential litigation, and (d) the status of interviews for the position of the Director of the Senior Center, all as authorized by N.J.S.A. 10:4-12(b)5, 7 and 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 December 20, 2016 and determined that an Executive Session closed to the public shall be held on December 20, 2016 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: Howe

SECONDED: Sheridan

AYES: Sheridan, Howe, Lamberson, Goode

NAYS:

ABSENT: Chamberlain, Cooper

Council reconvened to Open Session at 9:42PM. The Borough Attorney stated what was discussed in Closed Session:

- Property Acquisition
- Pending Negotiations
- Employment
- Potential Litigation

ADJOURNMENT

Motion to Adjourn at 9:43PM moved by Sheridan, carried by Goode with ayes by all present