

R25-139

FOOD TRUCK EVENT  
SOCIAL AFFAIR PERMIT  
APPLICATION REMOVED

REPLACED WITH NEW  
RESO FOR PLANNER

**BOROUGH OF KEYPORT  
MEETING AGENDA  
TUESDAY, APRIL 1, 2025 at 7:00 PM  
MUNICIPAL COMPLEX COUNCIL CHAMBER  
70 W. FRONT STREET, KEYPORT, NJ**

**CALL TO ORDER: PM**

**SUNSHINE LAW NOTICE:**

**ROLL CALL:** \_\_\_ Councilmember Brady \_\_\_ Councilmember Gross \_\_\_ Councilmember McNamara  
\_\_\_ Councilmember Merla \_\_\_ Councilmember Reilly \_\_\_ Council President Vecchio \_\_\_ Mayor Araneo

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

**PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE**

**PROCLAMATION**

National Child Abuse Prevention Month

**PRESENTATIONS**

NJEDA C-PACE – Garden State Commercial Property Assessed Clean Energy  
NJDCA – Keyport Fire Department

**PUBLIC HEARINGS/ADOPTION OF ORDINANCES**

**1. Ordinance No. 2025-02– Amending Borough Code of Fire Department**

The Clerk reads the Ordinance by Title: **AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING BOROUGH CODE CHAPTER III (PUBLIC SAFETY), ARTICLE II (FIRE DEPARTMENT)**

- |     |                                                                  |     |                   |
|-----|------------------------------------------------------------------|-----|-------------------|
| 1a. | Motion to Open Public Hearing                                    | MM: | 2 <sup>nd</sup> : |
| 1b. | Motion to Close Public Hearing                                   | MM: | 2 <sup>nd</sup> : |
| 1c. | Motion to adopt Ordinance                                        | MM: | 2 <sup>nd</sup> : |
|     | <b>Roll Call:</b> Brady, Gross, McNamara, Merla, Reilly, Vecchio |     |                   |
| 1d. | Motion authorizing the Clerk to publish the Ordinance as adopted | MM: | 2 <sup>nd</sup>   |

**2. Ordinance No. 2025-01– Community Garden Lease**

The Clerk reads the Ordinance by Title: **AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AUTHORIZING EXECUTION OF LEASE OF BOROUGH PROPERTY WITH THE KEYPORT GARDEN CLUB FOR USE AS A COMMUNITY GARDEN**

- |     |                                |     |                   |
|-----|--------------------------------|-----|-------------------|
| 2a. | Motion to Open Public Hearing  | MM: | 2 <sup>nd</sup> : |
| 2b. | Motion to Close Public Hearing | MM: | 2 <sup>nd</sup> : |

- 2c. Motion to adopt Ordinance MM: 2<sup>nd</sup>;  
Roll Call: Brady, Gross, McNamara, Merla, Reilly, Vecchio  
2d. Motion authorizing the Clerk to publish the Ordinance as adopted MM: 2<sup>nd</sup>

### **PUBLIC COMMENTS**

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

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

Opened: MM: 2<sup>ND</sup>: Closed: MM: 2<sup>ND</sup>:

### **CONSENT AGENDA**

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

R2025-136 Payment of Bills Listed on the March 21, 2025 Bills List

R2025-137 Payment of Bills Listed on the April 1, 2025 Bills List

R2025-138 Approving Request of Our Lady of Fatima Parish to Conduct Palm Sunday and Good Friday Processions

**ADDED  
NEW** R2025-139 Authorizing the Award of a Non-Fair and Open Contract for Professional Planning Services – Affordable Housing Planner

R2025-140 Authorizing Keyport Bayfront Business Cooperative (KBBB) Event – Italian Festival

### **APPROVAL OF RESOLUTIONS**

Motion to approve resolutions on the Consent Agenda

MM: 2<sup>nd</sup>: Roll Call: Brady, Gross, McNamara, Merla, Reilly, Vecchio

### **APPROVAL OF MINUTES**

March 18, 2025 Regular Meeting

MM: 2<sup>nd</sup>: Ayes: Nays:

### **NEW BUSINESS**

### **PUBLIC COMMENTS**

The Meeting is opened to the public for comments.

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

Opened: MM: 2<sup>ND</sup>: Closed: MM: 2<sup>ND</sup>:

### **EXECUTIVE SESSION**

R2025-141 - Authorizing a meeting not open to the Public in accordance with the provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12b, to discuss matters falling within the attorney-client privilege pursuant to N.J.S.A. 10:4-12b(7): personnel;

MM: 2<sup>nd</sup>: Ayes: Nays:

### **ADJOURNMENT**

Motion to Adjourn MM: 2<sup>nd</sup>:

# RESOLUTION FOR THE PAYMENT OF BILLS

P25-136  
03/21/2025

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.2025      | \$ 301,111.33 |
|                      | WATER/SEWER ACCT.2025  | \$ 27,954.03  |
|                      | PAYROLL FUND BUDGET    | \$ 29,544.19  |
|                      | FEDERAL & STATE GRANTS | \$ 3,573.58   |
|                      | TRUST OTHER FUND       | \$ 7,277.50   |

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

R25-137  
04/01/2025

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

| NUMBER OF VOUCHERS   | BANK ACCOUNT             | AMOUNT          |
|----------------------|--------------------------|-----------------|
| See attached listing |                          |                 |
|                      | CURRENT ACCT. 2024       | \$ 1,681.00     |
|                      | CURRENT ACCT. 2025       | \$ 1,691,503.12 |
|                      | WATER/SEWER ACCT. 2025   | \$ 70,602.81    |
|                      | ANIMAL CONTROL TRUST     | \$ 1,470.00     |
|                      | GENERAL CAPITAL FUND     | \$ 12,711.75    |
|                      | FEDERAL AND STATE GRANTS | \$ 40.50        |
|                      | REC BAYFRONT IMPROVMENT  | \$ 859.55       |
|                      | DEVELOPER ESCROW         | \$ 14,081.25    |

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

**APPROVING THE REQUEST OF OUR LADY OF FATIMA PARISH TO  
CONDUCT PALM SUNDAY AND GOOD FRIDAY PROCESSIONS**

**WHEREAS**, a request has been received from Our Lady of Fatima Parish to conduct two Processions in the Borough of Keyport on Sunday, April 13, 2025 at 12:00 PM, and Friday, April 18, 2025 at 7:00 PM; and

**WHEREAS**, the Sunday, April 13<sup>th</sup> procession would depart Jesus the Lord Church at 120 Broad Street, going right from the front driveway heading towards Warren Street and making a right on the street. The procession will continue on Warren Street, turning right onto Main Street, proceeding to West Front Street and turning right. From West Front Street the procession will continue to Broad Street, turning right and returning to Jesus the Lord Church; and

**WHEREAS**, the Friday, April 18<sup>th</sup> procession would turn left out of the Jesus Lord parking lot onto Broad Street toward West Front Street, turning left onto West Front Street, proceeding to Broadway and turning left, continuing up Broadway and turning right onto West Fourth Street to go up over the overpass, continuing onto Nappi Place and turning right onto Broadway, and finally turning right into the parking lot of the church; and

**WHEREAS**, the Police Chief has reviewed the request and has offered no objections as to the date, time, and route requested.

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

1. This Resolution shall constitute approval to permit Our Lady of Fatima Parish to conduct the processions on Sunday, April 13, 2025, at 12:00 PM and Friday, April 18, 2025, at 7:00 PM as set forth herein and in accordance with the request received from the Pastor dated February 25, 2025.
2. The Municipal Clerk is directed to forward a certified copy of this Resolution to the Chief of Police and the Pastor of Our Lady of Fatima Parish.

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 April 1, 2025.

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Michele Clark, RMC  
Borough Clerk

ADDED NEW  
R25-139

**RESOLUTION NO. 2025-**

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

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

**WHEREAS**, the firm of Heyer, Gruel & Associates has set forth its proposed services in a written proposal dated January 24, 2025, a copy of which is available at the office of the Borough Clerk; and

**WHEREAS**, the proposed amount of the contract with Heyer, Gruel & Associates is not to exceed \$30,000.00; and

**WHEREAS**, such professional planning services can only be provided by licensed professionals and the firm of Heyer, Gruel & Associates, 236 Broad Street, Red Bank, NJ 07701, is so recognized; and

**WHEREAS**, the governing body has determined that it is in the best interest of the Borough to retain Heyer, Gruel & Associates for the proposed professional planning services for affordable housing planning; and

**WHEREAS**, this contract is to be awarded for an amount not to exceed \$30,000.00 for professional planning services for affordable housing planner as stated in the proposal dated January 24, 2025; and

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

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

**WHEREAS**, certification of availability of funds is hereby provided by the Chief Financial Officer of the Borough of Keyport to charge account no. 5-01-20-165-165-209, Engineer: Planner.

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

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

1. Heyer, Gruel & Associates is hereby retained to provide professional planning services for affordable housing planner as described above and in their proposal dated January 24, 2025, for an amount not to exceed \$30,000.00.
2. The contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a). The Mayor and Borough Clerk are hereby authorized to sign said contract.
3. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Keyport.
4. This Resolution shall take effect immediately.
5. The Borough Clerk is hereby directed to publish notice of this award as required by law.

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on April 1, 2025.

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Michele Clark, RMC  
Borough Clerk

**RESOLUTION NO. 2025-**

**AUTHORIZING KEYPORT BAYFRONT BUSINESS COOPERATIVE  
(KBBC) EVENT ON BOROUGH PROPERTY**  
*Italian Festival*

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

**WHEREAS**, the Borough established the Keyport Business Improvement District (the “**District**”) pursuant to *N.J.S.A. 40:56-65 et seq.* by Borough Ordinance No. 25-99, as amended by Borough Ordinance No. 6-02; and

**WHEREAS**, by Borough Ordinance No. 15-13, the Borough designated the non-profit corporation Keyport BID, Inc. (also known as the Keyport Bayfront Business Cooperative, Inc., and hereinafter referred to as the “**KBBC**”), incorporated pursuant to *N.J.S.A. 15A:1-1 et seq.*, as the District Management Corporation for the District; and

**WHEREAS**, the KBBC has requested authorization to hold an Italian Festival on Saturday, September 6, 2025 (rain date Sunday, September 7<sup>th</sup>) from 9 AM to 9 PM; and

**WHEREAS**, a KBBC Program and Activity Request form has been provided to the Borough Clerk and the Police Chief; and

**WHEREAS**, the event will require the closure of roadways within the Borough which will be coordinated with the Police Chief.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Keyport hereby authorizes the event listed herein taking place on Borough property on Saturday, September 6, 2025 (rain date Sunday, September 7<sup>th</sup>) from 9 AM to 9 PM.

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 April 1, 2025.

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Michele Clark, RMC  
Borough Clerk



ORDINANCE NO. 2025-02

AN ORDINANCE OF THE BOROUGH COUNCIL OF  
THE BOROUGH OF KEYPORT, IN THE COUNTY OF  
MONMOUTH, STATE OF NEW JERSEY AMENDING  
BOROUGH CODE CHAPTER III (PUBLIC SAFETY),  
ARTICLE II (FIRE DEPARTMENT)

WHEREAS, the Borough of Keyport, in the County of Monmouth, New Jersey (the "Borough"), a public body corporate and politic of the State of New Jersey, desires to amend Chapter III, Article II, Sections 3-30.1, 3-31.1, 3-31.2, 3-31.3, 3-31.4, 3-31.5, 3-31.6, 3-34, 3-34.2, 3-34.3, 3-34.4, 3-36.1, 3-38.2, 3-41.1, 3-41.3, 3-43.2 to incorporate the following amendments.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Keyport, in the County of Monmouth, New Jersey, as follows:

**Section 1.** Chapter III, Article II, Sections 3-30, 3-31, 3-33, 3-34, 3-35, 3-36, 3-37, 3-38, 3-39, 3-40, 3-41, 3-42, 3-43, 3-44, 3-45, and 3-46 are hereby deleted in their entirety.

**Section 2.** Chapter III, Article II, Sections 3-30 and 3-31 of the Borough Code are hereby added as follows:

§3-30. ESTABLISHMENT

§3-30.1 Company Designation and Organization.

- a. There shall be a Fire Department of the Borough of Keyport which shall have jurisdiction coextensive with the municipal boundaries of the Borough. The Borough hereby designates the volunteer fire company known as Keyport Fire Department, Inc. as the Fire Department of the Borough. The Fire Department shall consist of the following departmental positions:
  1. Fire Chief
  2. Deputy Fire Chief
  3. Fire Captain
  4. Fire Lieutenants
  5. Supervisor of Apparatus
  6. Firefighters
  7. Junior Firefighters, and
  8. Fire Police/Support.
- b. There shall be only one Fire Chief and one Deputy Fire Chief. The bylaws of Keyport Fire Department, Inc. shall establish the number of positions for the remaining departmental officers.

- c. Borough Volunteers. The members of the Fire Department shall be considered volunteers and subject to the Borough's policies and/or code of conduct for volunteers.
- d. Annual Appropriations. Subject to limits prescribed by law, the Borough shall provide an annual contribution to the Keyport Fire Department, Inc. for the purpose outlined in N.J.S.A. 40A:14-34. All funds appropriated under this section shall be accounted for to the Borough Council annually.
- e. Company Bylaws. Keyport Fire Department, Inc. shall adopt bylaws for its own government, not inconsistent with this Chapter, rules, and regulations of the Borough Council, or the laws of this state. Keyport Fire Department, Inc. shall submit its bylaws, and any alterations or amendments, to the Borough Council for review. The bylaws shall include rules, regulations, and guidelines that relate to the government of the Department, response rules and regulations, member status, operational requirements and standards, rules and regulations regarding the handling of equipment, calls for aid, or any other situation where an emergency response is required. Keyport Fire Department, Inc. acknowledges that it is responsible for the care and management of the vehicles, equipment, and the property of the Fire Department. The bylaws shall be reviewed and renewed by Keyport Fire Department, Inc. on a regular basis.
- f. Applications Process. Any person interested in volunteering for the Fire Department shall apply to Keyport Fire Department, Inc.. The Chief, or his/her designee, shall provide a copy of the application to the Borough by submitting a copy to the Clerk and the Business Administrator.

### §3-30.2 Members of Fire Department.

- a. Firefighter. A firefighter of the Keyport Fire Department shall be responsible for performing all the duties required of an active firefighter and meet all the minimum requirements of a volunteer firefighter as established by State law and the bylaws adopted by the Keyport Fire Department, Inc.. This person also must reside within five miles of the Borough to maintain firefighter status. The bylaws of Keyport Fire Department, Inc. shall provide for other qualifications to maintain firefighter status, as well as minimum requirements to be permitted to serve as a voting member of the department.
- b. Reserve Member. A reserve member of the Keyport Fire Department shall be responsible for performing all the duties required of a firefighter and meet all the minimum requirements of a volunteer firefighter as established by State law and the bylaws adopted by the Keyport Fire Department, Inc.. However, a reserve member is a member who does not reside within 5 miles of the Borough but is a resident of another municipality within the State of New Jersey. The bylaws of Keyport Fire Department, Inc. shall provide other qualifications to maintain status as a reserve member.
- c. Fire Police/Support. Consists of members who are over the age of 18 and have completed the state-mandated Fire Police course. Fire Police shall render any assistance that the Chief or Deputy Chief may direct to prevent the hose or other apparatus from being

damaged, the work of the firemen from being interfered with, or to protect public and private property. Support members are those with particular specialties required by the Fire Department.

- d. Life Member. A firefighter who has volunteered as a firefighter for the Keyport Fire Department of Keyport for a period of time as is established in the bylaws of the Keyport Fire Department, Inc., but which shall not be less than 15 years. The Keyport Fire Department, Inc. shall establish in its bylaws any other rights afforded to a life member who is no longer a firefighter.
- e. Auxiliary Member. The Keyport Fire Department, Inc. shall establish the requirements to be identified as an auxiliary member of the fire department via the company's bylaws. Auxiliary members do not participate in firematic duties but may assist in events deemed appropriate by the Keyport Fire Department, Inc.
- f. Except as otherwise provided herein, the bylaws of Keyport Fire Department, Inc. shall establish the minimum requirements for firefighters who serve in executive officer positions.

#### §3-30.3 Chief.

- a. The Keyport Fire Department, Inc. shall annually appoint or elect a Chief in accordance with the procedure established in its bylaws. For a firefighter to serve as Fire Chief, this person shall have met the following requirements:
  - 1. Shall have served as a member of the fire department or the predecessor fire companies that formed the fire department for a total of seven years;
  - 2. Shall have served as a Fire Chief, Deputy Fire Chief, Fire Captain, or Fire Lieutenant during his/her tenure; and,
  - 3. Shall have met any other requirements and achieved all certifications established by the bylaws of Keyport Fire Department, Inc..
- b. The Chief shall be entitled to utilize a Borough vehicle in accordance with the Borough's vehicle use policy.
- c. The Chief shall be entitled to a stipend as established by the governing body in the Borough's Salary Ordinance.

#### §3-30.4 Deputy Chief.

- a. The Keyport Fire Department, Inc. shall annually appoint or elect a Deputy Chief in accordance with the procedure established in its bylaws. For a firefighter to serve in the

position of Deputy Chief for the Keyport Fire Department, this person shall have met the following requirements:

1. Shall have served as a member of the fire department or the predecessor fire companies that formed the fire department for a total of seven years;
  2. Shall have served as a Fire Chief, Deputy Fire Chief, Fire Captain, or Fire Lieutenant during his/her tenure; and,
  3. Shall have met any other requirements and achieved all certifications established by the bylaws of Keyport Fire Department, Inc..
- b. The Deputy Chief shall be entitled to utilize a Borough vehicle in accordance with the Borough's vehicle use policy.
  - c. The Deputy Chief shall be entitled to a stipend as established by the governing body in the Borough's Salary Ordinance.

#### §3-30.5 Manner of Elections.

- a. There shall be an annual election for the positions of Fire Chief, Deputy Fire Chief, Fire Captain, or Fire Lieutenant for Keyport Fire Department, Inc. no later than December 15. Elections shall occur in accordance with the bylaws of Keyport Fire Department, Inc..
- b. The election results shall be reported to the governing body no later than December 31 of each calendar year, and those results shall be announced at the reorganization meeting.

#### §3-30.6 Vacancy.

- a. Should a vacancy occur during the term of a Fire Chief, there shall be a special election, which shall be conducted in accordance with the Fire Department's bylaws, to fill that position for the remainder of that term. Until that special election occurs, any vacancy will be filled by the Deputy Chief, who shall serve in that capacity until the results of a special election and shall be referred to as an "Acting Chief." Once the special election is completed, the person shall return to his/her prior position.
- b. Should a vacancy occur during the term of a Deputy Chief, there shall be a special election, which shall be conducted in accordance with the Fire Department's bylaws, to fill that position for the remainder of that term. Until that special election occurs, any vacancy will be filled by a firefighter appointed by the Chief, who shall serve in that capacity until the results of a special election as an "Acting Deputy Chief." Once the special election is completed, the person shall return to his/her prior position.
- c. For purposes of this section, "vacancy" shall mean a person who is absent for an extended period of time and does not intend to return to the position to which they were elected,

which may occur due to illness, change of residency, removal for disciplinary purposes, or any other reason that would preclude the person from being able to serve in the capacity of Fire Chief or Deputy Chief.

#### §3-30.7 Equipment Right of Way.

Any equipment or apparatus of the Keyport Fire Department responding to a fire, alarm of fire, or any other emergency situation, shall have the right of way along any street in the Borough of Keyport. All persons driving vehicles shall leave a free and unobstructed passage for any fire apparatus in the street, and shall exercise care when responding to an emergency.

#### §3-30.8 Complaints and Discipline.

- a. All members of the Keyport Fire Department are required to conduct themselves professionally at all times, and shall be subject to discipline for any violation of the rules of the Keyport Fire Department, Inc., which shall include but not be limited to the following:
  1. An offense punishable under any federal or state law, or municipal ordinance;
  2. An act of negligence;
  3. Negligent or intentional failure or refusal to obey any lawful instruction or command of a superior officer;
  4. Violations of code of conduct established by the Borough for volunteers; or,
  5. Conduct unbecoming of a firefighter.
- b. The appropriate discipline imposed shall be decided on a case-by-case basis in accordance with the process established by the bylaws of the Keyport Fire Department, Inc., following notice and process, and may include the following penalties:
  1. Oral reprimand;
  2. Written reprimand;
  3. Suspension;
  4. Demotion; or
  5. Severance from the Department.

- c. A member's prior disciplinary history may be considered in determining any penalty. No person dismissed or terminated from any fire company shall be eligible for re-admittance as a member of the Fire Department.
- d. In the event that the Keyport Fire Department fails to impose appropriate discipline in accordance with this Section, the Borough reserves the right to impose discipline, up to and including removal. Any such discipline shall be upon notice and service of written charges to the member and to the Chief, at least five (5) days in advance of a hearing before the Borough Administrator. The member may, within five (5) days of the Borough Administrator's determination, appeal the determination of the Borough Administrator in writing to the governing body of the Borough, which shall schedule a hearing before a three-member panel for a final determination.

#### §3-30.9 Junior Firefighter Program.

- a. Pursuant to the authority granted by N.J.S.A. 40A:14-95, the governing body of the Borough of Keyport authorizes the creation of a Junior Firemen's Auxiliary of the Keyport Fire Department to develop and create interest among teenage residents in service in the volunteer Fire Department, to teach such youth fundamentals of fire protection practices, to encourage interest in fire prevention activities, and to render limited nonhazardous assistance to the Fire Department. The direction, management, supervision, operation and control of the auxiliary shall be the responsibility of the Chief of the Fire Department and the advisor(s) of the Junior Firefighter Program.
- b. An applicant for membership in the Junior Firemen's Auxiliary shall have the following qualifications at the time of his or her application:
  - 1. Be a citizen of the United States;
  - 2. Be aged 14 through 18 years;
  - 3. Be of good physical health, to be evidenced by a medical certification to that effect after taking of a physical examination; and
  - 4. Have the express written consent of his or her parents or guardians authorizing him or her to apply for membership and, if accepted, to participate in the activities of, and perform the duties imposed upon, members of the auxiliary as such activities and duties are delineated in this chapter and the rules and regulations of the Fire Department.
- c. Procedure for application for membership.
  - 1. All applications shall be submitted to the Chief and/or the Advisor of the Program. A copy of same shall be provided to the Clerk and/or the Business Administrator for the Borough.

2. It shall be the responsibility of the Chief and/or the Advisor of the Program to ensure compliance with state law, the rules set forth herein, and the bylaws of the Fire Department prior to acceptance of an application to join the Junior Firefighter Program.
  3. The Chief and/or the Advisor of the Program shall advise the applicant if an application is granted or denied.
- d. All probationary and regular members of the Junior Firefighter Program shall be covered by the insurance policies provided to the Fire Department by the Borough.
- e. Expectations and Responsibilities.
1. Junior firefighters shall be expected to attend all training sessions in each year. For those junior firefighters who are then enrolled in secondary education, they shall not participate in any Department activity during those hours when such schools are in session.
  2. Junior firefighters shall at all times conduct themselves appropriately and shall adhere to the standards for firefighters, including but not limited to the Borough's code of conduct for volunteers and the code of conduct established by the Fire Department's bylaws.
  3. Junior firefighters, when responding to a fire, shall obey all traffic rules and regulations. Any member who shall be convicted of any moving violation of the motor vehicle laws of this state while responding to a fire, or function of the Department may be subject to discipline, up to and including removal.
  4. Junior firefighters shall not be permitted to enter any burning structure or to engage in any activity while on duty or engage in any function that would be hazardous. Instead, the Chief and/or the Advisor of the Program shall establish a policy that shall ensure members of the Junior Firefighter Program are not exposed to harm and adequate supervision when observing firefighting activities. Junior firefighters are expected to obey any order or direction of the officers of the firefighters on duty. Failure to do so shall subject that junior firefighter to discipline, up to and including suspension or dismissal.
  5. The Chief and/or the Advisor of the Program shall ensure compliance with all State labor laws.

### §3-31 FIRE DEPARTMENT EQUIPMENT

#### §3-31.1 Uniform; badge.

Each member of the Fire Department shall obtain a uniform and a badge of a pattern and design approved by the Fire Department, and the Fire Department shall issue an identification card to be carried by each member. The Chief, Deputy Chief, Captains, and Lieutenants of the Fire Department shall provide themselves each with suitable badges or emblems of rank, which shall be worn in a conspicuous place when at a fire and going to and returning from it. Each badge shall plainly indicate the office of the wearer.

#### §3-31.2 Termination of membership.

Upon termination of membership in the Fire Department all issued equipment and the Fire Department issued identification card must immediately be returned to an authorized representative of the Fire Department.

#### §3-31.3 Major fire apparatus.

No fire engine, hook and ladder truck, hose truck or other apparatus shall during any alarm of fire or at any other time under any pretense whatever be taken or removed out of its house unless the Chief, Deputy Chief, a Captain, a Lieutenant, a Chief Engineer, or a member of the company is present and consents. Nor shall any engine, hook and ladder truck, hose truck or other apparatus be taken out of the limits of the Borough except with the consent of the Chief or Deputy Chief, or the Mayor, and then only if to be taken out of the Borough for parades, repairs, drills or emergencies.

#### §3-31.4 Apparatus and equipment.

- a. Ownership and purchase. The title to ownership of all apparatus, equipment, hose and other property used by the Fire Department shall be vested in the Borough. The Department shall be equipped with such apparatus and other equipment as may be required to maintain its efficiency and properly protect life and property from fire. Recommendations for apparatus and equipment needed shall be made by the Fire Chief to the Borough Council. Purchases of apparatus and equipment shall be made only by the Borough Council at such time and in such manner as the Borough Council determines.
- b. Housing facilities and maintenance. The Borough Council shall have authority to lease or purchase adequate housing facilities for all municipally owned fire apparatus, equipment, supplies and furnishings for the Fire Department.
- c. Use and handling. No person shall use any fire apparatus or equipment for any private purpose, nor shall any person willfully and without authority take away or conceal any article belonging to or used in any way by the department.
- d. Removal from Borough. No apparatus is to leave the Borough without the consent of the Fire Chief or the next highest ranking officer available. The officer in charge of the Fire Department shall have the power to assign the equipment for a response to calls for outside assistance and in other cases only when the absence of such equipment in his or her judgment will not jeopardize fire protection in the Borough.



- e. Authorized drivers. Only members of the Fire Department shall be permitted to drive fire apparatus. Each driver must have a driver's license issued by the State of New Jersey and be approved as a driver or operator of the apparatus and must be fully instructed in the use, care and operation of the vehicle of which he or she has charge.

**§3-31.5 Storage rooms; water supplies; hose.**

No person except a member of the Fire Department shall enter any room in which is stored or kept any fire engine, hook and ladder truck, hose truck or fire alarm equipment, except when the Borough Council shall authorize it to be used for election purposes, unless by permission of a member of the Fire Department. The foregoing provision shall not be construed to apply to the Borough Council members, or persons who accompany them by express invitation, or to any law enforcement officer in the proper discharge of his duty. No person shall, at any time, drive a wagon, cart or any vehicle over, or in any way move, any ladder, hose or any other fire apparatus, whether belonging to the Fire Department or otherwise without consent of an officer of the Fire Department.

**§3-31.6 Use of Department-issued equipment.**

Fire Department-issued equipment is for use only when the Fire Department is dispatched for firematic emergencies, calls for aid, or other situations where response of the Fire Department is required.

**Section 3.** The effective date for this Ordinance shall be April 1, 2025.

**Section 4.** If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

**Introduced: March 4, 2025**

**Public Hearing: April 1, 2025**

**Adopted:**

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**Michele Clark, RMC**  
**Borough Clerk**

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**Rose P. Araneo, Mayor**  
**Borough of Keyport**

Public Hearing / Adopt  
ORD # 2

**ORDINANCE NO. 2025-01**

**AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF KEYPORT,  
IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY 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 14; and,

**WHEREAS**, the Borough is authorized pursuant to N.J.S.A. 40A: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 Keyport Garden Club has previously leased the property from the Borough, and 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 14) as a community garden, which shall include the following terms:

1. Consideration: The Keyport Garden Club shall pay the Borough a yearly fee of \$1.00. 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 of each year.
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 five years.
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 thirty 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 ORDAINED** that the Borough Administrator is hereby authorized to take such actions required to effectuate the terms of this Ordinance, including the preparation and execution of any documents relating thereto.

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

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

**Introduced: March 4, 2025**

**Public Hearing: March 18, 2025**

**Reintroduced: March 18, 2025**

**Public Hearing: April 1, 2025**

**Adopted:**

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**Michele Clark, RMC**  
**Borough Clerk**

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**Rose P. Araneo, Mayor**  
**Borough of Keyport**

**RESOLUTION NO. 2025-**

**RESOLUTION OF THE BOROUGH OF KEYPORT, COUNTY OF  
MONMOUTH, NEW JERSEY AUTHORIZING A MEETING NOT OPEN  
TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE  
NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12.**

**WHEREAS**, N.J.S.A. 10:4-12 provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by resolution; and

**WHEREAS**, it is necessary for the Borough to discuss, in a session not open to the public, pursuant to N.J.S.A. 10:4-12b, to discuss matters falling within the attorney-client privilege pursuant to N.J.S.A. 10:4-12b(7): personnel;

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

1. The Mayor and Council assembled in public session on April 1, 2025 and determined that an Executive Session closed to the public shall be held on April 1, 2025, at approximately 7:00 P.M. at the Borough Hall located at 70 West Front Street, Keyport, New Jersey, for the discussion of matters relating to the specific items designated above.

2. This resolution will take effect immediately.

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on April 1, 2025.

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Michele Clark, RMC  
Borough Clerk