

Amended to Add
R24-126

**BOROUGH OF KEYPORT
MEETING AGENDA
TUESDAY, MARCH 19, 2024 5:00 PM
MUNICIPAL COMPLEX COUNCIL CHAMBERS
70 W. FRONT STREET, KEYPORT, NJ**

TOWN HALL MEETING (5:00PM – 7:00PM)

- Redevelopment/Mariner's Village PILOT

The Meeting is opened to the public for comments. Comments are limited to no more than five minutes per person.

REGULAR COUNCIL MEETING (7:00PM)

CALL TO ORDER: PM

SUNSHINE LAW NOTICE

ROLL CALL: __ Councilmember Brady __ Councilmember Gross __ Councilmember McNamara
__ Councilmember Peperoni __ 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

COMMITTEE REPORTS

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

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

Councilmember Gross: KBBC, Public Works/Water-Sewer, Recreation/Senior Center, Redevelopment

Councilmember McNamara: Finance/Grants, Cannabis, Green Team, Police, NPP

Councilmember Peperoni: Planning Board, Recycling, Health/Registrar/Construction/Fire Bureau/Code Enforcement/Zoning, Redevelopment, Harbor Commission,

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

Council President Vecchio: Harbor Commission, NPP, Public Works/Water-Sewer

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

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 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.)

- R2024-102 Payment of Bills Listed on the March 8, 2024 Bills List
- R2024-103 Payment of Bills Listed on the March 19, 2024 Bills List
- R2024-104 Resolution of the Borough of Keyport, County of Monmouth, New Jersey, Permitting the Transfer of 2023 Budget Appropriation Reserves Pursuant to N.J.S.A. 40A:4-59
- R2024-105 Governing Body Certification of the Annual Audit
- R2024-106 Approving the Corrective Action Plan for the 2022 Municipal Audit
- R2024-107 Authorizing a Grant Application to the New Jersey Department of Agriculture, Spotted Lanternfly Program – 2024-2026 Spotted Lanternfly Reduction/Chemical Control Treatment Grant
- R2024-108 Approving the Borough of Keyport, County of Monmouth, Emergency Operations Plan
- R2024-109 Authorizing the Borough of Keyport to Release the Security Deposit Provided by A Canoe to You, LLC for the Lease of the Keyport Waterfront Boathouse
- R2024-110 Approving a Five-Year Tax Abatement for 5 Raritan Cove in the Borough of Keyport
- R2024-111 Approving a Five-Year Tax Abatement for 9 Raritan Cove in the Borough of Keyport
- R2024-112 Approving a Five-Year Tax Abatement for 10 Raritan Cove in the Borough of Keyport
- R2024-113 Approving a Five-Year Tax Abatement for 266 Van Dorn Street in the Borough of Keyport
- R2024-114 Authorizing the Issuance of a Social Affair Permit for the Keyport Yacht Club (Garden Walk Fundraiser)
- R2024-115 Authorizing the Issuance of a Social Affair Permit for the Keyport Yacht Club (Raine Foundation Fundraiser)
- R2024-116 Authorizing the Issuance of a Social Affair Permit for the Keyport Yacht Club (Bill Volk Regatta/Raine Foundation Fundraiser)
- R2024-117 Authorizing the Issuance of a Social Affair Permit for David Gibson Memorial Fund – Food Truck Festival
- R2024-118 Approving the Request of the Keyport Fire Department's 2024 Fair Committee Chairperson for Exclusive Use of Fireman's Park for the Annual Fireman's Fair
- R2024-119 Authorizing Keyport Fire Department to Use Fireman's Park Parking Lot for Annual Inspection
- R2024-120 Resolution of the Mayor and Council of the Borough of Keyport Confirming the Selection of Volunteer Firefighter of the Fire Department for Life Membership
- R2024-121 Authorizing Knights of Columbus St. Joseph Council #3402 to Solicit Donations on a Public Roadway

- R2024-122 Amending Resolution #2024-66 Authorizing the Borough's Participation in the Clean Ocean Action 39th Bi-Annual Spring and Fall Beach Sweeps
- R2024-123 Awarding the Waterfront Park Food Service Concession for the 2024 Season and Authorizing Execution of Concession Lease Agreement with Funnee Girl Dogs LLC
- R2024-124 Awarding the Waterfront Park Boathouse Concession of Non-Motorized Watercraft for the 2024 Season and Authorizing Execution of a Concession Lease Agreement with Paddle Share LLC
- R2024-125 Authorizing the Award of Contract to V&C Hartley Fishing LLC for the Operation of a Charter and/or Party Boat Service
- R2024-126 Authorizing Execution of Lease of Borough Property with the Keyport Garden Club for Use as a Community Garden *(added to agenda during council meeting)*

APPROVAL OF RESOLUTIONS

Motion to approve resolutions on the Consent Agenda

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

APPROVAL OF MEETING MINUTES

December 19, 2023 Regular Meeting (tabled March 5, 2024)

January 1, 2024 Reorganization Meeting

MM: 2nd: Ayes: Nays:

INTRODUCTION OF ORDINANCES

1. Ordinance – Amending the Salary Ordinance

The Clerk reads the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, ESTABLISHING SALARIES AND WAGES FOR DESIGNATED OFFICIALS AND EMPLOYEES OF THE BOROUGH OF KEYPORT**

1a. Motion to introduce:

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

1b. Motion authorizing the Clerk to publish the Ordinance as introduced in the Asbury Park Press for a public hearing

MM: 2nd:

REPORTS

- 1. Municipal Clerk's Report for February 2024
- 2. Tax/Water/Sewer Collector's Report for February 2024
- 3. Board of Health Treasurer's Report for February 2024
- 4. Building Department Report for February 2024
- 5. Municipal Court Report for February 2024

MM: 2nd: Ayes: Nays:

PUBLIC COMMENTS

The Meeting is opened to the public for comments.

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

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

ADJOURNMENT

Motion to Adjourn MM: 2nd:

RESOLUTION FOR THE PAYMENT OF BILLS, R24-102

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.

3/8/24

NUMBER OF VOUCHERS	BANK ACCOUNT	AMOUNT
See attached listing		
	CURRENT ACCT. 2024	\$ 207,792.36
	WATER/SEWER ACCT. 2024	\$ 24,165.88
	PAYROLL FUND BUDGET	\$ 750.00
	FEDERAL & STATE GRANTS	\$ 4,103.74
	TRUST OTHER FUND	\$ 2,626.00

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

RESOLUTION FOR THE PAYMENT OF BILLS R24-103

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.

3/19/24

NUMBER OF VOUCHERS	BANK ACCOUNT	AMOUNT
See attached listing		
	CURRENT ACCT.2023	\$ 4,503.78
	WATER/SEWER ACCT.2023	\$ 239.41
	CURRENT ACCT. 2024	\$ 1,192,905.33
	WATER/SEWER ACCT. 2024	\$ 47,752.80
	FEDERAL & STATE GRANTS	\$ 2,628.73
	TRUST OTHER FUND	\$ 5,025.03
	REC BAYFRONT IMPROVEMENT	\$ 4,664.88
	OPEN SPACE TRUST FUND	\$ 600.00
	DEVELOPER ESCROW	\$ 12,709.45

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 OF THE BOROUGH OF KEYPORT, COUNTY OF
MONMOUTH, NEW JERSEY, PERMITTING THE TRANSFER OF 2023
BUDGET APPROPRIATION RESERVES PURSUANT TO N.J.S.A. 40A:4-59**

WHEREAS, N.J.S.A. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances to balances which are expected to be insufficient during the first three months of the succeeding year;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Keyport that the transfers in the amount of \$4,000 be made between the 2023 budget appropriation reserves as follows:

<u>Budget Appropriation</u>	<u>From</u>	<u>To</u>
Fire - O/E		\$ 2,000.00
Landfill Disposal Costs		2,000.00
Street Lighting	\$ 4,000.00	
	\$ 4,000.00	\$ 4,000.00

BE IT FURTHER RESOLVED by the governing body of the Borough of Keyport that transfers of appropriation reserves in the amount of \$10,000 be made between the 2023 budget appropriation reserves of the Municipal Water-Sewer Utility as follows:

<u>Budget Appropriation</u>	<u>From</u>	<u>To</u>
Acquisition of Water		\$ 10,000.00
Other Expenses	\$ 10,000.00	
	\$ 10,000.00	\$ 10,000.00

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

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 held on March 19, 2024.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2024-**GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2022 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the governing body have personally reviewed the Annual Report of Audit, and specifically as a minimum the sections of the Annual Audit entitled "Comments and Recommendations" as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Keyport, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

OFFERED:
SECONDED:
AYES:
NAYS:
ABSTAIN:
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 held on March 19, 2024.

Michele Clark, RMC
Borough Clerk

**CERTIFICATION OF GOVERNING BODY OF THE ANNUAL AUDIT
GROUP AFFIDAVIT FORM
NO PHOTO COPIES OF SIGNATURES**

STATE OF NEW JERSEY
COUNTY OF MONMOUTH

We, members of the governing body of the Borough of Keyport, in the County of Monmouth, being duly sworn according to law, upon our oath depose and say:

1. We are duly elected (or appointed) members of the Governing Body of the Borough of Keyport in the county of Monmouth;
2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to N.J.S.A. 40A:5-6 for the year 2022;
3. We certify that we have personally reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled "Comments and Recommendations."

(L.S.)	(L.S.)
_____	_____
(L.S.)	(L.S.)
_____	_____
(L.S.)	(L.S.)
_____	_____
(L.S.)	(L.S.)
_____	_____

Sworn to and subscribed before me this
_____ day of November 2022

Notary Public of New Jersey

Michele Clark, RMC
Borough Clerk

The Municipal Clerk (or Clerk of the Board of Chosen Freeholders as the case may be) shall set forth the reason for the absence of signature of any members of the governing body.

IMPORTANT: This certificate must be sent to the Bureau of Financial Regulation and Assistance, Division of Local Government Services, P.O. Box 803, Trenton, New Jersey 08625.

R24-106

RESOLUTION #2024-

**APPROVING THE CORRECTIVE ACTION PLAN
FOR THE 2022 MUNICIPAL AUDIT**

WHEREAS, the Chief Financial Officer has prepared and filed with the Borough Clerk a Corrective Action Plan as part of the annual audit process as required by the Single Audit Act, US Office of Management and Budget Circular Letter A-133, and NJ Office of Management and Budget Circular Letter 04-04 as referenced in New Jersey Department of Community Affairs, Division of Local Government Services, Local Finance Notice #92-15, dated July 8, 1992.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Keyport, County of Monmouth, that the attached Corrective Action Plan submitted by the Chief Financial Officer is hereby acknowledged and approved and a copy of same be filed with the Division of Local Government Services.

OFFERED:
SECONDED:
AYES:
NAYS:
ABSTAIN:
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 Meeting held on March 19, 2024.

Michele Clark, RMC
Borough Clerk

CORRECTIVE ACTION PLAN – 2022 AUDIT
BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, 02/07/24

Finding #2022-001

1. Description: The Auditors commented that there was no evidence of dedication by riders obtained for certain trust funds reserves.
2. Analysis: All trust fund reserves are for items specifically authorized by state statute.
3. Corrective Action: Although all trust funds are specifically authorized by state statute, the Borough will review its reserves to determine if a dedication by rider resolution needs to be approved for any specific trust reserve.
4. Implementation Date: July 1, 2024.

RESOLUTION #2024-

**AUTHORIZING A GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT
OF AGRICULTURE, SPOTTED LANTERNFLY PROGRAM – 2024-2026 SPOTTED
LANTERNFLY REDUCTION/CHEMICAL CONTROL TREATMENT GRANT**

WHEREAS, the Governing Body of the Borough of Keyport has determined that it is in the best interest of the Borough to reduce the spotted lanternfly population and minimize its spread; and

WHEREAS, funds for such a program may be available to the Borough of Keyport under the New Jersey Department of Agriculture Spotted Lanternfly Program – 2024-2026 Spotted Lanternfly Population Reduction/Chemical Control Treatment Grant; and

WHEREAS, an application must be filed with the New Jersey Department of Agriculture to apply for such funds.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Keyport hereby authorize the submission of a grant application to the New Jersey Department of Agriculture.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign a grant agreement on behalf of the Borough of Keyport and that their signatures will constitute acceptance of the terms and conditions of a grant agreement.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

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 Meeting held on March 19, 2024.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2024-

APPROVING THE BOROUGH OF KEYPORT, COUNTY OF
MONMOUTH, EMERGENCY OPERATIONS PLAN

WHEREAS, P.L. 1989, c. 222 mandates the development and approval of Emergency Operations Plans for all municipalities, counties and the State; and

WHEREAS, an Emergency Operations Plan will allow the Borough of Keyport (the "Borough") in correlation with its Office of Emergency Management to better prepare and manage Borough-wide emergencies; and

WHEREAS, the Borough must submit an Emergency Operations Plan through the County Office of Emergency Management, to the State Office of Emergency Management, for initial review and approval, and will require recertification every four (4) years; and

WHEREAS, the Mayor and Borough Council is in receipt of an Emergency Operations Plan and a request from its Office of Emergency Management for formal adoption; 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 Mayor and Council hereby approve and adopt the newly revised Municipal Emergency Operations Plan for the Borough that is maintained on file with the Borough Clerk.
3. The Borough Clerk shall forward a certified true copy of this resolution to the Monmouth County Office of Emergency Management Coordinator.
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.
6. This Resolution shall take effect as provided by law.

OFFERED:
SECONDED:
AYES:
NAYS:
ABSTAIN:
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 19, 2024.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2024-

**AUTHORIZING THE BOROUGH OF KEYPORT TO
RELEASE THE SECURITY DEPOSIT PROVIDED BY A
CANOE TO YOU, LLC FOR THE LEASE OF THE
KEYPORT WATERFRONT BOATHOUSE**

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, on July 3, 2019, A Canoe to You, LLC, entered into a Lease Agreement with the Borough (A Canoe to You, LLC, and the Borough, collectively, the "Parties") for a portion of the property known as the Boat Ramp Boathouse (the "Property"); and

WHEREAS, the Lease Agreement required A Canoe to You, LLC, to provide a security deposit of \$1,000.00 as security for its obligation to pay all municipal water, sewer, and other municipal charges on the Property accruing during the term of the Lease; and

WHEREAS, the Lease Agreement provides that the security deposit is to be released to A Canoe to You, LLC, upon the expiration of the Lease Agreement and contingent on proof that there are no outstanding municipal charges on the Property; and

WHEREAS, the Borough Clerk has advised that there are no outstanding municipal charges on the Property; and

WHEREAS, the Borough desires to release the \$1,000.00 security deposit to A Canoe to You, LLC.

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 is authorized to release the \$1,000.00 security deposit provided by A Canoe to You, LLC for the lease of the Property.
3. The Mayor of the Borough, the Borough Administrator, and/or the Borough Chief Financial Officer are authorized to effectuate the release of the security deposit, including the execution of any forms necessary for the release of the security deposit in furtherance of this Resolution.

OFFERED:
SECONDED:
AYES:
NAYS:
ABSTAIN:
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 Meeting held on March 19, 2024.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2024-**APPROVING A FIVE-YEAR TAX ABATEMENT FOR
5 RARITAN COVE IN THE BOROUGH OF KEYPORT**

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 State of New Jersey enacted the "Five-Year Exemption and Abatement Law," N.J.S.A. 40A:21-1 et seq., which authorizes municipalities in the state of New Jersey to adopt ordinances which would allow for tax exemption or abatement for improvement, conversion or construction of a multiple-dwelling, commercial or industrial structure located within an area in need of rehabilitation; and

WHEREAS, Chapter 12, Section 8 of the Borough's Municipal Code establishes the Borough's program and procedures for application for tax exemption or tax abatement for properties within the Borough; and

WHEREAS, Wahkeeyah Johnson (the "Applicant") is the owners of the property at Block 22, Lot 19.05, Qualifier C05, on the Borough's tax map, commonly known as 5 Raritan Cove (the "Property"); and

WHEREAS, the Applicant has completed construction of a townhome on the Property and applied for a tax abatement with the Borough for the property; and

WHEREAS, the Borough Tax Assessor has reviewed the Applicant's application confirming that the application was timely filed and meets the requirements for approval; and

WHEREAS, the Borough Tax Assessor recommends a thirty percent (30%) tax abatement for the improvement value of the townhome for a duration of five (5) years as of March 1, 2024; and

WHEREAS, the Borough Tax Assessor has estimated that the tax abatement will result in a difference of approximately \$2,628.81 per year for a total tax difference of approximately \$13,144.00 for the Property for all five (5) years; and

WHEREAS, based on the recommendation and estimates provided by the Borough Tax Assessor, the Borough seeks to grant the application for a five (5) year tax abatement pursuant to the "Five-Year Exemption and Abatement Law."

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 hereby grants the Applicant's application for a tax abatement and grants a thirty percent (30%) abatement for the improvements on the Property for a total of five (5) years.

3. The Mayor, the Borough Administrator, and/or the Borough Chief Financial Officer is authorized to effectuate the tax abatement granted by this resolution and in furtherance of this resolution.

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 Office of the Borough Clerk.

6. This Resolution shall take effect as provided by applicable law.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

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 the Regular Meeting held on March 19, 2024.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2024-**APPROVING A FIVE-YEAR TAX ABATEMENT FOR
9 RARITAN COVE IN THE BOROUGH OF KEYPORT**

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 State of New Jersey enacted the "Five-Year Exemption and Abatement Law," N.J.S.A. 40A:21-1 et seq., which authorizes municipalities in the state of New Jersey to adopt ordinances which would allow for tax exemption or abatement for improvement, conversion or construction of a multiple-dwelling, commercial or industrial structure located within an area in need of rehabilitation; and

WHEREAS, Chapter 12, Section 8 of the Borough's Municipal Code establishes the Borough's program and procedures for application for tax exemption or tax abatement for properties within the Borough; and

WHEREAS, Chidubem Matthew Obegolu (the "Applicant") is the owners of the property at Block 22, Lot 19.09, Qualifier C09, on the Borough's tax map, commonly known as 9 Raritan Cove (the "Property"); and

WHEREAS, the Applicant has completed construction of a townhome on the Property and applied for a tax abatement with the Borough for the property; and

WHEREAS, the Borough Tax Assessor has reviewed the Applicant's application confirming that the application was timely filed and meets the requirements for approval; and

WHEREAS, the Borough Tax Assessor recommends a thirty percent (30%) tax abatement for the improvement value of the townhome for a duration of five (5) years as of February 1, 2024; and

WHEREAS, the Borough Tax Assessor has estimated that the tax abatement will result in a difference of approximately \$2,617.82 per year for a total tax difference of approximately \$13,089.00 for the Property for all five (5) years; and

WHEREAS, based on the recommendation and estimates provided by the Borough Tax Assessor, the Borough seeks to grant the application for a five (5) year tax abatement pursuant to the "Five-Year Exemption and Abatement Law."

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 hereby grants the Applicant's application for a tax abatement and grants a thirty percent (30%) abatement for the improvements on the Property for a total of five (5) years.

3. The Mayor, the Borough Administrator, and/or the Borough Chief Financial Officer is authorized to effectuate the tax abatement granted by this resolution and in furtherance of this resolution.

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 Office of the Borough Clerk.

6. This Resolution shall take effect as provided by applicable law.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

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 the Regular Meeting held on March 19, 2024.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2024-**APPROVING A FIVE-YEAR TAX ABATEMENT FOR
10 RARITAN COVE IN THE BOROUGH OF KEYPORT**

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 State of New Jersey enacted the "Five-Year Exemption and Abatement Law," N.J.S.A. 40A:21-1 et seq., which authorizes municipalities in the state of New Jersey to adopt ordinances which would allow for tax exemption or abatement for improvement, conversion or construction of a multiple-dwelling, commercial or industrial structure located within an area in need of rehabilitation; and

WHEREAS, Chapter 12, Section 8 of the Borough's Municipal Code establishes the Borough's program and procedures for application for tax exemption or tax abatement for properties within the Borough; and

WHEREAS, Sushma Kurella and Ravi Chandra Cheela (the "Applicants") are the owners of the property at Block 22, Lot 19.10, Qualifier C10, on the Borough's tax map, commonly known as 10 Raritan Cove (the "Property"); and

WHEREAS, the Applicants have completed construction of a townhome on the Property and applied for a tax abatement with the Borough for the property; and

WHEREAS, the Borough Tax Assessor has reviewed the Applicants' application confirming that the application was timely filed and meets the requirements for approval; and

WHEREAS, the Borough Tax Assessor recommends a thirty percent (30%) tax abatement for the improvement value of the townhome for a duration of five (5) years as of February 1, 2024; and

WHEREAS, the Borough Tax Assessor has estimated that the tax abatement will result in a difference of approximately \$2,923.34 per year for a total tax difference of approximately \$14,617.00 for the Property for all five (5) years; and

WHEREAS, based on the recommendation and estimates provided by the Borough Tax Assessor, the Borough seeks to grant the application for a five (5) year tax abatement pursuant to the "Five-Year Exemption and Abatement Law."

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 hereby grants the Applicants' application for a tax abatement and grants a thirty percent (30%) abatement for the improvements on the Property for a total of five (5) years.

3. The Mayor, the Borough Administrator, and/or the Borough Chief Financial Officer is authorized to effectuate the tax abatement granted by this resolution and in furtherance of this resolution.

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 Office of the Borough Clerk.

6. This Resolution shall take effect as provided by applicable law.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

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 the Regular Meeting held on March 19, 2024.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2024-**APPROVING A FIVE-YEAR TAX ABATEMENT FOR
266 VAN DORN STREET IN THE BOROUGH OF
KEYPORT**

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 State of New Jersey enacted the "Five-Year Exemption and Abatement Law," N.J.S.A. 40A:21-1 et seq., which authorizes municipalities in the state of New Jersey to adopt ordinances which would allow for tax exemption or abatement for improvement, conversion or construction of a multiple-dwelling, commercial or industrial structure located within an area in need of rehabilitation; and

WHEREAS, Chapter 12, Section 8 of the Borough's Municipal Code establishes the Borough's program and procedures for application for tax exemption or tax abatement for properties within the Borough; and

WHEREAS, Hafner and Booth Renovations (the "Applicants") are the owners of the property at Block 107, Lot 20, on the Borough's tax map, commonly known as 266 Van Dorn Street (the "Property"); and

WHEREAS, the Applicants have completed construction of a one-family two-story dwelling on the Property and applied for a tax abatement with the Borough for the property; and

WHEREAS, the Borough Tax Assessor has reviewed the Applicants' application confirming that the application was timely filed and meets the requirements for approval; and

WHEREAS, the Borough Tax Assessor recommends a thirty percent (30%) tax abatement for the improvement value of the townhome for a duration of five (5) years as of February 1, 2024; and

WHEREAS, the Borough Tax Assessor has estimated that the tax abatement will result in a difference of approximately \$3,389.00 per year for a total tax difference of approximately \$16,947.00 for the Property for all five (5) years; and

WHEREAS, based on the recommendation and estimates provided by the Borough Tax Assessor, the Borough seeks to grant the application for a five (5) year tax abatement pursuant to the "Five-Year Exemption and Abatement Law."

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 hereby grants the Applicants' application for a tax abatement and grants a thirty percent (30%) abatement for the improvements on the Property for a total of five (5) years.

3. The Mayor, the Borough Administrator, and/or the Borough Chief Financial Officer is authorized to effectuate the tax abatement granted by this resolution and in furtherance of this resolution.

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 Office of the Borough Clerk.

6. This Resolution shall take effect as provided by applicable law.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

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 the Regular Meeting held on March 19, 2024.

Michele Clark, RMC
Borough Clerk

R24-114

RESOLUTION #2024-

AUTHORIZING THE ISSUANCE OF A SOCIAL AFFAIR PERMIT

FOR KEYPORT YACHT CLUB – Garden Walk Fundraiser

WHEREAS, Keyport Yacht Club has filed an application for a Social Affair Permit for an event to be held April 5, 2024, from 10:00 AM to 10:00 PM at 115 First Street, Keyport, New Jersey; and

WHEREAS, the application is complete in all respects.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Keyport hereby authorize the issuance of the Social Affair Permit to Keyport Yacht Club for an event to be held April 5, 2024, from 10:00 AM to 10:00 PM at 115 First Street, Keyport, New Jersey.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

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 the Regular Meeting held on March 19, 2024.

Michele Clark, RMC
Borough Clerk

R24-115

RESOLUTION #2024-

**AUTHORIZING THE ISSUANCE OF A SOCIAL AFFAIR PERMIT
FOR KEYPORT YACHT CLUB - Raine Foundation
Fundraiser**

WHEREAS, Keyport Yacht Club has filed an application for a Social Affair Permit for an event to be held April 12, 2024, from 12:00 PM to 12:00 AM at 115 First Street, Keyport, New Jersey; and

WHEREAS, the application is complete in all respects.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Keyport hereby authorize the issuance of the Social Affair Permit to Keyport Yacht Club for an event to be held April 12, 2024, from 12:00 PM to 12:00 AM at 115 First Street, Keyport, New Jersey.

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

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 the Regular Meeting held on March 19, 2024.

Michele Clark, RMC
Borough Clerk

R24-116

RESOLUTION #2024-

AUTHORIZING THE ISSUANCE OF A SOCIAL AFFAIR PERMIT

FOR KEYPORT YACHT CLUB - BILL VOLK REGATTA

RAINE FOUNDATION Fundraiser

WHEREAS, Keyport Yacht Club has filed an application for a Social Affair Permit for an event to be held June 8 and June 9, 2024, from 10:00 AM to 11:59 PM at 115 First Street, Keyport, New Jersey; and

WHEREAS, the application is complete in all respects.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Keyport hereby authorize the issuance of the Social Affair Permit to Keyport Yacht Club for an event to be held June 8 and June 9, 2024, from 10:00 AM to 11:59 PM at 115 First Street, Keyport, New Jersey.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

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 the Regular Meeting held on March 19, 2024.

Michele Clark, RMC
Borough Clerk

R24-117

RESOLUTION #2024-

**AUTHORIZING THE ISSUANCE OF A SOCIAL AFFAIR PERMIT
FOR DAVID GIBSON MEMORIAL FUND — FOOTRUCK
FESTIVAL**

WHEREAS, David Gibson Memorial Fund has filed an application for a Social Affair Permit for an event to be held May 25, 2024 (rain date May 26, 2024) from 11:00 AM to 8:00 PM at Waterfront Park, American Legion Drive, Keyport, New Jersey; and

WHEREAS, the application is complete in all respects.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Keyport hereby authorize the issuance of the Social Affair Permit to David Gibson Memorial Fund for an event to be held May 25, 2024 (rain date May 26, 2024) from 11:00 AM to 8:00 PM at Waterfront Park, American Legion Drive, Keyport, New Jersey.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

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 the Regular Meeting held on March 19, 2024.

Michele Clark, RMC
Borough Clerk

R24-118

RESOLUTION #2024-

**APPROVING THE REQUEST OF THE KEYPORT FIRE DEPARTMENT'S
2024 FAIR COMMITTEE CHAIRPERSON FOR EXCLUSIVE USE OF FIREMAN'S
PARK FOR THE ANNUAL FIREMAN'S FAIR**

WHEREAS, a request has been received from the Keyport Fire Department's 2024 Fair Committee Chairperson for exclusive use of Fireman's Park for the annual Fireman's Fair to be held July 30, 2024 through August 3, 2024 (set up July 26, 2024 and breakdown August 5, 2024); and

WHEREAS, hours of the Fireman's Fair will be 6:00 PM to midnight July 30, 2024 through August 2, 2024, and 4:00 PM to midnight on the final day, August 3, 2024; and

WHEREAS, American Legion Drive from W. Front Street to the entrance of the Municipal parking lot just beyond the gazebo in Waterfront Park will be closed to traffic during Fair hours beginning July 30, 2024 through August 3, 2024; and

WHEREAS, the W. Front Street business district two-hour parking rule and the no-parking restriction on Beers Street to Elizabeth Street will be suspended from July 27, 2024 through August 4, 2024; and

WHEREAS, the assistance of the Department of Public Works work force and equipment is requested for removal of solid waste, recyclables, and equipment to and from the Fair location; and

WHEREAS, the Police Chief has reviewed the request and has offered no objections as to the dates and times requested.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Keyport that:

1. This Resolution shall constitute approval to permit the Keyport Fire Department exclusive use of Fireman's Park for the annual Fireman's Fair as set forth herein.
2. The Municipal Clerk is directed to forward a certified copy of this Resolution to the 2024 Fair Committee Chairman, Chief of Police, and DPW Superintendent.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSENT:

ABSTAIN:

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 the Regular Meeting held on March 19, 2024.

Michele Clark, RMC
Borough Clerk

R24-119

RESOLUTION #2024-

**AUTHORIZING KEYPORT FIRE DEPARTMENT TO USE FIREMAN'S PARK
PARKING LOT FOR ANNUAL INSPECTION**

WHEREAS, the Keyport Fire Department has requested authorization to use Fireman's Park parking lot for its annual inspection on Saturday, April 27, 2024, beginning at 6:00 PM; and

WHEREAS, the inspection will require closure of half the parking lot by members of Fire Patrol from Fireman's Monument to the light stanchion the morning of the inspection; and

WHEREAS, a short parade of the fire apparatus will follow along American Legion Drive ending at Consolidate Firehouse on First Street; and

WHEREAS, the parking lot will be reopened upon completion of the inspection; and

WHEREAS, the Fire Department invites the Governing Body and members of the public to attend the annual inspection.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Keyport hereby authorize the Keyport Fire Department to use Fireman's Park parking lot for its annual inspection as set forth herein.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

I, Michele Clark, do hereby certify that this is a true copy of a Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Meeting held on March 19, 2024.

Michele Clark, RMC
Municipal Clerk

RESOLUTION #2024-

**RESOLUTION OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF KEYPORT CONFIRMING
THE SELECTION OF VOLUNTEER FIREFIGHTER OF
THE FIRE DEPARTMENT FOR LIFE MEMBERSHIP**

WHEREAS, the Governing Body of the Borough of Keyport previously adopted Ordinance No. 2-19 creating a Life Membership class in the Keyport Fire Department for exceptional service, valor, lifesaving, and years of devoted services to the residents of Keyport by those members of the Department having served twenty-five years in active service; and

WHEREAS, the respective companies have recommended James L. Lawson for Life Membership; and

WHEREAS, James L. Lawson has been approved by the Board of Fire Chiefs for Life membership; and

WHEREAS, the Mayor and Council of the Borough of Keyport recognize the valuable contributions volunteer firefighters make to our community every day of every year; and

WHEREAS, these firefighters, through their service, have improved and enhanced the Borough's ability to protect lives and property.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Keyport recognize and thank James L. Lawson for his dedicated service to the Borough of Keyport; and

BE IT FURTHER RESOLVED that his name shall be entered on the roll of Life Members kept by the Borough Clerk, thereby granting all the rights, privileges and honors appertaining thereto.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

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 held on March 19, 2024.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2024-

**AUTHORIZING KNIGHTS OF COLUMBUS ST. JOSEPH COUNCIL #3402
TO SOLICIT DONATIONS ON A PUBLIC ROADWAY**

WHEREAS, Keyport Borough Ordinance #2022-17 establishes guidelines and requirements for authorized charitable organizations to solicit contributions in the roadways; and

WHEREAS, Knights of Columbus St. Joseph Council #3402 has requested to solicit donations at Broadway and W. Fourth Street in the Borough on April 18, 19, and 20, 2024 (rain dates May 3, 4, and 5, 2024) from 10:00 AM to 4:00 PM each day; and

WHEREAS, permits for charitable solicitations on any County roadway or its intersections must be approved by the Monmouth County Board of County Commissioners in compliance with the provisions of N.J.S.A. 39:4-60; and

WHEREAS, precautions will be taken to ensure the safety of all solicitors and roadway travelers; and

WHEREAS, the Chief of Police is hereby authorized to sign the roadway solicitation permit on behalf of Borough of Keyport.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Keyport that the Knights of Columbus St. Joseph Council #3402 be and is hereby authorized to solicit donations at Broadway and West Fourth Street on April 18, 19, and 20, 2024 (rain dates May 3, 4, and 5, 2024) from 10:00 AM to 4:00 PM each day.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Chief of Police and Knights of Columbus St. Joseph Council #3402.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

I, Michele Clark, Borough Clerk, do hereby certify that this a true copy of a Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Meeting held on March 19, 2024.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2024-**AMENDING RESOLUTION #2024-66 AUTHORIZING THE BOROUGH'S
PARTICIPATION IN THE CLEAN OCEAN ACTION 39TH BI-ANNUAL
SPRING AND FALL BEACH SWEEPS**

WHEREAS, Resolution #2024-66 adopted January 16, 2024, authorized the Borough's participation in the 39th Bi-Annual Spring and Fall Beach Sweeps; and

WHEREAS, the resolution incorrectly listed Saturday, October 21, 2024 as the date for the Fall Beach Sweeps rather than Saturday, October 19, 2024; and

WHEREAS, the Clean Ocean Action 39th Bi-Annual Beach Sweeps will take place on Saturday, April 13, 2024, and Saturday, October 19, 2024, from 9:00 AM to 12:30 PM; and

WHEREAS, Clean Ocean Action launched the region's first Beach Sweeps program to rid beaches of unsightly and harmful debris in 1985 and its Beach Sweeps is one of the longest running cleanups of its kind in the world; and

WHEREAS, the Borough's continued support and participation is an integral component for the success of the program as volunteers collect and record valuable data about debris, which is presented in annual reports and used to advance federal, state, and local programs to reduce litter.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Keyport hereby authorize the Borough's participation in the 39th Bi-Annual Spring and Fall Beach Sweeps on Saturday, April 13, 2024, and Saturday, October 19, 2024, from 9:00 AM to 12:30 PM.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

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 held on March 19, 2024.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2024-**AWARDING THE WATERFRONT PARK FOOD SERVICE
CONCESSION FOR THE 2024 SEASON AND AUTHORIZING
EXECUTION OF A CONCESSION LEASE AGREEMENT WITH
FUNNEE GIRL DOGS LLC**

WHEREAS, the Borough of Keyport (the "Borough") owns and maintains a promenade within Waterfront Park adjacent to American Legion Drive; and

WHEREAS, the Borough advertised for the receipt of proposals for a one-year contract with the option to renew for four (4) additional one-year extensions for a hot dog/food concession service, from April 1, 2024 through March 31, 2029, with an aggregate term of up to five (5) years; and

WHEREAS, in response, one (1) proposal was received on January 25, 2024; and

WHEREAS, the proposal was reviewed by the Borough Attorney and was determined to meet the requirements of the proposal specifications, said proposal being \$1,500.00 for years 2024, 2025 and 2026; and

WHEREAS, it is the desire of the governing body to award a one-year contract with the option to renew for two (2) additional one-year extensions, to Funnee Girl Dogs LLC.

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 Waterfront Park Food Service Concession for the 2024 season is hereby awarded to Funnee Girl Dogs LLC in accordance with the proposal submitted in response to the request for proposals issued by the Borough.
3. The Mayor, Borough Administrator and appropriate officials of the Borough of Keyport are hereby authorized and directed to execute the attached Concession Lease Agreement, subject to such additions, deletions, modifications or amendments deemed necessary 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 Concession Lease Agreement.
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.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

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 Meeting held on March 19, 2024.

Michele Clark, RMC
Borough Clerk

R24-124

RESOLUTION #2024-

**AWARDING THE WATERFRONT PARK BOATHOUSE
CONCESSION OF NON-MOTORIZED WATERCRAFT FOR THE
2024 SEASON AND AUTHORIZING EXECUTION OF A
CONCESSION LEASE AGREEMENT WITH PADDLE SHARE
LLC**

WHEREAS, the Borough of Keyport (the "Borough") owns and maintains a promenade within Waterfront Park adjacent to American Legion Drive; and

WHEREAS, the Borough advertised for the receipt of proposals for a one-year contract with the option to renew for four (4) additional one-year extensions for the operation of a waterfront boathouse concession for non-motorized watercraft, from April 1, 2024 through March 31, 2029, with an aggregate term of up to five (5) years; and

WHEREAS, in response, two (2) proposals were received on January 25, 2024; and

WHEREAS, the proposals were reviewed by the Borough Attorney and the proposal submitted by Paddle Share LLC was determined to meet the requirements of the proposal specifications, said proposal being \$3,000.00 for year 2024, \$3,225.00 for year 2025, \$3,450.00 for year 2026, \$3,675.00 for year 2027, and \$3,900.00 for year 2028; and

WHEREAS, it is the desire of the governing body to award a one-year contract with the option to renew for four (4) additional one-year extensions, to Paddle Share LLC.

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 Waterfront Boathouse Concession of Non-Motorized Watercraft for the 2024 season is hereby awarded to Paddle Shore LLC in accordance with the proposal submitted in response to the request for proposals issued by the Borough.
3. The Mayor, Borough Administrator and appropriate officials of the Borough of Keyport are hereby authorized and directed to execute the attached Concession Lease Agreement, subject to such additions, deletions, modifications or amendments deemed necessary 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 Concession Lease Agreement.
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.

OFFERED:
SECONDED:
AYES:
NAYS:
ABSTAIN:
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 Meeting held on March 19, 2024.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2024-

**AUTHORIZING THE AWARD OF CONTRACT TO V & C
HARTLEY FISHING LLC FOR THE OPERATION OF A
CHARTER AND/OR PARTY BOAT SERVICE AT THE
KEYPORT MUNICIPAL PIER**

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 advertised for the receipt of proposals for a two-year contract, with the option to renew for an additional two-year period, and one additional one-year extension, for the operation of a charter and/or party boat service at the Keyport Municipal Pier, Block 21, Lot 49R (49.01) from April 1, 2024 through March 31, 2029, with an aggregate term of up to five (5) years; and

WHEREAS, in response, one (1) proposal was received on January 25, 2024; and

WHEREAS, the proposal submitted by V&C Hartley Fishing LLC was reviewed by the Borough Attorney and was determined to meet the requirements of the proposal specifications, said proposal being \$10,000.00 for year 2024-2025, \$10,350.00 for year 2025-2026, \$10,712.25 for year 2026-2027, \$11,087.17 for year 2027-2028, and \$11,475.22 for year 2028-2029; and

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 Borough is hereby authorized to execute and deliver a Lease Agreement and all other documents and undertake all actions reasonably necessary to effectuate the award of the Lease Agreement to V&C Hartley Fishing LLC
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.

OFFERED:
SECONDED:
AYES:
NAYS:
ABSTAIN:
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 held on March 19, 2024.

Michele Clark, RMC
Borough Clerk

R24-126
added

RESOLUTION #2024-

**AUTHORIZING EXECUTION OF LEASE OF
BOROUGH PROPERTY WITH THE KEYPORT GARDEN
CLUB FOR USE AS A COMMUNITY GARDEN**

WHEREAS, the Borough of Keyport is the owner of property located at Elizabeth Street and Church Street, otherwise known as Block 84, Lot 18; and,

WHEREAS, the Borough is authorized pursuant to N.J.S.A. 40:12-14 (c) to enter into a lease with a non-profit corporation of the State of New Jersey for a public purpose; and,

WHEREAS, the Keyport Garden Club is a non-profit corporation which is tax exempt under State and Federal Law; and,

WHEREAS, the Borough of Keyport previously adopted a resolution (Resolution No. 109-16) to declare that property the Borough owned at Elizabeth Street and Church Street (known as Block 84, Lot 18) was not needed for a Borough purpose, and thereby authorized the Keyport Garden Club to utilize the property to cultivate a community garden, but did not execute a lease or adopt an ordinance to accompany that action; and,

WHEREAS, for the Keyport Garden Club desires to continue to utilize this property as a community garden and execute a lease with the Borough to utilize this Borough-owned property, in accordance with N.J.S.A. 40A:12-14 and 15; and,

WHEREAS, the Mayor and Council of the Borough of Keyport has determined that it is in the best interests of the residents of the Borough to enter into a lease agreement with the Keyport Garden Club and formalize an arrangement for the use of Borough property for use of a community garden, which serves a beneficial public purpose; and,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Keyport, the County of Monmouth, in the State of New Jersey, that the Mayor or the Business Administrator is hereby authorized to enter and execute a lease agreement with the Keyport Garden Club for the use of Borough property (Block 84, Lot 18) as a community garden, which shall include the following terms:

1. Consideration: The Keyport Garden Club shall pay the Borough a yearly fee of \$450.00 for the use of the property in 2024. The lease shall provide that the timing of those payments shall be established within the terms of the lease, so long as all final payments are made by December 31, 2024.

2. Public Purpose: The Lease shall provide that the use of the Borough property shall be for a community garden by the Keyport Garden Club, a non-profit, for an inherent public purpose within the meaning of N.J.S.A. 40A:12-15(i).
3. Term of Lease: The Lease shall be for one year.
4. Termination Clause: The Lease shall provide that if the lease shall be terminated the Keyport Garden Club fails to adhere to the terms of the Lease and/or applicable law. The Lease shall also provide that the Borough of Keyport shall have the right to terminate the Lease with sixty days' notice.
5. Duty to Report: The Keyport Garden Club shall annually submit a report to the Borough Administrator of the Borough of Keyport, which sets forth the following: the use to which the leasehold was put during each year; the activities of the lessee undertaken in furtherance of the public purpose for which the leasehold was granted; the approximate value or cost, if any, of such activities in furtherance of such purpose; an accounting of monies collected for use of Garden Club; and, an affirmation of the continued tax-exempt status of the non-profit corporation pursuant to both State and Federal law.
6. Gardener Fee: The Keyport Garden Club shall establish the fee to be charged to gardeners by those who utilize the community garden, which shall be memorialized by the execution of a user agreement with the Garden Club.
7. User Agreement: The Keyport Garden Club agrees to manage the use of the community garden in accordance with applicable laws, rules, and policies for a public property that is utilized as a community garden.

BE IT FURTHER RESOLVED that the Borough Administrator is hereby authorized to take such actions required to effectuate the terms of this resolution, including the preparation and execution of any documents relating thereto.

BE IT FURTHER RESOLVED that if any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not impact the remaining parts of this Resolution.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately and a copy of this Resolution shall be available for public inspection at the offices of the Borough Clerk.

OFFERED:
SECONDED:
AYES:
NAYS:
ABSTAIN:
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 held on March 19, 2024.

Michele Clark, RMC
Borough Clerk