

**BOROUGH OF KEYPORT
REGULAR MEETING AGENDA
TUESDAY, MARCH 21, 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

COMMITTEE REPORTS

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

Councilmember Demarest: KBBC, Public Works/Water-Sewer, Harbor Commission, Recreation/Senior Center

Councilmember Reilly: Environmental, Fire/First Aid/OEM, Finance/Grants, Heath/Registrar/Construction/Fire Bureau/Code Enforcement/Zoning, Cannabis

Councilmember Vecchio: Harbor Commission, Municipal Alliance, Police, NPP

Councilmember Peperoni: Health/Registrar/Construction/Fire Bureau/Code Enforcement/Zoning, Recreation/Senior Center, Recycling, Municipal Alliance, Police, Redevelopment

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

Council President Davidson: Planning Board, Redevelopment, Fire/First Aid/OEM, Public Works/Water-Sewer

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

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.)

- R2023-94 Payment of Bills Listed on the March 10, 2023 Bills List
- R2023-95 Payment of Bills Listed on the March 21, 2023 Bills List
- R2023-96 Resolution of the Borough of Keyport, County of Monmouth, New Jersey,
Permitting the Transfer of 2022 Budget Appropriation Reserves Pursuant to
N.J.S.A. 40A:4-59
- R2023-97 Authorizing Execution of a Contract with Jobs4Blue for Coordination of Off-Duty
Employment of Police Officers
- R2023-98 Ratifying and Confirming a One-Year Extension of the Contract for Solid Waste
& Recyclable Materials Collection and Disposal – Suburban Disposal, Inc.
- R2023-99 Authorizing Sewer Relief Due to Leaking Pipe at 145 Washington Street
- R2023-100 Authorizing a Refund to Trinity Solar of a Portion of the Construction Fees for
Solar Panel Installation at the Property Located at 45 Atlantic Street
- R2023-101 Resolution of the Mayor and Council of the Borough of Keyport Authorizing
Keyport Garden Club Use of Waterfront Park Gazebo, Mini-Park and Borough
Hall on June 3-4, 2023

APPROVAL OF RESOLUTIONS

Motion to approve resolutions on the Consent Agenda

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

INTRODUCTION OF ORDINANCE

1. Ordinance – Amending the Zoning Map of the Borough of Keyport

The Clerk reads the Ordinance by Title: AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF KEYPORT TO AMEND THE ZONING MAP TO ZONE BLOCK 94, LOT 18 INTO THE GENERAL MARINE COMMERCIAL DISTRICT (“GMC”)

1a. Motion to introduce:

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

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

MM: 2nd: Ayes: Nays:

2. Ordinance – Amending Chapter III, Article I, Police Department as to Fees

The Clerk reads the Ordinance by Title: AN ORDINANCE AMENDING SECTION 3-6.6 OF CHAPTER III, ARTICLE I (“POLICE DEPARTMENT”) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT WITH RESPECT TO FEES FOR OFF-DUTY POLICE SERVICES

2a. Motion to introduce:

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

2b. Motion authorizing the Clerk to publish the Ordinance as introduced in the Asbury Park Press for a public hearing

MM: 2nd: Ayes: Nays:

COMMUNICATIONS BY CONSENT

(For Approval)

1. Application for a Social Affair Permit from the Keyport Yacht Club for a fundraising event to be held on April 28, 2023 from 6PM to midnight.
2. KBBC Program & Activity Request for Bayfest (chili and chowder crawl) to be held on Saturday, May 13, 2023 from 11AM-5PM at the Mini-Park/Stage/Gazebo/Waterfront Lawn area.

(To Receive and File)

3. Email dated March 7, 2023 from Gregory Kotzas advising of his resignation as an alternate member of Keyport Unified Planning Board.

APPROVAL and/or RECEIPT AND FILE OF COMMUNICATIONS

Motion to Approve and/or Receive and File Communications by Consent

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

MINUTES FOR APPROVAL

February 21, 2023 Council Meeting Minutes

MM: 2nd: Ayes: Nays:

REPORTS

1. Municipal Clerk's Report for February 2023
2. Tax/Water/Sewer Collector's Report for February 2023
3. Board of Health Treasurer's Report for February 2023
4. Building Department Report for February 2023
5. Municipal Court Report for February 2023

MM: 2nd: Ayes: Nays:

NEW BUSINESS

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

RESOLUTION FOR THE PAYMENT OF BILLS

R23-94
03/10/2023

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	\$ 3,000.00
	CURRENT ACCT. 2023	\$ 180,323.81
	WATER/SEWER ACCT. 2023	\$ 18,087.49
	FEDERAL & STATE GRANTS	\$ 7,201.01
	TRUST OTHER FUND	\$ 3,448.00

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

R23-95
03/21/2023

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	\$ 10,837.74
	WATER/SEWER ACCT. 2022	\$ 9,516.05
	CURRENT ACCT. 2023	\$ 2,082,903.33
	WATER/SEWER ACCT. 2023	\$ 442,445.83
	GENERAL CAPITAL FUND	\$ 5,919.50
	FEDERAL & STATE GRANTS	\$ 96.00
	TRUST OTHER FUND	\$ 39,894.24
	REC BAYFRONT IMPROVEMENT	\$ 50.00
	OPEN SPACE TRUST	\$ 281.47
	DEVELOPER ESCROW	\$ 2,160.25

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-

**RESOLUTION OF THE BOROUGH OF KEYPORT, COUNTY OF
MONMOUTH, NEW JERSEY, PERMITTING THE TRANSFER OF 2022
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 \$ 61,800 be made between the 2022 budget appropriation reserves as follows:

<u>Budget Appropriation</u>	<u>From</u>	<u>To</u>
Administrative & Executive - O/E		\$ 4,100.00
Legal Services - O/E		50,000.00
Collection of Taxes - S&W	\$ 8,700.00	
Police - S&W	20,000.00	
Police - Clothing Allowance		2,000.00
Streets & Roads - S&W	7,100.00	
Street Lighting		100.00
Natural Gas		5,300.00
Fuel Oil		300.00
Group Insurance	18,000.00	
Health Benefits	8,000.00	
	\$ <u>61,800.00</u>	\$ <u>61,800.00</u>

BE IT FURTHER RESOLVED by the governing body of the Borough of Keyport that transfers of appropriation reserves in the amount of \$11,700 be made between the 2022 budget appropriation reserves of the Municipal Water-Sewer Utility as follows:

<u>Budget Appropriation</u>	<u>From</u>	<u>To</u>
Acquisition of Water		\$ 11,700.00
Other Expenses	\$ <u>11,700.00</u>	
	\$ <u>11,700.00</u>	\$ <u>11,700.00</u>

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 21, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-**AUTHORIZING EXECUTION OF A CONTRACT WITH JOBS4BLUE FOR COORDINATION OF OFF-DUTY EMPLOYMENT OF POLICE OFFICERS**

WHEREAS, the Borough seeks to enter into an agreement with Jobs4Blue related to the coordination and the billing of off-duty employment of police officers for police related activities; and

WHEREAS, the Borough utilizes a Police Officer Scheduling System produced by VCS Human Capital Management for the scheduling of Police Officers; and

WHEREAS, N.J.S.A. 40A:11-5(dd) provides for the support software maintenance, consultation services and training services of proprietary computer hardware and software; and

WHEREAS, Jobs4blue, a subsidiary of VCS Human Capital Management has agreed to provide such services; and

WHEREAS, the anticipated term of this contract with Jobs4Blue is three (3) years, commencing on April 1, 2023 through December 31, 2025 for said services for an administrative fee of no more than eight percent (8%) of any Off-Duty revenue assessed to the vendor requesting the Off-Duty Police services at no cost to the Borough.

NOW THEREFORE BE IT RESOLVED, the Mayor and Council of the Borough of Keyport, County of Monmouth, State of New Jersey, that the Borough Administrator, Municipal Clerk any other Municipal Officials as is necessary and proper be authorized to execute such documents as necessary to implement this Contract.

BE IT FURTHER RESOLVED that certified copies of the within Resolution be forwarded to the Chief Financial Officer, the Chief of Police, and Jobs4Blue.

OFFERED:

SECONDED:

AYES:

NAYS:

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 Council Meeting of March 21, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-**RATIFYING AND CONFIRMING A ONE-YEAR EXTENSION
OF THE CONTRACT FOR SOLID WASTE & RECYCLABLE
MATERIALS COLLECTION AND DISPOSAL - SUBURBAN
DISPOSAL, INC.**

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 June 18, 2019, the Borough Council adopted Resolution No. 204-19 authorizing execution of an Agreement for Services Related to the Provision of Solid Waste and Recyclable Materials Collection and Disposal (the "**Contract**") with Suburban Disposal, Inc. ("**Suburban**"); and

WHEREAS, the Contract was for a term of one (1) year (the "**Initial Term**"), with the option of two (2) additional two-year extensions; and

WHEREAS, on May 5, 2020, the Borough Council adopted Resolution No. 147-20 authorizing the extension of the Contract for the first two-year option period at a rate of \$280,800.00 for Year 2 (June 1, 2020 through May 31, 2021) of the Contract, and at a rate of \$286,800.00 for Year 3 (June 1, 2021 through May 31, 2022); and

WHEREAS, on March 15, 2022, the Borough Council adopted Resolution No. 2022-97 authorizing the extension of the Contract for an additional two-year option period at a rate of \$292,800.00 for Year 4 (June 1, 2022 through May 31, 2023) of the Contract, and at a rate of \$298,800.00 for Year 5 (June 1, 2023 through May 31, 2024) the final year of the Contract; and

WHEREAS, the Borough Administrator has recommended the Borough ratify and confirm the extension of the Contract for Year 5 (June 1, 2023 through May 31, 2024) the final year of the Contract, at a rate of \$298,800.00.

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 exercises the option to extend the Contract with Suburban for an additional year at a rate of \$298,800.00 for Year 5 (June 1, 2023 through May 31, 2024), the final year of the Contract.
3. The Mayor of the Borough, the Borough Administrator and other reasonably necessary personnel are hereby authorized and directed to execute any documents to finalize the extension of the Contract with Suburban, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor of the Borough in her discretion in consultation

AUTHORIZING SEWER RELIEF DUE TO LEAKING PIPE
145 Washington Street

WHEREAS, Mrs. Janice Bolte owner of 145 Washington Street, received a high water/sewer bill due to a leaking pipe; and

WHEREAS, the leaked water did not go into the sewer system; and

WHEREAS, the Municipal Collector of Water and Sewer Utility Rents, submits a schedule of adjustments, payment plans and/or refunds due for various reasons; and

WHEREAS, it is the desire of the Mayor and Council to approve these adjustments, payment plans and/or refunds as recommended by the Municipal Collector of Water and Sewer Utility Rents;

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. Formal authorization to reduce the sewer portion of the April 2023 water/sewer bill due to a leak that did not go into the Keyport sewer system.

<u>ACCOUNT #</u>	<u>NAME</u>	<u>AMOUNT</u>	<u>REASON</u>
20006200-0	Bolte	\$57.96	Reduce Sewer due to leak

2. Certified copies of this Resolution to Municipal Collector of Water and Sewer Utility Rents, Administrator and any other interested parties.

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 Meeting of March 21, 2023.

Michele Clark, RMC
Municipal Clerk

RESOLUTION #2023-**AUTHORIZING A REFUND TO TRINITY SOLAR OF A
PORTION OF THE CONSTRUCTION PERMIT FEES FOR
SOLAR PANEL INSTALLATION AT THE PROPERTY
LOCATED AT 45 ATLANTIC STREET**

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 previously granted certain construction permit approval (the "**Approval**") as to Trinity Solar (the "**Applicant**") with respect to proposed solar panel installation (the "**Project**") at the property commonly known as 45 Atlantic Street, Block 96, Lot 2 on the tax map of the Borough (the "**Property**"); and

WHEREAS, as one of the conditions of the Approval, the Applicant was required to pay construction permit fees in the amount of \$504; and

WHEREAS, the Applicant has advised that the homeowners of the Property do not desire to move forward with the Project contemplated under the Approval; and

WHEREAS, the Applicant has requested that the Borough refund the construction permit fees in the amount of \$504; and

WHEREAS, the Borough previously undertook plan review for the subject Approval which comprised \$86 of the construction permit fees paid by the Applicant; and

WHEREAS, the Borough is prohibited to refund the DCA review fee which comprised \$74 of the construction permit fees paid by the Applicant; and

WHEREAS, the Borough desires to refund the remaining construction permit fees paid by the Applicant in the amount of \$344 (the "**Refund**").

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 refund the construction permit fees, less the fee for plan review undertaken by the Borough, in the amount of \$344 to Trinity Solar.
3. The Mayor of the Borough, the Borough Administrator, and/or the Borough Chief Financial Officer are authorized to effectuate the Refund, including the execution of any forms necessary for such Refund 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:

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 21, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-**RESOLUTION OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF KEYPORT AUTHORIZING KEYPORT GARDEN
CLUB USE OF WATERFRONT PARK GAZEBO, MINI-PARK,
AND BOROUGH HALL JUNE 3-4, 2023**

WHEREAS, Keyport Garden Club has requested the permission of the Mayor and Borough Council to use Borough facilities for the purpose of a Garden Walk and Garden Talk Lectures on Saturday, June 3, 2023 and Sunday, June 4, 2023 from 11AM-3PM; and

WHEREAS, the Local Lands and Buildings Law, *N.J.S.A. 40A:12-1 et seq.*, authorizes a municipality to grant a non-exclusive and non-possessory license of limited duration to a private party; and

WHEREAS, *N.J.S.A. 40:61-4* also authorizes municipalities to charge and collect reasonable fees from private parties to utilize public parks for outdoor exhibitions; and

WHEREAS, the Keyport Garden Club, a non-profit organization of volunteers has requested a waiver of any fee for this use; and

WHEREAS, the Keyport Garden Club has requested use of Borough facilities on Saturday, June 3, 2023 and Sunday, June 4, 2023 as follows:

Borough Hall Council Chambers: 9AM-10:45AM
Borough Hall Public Bathrooms: 9AM-3:30PM
Gazebo: 8AM-3:30PM
Mini-Park: 11AM-3PM

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, County of Monmouth, State of New Jersey, that Keyport Garden Club be permitted use of Borough Hall Council Chambers from 9AM-10:45AM, Borough Hall Public Bathrooms from 9AM-11AM, Waterfront Park gazebo from 8AM-3:30PM and the Mini-Park from 11AM-3PM on Saturday, June 3, 2023 and Sunday, June 4, 2023 for the purpose of a Garden Walk and Garden Talk Lectures and be subject to any reasonable conditions as may be set forth by the Borough Administrator; and

BE IT FURTHER RESOLVED that any fee for this use be and hereby is waived.

OFFERED:

SECONDED:

AYES:

NAYS:

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 on March 21, 2023.

Michele Clark, RMC
Borough Clerk