

BOROUGH OF KEYPORT
REGULAR MEETING AGENDA
TUESDAY, DECEMBER 19, 2023 – 7:00 P.M.
MUNICIPAL COMPLEX COUNCIL CHAMBERS
70 W. FRONT STREET, KEYPORT, NJ

CALL TO ORDER: PM

SUNSHINE LAW NOTICE:

ROLL CALL: ____ Councilmember Demarest ____ Councilmember Reilly
____ Councilmember Vecchio ____ Councilmember Peperoni ____ Councilmember McNamara
____ Council President Davidson ____ Mayor Araneo

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

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

COMMITTEE REPORTS

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

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

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

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

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

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

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

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

MAYOR'S UPDATES

PUBLIC 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.)

- R2023-347 Payment of Bills Listed on the December 12, 2023 Bills List
- R2023-348 Payment of Bills Listed on the December 19, 2023 Bills List
- R2023-349 Cancel Water/Sewer Appropriation Balances
- R2023-350 Permitting Transfer of Excess Appropriations
- R2023-351 Declaring an Emergency Regarding the Needed Repair of a Water Main Break Located on Eighth Street
- R2023-352 Affirming Appointment of Per Diem Electrical Inspector
- R2023-353 Authorizing Appointment of School Crossing Guard
- R2023-354 Authorizing Increase to Hourly Rate of Compensation for Crossing Guards
- R2023-355 Accepting Resignation of Employment from a Special Law Enforcement Officer I
- R2023-356 Accepting Resignation of the Court Administrator
- R2023-357 Authorizing Temporary Appointment of an Interim Acting Per Diem Court Administrator
- R2023-358 Authorizing Temporary Appointment of an Acting Deputy Court Administrator
- R2023-359 Authorizing Hiring Part-time Temporary Administrative Assistant Intern for the Keyport Senior Center
- R2023-360 Approving New Jersey State Firemen's Association Application for Membership
- R2023-361 Increase in Authorized Amount for Borough Counsel Services for 2023
- R2023-362 Authorizing "Window" Contracts
- R2023-363 Authorizing Advertisement for Proposals for Borough Concessions for 2024
- R2023-364 Confirming Election of Fire Department Chief and Assistant Chiefs for 2024

APPROVAL OF RESOLUTIONS

Motion to approve resolutions on the Consent Agenda

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

PUBLIC HEARING/ADOPTION OF ORDINANCE

1. Ordinance #2023-16 – Vacating Two Parking Spaces

The Clerk reads the Ordinance by Title: **AN ORDINANCE OF THE BOROUGH OF KEYPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY TO VACATE TWO PUBLIC PARKING SPACES LOCATED AT WEST THIRD STREET**

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

MINUTES FOR APPROVAL

October 3, 2023 Workshop Meeting Minutes

October 17, 2023 Regular Meeting Minutes

MM: 2nd: Ayes: Nays:

REPORTS

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

MM: 2nd: Ayes: Nays:

NEW BUSINESS

UNFINISHED BUSINESS

DAIS UPDATES

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

R2023-365– 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. pursuant to 10:4-12b(7) for the following: attorney-client privilege matter pertaining to zoning; pending cannabis litigation.

MM: 2nd: Ayes: Nays:

ADJOURNMENT

Motion to Adjourn MM: 2nd:

R23-347
12/15/2023

RESOLUTION FOR THE PAYMENT OF BILLS

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

NUMBER OF VOUCHERS	BANK ACCOUNT	AMOUNT
See attached listing		
	CURRENT ACCT. 2023	\$ 174,524.94
	WATER/SEWER ACCT. 2023	\$ 24,688.90
	FEDERAL & STATE GRANTS	\$ 4,871.01
	TRUST OTHER FUND	\$ 2,885.50

AUTHORIZED PER RESOLUTION

PASSED:

APPROVED:

MAYOR ROSE P. ARANEO

ATTEST:

MICHELE CLARK, BOROUGH CLERK

OFFERED BY:

SECOND BY:

ROLL CALL VOTE:

AYES:

NAYS:

ABSTAIN:

ABSENT:

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

MICHELE CLARK, BOROUGH CLERK

RESOLUTION FOR THE PAYMENT OF BILLS

R23-348
12/19/2023

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

NUMBER OF VOUCHERS	BANK ACCOUNT	AMOUNT
See attached listing		
	CURRENT ACCT. 2022	\$ 1,775.00
	CURRENT ACCT. 2023	\$ 189,866.82
	WATER/SEWER ACCT. 2023	\$ 36,894.63
	FEDERAL & STATE GRANTS	\$ 695.00
	TRUST OTHER FUND	\$ 2,168.06
	REC BAYFRONT IMPROVEMENT	\$ 2,927.61
	UNEMPLOYMENT TRUST FUND	\$ 2,071.05
	OPEN SPACE TRUST FUND	\$ 99,558.53

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

R23-349

RESOLUTION #2023-

CANCEL WATER/SEWER APPROPRIATION BALANCES

WHEREAS, the following Water/Sewer Operating Fund budget appropriation balances remain unexpended:

Capital Outlay	\$50,000
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WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to Fund Balance.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Keyport that the above listed unexpended appropriation balances of the Water/Sewer Operating Fund be canceled.

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 governing body of the Borough of Keyport at the Regular Meeting held on December 19, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-

**RESOLUTION OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH
NEW JERSEY PERMITTING THE TRANSFER OF EXCESS APPROPRIATIONS
PURSUANT TO N.J.S.A. 40A:4-58**

WHEREAS, N.J.S.A. 40A:4-58 permits transfers of appropriations to be made during the last two months of the fiscal year from appropriations which are in excess of the amount deemed to be necessary to fulfill the purpose of such appropriation and to those appropriations deemed to be insufficient.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Keyport that the transfers in the amount of \$ 93,000 be made between the 2023 budget appropriations as follows:

<u>Budget Appropriation</u>	<u>From</u>	<u>To</u>
Administrative & Executive - S&W		\$ 2,000.00
Administrative & Executive - O/E	\$ 5,000.00	
Clerk - S&W	5,000.00	
Clerk - O/E	3,000.00	
Tax Collection - S&W	4,000.00	
Health Benefit Waiver	5,000.00	
Group Health Insurance		15,000.00
Streets and Roads - S & W	20,000.00	
Streets and Roads - O/E		20,000.00
Buildings and Grounds - O/E		20,000.00
Recreation - S&W	10,000.00	
Recreation - O/E	5,000.00	
Parks and Playgrounds - O/E		1,000.00
Accumulated Leave Compensation - O/E	5,000.00	
PERS	7,000.00	
Electricity	5,000.00	
Street Lighting		15,000.00
Telephone & Telecommunications		15,000.00
Natural Gas	5,000.00	
Fuel for Motor Vehicles	14,000.00	
Landfill Disposal Costs		5,000.00
	\$ 93,000.00	\$ 93,000.00

BE IT FURTHER RESOLVED by the governing body of the Borough of Keyport that transfers of appropriations in the amount of \$15,000 be made between the 2023 budget appropriations of the Municipal Water-Sewer Utility as follows:

<u>Budget Appropriation</u>	<u>From</u>	<u>To</u>
Salaries & Wages		\$ 15,000.00
Bayshore Regional Sewerage Authority	\$ 4,000.00	
Other Expenses	11,000.00	
	\$ 15,000.00	\$ 15,000.00

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 governing body of the Borough of Keyport at the Regular Meeting held on December 19, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-**DECLARING AN EMERGENCY REGARDING THE NEEDED REPAIR OF A
WATER MAIN LOCATED ON EIGHTH STREET**

WHEREAS, the Borough is permitted to declare an emergency due to a water main break that occurred on December 1, 2023, which impacted the public health, safety and welfare; and

WHEREAS, the public emergency required the immediate delivery of goods and services to respond to that public emergency; and,

WHEREAS, any municipality that experiences an emergency that warrants the immediate delivery of goods or services may negotiate or award a contract without public advertising and bidding, notwithstanding that the contract price will exceed the bid threshold, and need not comply with the pay to play provisions in state law.

NOW, THEREFORE BE IT RESOLVED on this 19th day of December 2023 as follows:

1. The Borough was required to declare a public health and safety emergency on December 1, 2023 due to a water main break that occurred on Eighth Street; and
2. The Borough was required to obtain immediate delivery of goods and services to respond to that public emergency, and therefore, the Borough was not able to comply with all the requirements of the Local Public Contracts Law and Pay-to-Play to obtain those goods and services in response to that public emergency; and
3. The Business Administrator is hereby instructed to ensure the filing of the necessary report of the declaration of emergency with the Director of the Division of Local Government Services an "Emergency Procurement Report," within 30 days of the date of any contract issued to respond to this public emergency; and
4. The Borough of Keyport Chief Financial Officer will certify funds to charge account number 3-09-55-512-512-000 Water Sewer Budget Capital Outlay upon receipt of the invoice.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of a Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Meeting of December 19, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-

AFFIRMING APPOINTMENT OF PER DIEM ELECTRICAL INSPECTOR

WHEREAS, Jay Everard has been employed by the Borough of Keyport as a part time Electrical Inspector, on a per diem basis, since October 19, 2021; and

WHEREAS, the Borough Administrator recommends the appointment of Jay Everard as a part-time Electrical Inspector be affirmed for Civil Service purposes, retroactive to October 19, 2021.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Keyport hereby affirm the appointment of Jay Everard as a part-time Electrical Inspector, on a per diem basis, retroactive to October 19, 2021.

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 December 19, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-**AUTHORIZING APPOINTMENT OF SCHOOL CROSSING GUARD**

WHEREAS, N.J.S.A. 40A:9-154.1 authorizes the appointment of school crossing guards to serve under the supervision and direction of the Chief of Police for terms not exceeding one (1) year; and

WHEREAS, the Chief of Police has recommended the appointment of Roy T. Royle to serve as a school crossing guard; and

WHEREAS, in accordance with the recommendation of the Chief of Police, it is the desire of the Mayor and Borough Council to confirm this appointment.

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

1. Roy T. Royle is hereby appointed as a school crossing guard to serve for the 2023-2024 school year for a term that shall expire July 31, 2024.
2. Individuals serving as school crossing guards are classified as part-time employees regularly scheduled to work not more than 25 hours per week and shall be compensated at a rate not to exceed \$15.00 per hour as may be authorized by the Borough Administrator.
3. The Borough Administrator is authorized to execute all documents necessary to effectuate this appointment.
4. The Borough Clerk is directed to forward copies of this resolution to the Borough Administrator and to the Chief of Police for distribution to the appointed individuals.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of a Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Meeting of December 19, 2023.

Michele Clark, RMC
Borough Clerk

R23-354

RESOLUTION #2023-

**AUTHORIZING INCREASE TO HOURLY RATE OF COMPENSATION
FOR SCHOOL CROSSING GUARDS**

WHEREAS, N.J.S.A. 40A:9-154.1 authorizes the appointment of school crossing guards to serve under the supervision and direction of the Chief of Police for terms not exceeding one (1) year.

WHEREAS, Borough of Keyport School Crossing Guards are currently compensated at an hourly rate of \$14.13.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport that the hourly rate of compensation for School Crossing Guards shall increase to \$15.13 effective January 1, 2024.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

I, Michele Clark, do hereby certify that this a true copy of a Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Meeting held on December 19, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-

**ACCEPTING THE RESIGNATION OF EMPLOYMENT FROM A
SPECIAL LAW ENFORCEMENT OFFICER CLASS I**

WHEREAS, Anthony Dilorenzo has been employed as a Special Law Enforcement Officer (SLEO) Class I for the Borough of Keyport since December 6, 2022; and

WHEREAS, Officer Dilorenzo has tendered his resignation to the Chief of Police effective December 10, 2023.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Keyport hereby accept the resignation of Special Law Enforcement Officer Class I Anthony Dilorenzo effective December 10, 2023, pursuant to his letter of resignation received by the Chief of Police.

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 Meeting held on December 19, 2023.

Michele Clark, RMC
Borough Clerk

**RESOLUTION #2023-
ACCEPTING THE RESIGNATION OF EMPLOYMENT
FROM THE COURT ADMINISTRATOR**

WHEREAS, Sandra Akes was appointed Court Administrator for the Borough of Keyport, retroactive to January 1, 2021, on January 18, 2021; and

WHEREAS, Sandra Akes has tendered her resignation to the Borough Administrator effective December 15, 2023.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Keyport hereby accept the resignation of Sandra Akes effective December 15, 2023, pursuant to her letter of resignation received by the Borough Administrator.

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 Meeting held on December 19, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-

**AUTHORIZING TEMPORARY APPOINTMENT OF INTERIM
PER DIEM COURT ADMINISTRATOR**

WHEREAS, the Borough of Keyport has a need to temporarily appoint an interim per diem Court Administrator; and

WHEREAS, the Borough Administrator recommends that Sandra Akes be temporarily appointed as an interim per diem Court Administrator effective January 1, 2024, at a rate of \$50 per hour, not to exceed ten (10) hours per week, with no other benefits.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Keyport hereby authorize the temporary appointment of Sandra Akes as an interim per diem Court Administrator effective January 1, 2024, at a rate of \$50 per hour, not to exceed ten (10) hours per week, with no other benefits.

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 December 19, 2023.

Michele Clark, RMC
Borough Clerk

R23-358

RESOLUTION #2023-

**AUTHORIZING TEMPORARY APPOINTMENT OF PART TIME
ACTING DEPUTY COURT ADMINISTRATOR**

WHEREAS, the Borough of Keyport has a need to temporarily appoint a part time Acting Deputy Court Administrator; and

WHEREAS, the Borough Administrator recommends that Jacquelyn Hennessy be temporarily appointed part time Acting Deputy Court Administrator effective December 15, 2023, at a rate of \$20 per hour, not to exceed 25 hours per week, with no other benefits.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Keyport hereby authorize the temporary appointment of Jacquelyn Hennessy as part time Acting Deputy Court Administrator effective December 15, 2023, at a rate of \$20 per hour, not to exceed 25 hours per week, with no other benefits.

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 December 19, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-

**AUTHORIZING HIRING PART-TIME TEMPORARY ADMINISTRATIVE
ASSISTANT INTERN FOR THE KEYPORT SENIOR CENTER**

WHEREAS, the Keyport Senior Center has a need to hire part-time temporary administrative assistant interns; and

WHEREAS, the Borough Administrator recommends that Sandra Molon be hired as part-time temporary administrative assistant intern for the Keyport Senior Center effective January 1, 2024, at a rate of \$15 per hour, not to exceed ten (10) hours per week or grant funding availability, with no other benefits; and

WHEREAS, the Chief Financial Officer has certified the availability of funds from a Monmouth County Office on Aging ARPA Title IIIB grant.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Keyport hereby authorize the hiring of Sandra Molon as a part-time temporary administrative assistant intern for the Keyport Senior Center effective January 1, 2024, at a rate of \$15 per hour, not to exceed ten (10) hours per week or grant funding availability, with no other benefits.

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 December 19, 2023.

Michele Clark, RMC
Borough Clerk

RESOLUTION #2023-

**APPROVING NEW JERSEY STATE FIREMEN'S ASSOCIATION
APPLICATION FOR MEMBERSHIP**

WHEREAS, a vacancy exists in the membership in Hook and Ladder Company; and

WHEREAS, Hook and Ladder Company accepted Connor Farrell into membership at a meeting held on October 4, 2023.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Keyport hereby approve Connor Farrell to active membership in Hook and Ladder Company.

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 December 19, 2023.

Michele Clark, RMC
Borough Clerk

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

WHEREAS, pursuant to Resolution #2023-4, the Borough of Keyport (the “Borough”) appointed borough counsel to represent the Borough during the 2023 calendar year; and

WHEREAS, through a fair and open process, conducted in accordance with N.J.S.A. 19:44A-20.5, proposals were solicited from persons and entities interested in being appointed as borough counsel, and the Borough awarded a contract for borough counsel legal services during the 2023 calendar year to Victoria A. Flynn, Esq., of the Law Offices of Victoria A. Flynn, LLC for an amount not to exceed Eighty-Four Thousand Dollars (\$84,000.00); and

WHEREAS, the Borough Administrator has advised that it is necessary to increase the authorized amount by an amount not to exceed forty thousand dollars, to an amount not to exceed One Hundred Twenty-Four Thousand Dollars (\$124,000.00), and the Chief Financial Officer certifies that such funds are available for the stated purpose in account # _____.

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

1. Victoria A. Flynn, Esq., of the Law Offices of Victoria A. Flynn, LLC, was appointed as borough counsel for the 2023 calendar year, in accordance with N.J.S.A. 19:44-20.5 and N.J.S.A. 40A:11-1 et seq., and pursuant to the terms of the proposal, for an amount not to exceed Eighty-Four Thousand Dollars (\$84,000.00).
2. The Borough hereby authorizes an increase in the authorized amount by an amount not to exceed forty thousand dollars, to an amount not to exceed One Hundred Twenty-Four Thousand Dollars (\$124,000.00), pursuant to the recommendation of the Borough Administrator.
3. The Borough Clerk shall forward certified copies of this Resolution to the legal professional appointed hereunder.
4. Approved and executed copies of the contract between the Borough and the professional, and a copy of this Resolution, shall be placed on file in the office of the Borough Clerk and be available for public inspection as required by law.

OFFERED:

SECONDED:

AYES:

NAYS:

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 December 19, 2023.

Michele Clark, RMC
Borough Clerk

**RESOLUTION #2023-
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:

- Aurora Environmental Inc.
- B&W Construction Company
- Branin's Contracting
- Core and Main
- East Coast Emergency Lighting
- Fire and Safety Services
- Herbert Lutz & Co., Inc.

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

WHEREAS, the above mentioned vendors completed and submitted a Business Entity Disclosure Certification which certifies the business entity has not made any reportable contributions to a political or candidate committee in the Borough in the previous one year, and that the contract will prohibit the above said vendors from making any reportable contributions through the term of the contract: and

NOW THEREFORE, BE IT RESOLVED that the Council of the Borough authorized the Purchasing Agent on behalf of the Borough to issue and execute a Purchase Order for the foregoing to the above vendors with funds certified available by the Chief financial Officer; and

BE IT FURTHER RESOLVED that the CFO has been authorized to arrange to pay for the foregoing in accordance with the terms of the purchase order in the amount not to exceed of \$44,000.

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 December 19, 2023.

Michele Clark, RMC
Borough Clerk

R23-363

RESOLUTION #2023-

**AUTHORIZING ADVERTISEMENT FOR PROPOSALS
FOR BOROUGH CONCESSIONS FOR 2024**

WHEREAS, the Borough of Keyport (the "Borough") has a need for certain concession services for the calendar year 2024; and

WHEREAS, the Borough desires to publicly advertise for proposals for certain concessions.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, that the Borough Officials, including the Borough's Qualified Purchasing Agent, be and are hereby authorized to advertise for proposals for certain concessions for the 2024 calendar year.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of a Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Meeting of December 19, 2023.

Michele Clark, RMC
Borough Clerk

**CONFIRMING THE ELECTION OF FIRE DEPARTMENT CHIEF
AND ASSISTANT CHIEFS FOR THE YEAR 2024**

WHEREAS, the Fire Department of the Borough of Keyport has been established in accordance with the provisions of section 3-30 of the Borough Code; and

WHEREAS, Borough Code section 3-31.1 provides the Chief and Assistant Chiefs of the Fire Department shall be elected by the members of the Fire Department on the first Wednesday of December of every year; and

WHEREAS, in accordance with the provisions of Borough Code section 3-31.4 a statement of the election result, signed by the designated judge and tellers of the election, was delivered to the Borough Clerk on December 11, 2023, for submission to the Borough Council to certify the result at the next regular meeting held after the election.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Council of the Borough of Keyport the Fire Department election results are hereby certified and the following Chiefs are confirmed for the year 2024:

Fire Chief.....Daniel Fox
First Assistant ChiefEdward Lewandowski
Second Assistant Chief.....Henry "Hank" Young
Third Assistant Chief.....Brendan Parker

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 Meeting of December 19, 2023.

Michele Clark, RMC
Borough Clerk

ORDINANCE No.

**ORDINANCE OF THE BOROUGH OF KEYPORT, IN THE
COUNTY OF MONMOUTH, STATE OF NEW JERSEY TO
VACATE TWO PUBLIC PARKING SPACES LOCATED AT
WEST THIRD STREET**

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

WHEREAS, N.J.S.A. 40:67-21 authorizes municipalities to vacate any street, highway or other place by ordinance; and,

WHEREAS, Arjika Property Inc. (the “applicant”) has obtained preliminary and final site plan approval from the Keyport Unified Planning Board to construct two-family residential duplex at 108 Broad Street, Block 60, Lot 6 in the Borough of Keyport, Monmouth County, New Jersey, but final approval of this applicant is conditioned upon, in part, the applicant addressing the traffic circulation issues to provide for the safe vehicular ingress in, or egress from, the driveways for this duplex complex; and,

WHEREAS, the applicant has requested that the Borough vacate the portion of West 3rd Street right-of-way containing two public parking spaces to address this traffic circulation condition; and,

WHEREAS, the Mayor and Borough Council have determined that it is in the public interest to grant the request by the applicant to vacate two public parking spaces located at West 3rd Street;

NOW, THEREFORE, BE IT ORDAINED, on this 5th day of December 2023, by the Council of the Borough of Keyport, County of Monmouth, State of New Jersey, that the two public parking spaces located in the right of way at West 3rd Street shall be vacated to permit the applicant to continue to pursue approval from the Keyport Unified Planning Board; it is further

ORDAINED that The Borough Clerk is hereby directed, upon adoption of the ordinance after public hearing thereon, to publish notice of the passage thereof, and shall provide a copy of such ordinance and proof of publication to the applicant; it is further

ORDAINED that this ordinance shall be in full force and effect from and after its adoption and publication as required by law.

Introduced: December 5, 2023
First Publication: December 11, 2023
Second Reading, December 19, 2023
Public Hearing & Adoption:
Final Publication:
Effective Date:

Michele Clark, RMC
Clerk, Borough of Keyport

Mayor Rose Araneo
Borough of Keyport

RESOLUTION #2023-**RESOLUTION OF THE BOROUGH OF KEYPORT,
COUNTY OF MONMOUTH, NEW JERSEY AUTHORIZING
A MEETING NOT OPEN TO THE PUBLIC IN
ACCORDANCE WITH THE PROVISIONS OF THE NEW
JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12.**

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

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

WHEREAS, it is necessary for the Borough to discuss, in a session not open to the public; attorney-client privileged matters related to zoning; and pending cannabis litigation, pursuant to 10:4-12b(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 December 19, 2023 and determined that an Executive Session closed to the public shall be held on December 19, 2023 at approximately 7:00 P.M. at the Borough Hall located at 70 West Front Street, Keyport, New Jersey, for the discussion of matters relating to the specific items designated above.
3. This resolution will take effect immediately.

OFFERED:

SECONDED:

AYES:

NAYS:

ABSTAIN:

ABSENT:

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of a Resolution adopted by the Mayor and Council of the Borough of Keyport at a meeting held on December 19, 2023.

Michele Clark, RMC
Borough Clerk