

Appressed 7-16-03
August 25, 2003
Keyport, New Jersey

Minutes of a Special Meeting of the Mayor and Council, Borough of Keyport, held on the above date in the Keyport Senior Center, 110 Second Street, Keyport, N.J. pursuant to being called by Mayor John J. Merla in accordance with the Open Public Meetings Act. Notices were faxed to the Courier, Asbury Park Press, Independent and Two River Times and posted on the Bulletin Boards. Also published in the Asbury Park Press as a display ad and published in the Courier as a display ad on change in location.

Mayor Merla called the meeting to order at 6:06 P.M. and read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Councilmembers Bergen (arriving at 7:00 PM), Atkins, Hyer, Doyle. Absent: Councilmembers Stalter, Green. Others present: Wesley Kain, Borough Attorney.

HEARING

1. Diversion of Ferry Service Lease

Mr. Kain advised that 4 months ago the Borough Attorney and Borough Engineer were authorized to prepare an application for submittal to Green Acres for diversion to permit the Municipal Pier to be utilized in conjunction with a commuter ferry service. As part of the procedure, a public hearing is required. The hearing was opened to the public at 6:08 PM. John Olsen, East First Street asked what the diversion was about. The Borough intends to solicit bids for a commuter ferry which is non-recreational and is applying for a temporary 2 year diversion. Mr. Olsen asked about the prior ferry service lease. The approval for Keyport Fast Ferry came after 9-11. The Borough can continue or seek a diversion. Mr. Kain explained that the present lease expires on October 15, 2003 and the Borough is seeking to re-bid the lease. The Borough is seeking Green Acres approval to use the property and have recreational trips added. Mayor Merla said the last lease was non-recreational and the Borough wants recreational/non-recreational. Green Acres will approve a 2 year lease in which time another site needs to be found; to build another pier at another site. Three companies approached offer recreational purposes. Jennifer Henning, 102 Main Street said Green Acres issues are being skirted. Ms. Henning said she went to the first meeting for the Keyport Fast Ferry; (the Borough allotted 39 spaces) and she asked where will the cars be parked. Mayor Merla said Green Acres has 3 major questions: dredging, mooring of the ferry overnight and parking. Green Acres has ok'd the allotment of 150 parking spots and the mooring overnight. Dredging is a concern. Ms. Henning said parking is a major problem and she said commuters will not shop in Keyport. Mr. Doyle said they come back on the weekends. Ms. Henning said there was a open space tax non-binding referendum question on the 2002 November ballot to be used for the waterfront. Parking has to be planned. Mayor Merla said the diversion will allow the Borough to work out problems and locate a second pier. The old sewerage plant on the waterfront could be used to erect a parking garage. The Borough has hired a Planner to develop a revitalization plan for the business district and waterfront and public meetings will be held. Ms. Henning said the questions on a traffic study, parking and environmental issues have not been answered and now there is less property for parking. Mayor Merla said if the property behind the bulkhead is just a park, where will patrons of Captain John's Fishing Boat and the trailers for the Boat Launching Ramp park? Ms. Henning said the ferry services have failed because there was no parking spots. Mr. Olsen questioned bringing in a ferry before the bulkhead project. Mayor Merla said the Borough interviewed 7 planners who all said a ferry is needed. There have been meetings with the Department of Environmental Protection, Green Acres and the Army Corp of Engineers. The diversion is to use the pier. Mr. Olsen said the Army Corp said sea protection is needed over a ferry and he asked if a ferry can survive here (in winter with ice). Mayor Merla said

no. Mr. Kain said a ferry is needed in order to qualify for a Transit Village designation. He also advised that meetings have been held regarding dredging. Mayor Merla advised that there is \$1-2.5 million dollars available if there is a site for dredged materials and there is a site. An application has been submitted to the Department of Environmental Protection. Dredging is required or no one will bid on a ferry service. Green Acres submitted two plans which would be given as a 2% loan. Of the First Street Extension, American Legion Drive, Bulkhead and Ferry Terminal, some have funding sources. The Mini Park would be listed on the Green Acres inventory. In order to qualify for Green Acres funding, there are certain things they want to see. The Department of Environmental Protection has not said they will relocate American Legion Drive, just that it would put back what was disturbed. Ms. Henning asked why the Green Acres plan was not good. Mrs. Atkins said it cuts off access to the businesses. Mayor Merla said the County will not fund or maintain the First Street Extension and it might have to be accomplished on a smaller scale. The Borough received 8 responses from Planners out of 14 solicited. Andrew Willner, 85 Osborn Street said a study was done in California showing ferry services pollute more than cars and that New York Waterways use diesel vessels. He said you have to be careful with outside vendors on the waterfront. Everything needs planning. There could be a problem with children getting on the fishing pier to fish with commuters getting off the dock and children have more rights than commuters. The Ferry should provide fishing stations and the use of their barge. Mr. Willner said the Borough can't let the parking plan for the ferry dominate the plan for the community. A parking structure could be built with a park on the top. He recommended "giving the people the pen", the public should be asked what they want instead of a Planner telling you, and the public should decide what they want. Mayor Merla said the Smart Growth Ad Hoc Committee did their work and then decided it was time that a Planner was needed. Mr. Doyle said that all of the Planners interviewed had the tools to do the process; i.e. meeting with the public. Ms. Henning said she was never invited to the Smart Growth Committee meetings. Mayor Merla said the public are informed by flyers or phone messages and the information received is not correct. Mr. Willner said a buffer is needed between activities in the Borough. Mayor Merla said with other issues, people have come out to the meetings. A resident said this was the first meeting she had heard about and has lived here for 6 years. Mayor Merla informed her that notices are on cable (she has a satellite dish) and the annual notice is published in the newspapers (1st and 3rd Tuesdays of the month). Mr. Ivan Pedersen, W. Front Street said he did not see any problem with the diversion; there is the cost of fuel and questioned the Borough building everything and taking responsibility. Mayor Merla said there have been meetings with the legislators and the present ferry lease expires in one month. Keyport Fast Ferry did not deliver and now it is time to go out to bid. Ms. Henning asked if the Borough received the last payment from Keyport Fast Ferry; no. Ms. Henning said the companies are not investing in Keyport to get more parking and the ferry will bring more traffic into the Borough. She said decisions must be made for the community. Mayor Merla said a list should be made of all the pros and cons. Mr. Henning said the waterfront is a beautiful site/property and turning it into a parking lot is a sin. Mayor Merla said with a Planner all can be accomplished and all needs accommodated. The Army Corp of Engineers changed their plan regarding the height (16 inches) of the bulkhead, and on-going litigation may effect the plans also. Claude Solomon, 135 First Street said maybe a below ground parking structure could be considered with a Park on the top. Mayor Merla said the Steamboat Dock Museum site was a perfect place, in the past boats came in there. Mayor Merla said when the Borough moves into the new Municipal Complex, meetings will be televised. Ms. Solomon said South Amboy has funding from Transit Village designation. Mayor Merla advised that a meeting was held with Dennis Dayback of the Army Corp of Engineers regarding both the Union Beach and Keyport projects and there will be another meeting. The Hearing was closed at

7:25 P.M.

RESOLUTIONS

1. Resolution #318-03, Closed Meeting-Contract Negotiations

WHEREAS, the Mayor and Council of the Borough of Keyport propose to discuss the following subjects:

Contract Negotiations

1. New Municipal Complex

WHEREAS, the Governing Body has determined that within the provisions of the Open Public Meetings Law, the Public should be excluded from the discussion of said subjects.

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 Senior Citizen Center Meeting Room for the purpose of discussing the following subjects:

Contract Negotiations

BE IT FURTHER RESOLVED that the discussions on Contract Negotiations conducted at said Closed Session shall be disclosed when the matters discussed are resolved and this meeting shall continue in approximately 20 minutes.

Offered by Councilman Hyer, seconded by Councilwoman Atkins

Roll Call Vote: Ayes: Councilmembers Bergen, Atkins, Hyer,
Doyle
Absent: Councilmembers Stalter, Green

Council went into Closed Session at 7:25 PM and this meeting was reconvened at 8:16 PM.

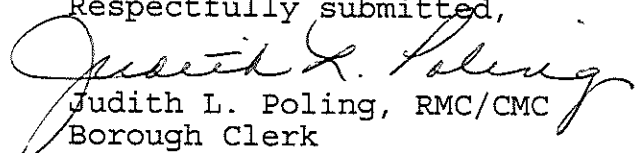
On Roll Call the following were present: Councilmembers Bergen, Atkins, Hyer, Doyle. Absent: Councilmembers Stalter, Green.

ADJOURNMENT

Motion to Adjourn moved by Mr. Hyer, seconded by Mr. Doyle with Ayes by all present.

Time of Adjournment: 8:16 PM

Respectfully submitted,


Judith L. Poling, RMC/CMC
Borough Clerk

