

BOROUGH OF KEYPORT

MEETING AGENDA

TUESDAY, JANUARY 21, 2025 7:00 PM

MUNICIPAL COMPLEX COUNCIL CHAMBERS

70 W. FRONT STREET, KEYPORT, NJ

CALL TO ORDER: PM

SUNSHINE LAW NOTICE:

ROLL CALL: __ Councilmember Brady __ Councilmember Gross __ Councilmember McNamara
__ Councilmember Merla __ Councilmember Reilly __ Council President Vecchio __ Mayor Araneo

As a courtesy to those around you, please silence your cell phones

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

PROCLAMATION

Martin Luther King, Jr.

RESOLUTION NO. 2025-55

Authorizing Participation in the Civil Service Examination Exemption Program for Entry-Level Law Enforcement Positions and the Appointment of a Police Officer – *Matthew Hozer*

MM: 2nd: Roll Call: Brady, Gross, McNamara, Merla, Reilly, Vecchio

OATH OF OFFICE

Administered by Mayor Araneo

COMMITTEE REPORTS

(Councilmember is lead or co-lead liaison of Committees in bold)

Councilmember Brady: Environmental, Recreation/Senior Center, Municipal Alliance, Fire/First Aid/OEM, Green Team

Councilmember Gross: KBBC, Police, Recycling, Health/Registrar/Construction/Fire Bureau/Code Enforcement/Zoning

Councilmember McNamara: Public Works/Water-Sewer, Green Team, Cannabis, NPP, Finance/Grants, Recreation/Senior Center

Councilmember Merla: Planning Board, Redevelopment, Public Works/Water-Sewer, Harbor Commission

Councilmember Reilly: Finance/Grants, Fire/First Aid/OEM, Police, Municipal Alliance, Cannabis

Council President Vecchio: Harbor Commission, NPP, Finance/Grants, Redevelopment

Mayor Araneo: Library, Cultural/Civic, Mayors Wellness Campaign, Planning Board, KBBC, Green Team

PUBLIC COMMENTS

The Meeting is opened to the public for comments on **agenda items only**.

Opened: MM: 2ND: Closed: MM: 2ND:

CONSENT AGENDA

(All resolutions listed hereunder will be enacted in one motion. Any person may request that an item be removed for separate consideration.)

- R2025-56 Payment of Bills Listed on the December 27, 2024 Bills List
- R2025-57 Payment of Bills Listed on the January 10, 2025 Bills List
- R2025-58 Payment of Bills Listed on the January 21, 2025 Bills List
- R2025-59 State of New Jersey Department of Environmental Protection Green Acres Program
Enabling Resolution for Supplemental Funding Request
- R2025-60 Authorizing Local Matching Funds for the United States Environmental Protection
Agency (EPA) Community Projects Funding Grants Program
- R2025-61 Authorizing an Amendment to the Shared Services Agreement between the Borough of
Keyport and the Township of Middletown for Municipal Court Services
- R2025-62 Authorizing the Award of a Non-Fair and Open Contract for Professional Site Remedial
Investigation of the Perry Street Water Treatment Plant
- R2025-63 Authorizing Agreement with Realty Data Systems LLC for Real Property Data
Collection and Verification Services
- R2025-64 Appointing Phoenix Advisors, LLC as Financial Analysis Consultant for the Feasibility
Study of the Sale of the Sanitary Sewer and Drinking Water Utilities for the Borough of
Keyport
- R2025-65 Appointing CME Associates as Engineer Evaluation Consultant for the Feasibility
Study of the Sale of the Sanitary Sewer and Drinking Water Utilities for the Borough of
Keyport
- R2025-66 Authorizing Salary Adjustment to Non-Represented Employees without an
Employment Contract
- R2025-67 Authorizing Salary Increase for Superintendent of Public Works
- R2025-68 Authorizing Salary Increase for Tax Assessor
- R2025-69 Authorizing Increase in Hourly Rate of Part-Time Deputy Municipal Clerk
- R2025-70 Authorizing Increase in Hourly Rate of Secretary to Department Head in Police
Department
- R2025-71 Appointment of Class I Special Law Enforcement Officer
- R2025-72 Authorizing Provisional Appointment of Zoning Officer
- R2025-73 Appointing a Municipal Housing Liaison in Accordance with the Affordable Housing
Law for the Borough of Keyport
- R2025-74 Appointment to Library Board of Trustees
- R2025-75 Appointment to Keyport Bayfront Business Cooperative (KBBC) Board of Directors
- R2025-76 Authorizing the Award of a Non-Fair and Open Contract for Professional Legal
Services – Affordable Housing Counsel
- R2025-77 Resolution of the Council of the Borough of Keyport Committing to Round 4 Present
and Prospective Need Affordable Housing Obligations

- R2025-78 Authorizing the Borough of Keyport to Enter into an Agreement with the Monmouth County Society for the Prevention of Cruelty to Animals for Animal Control Services
- R2025-79 Authorizing the Donation of 1990 E-One Fire Pumper to the North Carolina Department of Fire and Safety

APPROVAL OF RESOLUTIONS

Motion to approve resolutions on the Consent Agenda

MM: 2nd: Roll Call: Brady, Gross, McNamara, Merla, Reilly, Vecchio

INTRODUCTION OF 2025 KEYPORT BID, INC. BUDGET

1. RESOLUTION NO. 2025-80 Introducing the 2025 Keyport Business Improvement District (KBBC) Budget

The Clerk reads the Budget by Title: **KEYPORT BAYFRONT BUSINESS COOPERATIVE 2025 BUDGET 1.8.25**

1a. Motion to adopt Resolution No. 2025-80 Business Improvement District 2025 Budget Notice

MM: 2nd: Roll Call: Brady, Gross, McNamara, Merla, Reilly, Vecchio

1b. Motion authorizing the Clerk to publish the Budget Summary as introduced in the Asbury Park Press for a public hearing to be held on **February 18, 2025**.

MM: 2nd: Ayes: Nays:

APPROVAL OF MINUTES

2025 Reorganization Meeting Minutes

MM: 2nd: Ayes: Nays:

REPORTS

1. Municipal Clerk's Report for December 2025
2. Tax/Water/Sewer Collector's Report for December 2025
3. Board of Health Treasurer's Report for December 2025
4. Building Department Report for December 2025
5. Municipal Court Report for December 2025

MM: 2nd: Ayes: Nays:

PUBLIC COMMENTS

The Meeting is opened to the public for comments.

Comments are limited to no more than five minutes per person.

Opened: MM: 2ND: Closed: MM: 2ND:

EXECUTIVE SESSION

R2025-81 - 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. 10:4-12b, to discuss matters falling within the attorney-client privilege pursuant to N.J.S.A. 10:4-12b(7): fire department, truck traffic standards, and OPMA.

MM: 2nd: Ayes: Nays:

ADJOURNMENT

Motion to Adjourn MM: 2nd:

RESOLUTION NO. 2025-**AUTHORIZING PARTICIPATION IN THE CIVIL SERVICE EXAMINATION
EXEMPTION PROGRAM FOR ENTRY-LEVEL LAW ENFORCEMENT
POSITIONS AND THE APPOINTMENT OF A POLICE OFFICER***Matthew Hozer*

WHEREAS, the Borough of Keyport ("Borough") is governed by N.J.S.A. 11A:1-1 et seq., the Civil Service Act, and the rules and regulations established pursuant to this act; and

WHEREAS, P.L.2021, c.7 provides for the Civil Service Commission to exempt a person from the requirement to take an examination for an entry-level law enforcement position provided the individual successfully completes a full Basic Course for Police Officers training course at a school approved and authorized by the New Jersey Police Training Commission within nine months from the date of hire as a temporary entry-level officer; and

WHEREAS, P.L. 2021, c.7 also provides that a municipal police department may hire a person exempt from the Civil Service requirement to take an examination for an entry-level law enforcement position upon adoption of a resolution by the governing body authorizing such hiring and the adoption of a conflict of interest and nepotism policies; and

WHEREAS, the Borough has previously established a conflict of interest policy (Section 1.14) and a nepotism policy (Section 5.02A) as provided in the Borough's Personnel Policies & Procedures Manual; and

WHEREAS, the Chief of Police has recommended the Borough affirmatively "opt in" and authorize such hiring to provide for the selection of a qualified individual who has completed the necessary training required by the New Jersey Police Training Commission; and

WHEREAS, the Chief of Police has further recommended the appointment of Matthew Hozer as a Police Officer pursuant to this exemption.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Keyport, in the County of Monmouth, State of New Jersey, as follows:

1. The Borough of Keyport is hereby authorized to participate in the program to hire persons exempt from the Civil Service examination process for entry-level law enforcement positions provided the individual successfully completes a full Basic Course for Police Officers training course at a school approved and authorized by the New Jersey Police Training Commission within nine months from the date of hire as a temporary entry-level officer.
2. Matthew Hozer is hereby appointed to the position of Police Officer for a probationary period of one year effective January 21, 2025. Matthew Hozer will complete the training course approved by the New Jersey Police Training Commission in May of 2025. The Borough Administrator and Chief of Police are authorized to execute all documents necessary to effectuate participation in this Civil Service exemption program and the appointment of Police Officer Matthew Hozer.

3. The Borough Clerk is directed to transmit a certified copy of this resolution to the Borough Administrator, Chief of Police and the New Jersey Civil Service Commission.

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on January 21, 2025.

Michele Clark, RMC
Borough Clerk

12/27/24

RESOLUTION FOR THE PAYMENT OF BILLS

R25-56

Be it resolved by the Mayor and the Council of the Borough of Keyport, New Jersey that the following numbered vouchers be paid to the person therein respectively and hereinafter named, for the amounts set opposite their respective names, and endorsed and approved on said vouchers.

NUMBER OF VOUCHERS	BANK ACCOUNT	AMOUNT
See attached listing		
	CURRENT ACCT. 2024	\$ 169,780.22
	WATER/SEWER ACCT. 2024	\$ 27,559.48
	PAYROLL FUND BUDGET	\$ 23,843.07
	FEDERAL & STATE GRANTS	\$ 5,215.76
	TRUST OTHER FUND	\$ 6,275.00

AUTHORIZED PER RESOLUTION

PASSED:

APPROVED:

MAYOR ROSE P. ARANEO

ATTEST:

MICHELE CLARK, BOROUGH CLERK

OFFERED BY:

SECOND BY:

ROLL CALL VOTE:

AYES:

NAYS:

ABSTAIN:

ABSENT:

I, MICHELE CLARK, BOROUGH CLERK HEREBY CERTIFY THIS TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT AT THE _____ MEETING OF

MICHELE CLARK, BOROUGH CLERK

1/10/25

RESOLUTION FOR THE PAYMENT OF BILLS

225-57

Be it resolved by the Mayor and the Council of the Borough of Keyport, New Jersey that the following numbered vouchers be paid to the person therein respectively and hereinafter named, for the amounts set opposite their respective names, and endorsed and approved on said vouchers.

NUMBER OF VOUCHERS	BANK ACCOUNT	AMOUNT
See attached listing		
	CURRENT ACCT. 2024	\$ 26,087.47
	WATER/SEWER ACCT. 2024	\$ 4,586.95
	CURRENT ACCT. 2025	\$ 265,878.93
	WATER/SEWER ACCT. 2025	\$ 419,137.36
	PAYROLL FUND BUDGET	\$ 850.00
	FEDERAL & STATE GRANTS	\$ 4,754.97
	TRUST OTHER FUND	\$ 3,935.00

AUTHORIZED PER RESOLUTION

PASSED:

APPROVED:

MAYOR ROSE P. ARANEO

ATTEST:

MICHELE CLARK, BOROUGH CLERK

OFFERED BY:

SECOND BY:

ROLL CALL VOTE:

AYES:

NAYS:

ABSTAIN:

ABSENT:

I, MICHELE CLARK, BOROUGH CLERK HEREBY CERTIFY THIS TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT AT THE _____ MEETING OF

MICHELE CLARK, BOROUGH CLERK

1/21/25 RESOLUTION FOR THE PAYMENT OF BILLS: R25-58

Be it resolved by the Mayor and the Council of the Borough of Keyport, New Jersey that the following numbered vouchers be paid to the person therein respectively and hereinafter named, for the amounts set opposite their respective names, and endorsed and approved on said vouchers.

NUMBER OF VOUCHERS	BANK ACCOUNT	AMOUNT
See attached listing		
	CURRENT ACCT. 2024	\$ 120,802.63
	WATER/SEWER ACCT. 2024	\$ 18,939.73
	CURRENT ACCT.2025	\$ 2,040,313.24
	WATER/SEWER ACCT.2025	\$ 10,864.23
	ANIMAL CONTROL TRUST	\$ 1,400.00
	GENERAL CAPITAL FUND	\$ 25,973.50
	FEDERAL & STATE GRANTS	\$ 1,163.50
	TRUST OTHER FUND	\$ 5,695.05
	REC BAYFRONT IMPROVEMNT	\$ 2,977.00
	OPEN SPACE TRUST FUND	\$ 5,407.75
	DEVELOPERS ESCROW	\$ 5,221.00

AUTHORIZED PER RESOLUTION

PASSED:

APPROVED:

MAYOR ROSE P. ARANEO

ATTEST:

MICHELE CLARK, BOROUGH CLERK

OFFERED BY:

SECOND BY:

ROLL CALL VOTE:

AYES:

NAYS:

ABSTAIN:

ABSENT:

I, MICHELE CLARK, BOROUGH CLERK HEREBY CERTIFY THIS TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT AT THE _____ MEETING OF

MICHELE CLARK, BOROUGH CLERK

225-59
AMENDED

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM

ENABLING RESOLUTION for SUPPLEMENTAL FUNDING REQUEST

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Borough of Keyport has previously obtained a Green Acres grant of \$900,000 from the State to fund the following project(s):

#1324-23-020 Fireman's Park Improvements; and

WHEREAS, the Borough of Keyport desires to further the public interest by requesting an additional Green Acres grant of \$872,000 to fund the project(s); and

WHEREAS, the State shall determine if the supplemental funding request is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State's funds in accordance with its rules, regulations and applicable statutes, and is willing to enter into an Amendment of the Agreement with the State for the above-named project;

NOW, THEREFORE, the governing body/board resolves that:

1. Rose P. Araneo, or the successor to the office of Mayor is hereby authorized to:
 - (a) request such a loan and/or such a grant,
 - (b) provide additional information and furnish such documents as may be required, and
 - (c) act as the authorized correspondent of the above-named applicant; and
2. The applicant agrees to provide the local government/nonprofit share if a match is required.
3. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
4. This resolution shall take effect immediately.

CERTIFICATION

I, Michele Clark, Municipal Clerk do hereby certify that the foregoing is a true copy of a resolution adopted by Council of the Borough of Keyport at a meeting held on the 21st day of January 2025.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this ____ day of _____, ____.

(name and title of Secretary or equivalent)

RESOLUTION NO. 2025-

AUTHORIZING LOCAL MATCHING FUNDS FOR THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (EPA) COMMUNITY PROJECTS FUNDING GRANTS PROGRAM

WHEREAS, the United States Environmental Protection Agency (EPA) will award and administer water infrastructure projects identified as Congressionally Directed Spending to be administrated through the EPA Community Project Funding program in the Consolidated Appropriations Act of 2023 (P.L. 117-328); and

WHEREAS, the Borough of Keyport, as the owner and operator of the Borough's municipal water system, has been awarded 2023 Congressionally Directed Spending funding in the amount of \$2,347,000 to partially fund the Walnut Street Area Water Main Project; and

WHEREAS, in order to obtain this funding, the Borough of Keyport shall submit an application to the EPA Community Project Funding program; and

WHEREAS, the EPA shall determine if the application is complete and conforms with the scope and intent of the Community Project Funding; and

WHEREAS, the Borough of Keyport is required to contribute \$586,750 which is the 20% cost share requirement of the total project grant cost of \$2,933,750.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Keyport as follows:

- a. The Borough of Keyport shall make application to the EPA Community Project Funding Program as the owner and operator the municipal water system; and
- b. Provide additional application information and furnish such documents as may be required; and
- c. Comply with all applicable federal, state and local laws, rules, and regulations in its performance of the Walnut Street Area Water Main Project.

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on January 21, 2025.

Michele Clark, RMC
Borough Clerk

RESOLUTION NO. 2025-

**AUTHORIZING AN AMENDMENT TO THE SHARED SERVICES AGREEMENT
BETWEEN THE BOROUGH OF KEYPORT AND THE TOWNSHIP OF
MIDDLETOWN FOR MUNICIPAL COURT SERVICES**

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., allows a local unit to enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction, including services incidental to primary purposes of any of the participating local units; and

WHEREAS, N.J.S.A. 2B:12-1(c) allows two or more municipalities to provide jointly for courtrooms, chambers, equipment, supplies and employees for their municipal courts without establishing a joint municipal court; and

WHEREAS, the Township of Middletown has agreed to allow the Borough of Keyport to utilize the Middletown Municipal Courtroom, facilities, and equipment in accordance with the terms and conditions of a Shared Services Agreement dated June 24, 2024; and

WHEREAS, the Borough of Keyport and the Township of Middletown wish to amend their Shared Services Agreement to allow Keyport to utilize Middletown's prosecutor for an annual cost of \$28,000 and public defender for an annual cost of \$12,000 to serve during Keyport's court sessions; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, in the County of Monmouth, State of New Jersey as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth herein at length.
2. The Mayor is hereby authorized to execute an amendment to the Shared Services Agreement between the Borough of Keyport and the Township of Middletown, for the aforesaid municipal court services effective January 23, 2025.
3. The Municipal Clerk shall transmit a copy of this Resolution and the executed Shared Services Agreement to the Division of Local Government Services at the New Jersey Department of Community Affairs for informational purposes pursuant to N.J.S.A. 40A:65-4(b).
4. The Borough Administrator be and is hereby authorized to undertake such acts as are reasonable and necessary to accomplish the purposes of this Resolution

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on January 21, 2025.

Michele Clark, RMC
Borough Clerk

RESOLUTION NO. 2025-**AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR
PROFESSIONAL SITE REMEDIATION SERVICES IN CONNECTION WITH
REMEDIAL INVESTIGATION OF THE PERRY STREET
WATER TREATMENT PLANT**

WHEREAS, the Borough of Keyport has a need for professional site remediation services in connection with remedial investigation of the Perry Street Water Treatment Plant to evaluate the impacts to soil and groundwater due to a discharge from a diesel fuel UST; and

WHEREAS, CME Associates has set forth its proposed services in a written proposal dated December 18, 2024, a copy of which is available at the office of the Borough Clerk; and

WHEREAS, the scope of work for the project encompasses utility mark-out, soil investigation, preliminary groundwater sampling and well installation and groundwater sampling; and

WHEREAS, the proposed amount of the contract with CME Associates is \$27,000.00 as follows:

LSRP/Project Management Services - \$ 2,500.00
Soil and Groundwater Sampling - \$24,500.00

WHEREAS, such professional site remediation services can only be provided by licensed professionals and the firm of CME Associates, 3759 Highway 1 South, Suite 100, Monmouth Junction, New Jersey 08852, is so recognized; and

WHEREAS, the governing body has determined that it is in the best interest of the Borough to retain CME Associates for the proposed professional site remediation services in connection with remedial investigation of the Perry Street Water Treatment Plant as set forth in its proposal; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$27,000.00 for professional site remediation services as stated in CME Associates' proposal dated December 18, 2024; and

WHEREAS, CME Associates has completed and submitted a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee in the Borough of Keyport in the previous one year and that the contract will prohibit CME Associates from making any reportable contributions through the term of the contract; and

WHEREAS, CME Associates has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c 271; and

WHEREAS, certification of availability of funds is hereby provided by the Chief Financial Officer of the Borough of Keyport;

I hereby certify that funds are available as follows:

Need acct #

Chief Financial Officer

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et. seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, in the County of Monmouth, State of New Jersey as follows:

1. CME Associates is hereby retained to provide professional site remediation services in connection with remedial investigation of the Perry Street Water Treatment Plant as described above and in their proposal dated December 18, 2024, for an amount not to exceed \$27,000.00.
2. The contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a). The Mayor and Borough Clerk are hereby authorized to sign said contract.
3. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Keyport.
4. This Resolution shall take effect immediately.
5. The Borough Clerk is hereby directed to publish notice of this award as required by law.

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on January 21, 2025.

Michele Clark, RMC
Borough Clerk

R25-63

RESOLUTION NO. 2025-

**AUTHORIZING AGREEMENT WITH REALTY DATA SYSTEMS, LLC
FOR REAL PROPERTY DATA COLLECTION AND VERIFICATION SERVICES**

WHEREAS, the Borough of Keyport, County of Monmouth (the "Borough") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Borough is seeking to engage in the collection and verification of all data of real properties located within the Borough (the "Services"); and

WHEREAS, the Borough prepared a request for proposals for an agreement with a vendor to perform the Services for the Borough for a period of three (3) years with an option to renew the agreement for two (2) additional extension terms of one (1) year; and

WHEREAS, on December 20, 2024, Realty Data Systems LLC (RDS), 2 Majestic Avenue, Suite 2, Lincroft, New Jersey, 07738, submitted the lone bid and proposal in response to the request for proposals; and

WHEREAS, the proposed agreement with RDS would be a total contract amount of seventy-seven thousand, two hundred eight three dollars (\$77,283) for the entire term of the agreement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Council of the Borough of Keyport as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Mayor of the Borough, the Acting Borough Administrator and other reasonably necessary personnel are hereby authorized and directed to enter into the agreement with RDS for the collection and verification of all data of real properties located within the Borough, substantially in the form on file with the Borough Clerk, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor of the Borough in his discretion in consultation with legal counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Agreement.
3. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.
4. A copy of this Resolution shall be available for public inspection at the offices of the Borough Clerk.
5. This Resolution shall take effect as provided by law.

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting of January 21, 2025.

Michele Clark, RMC
Borough Clerk

RESOLUTION NO. 2025-**APPOINTING PHOENIX ADVISORS, LLC AS FINANCIAL ANALYSIS
CONSULTANT FOR THE FEASIBILITY STUDY OF THE SALE OF THE SANITARY
SEWER AND DRINKING WATER UTILITIES FOR THE BOROUGH OF KEYPORT**

WHEREAS, the Borough of Keyport ("Borough") owns and operates sanitary sewer and drinking water utilities for the benefit of its residents; and

WHEREAS, the Borough Council has determined that it is in the public interest to evaluate the feasibility of selling these utilities to a third-party operator; and

WHEREAS, the Borough requires the services of a qualified financial analysis consultant to conduct a feasibility study for the potential sale of the sanitary sewer and drinking water utilities; and

WHEREAS, Phoenix Advisors, LLC, having demonstrated expertise in municipal financial consulting, has submitted a proposal to provide the required services for a total cost of \$12,000; and

WHEREAS, the Borough's Chief Financial Officer has certified that funds are available for this purpose to charge account number 5-09-55-502-502-208.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, County of Monmouth, State of New Jersey, as follows:

1. Phoenix Advisors, LLC is hereby appointed as the financial analysis consultant for the Borough of Keyport to conduct a feasibility study regarding the potential sale of the sanitary sewer and drinking water utilities.
2. The Borough shall enter into a professional services agreement with Phoenix Advisors, LLC for the services outlined in their proposal, at a total cost not to exceed \$12,000.
3. The Mayor and Borough Administrator, are authorized to execute any and all necessary documents to effectuate the terms of this resolution.
4. This appointment is made after advertising for a professional service under the provisions of N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law.
5. A copy of this resolution and the executed agreement with Phoenix Advisors, LLC shall be on file and available for public inspection in the Office of the Borough Clerk.
6. This resolution shall take effect immediately upon adoption.

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on January 21, 2025.

Michele Clark, RMC
Borough Clerk

2025-65

RESOLUTION NO. 2025-

**APPOINTING CME ASSOCIATES AS ENGINEER EVALUATION CONSULTANT
FOR THE FEASIBILITY STUDY OF THE SALE OF THE SANITARY SEWER AND
DRINKING WATER UTILITIES FOR THE BOROUGH OF KEYPORT**

WHEREAS, the Borough of Keyport ("Borough") owns and operates sanitary sewer and drinking water utilities for the benefit of its residents; and

WHEREAS, the Borough Council has determined that it is in the public interest to evaluate the feasibility of selling these utilities to a third-party operator; and

WHEREAS, the Borough requires the services of a qualified engineer evaluation consultant to conduct a feasibility study for the potential sale of the sanitary sewer and drinking water utilities; and

WHEREAS, CME Associates, having demonstrated expertise in municipal engineer consulting, has submitted a proposal to provide the required services for a total cost of \$49,778; and

WHEREAS, the Borough's Chief Financial Officer has certified that funds are available for this purpose to charge account number 5-09-55-502-502-208.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, County of Monmouth, State of New Jersey, as follows:

1. CME Associates is hereby appointed as the engineer evaluation consultant for the Borough of Keyport to conduct a feasibility study regarding the potential sale of the sanitary sewer and drinking water utilities.
2. The Borough shall enter into a professional services agreement with CME Associates for the services outlined in their proposal, at a total cost not to exceed \$49,778.
3. The Mayor and Borough Administrator, are authorized to execute any and all necessary documents to effectuate the terms of this resolution.
4. This appointment is made after advertising for a professional service under the provisions of N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law.
5. A copy of this resolution and the executed agreement with CME Associates shall be on file and available for public inspection in the Office of the Borough Clerk.
6. This resolution shall take effect immediately upon adoption.

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on January 21, 2025.

Michele Clark, RMC
Borough Clerk

R25-64

RESOLUTION NO. 2025-

**AUTHORIZING SALARY ADJUSTMENT TO NON-REPRESENTED
EMPLOYEES WITHOUT AN EMPLOYMENT CONTRACT**

WHEREAS, the Mayor and Council of the Municipality of Keyport recognizes the contributions and services of the non-represented employees of the Borough; and

WHEREAS, the Mayor and Council have determined that it is in the best interest of the Borough to authorize salary adjustments for said non-represented employees without an employment contract to reflect changes in compensation to an additional 3% on the base annual salary; and

WHEREAS, it is the intent of the Mayor and Council to ensure that the compensation of non-represented employees without an employment contract remains fair, competitive, and aligned with the Borough's fiscal goals.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, County of Monmouth, State of New Jersey, that the salary adjustments for non-represented employees without an employment contract are hereby authorized for an amount of 3% for the 2025 year pro-rated; and

BE IT FURTHER RESOLVED that the Borough Administrator and Chief Financial Officer are hereby authorized and directed to implement the necessary salary adjustments, effective 1/1/2025, and take any and all actions necessary to effectuate the terms of this resolution; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be provided to the Borough Administrator, Chief Financial Officer, and all other relevant parties for their information and guidance.

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on January 21, 2025.

Michele Clark, RMC
Borough Clerk

RESOLUTION NO. 2025-

**AUTHORIZING A SALARY INCREASE FOR THE
SUPERINTENDENT OF PUBLIC WORKS**

William Kane

WHEREAS, the Borough of Keyport (Borough) recognizes the dedicated service of William Kane, who serves as the Superintendent of Public Works; and

WHEREAS, the employment agreement between the Borough and William Kane provides for periodic salary adjustments; and

WHEREAS, it has been determined that a salary increase of 3.5% is appropriate in recognition of his continued service and contributions; and

WHEREAS, this salary increase shall be pro-rated to take effect from October 1, 2024 through December 31, 2025.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, in the County of Monmouth, State of New Jersey:

1. The salary for William Kane, as Superintendent of Public Works, shall be increased by 3.5%, effective October 1, 2024 through December 31, 2025, and will be pro-rated accordingly.
2. The Chief Financial Officer is hereby authorized and directed to implement the salary adjustment in accordance with this resolution and the terms of the employment agreement.
3. A certified copy of this resolution shall be provided to the Chief Financial Officer and William Kane for their records.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon its adoption.

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on January 21, 2025.

Michele Clark, RMC
Borough Clerk

R25-68

RESOLUTION NO. 2025-

AUTHORIZING SALARY INCREASE FOR TAX ASSESSOR

Michael Delre

WHEREAS, in accordance with the provisions of N.J.S.A. 40A:9-146 et seq., as amended and supplemented, the Office of Tax Assessor was created in the Borough of Keyport (the "Borough"); and

WHEREAS, Michael Delre serves as the Tax Assessor for the Borough; and

WHEREAS, the Borough recognizes the need to adjust salaries periodically to reflect performance, market conditions, and cost of living adjustments; and

WHEREAS, the Borough finds it appropriate to adjust the salary of the Tax Assessor to reflect a total annual compensation of \$30,000 for the fiscal year 2025.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, County of Monmouth, New Jersey, as follows:

1. The salary of Michael Delre, Tax Assessor, shall be adjusted to reflect a total annual compensation of \$30,000 for the fiscal year 2025.
2. The necessary budgetary adjustments shall be made to reflect this change.
3. The Business Administrator is authorized to take all necessary actions to implement this salary adjustment and ensure it is appropriately reflected in the Borough's payroll records.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be provided to Mike Delre, the Finance Department, and any other relevant parties for their records.

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on January 21, 2025.

Michele Clark, RMC
Borough Clerk

R25-69

RESOLUTION NO. 2025-

**AUTHORIZING INCREASE IN HOURLY RATE OF A PART-TIME
DEPUTY MUNICIPAL CLERK**

Amy Denholtz Lewandowski

WHEREAS, N.J.S.A. 40A:9-135 permits a municipality to appoint a Deputy Municipal Clerk; and

WHEREAS, Resolution #2023-199 adopted June 20, 2023, authorized the appointment of Amy Denholtz Lewandowski as part-time Deputy Municipal Clerk; and

WHEREAS, the Borough Administrator has recommended an increase to Ms. Lewandowski's rate of compensation to \$28 per hour.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that an increase to Ms. Lewandowski's rate of compensation to \$28 per hour is hereby authorized effective January 21, 2025.

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on January 21, 2025.

Michele Clark, RMC
Borough Clerk

R25-70

RESOLUTION NO. 2025-

**AUTHORIZING INCREASE IN HOURLY RATE OF
SECRETARY TO DEPARTMENT HEAD IN POLICE DEPARTMENT**

WHEREAS, Resolution #2023-288 adopted September 19, 2023, authorized the appointment of Sharleen C. De Zoysa as Secretary to the Department Head in the Police Department; and

WHEREAS, the Police Chief has recommended an increase to Ms. De Zoysa's rate of compensation to \$30 per hour for 37.5 hours per week.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that an increase to Ms. De Zoysa's rate of compensation to \$30 per hour for 37.5 hours per week is hereby authorized effective January 21, 2025.

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on January 21, 2025.

Michele Clark, RMC
Borough Clerk

RESOLUTION NO. 2025-

APPOINTMENT OF CLASS I SPECIAL LAW ENFORCEMENT OFFICER

Melissa Dias

WHEREAS, the Borough of Keyport (the "Borough") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, N.J.S.A.40A:14-146.8 et seq. authorizes the appointment of Special Law Enforcement Officers (SLEO) for a term not to exceed one (1) year; and

WHEREAS, Section 3-5.9 of the Borough Code provides for the appointment of special law enforcement officers subject to approval by resolution of the Borough Council; and

WHEREAS, the Chief of Police has recommended the appointment of Melissa Dias as a Class I Special Law Enforcement Officer and the Borough Administrator, as the designated Appropriate Authority, approves this recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Council of the Borough of Keyport as follows:

1. Melissa Dias is hereby appointed as a Class I Special Law Enforcement Officer effective January 21, 2025, for a term ending December 31, 2025, contingent upon the successful completion of a pre-employment physical examination.
2. All Special Law Enforcement Officers shall be compensated on an hourly basis within the hourly pay range established by ordinance and approved by the Chief of Police and Borough Administrator.
3. The Borough Clerk is directed to forward certified copies of this resolution to the Chief of Police and Borough Administrator.

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on January 21, 2025.

Michele Clark, RMC
Borough Clerk

RESOLUTION NO. 2025-

AUTHORIZING PROVISIONAL APPOINTMENT OF ZONING OFFICER

Paul Murphy

WHEREAS, Section 2-3.9 of the Borough Code establishes the position of Zoning Officer for the Borough of Keyport (the "Borough"); and

WHEREAS, there is a need to make a provisional appointment to the position of Zoning Officer for the Borough; and

WHEREAS, the Borough Administrator has recommended Paul Murphy for the position of Zoning Officer.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that Paul Murphy is hereby provisionally appointed as Zoning Officer on a part-time basis, for up to ten hours per week and a period not to exceed 90 days, with compensation not to exceed \$15,000.

BE IT FURTHER RESOLVED that, upon completion of the 90-day provisional period, the appointment shall become permanent.

BE IT FURTHER RESOLVED that the Borough Clerk shall forward a certified true copy of this resolution to Paul Murphy, the Borough Administrator, and the Chief Financial Officer.

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on January 21, 2025.

Michele Clark, RMC
Borough Clerk

RESOLUTION NO. 2025-**APPOINTING A MUNICIPAL HOUSING LIAISON IN ACCORDANCE WITH
AFFORDABLE HOUSING LAW FOR THE BOROUGH OF KEYPORT**

WHEREAS, the Borough of Keyport has a statutory obligation to designate a Municipal Housing Liaison to oversee the administration of affordable housing programs and ensure compliance with applicable regulations within the Borough of Keyport; and,

WHEREAS, the Municipal Housing Liaison is responsible for duties including, but not limited to, ensuring the implementation of the Borough's Affordable Housing Plan, serving as a point of contact for affordable housing inquiries, and working with the Administrative Agent to monitor compliance; and

WHEREAS, the Mayor and Council of the Borough of Keyport find it necessary and in the public interest to appoint a Municipal Housing Liaison to fulfill these responsibilities and ensure adherence to state-mandated affordable housing requirements.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, County of Monmouth, and State of New Jersey, as follows:

1. Appointment of Municipal Housing Liaison:

Amy Denholtz Lewandowski is hereby appointed as the Municipal Housing Liaison for the Borough of Keyport, effective immediately.

2. Responsibilities of the Municipal Housing Liaison:

The Municipal Housing Liaison shall:

- Serve as the primary point of contact for affordable housing inquiries within the Borough.
- Work in conjunction with the Borough's Administrative Agent to oversee and administer affordable housing units.
- Ensure the proper implementation of the Borough's Affordable Housing Plan.
- Monitor compliance with affordable housing regulations and reporting requirements.
- Perform any additional duties as required under applicable state and local affordable housing laws.

3. Support for the Municipal Housing Liaison:

The Municipal Housing Liaison shall be provided with all necessary support and resources to perform their duties effectively, including access to Borough staff, records, and consultants as needed.

4. Submission to State Agencies:

A copy of this resolution shall be provided to the New Jersey Council on Affordable Housing (or its successor agency) as required for compliance.

5. Effective Date:

This resolution shall take effect immediately.

R25-74

RESOLUTION NO. 2025-

APPOINTMENT TO LIBRARY BOARD OF TRUSTEES

Alexandra Walczak

Mayor Rose P. Araneo announces with the advice and consent of the Council, the appointment of Alexandra Walczak as a member of the Library Board of Trustees to fill an unexpired term ending December 31, 2028.

BE IT RESOLVED by the Council of the Borough of Keyport that the appointment to the Library Board of Trustees be and the same is hereby confirmed.

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on January 21, 2025.

Michele Clark, RMC
Borough Clerk

RESOLUTION NO. 2025-

APPOINTMENT TO KEYPORT BAYFRONT BUSINESS COOPERATIVE
(KBBC) BOARD OF DIRECTORS*Alfred A. Litwak*

WHEREAS, the Borough of Keyport, County of Monmouth (the "Borough") established the Keyport Business Improvement District by Borough Ordinance in accordance with the provisions of N.J.S.A. 40:56-65 et seq. and designated the Keyport Bayfront Business Cooperative (the "KBBC") as the managing entity of the Keyport Business Improvement District; and

WHEREAS, the operations of the KBBC are managed by a Board of Directors ("Board") selected in accordance with section 21-7 of the Borough Code and comprised of the Mayor, or the Mayor's designee; one (1) member of the Borough Council; one (1) member of the Recycling Committee, Environmental Commission or a Code Enforcement Official; one (1) resident or property owner not assessed by the Business Improvement District, or an employee of the Borough; and nine (9) business property owners or occupants of assessed properties located within the Business Improvement District; and

WHEREAS, there exists a need for the appointment of a business property owner or occupants of assessed properties located within the Business Improvement District to the Board and the Mayor has nominated business owner Alfred A. Litwak to serve in this position at the pleasure of the Mayor and Council until the next Board of Directors election.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Council of the Borough of Keyport that the appointment of Alfred A. Litwak to the KBBC Board to serve until the next Board of Directors election is hereby confirmed.

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on January 21, 2025.

Michele Clark, RMC
Borough Clerk

RESOLUTION NO. 2025-

**AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR
PROFESSIONAL LEGAL SERVICES - AFFORDABLE HOUSING COUNSEL**

WHEREAS, the Borough of Keyport has a need for professional legal services for affordable housing counsel pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the firm of Surenian, Edwards, Buzak & Nolan LLC has set forth its proposed services in a written proposal dated January 15, 2025, a copy of which is available at the office of the Borough Clerk; and

WHEREAS, the proposed amount of the contract with Surenian, Edwards, Buzak & Nolan LLC is not to exceed \$10,000.00; and

WHEREAS, such professional legal services can only be provided by licensed professionals and the firm of Surenian, Edwards, Buzak & Nolan LLC, 311 Broadway, Suite A, Point Pleasant Beach, NJ 08742 is so recognized; and

WHEREAS, the governing body has determined that it is in the best interest of the Borough to retain Surenian, Edwards, Buzak & Nolan LLC for the proposed professional legal services for affordable housing counsel; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$10,000.00 for professional legal services for affordable housing counsel as stated in the proposal dated January 15, 2025; and

WHEREAS, Surenian, Edwards, Buzak & Nolan LLC has completed and submitted a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee in the Borough of Keyport in the previous one year and that the contract will prohibit Surenian, Edwards, Buzak & Nolan LLC from making any reportable contributions through the term of the contract; and

WHEREAS, Surenian, Edwards, Buzak & Nolan LLC has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c 271; and

WHEREAS, certification of availability of funds is hereby provided by the Chief Financial Officer of the Borough of Keyport to charge account no. 5-01-20-155-155-209.

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et. seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, in the County of Monmouth, State of New Jersey as follows:

1. Surenian, Edwards, Buzak & Nolan LLC is hereby retained to provide professional legal services for affordable housing counsel as described above and in their proposal dated January 15, 2025, for an amount not to exceed \$10,000.00.
2. The contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a). The Mayor and Borough Clerk are hereby authorized to sign said contract.
3. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Keyport.
4. This Resolution shall take effect immediately.
5. The Borough Clerk is hereby directed to publish notice of this award as required by law.

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on January 21, 2025.

Michele Clark, RMC
Borough Clerk

RESOLUTION NO. 2025-

**RESOLUTION OF THE COUNCIL OF THE BOROUGH OF KEYPORT
COMMITTING TO ROUND 4 PRESENT AND PROSPECTIVE NEED
AFFORDABLE HOUSING OBLIGATIONS**

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2 (hereinafter "A4" or "Amended FHA"); and

WHEREAS, A4 calculates the size of the regional affordable housing need as follows "projected household change for a 10-year round in a region shall be estimated by establishing the household change experienced in the region between the most recent federal decennial census, and the second-most recent federal decennial census. This household change, if positive, shall be divided by 2.5 to estimate the number of low- and moderate-income homes needed to address low- and moderate-income household change in the region, and to determine the regional prospective need for a 10-year round of low- and moderate-income housing obligations..."; and

WHEREAS, this means that the regional need equates to 40% of regional household growth; and

WHEREAS, the 1985 version of the Fair Housing Act and A4 both prohibit a result that would compel a municipality to spend its own money on compliance; and

WHEREAS, the theory which permits a municipality to meet its obligations without municipal subsidy is zoning for "inclusionary zoning"; and

WHEREAS, inclusionary zoning most typically requires a 15% or 20% set aside; and

WHEREAS, it is not clear how a regional need predicated upon 40% of anticipated growth can be met with 15-20% set asides and without municipal subsidy; and

WHEREAS, this is exacerbated by the fact that certain other municipalities in the region have an allocation of 0% of the prospective need (new construction obligation), irrespective of the growth in that particular municipality; and

WHEREAS, A4 yields a statewide new construction obligation of over 8,400 affordable units per year; and

WHEREAS, this is a substantially higher annual number than was imposed by COAH in the "Prior Round" or any iteration of its Round 3 regulations; and

WHEREAS, A4 determines the size of the regional need, but does not calculate allocation of the need to individual municipalities; and

WHEREAS, instead, A4 required the Department of Community Affairs ("DCA") to produce non-binding estimates of need on or before October 20, 2024, which it did provide on October 18, 2024 ("DCA Report"); and

WHEREAS, the DCA Report calculates the Borough's Round 4 (2025-2035) obligations as follows: a Present Need or Rehabilitation Obligation of 29 units and a Prospective Need or New Construction Obligation of 37 units; and

WHEREAS, A4 further provides that, irrespective of the DCA's calculation, municipalities are to determine "present and prospective fair share obligation(s)...by binding resolution no later than January 31, 2025"; and

WHEREAS, this resolution satisfies the requirements of A4 by accepting the DCA estimate of need as described in the DCA Report; and

WHEREAS, Section 3 of A4 provides that: "the municipality's determination of its fair share obligation shall have a presumption of validity, if established in accordance with sections 6 and 7" of A4; and

WHEREAS, Borough's calculation of need is entitled to a "presumption of validity" because it complies with Sections 6 and 7 of A4; and

WHEREAS, the Borough specifically reserves the right to adjust those numbers based on one or any of the foregoing adjustments: 1) a windshield survey or similar survey which accounts for a higher-resolution estimate of present need; 2) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; 3) a Durational Adjustment (whether predicated upon lack of sewer or lack of water); and/or 4) an adjustment predicated upon regional planning entity formulas, inputs or considerations, including, but not limited to the Highlands Regional Master Plan and its build out, the Pinelands or Meadowlands regulations and planning document; and

WHEREAS, in addition to the foregoing, the Borough specifically reserves all rights to revoke or amend this resolution and commitment, as may be necessary, in the event of a successful challenge to A4 in the context of the Montvale case (MER-L-1778-24), any other such action challenging A4, or any legislation adopted and signed into law by the Governor of New Jersey that alters the deadlines and/or requirements of A4; and

WHEREAS, in addition to the foregoing, the Borough reserves the right to take a position that its Round 4 Present or Prospective Need Obligations are lower than described herein in the event that a third party challenges the calculations provided for in this Resolution (a reservation of all litigation rights and positions, without prejudice); and

WHEREAS, in light of the above, the Mayor and Council finds that it is in the best interest of Borough to declare its obligations in accordance with this binding resolution and in accordance with the Act and

WHEREAS, in addition to the above, the Acting Administrative Director issued Directive #14-24, dated December 13, 2024, and made the directive available later in the week that followed; and

WHEREAS, pursuant to Directive #14-24, a municipality seeking a certification of compliance with the Act shall file an action in the form of a declaratory judgment complaint “. . . within 48 hours after adoption of the municipal resolution of fair share obligations, or by February 3, 2025, whichever is sooner”; and

WHEREAS, nothing in this Resolution shall be interpreted as an acknowledgment of the legal validity of the AOC Directive and the Borough reserves any and all rights and remedies in relation to the AOC Directive; and

WHEREAS, the Borough seeks a certification of compliance with the Act and, therefore, directs its Affordable Housing Counsel to file a declaratory relief action within 48 hours of the adoption of this resolution; and

NOW, THEREFORE, BE IT RESOLVED on this ____ day of January, 2025, by the Council of the Borough of Keyport, Monmouth County, State of New Jersey, as follows:

1. All of the Whereas Clauses are incorporated into the operative clauses of this resolution.

2. The Mayor and Council hereby commit to the DCA Round 4 Present Need Obligation of 29 units and the Round 4 Prospective Need Obligation of 37 units as described in this resolution subject to all reservations of rights, which specifically include:

a) The right to adjust the number based on a windshield survey, lack of land, sewer, water, regional planning inputs, or any combination thereof;

b) As described in the WHEREAS section, all rights to revoke or amend this resolution in the event of a successful legal challenge, or legislative change, to A4;

c) All rights to take any contrary position in the event of a third party challenge to the obligations.

3. The Borough hereby directs its Affordable Housing Counsel to file a declaratory judgment complaint within 48 hours after adoption this resolution attaching this resolution.

4. The Borough hereby directs its Affordable Housing Counsel to file this Resolution with the “Program” pursuant to the requirements on A4.

5. The Borough hereby directs that this Resolution be published on the municipal website within forty-eight (48) hours of its passage, pursuant to A4.

6. This resolution shall take effect immediately, according to law.

Resolution #2025-
January 21, 2025

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Council of the Borough of Keyport at a regular meeting held on the _____ of January, 2025, a quorum being present and voting in the majority.

Michele Clark, RMC, Clerk

Rose P. Araneo, Mayor, Borough of Keyport

RESOLUTION NO. 2025-**AUTHORIZING THE BOROUGH OF KEYPORT TO
ENTER INTO AN AGREEMENT WITH THE MONMOUTH
COUNTY SOCIETY FOR THE PREVENTION OF
CRUELTY TO ANIMALS FOR ANIMAL CONTROL
SERVICES**

WHEREAS, the Borough of Keyport, County of Monmouth (the "Borough"), provides animal control services, including the regulation, collection and housing of stray animals, for the benefit of the residents of the Borough; and

WHEREAS, the Borough, to improve and enhance the safety and quality of life of the residents of the Borough, desires to contract with an animal control services provider, and wishes to retain animal control services of the Society; and

WHEREAS, the Borough received a proposal for such services from Monmouth County Society for the Prevention of Cruelty to Animals (the "Vendor") for animal control services throughout the Borough for a period of twelve months beginning January 1, 2025 for a sum of \$17,640 with the contract terminable by either the Borough or Vendor upon sixty (60) days written notice to either party; and

WHEREAS, the Chief Financial Officer certifies the availability of funds from the Animal Control Trust Fund.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Mayor, in consultation with the Borough Attorney, is hereby directed and authorized to enter into a contract, to be maintained on file with the Borough Clerk, with the Vendor for animal control services throughout the Borough for a period of twelve months beginning January 1, 2025, for a sum of \$17,640, with the contract terminable by either the Borough or Vendor upon sixty (60) days written notice to either party.
3. Sufficient funds are or will be available to pay for the associated with the Vendor's services.
4. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining part of this Resolution.
5. A copy of this Resolution shall be available for public inspection at the offices of the Borough Clerk.

6. This Resolution shall take effect as provided in law.

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of a Resolution adopted by the Mayor and Council of the Borough of Keyport at a meeting held on January 21, 2025.

Michele Clark, RMC
Borough Clerk

R25-79
AMENDED

RESOLUTION NO. 2025-

**AUTHORIZING THE DONATION OF 1990 E-ONE FIRE PUMPER TO THE
NORTH CAROLINA DEPARTMENT OF FIRE AND SAFETY**

WHEREAS, the Borough of Keyport has determined that (1) 1990 E-One Pumper having a VIN of 1 46J7B AA81L 10033 96, (the “apparatus”) being over 30 years old is no longer needed for public purposes due to physical deterioration and obsolescence; and

WHEREAS, the Borough desires to donate same to the North Carolina Department of Fire and Safety so that the apparatus may be utilized as needed in support of Hurricane Helene recovery; and

WHEREAS, N.J.S.A. 40A:11-36(2) provides that any action to donate surplus equipment, vehicles, or supplies must be authorized by a governing body resolution stating that the vehicles and equipment are no longer needed for public use before final disposition.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Keyport, New Jersey, as follows:

1. The 1990 E-One Pumper is hereby declared to be surplus as the apparatus is no longer needed for public purposes; and
2. The Borough Administrator is hereby authorized and directed to donate, on behalf of the Borough, said apparatus to the North Carolina Department of Fire and Safety.

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on January 21, 2025.

Michele Clark, RMC
Borough Clerk

R25-80

RESOLUTION NO. 2025-

BUSINESS IMPROVEMENT DISTRICT 2025 BUDGET NOTICE

SECTION I. Business Improvement District Budget of the Borough of Keyport, County of Monmouth, State of New Jersey for the Year 2025

BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the Business Improvement District Budget for the Year 2025; and

BE IT FURTHER RESOLVED that said Budget be published in the Asbury Park Press at least ten days prior to the public hearing to be held February 18, 2025.

The Mayor and Council of the Borough of Keyport do hereby approve the attached as the Business Improvement District Budget for the Year 2025.

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on January 21, 2025.

Michele Clark, RMC
Borough Clerk

KEYPORT BAYFRONT BUSINESS COOPERATIVE

2025 BUDGET 1.8.25

	<u>2024 Budget</u>	<u>2025 Budget</u>
REVENUE		
Commercial Property Assessments	\$ 171,500	\$ 171,500
Event Revenue Other	12,000	12,000
Sponsorships	5,000	5,000
Carry forward from prior year	50,000	112,700
Initial Paid In Capital		29,500
TOTAL REVENUE	\$ 238,500	\$ 330,700

	<u>2024 Budget</u>	<u>2025 Budget</u>
EXPENSES - EVENTS		
Events and Programs	\$ 70,600	\$ 60,000
Staff Support - Events		14,250
TOTAL - EVENTS	\$ 70,600	\$ 74,250

	<u>2024 Budget</u>	<u>2025 Budget</u>
EXPENSES - MARKETING AND PROMOTION		
Keyport Cash	\$ 15,000	\$ 20,000
Social Media	22,500	25,000
Website/Internet	13,550	10,000
Broadcast Media	2,200	15,000
Print Advertising	6,000	12,000
Staff Support - Marketing and Promotion		14,250
TOTAL - MARKETING AND PROMOTION	\$ 59,250	\$ 96,250

	<u>2024 Budget</u>	<u>2025 Budget</u>
EXPENSES - VISUAL IMPROVEMENTS		
Seasonal Holiday Decor	\$ 17,500	\$ 15,000
Window Decor Holidays	12,000	25,000
Seasonal Planting	5,000	10,000
Other - Improvements	15,000	45,000
Staff Support - Visual Improvements		14,250
TOTAL - VISUAL IMPROVEMENTS	\$ 49,500	\$ 109,250

	<u>2024 Budget</u>	<u>2025 Budget</u>
EXPENSES - ADMINISTRATION		
Audit, Tax Filings & Annual Report	\$ 7,600	\$ 11,000
KBBC Board Elections	1,000	2,000
Advertising Public Notices	2,000	500
Legal Fees	23,000	11,000
Office Supplies & Equipment	1,700	4,000
Insurance & Worker's Comp	3,500	1,200
Dues and Subscriptions	1,000	1,000
Professional Fees	1,350	6,000
Staff Support - Administration	18,000	14,250
TOTAL - ADMINISTRATION	\$ 59,150	\$ 50,950
TOTAL EXPENSES	\$ 238,500	\$ 330,700

RESOLUTION NO. 2025-

R25-81

**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, 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, pursuant to N.J.S.A. 10:4-12b, to discuss matters falling within the attorney-client privilege pursuant to N.J.S.A. 10:4-12b(7): fire department, truck traffic standards, and OPMA.

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 Mayor and Council assembled in public session on January 21, 2025 and determined that an Executive Session closed to the public shall be held on January 21, 2025, at approximately 7:00 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.

2. This resolution will take effect immediately.

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on January 21, 2025

Michele Clark, RMC
Borough Clerk