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 7:06 PM and Borough Clerk Heilweil read the Sunshine Law Notice.

ROLL CALL
On Roll Call the following were present: Councilmembers Sheridan, Tomczak, McPeek, Toglia (Arrived at 7:18PM), Howe, Mayor Aumack. Others present: Borough Administrator, Lorene Wright. Borough Attorney Gordon Litwin, Esq. Absent: Lamberson

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES
September 26, 2013 – Work Session – Motion made and carried to table until next meeting

RECOGNITION
State PBA Valor Award – Unit Citation for Meritorious Service - Presented to Officers Dixon, McCartin, and Ruth.

CONSENT AGENDA
Clerk Valerie Heilweil read resolutions on the 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.)

R372-13 Payment of Bills
R373-13 Authorizing Purchase of Part for DPW Snow Plows and Sanders
R374-13 Authorizing Purchase of Video Surveillance Equipment under State Contract
R375-13 Authorizing Execution of Shared Services Agreement with Freehold Township for Licensed Water/Sewer Operator Services
R376-13 Appointment of Temporary Part-Time DPW Laborer – Alexander Meza
R377-13 Authorizing Transfer of District Management Corporation Monies to the Keyport Bayfront Business Cooperative (KBBC)

PUBLIC COMMENT PORTION
At 7:11PM the meeting was opened to the public for comments or questions on any items listed on the agenda by McPeek, carried by Sheridan with ayes by all present.

Ed Burlew, 59 W. Front Street – Asked about R375-13 Shared Services Agreement with Freehold Township for Licensed Water/Sewer Operator Services.

Administrator Wright explained the Agreement with Freehold.

Cliff Moore, President of the Keyport Bayfront Business Cooperative (KBBC) – Highlighted some of its key accomplishments:

- Restaurant guide and directory of all businesses
- Leased new Holiday decorations so as not to maintain and store
- Marketing programs for businesses
- KBBC developing its own website
- Completed all approved events
- Stronger than the Storm with Bobby Flay
- Now a 501C3
- Gave recommendations for parking ordinance

Elmer Graham Jr., 22 St. Peters Place – Asked whether the Shared Services Agreement with Freehold for Water/Sewer Operator would decrease the cost of water; asked about R377-13 KBA funds to go to the KBBC.

Administrator Wright explained that water fees did not increase.

Michael Lane, 51 First St. – Requested topics to cover under Unfinished Business:

- Post Sandy Strategic Planning Report Committee
- FEMA Insurance Claim Snapshot
- Present total assessed value of homes in the Borough
- Joint Court finances
- Status of Auxiliary Police Force
- Revaluation schedule
- 17 Atlantic Street
- Captain John's Pier Rights
- Waterfront Park concrete deterioration
- Route 36 electronic billboard
- Deterioration of Terry Park bulkhead

Robert Aumack, 67 W. Front St. –

- Asked status of Bayshore Bar and Grill
- Put in a letter regarding Fire Department budget and items purchased below State Contract
- Complained about not being instructed on how to budget and make purchases

Administrator explained purchase under State Contract.

Councilwoman Tomczak – Thinks there should be education on purchasing at the beginning of each year.

Councilman Howe – Spoke in favor of R374-13 Video Surveillance.

At 7:46PM the meeting closed to the public for comments by Sheridan, carried by McPeek with ayes by all present.

APPROVAL OF RESOLUTIONS

Motion on the Consent Agenda made by Howe, carried by McPeek.

Roll Call:
Ayes: Sheridan, Tomczak, McPeek, Toglia, Howe
Nays:
Abstain: Tomczak from R372-13 Payment of Bills to Future Sanitation.
Absent: Lamberson

RESOLUTION R378-13 – KEYPORT BID, INC. BUDGET INTRODUCTION

1a. Motion to introduce made by Tomczak, carried by Sheridan,

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

1b. Motion authorizing the Clerk to publish the Keyport BID budget as introduced for a public hearing.
Motion made by Sheridan, carried by McPeek with ayes by all present.

COMMUNICATIONS AND PETITIONS

1. Results of the Keyport Fire Department Election of December 4, 2013.

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

UNFINISHED BUSINESS

Councilman McPeek would like a vending machine in the building, perhaps a non-profit organization.

Attorney will look into it.

JOINT COURT – Tomczak - Reported there was a meeting of the three Mayors involved in the Joint Court.

Recommendations made were:

- The Joint Court hire a new prosecutor.
- Opt out of Joint Court – revenue is down, nowhere near projected, although ticket-writing is not. Took months to get reports. Borough would then have a year to discuss other options including having a Joint Court here.

Mayor had a concern that it will not be that easy to undo the Joint Court. Assignment Judge Lawson would have to give the okay.

Howe – Agreed with the recommendation to opt out of the Joint Court.

Motion to have attorney prepare resolution to opt out of Joint Court made by Tomczak, carried by Toglia with ayes by all present.

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

Under the Agreement, the three Mayors make a recommendation for Prosecutor and Public Defender, although Hazlet makes the choice.

Mayor stated Tier I of the Post Sandy Strategic Planning Report Committee has met. Tier II Committee will be meeting December 18th. Grant monies depend on the actions of the Committee.

Administrator – Awaiting money from FEMA. All clarifications (Dec. 20th deadline) have been sent back.

Councilman Howe – Route 36 Electronic Billboard – physical repairs have been made; awaiting electronic repairs. Repairs are necessary since it has been sitting in the elements for a couple of years.

Councilwoman Tomczak – Auxiliary Police Force – Have not received any volunteers to staff it; it currently exists only on paper.

Administrator – Master Plan made recommendations for ordinance changes. Council received approved Master Plan from Planning Board. Now it would be up to Council to amend those Ordinances.

Attorney – Captain John Lease – Tied up with ROSI discussion; awaiting a letter from Green Acres on their decision.

Administrator – Does not know assessed value numbers but will inquire with tax assessor.

Michael Lane – Would like the window of dates where residents can expect a revaluation inspection.

Attorney – 17 Atlantic Street – Requested an opinion under the Construction Board of Appeals.

Construction Official Bob Burlew –

- Stated 17 Atlantic Street was a zoning issue, not a construction issue. States that there is no conclusion.
- Gave an update on the status of Bayside Bar. The Building is unsightly but safe, and needs to be completely redone. Violations have been issued for property maintenance and imminent hazard.

Administrator – No further information on concrete spalling deterioration at Waterfront Park.

Tomczak – Spoke of garage/litter condition in the downtown area.

Administrator – Inquired whether FiOS is available for Borough Hall. We will be informed when FiOS becomes available in the downtown business district.

Howe – Would like to be sure that they provide their own router.

NEW BUSINESS

Howe –

- Would like annual meetings instructing department heads on purchasing.
- Affordable HealthCare Act includes volunteers, which would bring us to over 50 employees.
- Needs to do a better job informing the public of the Holiday schedule for the Borough.

ATTORNEY REPORT - NONE

ADMINISTRATOR'S REPORT

- Grant money available for storm risks
- DEP Blue Acres Program funding is available to some homes that flooded
- USDA project – Received information on availability of funding
- Application for NJEIT needs to be in by the end of December
- Affordable Care Act – Preparing a report on how it relates to Keyport
- Tax Map update is 99% complete

PUBLIC COMMENT PORTION

At 9:04PM the meeting was open to the public for comments or questions by Sheridan, carried by Toglia with ayes by all present.

Ed Burlew, 59 W. Front St. –

- Stated that in the parking lot behind American Legion Drive, he believes the signs are in the wrong place
- Says Jehovah Witnesses are reluctant to park in the Division Street parking lot because there are junk cars there when 24-hour parking is prohibited.
- Spoke about Bayside Bar condition
- Spoke about the increase in the new BID's budget
- Suggested Council look into things more before making a decision

Michael Lane, 51 First St. –

- Agrees with the Council decision to opt out of the Joint Court. Inquired why the Joint Court cannot be done on a rotating basis.
- Would like a date when the electronic billboard will be in operation
- Would like Council to get an update on the change in assessed value after the revaluation currently being conducted
- Would like an update on Borough Hall water leaks
- Would like a list on the agenda of all unfinished business – some may be listed as NR/NC (No Report – No Change)
- Would like the schedule for public input for Post Sandy Strategic Planning Report – would like the draft report to be available ahead of time
- Requesting an updated snapshot FEMA report

Administrator – We are currently in negotiations with the insurance carrier for adjustment of the insurance loss.

Elmer Graham Jr., 22 St. Peters Place –

- Asked about the Keyport Library situation
- Would like to see a new Santa statue at the Waterfront

Toglia – Library is working on the audit

Ed Burlew, 59 W. Front St. – Says Borough has the two KBA Santa Clauses, which were a big draw; Would like to see them put up.

At 9:43PM motion made to close the Public Comment portion was made by Sheridan, carried by Tomczak with ayes by all present.

CLOSED SESSION

Motion made at 9:43PM to go into closed session after a five minute break moved by Sheridan, seconded by Tomczak.

RESOLUTION No. 379-13
CLOSED EXECUTIVE SESSION

1. Resolution #379-13 Closed Session Meeting Personnel, Contract Negotiations,

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:

- Personnel:
  - Police Department Pay Issue
  - Administrative Performance Review
- Contract Negotiations:
  - Property Acquisition

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 and Contract Negotiations be conducted at said Closed Session shall be disclosed when the matters discussed are resolved and this meeting shall continue in approximately 20 minutes.

Offered for adoption by: Sheridan, Seconded by: Tomczak

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

Motion made and carried at 10:03PM to come out of closed session and reconvene in open session with ayes by all present.

Attorney reported what was discussed in closed session:

- Personnel Grievance:
  - Police Department Pay Issue
  - Administrative Performance review
- Contract negotiation:
  - Property Acquisition

ADJOURNMENT

Motion made and carried to adjourn at 10:25PM.