

BOROUGH OF KEYPORT
REGULAR MEETING AGENDA
TUESDAY, APRIL 18, 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

PROCLAMATION

Child Abuse Prevention and Awareness Month

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, Health/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.)

- R2023-108 Authorizing the Appointment of Robert Kutschman as Laborer-1 in the Department of Public Works (Tabled April 4, 2023)
- R2023-117 Payment of Bills Listed on the April 7, 2023 Bills List
- R2023-118 Payment of Bills Listed on the April 18, 2023 Bills List
- R2023-119 Resolution of the Borough of Keyport,, County of Monmouth, State of New Jersey Calling for an Immediate Investigation of Offshore Projects into Marine Animal Deaths along the New Jersey Coastline
- R2023-120 Authorizing Emergency Temporary Appropriations
- R2023-121 Authorizing the Borough of Keyport to Release the Performance Bond Provided by R&R Contracting, Inc., for Site Improvements at 133 Second Street, Block 125, Lot 19
- R2023-122 Authorizing Reimbursement of Emergency Sewer Assistance/Repair
- R2023-123 Authorizing the Disposition of Surplus Property
- R2023-124 Appointing McManimon, Scotland & Baumann as Special Cannabis Counsel to the Borough of Keyport
- R2023-125 Increase in Authorized Amount for Labor Counsel Services for 2022
- R2023-126 Increase in Authorized Amount for Borough Attorney Services for 2022
- R2023-127 Resolution Authorizing Execution of Chief of Police Agreement
- R2023-128 Authorizing the Award of a Contract for Lawn Cutting and Landscaping Services
- R2023-129 Authorizing the Award of a Non-Fair and Open Contract for Real Estate Appraisal Services
- R2023-130 Appointment of Borough Auditor
- R2023-131 Authorizing the Appointment of Two Special Law Enforcement Officers
- R2023-132 Appointment of Joseph Merla as an Alternate Member of the Keyport Unified Planning Board
- R2023-133 Appointment of Recycling Coordinator of the Keyport Recycling Committee – Donna Purcell
- R2023-134 Authorizing Execution of Agreement with Stress Free Body for Yoga at the Waterfront
- R2023-135 Acknowledging the Extension of the Agreement with A Canoe To You, LLC, for the Borough Owned Boat Ramp Boathouse on the Waterfront in the Borough of Keyport
- R2023-136 Acknowledging the Extension of the Agreement with Funnee Girl Dogs, LLC, for the Operation of a Food Concession at the Keyport Waterfront Park in the Borough of Keyport
- R2023-137 Authorizing Jersey Shore Ghost Tours to Provide Keyport Ghost Tours within the Borough
- R2023-138 Authorizing the Keyport Board of Education to Place a Storage Locker on Municipal Property

- R2023-139 Authorizing the Borough's Participation in the Bayshore Medical Center Earth Day Beach Clean-up
- R2023-140 Authorizing the Borough's Participation in the Cub Scout Pack 137 Elizabeth Street Community Garden Community Service Clean-up

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** – Revising the Borough's Bench Program

The Clerk reads the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, REVISING THE BOROUGH OF KEYPORT PUBLIC BENCH SPONSORSHIP PROGRAM**

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:

COMMUNICATIONS

1. Recreation Committee Program & Activity Planning Summary for *Dinosaurs Rock* to be held on Saturday, July 8, 2023 at 10AM at the Mini Park (stage).
2. Recreation Committee Program & Activity Planning Summary for a Trunk or Treat to be held on Saturday, October 21, 2023 at 4PM at Waterfront Park parking lot.

MINUTES FOR APPROVAL

October 18, 2022 Council Meeting Minutes

MM: 2nd: Ayes: Nays:

REPORTS

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

CLOSED SESSION

Closed Session Resolution #2023-141

Personnel Matters

Potential Litigation

Tabled April 4, 2023

RESOLUTION #2023-108

**AUTHORIZING THE APPOINTMENT OF ROBERT KUTSCHMAN
AS LABORER-1 IN THE DEPARTMENT OF PUBLIC WORKS**

WHEREAS, a vacancy exists within the Borough of Keyport (the “Borough”) Department of Public Works; and

WHEREAS, the Superintendent of Public Works has requested, and the Borough Administrator has recommended an appointment to fill this vacancy.

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. Robert Kutschman is hereby appointed to the position of Laborer-1 effective April 6, 2023 at 3:30PM and shall be compensated in accordance with the Collective Bargaining Agreement between the Borough of Keyport and the union representing this full-time position in the Public Works Department.
2. The Borough Administrator is hereby authorized to execute all documents necessary to effectuate this appointment.
3. The Borough Clerk is directed to forward copies of this resolution to the Borough Administrator, the Public Works Superintendent, and Robert Kutschman.

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 April 18, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION FOR THE PAYMENT OF BILLS

Ra3-117
4/7/23

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. 2023	\$ 256,347.68
	WATER/SEWER ACCT. 2023	\$ 20,576.61
	FEDERAL & STATE GRANTS	\$ 6,126.01
	TRUST OTHER FUND	\$ 8,582.50

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

R23-118
4/18/23

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	\$ 15,184.13
	WATER/SEWER ACCT.2022	\$ 7,133.62
	CURRENT ACCT. 2023	\$ 1,879,272.14
	WATER/SEWER ACCT. 2023	\$ 15,738.03
	ANIMAL CONTROL TRUST.2023	\$ 2,800.00
	GENERAL CAPITAL FUND	\$ 512,251.15
	FEDERAL & STATE GRANTS	\$ 510.25
	TRUST OTHER FUND	\$ 8,091.63
	REC BAYFRONT IMPROVEMENT	\$ 2,780.24
	DEVELOPER ESCROW	\$ 2,185.00

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 2023-**RESOLUTION OF THE BOROUGH OF KEYPORT
COUNTY OF MONMOUTH, STATE OF NEW JERSEY,
CALLING FOR AN IMMEDIATE INVESTIGATION
OF OFFSHORE PROJECTS INTO MARINE ANIMAL DEATHS
ALONG THE NEW JERSEY COASTLINE**

WHEREAS, the Borough of Keyport, along with over 30 other New Jersey communities and municipalities, stand united in their concerns for the unprecedented number of whales and dolphins that have recently washed ashore; and

WHEREAS, on March 22, 2023, 8 dolphins washed ashore injured in Sea Isle City, New Jersey, with 6 needing to be euthanized from injury and 2 dying immediately from yet to be determined causes, bringing the number of dolphin deaths to over 10 onshore alone since December 5, 2022; and

WHEREAS, on February 13, 2023, a humpback whale washed ashore in Manasquan, and a week later the tenth in the Greater New Jersey/New York area washed ashore since December 5, 2022, increasing the staggering number of whale deaths to over 23 whales onshore alone, of which 3 distinct species have been found including Humpback, Minke and Atlantic Right whales; and

WHEREAS, these numbers do not hold within the likelihood of other whale and dolphin deaths where the animals have been injured nor account for those which likely were fatally injured and remains did not wash ashore; and

WHEREAS, the extraordinary number of marine mammal strandings coincides with ongoing activity from acoustic sonar survey vessels for the development of offshore wind as well as in close proximity to growing commercial shipping lanes and recreational marine boating traffic; and

WHEREAS, there has yet to be determined through a preponderance of evidence by the State of New Jersey, New Jersey Department of Environmental Protection, New Jersey Bureau of Public Utilities, the United States Environmental Protection Agency, and the United States Bureau of Ocean Energy Management, a definitive cause of injury and death to marine life; and

WHEREAS, the Borough is not opposed to exploring clean energy nor insinuating wind turbines are a sole cause. Nonetheless, the Mayor and Council are concerned about the impact recent off shore activities are having on our environment, marine life, and tourism without thorough evidence suggesting otherwise; and

WHEREAS, as the elected representatives of the Borough of Keyport, we hereby request State and Federal governmental agencies share unbiased findings of all investigations into the deaths of marine mammals to determine if any such correlation or which effectively find there is no link between injuries and deaths with acoustic sonar surveying and/or whether the echolocation of these animals has been impacted in anyway.

NOW THEREFORE BE IT RESOLVED, the Mayor and Council of the Borough of Keyport calls for an investigation of acoustic sonar surveying by offshore wind turbine companies or any offshore activities that may be causing injuries and deaths, until such investigations are held and evidence shared with concerned communities and their residents.

BE IT FURTHER RESOLVED, the Mayor and Council of the Borough of Keyport hereby call upon our elected officials to support AR181, which calls for an immediate moratorium on sonar testing and wind turbine mapping due to recent unexplained deaths of whales and dolphins off the coast of 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 their Regular Meeting of April 18, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-**AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS**

WHEREAS, an emergent condition has arisen with respect to the general operations of the Borough of Keyport and no adequate provision could have been made in the 2023 temporary appropriations for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total emergency temporary appropriations adopted in the year 2023 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$3,085,840 and \$874,000 for the general budget and water/sewer utility budget respectively,

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of N.J.S.A. 40A: 4-20:

1. An emergency temporary appropriation be and the same is hereby made for general operations (as per attached list) in the amount of \$3,085,840 and \$874,000 for the general budget and water/sewer budget, respectively
2. That said emergency temporary appropriations will be provided for in the 2023 budget under the same titles
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

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 April 18, 2023.

Michele Clark, RMC
Borough Clerk

EMERGENCY
TEMPORARY
APPROPRIATIONS
2023

GENERAL BUDGET

Administrative and Executive	
Salaries and Wages	45,000.00
Other Expenses	30,000.00
Mayor and Council	
Salaries and Wages	6,000.00
Other Expenses	2,000.00
Municipal Clerk	
Salaries and Wages	25,000.00
Other Expenses	4,000.00
Financial Administration	
Salaries and Wages	19,000.00
Other Expenses	800.00
Collection of Taxes	
Salaries and Wages	30,000.00
Other Expenses	4,000.00
Assessment of Taxes	
Salaries and Wages	6,000.00
Other Expenses	20,000.00
Legal Services	
Other Expenses	60,000.00
Environmental Commission	
Other Expenses	200.00
Engineering Services	
Other Expenses	25,000.00
Planning/Zoning Board	
Salaries and Wages	1,500.00
Other Expenses	2,000.00
Property Maintenance Code	
Salaries and Wages	5,000.00
Insurances	
Liability Insurance	62,000.00
Workers Compensation Insurance	90,000.00
Employee Group Insurance	100,000.00
Health Benefit Waiver	15,000.00
Police Department	
Salaries and Wages	600,000.00
Other Expenses	
Miscellaneous	30,000.00
Clothing Allowance	10,000.00
Emergency Management Services	

Other Expenses	5,000.00
First Aid Contributions	6,000.00
Fire Department	
Other Expenses	45,000.00
Uniform Fire Safety Act	
Salaries and Wages	15,000.00
Other Expenses	7,500.00
Municipal Prosecutor	
Other Expenses	27,500.00
Municipal Court	
Salaries and Wages	40,000.00
Other Expenses	5,000.00
Public Defender	
Other Expenses	5,000.00
Road Repairs and Maintenance	
Salaries and Wages	90,000.00
Other Expenses	30,000.00
Garbage and Trash Removal	
Other Expenses	2,000.00
Contracted (40A:4-85)	60,000.00
Public Buildings and Grounds	
Other Expenses	25,000.00
Board of Health	
Salaries and Wages	16,000.00
Other Expenses	1,000.00
Recreation	
Salaries and Wages	7,000.00
Other Expenses	10,000.00
Senior Citizen Community Center	
Salaries and Wages	12,000.00
Other Expenses	3,000.00
Senior Citizen Transportation Contracted	1,500.00
Parks and Playgrounds	
Other Expenses	10,000.00
Uniform Construction Code Official	
Salaries and Wages	40,000.00
Other Expenses	3,000.00
Celebration of Public Events	
Other Expenses	500.00
Postage	6,000.00
Fuel for Motor Vehicles	20,000.00
Telephone	12,000.00
Street Lighting	30,000.00
Fuel Oil	4,000.00
Natural Gas	8,000.00
Electricity	10,000.00
Landfill Disposal Costs	80,000.00
Social Security System	40,000.00

Defined Contribution Retirement Program	1,000.00
Public Employees' Retirement System	257,774.00
Police and Firemen's Retirement System	709,031.00
Maintenance of Free Public Library	100,000.00
Shared Service - Information Technology	10,000.00
Shared Service - Dispatch Services	138,535.00

Total General Temporary Budget	<u>3,085,840.00</u>
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WATER/SEWER UTILITY BUDGET

Salaries and Wages	150,000.00
Other Expenses	150,000.00
Bayshore Regional Sewerage Authority	365,000.00
Acquisition of Water	180,000.00
Public Employees' Retirement System	20,000.00
Social Security System	<u>9,000.00</u>

Total Water/Sewer Utility Temporary Budget	<u>874,000.00</u>
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RESOLUTION #2023-

**AUTHORIZING THE BOROUGH OF KEYPORT TO
RELEASE THE PERFORMANCE BOND PROVIDED BY
R&R CONTRACTING INC. FOR SITE IMPROVEMENTS
AT 133 SECOND STREET, BLOCK 125, LOT 19**

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, as part of the project at the property located at block 125, lot 19 on the Borough tax map (the "**Property**"), the Property owner, R&R Contracting Inc. (the "**Owner**") was required to post a performance guarantee in the form of a performance bond for the amount of \$8,561.16 (the "**Performance Bond**") and a cash deposit in the amount of \$951.24 (the "**Cash Deposit**") for construction of the project at the Property; and

WHEREAS, the Borough Engineer has conducted a field observation of the project and confirmed that the construction of the improvements is complete and in substantial conformance with the approved project plan; and

WHEREAS, the Borough Engineer has recommended that the Performance Bond be released and the Cash Deposit returned to the Owner upon the following conditions: (i) the Owner obtain a two year 15% maintenance guarantee in the amount of \$1,189.05; and (ii) the Owner pay all outstanding engineering and inspection escrow fees and replenish the escrow account to an amount not less than \$500 to cover the costs associated with the observation of the site and report at the end of the 2-year Maintenance Bond period (collectively the "**Conditions**").

WHEREAS, the Borough Engineer recommends the release of the Performance Bond.

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 Performance Bond provided by the Owner to the Borough based on the recommendation of the Borough Engineer subject to the conditions listed in this resolution.
3. The Borough is authorized to return the Cash Deposit to the Owner based on the recommendation of the Borough Engineer subject to the conditions listed in this resolution.
4. The Mayor of the Borough, the Borough Administrator, and/or the Borough Chief Financial Officer is authorized to effectuate the release of the Performance Bond and the return of the Deposit, including the execution of any forms necessary for the release of the Performance Bond in furtherance of this resolution.

5. 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.

6. A copy of this Resolution shall be available for public inspection at the Office of the Borough Clerk.

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

OFFERED:
SECONDED:
AYES:
NAYS:
ABSENT:

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting of April 18, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-

**AUTHORIZING REIMBURSEMENT OF EMERGENCY SEWER
ASSISTANCE/REPAIR**

WHEREAS, Block 5.01/Lot 1.02, DBMC, LLC, experienced a sanitary sewer emergency and due to public health and safety had to call a vendor for immediate assistance and repair; and

WHEREAS, the Borough of Keyport intends to reimburse Name for said fees related to the above matter due to the issue being found to be the responsibility of the Borough of Keyport Sanitary Sewer Utility; and

WHEREAS, the amount to be reimbursed is \$2,891.40

WHEREAS, the Chief Financial Officer of the Borough of Keyport has certified the funds are available in account #3-09-55-502-502-263 water/sewer repairs and maintenance.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Keyport that the Borough shall reimburse DMBC, LLC, for said fees in connection with the emergency repair and service in the aforesaid matter and has submitted proper documentation.

BE IT FURTHER RESOLVED, that DBMC, LLC, Block 5.01/Lot 1.02 shall be reimbursed a total amount in the sum of \$2,891.40.

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 their Regular Meeting of April 18, 2023.

Michele Clark, RMC
Borough of Keyport

R23-123

RESOLUTION #2023-

AUTHORIZING THE DISPOSITION OF SURPLUS PROPERTY

WHEREAS, the Borough of Keyport is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Borough is desirous of selling this surplus property in an "as-is" condition without express or implied warranties; and

WHEREAS, New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-36, provides for the disposition of personal property owned by a municipality; and

WHEREAS, public bids are not required when the purchase is under a State Contract in accordance with N.J.S.A. 40A:11-12 of the Local Public Contracts Law.

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

1. The following property is declared surplus and the sale of the surplus property shall be conducted through the online auction services of Municibid, pursuant to State Contract No. T2581, in accordance with the terms and conditions of the State Contract;
2. The surplus property to be sold is as follows:
 - (i) 1988 Chevrolet Bus, VIN #1GBHG31F3W1096345
 - (ii) 2000 Jeep Cherokee, VIN #1J4FF48S9YL229805
3. The surplus property as identified shall be sold in "as-is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSENT:

I, Michele Clark, Borough Clerk, do hereby certify the foregoing to be a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular meeting of April 18, 2023.

Michele Clark, RMC
Municipal Clerk

RESOLUTION #2023-

**APPOINTING MCMANIMON, SCOTLAND & BAUMANN,
LLC AS SPECIAL CANNABIS COUNSEL TO THE
BOROUGH OF KEYPORT.**

WHEREAS, the Borough of Keyport has a need to acquire legal services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 and,

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, there exists a need to appoint Special Cannabis Counsel to represent the Borough in ongoing cannabis related litigation, specifically: (i) *KGNJ Operations LLC v. Borough of Keyport, et al.*, Docket No. MON-L-2997-22; and (ii) *Green and Gold Dispensary, LLC v. Borough of Keyport, et al.*, Docket No. MON-L-3315-22 (the "**Cannabis Litigation**"); and

WHEREAS, the law firm McManimon, Scotland & Baumann has been involved with the cannabis process in the Borough since its inception in 2021; and

WHEREAS, the Borough has determined that due to the nature of the litigation and the extent of McManimon, Scotland & Baumann, LLC's involvement in the Borough's cannabis process, it is in the best interests of the Borough to authorize the appointment of McManimon, Scotland & Baumann, LLC as Special Counsel to represent the Borough in the Cannabis Litigation; and

WHEREAS, the Borough desires to appoint McManimon, Scotland & Baumann, LLC as Special Cannabis Counsel and authorizes the execution of a contract with McManimon, Scotland & Baumann, LLC in an amount not to exceed \$17,500.00; and

WHEREAS, the Borough's Chief Financial Officer has certified that the necessary funds are available for the stated purpose in account #3-01-20-155-155-200, 2023-legal.

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 appoints and authorizes the execution of a contract with McManimon, Scotland & Baumann, LLC in an amount not to exceed \$17,500.00.
3. The Mayor of the Borough, the Borough Administrator and other reasonably necessary personnel are hereby authorized to complete and execute any and all contracts and necessary documents needed to effectuate 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 offices of the Borough Clerk.

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

OFFERED:
SECONDED:
AYES:
NAYS:
ABSENT:

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting of April 18, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-

INCREASE IN AUTHORIZED AMOUNT FOR LABOR COUNSEL
SERVICES FOR 2022

WHEREAS, pursuant to Resolution #2022-8, the Borough of Keyport (the "**Borough**") appointed labor counsel to represent the Borough during the 2022 calendar year; and

WHEREAS, through a fair and open process, conducted in accordance with N.J.S.A. 19:44A-20.5, proposals were solicited from persons and entities interested in being appointed as labor counsel, and the Borough awarded a contract for labor counsel legal services during the 2022 calendar year to Leslie G. London, Esq. of McManimon, Scotland & Baumann, in an amount not to exceed Ten Thousand Dollars (\$10,000.00); and

WHEREAS, the Borough's Chief Financial Officer has advised that it is necessary to increase the authorized amount by four-thousand dollars, to an amount not to exceed Fourteen Thousand Dollars (\$14,000.00), and that such funds are available for the stated purpose in account #2-01-20-155-155-200, 2022-Legal.

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

1. Leslie G. London, Esq., of McManimon, Scotland & Baumann was appointed as labor counsel for the 2022 calendar year, in accordance with N.J.S.A. 19:44-20.5 and N.J.S.A. 40A:11-1 et seq., and pursuant to the terms of the proposal, for an amount not to exceed Ten Thousand Dollars (\$10,000.00).
2. The Borough hereby authorizes an increase in the authorized amount by four-thousand dollars, to an amount not to exceed Fourteen Thousand Dollars (\$14,000.00), pursuant to the recommendation of the Borough's Chief Financial Officer.
3. The Borough Clerk shall forward certified copies of this Resolution to the legal professional appointed hereunder.
4. Approved and executed copies of the contract between the Borough and the professional, and a copy of this Resolution, shall be placed on file in the office of the Borough Clerk and be available for public inspection as required by law.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSENT:

Resolution #2023-
April 18, 2023

I, Michele Clark, Deputy 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 of April 18, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-**INCREASE IN AUTHORIZED AMOUNT FOR BOROUGH ATTORNEY
SERVICES FOR 2022**

WHEREAS, pursuant to Resolution #2022-3, the Borough of Keyport (the "Borough") appointed a Borough Attorney to represent the Borough during the 2022 calendar year; and

WHEREAS, through a fair and open process, conducted in accordance with N.J.S.A. 19:44A-20.5, proposals were solicited from persons and entities interested in being appointed as Borough Attorney, and the Borough awarded a contract for Borough Attorney services during the 2022 calendar year to Leslie G. London, Esq., of McManimon, Scotland & Baumann, in the amount of Eighty-Four Thousand Dollars (\$84,000.00) for meeting-related services, and up to Thirty Thousand Dollars (\$30,000.00) for additional legal services; and

WHEREAS, the Borough's Chief Financial Officer has advised that it is necessary to increase the authorized amount for additional legal services by forty-seven-thousand dollars, to an amount not to exceed Seventy-Seven Thousand Dollars (\$77,000.00), and that such funds are available for the stated purpose in account #2-01-20-155-155-200, 2022-Legal.

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

1. Leslie G. London, Esq., of McManimon, Scotland & Baumann was appointed as Borough Attorney for the 2022 calendar year, in accordance with N.J.S.A. 19:44-20.5 and N.J.S.A. 40A:11-1 et seq., and pursuant to the terms of the proposal, for an amount of Eighty-Four Thousand Dollars (\$84,000.00) for meeting-related services, and up to Thirty Thousand Dollars (\$30,000.00) for additional legal services; and
2. The Borough hereby authorizes an increase in the authorized amount for additional legal services by forty-seven thousand dollars, to an amount not to exceed Seventy-Seven Thousand Dollars (\$77,000.00), pursuant to the recommendation of the Borough's Chief Financial Officer.
3. The Borough Clerk shall forward certified copies of this Resolution to the legal professional appointed hereunder.
4. Approved and executed copies of the contract between the Borough and the professional, and a copy of this Resolution, shall be placed on file in the office of the Borough Clerk and be available for public inspection as required by law.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSENT:

Resolution #2023-
April 18, 2023

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 of April 18, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-

**RESOLUTION AUTHORIZING EXECUTION OF
CHIEF OF POLICE AGREEMENT**

WHEREAS, by way of Resolution #292-20, Shannon Torres was appointed to serve as Chief of Police of the Borough of Keyport Police Department effective January 1, 2021 and has served in said capacity since that time; and

WHEREAS, the Borough has reached an Agreement with Shannon Torres as to the terms and conditions of her employment.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Administrator are hereby authorized to execute an Employment Agreement governing the terms and conditions of Shannon Torres' employment as aforesaid.

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 Council Meeting of April 18, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-**RESOLUTION OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF KEYPORT AUTHORIZING THE AWARD OF A
CONTRACT FOR LAWN CUTTING AND LANDSCAPING
SERVICES**

WHEREAS, the Mayor and Council of the Borough of Keyport have determined that the Borough parks, open spaces and ball fields are in need of lawn cutting and landscaping services; and

WHEREAS, the value of the contract will not exceed \$35,000.00; and

WHEREAS, the anticipated term of this contract is less than one year; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-3 permits the Borough of Keyport to award a contract without public advertising and bidding when the aggregate cost or price of a contract does not exceed \$44,000.00 and, for all contracts that are less than the bid threshold of \$44,000.00 but totaling 15 percent or more of that amount at least two competitive quotes should be solicited, if practicable. N.J.S.A. 40A:11-6.1(a); and

WHEREAS, the Borough of Keyport solicited quotations and obtained two price quotations for the above mentioned service, which is appended hereto and made a part hereof by reference; and

WHEREAS, Scenic View Landscaping solicited a quotation for lawn cutting and landscaping services for a total contract price of \$35,000.00, and

WHEREAS, it is most advantageous of the Borough to secure one contract with Scenic View Landscaping 213 Broad Street Keyport New Jersey 07735, and

WHEREAS, the Chief Financial Officer of the Borough Keyport has certified funds for this purpose to charge to account #T-20-56-850-000-801 and to account #3-01-26-310-310-200; and

NOW THEREFORE BE IT RESOLVED, the Borough Council of the Borough of Keyport does hereby authorize the Borough Administrator to enter a contract with the Scenic View Landscaping for lawn services as attached for the 2023 season.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSENT:

ABSTAIN:

Resolution #2023-
April 18, 2023

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 of April 18, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-**AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR REAL ESTATE APPRAISAL SERVICES**

WHEREAS, the Borough of Keyport has a need to acquire the services of a professional real estate appraiser as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 and,

WHEREAS, the Purchasing Agent has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, Pyramid Real Estate Advisors has submitted a proposal indicating they will provide the such goods and services for an amount not to exceed \$25,000; and

WHEREAS, Pyramid Real Estate Advisors has completed and submitted a Business Entity Disclosure Certification which certifies that Pyramid Real Estate Advisors 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 Pyramid Real Estate Advisors from making any reportable contributions through the term of the contract, and

WHEREAS, the Borough of Keyport Chief Financial Officer has certified funds to charge account #3-01-20-150-150-200 Tax Assessor-Other Expenses; and

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Keyport authorizes the Borough Administrator to enter into a contract with Pyramid Real Estate Advisors, 12 Maple Place, Somerville, New Jersey as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

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 of April 18, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-**APPOINTMENT OF BOROUGH AUDITOR**

WHEREAS, the Mayor and Borough Council of the Borough of Keyport, Monmouth County, New Jersey have the need for an Auditor to advise on financial matters in the Borough of Keyport, County of Monmouth; and

WHEREAS, proposals were solicited through a fair and open process to publicly solicit proposals or qualifications of persons interested in being appointed as Borough Auditor in accordance with N.J.S.A. 19:44A-20.5; and

WHEREAS, Holman Frenia Allison, P.C. has submitted a proposal and contract to perform audit services for the Borough of Keyport for a period beginning January 1, 2023 and concluding December 31, 2023, and this proposal is determined to be the most advantageous in consideration of price and other facts, by the Mayor and Borough Council; and

WHEREAS, the Borough's Chief Financial Officer has certified that the necessary funds are or will be available for the stated purpose in account #3-01-20-135-135-200 Audit Services.

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 aforementioned recitals are incorporated herein as though fully set forth at length.
2. That the Mayor and Borough Council of the Borough of Keyport hereby appoint Holman Frenia Allison, P.C., as Borough Auditor, at a cost not to exceed \$28,350.00 and for one (1) year, beginning on January 1, 2023 and concluding December 31, 2023 in accordance with N.J.S.A. 19:44-20.5 and N.J.S.A. 40A:12-1 et seq.
3. That a notice in accordance with this resolution and the Local Public Contracts Law shall be published in the official newspaper or newspapers of the Borough.
4. That an approved and executed copy of the contract between the Borough and the various appointees, and a copy of this resolution be placed on file in the Office of the Clerk and be available for public inspection in accordance with the law.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

Resolution #2023-
April 18, 2023

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 April 18, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-**AUTHORIZING THE APPOINTMENT OF TWO SPECIAL LAW
ENFORCEMENT OFFICERS**

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

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

WHEREAS, Section 3-10 of the Borough Code provides for the appointment of special law enforcement officers subject to approval by resolution of the Borough Council; and

WHEREAS, the Chief of Police has recommended the appointment of qualified individuals as Class I Special Law Enforcement Officers and the Borough Administrator, as the designated Appropriate Authority, approves this recommendation.

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

1. Anthony Steven Dilorenzo is hereby appointed as a Class I Special Law Enforcement Officer for a one-year term ending April 30, 2024.
2. Matthew Christian O'Dwyer is hereby appointed as a Class I Special Law Enforcement Officer for a one-year term ending April 30, 2024.
3. All Special Law Enforcement Officers shall be compensated on an hourly basis within the hourly pay range established by ordinance and approved by the Chief of Police and Borough Administrator.
4. The Borough Clerk is directed to forward certified copies of this resolution to the Chief of Police and Borough Administrator.

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 April 18, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-**APPOINTMENT OF JOSEPH MERLA AS AN ALTERNATE MEMBER OF THE
KEYPORT UNIFIED PLANNING BOARD**

WHEREAS, the Mayor and Council of the Borough of Keyport have established, by Ordinance, a Planning Board consisting of nine members and two alternate members; and

WHEREAS, the Ordinance provides that the Mayor shall appoint Class II, Class IV and Alternate members; and

WHEREAS, due to a resignation there currently exists a need for the appointment of an Alternate member to fill an unexpired term; and

WHEREAS, Mayor Araneo announces the appointment of Joseph Merla as an Alternate member of the Planning Board to fill an unexpired term which will expire on December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED, that Joseph Merla is hereby appointed as an Alternate member of the Keyport Unified Planning Board to fill an unexpired term which term expires on December 31, 2023.

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 of April 18, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-

**APPOINTMENT OF RECYCLING COORDINATOR OF
THE KEYPORT RECYCLING COMMITTEE – Donna
Purcell**

WHEREAS, the Borough of Keyport, County of Monmouth (the "**Borough**") created the Recycling Committee of the Borough of Keyport (the "**Recycling Committee**") by Ordinance of the Borough; and

WHEREAS, the Recycling Committee consists of nine (9) members; and

WHEREAS, there exists a need for the appointment of a Recycling Coordinator pursuant to Borough Code 16-6.6 (a); and

WHEREAS, it is the recommendation of the Mayor, and the Borough Council consents thereto, to appoint Donna Purcell as Recycling Coordinator for the Recycling Committee for a one (1) year term which will expire December 31, 2023.

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. Donna Purcell is hereby appointed as Recycling Coordinator for the Recycling Committee, by the Mayor of the Borough and with the advice and consent of the Borough Council, for a one (1) year term ending December 31, 2023, and shall be compensated at the annual rate of \$3,500, all in accordance with Borough Code 16-6.6 (a)

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 of April 18, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-

**AUTHORIZING EXECUTION OF AGREEMENT WITH
STRESS FREE BODY FOR YOGA AT THE WATERFRONT**

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 Mayor and Council of Keyport hosts certain programs during the summer at the Waterfront; and

WHEREAS, the Mayor and Council feel it is a benefit to have programs including Tai Chi and Yoga at the Waterfront Park; and

WHEREAS, Stress Free Body ("**SFB**") submitted a proposal to teach Yoga and Body Movement classes at the Waterfront Park (the "**Proposals**"); and

WHEREAS, SFB will teach the classes at the Keyport Municipal Waterfront Park to the right of the gazebo beginning June 5th and ending October 28th; and

WHEREAS, the Proposal provides that SFB will teach the classes at the Keyport Municipal Waterfront Park Tuesdays 6:30 p.m.; Wednesdays 9:30 a.m.; Thursdays and Saturdays 8:00 a.m., for 60 minutes each class; and

WHEREAS, the Borough seeks to execute an agreement (the "**Agreement**") with SFB consistent with the Proposal for a fee paid to the Borough of Keyport of \$750.00.

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 authorizes the execution of the Agreement with SFB at a rate of \$75 per class.
3. The Mayor or Business Administrator be and is hereby authorized and directed to execute the Agreement on file with the Office of the Borough Clerk hiring SFB to teach Yoga and Body Movement Classes at the Waterfront Park.
4. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.
5. A copy of this Resolution shall be available for public inspection at the offices of the Borough Clerk.
6. This Resolution shall take effect as provided by applicable law.

OFFERED:
SECONDED:
AYES:
NAYS:
ABSENT:

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting of April 18, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-**ACKNOWLEDGING THE EXTENSION OF THE AGREEMENT WITH A CANOE TO YOU LLC FOR THE BOROUGH OWNED BOAT RAMP BOATHOUSE ON THE WATERFRONT IN THE BOROUGH OF KEYPORT**

WHEREAS, following a procurement process in 2022, the Borough of Keyport awarded a License Agreement to A Canoe To You, LLC for the operation of the rental of non-motorized water crafts such as kayaks, sail boards, stand up paddle boards, rowboats and canoes from the boat ramp boathouse on the waterfront in the Borough of Keyport; and,

WHEREAS, the Borough Council wishes to extend that lease agreement in accordance with its term of the lease approved by the Borough in 2022, which extension would terminate December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED, that on this 18th day of April 2023, as follows:

1. The lease agreement with A Canoe To You, LLC for the operation of the rental of non-motorized water crafts from the boat ramp boathouse is hereby extended to December 31, 2023.
2. The Borough Clerk shall provide A Canoe To You LLC with a copy of this resolution.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSENT:

I, Michele Clark, Municipal 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 of April 18, 2023.

Michele Clark, RMC
Municipal Clerk

RESOLUTION #2023-**ACKNOWLEDGING THE EXTENSION OF THE AGREEMENT WITH FUNNEE GIRL DOGS LLC FOR THE OPERATION OF A FOOD CONCESSION AT THE KEYPORT WATERFRONT PARK IN THE BOROUGH OF KEYPORT**

WHEREAS, following a procurement process in 2022, the Borough of Keyport awarded a Food Service Concession Agreement to Funnee Girl Dogs LLC for the operation of a food concession at the Keyport Waterfront Park at an area adjacent to the Municipal Boat Ramp in the Borough of Keyport; and,

WHEREAS, the Borough Council wishes to extend that lease agreement in accordance with its term of the lease approved by the Borough in 2022, which extension would terminate December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED, that on this 18th day of April 2023, as follows:

1. The lease agreement with Funnee Girl Dogs LLC for the operation of a food concession from the Keyport Waterfront Park at an area adjacent to the Municipal Boat Ramp is hereby extended to December 31, 2023.

2. The Borough Clerk shall provide Funnee Girl Dogs LLC with a copy of this resolution.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSENT:

I, Michele Clark, Municipal 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 of April 18, 2023.

Michele Clark, RMC
Municipal Clerk

RESOLUTION #2023-

**AUTHORIZING JERSEY SHORE GHOST TOURS TO PROVIDE
KEYPORT GHOST TOURS WITHIN THE BOROUGH**

WHEREAS, Jersey Shore Ghost Tours has provided walking ghost tours within the Borough since 2006; and

WHEREAS, Jersey Shore Ghost Tours has requested authorization to provide walking ghost tours within the Borough for the 2023 season; and

WHEREAS, this season Jersey Shore Ghost Tours has developed new tours to expand their services and provide new experiences, including an afternoon historical walking tour, and a pirate treasure hunt style ghost tour designed for children's parties; and

WHEREAS, a proposal and tour schedule has been provided, with tours scheduled to begin Saturday and Sunday afternoons and evenings beginning May 20, 2023 through December 16, 2023.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Keyport hereby authorizes Jersey Shore Ghost Tours to provide Keyport Ghost Tours for the 2023 season beginning May 20, 2023 through December 16, 2023.

OFFERED:

SECONDED:

AYES:

NAYS:

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 April 18, 2023.

Michele Clark, RMC
Municipal Clerk

RESOLUTION #2023-**AUTHORIZING THE KEYPORT
BOARD OF EDUCATION TO PLACE A STORAGE
LOCKER ON MUNICIPAL PROPERTY**

WHEREAS, the Keyport Board of Education ("BOE") has requested use of municipal property located at the Main Street Park sports field for the purpose of placing a storage locker at the field to store athletic equipment for the sports teams of the Keyport School District;

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 Borough of Keyport approves the request of the BOE to place a storage locker on municipal property at the Main Street Park sports field, subject to the execution of an indemnification and hold harmless agreement that requires that Keyport be indemnified from any losses or damages resulting from the use of municipal property as contemplated by this agreement.
2. The Borough Administrator is hereby authorized to execute all documents necessary in furtherance of this approval of the use of municipal property.
3. The Borough Clerk is hereby directed to forward copies of this resolution to the Business Administrator of the Keyport Board of Education.

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 the Borough on April 18, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-**AUTHORIZING THE BOROUGH'S PARTICIPATION IN THE BAYSHORE
MEDICAL CENTER EARTH DAY BEACH CLEAN-UP**

WHEREAS, the Bayshore Medical Center Earth Day Beach Clean-up will take place on April 22, 2023 from 9AM to 11AM; and

WHEREAS, this one-day event will take place at Beach Park on First Street in the Borough of Keyport.

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Keyport Governing Body that it hereby authorizes the Borough's Participation in the Bayshore Medical Center Earth Day Beach Clean-up at Beach Park on April 22, 2023 from 9AM to 11AM.

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 their Regular Meeting of April 18, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-

**AUTHORIZING THE BOROUGH'S PARTICIPATION IN THE CUB SCOUT
PACK 137 ELIZABETH STREET COMMUNITY GARDEN
COMMUNITY SERVICE CLEAN-UP**

WHEREAS, the Cub Scout Pack 137 Elizabeth Street Community Garden Community Service Clean-up will take place on April 29, 2023 from 10AM to 1PM; and

WHEREAS, this one-day event will provide community service hours for Cub Scout Pack 137.

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Keyport Governing Body that it hereby authorizes the Cub Scout Pack 137 Elizabeth Street Community Garden Community Service Clean-up on April 29, 2023 from 10AM to 1PM.

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 their Regular Meeting of April 18, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-

**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, the Borough of Keyport, County of Monmouth (the "**Borough**"), a public body corporate and politic of the State of New Jersey, is subject to certain requirements of the Open Public Meetings Act, *N.J.S.A. 10:4-6, et seq.* (the "**Act**"), and

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, attorney-client privileged matters related to potential litigation pursuant to *N.J.S.A. 10:4-12(b)(7)* and personnel matters pursuant to *N.J.S.A. 10:4-12(b)(8)*.

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 aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Mayor and Council assembled in public session on April 18, 2023 and determined that an Executive Session closed to the public shall be held on April 18, 2023 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.
3. This resolution will take effect immediately.

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 April 18, 2023.

Michele Clark, RMC
Borough Clerk