

Keyport, New Jersey
January 15, 2004

Approved
12/20/05

Minutes of the Special Meeting of the Mayor and Council, Borough of Keyport, held on the above date in the Keyport First Aid, 1927 Atlantic Street, Keyport, N.J. pursuant to being called by Mayor Merla in accordance with the Open Public Meetings Act. Notices were faxed to the Courier, Asbury Park Press, Independent, Two River Times and Newark Star Ledger and posted on the Bulletin Boards.

Mayor Merla called the meeting to order at 7:00 P.M. and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Wedick, Doyle, Atkins, Stalter, Hyer. Absent: Councilman Bergen. Others present: Attorney Kain, Engineer Freda, Redevelopment Counsel Brian Mullen.

Mayor Merla said he made a Statement on January 1, 2004 that he has been in local government for 18 years and it seems no onerespects each other. He requested everyone follow the rules this evening. The Planner developed a study for the waterfront, Business District and Residential District. He said the people may speak with the Planner, Borough Attorney and State of New Jersey for 5 minutes taking turns before speaking again.

The Borough was awarded a grant from the State in the amount of \$82,500.00 to do a Development Study. To date, Council has authorized a Smart Growth Ad Hoc Committee (1 ½ years ago) and the Borough had listed all of its assets and liabilities when the grant was received for Smart Growth (this information was reported to Council). The Borough accepted the \$82,500 Grant from the State of New Jersey and a Planner was hired for the plan.

This evening is the public hearing. This is the first time Mayor and Council will hear from the State and what the Planner has in mind for the grant. Adam Zellner and Joe Donald from the State are in attendance this evening as well.

The Mayor introduced Mr. Zellner and Mr. Donald and invited them to speak and explain why Keyport was chosen for this Grant. Mr. Zellner said the definition of the grant was where and how the municipality would like to grow (in accordance with State Plan). Cross Acceptance was included in the application. It was asked what the local vision is and how it would be implemented. Over the last 20 years, New Jersey has had money flow out all over. The State was creating a sprawl.

The New Jersey Departments were not coordinated. There was \$23 billion distributed a year. What Keyport submitted was its local vision. Smart Growth coordinates State money. Over the last 1 ½ year, the State has organized Departments into Smart Growth. The roads need to be maintained or added within the municipality. A handle on growth is needed and also coordination. Information can be obtained on the website and grants can be investigated.

The interest on what the vision is for Keyport comes from local input and the State provides the funding resource. Developers will build what they want, but the municipality comes up with the vision. What comes out of the plan is reviewed by the State and money is provided (it is a visionary grant). Smart Growth is all over the State. The Municipality of Hope, NJ had a vision to protect their village; if there is vacant land, a developer will decide on what is built. They wanted to protect the environment, schools, taxes. Woodbridge's plan resulted in taxes.

There are benefits to a plan. If the plan is consistent with the municipality, the State will work with the Plan. The State is committed to help Keyport with the process and the Smart Growth

offices communicate to the State what is going on. Other plans are called Smart Growth and the work is done up front. Keyport worked hard for the Grant Money and the developers are waiting. This is the first step in the process and everyone must come to a middle ground.

Mayor Merla said he would like to hear from the Planner first and said he appreciated everyone coming to this meeting. He asked for a show of hands on who received a flyer that their home is subject to eminent domain.

RESOLUTION

1. Resolution No. 68-04, Hire Part Time Account Clerk, Susan Yundzel

WHEREAS, it is necessary to hire a Part Time Account Clerk;
and

WHEREAS, funds are available in the 2004 Budget for the position.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that SUSAN YUNDZEL is hereby hired as Part Time Account Clerk at \$11.50 per hour, effective Tuesday, January 20, 2004 for a period of 30 days expiring on February 19, 2004.

BE IT FURTHER RESOLVED that as this is a part time position, there are no benefits and the maximum amount of hours permitted within one week is not to exceed 28 hours.

Offered for adoption by Mr. Wedick, second by Mr. Hyer

Roll Call Vote: Ayes: Councilmembers Wedick, Doyle, Atkins
Stalter, Hyer

Nays: None

Abstain: None

Absent: Councilman Bergen

APPEARANCE/DISCUSSION

1. **Phillips Preiss Shapiro Associates, Inc., Planner/Smart Growth Redevelopment Area Study and Plan for Borough Waterfront.** Ken Bowers introduced himself and said Paul Phillips is the President of the Planning Firm he works for. Mr. Bowers said he does not represent the developers, he has a professional interest in Keyport. He works on "Private for Public Spaces" which are non-profit. He works with open space issues. He said Smart Growth is in the beginning phase, there is no plan for eminent domain. The areas of study will be shown. The State and the Borough of Keyport are participating in this Program; an area and plan will be adopted and zoning may be changed. There will be interaction between the public and the consultants on ideas for the borough.

With regard to the waterfront, there are properties in play and the developers are looking at them. A plan will be put in place. There are opportunities with regard to public open space. There are four (4) phases of planning: redevelopment study, marketing plan, public visionary and the redevelopment area and Water Front Plan (Historic Preservation). The scope of work is: start up meetings, market analysis and workshops with analysis.

The Study areas are north of Front Street and four (4) smaller areas: Downtown Waterfront (Borough owned), Aeromarine Site, Marinas, Browns Point. The rehabilitation area is the downtown core with no eminent domain. The Area Map contains the Waterfront and north of Front Street, Keyport Marine Basin, Highway 35 to Front Street, Browns Point Marina, the Downtown area, Rehabilitation area (under utilized properties) and the Aeromarine Property east of Walnut Street (some houses are in good condition).

The Borough of Keyport has powers for eminent domain, to adopt a Redevelopment Plan, craft standards that supersede the zoning laws, to request proposals to designate a redeveloper and to utilize tax abatement. The criteria for choosing property is the condition, use and Public land.

Mr. Bowers said the reason to designate areas is to spur redevelopment, control future development, redevelopment superseding zoning and tax abatement.

The next step in the process is to look at the 4 areas and conduct an investigation, declare areas, have input workshops, draft a plan, hold a public hearing, adopt the plan and amend the Master Plan. The public will be advised through the website, participation in workshops and through submitted comments. The website for this project is: keyportplan@ppsaplanning.com.

Mayor Merla said the redevelopment area of study includes residential homes that abut the Aeromarine property. Mr. Bowers said 15 homes, if qualify can be taken through eminent domain; the homes are east of Walnut Street.

Paul Rainer, Aberdeen, asked why a Planner was hired and who is paying him for the presentation; the Borough of Keyport through the Smart Growth grant.

Candy Carey, Main Street, asked if what has been mentioned is proposed. The Borough attempted to become a Transit Village and were not successful.

Rowland Seckinger, Walnut Street, asked about the two maps (Planning Area and Redevelopment Area) being created for eminent domain. The Aeromarine, if developed, could generate cars. Mr. Seckinger said he would like to serve on the Committees. He asked that Mr. Bowers explain the term unproductive property; properties that could be put to better use - American Legion Drive Parking Lot.

Mr. Bergen arrived at 8:00 P.M.

Mayor Merla asked if there could be a disinvestment from the State. Adam Zellner said the DOT and DEP has an investment in Keyport; NJ is a \$23 billion State.

Sid Lambertson, Prospect Street, said the homes in Keyport are older and he is leary of redevelopment; someone will make money off of it. The Borough does not need high density housing. Mr. Lambertson asked if the Borough took lands, what would replace it? Mr. Bowers said he is not sure. Mr. Zellner said it would stay at the table.

Mr. Bergen asked what the Borough would like to see and if a Developer would put it there.

Mr. Malinconaco asked if a traffic study has been done and if it was done on First Street. The Mayor said one area affects another. Mike Lane, First Street, said he was alarmed and spoke with the Mayor and there was no closure. He said he was delighted to see the map was changed. He said there are statutory laws. There is a scope with the map and a statement. Mr. Lane asked who created the first map. Joe Donald, State of NJ, said he worked with the Borough and its Engineer to focus on a scope and it was determined to work on the waterfront. Mr. Lane said when the Smart Growth application was submitted, it covered the whole town and now it has been narrowed down to the Waterfront. Mr. Donald said a Strategic Redevelopment Plan is too expensive. Mr. Lane said the Master Plan has not been updated.

Mrs. Guerin, 75 First Street, said Historic homes should be put on a registry. The Historic Trust will not have redevelopment. Jack Jeandron, Main Street, said Beers Street from West Front Street to the Keyport Legion Apartments is considered Brown's point. Both have no bottom; the DEP might object to this and if they do not, the piling may have to be redeveloped. There are two structures in this area and they both tilt toward the creek.

It was asked what the criteria for unproductive property is. Paul Phillips asked if unproductive meant substandard or had safety and health issues from being abandoned i.e. Aeromarine. He asked if the property is subject to jurisdictional rules and not supercede. The Borough would have to enter into a contract with a Developer.

Mr. Bergen said redevelopment is coming and it will generate tax revenues. Candy Carey asked if the Borough's zoning laws protect the residents. The Waterfront is important to everyone. Mr. Bowers said the redevelopment area would bring out the best in the town. Mayor Merla said Developers look for loopholes.

Jennifer Henning, Main Street, said she is concerned about high density housing and asked how the stakeholders committee is chosen. The Mayor said there are Ad-hoc and task force committees that will be formed and anyone interested in being a part of them should contact the Borough Clerk.

Marilyn Lane, Pine Street, asked how the public has input. Brian Mullen, Esq., Redevelopment Attorney, will deal with the legalities of redevelopment. A redevelopment area is decided and the Redevelopment Plan would be submitted to Mayor and Council who would then refer it to the Planning Board and they would submit their recommendations or input to Mayor and Council. There will be time for input. Mr. Bergen said the votes are cast by Mayor and Council. Mayor Merla said there will be public meetings and Channel 22 will air them.

Mike Lane, First Street, asked about park land and there not being any parking. The Planner said parking will be provided in the Aeromarine area. Mr. Bergen said parks should be connected with the Waterfront area.

Patricia Knudson asked about the new Municipal Building set backs and asked how the public decides on an area. Mayor Merla said the Borough does not need to get Planning Board approval and the new Municipal Building is in line with the others. Borough Attorney Kain said the possible sale of the water Plant had to be done by public referendum. Redevelopment would be done by Ordinance. Mr. Bergen said there would be future meetings and they would be advertised and shown on Cable (Channel 22).

A resident said Marinas are privately owned and asked why the Borough is looking at them. Mr. Bowers said it is worth the investigation and the property may not function as a marina in the future.

Nancy Smalley, Maple Place, said Beers Street is in a wetlands area (there are underground streams). The Borough should obtain State or Federal expertise. The Borough would work with the State on this area.

Mr. Wedick asked when other municipalities are brought "into the mix"? Mr. Zellner said Monmouth County would be brought in to discuss future projects. Andy Willner asked if there are other similar towns that have gone through this process that could be looked at.

Sam Minor, First Street, asked if the Borough would have to obtain DEP and Wetlands approvals. Sidney Becnel, Myrtle Avenue, said there are glitches and he would want something in writing from the

Borough that the parks and 200 homes between Walnut Street and the Boat Launching Ramp would not be touched. Mr. Bowers said there will be a statement.

Matthew Montinari asked where the redevelopment would end. Mr. Mullen said Mayor and Council would vote on the area. Mr. Bergen said there would be a final, formal agreement. Mr. Montinari asked if there are Statutes that have to be abided by; the 1992 Housing Law 48:12A-5. Mr. Montinari asked Mr. Bowers if the green area on the map are the areas being considered in need of rehabilitation.

Mr. Bergen said the Marinas have certain protections and the Borough would have to negotiate with the owner and then condemn the property or relocate the marina; the Owner would have a choice.

A resident of 33 Myrtle Avenue said there is fear of eminent domain and asked how the property owners will be advised in the future if meetings are missed. Mayor Merla said a task force would be formed and the Public Meeting would be advertised on the website and on Channel 22. Mr. Bergen said the borough would follow the Open Public Meetings Act.

The Army Corps of Engineers has been involved with this matter. The Mayor said the Harbor Commission will also be involved. The Bulkhead is set; money has been awarded.

Mr. Wedick said the meetings that are taped on Channel 22 can be viewed at the Library or through the website.

Mr. Lane asked the Planner if there would be a freeze; no. Mr. Bowers said the presentation would be put on the web site. The meetings will be listed on the Borough's website and the minutes will be listed on the website.

It was asked why the property at the corner of Beers Street and West Front Street is not on the study. There is a significant issue if Kara Homes is building 52 condos. Mr. Bowers said the Borough is looking for the land to be developed. Mr. Bergen said Developers want to look at the plan and make recommendations; money should be channeled into Keyport.

George Walling, Second Street, asked Mr. Bowers what his salary is. Mr. Bowers said the contract is for \$104,000. The Borough was awarded Grant money in the amount of \$82,500 and the Borough contributed funds. Interactive meetings will be held. It was asked why the Aeromarine property was included. The Mayor said a Developer came before Council and put up escrow fees.

Claude Salomon, First Street, said the Library will coordinate it so that the users can use the computers to access this information.

There being no one further who wished to be heard, the meeting was closed to the public.

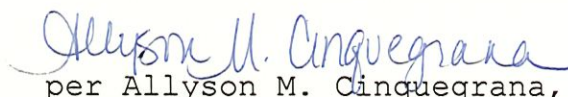
ADJOURNMENT

Motion to adjourn this meeting moved by Mr. Hyer, second by Mrs. Atkins with Ayes by all present.

Time of Adjournment: 11:00 P.M.

Respectfully submitted,


Judith L. Poling, RMC/CMC
Borough Clerk/Administrator


per Allyson M. Cinquegrana, RMC
Deputy Borough Clerk

