

**BOROUGH OF KEYPORT
REGULAR MEETING AGENDA
TUESDAY, MARCH 7, 2023 – 7:00 P.M.
MUNICIPAL COMPLEX COUNCIL CHAMBERS
70 W. FRONT STREET, KEYPORT, NJ**

CALL TO ORDER: PM

SUNSHINE LAW NOTICE:

ROLL CALL: ____ Councilmember Demarest ____ Councilmember Reilly
____ Councilmember Vecchio ____ Councilmember Peperoni ____ Councilmember McNamara
____ Council President Davidson ____ Mayor Araneo

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

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

MAYOR'S UPDATES

PUBLIC COMMENT PORTION

The Meeting is opened to the public for comments on Resolutions and Communications only.

Opened: Closed:

CONSENT AGENDA

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

R2023-87 Payment of Bills Listed on the February 24, 2023 Bills List
R2023-88 Payment of Bills Listed on the March 7, 2023 Bills List
R2023-89 Authorizing the Borough of Keyport to enter into the Developer's Agreement with
 31 West Front Street, LLC
R2023-90 Authorizing the County of Monmouth Mosquito Control Division to Conduct
 Aerial Mosquito Control Operations within the Borough of Keyport
R2023-91 Authorizing Execution of License Agreement with New Logic Marine Science
 Camp for Use of Cedar Street Park for Science Camp

APPROVAL OF RESOLUTIONS

Motion on the Consent Agenda

MM: 2nd: Roll Call: Demarest, Reilly, Vecchio, Peperoni, McNamara, Davidson

PUBLIC HEARING/ADOPTION OF KEYPORT BID, INC. (KBBC) 2023 BUDGET

The Clerk reads the Budget by Title: **KEYPORT BID, Inc. (KBBC) 2023 BUDGET**

The Meeting is opened to the public for comments or questions on the Keyport BID, Inc. (KBBC) 2023 Budget.

1a. Motion to Open Public Hearing

MM: 2nd:

1b. Motion to Close Public Hearing

MM: 2nd:

Resolution #2023-92 Approving the Keyport BID, Inc. (KBBC) Budget for 2023

Motion to adopt **Resolution #2023-92** Approving the Keyport BID, Inc., (KBBC) Budget for 2023

MM: 2nd: Roll Call: Demarest, Reilly, Vecchio, Peperoni, McNamara, Davidson

COMMUNICATIONS BY CONSENT

(For Approval)

1. Letter from Our Lady of Fatima Parish requesting permission to have a Palm Sunday Procession on April 2, 2023 at 12PM and a Good Friday Procession on April 7, 2023 at 7PM.
2. Letter from Knights of Columbus requesting permission to fundraise and "Shake the Cans" at the traffic light by the Keyport Matawan Elks on Broadway on April 28th, 29th and 30th 10AM-4PM each day – pending County approval.
3. Letter from Keyport Fire Department requesting the use of Fireman's Park on Saturday, May 20, 2023 for the Annual Fire Department Inspection. Requesting to close half the parking lot beginning at 10PM the night before. See also request regarding changes at Fireman's Park.
4. Application for Use of Borough Property from Keyport Garden Club/Walk requesting use of Waterfront Park Gazebo, Borough Hall Council Chambers and bathrooms, and the Mini Park for the purpose of the Keyport Garden Walk to be held June 3 & 4, 2023.
5. Application for a Social Affair Permit from the Keyport Yacht Club to hold the Club's Annual Bill Volk Regatta Charity Fundraiser on June 10 and June 11, 2023 from 10AM-Midnight.
6. Application for a Social Affair Permit from the Keyport Yacht Club to hold the Club's Annual Open House on June 17, 2023 from 1:30PM-7PM.
7. Letter from Keyport Fire Department requesting approval for various items related to the Fireman's Fair to be held August 7-13, 2023 (set up July 31st and breakdown August 14th) at Fireman's Park.

8. Recreation Committee 2023 Program & Activity Planning Summary Forms for the following events: Somerset Patriots Game, Recreation Awards, Movie Nights, Mini-Camps, KeyportFest 5K, Halloween House Decorating Contest and Holiday House Decorating Contest submitted for approval.

(To Receive and File)

9. Mosquito Madness Tire Pick-Up Program flyer from Monmouth County advising tires will be picked up between now and March 31, 2023.

APPROVAL and/or RECEIPT AND FILE OF COMMUNICATIONS

Motion on Communications by Consent

MM: 2nd: Roll Call: Demarest, Reilly, Vecchio, Peperoni, McNamara, Davidson

MINUTES FOR APPROVAL

February 7, 2023 Council Meeting Minutes

MM: 2nd: Ayes: Nays:

NEW BUSINESS

DPW Appointment

UNFINISHED BUSINESS

DAIS UPDATES

PUBLIC COMMENT PORTION

The Meeting is opened to the public for comment.

Please limit comment to no more than five minutes per person.

Opened: Closed:

MM: 2nd: Ayes: Nays:

ADJOURNMENT

Motion to Adjourn moved by: 2nd:

Time of Adjournment: PM

Ra3-87
2/24/2023

RESOLUTION FOR THE PAYMENT OF BILLS

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. 2022	\$ 77,070.71
	CURRENT ACCT. 2023	\$ 185,114.99
	WATER/SEWER ACCT. 2023	\$ 20,645.74
	FEDERAL & STATE GRANTS	\$ 8,211.01
	TRUST OTHER FUND	\$ 7,652.00

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

R23-88
03/07/2023

RESOLUTION FOR THE PAYMENT OF BILLS

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.2022	\$ 8,798.96
	WATER/SEWER ACCT.2022	\$ 16,369.20
	CURRENT ACCT. 2023	\$ 219,295.93
	WATER/SEWER ACCT. 2023	\$ 35,342.87
	GENERAL CAPITAL FUND	\$ 9,642.50
	FEDERAL & STATE GRANTS	\$ 780.64
	TRUST OTHER FUND	\$ 4,920.38
	REC BAYFRONT IMPROVEMENT	\$ 880.88
	DEVELOPER ESCROW	\$ 11,370.62

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

RESOLUTION #2023-

**AUTHORIZING THE BOROUGH OF KEYPORT TO
ENTER INTO THE DEVELOPER'S AGREEMENT WITH
31 WEST FRONT STREET, LLC.**

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, 31 West Front Street, LLC (the "**Developer**"), a developer seeking to construct a multi-story mixed use building with lower-level parking, a two-story restaurant and three levels of apartments upon the property known as Block 21.01, Lot 41 on the Borough's tax map (the "**Property**"); and

WHEREAS, Developer applied to the Unified Planning Board of the Borough of Keyport (the "**Planning Board**") for preliminary and final site plan approval with parking variance for its development of the Property; and

WHEREAS, the Planning Board conditioned its approval of the site plan on Developer entering into a Developer's Agreement setting for various conditions related to Developer's development of the Property; and

WHEREAS, the Borough and Developer negotiated a Developer's Agreement outlining the conditions for Developer's development of the Property.

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 Borough Administrator and other reasonably necessary personnel are hereby authorized and directed to execute and enter into the Developer's Agreement with Developer, 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 her 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 applicable law.

OFFERED:
SECONDED:
AYES:
NAYS:
ABSENT:

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 March 7, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-**AUTHORIZING THE COUNTY OF MONMOUTH MOSQUITO CONTROL
DIVISION TO CONDUCT AERIAL MOSQUITO CONTROL OPERATIONS WITHIN
THE BOROUGH OF KEYPORT**

WHEREAS, the Monmouth County Board of Chosen Freeholders, pursuant to N.J.S.A. 26:9-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitoes within the county; and

WHEREAS, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control, and chemical control to exterminate the mosquito population within the county of Monmouth; and

WHEREAS, prior to conducting aerial dispensing operations over a designated "congested area," the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

WHEREAS, the Borough of Keyport is designated as a "congested area" by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

NOW, THEREFORE, be it resolved as follows:

1. The Governing Body hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat or areas harboring high populations of mosquitoes constituting either a nuisance, a health hazard, or both with the understanding that:

a. the County shall utilize pesticides, application equipment and aircraft that are approved for aerial applications by the applicable Federal (USEPA) and State (NJDEP) agencies, and

b. such operations will be performed in compliance with applicable Federal and State regulations, and

c. the County will notify the police department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSENT:

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 March 7, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-**AUTHORIZING EXECUTION OF LICENSE AGREEMENT
WITH NEW LOGIC MARINE SCIENCE CAMP FOR USE
OF CEDAR STREET PARK FOR SCIENCE CAMP**

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, New Logic Marine Science ("**New Logic**") is seeking to hold a science camp from July 31, 2023 to August 4, 2023 from 9:00 a.m. to 2:00 p.m. at Cedar Street Park; and

WHEREAS, the Borough and New Logic have negotiated a license agreement (the "**Agreement**"), on file with the Office of the Borough Clerk, whereby New Logic will be allowed to hold its science camp on the dates and times requested; and

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 Borough authorizes the execution of the Agreement on file with the Office of the Borough Clerk.
3. The Mayor or Business Administrator be and is hereby authorized and directed to execute the Agreement on file with the Office of the Borough Clerk for New Logic to hold a science camp from July 31, 2023 to August 4, 2023 from 9:00 a.m. to 2:00 p.m. at Cedar Street Park.
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 parts of this Resolution.
5. A copy of this Resolution shall be available for public inspection at the offices of the Borough Clerk.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSENT:

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 a Regular Council Meeting held on February 15, 2022.

Michele Clark, RMC
Borough Clerk

R23-92

Public Hearing &
Adoption

RESOLUTION #2023-

**APPROVING THE KEYPORT BID, INC.
BUDGET FOR 2023**

WHEREAS, the Borough of Keyport has a Business Improvement District, managed by a designated nonprofit corporation known as the Keyport BID, Inc., doing business as the Keyport Bayfront Business Cooperative (the "KBBC"); and

WHEREAS, the attached Budget for the Year 2023 has been properly advertised and a hearing has been held.

NOW THEREFORE BE IT RESOLVED, that the Business Improvement District KBBC budget for the year 2023 be adopted as presented.

OFFERED:
SECONDED:
AYES:
NAYS:
ABSTAIN:
ABSENT:

I, Michele Clark, Borough Clerk, do hereby certify this to be a true copy of a Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Meeting of March 7, 2023.

Michele Clark, RMC
Borough Clerk