

**BOROUGH OF KEYPORT
MEETING AGENDA
TUESDAY, JULY 16, 2024 7:00 PM
MUNICIPAL COMPLEX COUNCIL CHAMBERS
70 W. FRONT STREET, KEYPORT, NJ**

CALL TO ORDER: PM

SUNSHINE LAW NOTICE:

ROLL CALL: __ Councilmember Brady __ Councilmember Gross __ Councilmember McNamara
__ Councilmember Peperoni __ Councilmember Reilly __ Council President Vecchio
__ Mayor Araneo

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

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

EXECUTIVE SESSION

R2024-234(a) Authorizing a meeting not open to the public in accordance with the provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12b to discuss attorney-client privileged matters regarding Mariner's Village LTTE and Agreement pursuant to N.J.S.A. 10:4-12(7).

MM: 2nd: Ayes: Nays:

PUBLIC HEARING/ADOPTION OF ORDINANCE

2. Ordinance No. 2024-07– Mariner's Village New Long-Term Tax Exemption Application and Financial Agreement

The Clerk reads the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY APPROVING THE NEW APPLICATION FOR A LONG-TERM TAX EXEMPTION AND AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT WITH MARINER'S VILLAGE AT KEYPORT URBAN RENEWAL, LLC**

- 2a. Motion to Open Public Hearing MM: 2nd:
2b. Motion to Close Public Hearing MM: 2nd:
2c. Motion to adopt Ordinance
MM: 2nd: **Roll Call:** Brady, Gross, McNamara, Peperoni, Reilly, Vecchio
2d. Motion authorizing the Clerk to publish the Ordinance as adopted MM: 2nd

COMMITTEE REPORTS

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

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

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

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

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

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

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

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

PUBLIC COMMENTS

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

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

CONSENT AGENDA

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

- R2024-234 Payment of Bills Listed on the June 28, 2024 Bills List
- R2024-235 Payment of Bills Listed on the July 12, 2024 Bills List
- R2024-236 Payment of Bills Listed on the July 16, 2024 Bills List
- R2024-237 Extending Grace Period for Payment of Third Quarter 2024 Taxes
- R2024-238 Requesting Approval of Items of Revenue and Appropriation – N.J.S.A. 40A:4-87 Clean Communities Program
- R2024-239 Authorizing Issuance of a Request for Proposals (RFP) for Engineering Consultant Services to Conduct a Sale Analysis for the Water and Sewer Utility
- R2024-240 Authorizing Issuance of a Request for Proposals (RFP) for Financial Consultant Services to Conduct a Sale Analysis for the Water and Sewer Utility
- R2024-241 Authorizing the Borough of Keyport to Enter into Shared Services Agreement with the Keyport Board of Education for Snow Plowing, Grounds and Field Maintenance Services
- R2024-242 Authorizing “Window” Contracts
- R2024-243 Approving a Five-Year Tax Abatement for 18 Raritan Cove in the Borough of Keyport
- R2024-244 Approving a Five-Year Tax Abatement for 19 Raritan Cove in the Borough of Keyport
- R2024-245 Approving a Five-Year Tax Abatement for 20 Raritan Cove in the Borough of Keyport
- R2024-246 Approving a Five-Year Tax Abatement for 21 Raritan Cove in the Borough of Keyport
- R2024-247 Approving a Five-Year Tax Abatement for 22 Raritan Cove in the Borough of Keyport
- R2024-248 Approving a Five-Year Tax Abatement for 23 Raritan Cove in the Borough of Keyport

- R2024-249 Approving a Five-Year Tax Abatement for 24 Raritan Cove in the Borough of Keyport
- R2024-250 Approving a Five-Year Tax Abatement for 25 Raritan Cove in the Borough of Keyport
- R2024-251 Approving a Five-Year Tax Abatement for 26 Raritan Cove in the Borough of Keyport
- R2024-252 Approving a Five-Year Tax Abatement for 25 Brook Avenue in the Borough of Keyport
- R2024-253 Granting the Renewal of an Inactive Plenary Retail Consumption Liquor License for 6 Broad St Waterfront Liquor LLC for the 2024-2025 License Term
- R2024-254 Granting the Renewal of an Inactive Plenary Retail Consumption Liquor License for Keyport Liquor 3 LLC for the 2024-2025 License Term
- R2024-255 Approving the Issuance of a Social Affair Permit for Keyport Fire Department
- R2024-256 Approving the Issuance of a Social Affair Permit for Keyport-Matawan Elks BPOE 2030
- R2024-257 Approving the Issuance of a Social Affair Permit for Raritan Post 23 American Legion
- R2024-258 Authorizing Signature on Municipal Court Checks and Authorizing Bank Accounts
- R2024-259 Municipal Resolution for Title Change – Anthony Vecchio
- R2024-260 Municipal Resolution for Title Change – David Quinn
- R2024-261 Municipal Resolution for Title Change – Paul Murphy

APPROVAL OF RESOLUTIONS

Motion to approve resolutions on the Consent Agenda

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

PUBLIC HEARINGS/ADOPTION OF ORDINANCES

1. Ordinance No. 2024-06 – Revisions to Chapter 2 entitled Administration

The Clerk reads the Ordinance by Title: **ORDINANCE TO AMEND, REVISE, AND SUPPLEMENT CHAPTER 2 OF THE BOROUGH CODE OF KEYPORT, ENTITLED “ADMINISTRATION,” MOST NOTABLY SECTION 2-3 ENTITLED “BOROUGH OFFICES,” SPECIFICALLY 2-3.7 “BOROUGH ENGINEER”; SECTION 2-3.9 “ZONING OFFICER”; SECTION 2-3.10 “CODE ENFORCEMENT OFFICER”; SECTION 2-3.11 “ACTING ZONING OFFICER”; AND, SECTION 2-3.12 “ACTING CODE ENFORCEMENT OFFICER”**

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

2. Ordinance No. 2024-07– Mariner’s Village New Long-Term Tax Exemption Application and Financial Agreement –

MOVED TO BEGINNING OF MEETING

3. Ordinance No. 2024-08 – Amending Tax Abatement Ordinance

The Clerk reads the Ordinance by Title: **AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING BOROUGH CODE CHAPTER XII, SECTION 12-8 AUTHORIZING FIVE-YEAR TAX EXEMPTIONS FOR IMPROVEMENTS TO DWELLINGS PURSUANT TO N.J.S.A. 40A:21-1 ET AL. AS WELL AS AMENDING BOROUGH CODE CHAPTER XII, SECTION 12-16 AUTHORIZING FIVE-YEAR TAX EXEMPTIONS FOR IMPROVEMENTS TO MULTIPLE DWELLINGS AND COMMERCIAL OR INDUSTRIAL STRUCTURES PURSUANT TO N.J.S.A. 40A:21-1 ET AL.**

- 3a. Motion to Open Public Hearing MM: 2nd:
- 3b. Motion to Close Public Hearing MM: 2nd:
- 3c. Motion to adopt Ordinance
MM: 2nd: Roll Call: Brady, Gross, McNamara, Peperoni, Reilly, Vecchio
- 3d. Motion authorizing the Clerk to publish the Ordinance as adopted MM: 2nd

4. Ordinance No. 2024-09 - Bond Ordinance Providing for Various Road Improvements

The Clerk reads the Ordinance by Title: **BOND ORDINANCE PROVIDING FOR VARIOUS ROAD IMPROVEMENTS, BY AND IN THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$1,300,000 THEREFOR (INCLUDING A GRANT FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION) AND AUTHORIZING THE ISSUANCE OF \$970,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

- 4a. Motion to Open Public Hearing MM: 2nd:
- 4b. Motion to Close Public Hearing MM: 2nd:
- 4c. Motion to adopt Ordinance
MM: 2nd: Roll Call: Brady, Gross, McNamara, Peperoni, Reilly, Vecchio
- 4d. Motion authorizing the Clerk to publish the Ordinance as adopted MM: 2nd

5. Ordinance No. 2024-10 - Bond Ordinance Providing for Various Water and Sewer Utility Improvements

The Clerk reads the Ordinance by Title: **BOND ORDINANCE PROVIDING FOR VARIOUS WATER AND SEWER UTILITY IMPROVEMENTS, BY AND IN THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$2,300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,300,000 OF BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

- 5a. Motion to Open Public Hearing MM: 2nd:
- 5b. Motion to Close Public Hearing MM: 2nd:
- 5c. Motion to adopt Ordinance
MM: 2nd: Roll Call: Brady, Gross, McNamara, Peperoni, Reilly, Vecchio

5d. Motion authorizing the Clerk to publish the Ordinance as adopted MM: 2nd

INTRODUCTION OF ORDINANCE

1. Ordinance – Amending Salary Ordinance

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

1a. Motion to introduce:

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

1b. Motion authorizing the Clerk to publish the Ordinance as introduced in the Asbury Park Press for a public hearing MM: 2nd:

APPROVAL OF MINUTES

March 19, 2024 Regular Meeting

April 2, 2024 Workshop Meeting

MM: 2nd: Ayes: Nays:

REPORTS

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

MM: 2nd: Ayes: Nays:

PUBLIC COMMENTS

The Meeting is opened to the public for comments.

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

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

EXECUTIVE SESSION

R2024-262 Authorizing a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12b to discuss union contract pursuant to N.J.S.A. 10:4-12(4) and personnel pursuant to N.J.S.A. 10:4-12(8).

MM: 2nd: Ayes: Nays:

ADJOURNMENT

Motion to Adjourn MM: 2nd:

R24-234(a)

RESOLUTION #2024-

Added

**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 regarding the Mariner’s Village LTTE Agreement pursuant to N.J.S.A. 10:4-12(7).

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 July 16, 2024 and determined that an Executive Session closed to the public shall be held on July 16, 2024 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.

RECORDED VOTE						
Councilmember	Offered	Seconded	Aye	Nay	Abstain	Absent
Brady						
Gross						
McNamara						
Peperoni						
Reilly						
Vecchio						

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on July 16, 2024.

Michele Clark, RMC
Borough Clerk

RESOLUTION FOR THE PAYMENT OF BILLS

R24-234
6-28-24

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

NUMBER OF VOUCHERS	BANK ACCOUNT	AMOUNT
See attached listing		
	CURRENT ACCT. 2024	\$ 182,446.51
	WATER/SEWER ACCT. 2024	\$ 26,383.39
	PAYROLL FUND BUDGET	\$ 24,701.97
	FEDERAL & STATE GRANTS	\$ 5,825.24
	TRUST OTHER FUND	\$ 5,870.00

AUTHORIZED PER RESOLUTION

PASSED:

APPROVED:

MAYOR ROSE P. ARANEO

ATTEST:

MICHELE CLARK, BOROUGH CLERK

OFFERED BY:

SECOND BY:

ROLL CALL VOTE:

AYES:

NAYS:

ABSTAIN:

ABSENT:

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

MICHELE CLARK, BOROUGH CLERK

RESOLUTION FOR THE PAYMENT OF BILLS

R24-235

7-12-24

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

NUMBER OF VOUCHERS	BANK ACCOUNT	AMOUNT
See attached listing		
	CURRENT ACCT. 2024	\$ 261,362.42
	WATER/SEWER ACCT. 2024	\$ 35,369.93
	PAYROLL FUND BUDGET	\$ 750.00
	FEDERAL & STATE GRANTS	\$ 7,086.77
	TRUST OTHER FUND	\$ 5,175.00

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

R24-236

JULY 16, 2024 Bills List Not Yet Provided

RESOLUTION #2024-**EXTENDING GRACE PERIOD FOR
PAYMENT OF THIRD QUARTER 2024 TAXES**

WHEREAS, ordinarily, third quarter tax bills were to be mailed by July 15, 2024; and

WHEREAS, because of delays beyond the Borough's control, the tax bills could not be mailed prior to this deadline; and

WHEREAS, N.J.S.A. 54:4-66.3(d) provides that when third quarter tax bills cannot be mailed by the above deadline, taxes shall not be subject to interest until at least 25 days after the tax bills are mailed; and

WHEREAS, the governing body of the Borough of Keyport wishes to extend the property tax payment grace period of quarterly taxes due on August 1, 2024 so that interest shall not accrue if payment is made in accordance with the above statutory provision.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough of Keyport hereby extends the property tax payment grace period for the third quarter so that interest shall not accrue if payment is made within 25 days after the tax bills are mailed.

BE IT FURTHER RESOLVED that interest shall be charged back to August 1, 2024, for all payments made after the grace period.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Borough Tax Collector and the Borough Chief Financial Officer.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on July 16, 2024.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2024-
REQUESTING APPROVAL OF ITEMS OF REVENUE
AND APPROPRIATION – N.J.S.A. 40A:4-87
CLEAN COMMUNITIES PROGRAM

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Keyport in the County of Monmouth, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2024 in the sum of \$19,640.80, which is now available from State of New Jersey Clean Communities Program.

BE IT FURTHER RESOLVED, that the like sum of \$19,640.80 is hereby appropriated under the caption of Clean Communities Program; and

BE IT FURTHER RESOLVED, that the Electronic Special Item of Revenue Submittal form be filed with the Division of Local Government Services for approval thereof.

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 July 16, 2024.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2024-**A RESOLUTION AUTHORIZING THE ISSUANCE OF A REQUEST FOR PROPOSALS (RFP) FOR ENGINEERING CONSULTANT SERVICES TO CONDUCT A SALE ANALYSIS FOR THE WATER AND SEWER UTILITY**

WHEREAS, the Borough of Keyport is responsible for the management and operation of the water and sewer utility serving the community; and

WHEREAS, the Governing Body has determined that it is in the best interest of the Municipality to explore the potential sale of the water and sewer utility to ensure long-term sustainability and financial viability; and

WHEREAS, a comprehensive sale analysis conducted by a qualified consultant is necessary to assess the potential benefits, impacts, and feasibility of such a sale; and

WHEREAS, the Borough of Keyport seeks to engage the services of a professional consulting firm with expertise in water and sewer utility operations, financial analysis, and public sector transactions.

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

Authorization to Issue RFP: The Borough Administrator/Qualified Purchasing Agent is hereby authorized to issue a Request for Proposals (RFP) for consultant services to conduct a sale analysis for the water and sewer utility.

Scope of Work: The scope of work for the consultant shall include, but not be limited to, the following:

- Evaluation of the current operational performance of the water and sewer utility;
- Analysis of the potential benefits and risks associated with the sale of the utility;
- Exploration of the possibility of utilizing the Water Infrastructure Protection Act (WIPA) program;
- Development of a comprehensive report detailing findings, conclusions, and recommendations;
- Proposal Submission Requirements: Interested consulting firms shall be required to submit proposals that include their qualifications, experience, methodology, and a detailed cost proposal;

Evaluation Criteria: Proposals will be evaluated based on the following criteria:

- Relevant experience and expertise in water and sewer utility sales analysis;
- Demonstrated understanding of the scope of work;
- Proposed methodology and approach;
- Cost effectiveness;
- References and past performance;

Deadline for Submission: Proposals must be submitted by September 5th to the Municipal Clerk's Office.

Authorization to Negotiate and Award Contract: The Governing Body hereby authorizes the Borough Administrator and Finance Committee to review the proposals, conduct interviews if necessary, negotiate terms, and award a contract to the selected consultant, subject to approval by the Governing Body.

Effective Date: This resolution shall take effect immediately upon adoption.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Borough Administrator/Qualified Purchasing Agent for implementation.

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 July 16, 2024.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2024-**A RESOLUTION AUTHORIZING THE ISSUANCE OF A REQUEST FOR PROPOSALS (RFP) FOR FINANCIAL CONSULTANT SERVICES TO CONDUCT A SALE ANALYSIS FOR THE WATER AND SEWER UTILITY**

WHEREAS, the Borough of Keyport is responsible for the management and operation of the water and sewer utility serving the community; and

WHEREAS, the Governing Body has determined that it is in the best interest of the Municipality to explore the potential sale of the water and sewer utility to ensure long-term sustainability and financial viability; and

WHEREAS, a comprehensive sale analysis conducted by a qualified consultant is necessary to assess the potential benefits, impacts, and feasibility of such a sale; and

WHEREAS, the Borough of Keyport seeks to engage the services of a professional consulting firm with expertise in water and sewer utility operations, financial analysis, and public sector transactions.

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

Authorization to Issue RFP: The Borough Administrator/Qualified Purchasing Agent is hereby authorized to issue a Request for Proposals (RFP) for consultant services to conduct a sale analysis for the water and sewer utility.

Scope of Work: The scope of work for the consultant shall include, but not be limited to, the following:

- Evaluation of the current financial performance of the water and sewer utility;
- Analysis of the potential benefits and risks associated with the sale of the utility;
- Exploration of the possibility of utilizing the Water Infrastructure Protection Act (WIPA) program;
- Development of a comprehensive report detailing findings, conclusions, and recommendations;
- Proposal Submission Requirements: Interested consulting firms shall be required to submit proposals that include their qualifications, experience, methodology, and a detailed cost proposal;

Evaluation Criteria: Proposals will be evaluated based on the following criteria:

- Relevant experience and expertise in water and sewer utility sales analysis;
- Demonstrated understanding of the scope of work;
- Proposed methodology and approach;
- Cost effectiveness;
- References and past performance;

Deadline for Submission: Proposals must be submitted by September 5th to the Municipal Clerk's Office.

Authorization to Negotiate and Award Contract: The Governing Body hereby authorizes the Borough Administrator and Finance Committee to review the proposals, conduct interviews if necessary, negotiate terms, and award a contract to the selected consultant, subject to approval by the Governing Body.

Effective Date: This resolution shall take effect immediately upon adoption.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Borough Administrator/Qualified Purchasing Agent for implementation.

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 July 16, 2024.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2024-

**AUTHORIZING THE BOROUGH OF KEYPORT TO ENTER
INTO SHARED SERVICES AGREEMENT WITH THE KEYPORT
BOARD OF EDUCATION FOR SNOW PLOWING, GROUNDS
AND FIELD MAINTENANCE SERVICES**

WHEREAS, pursuant to the Uniform Shared Services and Consolidation Act, *N.J.S.A.* 40A:65-1 *et seq.* (the “Act”), municipalities and other local units within the State of New Jersey are permitted to enter into agreements with other local units to provide or receive any service that each local unit is otherwise empowered to provide or receive within its own jurisdiction; and

WHEREAS, the Borough of Keyport (the “Borough”) and the Board of Education of the Borough of Keyport (“Board of Education”) desire to enter into a shared services agreement for snow plowing, grounds and field maintenance services (the “Shared Services Agreement”); and

WHEREAS, it is in the best interests of the Borough to approve and to authorize the Borough Administrator, the Mayor, and other reasonably necessary personnel to enter into a Shared Services Agreement with the Board of Education, substantially in the form on file with the Borough Clerk, those services delineated therein; and

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Mayor of the Borough, the Borough Administrator and other reasonably necessary personnel are hereby authorized and directed to enter into the Shared Services Agreement with the Board of Education of the Borough of Keyport consistent with the dictates of that certain proposed Shared Services Agreement, for the provision of maintenance, custodial and public works services, substantially in the form on file with the Borough Clerk, subject to such additions, deletions, modifications or amendments deemed necessary by the Borough in consultation with legal counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Agreement.
3. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.
4. A copy of this Resolution shall be available for public inspection at the offices of the Borough Clerk.
5. This Resolution shall take effect as provided by applicable law.

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

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting of July 16, 2024.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2024-**AUTHORIZING "WINDOW" CONTRACTS**

WHEREAS, Pursuant to N.J.S.A. 19:44A-20.4 et seq. (New Jersey Local Unit Pay-To-Play Laws), the Borough must award by resolution all goods and services contracts with a dollar amount between \$17,500 and \$43,999. These contracts are not bid, but vendors are still responsible to provide political contribution and company disclosure information in order to do business with the Borough; and

WHEREAS, pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq., when the cost of goods and/or services that fall between \$17,500 and the bid threshold of \$44,000 in the aggregate, an approval by resolution must be in place; and

WHEREAS, the Borough of Keyport retained the services of:

- Apollo Sewer and Plumbing Inc.
- B&W Construction Company
- Branin's Contracting
- Edmunds and Associates
- Firefighter One
- NJ Gravel and Sand
- Pace Analytical Services
- Cleary, Giacobbe, Alfieri, Jacobs, LLC

WHEREAS, a request for quotes for the required work to be performed was requested from several contractors for the various work; and

WHEREAS, the above mentioned vendors completed and submitted to the Borough the required documents: and

NOW THEREFORE, BE IT RESOLVED that the Council of the Borough recognizes that the Purchasing Agent on behalf of the Borough has issued and executed a Purchase Order for the foregoing to the above vendors with funds certified available by the Chief financial Officer.

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 held on July 16, 2024.

Michele Clark, RMC
Borough Clerk

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

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

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

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

WHEREAS, Laura Riegler (the “**Applicant**”) is the owner of the property at Block 22, Lot 19.18, Qualifier C18, on the Borough’s tax map, commonly known as 18 Raritan Cove (the “**Property**”); and

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

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

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

WHEREAS, the Borough Tax Assessor has estimated that the tax abatement will result in a difference of approximately \$2,987.08 per year for a total tax difference of approximately \$14,935.00 for the Property for all five (5) years; and

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

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Borough hereby grants the Applicant’s application for a tax abatement and grants a thirty percent (30%) abatement for the improvements on the Property for a total of five (5) years.

July 16, 2024

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

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

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

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

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on July 16, 2024.

Michele Clark, RMC
Borough Clerk

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

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

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

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

WHEREAS, Janice Szeto Loo (the “Applicant”) is the owner of the property at Block 22, Lot 19.19, Qualifier C19, on the Borough’s tax map, commonly known as 19 Raritan Cove (the “Property”); and

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

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

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

WHEREAS, the Borough Tax Assessor has estimated that the tax abatement will result in a difference of approximately \$2,749.70 per year for a total tax difference of approximately \$13,748.00 for the Property for all five (5) years; and

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

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Borough hereby grants the Applicant’s application for a tax abatement and grants a thirty percent (30%) abatement for the improvements on the Property for a total of five (5) years.

July 16, 2024

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

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

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

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

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on July 16, 2024.

Michele Clark, RMC
Borough Clerk

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

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

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

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

WHEREAS, John Pereira and Helena Pereira (the "**Applicants**") are the owners of the property at Block 22, Lot 19.20, Qualifier C20, on the Borough's tax map, commonly known as 20 Raritan Cove (the "**Property**"); and

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

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

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

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

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

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Borough hereby grants the Applicants' application for a tax abatement and grants a thirty percent (30%) abatement for the improvements on the Property for a total of five (5) years.

July 16, 2024

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

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

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

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

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on July 16, 2024.

Michele Clark, RMC
Borough Clerk

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

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

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

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

WHEREAS, Svetlana Schwartz (the "**Applicant**") is the owner of the property at Block 22, Lot 19.21, Qualifier C21, on the Borough's tax map, commonly known as 21 Raritan Cove (the "**Property**"); and

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

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

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

WHEREAS, the Borough Tax Assessor has estimated that the tax abatement will result in a difference of approximately \$2,969.50 per year for a total tax difference of approximately \$14,847.00 for the Property for all five (5) years; and

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

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Borough hereby grants the Applicant's application for a tax abatement and grants a thirty percent (30%) abatement for the improvements on the Property for a total of five (5) years.

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

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

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

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

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on July 16, 2024.

Michele Clark, RMC
Borough Clerk

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

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

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

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

WHEREAS, Tammie Morse (the “**Applicant**”) is the owner of the property at Block 22, Lot 19.22, Qualifier C22, on the Borough’s tax map, commonly known as 22 Raritan Cove (the “**Property**”); and

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

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

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

WHEREAS, the Borough Tax Assessor has estimated that the tax abatement will result in a difference of approximately \$3,373.93 per year for a total tax difference of approximately \$16,870.00 for the Property for all five (5) years; and

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

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Borough hereby grants the Applicant’s application for a tax abatement and grants a thirty percent (30%) abatement for the improvements on the Property for a total of five (5) years.

July 16, 2024

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

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

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

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

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on July 16, 2024.

Michele Clark, RMC
Borough Clerk

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

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

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

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

WHEREAS, James V. Gorman and Jacquelyn D. Gorman (the “**Applicants**”) are the owners of the property at Block 22, Lot 19.23, Qualifier C23, on the Borough’s tax map, commonly known as 23 Raritan Cove (the “**Property**”); and

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

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

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

WHEREAS, the Borough Tax Assessor has estimated that the tax abatement will result in a difference of approximately \$3,123.36 per year for a total tax difference of approximately \$15,617 for the Property for all five (5) years; and

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

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Borough hereby grants the Applicants’ application for a tax abatement and grants a thirty percent (30%) abatement for the improvements on the Property for a total of five (5) years.

July 16, 2024

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

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

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

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

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on July 16, 2024.

Michele Clark, RMC
Borough Clerk

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

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

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

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

WHEREAS, Eric Niebergall and Anca Niebergall (the “**Applicants**”) are the owners of the property at Block 22, Lot 19.24, Qualifier C24, on the Borough’s tax map, commonly known as 24 Raritan Cove (the “**Property**”); and

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

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

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

WHEREAS, the Borough Tax Assessor has estimated that the tax abatement will result in a difference of approximately \$3,123.36 per year for a total tax difference of approximately \$15,617.00 for the Property for all five (5) years; and

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

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Borough hereby grants the Applicants’ application for a tax abatement and grants a thirty percent (30%) abatement for the improvements on the Property for a total of five (5) years.

July 16, 2024

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

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

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

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

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on July 16, 2024.

Michele Clark, RMC
Borough Clerk

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

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

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

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

WHEREAS, Gina DeBartolome and Anglea DeBartolome (the "**Applicants**") are the owners of the property at Block 22, Lot 19.25, Qualifier C25, on the Borough's tax map, commonly known as 25 Raritan Cove (the "**Property**"); and

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

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

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

WHEREAS, the Borough Tax Assessor has estimated that the tax abatement will result in a difference of approximately \$3,123.36 per year for a total tax difference of approximately \$15,617.00 for the Property for all five (5) years; and

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

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Borough hereby grants the Applicants' application for a tax abatement and grants a thirty percent (30%) abatement for the improvements on the Property for a total of five (5) years.

July 16, 2024

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

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

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

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

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on July 16, 2024.

Michele Clark, RMC
Borough Clerk

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

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

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

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

WHEREAS, Andrew Alfano and Lynn Alfano (the “**Applicants**”) are the owners of the property at Block 22, Lot 19.26, Qualifier C26, on the Borough’s tax map, commonly known as 26 Raritan Cove (the “**Property**”); and

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

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

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

WHEREAS, the Borough Tax Assessor has estimated that the tax abatement will result in a difference of approximately \$3,349.75 per year for a total tax difference of approximately \$16,749.00 for the Property for all five (5) years; and

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

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Borough hereby grants the Applicants’ application for a tax abatement and grants a thirty percent (30%) abatement for the improvements on the Property for a total of five (5) years.

July 16, 2024

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

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

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

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

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on July 16, 2024.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2024-**APPROVING A FIVE-YEAR TAX ABATEMENT FOR
25 BROOK AVENUE IN THE BOROUGH OF KEYPORT**

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

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

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

WHEREAS, P&Y Management LLC (the "**Applicant**") is the owner of the property at Block 102, Lot 06, on the Borough's tax map, commonly known as 25 Brook Avenue (the "**Property**"); and

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

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

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

WHEREAS, the Borough Tax Assessor has estimated that the tax abatement will result in a difference of approximately \$2,995.87 per year for a total tax difference of approximately \$14,979.00 for the Property for all five (5) years; and

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

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Borough hereby grants the Applicant's application for a tax abatement and grants a thirty percent (30%) abatement for the improvements on the Property for a total of five (5) years.

July 16, 2024

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

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

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

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

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on July 16, 2024.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2024-**GRANTING THE RENEWAL OF AN INACTIVE PLENARY RETAIL CONSUMPTION
LIQUOR LICENSE FOR 6 BROAD ST WATERFRONT LIQUOR LLC
FOR THE 2024-2025 LICENSE TERM**

WHEREAS, the plenary retail consumption liquor license (License No. 1322-33-008-008) issued to 6 Broad St Waterfront Liquor LLC ("License Holder") is currently an inactive "pocket" license in the Borough of Keyport; and

WHEREAS, the renewal application is complete in all respects and the applicant is qualified to be licensed according to all statutory, regulatory and local governmental Alcoholic Beverage Control laws and regulations.

WHEREAS, all requisite fees have been paid; and

WHEREAS, the requisite Alcoholic Beverage Retail License Clearance Certificate (Renewal) has been received.

NOW THEREFORE BE IT RESOLVED that the plenary retail consumption license of 6 Broad St Waterfront Liquor LLC, License #1322-33-008-008, be renewed for the 2024-2025 license term; and

BE IT FURTHER RESOLVED the Borough Clerk is hereby directed to transmit a certified true copy of this resolution to the New Jersey Division of Alcoholic Beverage Control.

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 July 16, 2024

Michele Clark, RMC
Borough Clerk

RESOLUTION #2024-

**GRANTING THE RENEWAL OF AN INACTIVE PLENARY RETAIL
CONSUMPTION LIQUOR LICENSE FOR KEYPORT LIQUOR 3, LLC
FOR THE 2024-2025 LICENSE TERM**

WHEREAS, the plenary retail consumption liquor license (License No. 1322-33-007-016) issued to Keyport Liquor 3, LLC ("License Holder") is currently an inactive "pocket" license in the Borough of Keyport; and

WHEREAS, the renewal application is complete in all respects and the applicant is qualified to be licensed according to all statutory, regulatory and local governmental Alcoholic Beverage Control laws and regulations; and

WHEREAS, all requisite fees have been paid; and

WHEREAS, the requisite Alcoholic Beverage Retail License Clearance Certificate (Renewal) has been received.

NOW THEREFORE BE IT RESOLVED that the plenary retail consumption license of Keyport Liquor 3, LLC, License #1322-33-007-016, be renewed for the 2024-2025 license term; and

BE IT FURTHER RESOLVED the Borough Clerk is hereby directed to transmit a certified true copy of this resolution to the New Jersey Division of Alcoholic Beverage Control.

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 July 16, 2024.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2024-

**APPROVING THE ISSUANCE OF A SOCIAL AFFAIR PERMIT FOR
THE KEYPORT FIRE DEPARTMENT**

WHEREAS, the Keyport Fire Department has filed an application for a Social Affair Permit for an event to be held July 30, 2024 through August 3, 2024, from 6:00 p.m. to 11:30 p.m. at Fireman's Park; and

WHEREAS, the application is complete in all respects.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Keyport hereby approve the issuance of the Social Affair Permit to the Keyport Fire Department for an event to be held July 30, 2024 through August 3, 2024, from 6:00 p.m. to 11:30 p.m. at Fireman's Park.

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 July 16, 2024.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2024-**APPROVING THE ISSUANCE OF A SOCIAL AFFAIR PERMIT FOR
KEYPORT MATAWAN ELKS BPOE 2030**

WHEREAS, the Keyport Matawan Elks BPOE 2030 has filed an application for a Social Affair Permit for an event to be held August 24, 2024, from 10:00 a.m. to 6:30 p.m. at 249 Broadway, Keyport, New Jersey; and

WHEREAS, the application is complete in all respects.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Keyport hereby approve the issuance of the Social Affair Permit to the Keyport Matawan Elks BPOE 2030 for an event to be held August 24, 2024, from 10:00 a.m. to 6:30 p.m. at 249 Broadway, Keyport, New Jersey.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of a Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Meeting held on July 16, 2024.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2024-

**AUTHORIZING THE ISSUANCE OF A SOCIAL AFFAIR PERMIT FOR
RARITAN POST 23 AMERICAN LEGION**

WHEREAS, Raritan Post 23 American Legion has filed an application for a Social Affair Permit for an event to be held September 7, 2024 (rain date September 8, 2024) from 9:00 a.m. to 11:59 p.m. at 81 W. Front Street; and

WHEREAS, the application is complete in all respects.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Keyport hereby authorize the issuance of the Social Affair Permit to Raritan Post 23 American Legion for an event to be held September 7, 2024 (rain date September 8, 2024), from 9:00 a.m. to 11:59 p.m. at 81 W. Front Street.

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 July 16, 2024.

Michele Clark, RMC
Borough Clerk

R24-258
Amended

RESOLUTION #2024-

**AMENDING RESOLUTION #2024-51 AUTHORIZING SIGNATURES
ON MUNICIPAL COURT CHECKS AND
AUTHORIZING BANK ACCOUNTS**

WHEREAS, Resolution #2024-51, adopted January 1, 2024, authorized signatures on municipal court checks and authorized bank accounts; and

WHEREAS, it is necessary to amend Resolution #2024-51 authorizing certain signatures on municipal court checks where one principal signature is required.

BE IT RESOLVED, that the following court officials are hereby authorized to sign checks where one principal signature is required:

Judge of Municipal Court
Certified Municipal Court Administrator
Deputy Court Administrator

BE IT FURTHER RESOLVED, that signature cards with the signatures of the persons authorized above are on file with the municipality's active depositories.

BE IT FURTHER RESOLVED, that the following accounts with Valley National Bank have been established:

Court Operating Account
Court Bail Account

BE IT FURTHER RESOLVED, that a certified copy of this resolution be filed with the Borough Treasurer, the Chief Financial Officer, and the Middletown Township Certified Municipal Court Administrator.

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 July 16, 2024.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2024-**MUNICIPAL RESOLUTION FOR TITLE CHANGE
Anthony Vecchio**

WHEREAS, the duties and responsibilities of the position currently held by Code Enforcement in the Borough of Keyport do not align with the existing civil service title; and

WHEREAS, it is in the best interest of Borough of Keyport to accurately reflect the job responsibilities through a revised title to ensure compliance with civil service guidelines; and

WHEREAS, Anthony Vecchio, currently serving in the role of Code Enforcement Officer, has been performing duties that correspond more closely with the civil service classification of Housing Inspector; and

WHEREAS, the Borough of Keyport seeks to maintain consistency and clarity in job classifications to facilitate efficient administration and operation.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Keyport Council/Board of Commissioners that the title of Anthony Vecchio's position be officially changed from Code Enforcement Officer to Housing Inspector.

BE IT FURTHER RESOLVED that all necessary paperwork and filings be completed to effectuate this change in accordance with the procedures outlined by the Borough of Keyport's Administration Department and the New Jersey Civil Service Commission.

BE IT FURTHER RESOLVED that a certified copy of this resolution be filed with the Borough of Keyport's Administration Department and the New Jersey Civil Service Commission for their records.

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 July 16, 2024.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2024-

MUNICIPAL RESOLUTION FOR TITLE CHANGE

David Quinn

WHEREAS, the duties and responsibilities of the position currently held by Property Maintenance Officer in the Borough of Keyport do not align with the existing civil service title; and

WHEREAS, it is in the best interest of Borough of Keyport to accurately reflect the job responsibilities through a revised title to ensure compliance with civil service guidelines; and

WHEREAS, David Quinn, currently serving in the role of Property Maintenance Officer, has been performing duties that correspond to the civil service classification of Code Enforcement Officer; and

WHEREAS, the Borough of Keyport seeks to maintain consistency and clarity in job classifications to facilitate efficient administration and operation;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Keyport Governing Body that the title of David Quinn's position be officially changed from Property Maintenance Officer to Code Enforcement Officer.

BE IT FURTHER RESOLVED that all necessary paperwork and filings be completed to effectuate this change in accordance with the procedures outlined by the Borough of Keyport's Administration Department and the New Jersey Civil Service Commission.

BE IT FURTHER RESOLVED that a certified copy of this resolution be filed with the Borough of Keyport's Administration Department and the New Jersey Civil Service Commission for their records.

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 July 16, 2024.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2024-**MUNICIPAL RESOLUTION FOR TITLE CHANGE
Paul Murphy**

WHEREAS, the duties and responsibilities of the position currently held by Property Maintenance Officer in the Borough of Keyport do not align with the existing civil service title; and

WHEREAS, it is in the best interest of the Borough of Keyport to accurately reflect the job responsibilities through a revised title to ensure compliance with civil service guidelines; and

WHEREAS, Paul Murphy, currently serving in the role of Property Maintenance Officer and Assistant Zoning Officer, has been performing duties that correspond to the civil service classification of Code Enforcement Officer; and

WHEREAS, the Borough of Keyport seeks to maintain consistency and clarity in job classifications to facilitate efficient administration and operation.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Keyport Governing Body that the title of Paul Murphy's position be officially changed from Property Maintenance Officer and Assistant Zoning Officer to Code Enforcement Officer.

BE IT FURTHER RESOLVED that all necessary paperwork and filings be completed to effectuate this change in accordance with the procedures outlined by the Borough of Keyport's Administration Department and the New Jersey Civil Service Commission.

BE IT FURTHER RESOLVED that a certified copy of this resolution be filed with the Borough of Keyport's Administration Department and the New Jersey Civil Service Commission for their records.

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 July 16, 2024.

Michele Clark, RMC
Borough Clerk

[Brackets] mean deletions; Underlines mean additions

ORDINANCE NO. 2024-06

BOROUGH OF KEYPORT
COUNTY OF MONMOUTH
STATE OF NEW JERSEY

AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 2 OF THE BOROUGH CODE OF KEYPORT, ENTITLED "ADMINISTRATION", MOST NOTABLY SECTION 2-3, ENTITLED "BOROUGH OFFICES", SPECIFICALLY 2-3.7 "BOROUGH ENGINEER", SECTION 2-3.9 "ZONING OFFICER"; SECTION 2-3.10 "CODE ENFORCEMENT OFFICER"; SECTION 2-3.11 "ACTING ZONING OFFICER"; AND, SECTION 2-3.12 "ACTING CODE ENFORCEMENT OFFICER".

WHEREAS, the Mayor and Borough Council seek to have all municipal, non-public safety Borough offices, other than the Borough Clerk, report to the Business Administrator, as that individual serves as the chief administrative officer of the Borough and responsible to the Mayor and Council for the proper administration of the business offices of the Borough; and,

WHEREAS, the Mayor and Borough Council wish to have certain positions in the Borough report to and be supervised by the Business Administrator, not the Mayor and Borough Council; and,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of Keyport, County of Monmouth, State of New Jersey that the Borough Code of the Borough of Keyport does hereby amend, revise and supplement the Borough code, Chapter 2, "Administration", most notably Section 2-3, entitled "Borough Offices" as follows:

A. Amend, revise and supplement Section 2-3.7(c)(10)("Borough Engineer") as follows:

"(c)(10) The Engineer shall be under the supervision of the Borough [Clerk/] Administration, [and respective Chairman of the various committees.]

B. Amend, revise and supplement Section 2-3.(c)("Zoning Officer") as follows:

"Supervision. The Zoning Officer shall be under the supervision of the [Mayor and Council of the Borough of Keyport.] Business Administrator."

C. Amend, revise and supplement Section 2-3.10(c)("Code Enforcement Officer") as follows:

"Supervision. The Code Enforcement Officer shall be under the supervision of the [Mayor and Council of the Borough of Keyport.] Business Administrator."

[Brackets] mean deletions; Underlines mean additions

D. Amend, revise and supplement Section 2-3.11(c) (“Acting Zoning Officer”) as follows:

“Supervision. The Acting Zoning Officer shall be under the supervision of the [Mayor and Council of the Borough of Keyport.] Business Administrator.”

E. Amend, revise and supplement Section 2-3.12(c) (“Acting Code Enforcement Officer”) as follows:

“Supervision. The Acting Code Enforcement Officer shall be under the supervision of the [Mayor and Council of the Borough of Keyport.] Business Administrator.”

F. All ordinances or parts of ordinances that are inconsistent with this Ordinance shall be repealed as to the inconsistencies only.

G. 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.

H. The Borough Clerk is hereby directed, upon adoption of this Ordinance after a public hearing thereon to publish notice of the passage thereof.

I. This Ordinance shall be in full force and effect from and after its adoption and publication, in accordance with and required by law.

INTRODUCED: May 21, 2024

PUBLIC HEARING: July 16, 2024

ADOPTED:

Michelle Clark, RMC
Borough Clerk
Borough of Keyport

Rose P. Araneo, Mayor
Borough of Keyport

ORDINANCE No. 2024-07

ORDINANCE OF THE BOROUGH OF KEYPORT, IN THE
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
APPROVING THE NEW APPLICATION FOR A
LONG-TERM TAX EXEMPTION AND AUTHORIZING
THE EXECUTION OF A FINANCIAL AGREEMENT WITH
MARINER'S VILLAGE AT KEYPORT URBAN RENEWAL,
LLC

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended from time to time (the "**Redevelopment Law**"), provides a process for municipalities, such as the Borough of Keyport (the "**Borough**"), to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, on August 4, 2015, the Borough Council (the "**Council**") of the Borough adopted a resolution designating the property commonly known as Brown's Point Marina and identified as Block 20, Lots 5, 6, 6.01, 7, and 9 on the tax map of the Borough as a non-condemnation redevelopment area (the "**Initial Redevelopment Area**") in accordance with the Redevelopment Law; and

WHEREAS, after a re-investigation by the planning board of the Borough (the "**Planning Board**") in accordance with the Redevelopment Law, on April 5, 2016, the Borough adopted a resolution designating the property commonly known as Block 20, Lots 1, 2, and 3 on the tax map of the Borough of Keyport, State of New Jersey, as a non-condemnation redevelopment area (together with the Initial Redevelopment Area, the "**Redevelopment Area**" or the "**Project Site**", which Redevelopment Area or Project Site has been subdivided to form a 9.04 acre site now known as Block 20, Lot 16.01 on the tax map of the Borough); and

WHEREAS, pursuant to *N.J.S.A. 40A:12A-7*, on May 16, 2017 the Borough Council adopted an ordinance approving and adopting a redevelopment plan for the Redevelopment Area (#3-17) (the "**Redevelopment Plan**"); and

WHEREAS, the proposed project to be undertaken by Mariner's Village at Keyport Urban Renewal, LLC (the "**Entity**") on the Redevelopment Area is the construction of up to 120 residential rental units, an integrated parking facility and associated supporting facilities, amenities and parking, consistent with the Redevelopment Plan (the "**Project**"); and

WHEREAS, pursuant to the Redevelopment Law, specifically *N.J.S.A. 40A:12A-4*, the Borough is designated as the Redevelopment Entity as such term is defined at *N.J.S.A. 40A:12A-3*, for the Redevelopment Area, with full authority to exercise the powers contained in the Redevelopment Law to facilitate and implement the development of the Redevelopment Area; and

WHEREAS, on December 18, 2018 the Borough Council adopted an ordinance authorizing the execution of a Financial Agreement (the "**Prior Financial Agreement**"), pursuant to the Long-Term Tax Exemption Law, *N.J.S.A. 40A:20-1 et seq.* (the "**LTTE Law**") with the Entity although such Financial Agreement was never executed by either party; and

WHEREAS, the Borough entered a resolution on July 20, 2021 rescinding the designation of the Entity as Redeveloper and its approval of the Prior Financial Agreement; and

WHEREAS, the Borough entered resolutions on August 17, 2021 and December 7, 2021, respectively, reinstating the designation of the Entity as Redeveloper; and

WHEREAS, the Entity has now submitted a new application to the Financial Agreement pursuant to LTTE Law attached hereto as Exhibit A; and

WHEREAS, the Entity remains the owner of the Redevelopment Area; and

WHEREAS, the Project will still conform to all applicable municipal zoning ordinances as amended by the Redevelopment Plan and will still be in conformance with the master plan of the Borough; and

WHEREAS, the Borough has made the following findings:

1. The Project Site remains not developed to its maximum potential. The long-term tax exemption remains a critical incentive for the Entity to undertake the Project in the Borough due to extraordinary costs associated with the development of the Redevelopment Area. Upon expiration of the exemption, the Project will be fully assessed and conventionally taxed;

2. In light of market conditions and other factors currently impacting investment risk, it is still not financially feasible to undertake the development of the Project in the absence of the tax exemption provided by this Agreement;

3. The Project will result in the creation of numerous construction jobs at its peak; and

4. Given the scale of the Project and the risks associated with new construction development, without the exemption, the Entity would likely not have developed the Project in New Jersey; and

5. The Project is consistent with the Redevelopment Plan, will further its objectives, and will contribute to the economic growth of the Borough; and

WHEREAS, in order to enhance the economic viability of and opportunity for a successful project, the Borough seeks to enter into the new Financial Agreement in the form attached hereto as Exhibit B, which shall govern the terms of the tax exemption for the Project and the Annual Service Charge (defined therein) to be paid to the Borough in lieu of conventional taxation; and

WHEREAS, the Borough Council has determined that the Project represents an undertaking permitted by the LTTE Law, and has further determined that the Project is an improvement made for the purposes of clearance, replanning, development or redevelopment of an area in need of redevelopment within the Borough, as authorized by the LTTE Law; and

WHEREAS, the Borough Council has reviewed the Application and the terms of the Financial Agreement and wishes to approve the Application on such terms.

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

1. The aforementioned recitals are incorporated herein as though fully set forth herein at length.
2. The Borough Council hereby approves the Application.
3. An exemption from taxation as set forth in the Application is hereby granted to the Entity with respect to the Project on the Project Site for the term set forth in the Financial Agreement; provided that in no event shall the tax exemption exceed the earlier of (i) thirty-five (35) years from the date of execution of the Financial Agreement or (ii) to the extent permitted by *N.J.S.A. 40A:20-12*, thirty (30) years from the date of issuance of a Certificate of Occupancy for the first residential unit within the Project and only so long as the Entity remains subject to and complies with the Financial Agreement and the LTTE Law and any other agreement related to the Project or the Project Site; and provided further, that in no event shall the Annual Service Charge, for every year the property tax exemption is in effect, be less than the total taxes levied against the Project Site in the last full tax year it was subject to taxation.
4. The Mayor and/or the Mayor's designee, in consultation with counsel to the Borough, are each hereby and directed authorized to execute and/or amend, modify or make such necessary changes to the Application, the Financial Agreement and any other agreements or documents necessary to effectuate this ordinance and the Financial Agreement.
5. The executed copy of the Financial Agreement and this ordinance shall be certified by the Borough Clerk and filed with the Tax Assessor for the Borough and the Director of the Division of Local Government Services.
6. The Project shall conform to all federal and state laws and ordinances and regulations of the Borough relating to its construction and use, including the Redevelopment Plan.
7. The Entity shall, in the operation of the Project, comply with all laws so that no person because of race, religious principles, color, national origin or ancestry, will be subject to discrimination.
8. The Entity shall, from the time the Annual Service Charge becomes effective, pay the Annual Service Charge as set forth in the Financial Agreement.

9. The Entity shall not, without prior consent of the Borough as set forth in the Financial Agreement, convey, mortgage or transfer all or any part of the Project which would sever, disconnect or divide the improvements being tax exempted under the Financial Agreement from the land underlying the exempted improvements.

10. This ordinance shall take effect in accordance with all applicable laws.

ADOPTED ON FIRST READING

DATED: June 11, 2024

/s/ Michele Clark

MICHELE CLARK,

Clerk of the Borough of Keyport

ADOPTED ON SECOND READING

DATED: July 16, 2024

MICHELE CLARK,

Clerk of the Borough of Keyport

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____, 2024

ROSE P. ARANEO,

Mayor

EXHIBIT A
Application for Long Term Tax Exemption

EXHIBIT B
Financial Agreement

ORDINANCE No. 2024-08

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING BOROUGH CODE CHAPTER XII, SECTION 12-8 AUTHORIZING FIVE-YEAR TAX EXEMPTIONS FOR IMPROVEMENTS TO DWELLINGS PURSUANT TO *N.J.S.A. 40A:21-1 ET AL.* AS WELL AS AMENDING BOROUGH CODE CHAPTER XII, SECTION 12-16 AUTHORIZING FIVE-YEAR TAX EXEMPTIONS FOR IMPROVEMENTS TO MULTIPLE DWELLINGS AND COMMERCIAL OR INDUSTRIAL STRUCTURES PURSUANT TO *N.J.S.A. 40A:21-1 ET AL.*

WHEREAS, the Borough of Keyport, in the County of Monmouth, New Jersey (the "Borough"), a public body corporate and politic of the State of New Jersey, is authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "Redevelopment Law") to determine whether certain parcels of land within the Borough constitute an area in need of rehabilitation or an area in need of redevelopment; and

WHEREAS, pursuant to the Five-Year Exemption and Abatement Law, *N.J.S.A. 40A:21-1 et seq.* (the "Five Year Law"), improvements to property located within an area in need of rehabilitation or redevelopment may qualify for short term tax exemptions, to incentivize private industry to invest capital in real property, to establish commercial and industrial centers, to aid homeowners in improving their property, and to general property purchases to ensure stable ratables; and,

WHEREAS, pursuant to the Five Year Law, on May 21, 1979, the Monmouth County Planning Board adopted a resolution determining that the housing stock of the Borough is in need of rehabilitation; and

WHEREAS, the Borough Council adopted Chapter XII, Building and Housing Regulations, Section 12-8 of the Borough Code (the "Residential Exemption"), which authorized short-term tax exemptions for the improvement of dwelling units twenty (20) or more years of age within the Borough as authorized under the Five Year Law; and

WHEREAS, the Borough Council adopted Chapter XII, Building and Housing Regulations, Section 12-16 of the Borough Code (the "Commercial Exemption"), which designated the Borough as an area in need of rehabilitation and authorized short-term tax exemptions for the improvement of multiple dwelling, commercial property or industrial structures

more than twenty (20) years of age within the Borough as authorized under the Five Year Law; and

WHEREAS, the Borough Council adopted Chapter XII, Building and Housing Regulations, Section 12-8 and Section 12-16 to authorize, ratify, and validate tax exemptions for improvements to dwellings, multiple dwellings, and commercial and industrial structures, and for new construction of the same; and,

WHEREAS, the Borough Council desires to amend Chapter XII, Building and Housing Regulations, Sections 12-8.3, 12-16.6, 12-16.7, and 12-16.8, to remove the tax abatement/exemptions afforded to new construction and edit the titles of Section 12-8 and Section 12-6 to incorporate the aforementioned amendments;

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

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

Section 2. Chapter XII, Building and Housing Regulations, of the Borough Code shall be amended as follows

[NOTE TO CODIFIER: Additions are underlined and deletions as ~~strikeouts~~.]

§ 12-8 TAX EXEMPTION FOR IMPROVEMENTS AND NEW CONSTRUCTION OF DWELLINGS.

~~§ 12-8.3. Tax exemption for new construction. [Ord. No. 12-79; amended 7-24-2018 by Ord. No. 13-18]~~

~~Upon review and evaluation by the Tax Assessor and the Tax Assessor's recommendation to the governing body, the governing body may by resolution approve an exemption of some portion of the assessed valuation of construction of new dwellings or of conversions of other buildings and structures, including unutilized public buildings to dwelling use, or both. If the Borough and the applicant enter into a tax agreement for an exemption under this section, such agreement shall be approved by ordinance.~~

~~In determining the valuation of real property, the Borough shall regard up to 30% of the Tax Assessor's full and true value of the dwelling constructed, or conversion alterations made, as not increasing the value of such property for a period of up to five years,~~

~~notwithstanding that the value of the property on which the construction or conversion occurs is increased thereby; provided that, during the five-year period, the assessment on such dwelling shall in no case, except that of damage through action of the elements sufficient to warrant a reduction, be less than the assessment thereon existing immediately prior to the construction or conversion of the dwelling unit.~~

~~The exemption period and annual percentage of the exemption shall be determined on an individual basis. The annual percentage of the exemption may be defined in a schedule that exempts from taxation a different percentage, up to 30%, for each year of the exemption period.~~

§ 12-16. TAX EXEMPTIONS FOR IMPROVEMENTS AND NEW CONSTRUCTION: MULTIPLE DWELLINGS, COMMERCIAL STRUCTURES, AND INDUSTRIAL STRUCTURES.

~~§ 12-16.6. Tax exemption for newly constructed multiple dwellings, commercial and industrial structures. [Ord. No. 16-02 ; amended 7-24-2018 by Ord. No. 13-18]~~

~~The Borough may enter into written agreements with applicants for tax exemption for new construction of commercial or industrial structures or multiple dwellings. All tax agreements shall be applied for and granted on an individual basis and shall be approved by ordinance of the governing body.~~

~~§ 12-16.7. Applications for tax agreements for new construction, requirements. [Added 7-24-2018 by Ord. No. 13-18]~~

~~All applications shall be submitted pursuant to the Five-Year Exemption and Abatement Law.~~

~~§ 12-16.8. Formula for payments under tax agreements for new construction. [Added 7-24-2018 by Ord. No. 13-18]~~

~~a. An agreement shall provide for the applicant to pay to the Borough, in lieu of full property tax payments, an amount annually to be computed by one, but in no case a combination, of the following formulas:~~

~~1. Cost basis: The agreement may provide for the applicant to pay to the municipality, in lieu of full property tax payments, an amount equal to 2% of the cost of the project. For the purposes of the agreement, "the cost of the project" means only the cost or fair market~~

~~value of direct labor and all materials used in the construction, expansion or rehabilitation of all buildings, structures and facilities at the project site, including the costs, if any, of land acquisition and land preparation, provision of access roads, utilities, drainage facilities and parking facilities, together with architectural, engineering, legal, surveying, testing and contractors' fees associated with the project; which the applicant shall cause to be certified and verified to the governing body by an independent and qualified architect, following the completion of the project.~~

~~2. Gross revenue basis: The agreement may provide for the applicant to pay to the municipality in lieu of full property tax payments an amount annually equal to 15% of the annual gross revenues from the project. For the purposes of the agreement, "annual gross revenues" means the total annual gross rental and other income payable to the owner of the project from the project. If in any leasing, any real estate taxes or assessments on property included in the project, any premiums for fire or other insurance on or concerning the property included in the project, or any operating or maintenance expenses ordinarily paid by the landlord, are to be paid by the tenant, then those payments shall be computed and deemed to be part of the rent and shall be included in the annual gross revenue. The tax agreement shall establish the method of computing the revenues and may establish a method of arbitration by which either the landlord or tenant may dispute the amount of payments so included in the annual gross revenue.~~

~~3. Tax phase-in basis: The agreement shall provide for the applicant to pay to the Borough in lieu of full property tax payments an amount equal to a percentage of taxes otherwise due, according to the following schedule:~~

- ~~(a) In the first full year after completion, no payment in lieu of taxes otherwise due;~~
- ~~(b) In the second tax year, 20% of taxes otherwise due;~~
- ~~(c) In the third tax year, 40% of taxes otherwise due;~~
- ~~(d) In the fourth tax year, 60% of taxes otherwise due; and~~
- ~~(e) In the fifth tax year, 80% of taxes otherwise due.~~

~~b. The formula provided for in a tax agreement under this section shall be determined on an individual basis~~

Section 3. The effective date for this Ordinance shall be July 1, 2024, and any applications for five-year exemption and/or abatement for new construction filed prior to the effective date will have no effect unless those applications for exemption and/or abatement were filed within 30 days of completion of construction, improvements, conversion, conversation or alteration. Only under those limited circumstances may a five-year exemption and/or abatement for new construction may be considered by the tax assessor and presented to the governing body for approval.

Section 4. The Borough Tax Collector shall include a notice in the mailing of the annual property tax bills to each owner of the properties where exemptions are authorized pursuant to this Ordinance, advising such property owners of same before the end of the first year following adoption of this Ordinance.

Section 5. The Borough Clerk shall forward copies of all tax agreements to the Director of the Division of Local Government Services in the Department of Community Affairs as prescribed by the Five Year Law.

Section 6. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

Section 7. This Ordinance shall take effect upon final passage and publication in accordance with law and shall be in effect for ten (10) years thereafter, unless amended by the Borough Council.

Introduced: June 25, 2024
Public Hearing: July 16, 2024
Adopted:

Michele Clark, RMC
Borough of Keyport

Mayor Rose Araneo
Borough of Keyport

BOND ORDINANCE NO. 2024-09

BOND ORDINANCE PROVIDING FOR VARIOUS ROAD IMPROVEMENTS, BY AND IN THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$1,300,000 THEREFOR (INCLUDING A GRANT FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION) AND AUTHORIZING THE ISSUANCE OF \$970,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Borough of Keyport, in the County of Monmouth, State of New Jersey. (the "Borough"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$1,300,000, which sum includes a \$322,945 grant from the New Jersey Department of Transportation (the "Grant"). Pursuant to N.J.S.A. 40A:2-11(c), as amended and supplemented, no down payment is required for the bonds or notes associated with the said improvements as a portion of such project is being funded by the Grant; however, the Borough has chosen to make a down payment in the amount of \$7,055 from the Capital Improvement Fund.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$1,300,000 appropriation not provided for by application hereunder of the Grants, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$970,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$970,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued are various improvements to Borough Streets and Roads including, but not limited to, Second Street from Atlantic Street to Stone Road, Which Improvements Shall Include, But Not Be Limited To, As Applicable, Excavation, Milling, Paving, Reconstruction And Boxing Out And Resurfacing Or Full Depth Pavement Replacement, And Where Necessary, The Sealing Of Pavement Cracks, The Repairing And/Or Installation Of Curbs, Sidewalks And Driveway Aprons, Installation Of Curb Ramps In Compliance With ADA, Drainage Improvements, Resetting of Utility Castings, Roadway Painting, Signage, Landscaping And Aesthetic Improvements.

(b) The above improvements or purposes set forth in Section 3(a) shall include, as applicable, all engineering, architectural or design work, construction planning, preparation of plans and specifications, permits, bid documents, inspection and contract administration; and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$970,000.

(d) The aggregate estimated cost of said improvements or purposes is \$1,300,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the Grant in the amount of \$322,945 and the down payment in the amount of \$7,055.

SECTION 4. Except for the Grant, in the event the United States of America, the State of New Jersey, the County of Monmouth and/or a private entity make a contribution or grant in aid to the Borough, for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, the County of Monmouth and/or a private entity. Except for the Grant, in the event, however, that any amount so contributed or

granted by the United States of America, the State of New Jersey, the County of Monmouth and/or a private entity, shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the

Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$970,000 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$200,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements or purposes hereinbefore described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the

Borough for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 10. The Borough Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Borough Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all federally tax exempt bonds and notes issued under this ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

ADOPTED ON FIRST READING
DATED: June 25, 2024

MICHELE CLARK,
Clerk of the Borough of Keyport

ADOPTED ON SECOND READING
DATED: July 16, 2024

MICHELE CLARK,
Clerk of the Borough of Keyport

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____, 2024

ROSE P. ARANEO,
Mayor

BOND ORDINANCE NO. 2024-10

BOND ORDINANCE PROVIDING FOR VARIOUS WATER AND SEWER UTILITY IMPROVEMENTS, BY AND IN THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$2,300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,300,000 OF BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Borough of Keyport, in the County of Monmouth, State of New Jersey (the "Borough"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$2,300,000. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), no down payment is required as the Water-Sewer Utility of the Borough is self-liquidating.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$2,300,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$2,300,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued are Various Water-Sewer Utility Improvements To Borough Streets and Roads including, but not limited to, Second Street, Which Improvements Shall Include, But Not Be Limited To, The Replacement Of Water And Sewer Mains.

(b) The above improvements or purposes set forth in Section 3(a) shall include, as applicable, all engineering, architectural or design work, construction planning, preparation of plans and specifications, permits, bid documents, inspection and contract administration; and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$2,300,000.

(d) The aggregate estimated cost of said improvements or purposes is \$2,300,000.

SECTION 4. In the event the United States of America, the State of New Jersey, the County of Monmouth and/or a private entity make a contribution or grant in aid to the Borough, for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, the County of Monmouth and/or a private entity. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, the County of Monmouth and/or a private entity, shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer

shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$2,300,000 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$200,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements or purposes hereinbefore described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 10. The Borough Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Borough Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders

and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all federally tax exempt bonds and notes issued under this ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

**ADOPTED ON FIRST READING
DATED: June 25, 2024**

MICHELE CLARK,
Clerk of the Borough of Keyport

**ADOPTED ON SECOND READING
DATED: July 16, 2024**

MICHELE CLARK,
Clerk of the Borough of Keyport

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____, 2024

ROSE P. ARANEO,
Mayor

R24-262

RESOLUTION #2024-

**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, matters regarding union contract negotiations pursuant to *N.J.S.A. 10:4-12(4)* and personnel matters pursuant to *N.J.S.A. 10:4-12(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 July 16, 2024 and determined that an Executive Session closed to the public shall be held on July 16, 2024 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.

RECORDED VOTE						
Councilmember	Offered	Seconded	Aye	Nay	Abstain	Absent
Brady						
Gross						
McNamara						
Peperoni						
Reilly						
Vecchio						

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on July 16, 2024.

Michele Clark, RMC
Borough Clerk