

September 22, 2009
Keyport, New Jersey

Minutes of a Special Meeting of the Mayor and Council, held on the above date in the Council Chambers, Municipal Complex, 70 West Front Street, Keyport, N.J. pursuant to being called by the Mayor and Borough Council, notice on file with the Borough Clerk, forwarded to the Asbury Park Press, Courier, Independent, the Newark Star Ledger and Two River Times, and posted on the Bulletin Board in accordance with the Open Public Meetings Act, P.L. 1975, Ch. 231

Mayor Robert Bergen called the meeting to order at 6:30 P.M. and Borough Clerk read the Sunshine Law Notice. The Pledge of Allegiance was said and there was a moment of silence.

ROLL CALL

On Roll Call the following were present: Councilmembers Bolte, Sefcik, Hill, Sheridan, Walling, Kovacs, Mayor Bergen. Others present: Borough Administrator Ms. Wright.

SKATE PARK COMMITTEE PRESENTATION

Administrator Wright explained the project. She mentioned that the application for the grant is due tomorrow. Some of the items mentioned:

- \$40,000 for 21 elements
- \$20,000+ for shipping and prevailing wage
- \$17,900 for refurbishing
- \$113,000 includes 13% contingency
- 92 X 52 foot area fits on this 100 X 100 foot lot
- Prior proposal did not include \$26,000 installation

Councilman Kovacs asked why not incorporate the park at American Legion Drive? He is not against the park but feels it takes more parking away from business people. Twelve parking spaces are currently in the proposed lot.

Mayor Bergen asked whether Councilman Kovacs is proposing a Change Order to the existing park project.

Councilwoman Sefcik asked to hear from the Skate Park Committee's Chris Matarese and Sophia Lamberson.

Sophia Lamberson of the Skate Park Committee, stated that they were originally looking at a complete refurbishment of Cedar Street Park and feels that it would be less expensive to use the Division Street location. She also has a concern with the bees at the Cedar Street Location.

Mayor Bergen explained what would be involved to use Waterfront Park location.

Chris Matarese of the Skate Park Committee explained that at the Waterfront Park location the basketball court would then need to be repaved. There would also need to be an opening for access of emergency vehicles which would make it more costly. The Cedar Street location would take longer to be completed.

PUBLIC HEARING

Motion was made by Councilman Hill and carried by Councilman Sheridan to open the hearing to the public at 6:47PM.

Patrick, representing the Jehovah's Witnesses, stated that members of his church use the parking in that lot so as not to disturb the residents. Administrator Wright explained that only half of the parking lot would be utilized for the skate park. Patrick stated that services are in the evening starting at 7:30PM and all day on Sundays.

Diane Brinkley, 26 Osborn - says the project is in her backyard and would be a huge impact on her quality of life. She believes there are more than twelve spaces there. She also feels there is a drainage problem at that location and had a concern about the noise. Teenagers already skate in that area. She is not opposed to the park but doesn't feel it is a suitable location.

Mayor Bergen suggested a discussion about the noise.

Jason, a manufacturer's representative of the Skate Park equipment company, spoke about the different materials used. He is suggesting either a fabricated ramp or concrete. The committee is looking at a skate lite surface which is a composite product and one of the quieter ramp solutions. Concrete would be the quietest. The Mayor suggested a bid option for concrete. Concrete would require the least maintenance as well.

Michael Curto, 59 Second Street - stated that concrete hurts more when you fall.

Jason explained that typical concrete doesn't have the same smooth surface that skate park concrete would have.

Diane Brinkley - asked about the Borough's liability if someone were to get hurt. It was explained that the liability would be the same as a child falling off of a swing set.

Robert Swingraff, 36 Cedar Street - feels the first question is to figure out the location. The Mayor explained that this Division Street location would be the best opportunity and could be completed quicker than any other location.

Councilwoman Sefcik agreed that wherever this skate park is placed it will definitely affect someone.

Mayor Bergen spoke of the redevelopment of the Aeromarine property which calls for a significant area of recreation and long-range future planning.

Gail Aceneda, 42 Cedar Street - has an eight-year old grandson who would love to see this happen. Asked whether anyone has considered the impact of kids getting to the park. She feels kids will be skateboarding to get there unless they are driven by their parents. She feels it is hard enough to get through these narrow streets. Do we want an influx of children getting to the park? Young adults from other towns will be driving there. She asked whether anyone has looked at the condition of the Keyport football field.

Jerry Tilton - Sidun Field Group (Bedle Funeral Home) - also had a concern with the location. Siden paid to have that lot paved in 1995. He agrees that the parking lot does flood. Plus there are three churches there as well as four businesses that use the lot for parking.

Councilwoman Bolte stated that she had spoken with the Police Chief who told her the funeral home had no problem with the location.

Mayor Bergen stated that most people who go to the funeral parlor use the side streets or the funeral home's own parking lot.

Jean, Cedar Street - feels that the auto body business there uses most of the parking spots and stores cars there without plates.

Tom Romond, 19 Division Street, owner of an auto body business - expressed concern regarding parking. Mayor Bergen asked Mr. Romond if cars that he works on are parked there in that lot. Mr. Romond replied that he does park registered cars. Mayor Bergen said that there would still be half the lot there for parking and that on Sundays the lot is empty. Councilwoman Bolte asked Mr. Romond if he had once attempted to purchase that lot. Mr. Romond replied that he had.

Phyllis Curto, Second Street - says that she drives kids to skate parks in other communities and feels that kids would be home at night, therefore she didn't feel there would be a noise problem.

Diane Brinkley - also had a concern that young adults will be climbing the fence to get in when it is closed.

Jackson, 62 Chandler Avenue - says he goes to a skate park in California when he visits his Dad and it is open during the week from 3PM to 8PM.

Scott Blanks - thinks the park should be open from after school until around 7:30PM.

Jean, Cedar Street - feels the parking will not be a problem. Doesn't feel you need to park right in front of where you are going.

Nina Jeandron, 65 Broad Street - asked why the location was moved. Says that lot is used for residential parking during snow removals. Also asked who would be responsible for the opening and closing of the gates. Mayor Bergen stated the Police would be responsible for opening and closing the park.

Mayor Bergen reiterated why Cedar Street location did not make economical sense.

Councilman Walling asked why this meeting was not held at the regularly scheduled meeting of September 15th. Administrator Wright explained because there needed to be a ten-day lead to put notice in the paper. Mr. Walling stated his displeasure with doing the hearing the day before the application is due.

Tom Romand - stated that he would be willing to take a collection up from the businesses and would be willing to donate money himself. Councilwoman Bolte felt that just because this lot is used by three or four businesses, it is still an underutilized lot. Mr. Romond stated he would offer \$90,000 to purchase that lot.

Councilwoman Sefcik says there would be issues for businesses even if the park were to be put on the waterfront. Mayor Bergen thinks the talk of putting it at Waterfront Park is a nice idea but would have to take out some of the improvements that have already been designed. We would be double-paying for what has already been done.

Sam Minor - suggested alternative locations.

Mike Lane, 521 First Street - Stated that at the July 14th meeting the Mayor said that neighbors would be noticed. Asked why Division Street and Osborn residents did not get noticed. Mayor responded

that an ad was properly placed notifying the public. Mr. Lane spoke about the distance from homes at the Cedar Street location and the distance from homes at the Division Street location. He stated that a park is not an allowed use in the general commercial district. Wouldn't the Borough need to go before the Planning Board for approval of this location? The Mayor responded that the Borough would not. Mr. Lane reported his sightings at the location today. He feels businesses in that area will be impacted. He passed out a photo of one of the two homes that adjoin the rear of the property. He asked about the buffering around the park. Since there is no site plan, there is no definition of the buffer. He also doesn't understand where the parking will be. The Mayor explained that this project measures 92' X 52' which is one-half of the lot. It is anticipated that parking will be available on-site.

Diane asked about the material that will be used. Where is it on the noise level? The manufacturer's representative of the equipment responded that it is on the lower level. Concrete is the quietest surface.

Another resident asked how long it will be until the kids can expect to have this park. The Administrator responded that this grant would be awarded in the Spring and it would take about 90 days to complete. The resident also asked about fund raising. Sophia Lamberson said that fund raising is a part of their plan to raise money for this park.

Chris Matarese asked Council to consider the dozens of letter of support from residents, civic groups and businesses (55).

Motion was made by Councilman Walling at 8:03PM and carried by Councilman Sheridan to close this public hearing.

Councilman Walling made a motion to accept Tom Romond's \$90,000 offer to purchase the lot. Mayor Bergen explained that the Borough would have to go out to bid to sell the Division Street lot.

Councilwoman Bolte made the motion to approve the Open Space Trust Fund Resolution. The motion was carried by Councilwoman Sefcik and further moved to correct the figures on the resolution.

Roll Call:
Ayes: Bolte, Sefcik, Hill, Sheridan
Nays: Walling, Kovacs
Absent:
Abstain:

1. Resolution No. 194-09 Resolution Authorizing Application for Open Space Trust Fund

Roll Call:
Ayes: Bolte, Sefcik, Hill, Sheridan
Nays: Walling, Kovacs
Absent:
Abstain:

COMMUNICATIONS AND PETITIONS

1. Application for a Raffle License from St. Joseph Parish for a Monthly Calendar Raffle to be held throughout November & December 2009

Motion to approve moved by Ms. Bolte, second by Mr. Sheridan with ayes by all present.

2. Application for Raffle License from Raritan Post 23, American Legion, for a pull-tab machine to be licensed from 10/13/09 - 10/12/2010

Motion to approve moved by Ms. Bolte, second by Mr. Sheridan with ayes by all present.

3. Application for a Raffle License for the Keyport Cultural Celebration Committee for an On-premise 50/50 Cash Raffle to be held on October 10th & 11th, 2009

Motion to approve moved by Ms. Bolte, second by Mr. Sheridan with ayes by all present.

4. Application for a Raffle License for the Keyport Cultural Celebration Committee for a Gift Auction (Tricky Tray) to be held October 10th & 11th, 2009

Motion to approve moved by Ms. Bolte, second by Mr. Sheridan with ayes by all present.

RESOLUTIONS

2. Resolution No. 198-09 Authorizing Cancellation of Extraordinary Bill Due to Cap
3. Resolution No. 199-09 Authorizing Payment Plan - Gambacorto
4. Resolution No. 200-09 Authorizing Payment Plan - Giamanco
5. Resolution No. 201-09 Authorizing Payment Plan - Kennedy
6. Resolution No. 202-09 Authorizing Payment Plan - Peragallo
7. Resolution No. 203-09 Authorizing Payment Plan - Rodriquez
8. Resolution No. 204-09 Authorizing Payment Plan - Sonatore
9. Resolution No. 205-09 Salary Resolution - IUOE/Clerical Employees
10. Resolution No. 206-09 Salary Resolution - IUOE/DPW

Offered for adoption by Mr. Sheridan, seconded by Ms. Bolte

Roll Call Vote: Ayes: Councilmembers Bolte, Sefcik, Hill, Sheridan, Walling, Kovacs

Nays:

Absent:

Abstain:

PUBLIC COMMENT PORTION

The meeting was opened to the public for comments or questions at 7:54 P.M.

There being no more comments or questions from the public, the meeting was closed at 8:57 P.M.

APPROVAL OF RESOLUTIONS

Motion to accept, receive and file moved by Mr. Sheridan, second by Ms. Bolte

Roll Call: Ayes: Councilmembers Bolte, Sefcik, Hill, Sheridan, Walling, Kovacs

Nays:

Abstain:

Absent:

ADJOURNMENT

Motion to adjourn was made and carried at 8:09 PM with ayes by all present.