

Minutes of the Regular Session Meeting of the Mayor and Council, Borough of Keyport, held on the above date in the Borough Hall Council Chambers, Keyport, NJ, pursuant to the adoption of the Annual Notice on file with the Borough Clerk forwarded to the Asbury Park Press, the Independent, Two River Times and Newark Star Ledger and posted on the Bulletin Board in accordance with the Open Public Meeting Act, P.L. 1975, Ch. 231.

Mayor Kennedy called the meeting to order at 7:00PM and the Borough Clerk read the Sunshine Law Notice.

ROLL CALL

On Roll Call the following were present: Mayor Kennedy, Council President McNamara, Councilmembers Pacheco, McDermott, Davidson, Araneo and Peperoni. Others present: Borough Administrator Jay Delaney, Borough Engineer Trevor Taylor, Police Chief Shannon Torres and Borough Attorney Leslie London.

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

Mayor Kennedy held a moment of silence of the public’s choosing.

Mayor Kennedy – there are updates to tonight’s agenda. Mayor Kennedy deferred to Leslie London regarding the public hearing that is scheduled this evening which was tabled from August regarding the Bethany Manor PILOT.

Borough Attorney Leslie London – there have been many updates and progress regarding conversations with Capital and Perth Amboy Housing Authority. She deferred to Council President McNamara as there is interest in pushing back this ordinance by motion to the second meeting in October to allow the parties to get together. A lot of things are happening positively and we just need a little bit more time.

Mayor Kennedy – clarified that Keyport does not have a housing authority and neither does Monmouth County. It does not fall under the Borough’s purview to issue these types of permits or licensing but Council President McNamara has spent countless hours by herself working on a lot of this and bringing it back to Ms. London on behalf of the constituents of Bethany Manor.

Council President McNamara – Capital Realty agreed to a five month waiver on rent increases. Increases are delayed until at least January. People who did get notices fall under Perth Amboy Housing Authority. They will be coming to Bethany Manor on the 28th or 29th of September. She will let all know the date and time and will post a notice if they don’t plan to.

Motion was made to table the public hearing moved by McNamara, seconded by Pacheco

Roll Call: Ayes: Pacheco, McDermott, Davidson, McNamara, Araneo, Peperoni
 Nays:
 Absent:
 Abstain:

Mayor Kennedy – there are several matters listed for Closed Session and she asked if any action was going to be taken after the Closed Session. Ms. London said potential action may be taken regarding cannabis.

PRESENTATION

Presentation of Certificate by the New Jersey Health Care Quality Institute for the Mayors Wellness Campaign

Mayor Kennedy called forward Katie from New Jersey Health Care Quality Institute.

Katie Bisaha, Community Health and Policy Associate with the New Jersey Health Care Quality Institute presented an award won earlier this year called the *Healthy Town Up and Coming* award. She thanked Mayor Kennedy and the Council. She said the Mayors Wellness Campaign is a statewide community health initiative that aims to provide community leaders with tools and strategies to improve the health and wellness of the community.

Mayor Kennedy called members of council forward to have their photo taken.

COMMITTEE REPORTS

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

Councilmember Pacheco: Police/MAC, Redevelopment, Harbor Commission, Board of Health/Registrar, Veterans

Councilmember Pacheco reported on the following:

- Read Police Calls for Service Report for August
- Harbor Commission met and discussed the kayak locker break ins
- Had conversation about the bulk head at 149 W. Front Street property
- Snapper Contest went really well
- Municipal Alliance grant paperwork
- Youth mental health training
- Leadership Academy
- Senior specific programming at the Senior Center

Councilmember McDermott: Environmental, KBBC, Fire/First Aid/OEM, NPP, Cultural/Civic

Councilmember McDermott reported on the following:

- Recognized Spanish Heritage Month
- Thanked all for coming out to Salsa Night
- Prayers to family in Puerto Rico
- I Love Keyport event held last Saturday; thanked fellow board members and the governing body for their support
- Thanked all involved for revising the KBBC by-laws
- Major events coming up – KBBC sponsors the 5K and following the run will be a wellness walk
- October 29th Witch Craft event – Keyport cash, witching hour theme, craft market, witch hunt, witch walk, crafts for kids and best costume
- Environmental Commission – participating in the Beach Sweeps in October
- Annual dune planting at Cedar Street, and Benjamin Terry and Veteran's Parks
- Thanked Environmental Commission for working on the ordinance
- Green Team – submitted info for Sustainable Jersey

Councilmember Davidson: DPW/Construction/Fire Bureau/Property Maintenance, Planning Board, Recreation/Senior Center, Parking, Mayors Wellness Campaign

Councilmember Davidson reported on the following:

- Read Construction Department Monthly Report
- Update on 162 Second Street – trial date of 12/1
- New legislation requiring liability insurance
- Planning Board meeting this Thursday
- Asked Finance Committee to discuss GPS devices in DPW vehicles and equipment

Councilmember McNamara: Recreation/Senior Center, Green Team, Finance/Grants, Parking, Cannabis*, Mayors Wellness Campaign

Councilmember McNamara reported on the following:

- Recreation mini-camps at the bay
- Nature on the Move and Save Coastal Wildlife programming
- Thanked Mayor Kennedy for jumping in for week one
- Thanked Suzanne Ryan, Recreation volunteer, key participant for both weeks
- Final Chalk Contest – congratulations Lucy Henn
- 5K this Saturday – new route; map on Borough website
- Second annual Trunk or Treat is Saturday, October 22nd at Waterfront parking lot – Ghostbusters Movie and free pizza
- Senior Center August art show
- Monmouth County Office on Aging and Veterans Affairs held session
- Kudos to Social Worker at the Senior Center
- Senior Center is free to Keyport residents
- Skipper Bus runs Tuesdays and Thursdays

- Grounds for Sculpture
- Tribute to Elizabeth Walling Friday from 2PM-4PM
- Green Team is revisiting its mission
- Meeting at Bell Works
- Finance – asking departments to submit budget requests soon

Councilmember Araneo: Finance/Grants, NPP, Parking, Police/MAC, Harbor Commission, Cannabis*, Cultural/Civic

Councilmember Araneo reported on the following:

- Finance Meeting August 30th – discussed shared service with County for fuel
- DPW Lease
- Obsolete email system discussed
- Borough Hall roof leak – Jay and Trevor to put together an RFP
- Fire hydrant replacements
- DPW dump truck purchase put on hold – we may need two smaller trucks
- Chief Torres working to bring back K9 program
- NPP landscaping improvements at the waterfront
- Decorative street signs – phase one
- Banners at waterfront parking locations

Councilmember Peperoni: Fire/First Aid/OEM, Board of Health/Registrar, Recycling, DPW/Construction/Fire Bureau/Property Maintenance, Redevelopment, Veterans

Councilmember Peperoni reported on the following:

- Read the Fire Departments Calls for Service Report
- Comedy Night fundraiser
- Thursday Bingo
- Read the Board of Health Report

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

Mayor Kennedy reported on the following:

- Library Board – still looking into an update on the door
- Created an ad hoc committee for lease agreement
- Library going fine-free as of September 1st
- Thanked Melissa O'Connell for taking lead in organizing I Heart Keyport Day
- Thanked Xan Yanosh for pulling off great Art Stroll
- Committee from by KBBC to review RFP's
- Mayors Wellness Campaign – will be featured in Q&A session next newsletter and will be part of a panel discussion at NJLM convention
- Thanked Bert Aumack and Tom Gallo for hosting the annual 911 ceremony
- Attended KBBC Board meeting
- Attended Salsa by the Bay
- Participated and attended I Heart Keyport Day
- 5K and Wellness Walk this weekend

MAYOR'S UPDATES

- Asked Borough Administrator to streamline RFP process and have it out prior to NJLM convention
- Review should be done on how much time we expect out of our engineering firm
- Request that Recreation have their dates in for the calendar by December
- Volunteer Forms should be provided to committee/commission/board members whose terms are expiring this year if they want to be considered for reappointment

Councilmember McDermott – asked what work was done by Check Electric with reference to the invoice on page two of **R2022-203** Payment of Bills Listed on the September 20, 2022 Bills List. The Borough Administrator said it was lights at the waterfront. She asked if outlets were addressed and he said they were.

Councilmember Peperoni – asked did the Borough Administrator get any follow up on Church Street with the gas company; The Borough Administrator said he has not. We have requested additional information in terms of the background on the emergency.

Councilmember Davidson – regarding **R2022-204** Authorizing Designated Improvements as Part of the Neighborhood Preservation Program (NPP) Year 2 Implementation Plan, she asked what the plan is after the first year since Scenic View will only maintain for the first year. She asked that the irrigation system be fixed.

Councilmember McNamara – asked about the striping and whether the no-parking striping areas are already in our ordinance. The Borough Engineer said he will double check the ordinance.

Mayor Kennedy – clarified that on page 4 of the payment of bills the line item for one 50lb bag of lime at a cost of \$2,100 – that is a pallet and not just one bag.

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments on Resolutions and Communications only at 7:51PM moved by Pacheco and carried by Davidson with ayes by all present

Donald Blanks, 198 Washington Street – said he was awarded Class 5 Cannabis Retailer License from the State of New Jersey. Borough Attorney Leslie London clarified the approval was for conditional – not annual.

Borough Attorney Leslie London – provided an update on the CRC process for cannabis licenses. The Borough authorized only retail and only 2 licenses in the Borough. Conditional licenses in general were given first priority for review. That doesn't mean that a conditional applicant is any better than an annual applicant.

Gary George, Herbalize – expressed urgency with conditional licenses. He received a "cure" letter in July.

Lori Gerhardt, Green and Gold – said her license is annual. She doesn't qualify for a conditional license. She is looking to move forward.

Larry Marshall, 215 Orchard Street – asked if Keyport has a stipulation for section 3 participants in the master plan.

Danielle Mastropiero, 378 Atlantic Street – looking for clarification on the tabling of the Bethany Manor matter.

Elmer J. Graham, Jr., 22 St. Peters Place – asked for an explanation of **R2022-205** Approving Termination of the Lease Agreement between the Borough and Sprint Spectrum Realty Company, LLC, for Property Located at Block 33, Lots 18 and 19 on the Borough's Tax Map which the Borough Administrator provided.

Carol Grabowski, 48 Walnut Street – spoke against a cannabis dispensary being placed in the middle of town.

Resident, 500 Broad Street – asked about the building being converted to condos.

There being no further comments or questions, the meeting was closed to the public at 8:19PM moved by Peperoni, carried by Davidson with ayes by all present.

Councilmember McNamara – asked if there is any kind of a map for the KBBC request relating to the train and skating.

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.)

R2022-202 Payment of Bills Listed on the September 9, 2022 Bills List
R2022-203 Payment of Bills Listed on the September 20, 2022 Bills List

- R2022-204 Authorizing Designated Improvements as Part of the Neighborhood Preservation Program (NPP) Year 2 Implementation Plan
- R2022-205 Approving Termination of the Lease Agreement Between the Borough and Sprint Spectrum Realty Company, LLC, for Property Located at Block 33, Lots 18 and 19 on the Borough’s Tax Map
- R2022-206 Approving Amendments to the Business Improvement District (KBBC) Budget for the Year 2022

APPROVAL OF RESOLUTIONS

Motion to approve items listed on the Consent Agenda moved by Araneo, carried by McNamara

Roll Call: Ayes: Pacheco, McDermott, Davidson, McNamara, Araneo, Peperoni
Nays:
Absent:
Abstain:

PUBLIC HEARINGS/ADOPTION OF ORDINANCE

1. Ordinance #2022-16 – Amending Bethany Manor Financial Agreement

The Clerk read the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AUTHORIZING AN AMENDMENT TO THE FINANCIAL AGREEMENT BY AND BETWEEN THE BOROUGH OF KEYPORT AND BETHANY MANOR URBAN RENEWAL, LLC, TO EXTEND THE FINANCIAL AGREEMENT FOR AN ADDITIONAL SEVEN YEARS**

The public hearing on Ordinance #2022-16 was tabled earlier in the meeting.

INTRODUCTION OF ORDINANCES

1. Ordinance – Establishing a Mid-Block Crosswalk on Broad Street between Third Street and East and West Front Streets

The Clerk read the Ordinance by Title: **ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING CHAPTER 7 “TRAFFIC” AND CHAPTER 7A “TRAFFIC SCHEDULES” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT**

1a. Motion to introduce moved by Pacheco, carried by McDermott

Roll Call: Ayes: Pacheco, McDermott, Davidson, McNamara, Araneo, Peperoni
Nays:
Absent:
Abstain:

1b. Motion authorizing the Clerk to publish the Ordinance as introduced in the Asbury Park Press for a public hearing moved by Peperoni, carried by Araneo with ayes by all present

COMMUNICATIONS BY CONSENT

(For Approval)

- 1. Letter from the Cystic Fibrosis Foundation - Cycle for Life requesting approval to have cyclists drive through town on October 8, 2022. Also requesting to put up small directional signs on the Thursday and Friday prior to the event.
- 2. Email from KBBC requesting approval to add the Candy Cane Express, a trackless train and iceless skating rink, to the activities taking place during “Miracle on West Front Street” on November 26, 2022.

(To Receive and File)

3. Email from KBBC advising that the gazebo project proposed for the Mini Park will not be moving forward for this season.

APPROVAL and/or RECEIPT AND FILE OF COMMUNICATIONS

Motion to approve Communications by Consent moved by McDermott with stipulation for number 2 that the skating rink be moved across the street if there are issues with leveling at the proposed location, that the train stops at 5PM, and that the Borough and the KBBC are part of the insurance, seconded by Davidson

Roll Call: Ayes: Pacheco, McDermott, Davidson, McNamara, Araneo, Peperoni
Nays:
Absent:
Abstain:

MINUTES FOR APPROVAL

September 6, 2022 Regular Meeting Minutes

Motion to table approval of the minutes moved by McDermott, carried by Davidson with ayes by all present

REPORTS

1. Municipal Clerk's Report for August 2022
2. Tax/Water/Sewer Collector's Report for August 2022
3. Board of Health Treasurer's Report for August 2022
4. Building Department Monthly Report for August 2022
5. Municipal Court Monthly Report for August 2022
6. KFD PR/PIO Report August 2022

Motion to receive Reports moved by Peperoni, carried by Pacheco with ayes by all present

NEW BUSINESS

State Firefighter Certification Program

Councilmember Peperoni explained the purpose of the request for the fire department to participate and the Borough Attorney said she will draft a resolution for the next meeting.

UNFINISHED BUSINESS

Mayor Kennedy said the KBBC has volunteered to take on this year's holiday tree lighting and asked if there was any objection to them moving forward to possibly add wreaths to some of the lamp posts. No objections were made. Mayor Kennedy said that they are also going in a different direction with the lights this year which is still in the planning stages.

DAIS UPDATES

Chief Torres – said a task force is being developed in response to catalytic converter thefts; applying for an ALPR grant for automated license plate readers; working to bring back our K9 unit; processing concealed carry permits and information can be found on our website.

Mayor Kennedy – today is National Voter Registration Day.

Borough Attorney Leslie London – spoke about Monsanto pcb contamination class action lawsuit. If the settlement to be presented to the court on October 13th is approved, Keyport will receive \$17,000. She spoke about quorums at meetings. She said there is a statute that deals with absences and members can be removed.

Borough Administrator Jay Delaney – said the Monmouth County Open Space Grant program application was submitted; mentioned Chingarora Creek restoration and storm water drainage

issues; TAP application submissions due in November; Broad Street milling and paving will begin next Wednesday and be done between 6PM and 6AM.

Mayor Kennedy – spoke about the Broad Street emergency work that was done – she called County Commissioner Tom Arnone, the County assisted and she thanks them.

Borough Engineer Trevor Taylor – explained the bridge over route 35 detour plan; spoke to the drainage concerns on the Henry Hudson Trail and surrounding roadways; 4-way stop report almost complete; Broad Street emergency sanitary sewer project was completed yesterday; Walnut Street project concrete work to be done later this week; survey work is complete and we are continuing with design work for Fulton, Third, Butler, Seventh and Eighth Streets; got the tv inspection reports on the storm sewer and sanitary sewer on the dead end of Third Street.

Borough Administrator – summarized the filming activity requests we've received recently.

Borough Engineer Trevor Taylor – regarding the TAP grant, NJDOT approved the Categorical Exclusion Document which is an environmental document that goes along with the preliminary design. That was the last step of the preliminary design process.

PUBLIC COMMENT PORTION

The Meeting was opened to the public for comments at 8:57PM moved by Araneo, carried by Pacheco with ayes by all present

Danielle Mastropiero – asked if pollution remediation will be required as a result of the Monsanto class action; asked if we can get the Skipper to get seniors to council meetings.

Elmer J. Graham, Jr. – asked why the Bethany Manor PILOT public hearing was tabled; asked about future Veteran's Committee meetings; asked if there was an update on the Complete Streets initiative.

John Merla, 34 Broad Street – spoke about the gas leak street opening on Church Street, Broad Street parking and notification to businesses affected by the film companies, hydrant flushing, Walnut Street resurfacing and spoke about the Anchor rebate.

Matt Kersey, Garden State Marijuana – spoke about his conditional approval.

Michael Lane, 51 First Street – asked about the timeline for 4-way stop signs and crosswalks on First Street; spoke about utility pole cleanup, license plate readers, speed cameras and Bethany Manor.

Gary George, Herbalize – reiterated the importance of a timeline for the cannabis applicants.

Dan Fox, 40 Church Street – asked for an update on the flooding on Church Street since the new curbs were put in and the parking lot was paved.

Rev. Derek Green, Simply Pure Keyport – spoke about the conditional license process.

There being no further comments or questions, the meeting was closed to the public at 9:32PM moved by Peperoni, carried by Pacheco with ayes by all present

Mayor Kennedy – spoke about the licensing process and the wait for guidelines from the State. Everyone should reflect on all the extra mandates that come down on us and all the extra work that it creates.

Motion to reopen the meeting to the public at 9:38PM moved by Pacheco and seconded by McDermott with ayes by all present

Donald Blanks – spoke about donating to the town his whole life and about what he brings to the community compared to the out-of-town applicants. He said he appreciates all of the efforts.

Motion to close the meeting to the public at 9:42PM moved by Peperoni, carried by McDermott with ayes by all present

Borough Attorney Leslie London – answered the question regarding pollution remediation being required as part of the Monsanto pcb litigation and said the answer is “no.”

Ms. London read the Closed Session Resolution.

Motion to go into Closed Session at 9:44PM moved and carried with ayes by all present

RESOLUTION #2022-207

**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 a closed 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 concerning cannabis class 5 business licenses; collective bargaining; the purchase, lease or acquisition of real property; potential litigation; and a matter of attorney-client privilege pursuant to *N.J.S.A. 10:4-12*.

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 September 20, 2022 and determined that a closed session, not open to the public, shall be held on September 20, 2022 at the Borough Hall located at 70 West Front Street, Keyport, New Jersey, for the discussion of matters relating to the specific items designated above.
3. This resolution will take effect immediately.

OFFERED: PEPERONI

SECONDED: MCDERMOTT

AYES: PACHECO, MCDERMOTT, DAVIDSON, MCNAMARA, ARANEO, PEPERONI

NAYS:

ABSENT:

Motion to reconvene to Open Session at 11:12PM moved by Peperoni, carried by Pacheco with ayes by all present

Ms. London summarized what was discussed in Closed Session. She stated action will be taken regarding Cannabis Class 5 Retailer License for the Highway Commercial District.

Motion in support of the submission of an application submitted by Blaze Cannabis Keyport for a Class 5 Cannabis Retailer License within the Highway Commercial District in the Borough, moved by McNamara and carried by McDermott

RESOLUTION #2022-208

**RESOLUTION OF THE BOROUGH COUNCIL OF THE
BOROUGH OF KEYPORT IN SUPPORT OF THE
SUBMISSION OF AN APPLICATION BY BLAZE
KEYPORT, LLC (D/B/A BLAZE CANNABIS KEYPORT)
FOR A CLASS 5 CANNABIS RETAILER LICENSE WITHIN
THE HIGHWAY COMMERCIAL DISTRICT IN THE
BOROUGH FROM THE NEW JERSEY CANNABIS
REGULATORY COMMISSION**

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, pursuant to N.J.S.A. 24:6I-31 et seq. (P.L. 2021, c. 16) known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “**Act**”) which legalizes the recreational use of marijuana by adults 21 years of age or older, the Borough adopted Ordinance 15-21 (the “**Cannabis Ordinance**”), which allows for a limited number of cannabis businesses to be located in specified locations in the Borough; and

WHEREAS, the Act established the New Jersey Cannabis Regulatory Commission (“**Commission**”) to oversee and regulate the cannabis industry in New Jersey and the Commission promulgated Personal Use Cannabis Rules, N.J.A.C. 17:30-1.1 et. seq. on August 19, 2021; and

WHEREAS, the Borough’s Cannabis Ordinance and Borough Resolution #R2022-49 created a Cannabis Subcommittee to (1) receive and review applications by cannabis businesses seeking to operate in the Borough; and (2) make recommendations to the Borough Council as to whether proposed cannabis businesses should be approved at the local level; and

WHEREAS, N.J.A.C. 17:30-5.1 requires that a municipality with a governing body express its support for a State cannabis business license applicant by resolution of the governing body; and

WHEREAS, pursuant to N.J.A.C. 17:30-5.1(g), the support resolution should indicate that the proposed cannabis business location is appropriately located or otherwise suitable for activities related to the operations of the proposed cannabis business; and

WHEREAS, the Borough’s Cannabis Subcommittee has received and reviewed the applications that were submitted to the Borough for consideration by KGNJ Operations, LLC, Garden State Marijuana, LLC and Blaze Keyport, LLC in support of a Class 5 Cannabis Retailer license to be issued by the Commission for a facility to be located in the Highway Commercial District; and

WHEREAS, based on its thorough and comprehensive review and evaluation of all of the applications, together with the interviews conducted by the Subcommittee with each applicant and the presentations made by each applicant and public comments made at a Borough Special Public Meeting, the Borough’s Cannabis Subcommittee has determined that the proposed cannabis business location of Blaze Keyport, LLC is appropriately located and is suitable for activities related to the operations of the proposed retail cannabis business in the Borough and therefore, recommends that the Borough Council support the application of Blaze Keyport, LLC for a Class 5 Cannabis Retailer license for the Highway Commercial District from the Commission, subject to certain conditions as set forth in this resolution; and

WHEREAS, in light of the ongoing developments with respect to New Jersey’s recreational cannabis sector, the Borough’s Cannabis Subcommittee has determined it to be in the best interest of the Borough, as part of its support of the application of Blaze Keyport, LLC to the Commission, to impose the conditions set forth herein on Blaze Keyport, LLC’s retail cannabis operations in the Borough should Blaze Keyport, LLC be granted a cannabis license from the Commission; and

WHEREAS, upon the issuance of an approval by the Commission of a grant of a retail cannabis license to Blaze Keyport, LLC and their compliance of the conditions set forth in this resolution, a local retail cannabis license will then be issued to Blaze Keyport, LLC, provided that there is no significant information of concern to the Borough with respect to any information set forth in their application to the Commission that was not provided to the Borough as part of the Borough's review; and

WHEREAS, these conditions include the following:

- (i) Hours of public operation shall be limited to 8:00 am. through 10:00 p.m. daily.
- (ii) For a six (6) month trial period from the date of start of operations, Blaze Keyport, LLC shall be required to operate by reservation or appointment only. Following the close of the six (6) month trial period, Blaze Keyport, LLC shall provide a report assessing operations during the trial period, which shall be submitted to the Borough's Cannabis Subcommittee. The Cannabis Subcommittee will review such report and make a recommendation to Council on whether Blaze Keyport, LLC shall be permitted to also engage in walk-in operations.
- (iii) The Borough recognizes that Blaze Keyport, LLC will be operating a Class 5 Cannabis Retailer business in the Highway Commercial District involved in the sale of cannabis products to consumers and that the Class 5 Cannabis Retailer location will be located at 105 Route 35, Keyport, New Jersey if approved by the Commission.
- (iv) Approving Blaze Keyport, LLC's application for a local Class 5 Cannabis Retailer license does not exceed the limit established by the Borough for Class 5 Cannabis Retailer licenses for a facility located in the Highway Commercial District in the Borough.
- (v) Blaze Keyport, LLC's proposed Class 5 Cannabis Retailer use and location satisfy the Borough's zoning ordinance and Cannabis Ordinance.
- (vi) Blaze Keyport, LLC is obligated to continuously comply with the Borough's ordinances, and applicable conditions imposed by said ordinances by the Borough and the Planning Board and any future applicable changes that may be made thereto.
- (vii) If Blaze Keyport, LLC is not in compliance at any time with the Borough's ordinances and any future applicable changes thereto, the Borough reserves the right to withdraw its support for their operations and suspend or revoke their local license.

NOW, THEREFORE, BE IT RESOLVED by 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 Borough supports Blaze Keyport, LLC's application to the Commission for a local Class 5 Cannabis Retailer license for a facility in the Highway Commercial District in the Borough as set forth above, subject to the forgoing conditions.
3. A certified copy of this Resolution shall be provided to Blaze Keyport, LLC for its submission to the Commission in support of Blaze Keyport, LLC's application for a Class 5 Cannabis Retailer license.
4. The Borough Administrator, Chief Financial Officer, Borough Clerk, and any other necessary official, officer or employee of the Borough are hereby

authorized to execute any and all documents and to make any and all actions necessary to complete and realize the intent and purpose of this Resolution.

5. This Resolution will take effect immediately.

OFFERED: MCNAMARA

SECONDED: DAVIDSON

AYES: PACHECO, MCDERMOTT, DAVIDSON, MCNAMARA, PEPERONI

NAYS: ARANEO

ABSENT:

ADJOURNMENT

Motion to Adjourn at 11:24PM moved by Pacheco, carried by McDermott with ayes by all present