

BOROUGH OF KEYPORT
REGULAR MEETING AGENDA
TUESDAY, MAY 16, 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

PRESENTATION

FY2023 NPP-ARP Grant Application Overview

COMMITTEE REPORTS

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

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

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

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

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

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

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

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

MAYOR'S UPDATES

PUBLIC COMMENT PORTION

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

Opened: Closed:

CONSENT AGENDA

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

- R2023-154 Payment of Bills Listed on the May 10, 2023 Bills List
- R2023-155 Payment of Bills Listed on the May 16, 2023 Bills List
- R2023-156 Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Improvements to Second Street Project
- R2023-157 Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Community Affairs for the NPP American Rescue Plan Grant
- R2023-158 Approving Renewal of the 2023 Employee Handbook and the Policies and Procedures for the Borough of Keyport
- R2023-159 Authorizing the Mayor and Municipal Clerk to Execute the FY2024-FY2026 Revised Amendment Agreement with Monmouth County for Cooperative Participation in the Community Development Program Pursuant to the Inter-Local Services Act
- R2023-160 Approving Eagle Hose Company No. 4 to Solicit Donations on a Public Roadway
- R2023-161 Approving Add-on Request by the Keyport Bayfront Business Cooperative (KBBC) for I Heart Keyport Day
- R2023-162 Approving Request of the Keyport Fire Department's 2024 Parade Chairman to Conduct a St. Patrick's Parade
- R2023-163 Authorizing an Agreement with Lincoln Risk Management Corporation for Health Insurance Broker Services for the Borough of Keyport
- R2023-164 Amending the Mayor and Borough Council 2023 Meeting Schedule
- R2023-165 Authorizing the Appointment of a Part-Time Building Maintenance Worker in the Department of Public Works
- R2023-166 Authorizing Use of Borough Property by Keyport Public School for a Class Trip
- R2023-167 Authorizing Use of Borough Property by Friends of the Keyport Library and the Keyport Public Library for a Book & Bling Sale
- R2023-168 Governing Body Certification of Compliance with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"
- R2023-169 Authorizing the Appointment of Seasonal Part-Time Personnel in the Department of Public Works
- R2023-170 Authorizing the Appointment of a Laborer-1 in the Department of Public Works

APPROVAL OF RESOLUTIONS

Motion to approve resolutions on the Consent Agenda

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

PUBLIC HEARING/ADOPTION OF ORDINANCE

1. Ordinance #2023-3 – 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 Open Public Hearing

MM: 2nd:

1b. Motion to Close Public Hearing

MM: 2nd:

1c. Motion adopt Ordinance

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

1d. Motion authorizing the Clerk to publish the Ordinance as adopted

MM: 2nd: Ayes: Nays:

2. Ordinance #2023-4 – Amending Time to Abate Public Health and Safety Violations

The Clerk reads the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 1 “GENERAL,” ARTICLE 5 “GENERAL PENALTY,” SECTION 2 “BUILDING, HOUSING, ZONING OR PROPERTY MAINTENANCE PENALTY” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT**

2a. Motion to Open Public Hearing

MM: 2nd:

2b. Motion to Close Public Hearing

MM: 2nd:

2c. Motion adopt Ordinance

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

2d. Motion authorizing the Clerk to publish the Ordinance as adopted

MM: 2nd: Ayes: Nays:

INTRODUCTION OF ORDINANCES

1. Ordinance – COLA Rate Ordinance

The Clerk reads the Ordinance by Title: **ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

1a. Motion to introduce:

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

1b. Motion authorizing the Clerk to publish the Ordinance in the Asbury Park Press for a Public Hearing

MM: 2nd: Ayes: Nays:

2. Ordinance – Establishing a Community Garden

The Clerk reads the Ordinance by Title: **ORDINANCE ESTABLISHING A COMMUNITY GARDEN WITHIN THE BOROUGH OF KEYPORT**

2a. Motion to introduce:

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

2b. Motion authorizing the Clerk to publish the Ordinance in the Asbury Park Press for a Public Hearing

MM: 2nd: Ayes: Nays:

INTRODUCTION OF 2023 MUNICIPAL BUDGET

1. RESOLUTION #R2023-171 Introducing the 2023 Municipal Budget

The Clerk reads the Budget by Title: **MUNICIPAL BUDGET OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY FOR THE YEAR 2023**

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

Motion authorizing the Clerk to publish the Budget Summary as introduced for a Public Hearing to be held June 20, 2023.

MM: 2nd: Ayes: Nays:

MINUTES FOR APPROVAL

March 21, 2023 Regular Meeting Minutes (tabled May 2, 2023)
April 4, 2023 Regular Meeting Minutes

MM: 2nd: Ayes: Nays:

REPORTS

1. Municipal Clerk's Report for April 2023
2. Tax/Water/Sewer Collector's Report for April 2023

3. Board of Health Treasurer's Report for April 2023
4. Building Department Report for April 2023
5. Municipal Court Report for April 2023

MM:

2nd:

Ayes:

Nays:

NEW BUSINESS

UNFINISHED BUSINESS

DAIS UPDATES

PUBLIC COMMENT PORTION

The Meeting is opened to the public for comment.

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

Opened:

Closed:

MM:

2nd:

Ayes:

Nays:

ADJOURNMENT

Motion to Adjourn moved by:

2nd:

Time of Adjournment: PM

RESOLUTION FOR THE PAYMENT OF BILLS

R23-154

5/10/23

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	\$ 6,000.00
	CURRENT ACCT. 2023	\$ 167,007.68
	WATER/SEWER ACCT. 2023	\$ 21,371.28
	FEDERAL & STATE GRANTS	\$ 3,876.01
	TRUST OTHER FUND	\$ 8,960.00

AUTHORIZED PER RESOLUTION

PASSED:

APPROVED:

MAYOR ROSE P. ARANEO

ATTEST:

MICHELE CLARK, BOROUGH CLERK

OFFERED BY:

SECOND BY:

ROLL CALL VOTE:

AYES:

NAYS:

ABSTAIN:

ABSENT:

I, MICHELE CLARK, BOROUGH CLERK HEREBY CERTIFY THIS TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF KEYPORT AT THE _____ MEETING OF

MICHELE CLARK, BOROUGH CLERK

RESOLUTION FOR THE PAYMENT OF BILLS

R23-155

5/16/23

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	\$ 55,677.48
	WATER/SEWER ACCT.2022	\$ 48.26
	CURRENT ACCT. 2023	\$ 159,382.82
	WATER/SEWER ACCT. 2023	\$ 49,821.92
	GENERAL CAPITAL FUND	\$ 6,159.00
	FEDERAL & STATE GRANTS	\$ 809.63
	REC BAYFRONT IMPROVEMENT	\$ 1,160.47
	DEVELOPER ESCROW	\$ 13,041.88

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-**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT
CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION
FOR THE IMPROVEMENTS TO SECOND STREET PROJECT**

NOW, THEREFORE, BE IT RESOLVED that the Keyport Borough Council formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as LTPF-2023-Improvements to Second Street - 00123 to the New Jersey Department of Transportation on behalf of the Borough of Keyport.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Keyport and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSENT:

ABSTAIN:

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting of May 16, 2023.

Michele Clark, RMC
Borough Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

Michele Clark, RMC
Borough Clerk

Rose P. Araneo, Mayor
Borough of Keyport



Whereas, the Borough of Keyport

Desires to apply for the NPP American Rescue Plan (ARP) Grant from the New Jersey Department of Community Affairs for \$275,000.00 to carry out a project to

Create a passive recreational space adjacent to our Beach Park playground, replace failing equipment with safe and inclusive play equipment through our Beach Park Waterfront Placemaking Activation Program.

Be it therefore RESOLVED that the Borough of Keyport

Does hereby authorize the application for such grant; and, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of the grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of said agreement between

the Borough of Keyport

and the New Jersey Department of Community Affairs.

Be it further RESOLVED that Borough of Keyport

understands that applications requesting more than \$250,000 require a 10% match of funds, and hereby resolves to make those matching funds available upon receipt of any award from the New Jersey Department of Community Affairs and in accordance of any agreement between Borough of Keyport and the Department.

Be it further RESOLVED that the Borough of Keyport

recognizes and accepts that the Department may offer a lesser amount and therefore will accept any potential award amount pursuant to the execution of a grant agreement.

Be it further RESOLVED that the persons whose names and signatures appear below are authorized to sign the application, the agreement, and any other documents in connection therewith.

_____ (Signature)	_____ (Signature)
Kimberly Humphrey	Rose P. Araneo
_____ (type or print name)	_____ (type or print name)
Borough Administrator	Mayor
_____ (title)	_____ (title)

OFFERED:

SECONDED:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CERTIFICATION

I, Michele Clark, Borough Clerk, do hereby certify that at a meeting of the Keyport Borough Council, held on May 16, 2023, the above RESOLUTION was duly adopted.

AFFIX CORPORATE OR NOTARY SEAL:

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-**APPROVING RENEWAL OF THE 2023 EMPLOYEE HANDBOOK
AND THE POLICIES AND PROCEDURES MANUAL FOR THE
BOROUGH OF KEYPORT**

WHEREAS, it is the policy of the Borough of Keyport to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) (the New Jersey Attorney General's guidelines with respect to Police Department personnel matters,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meetings Act; and

WHEREAS, the Governing Body of the Borough of Keyport has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Keyport that the Personnel Policies and Procedures Manual and Employee Handbook attached hereto, amended in April 2014, and last amended in August 2016, is hereby amended again in 2023 and renewed.

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Borough of Keyport officials, appointees, employees, volunteers, and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by the Borough of Keyport employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Borough of Keyport.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Borough of Keyport shall operate under the legal doctrine known as "employment at will."

BE IT FURTHER RESOLVED that the Borough Administrator and all managerial supervisory personnel are responsible for these employment practices. The Assistant to the Administrator (Personnel Administrator) and the Borough Attorney shall assist the Borough Administrator in the implementation of the policies and procedures of the Borough of Keyport.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the following:

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

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Governing Body of the Borough of Keyport at the Regular Meeting held on May 16, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-**RESOLUTION AUTHORIZING THE MAYOR AND MUNICIPAL CLERK
TO EXECUTE THE FY2024-FY2026 REVISED AMENDMENT AGREEMENT
WITH MONMOUTH COUNTY FOR COOPERATIVE PARTICIPATION IN
THE COMMUNITY DEVELOPMENT PROGRAM PURSUANT TO THE
INTER-LOCAL SERVICES ACT**

WHEREAS, certain Federal funds are potentially available to Monmouth County under Title 1 of the Housing and Community Development Act of 1974, as amended, commonly known as the Community Development Block Grant Program; and

WHEREAS, it is necessary to establish a legal basis for the County and its residents to benefit from this program; and

WHEREAS, a Revised Amendment Cooperation Agreement has been adopted under which Keyport Borough and the County of Monmouth in cooperation with other municipalities will establish an Inter-local Services Program pursuant to N.J.S.A. 40:8B-1; and

WHEREAS, it is in the best interest of Keyport Borough to enter into the revised amendment cooperation agreement.

NOW, THEREFORE, BE IT RESOLVED by the Keyport Borough Council that the Revised Amendment Agreement between the County of Monmouth and Certain Municipalities located herein for the establishment of a Cooperative Means of Conducting certain Community Development Activities, a copy of which is attached, be and the same is hereby approved.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to execute said agreement in accordance with the provisions of law.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its enactment.

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 Governing Body of the Borough of Keyport at the Regular Meeting on May 16, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-**APPROVE EAGLE HOSE COMPANY NO. 4 TO SOLICIT
DONATIONS ON A PUBLIC ROADWAY**

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

WHEREAS, Eagle Hose Company No. 4 has requested to solicit donations at Broadway and W. Fourth Street in the Borough on May 27, 2023 and June 17, 2023; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Keyport that Eagle Hose Company No. 4 be and is hereby authorized to solicit donations at Broadway and West Fourth Street on May 27, 2023 and June 17, 2023, from 9AM to 1PM.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Chief of Police and Eagle Hose Company No. 4.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSENT:

ABSTAIN:

I, Michele Clark, Borough Clerk, do hereby certify that this a true copy of a Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Meeting of May 16, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-**APPROVING ADD-ON REQUEST BY THE KEYPORT BAYFRONT
BUSINESS COOPERATIVE (KBBC) FOR I HEART KEYPORT DAY**

WHEREAS, Resolution #2023-114 authorized the Keyport Bayfront Business Cooperative (the "KBBC") to hold an event, I Heart Keyport Day, on Saturday, September 9, 2023, from noon to 7PM; and

WHEREAS, the KBBC has submitted a request to add a soap box derby run on East Front Street, from Broad Street to Osborn Street, beginning at 10AM; and

WHEREAS, the Police Chief has reviewed the request to add the soap box derby run which will require additional road closures.

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

1. The request by the KBBC to add a soap box derby run on East Front Street, from Broad Street to Osborn Street, beginning at 10AM, to the previously approved I Heart Keyport Day event on Saturday, September 9, 2023, is hereby approved.
2. The Municipal Clerk is directed to forward a certified copy of this Resolution to the KBBC and the Chief of Police.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSENT:

ABSTAIN:

I, Michele Clark, do hereby certify that this is a true copy of a Resolution adopted by the Governing Body of the Borough of Keyport at the Regular Meeting of May 16, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-**APPROVING THE REQUEST OF THE KEYPORT FIRE DEPARTMENT'S
2024 PARADE CHAIRMAN TO CONDUCT A ST. PATRICK'S PARADE**

WHEREAS, a request has been received from the Keyport Fire Department's 2024 Parade Chairman to conduct a St. Patrick's Parade in the Borough of Keyport from Maple Place and Perry Street, continuing along Maple Place to Broad Street, down Broad Street to West Front Street, and along West Front Street, ending at Fireman's Park, on Saturday, March 23, 2024, beginning at 1PM; and

WHEREAS, a rain date has been requested for Sunday, March 24, 2024; and

WHEREAS, the Police Chief has reviewed the request and has offered no objections as to the dates, 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 the Keyport Fire Department to conduct a St. Patrick's Parade in accordance with the request dated April 12, 2023, received from the 2024 Parade Chairman, which is to be held Saturday, March 23, 2024 beginning at 1PM, with a rain date of Sunday, March 24, 2024.
2. The Municipal Clerk is directed to forward a certified copy of this Resolution to the 2024 Parade Chairman and the Chief of Police.

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 Governing Body of the Borough of Keyport at the Regular Meeting of May 16, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-**AUTHORIZING AN AGREEMENT WITH LINCOLN RISK MANAGEMENT CORPORATION FOR HEALTH INSURANCE BROKER SERVICES FOR THE BOROUGH OF KEYPORT**

WHEREAS, the Borough of Keyport requires the services of a professional Health Insurance Broker to handle certain insurance matters for the Borough; and

WHEREAS, the Borough desires to make this appointment under the provisions of N.J.S.A. 19:44A-20.5, as a non-fair and open contract; and

WHEREAS, the Borough Administrator has determined that it would be beneficial to enter into a contract with Lincoln Risk Management Corporation as the Borough Health Insurance Broker; and

WHEREAS, the anticipated term of this contract is one (1) year, January 1, 2023 through December 31, 2023, for an amount not to exceed \$15,000; and

WHEREAS, the Borough Chief Financial Officer has certified funds to charge account #3-01-20-100-100-208 Administrative & Executive - Other Expenses; and

WHEREAS, Lincoln Risk Management Corporation has completed and submitted a Business Entity Disclosure Certification which certifies that Lincoln Risk Management Corporation 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 Lincoln Risk Management Corporation from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough Keyport authorizes the Borough Administrator to enter into a contract with Lincoln Risk Management Corporation for Health Insurance Broker Services for a term of one (1) year ending December 21, 2023, for an amount not to exceed \$15,000.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution and that a notice of this action shall be printed once in an official newspaper of the Borough.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded by the Borough Clerk to Lincoln Risk Management Corporation.

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 Governing Body of the Borough of Keyport at the Regular Meeting of May 16, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-
AMENDING THE MAYOR AND BOROUGH COUNCIL
2023 MEETING SCHEDULE

WHEREAS, the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., requires the public bodies establish a schedule of regular meetings to be held during the year and direct said schedule to be posted, published and provided to those requesting said schedule in the manner required, within seven (7) days following the annual organization meeting; and

WHEREAS, a schedule of regular meetings to be held during the year 2023 was adopted by the Governing Body of the Borough of Keyport on January 1, 2023, as set forth in Resolution #2023-36; and

WHEREAS, the Governing Body wishes to amend the regular meeting schedule adopted by Resolution #2023-36 on January 1, 2023.

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

1. Meetings of the Governing Body will take place on the first and third Tuesday of the month unless otherwise specified.
2. Workshop Meetings are scheduled for the first Tuesday of each month beginning July through December, 2023. Formal action may be taken at the Workshop meetings.
3. Regular Meetings are scheduled for the third Tuesday of each month beginning June through December, 2023. Formal action may be taken at the Regular meeting.
4. The Meeting previously scheduled for Wednesday, July 5, 2023 is hereby canceled.
5. The Meetings of the Governing Body for the months of June through December 2023 shall be held on the following dates in the Council Chambers of the Keyport Borough Hall, 70 W. Front Street, Keyport, New Jersey beginning at 7:00 P.M.:

Workshop Meeting	None scheduled	Regular Meeting	June 20, 2023
Workshop Meeting	July 11, 2023	Regular Meeting	July 18, 2023
Workshop Meeting	August 1, 2023	Regular Meeting	August 15, 2023
Workshop Meeting	September 5, 2023	Regular Meeting	September 19, 2023
Workshop Meeting	October 3, 2023	Regular Meeting	October 17, 2023
Workshop Meeting	None scheduled	Regular Meeting	November 21, 2023
Workshop Meeting	December 5, 2023	Regular Meeting	December 19, 2023

6. Resolutions may be adopted at these meetings providing for the Mayor and Borough Council to exclude the public and meet in Executive (Closed) Session in accordance with the Open Public Meetings Law.
7. Resolutions may be adopted at these meetings canceling or rescheduling any of these meetings provided that adequate notice is given in accordance with the Open Public Meetings Law.
8. Meeting Agenda. The deadline for submission of any item to be included on a meeting agenda shall be 4:00 P.M. on the Tuesday prior to a scheduled meeting with a draft agenda provided to the Mayor and Borough Administrator on the Wednesday prior to a scheduled meeting. The Borough Clerk shall distribute copies of the agenda to all members of the Borough Council no later than the Thursday prior to a scheduled meeting. The Borough Clerk shall arrange for the meeting agenda to be posted on the Borough website no later than the Friday prior to a scheduled meeting.
9. The Borough Clerk is directed to prepare the Annual Notice of these meetings required by the Open Public Meetings Act and to arrange for the transmittal and posting of the notice throughout the year on the Borough website and on the bulletin board maintained for such purpose in the Borough Hall.
10. In the event it is deemed necessary to conduct any scheduled meeting via videoconference and/or teleconference, notice shall be posted on the Borough website at www.keyportonline.com, which shall include login information.

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 May 16, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-**AUTHORIZING THE APPOINTMENT OF A PART-TIME
BUILDING MAINTENANCE WORKER IN THE
DEPARTMENT OF PUBLIC WORKS**

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

WHEREAS, the Department of Public Works Supervisor and the Borough Administrator have reviewed the applications submitted to fill this vacant position, have interviewed prospective employees, and have 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. Ruth Garcia Reyes is hereby appointed to the position of part-time Building Maintenance Worker effective May 17, 2023 and shall be compensated at an hourly rate of \$15.00 per hour, not to exceed 25 hours per week.
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 Supervisor, and Ruth Garcia Reyes.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting of May 16, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-**AUTHORIZING USE OF BOROUGH PROPERTY BY KEYPORT
PUBLIC SCHOOL FOR A CLASS TRIP**

WHEREAS, the Keyport Public School Superintendent has submitted an Application to use Borough Property at Waterfront Park on June 15, 2023, from 9:00AM to 2:30PM for a Grade 8 Treasure Hunt class trip; and

WHEREAS, a summary of activities planned for the class trip has been provided.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Keyport hereby authorizes the use of Waterfront Park by the Keyport Public School for a Grade 8 Treasure Hunt class trip on June 15, 2023, from 9:00AM to 2:30PM.

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 May 16, 2023.

Michele Clark, RMC
Municipal Clerk

R23-167

RESOLUTION #2023-

**AUTHORIZING USE OF BOROUGH PROPERTY BY FRIENDS
OF THE KEYPORT LIBRARY AND THE KEYPORT PUBLIC
LIBRARY FOR A BOOK & BLING SALE**

WHEREAS, Friends of the Keyport Library and the Keyport Public Library have submitted an Application to use Borough Property, the grounds of the Library, on June 10, 2023, from 10:00AM to 2:00PM to hold a Book & Bling sale; and

WHEREAS, the event is co-sponsored between Friends of the Keyport Library and the Keyport Public Library, with all proceeds to benefit the Library and the Library community.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Keyport hereby authorizes the use of the Keyport Public Library grounds by Friends of the Keyport Library and the Keyport Public Library for a Book & Bling Sale to be held on June 10, 2023, from 10:00AM to 2:00PM.

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 May 16, 2023.

Michele Clark, RMC
Municipal Clerk

**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment
Decisions Under Title VII of the Civil Rights Act of 1964"**

FORM OF RESOLUTION

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the (*name of governing body*) of the (*name of local unit*), hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSENT:

ABSTAIN:

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON MAY 16, 2023.

Michele Clark, Borough Clerk

**GOVERNING BODY CERTIFICATION PURSUANT TO P.L. 2017, C.183 OF COMPLIANCE
WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in
Employment Decisions Under Title VII of the Civil Rights Act of 1964"**

**GROUP AFFIDAVIT FORM FOR MUNICIPALITIES AND COUNTIES
NO PHOTO COPIES OF SIGNATURES**

STATE OF NEW JERSEY
COUNTY OF Monmouth

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

1. We are duly elected (or appointed) members of the Governing Body of the Borough of Keyport in the county of Monmouth;
2. Pursuant to P.L. 2017, c.183, we have familiarized ourselves with the contents of the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012);
3. We are familiar with the local unit's hiring practices as they pertain to the consideration of an individual's criminal history;
4. We certify that the local unit's hiring practices comply with the above-referenced enforcement guidance.

(L.S.) Mayor Rose P. Araneo

(L.S.) Councilmember Cathleen Reilly

(L.S.) Councilmember Lori Ann Davidson

(L.S.) Councilmember Melissa Vecchio

(L.S.) Councilmember J. Christopher Demarest

(L.S.)

(L.S.) Councilmember Kathleen McNamara

(L.S.)

(L.S.) Councilmember Ron Peperoni Jr.

(L.S.)

Sworn to and subscribed before me this
_____ day of _____
Notary Public of New Jersey

Michele Clark, Borough Clerk

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

IMPORTANT: This certificate must be executed before a municipality or county can submit its approved budget to the Division of Local Government Services. The executed certificate and the adopted resolution must be kept on file and available for inspection.

RESOLUTION #2023-**AUTHORIZING THE APPOINTMENT OF SEASONAL PART-TIME PERSONNEL IN THE DEPARTMENT OF PUBLIC WORKS**

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

WHEREAS, the Borough requires additional personnel in the Department of Public Works during selected times of the year; and

WHEREAS, the Supervisor of Public Works and the Borough Administrator have reviewed the applications submitted and have interviewed prospective employees, and the Borough Administrator has recommended the appointment of an individual to a seasonal part-time position.

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

1. Frank Trylowski is hereby appointed to a seasonal part-time laborer position in the Department of Public Works effective May 30, 2023.
2. Frank Trylowski shall serve no more than six (6) months in accordance with Civil Service requirements and shall be compensated on an hourly basis at the rate of \$15.50 per hour, not to exceed 30 hours per week.
3. The Borough Administrator is hereby authorized to execute all documents necessary to effectuate this appointment.
4. The Borough Clerk is directed to forward copies of this resolution to the Borough Administrator, the Public Works Supervisor, the Payroll Supervisor, and Frank Trylowski.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting of May 16, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-**AUTHORIZING THE APPOINTMENT OF A 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 Supervisor of Public Works and the Borough Administrator have reviewed the applications submitted to fill this vacant position, have interviewed prospective employees, and have 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. Michael Graffagnino is hereby appointed to the position of Laborer-1 effective May 29, 2023 and shall be compensated an annual salary of \$37,757.71 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 Supervisor, the Payroll Supervisor, and Michael Graffagnino.

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

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting of May 16, 2023.

Michele Clark, RMC
Borough Clerk

MUNICIPAL BUDGET NOTICE

Section 1.

Municipal Budget of the _____ of _____ BOROUGH _____ of _____ KEYPORT _____, County of _____ MONMOUTH _____ for the Fiscal Year 2023

Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2023;

Be it Further Resolved, that said Budget be published in the _____ Asbury Park Press

in the issue of _____ MAY 24 _____, 2023

The Governing Body of the _____ BOROUGH _____ of _____ KEYPORT _____ does hereby approve the following as the Budget for the year 2023;

RECORDED VOTE

(Insert Last Name)

Ayes	Nays	Abstained	Absent
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Notice is hereby given that the Budget and Tax Resolution was approved by the _____ COUNCIL MEMBERS _____ of the _____ BOROUGH _____ of _____ KEYPORT _____, County of _____ MONMOUTH _____, on _____ MAY 16 _____, 2023.

A Hearing on the Budget and Tax Resolution will be held at _____ BOROUGH OF KEYPORT _____, on _____ JUNE 20 _____, 2023 at 7:00 pm o'clock _____ P.M. at which time and place objections to said Budget and Tax Resolution for the year 2023 may be presented by taxpayers or other interested persons.

R23-171

ORDINANCE #2023-3

**ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY
OF MONMOUTH, NEW JERSEY, REVISING THE
BOROUGH OF KEYPORT PUBLIC BENCH SPONSORSHIP
PROGRAM**

WHEREAS, on May 19, 2020, the Borough of Keyport (the "Borough") adopted Ordinance #4-20 with regard to the Public Bench Sponsorship Program (the "Bench Program," which was established by Ordinance #7-14) to revise the amount to be charged for those public benches within the Borough that are sponsored to honor family and friends; and

WHEREAS, the Borough seeks to revise the requirements and parameters of the Bench Program.

NOW THEREFORE, BE IT ORDAINED by the Mayor and the Borough Council as follows:

Section 1. This Ordinance amends and supersedes Ordinances #7-14 and #4-20.

Section 2. The Keyport Public Bench Sponsorship Program is hereby established.

Section 3. The Keyport Public Bench Sponsorship Program shall be administered by the Borough Administrator, subject to review and approval from the Borough Council for the Borough of Keyport, in accordance with the following parameters:

- a. The Borough shall publicly notice sponsorship opportunities for public benches and shall make available to all residents of the Borough of Keyport opportunities for sponsorship on a first-come, first serve basis or other equitable method determined by the Borough Council for the Borough of Keyport.
- b. There shall be a fee to sponsor a dedicated bench, which shall be submitted with an application for a sponsorship of a public bench. The amount of the sponsorship fee shall be established by the Borough's administration based upon the cost for the bench. The cost may be subject to change due to cost increases for the bench. The Borough's sponsorship application will identify the fee for the bench, which shall be for a dedication period of ten (10) years. If the sponsorship application seeks sponsorship of a bench that is already being sponsored, the sponsorship fee will be returned to the applicant.

- c. Sponsorship applications shall be available at the Borough Hall and upon completion shall be submitted to Borough Hall to the Office of the Business Administrator.
- d. Sponsorship fees for sponsorship of benches in Waterfront Park, or other locations within the Borough's Recreational Open Space Inventory shall be made payable to the "Keyport Bayshore Recreational Trust Account."
- e. Benches shall be of a size, style, and material as determined by the Borough.
- f. The Borough shall not be responsible for the replacement of benches that have been damaged or destroyed due to vandalism or natural occurrences such as fire or inclement weather events.

Section 4. The Borough Clerk is hereby directed, upon adoption of the ordinance after public hearing thereon, to publish notice of the passage thereof.

Section 5. This ordinance shall be in full force and effect from and after its adoption and any publication according to law.

Introduced: April 18, 2023
Public Hearing: May 16, 2023
Adopted:

Michele Clark, RMC
Borough Clerk

Rose P. Araneo, Mayor
Borough of Keyport

ORDINANCE #2023-4

**ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH,
NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 1
“GENERAL,” ARTICLE 5 “GENERAL PENALTY,” SECTION 2 “BUILDING,
HOUSING, ZONING OR PROPERTY MAINTENANCE PENALTY” OF THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT**

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

WHEREAS, pursuant N.J.S.A. 40:48-1 et seq. the Mayor and Council of the Borough have the power to adopt, amend, repeal, and enforce ordinances for the public health, safety and welfare of the Borough and its inhabitants; and

WHEREAS, the Mayor and Borough Council declare that in order to promote public health, safety and welfare it is imperative that the Borough update its code; and

WHEREAS, the Mayor and Borough Council hereby desire to amend Chapter 1, Article 5, Section 2 entitled “Building, Housing, Zoning or Property Maintenance Penalty” to reflect that the time to abate the public health and safety violations shall be shortened to seven days, which is inherently in the public interest;

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

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. Chapter 1, Article 5, Section 2 entitled “Building, Housing, Zoning or Property Maintenance Penalty” is hereby amended as follows (additions are underlined and deleted language noted by strikeout):

If the violation is of a provision of any building, housing, zoning or property maintenance code and the Code Enforcement Bureau Official or other Code Enforcement Officer chooses to impose a fine in an amount greater than \$1,250, the owner or agent or contractor or other person having control of the building or premises shall have a period of not less than ~~30~~ 7 days in which the owner, agent or contractor shall be afforded the opportunity to cure or abate the condition constituting the violation. Subsequent to the expiration of the ~~thirtyseven~~-day period a fine greater than \$1,250 may be imposed if a Court of competent jurisdiction has not determined otherwise or, upon reinspection of the property, it is determined that the abatement has not been substantially completed.

Section 3. All ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed.

Section 4. Each section, subsection, sentence, clause and phrase of this ordinance is declared to be an independent section, subsection, sentence, clause and phrase and the finding or holding of any such portion of this ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this ordinance.

Section 5. Except as amended by this ordinance, all other provision of the Borough's Revised General Ordinances shall remain in full force and effect.

Section 6. The Borough Clerk is hereby directed, upon adoption of the ordinance after public hearing thereon, to publish notice of the passage thereof.

Section 7. This ordinance shall be in full force and effect from and after its adoption and any publication according to law.

Introduced: May 2, 2023
Public Hearing: May 16, 2023
Adopted:

Michele Clark, RMC
Borough Clerk

Rose P. Araneo, Mayor
Borough of Keyport