

Keyport Environmental Commission (KEC) Minutes for October 23, 2023 – Conducted in Keyport's Borough Hall

Call to Order

Meeting called to order at 8:07pm by Chair Joe Sheridan.

Sunshine Law was Read

Salute to the Flag

Roll Call

	NAME	STATUS	TERM EXPIRES	PRESENT	ABSENT
1	JOE SHERIDAN (JS)	COMMISSIONER, CHAIR/SECRETARY	12/31/2023	X	
2	MIKE PALMISANO (MP)	COMMISSIONER, VICE CHAIR	12/31/2024	X	
3	ROY JIMENEZ, Sr. (RJ)	COMMISSIONER	12/31/2024	X	
4	DON PACHECO (DP)	COMMISSIONER	12/31/2025	X	
5	JAMES AUMACK (JA)	COMMISSIONER	12/31/2023		X
6	MATT TEVIS (MT)	COMMISSIONER	12/31/2025		X
7	MIKE LANE (ML)	COMMISSIONER	12/31/2025	X	
8	HEATHER BRADY (HB)	COMMISSIONER, 2 YEAR ALTERNATE	12/31/2024		X
9	DOUG WEIDER (DW)	COMMISSIONER, 2 YEAR ALTERNATE	12/31/2024	X	
10	CATHY REILLY	KEYPORT BOROUGHS COUNCIL LIAISON	12/31/2023		X
11	MICHAEL WARREN	RESIDENT	-	X	
12	JASON FALTINGS	RESIDENT	-	X	
13	JOHN MERLA	RESIDENT	-	X	

Corrections to September 25, 2023 KEC Minutes:

None

Review/Approval of Meeting Minutes:

Minutes of the September 25th, 2023, meeting; Motion to Accept by Roy Jimenez, Sr. (RJ); Mike Palmisano (MP) 2nd; DW Abstained Due to Absence; Minutes Unanimously Approved.

Action Item Recap

1. **JS:** Continue to work with the BA Humphrey, Liaison Councilwoman Reilly, and Planning Board Secretary Nellis on providing current updates on the Keyport Borough Council Update List and correspondences. **PROGRESS**
2. **JS:** Coordinate with the Keyport Borough Council (KBC) and the Monmouth County Shade Tree Commission on determining the best usage for the \$15k grant. **PROGRESS**
3. **JS:** Coordinate with BA Humphrey prior to planting any native plants/shrubs within Keyport vacant Open Space areas.
4. **ALL:** To complete ALL THREE (3) of the assigned MEL Safety Institute on-line courses. **REQUEST E-MAIL TO BE SENT OUT TO THOSE KEC MEMBERS THAT HAVE YET TO COMPLETE ALL 3 TRAININGS.**
5. **ALL:** To elect a new Keyport Environmental Commission Secretary. **PLAN IN PLACE**

Keyport Borough Council (KBC) Updates:

The Agenda offered the following KBC items for KEC discussion ([blue print from Planning Board Secretary D. Nellis on 9/22/2023](#)):

1. Mariner's Village

2. Deputy Ventures (formerly Mystic at Keyport (44 Beers

Street) – waiting on developer's agreement-have heard nothing from the applicant to move forward on any permits.

3. 31 W. Front Street (restaurant and Residential Units) – plans were signed by Planning Board professionals

4. Aeromarine Issues (water quality testing by NY/NJ Baykeeper – needed: previous test well results on sites)

5. Beach Park Outfall Pipe/Flooding Issues

6. Port 149 Bulkhead Progress

7. Former Pedersen's Marina property (multi-story building proposal) This item never came before planning board for any approval.

(JS):

- Received the following updates on the status regarding the Veteran's Park Drainage Letter (submitted 5/24/2023) ([blue print from Business Administrator Kim Humphrey](#)):
[We have the Monmouth County Shade Tree Commission coming to see what can be cleared in the area.](#)
- the Second Street Demolition Letter (submitted 6/01/2023)-Request asbestos/hazardous material inspection results and status on project. Is the demolition complete?
- Spotted Fly Grant Request (applied for by BA Humphrey on 6/13/2023) [I will be working with the Monmouth Shade Tree Commission to see what assistance they](#)

[will give and we would get reimbursed for their efforts](#) – Please keep KEC appraised of actions of the Monmouth County Shade Tree Commission including before and after photographs, if possible.

KEC Housekeeping:

(JS)

- Our Fall Planting/Weeding date at the Cedar Street Park Dune will be on **Saturday, November 11th, at 9:00am** (Rain Date will be Sunday, November 12th at 9:00am)

Mike Lane's Observations on KBC Updates:

- Please see attached document, entitled 'Mike Lane's Observations on KBC Updates', written from his viewpoint.

New Business:

(MP)

- Discussed stormwater drainage issue at Veteran's Park.

(ML)

- Said the Keyport Engineer provides a monthly Project Status Report to the Mayor and Council-it would be a good idea for the KEC to see this report (August 2023 Keyport Engineer's Report attached)
- **ACTION** on **JS** to request from KBC a copy of the monthly Keyport Engineer's Report.

(MP)

- Clean Ocean Action Beach Sweeps was held on Saturday, October 21st, at Cedar Street Park Beach (Summarized Data Card Attached). Despite the significant rain and wind, 35-40 Volunteers showed up from (i.e., Raritan High School, 4H, Enterprise Cars). The weather was too wet to use pencils and the data cards, so the Volunteers were issued buckets to collect the litter and bring it back to the Beach Captains to collate, with the results as follows:
 - 125 lbs of recycling
 - 8 trash bags (est. 160 lbs)
 - 35 lbs of additional items
 - Found an interesting yellow animal tracker/measuring device

(RJ)

- Wondered about the Monmouth County Shade Tree Commission helping with Keyport's Veteran's Park.

(MP)

- **ACTION** to send a link to ownership of Veteran's Park (See Information Attached)
- Thought it would be a good idea to touch base with the New Jersey Forest Service Nursery, where Keyport can purchase saplings inexpensively to give out on Arbor Day as an option.
- **ACTION** to check on New Jersey Forest Service Nursery website for additional information.
- Not sure that Monmouth County has an Arbor Day tree giveaway any longer.
- Recommended asking Dr. Cheng about his ideas for the KEC's proposed nature walk idea through the woods of Cedar Street Park between the dune and the softball field.

(JS):

- **ACTION** to ask Dr. Chen about his ideas for the KEC's proposed nature walk idea through the woods of Cedar Street Park between the dune and the softball field. He might have possible access to grants or other Kean University Staff with Nature Walk experience.

(MP)

- Need to identify what the yellow object found during the Beach Sweep is.

(ML):

- Stated there is still a question about 317 Main Street even though B.A. Humphrey has said the issue has been resolved. Will speak with B.A. Humphrey regarding his concerns.

Open to the Public

8:43pm: JS opened the meeting to the Public.

Michael Warren:

- Said on Friday, October 20th, Keyport received its 5th water monitoring violation.
- Also avowed that there are 2,200 water hook-ups in Keyport and wanted to know how many of the hook-ups are lead lines?

(DW):

- **ACTION** to ask Borough Administrator Humphrey about the number of water violations that Keyport has received in 2023, and what are we doing about these violations. Will also ask about lead lines in respect to water hook-ups.

John Merla:

- Declared there is a Level 2 Operator at Keyport's water plant who works in other towns as well-that there is a strong alarm system at the water plant-the Department of Environmental Protection oversees our water plant, and lead pipes are identified whenever streets are re-paved.
- In March of 2021, the Borough of Keyport filed a lawsuit against the Aeromarine. This lawsuit has since been dismissed. Why?

(JS):

- **ACTION** to ask Borough Administrator Humphrey why the Aeromarine lawsuit was dismissed.

John Merla:

- Spoke that **Jason Faltings** and himself documented an inventory list of non-lit streetlights, saying that Keyport gets charged for the electricity whether the streetlights are lit or not.
- There is also an inventory of every basin/stormwater drain, and if the Residents did a better job keeping these basins clear, there would be less flooding issues.

(JS):

- **ACTION** to coordinate with the KEC to create a letter to be sent out with the water bill reminding Residents to keep their basins clear, and snow away from fire hydrants...and other helpful hints.

(DP):

- These inventory lists should be sent to the KEC.

Jason Faltings:

- Believes there is an Ordinance regarding keeping basins clear.

(ML):

- There have been multiple reports about poisons leaching into the bay. Why was the suit dismissed? Where are the test results?

(RJ):

- Why are we not sampling anymore?

(DP):

- Why was the suit dismissed?

(MP):

- The DEP has a website called Data Miner to check out sources of contaminants.

(RJ):

- Believes that another storm drain is being added to help out 3rd Street.

Close to the Public

9:14pm: JS closed the meeting to the Public.

ACTION ITEMS LIST

1. **JS:** Continue to work with the BA, Liaison Reilly, and Planning Board Secretary Nellis on providing current updates on the Keyport Borough Council Update List and correspondences.
2. **ALL:** To complete ALL THREE (3) of the assigned MEL Safety Institute on-line courses.
3. **ALL:** To elect a new Keyport Environmental Commission Secretary.
4. **JS:** To ask B.A. Humphrey why the Aeromarine lawsuit was dismissed, if we are still monitoring the water by Aeromarine, and where can we find the Aeromarine water sample reports.
5. **DW:** To ask B.A. Humphrey about the number of 2023 violations to the Keyport water plant and what is being done about them as well as information on the number of lead lines for water hook-ups, and what is being done to reduce that number.
6. **JS:** To ask Dr. Chen for input regarding the planning for KEC's Nature Walk project idea through the Cedar Street Park Woods.
7. **JS:** To check with the NJ Forest Service Nursery Website to get on their waiting list to acquire sapling trees and shrubs in the Spring.

8. **MP:** To research ownership of Veteran's Park.
9. **JS:** To ask B.A. Humphrey for a copy of the monthly Keyport Engineer's Report to Mayor and Council.

ATTACHED ITEMS LIST

1. Mike Lane's Observations on the KBC Updates for the 10/23/2023 Environmental Commission Meeting.
2. Clean Ocean Action 10/21/2023 Beach Sweep Summarized Data card.
3. Keyport Engineer's Report, August of 2023.
4. MP's research into ownership of Veteran's Park.
5. Flyer for KEC Planting/Weeding on November 11th at 9:00am at Cedar Street Park Dune.

Meeting Adjourned 9:24pm: Motion to Adjourn by **RJ; MP 2nd**; Unanimous Approval.

LAST meeting of 2023 will be on **Monday, November 27th, 2023, at 8:00pm, at Keyport Borough Hall Council Chamber.**

Minutes submitted by Joe Sheridan.

Input for KEC Mtg. 10/23/23

Mariner's Village - The developer's June 2023 status report to the KUPB indicates that 1.) the project is not economically feasible without a PILOT, 2.) new lots (15.01 and 16.01) were filed with the County Clerk. The Mayor and the Redev. Committee held a closed session with Professionals at the Oct. KBC meeting and are evaluating PILOT benefits. A check of the County Tax Board MODIV data shows the 12 pre-existing lots listed in the KUPB Resolution for this project have been deleted. The latest input as of 10/23 is that these 2 new lots (15.01 and 16.01) are now on the tax rolls with **ZERO** value and **ZERO** taxes.

Browns Point Marina - According to the latest status report from the applicant, CAFRA is requiring a refiling. A Floodplain Development Permit is required prior to new construction. Additional KUPB hearing required for boat rack expansions, fueling tanks, and additional docks. Plans show fuel tanks unanchored and on ground in SFHA and the Borough wellhead area. A previous application for fueling facilities was withdrawn from KUPB consideration.

Mariner's Village, Browns Point Marina Contamination - Roger Miller's 2/4/22 status report identifies the contaminated dirt pile at the end of Washington St as "historic fill" to be used under the 120-unit apartment lot by the EOY 2022. This action has not occurred. KEC letter regarding contaminated fill at the north end of Washington Street is still not addressed by Borough officials.

Mystic at Keyport/Deputy Ventures - A Floodplain Development Permit is required prior to construction. Issued CAFRA permit requires these homes be built on piles with breakaway walls, etc. Updated plans need to be generated and certified by a qualified professional. There is a requirement that deeds advise buyers of flood risk. Nothing new on KUPB engineers' schedule.

31 West Front St - Demo permits issued in July and construction of new building has been initiated. Per 7/28/23 Notice, a Flood Hazard Area Individual Permit application was filed with NJDEP. Condition of KUPB approval was delineation of flood zone boundaries (VE, LIMWA, and AE) in this SFHA. A Floodplain Development Permit is required prior to construction per the new 2022 FDPO. Also need a compliance report from a certified engineer/architect.

Aeromarine Landfill - Reportedly the lawsuit to end the pollution of Keyport Harbor due to toxins leaking from the landfill site at Aeromarine has been dismissed. Council review of Aeromarine lawsuit was a closed session item at the 7/19/22 KBC meeting. Is there on-going sampling in the test wells on the site and have the reports been provided to the Borough? Still no update on any efforts to eliminate the continuing erosion that is silting in the adjacent bay and creek. This erosion is also exposing landfill trash.

Flooding Due to Filled Drainage Ditch - No update regarding continuing wetland infringement in violation of 8/25/2005 NJDEP FILL Permit. No enforcement action by the Borough. Filling in of this wetland area and its floodway between Beers and Main has contributed to flooding on Main at Monroe, Broad by the schools, Atlantic by the ballfield (flooding basement areas in multifamily buildings across from the ballfield).

Beach Park Outfall Pipe - The Beach Park 30-inch Outfall Pipe problem with the significantly restricted outfall pipe capacity due to the duckbill on the end of the pipe remains unresolved. Without a pump to push the water through the duckbill flooding continues. Note that multiple pump stations will be part of the ACE Union Beach flood mitigation project, validating the need for a Keyport Pump Station. A Beach Park pump station fix is not a 2023 budget item, which will lead to more Division and E Front flooding.

Beach Park Upgrades - NPP has recently paved a walkway from First Street to the pavilion and from the playground area to the pavilion. NPP plans to replace the gazebo with a new gazebo with a concrete floor. They are studying options for new playground equipment.

Port 149 Bulkhead - Project requires removal of multiple transformers by JCPL before additional work on the last 50 feet by the bridge can resume. The new bulkhead structure is not presently built to permitted specs with: 1.) a splash pad and ground elevated top of bulkhead, 2.) ~5 feet of vinyl sheeting patched on top of old steel sheeting, and 3.) old piles still in last ~50 feet.

Keyport Towers and Marina - Not a listed Case in the KUPB file as of this report date. Reportedly, updated plans given to Council Redevelopment Committee with one less story and some minor front façade changes. Notice for environmental study and remediation activities was posted, 8/3/22. This project in a SFHA will require a Floodplain Development Permit. Suggest that Borough Officials request all the LSRP reports generated by this investigation. Having these reports for Aeromarine has been very beneficial for the Borough.

25 E Front – Floodplain Development Permit required prior to start of construction. Architectural design needs to comply with Local Design Flood Elevation of BFE +3. The KUPB has approved a 5-story 50-unit apartment mixed-use structure with a 16-parking space deficiency and a sidewalk level commercial area along East Front Street.

105 Hwy 35 - On 6/24/23 KUPB approved a one-story Commercial building at this site. Cannabis retail at this site requires an additional KUPB review of compliance with Cannabis security standards.

BPM Pier Expansion- New pier expansion was/is missing required standpipe for fire protection. The fire hydrant on site was/is not operational. New application to KUPB engineer for review (fuel facility - tanks and dock).

FP Bulkhead – Borough Bond Ordinance approved for \$4M to fund elevation of the bulkhead and parking lot. Will only deal with tidal flooding, not a 100-year storm. No fix for Am Legion Drive flooding by Post Office.

333 First Street – Units are for sale. Reportedly some units have sold. Flood warning signs in driveway for these units.

Raritan Cove – Some units have sold and a 5-year tax abatement has been granted for one of the purchased units. Construction of the third building is underway. For new bottom floors in SFHA, elevation needs to be recorded and checked against BFE+3. Retaining wall installed parallel to the creek will not serve as a CHHA bulkhead due to its footing height above the creek.

East Third St Flooding – The drainage-ditch/floodway along Henry Hudson Trail (HHT), between Atlantic and Manchester, flows to the pipe under the HHT just east of Manchester Street instead of continuing down the floodway to Chingarora Creek. This 20-inch pipe dumps water into the street below the HHT, resulting in flooding of homes on East Third and East Fifth Streets. Hudson Pointe is now approved to discharge their stormwater into the pit abutting this pipe under the HHT, which will further intensify the flooding issue on East Third and East Fifth. This stormwater should flow down the HHT drainage-ditch past Fulton to Chingarora Creek. County and Borough officials have still taken no action to clear the HHT drainage-ditch/floodway between Manchester and Fulton Streets.



BEACH SWEEPS

MASTER

ATTACHMENT 2

Please complete both sides

Thank you for participating in Clean Ocean Action's (COA) Beach Sweeps and completing this data card. **Data collection is the most important task and turns your dedication and volunteerism into a legacy of information we use to reduce litter and marine debris.** The data from this card is collected and analyzed to identify pollution trends in the waters off New Jersey's coast. The final results from Beach Sweep are incorporated into an Annual Report used to educate citizens and lawmakers about nonpoint source pollution. The Fall data is also forwarded to Ocean Conservancy, who maintains an international database for tracking trends of marine debris in world's oceans. For information on how to help raise funds, reduce pollution, and check out COA's Annual Beach Sweep Reports visit www.CleanOceanAction.org.

Consent: As a participant in the Clean Ocean Action Beach Sweeps, I/we understand that I/we participate at our own risk and that there may be photos and/or video taken that may be used by Clean Ocean Action.

CLEANUP SITE INFORMATION			
CLEAN UP SITE NAME	CITY/MUNICIPALITY	COUNTY	BEACH CAPTAIN NAME
CEDAR STREET PARK	Keyport	Monmouth	MIKE PALMISANO ABIGAIL REIBER LYNNE KOSOBUCKI
Type of cleanup: ☒ Bay ☐ Shoreline/Beach ☐ Lake, Stream, or River			
DATE OF CLEANUP	10/21/2023	NAME OF GROUP/SCHOOL	
NUMBER OF VOLUNTEERS WORKING ON THIS FORM	38	PARITAN HS ENVIRONMENTAL CLUB ECOMANICS 4H INGREDION CORP ENTERPRISE CAR RENTAL	
BEACH SWEEP VOLUNTEER INFORMATION Teams of two are encouraged			
VOLUNTEER 1		VOLUNTEER 2	
Name: _____		Name: _____	
Street Address: _____		Street Address: _____	
City, State, Zip: _____		City, State, Zip: _____	
Phone: () _____		Phone: () _____	
Email: _____		Email: _____	
BRAND NAMES Please list the brand names and items		MOST UNUSUAL ITEMS FOUND	
MODELLO, FIRE BALLS PINELANDS NURSERY		SMALL PROPANE TANK VOODOO DOLL SHOTGUN SHELL TWO CROCKPOTS + LIDS MEASURING OR TRACKING DEVICE	
COMMENTS/OBSERVATIONS about the cleanup (including entangled animals)			
RECYCLING 125 LBS			
8 TRASH BAGS 160 LBS			
MISC 35 LBS			
320 LBS			

TIPS FOR A SUCCESSFUL SWEEP:

- Be careful with sharp objects
- Respect wildlife
- Do not lift heavy objects
- Wear gloves
- Wear sunscreen
- Stay off dunes
- Have fun!

BLACK BAGS ARE FOR GARBAGE

WHITE BAGS ARE FOR RECYCLABLES

Volunteers can reduce the use of plastic bags by bringing their own bucket or reusable bag for trash collection.

Please return this Data Card to a Beach Captain or mail to: CLEAN OCEAN ACTION, 49 Avenue Blvd., Long Branch, NJ 07740



732-872-8111
CleanOceanAction.org
info@CleanOceanAction.org
 49 Avenue Boulevard
 Long Branch, NJ 07740

Clean Ocean Action is a 501(c)(3) tax exempt nonprofit organization.



#COABeachSweeps

Printed on 100% recycled paper



Make a tally mark on the line for each item found. Total the tallies in the box provided.

Most commonly found items are highlighted in orange.

Example:

VOLUNTEER DATA CARD

Cups ||||| 23 Tires (piece) |||| (whole) 11 7 2

PLASTIC

Bags and Wrappers:

Food, Candy Wrappers/Bags 186

Store/Shopping Bags 55

Dog Waste Bags 4

Other Bags 8

Bottles:

Beverage/Soda Bottles 147

Other Bottles/Jugs 81

Bottle Caps/Lids 251

Cap Rings 9

Cigarettes

Filters 32

Lighters 6

Packaging 5

Cigar Tips 67

E-Cigarette Cartridges/Caps/Pens 2

Fishing:

Bait Bags/Containers 3

Line (tangle) 12 Line (piece) 2

Lures, Floats 3

Nets 1

Food Takeout:

Beverage Cups 76

Forks, Knives, Spoons 10

Food Lids 18

Straws/Stirrers 30

Takeout Containers 13

Health/Hygiene Products:

Cotton Swab Sticks 1

Dental Floss Picks 3

Diapers 1

Disposable Wipes 4

Syringes 1

Tampon Applicators 11

Miscellaneous:

Light Sticks 4 Pens 4

Pieces 491

Ribbon/Tape (no balloon) 9

Rope 6

6-Pack Holders 3

Sheeting 8

Shotgun Shells 4

Strapping Bands 1

Toys 10

Other Plastics (specify) PLASTIC BAG, FLASH LIGHT 18

FOAM PLASTIC

TENNIS BALL PVC PIPE

Building/Dock Material 1

Cups 1

Packaging Materials 1

Pieces 365

Plates 1 Trays 1

Takeout Containers 1

Other Foam Plastic (specify) POOL NOODLE 19

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Disposable Face Masks 1

Reusable Face Masks 1

Disposable Gloves 13

BALLOONS & RUBBER

Balloons

Mylar/Plastic 1

With String/Ribbon 1

Rubber/Latex 1

With String/Ribbon 1

Condoms 1 Rubber Bands 1

Reusable Gloves (Tally disposable under PPE) 1

Tires (piece) 3 (whole) 1

Other Rubber (specify) HOSE 2

METAL

Batteries (car) 1 (other) 1

Bottle Caps 70

Cans

Beverage Cans 352

Other Cans 1

Fishing: (hooks) 1 (sinkers) 1

Foil 10

Nails 1

Wire 3

Pieces 2

Pop Tabs 1

Other Metal (specify) MACHINE PART 6

PAPER

Beverage Cartons/Boxes 2

Cardboard 36

Cups 1

Newspaper/Magazines 2

Paper Bags 1

Pieces 17

Plates 1

Other Paper (specify) LOTTERY TICKETS 2

CLOTH

Blankets/Sheets/Towels 2

Clothing (specify) SCARF SHIRT 5

Masks (see PPE section)

Shoes/Sandals 4

String (no balloon) 1

Other Cloth (specify) 10

WOOD

Ice Cream Spoon/Sticks 1

Lumber Pieces 1

Pallets 1

Other Wood (specify) 1

GLASS

Bottles/Jars:

Beverage Bottles 702

Other Bottles/Jars 1

Pieces 722

Other Glass (specify) TILE 7

Joe Sheridan

From: Denise Nellis <dnellis@keyportonline.com>
Sent: Tuesday, October 31, 2023 11:05 AM
To: Kenneth Degroat; Michael Palmisano; Rose Araneo; theaumacks@msn.com; hbrady99@yahoo.com; Joe Sheridan; don.pacheco618@gmail.com; weiderd@gtlaw.com; matt.tevis1369@gmail.com; Cathleen Reilly; Michael lane
Cc: Steven Odwyer; Bill Kane
Subject: Environmental Commission

From: Kira Cruz (Clean Ocean Action) <KCruz@CleanOceanAction.org>
Sent: Friday, October 27, 2023 9:31 AM
Cc: Kira Cruz (Clean Ocean Action) <KCruz@CleanOceanAction.org>
Subject: THAT'S A WRAP FOR THE 2023 BEACH SWEEPS SEASON!
Importance: High



Hello, and Happy Friday 😊

What a year for the Spring & Fall Beach Sweeps!

On behalf of myself and Clean Ocean Action (COA), thank you for your continuous support and participation in the **38th Annual Beach Sweeps** this year. We would not be able to host this successful program without your town's involvement! It has been a pleasure and an honor working with you these last few months as I continue my journey with COA. Your volunteers go above and beyond for the ocean and the environment; I witnessed that firsthand during both cleanups. It is truly inspiring in so many ways.

As the SEASON sadly comes to an end, Clean Ocean Action is already looking ahead to the **39th Annual Beach Sweeps** in 2024! We are currently finalizing the dates those dates and will share with you as soon as possible. We are looking forward to making more waves, together, in the new year.

If you have any questions, please do not hesitate to contact me at (732) 872-0111 or via email at BeachSweeps@cleanoceanaction.org.

Cheers to another beachy-clean fun Sweeps!

101 Crawfords Corner Road
Suite 3400
Holmdel, New Jersey 07733
Main: 877 627 3772



Engineering
& Design

BOROUGH OF KEYPORT
Engineering Status Report
Through August 2023

I. ENGINEERING PROJECTS

A. ACTIVE ENGINEERING CAPITAL PROJECTS

1. NJNG Church Street Line Replacement

Summary: NJNG, as a result of numerous gas line leaks, has replaced their main line within Church Street between Warren and Maple. This included new service to the valve, and full width mill and overlay of Church Street. The main and service lines have been replaced. The trench is being allowed to settle prior to NJNG mill and overlaying the full width of Church Street for these two blocks.

Status: NJNG completed paving work in early August 2023.

2. Municipal Building Water Damage

Summary: The Borough, over the years, had completed various reports on the Municipal Building Water. The Borough looked to retain an architect to develop a plan of action that would eliminate the various leaks within the roofing system.

Status: A design award to Settembrino Architects was made at the August 15th meeting. Design will take place this Fall.

3. NPP Mini Park Project

Summary: The Neighborhood Preservation Program Mini Park Project consists of making the Mini Park and Beach Park more accessible. The NPP has worked with vendors to develop a scope of improvements which CED has been asked to review.

Status: CED provided a summary report to the NPP of what was determined to be the most cost-effective improvements while addressing ADA requirements. A memo of recommendations, construction details, and inquiries to be confirmed were developed and distributed to the NPP.

B. ACTIVE CAPITAL PROJECTS BY CME

1. NJDEP Tap Grant

Summary: This grant is for pedestrian improvements along First Street, West Front Street and Broadway. CME is currently working on the final design with anticipation of completion in the Fall of 2023.

Status: Design to be completed in Fall 2023, and project will go out for bid at that time.

2. NJDOT MA Church Street Project

Summary: Lucas Brothers is substantially complete. NJDOT has completed the punch list and the open items are being addressed.

Status: Final closeout anticipated Summer 2023.

3. CDBG Broad Street Sidewalk Project

Summary: S. Batata is substantially complete. The overhead signs to be installed in Summer 2023 once school is out.

Status: Project closeout Summer 2023.

4. NJDOT MA Improvements to Butler and E. Third Streets

Summary: Lucas Brothers was awarded the project and construction is ongoing.

Status: Anticipated completion of construction at end of 2023.

5. NJDOT MA Improvements to Fulton, 7th and 8th Streets

Summary: Project awarded to S. Brothers. All work is complete with the exception of surface course paving. Surface course to be installed in late August 2023.

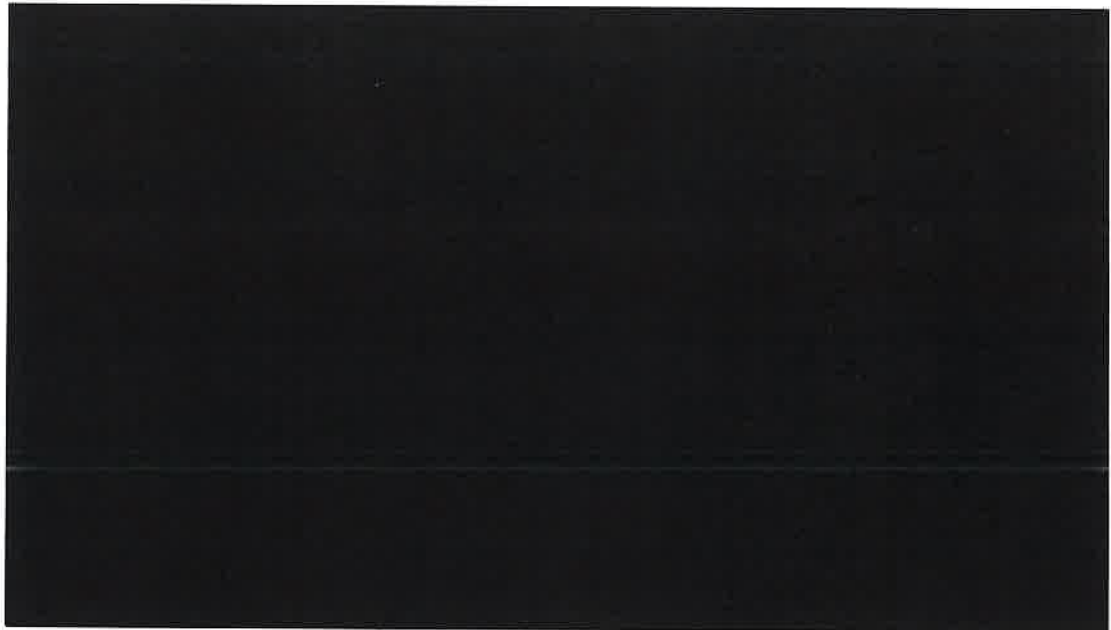
Status: Surface course will be installed in late August 2023 with project closeout to follow.

6. Cedar Street Park

Summary: Project funded through Monmouth County Open Space Program. Additional funding was submitted in July of 2023.

Status: Survey work complete. Preliminary design started. Play structure to be replaced in 2023 and overall park construction will take place in 2024.

C. PROPOSED ENGINEERING CAPITAL PROJECTS



D. MISCELLANEOUS ITEMS

No Miscellaneous Items this Month.

E. STREET OPENING PERMITS

1. 128 Church Street

The street opening permit was approved on August 24, 2023 for gas service installation.

2. 13 Third Street

The revised street opening permit was approved on August 24, 2023 for gas service installation.

3. 17 Broadway

The street opening permit was approved on August 24, 2023 for gas service installation.

4. 199 E. 7th Street

The street opening permit was approved on August 24, 2023 for gas service installation.

5. 10 Chandler Avenue

The street opening permit was approved on August 25, 2023 for gas service installation.

Monmouth County Document Summary Sheet					
MONMOUTH COUNTY CLERK PO BOX 1251 MARKET YARD FREEHOLD NJ 07728		Return Name and Address ALLEN WEISS, ESQ. 2105 W. COUNTY LINE ROAD JACKSON, NJ 08527 <i>(No charge)</i> Special County Counsel, On Behalf of Monmouth County			
Official Use Only CHRISTINE GIORDANO HANLON COUNTY CLERK MONMOUTH COUNTY, NJ INSTRUMENT NUMBER 2021125370 RECORDED ON Aug 18, 2021 8:43:53 AM BDDK:OR-9536 PAGE:3634 Total Pages: 9 COUNTY RECORDING FEES \$0.00 TOTAL PAID \$0.00		Submitting Company ALLEN WEISS, ESQ.		Document Type DEED OF OPEN SPACE EASEMENT	
		Document Date (mm/dd/yyyy) 12/16/2020 ~~03/11/2021~~			
		No. of Pages of the Original Signed Document (Including the cover sheet)		9 ~~10~~	
		Consideration Amount (If applicable)		\$0.00	
		Official Use Only AUG 17 2021 5 700E3T 9			
First Party <i>(Grantor or Mortgagor or Assignor)</i> <i>(Enter up to five names)</i>		Name(s) <i>(Last Name First Name Middle Initial Suffix)</i> <i>(or Company Name as written)</i> BOROUGH OF KEYPORT		Address (Optional) 70 West Front Street Keyport, New Jersey 07735	
Second Party <i>(Grantee or Mortgagee or Assignee)</i> <i>(Enter up to five names)</i>		Name(s) <i>(Last Name First Name Middle Initial Suffix)</i> <i>(or Company Name as written)</i> COUNTY OF MONMOUTH		Address (Optional) Hall of Records 1 East Main Street Freehold, New Jersey 07728	
Parcel Information <i>(Enter up to three entries)</i>		Municipality Keyport	Block 94 127	Lot 45 12.13 & 25	Qualifier
Reference Information <i>(Enter up to three entries)</i>		Book Type	Book	Beginning Page	Instrument No.
					Recorded/File Date
*DO NOT REMOVE THIS PAGE. DOCUMENT SUMMARY SHEET (COVER SHEET) IS PART OF MONMOUTH COUNTY FILING RECORD. RETAIN THIS PAGE FOR FUTURE REFERENCE.					

DEED OF OPEN SPACE EASEMENT

This EASEMENT made this 16th day of December 2020
between the BOROUGH OF KEYPORT, located at 70 WEST FRONT STREET
(hereinafter referred to as "MUNICIPALITY"), and the **COUNTY OF MONMOUTH**,
located in the Hall of Records, 1 East Main Street, Freehold, New Jersey, 07728
(hereinafter referred to as "COUNTY").

WITNESSETH:

WHEREAS, the MUNICIPALITY is the sole owner in fee simple of a tract of
land in KEYPORT, Monmouth County, State of New Jersey, more particularly described
as Block 94 Lot 45; Block 127 Lot(s) 12, 13, and 25 on the tax map of KEYPORT,
Monmouth County, New Jersey (hereinafter referred to as the "Property"); and more
particularly described in the tax map attached as Exhibit A attached hereto and made a
part hereof; and

WHEREAS, the Property possesses park, recreation and open space values of
great importance to the people of the County of Monmouth; and

WHEREAS, the MUNICIPALITY agrees that the park, recreation and open
space values of the Property be preserved in perpetuity; and

WHEREAS, the MUNICIPALITY further agrees, as owner of the Property, to
convey to the COUNTY the open space easement herein described to preserve and
protect the park, recreation and open space values of the Property in perpetuity; and

WHEREAS, the COUNTY is a body politic and corporate of the State of New
Jersey empowered pursuant to N.J.S.A. 40:32-2.1 to acquire interests in land and hold
same for public park, public recreation and public welfare purposes; and

5. **RIGHT OF COUNTY.** To accomplish the purpose of this easement, the following rights are conveyed to the COUNTY by this easement:

A. To preserve and protect the park, recreation and open space values of the Property.

B. To prevent any activity on or use of the Property that is inconsistent with the purpose of this easement and to require the restoration of such areas or features of the Property that may be damaged by an inconsistent use or activity.

C. The COUNTY and its agents, representatives, servants or assigns, shall be permitted to enter upon the Property at all reasonable times, after giving prior reasonable notice, in order to monitor compliance with and otherwise enforce the terms of the Easement, provided that COUNTY, its agents, etc. shall not unreasonably interfere with use and quiet enjoyment of the Property.

D. The MUNICIPALITY agrees not to lease, sell, exchange or donate the Property described herein which is being acquired pursuant to P.L. 1997 c. 24, NJSA 40:12-15.6(A) except upon approval of the Monmouth County Board of Chosen Freeholders and upon such conditions as the Monmouth County Board of Chosen Freeholders may establish [NJSA 40:12-15.6(d)(4)] including, but not limited to, replacement with land of no less or greater utility, acreage and value.

6. **PROHIBITED USES.** Any activity on or use of the Property inconsistent with the purpose of this easement is prohibited.

7. **GREEN ACRES RESTRICTIONS.** If the lands being conveyed herein were purchased in part with Green Acres funding, they are subject to Green Acres restrictions as provided in N.J.S.A. 13:8C-1 et seq. and N.J.A.C. 7:36.

8. **RESERVED RIGHTS.** The MUNICIPALITY reserves to itself and to its personal representatives, heirs, successors and assigns, all rights accruing from its ownership of the Property, including the right to engage in or permit or invite others to engage in all uses of the Property that are not inconsistent with this easement.

9. **GRANTEE'S REMEDIES.** If the COUNTY determines that the MUNICIPALITY is in violation of the terms of this easement or that a violation is threatened, the COUNTY shall give written notice to the MUNICIPALITY of such violation and demand corrective action sufficient to cure the violation and, where the violation involves injury to the Property resulting from any use or activity inconsistent with the purpose of this easement, to restore the portion of the Property so injured. If the MUNICIPALITY or its assigns fail to correct the violation within sixty days after receipt of notice thereof from the COUNTY or under circumstances where the violation cannot be cured within the sixty day period or fails to diligently pursue curing such violation until finally cured, the COUNTY may bring an action at law or in equity in a court of competent jurisdiction to enforce the terms of this easement, to enjoin the violation ex parte as necessary, by temporary or permanent injunction, to recover any damages to which it may be entitled for violation of the term of this easement or injury to any park, recreation or open space values protected by this easement; to require the restoration of the Property to the condition that existed prior to such injury; and all costs and expenses, including reasonable attorney's fees incurred in enforcing the COUNTY's rights herein.

10. **COUNTY'S DISCRETION.** Enforcement of the terms of this easement shall be at the discretion of the COUNTY, and any forbearance by the COUNTY to exercise its rights under this easement in the event of any breach of any terms of this easement by the MUNICIPALITY shall not be deemed or construed to be a waiver by the COUNTY of such terms or any subsequent breach of the same or any other term of this easement or of any of the COUNTY'S rights under this easement. No delay or omission by the COUNTY in the exercise of any right or remedy upon any breach by the MUNICIPALITY shall impair such right or remedy or be construed as a waiver.

11. **SURVIVAL**. The terms of an Agreement between the MUNICIPALITY and the COUNTY, dated_____, shall survive the delivery of this Deed of Open Space Easement and the terms of which Agreement are incorporated herein by reference.

12. **WAIVER OF CERTAIN DEFENSES**. The MUNICIPALITY hereby waives any defense of laches, estoppel or prescription.

13. **ACTS BEYOND CONTROL**. Nothing contained in this easement shall be construed to entitle the COUNTY to bring any action against the MUNICIPALITY for any injury or change in the Property resulting from causes beyond the MUNICIPALITY'S control including, without limitation, fire, flood storm and earth movement, or from any prudent action taken by the MUNICIPALITY under emergency conditions to prevent, abate or mitigate injury to the Property resulting from said causes.

14. **COSTS AND LIABILITIES**. The MUNICIPALITY shall retain all responsibilities and shall bear all cost and liabilities of any kind related to the ownership, operation, upkeep and maintenance of the Property, including the maintenance of adequate comprehensive general liability insurance coverage. The MUNICIPALITY shall keep the Property free of any liens arising out of any work performed, for material furnished to or obligations incurred by the MUNICIPALITY.

15. **RISK OF LOSS**. Risk of loss or damage to the Property by fire or other casualty shall be, and is assumed, by the MUNICIPALITY. The MUNICIPALITY is required to advise the COUNTY of any occurrence which results in loss of or damage to any improvements funded by the COUNTY or which results in the impairment of the Property's park, recreation and open space use.

16. COVENANTS. The MUNICIPALITY covenants with the COUNTY as follows:

- (a) The MUNICIPALITY is seized of said easement and has good right and title to convey same;
- (b) The COUNTY shall quietly enjoy the said easement;
- (c) The MUNICIPALITY shall have quiet possession of the easement free from all encumbrances;

17. SUCCESSOR. The covenants, terms, conditions and restrictions of this easement shall be binding upon and inure to the benefit of the parties hereto and their respective personal representatives, heirs, successors and assigns, and shall continue as a servitude running in perpetuity with the Property.

This Deed of Easement is signed and attested to by COLLETTE J. KENNEDY and MICHAEL CLARK, the proper corporate officers as of the date at the top of the first page. Its corporate seal is affixed.

ATTESTED BY:

Michele Clark
MICHELE CLARK
BOROUGH CLERK
BOROUGH OF KEYPORT

BY: Collette J. Kennedy
COLLETTE J. KENNEDY, MAYOR
BOROUGH OF KEYPORT



STATE OF NEW JERSEY:

: SS.

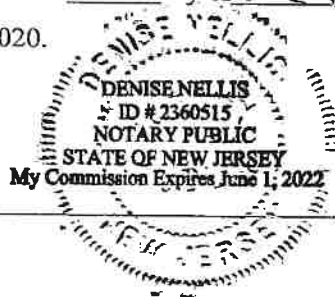
COUNTY OF MONMOUTH:

I CERTIFY that on December 16, 2020 COLLETTE J. KENNEDY personally came before me, the subscriber, a Notary Public of the State of New Jersey, and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the Mayor of KEYPORT BOROUGH, the municipality named in this document;
- (b) this person is the attesting witness to the signing of this Deed by the proper corporate officer, who is the CLERK of the municipality;
- (c) this Deed was signed and delivered by the municipality as its voluntary act duly authorized by a proper resolution of its governing body;
- (d) this person knows the proper seal of the municipality which was affixed to this Deed;
- (e) this person signed this proof to attest to the truth of these facts; and
- (f) the full and actual consideration paid or to be paid for the transfer of title is \$1.00 (such consideration is defined in N.J.S.A. 46:15-5).

Denise Nellis

Sworn to and subscribed before
me this 16th day of Dec., 2020
2020.



RECORD & RETURN TO:
Allen Weiss, Esq.
2105 W. County Line Road
Jackson, New Jersey 08527

Exhibit A

LINE

44.01

94.88

150.0±

45.01

200.0±

BOROUGH
OF KEYPORT
EXEMPTED

P.L. 150.0±

Veterans
Park

BOROUGH
OF KEYPORT
EXEMPTED

MYRTLE

30'

1.14 Ac.

94

John Olsen's
Boat Marina

LOT 30.032
D.V.
EXEMPTED
30.015
30.016
30.017
30.018
IRS - 1500 S.F. (S)
IBERS
221 - 30.028
31 - 30.038

181.9

55.46

45.61

35(S)

46(S)

38.80

80.21

82.30

53.0

96.0

109.77

43

52.0

42

54.0

101.0

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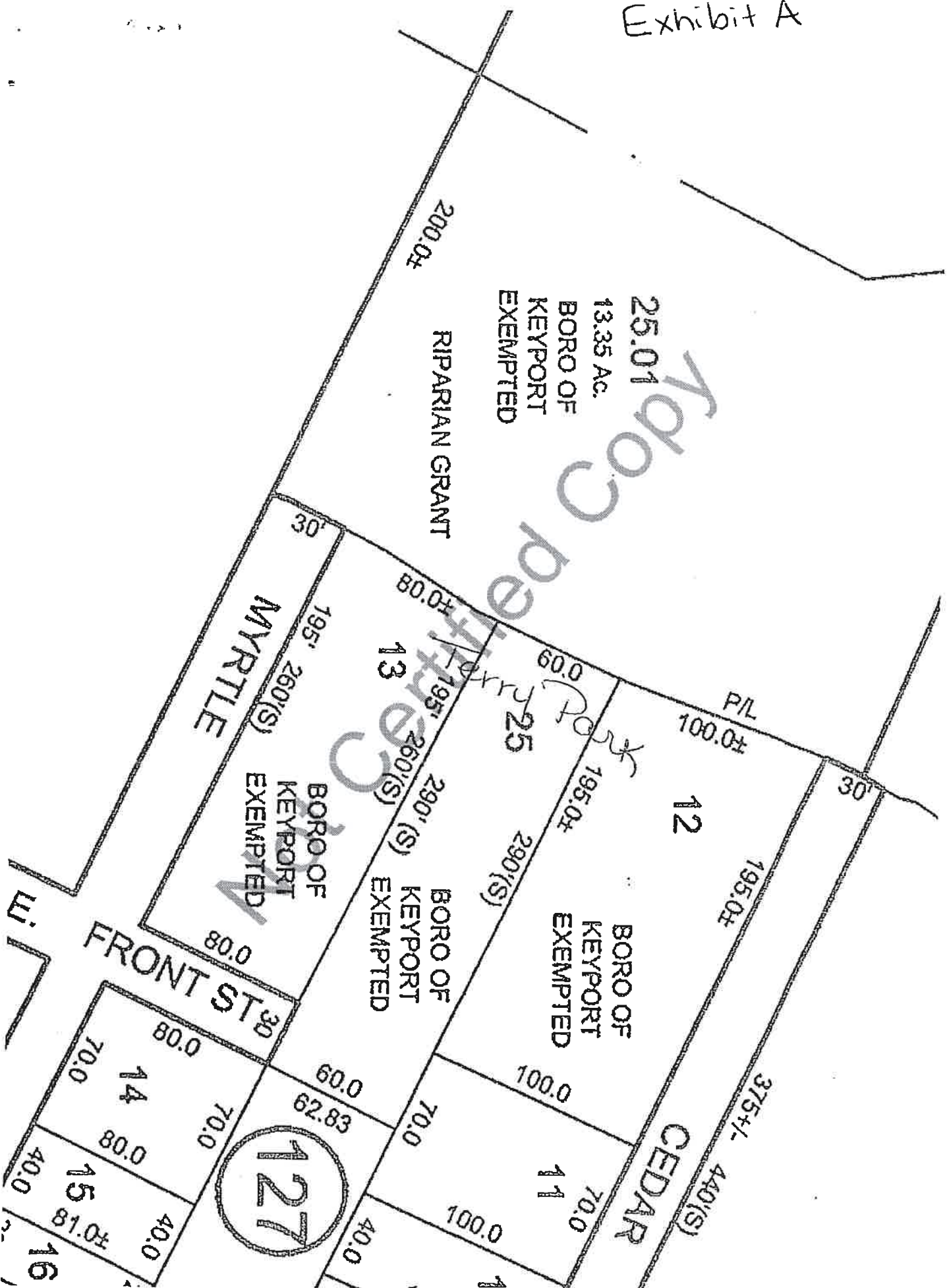
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SHEET



Exhibit A



KEYPORT ENVIRONMENTAL COMMISSION

CEDAR STREET BEACH PARK KEYPORT

DUNE WEEDING EVENT

This flyer serves as a call out for any Keyport Environmental Commission human or friend of the KEC who may wish to come out and volunteer on **Saturday, November 11th, at 9:00am**, (Rain Date Sunday, Nov. 12th at 9:00am) at the Cedar Street Park Dune, to weed out the nasty invasive Asiatic sand sedge to allow the native beach grass to flourish.

Please bring gloves, digging supplies and dress accordingly. Plan to budget about one and a half hours for this weeding event. Thank You!



STATUS	Priority Species
COMMON NAME:	Asiatic sand sedge
SCIENTIFIC NAME:	<i>Carex kobomugi</i>
FAMILY:	Cyperaceae (Sedge)
DURATION:	Perennial
HABIT:	Grasses
USDA SYMBOL:	CAK02