

BOROUGH OF KEYPORT
MEETING AGENDA
TUESDAY, SEPTEMBER 15, 2026 at 7:00 PM
MUNICIPAL COMPLEX COUNCIL CHAMBERS
70 W. FRONT STREET, KEYPORT, NJ

CALL TO ORDER: PM

SUNSHINE LAW NOTICE:

ROLL CALL: __ Councilmember Brady __ Councilmember Bergen __ Councilmember Kyne
__ Council President McNamara __ Councilmember Merla __ Councilmember Pecora __ Mayor Araneo

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

PRESENTATIONS

Settembrino Architects – Building Envelope and Systems Remediation Project
Artheon Consulting – Stormwater

COMMITTEE REPORTS

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

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

Councilmember Bergen: Planning Board, Redevelopment, Recycling, Finance/Grants

Councilmember Kyne: KBBC, Construction Office/Zoning, NPP, Police, Public Works/Water-Sewer

Council President McNamara: Finance/Grants, Green Team, Cannabis, Recreation/Senior Center, NPP

Councilmember Merla: Public Works/Water-Sewer, Health/Registrar/Fire Bureau/ Property Maintenance, Police, Redevelopment, Harbor Commission

Councilmember Pecora: Harbor Commission, Municipal Alliance, Fire/First Aid/OEM, Cannabis

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

PUBLIC COMMENTS

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

Comments are limited to no more than five minutes per person.

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

CONSENT AGENDA

R2026-258 Payment of Bills Listed on the September 15, 2026 Bills List
R2026-259 Authorizing Refund of Property Tax Overpayment – Verizon Wireless
R2026-260 Requesting Approval of Items of Revenue and Appropriation N.J.S.A. 40A:4-87
Community Energy Plan Grant

- R2026-261 Authorizing Retention of Artheon for Professional Engineering Services Related to Improvements to Fireman's Park for Construction Management/Construction Inspection Services and Licensed Site Remediation Professional Services
- R2026-262 Governor's Council on Alcoholism and Drug Abuse Fiscal Grant Cycle July 2026 – July 2027
- R2026-263 Supporting Assembly Bill No. A2273 Establishing a Municipal Water Infrastructure Planning and Design Project Grant Program
- R2026-264 Appointment of Keyport Bayfront Business Cooperative (KBBC) Board of Directors Member – Lorraine DeVizia
- R2026-265 Approving Municipal Alliance Committee Get High on Life, Not Drugs Event at Waterfront Park on October 3, 2026
- R2026-266 Authorizing Keyport School District Use of Borough Property for the 2027 Season
- R2026-267 Approving Recreation Committee to Host a Movie Night at Waterfront Park on September 19, 2026
- R2026-268 Amending Resolution No. 2026-121 Authorizing Keyport Bayfront Business Cooperative (KBBC) 2026 Events on Borough Property
- R2026-269 Accepting Resignation of Property Maintenance/Code Enforcement Officer Paul Murphy
- R2026-270 Accepting Resignation of Deputy Clerk Cheri Thomas

APPROVAL OF RESOLUTIONS ON THE CONSENT AGENDA

Motion to approve resolutions on the Consent Agenda

MM: 2nd: Roll Call: Brady, Bergen, Kyne, McNamara, Merla, Pecora

RESOLUTION-KBBC BYLAWS

R2026-271 Authorizing Approval and Amendments to the Bylaws of Keyport BID, Inc.

MM: 2nd: Roll Call: Brady, Bergen, Kyne, McNamara, Merla, Pecora

PUBLIC HEARINGS/ADOPTION OF ORDINANCES

1. Ordinance No. 2026-20 – Harbor Commission Membership

The Clerk reads the Ordinance by Title: **AN ORDINANCE AMENDING CHAPTER 2, "BOARDS, COMMISSIONS, AND COMMITTEES", BY AMENDING SUBSECTION 2-7.1 "HARBOR COMMISSION" OF THE CODE OF THE BOROUGH OF KEYPORT**

1a. Motion to Open Public Hearing MM: 2nd:

1b. Motion to Close Public Hearing MM: 2nd:

1c. Motion to adopt Ordinance MM: 2nd:

Roll Call: Brady, Bergen, Kyne, McNamara, Merla, Pecora

2. Ordinance No. 2026-21 – Intentional Release of Balloons

The Clerk reads the Ordinance by Title: **AN ORDINANCE AMENDING CHAPTER 23, "BOARD OF HEALTH REGULATIONS" BY ADDING SUBSECTION 23-10 "INENTIONAL RELEASE OF BALLOONS" OF THE CODE OF THE BOROUGH OF KEYPORT**

2a. Motion to Open Public Hearing MM: 2nd:

2b. Motion to Close Public Hearing MM: 2nd:

2c. Motion to adopt Ordinance MM: 2nd:

Roll Call: Brady, Bergen, Kyne, McNamara, Merla, Pecora

3. Ordinance No. 2026-22 – Licensing Requirements for Cats

The Clerk reads the Ordinance by Title: **AN ORDINANCE AMENDING CHAPTER 23, “BOARD OF HEALTH REGULATIONS” TO ELIMINATE THE LICENSING REQUIREMENTS FOR CATS OF THE CODE OF THE BOROUGH OF KEYPORT**

3a. Motion to Open Public Hearing MM: 2nd:

3b. Motion to Close Public Hearing MM: 2nd:

3c. Motion to adopt Ordinance MM: 2nd:

Roll Call: Brady, Bergen, Kyne, McNamara, Merla, Pecora

4. Ordinance No. 2026-23 – Permit Parking on a Limited Distance of Atlantic Street

The Clerk reads the Ordinance by Title: **AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF KEYPORT CHAPTER 7, “TRAFFIC”, SUBSECTION 7-3.13 “PERMIT PARKING ON CERTAIN STREETS AT CERTAIN TIMES”**

4a. Motion to Open Public Hearing MM: 2nd:

4b. Motion to Close Public Hearing MM: 2nd:

4c. Motion to adopt Ordinance MM: 2nd:

Roll Call: Brady, Bergen, Kyne, McNamara, Merla, Pecora

INTRODUCTION OF ORDINANCES

1. Ordinance – Waterfront Vehicle Ban

The Clerk reads the Ordinance by Title: **AN ORDINANCE AMENDING CHAPTER 11, “RECREATION FACILITIES”, BANNING ALL VEHICLES FROM THE PROMENADE, FISHING PIER, AND WATERFRONT WALKWAY OF THE CODE OF THE BOROUGH OF KEYPORT**

1a. Motion to introduce:

MM: 2nd: **Roll Call:** Brady, Bergen, Kyne, McNamara, Merla, Pecora

2. Ordinance – Bond Ordinance for Water/Sewer Utility Improvements

The Clerk reads the Ordinance by Title: **BOND ORDINANCE PROVIDING FOR VARIOUS WATER / SEWER UTILITY IMPROVEMENTS BY THE BOROUGH OF KEYPORT, APPROPRIATING THE AGGREGATE AMOUNT OF \$24,964,363 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$24,964,363 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF**

2a. Motion to introduce:

MM: 2nd: **Roll Call:** Brady, Bergen, Kyne, McNamara, Merla, Pecora

MAYOR’S APPOINTMENT

Mayor Araneo announces the appointment of Alfred A. Litwak as Alternate No. 2 member of the Planning Board to serve the unexpired term of William Greaux ending 12/31/2026.

APPROVAL OF MINUTES

May 19, 2026 Regular Meeting

MM: 2nd: Ayes: Nays:

REPORTS

1. Municipal Clerk’s Report for August 2026
2. Tax/Water/Sewer Collector’s Report for August 2026
3. Board of Health Treasurer’s Report for August 2026

4. Building Department Report for August 2026

5. Municipal Court Report for August 2026

MM: 2nd: Ayes: Nays:

OLD BUSINESS

*Resident Parking Permit Division & Osborn (Merla)

*Street Closure Fees (Brady)

*Prepare Hurley Street Lot for Parking (Pecora)

*Stormwater Issue Reporting (Pecora)

NEW BUSINESS

PUBLIC COMMENTS

The Meeting is opened to the public for comments.

Comments are limited to no more than five minutes per person.

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

ADJOURNMENT

Motion to Adjourn MM: 2nd:

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.	\$ 1,785,114.90
	UTILITY FUND	\$ 316,934.24
	GENERAL CAPITAL	\$ 100,617.28
	ANIMAL	\$ 1,617.00
	PAYROLL	\$ 260.00
	RBIT	\$ 50.00
	TRUST OTHER	\$ 22,735.00
	ESCROW	\$ 1,527.00

AUTHORIZED PER RESOLUTION

PASSED:

APPROVED:

MAYOR ROSE P. ARANEO

ATTEST:

MICHELE CLARK, BOROUGH CLERK

OFFERED BY:

SECOND BY:

ROLL CALL VOTE:

AYES:

NAYS:

ABSTAIN:

ABSENT:

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

MICHELE CLARK, BOROUGH CLERK

RESOLUTION #2026-

AUTHORIZING REFUND OF PROPERTY TAX OVERPAYMENT

WHEREAS, overpayments of first and second quarters 2026 taxes has taken place by Duff & Phelps when no taxes were due on property owned by NJ Bell Telephone% Duff & Phelps, Block 999 Lot 1;

WHEREAS, said payments have created an overpayment on first quarter 2026 taxes in the amount of \$29,432.30 and second quarter 2026 in the amount of \$29,432.30;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Keyport hereby authorize the refund of first and second quarter tax overpayments in the amount of \$58,864.60.

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 of September 15, 2026.

Michele Clark, RMC
Borough Clerk

RESOLUTION NO. 2026-

**REQUESTING APPROVAL OF ITEMS OF
REVENUE AND APPROPRIATION -N.J.S.A.
40A:4-87
COMMUNITY ENERGY PLAN GRANT**

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Keyport in the County of Monmouth, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2026 in the sum of \$10,000, which is now available from the State of New Jersey Board of Public Utilities – Community Energy Plan Grant.

BE IT FURTHER RESOLVED, that the like sum of \$10,000 is hereby appropriated under the caption of Community Energy Plan Grant; and

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

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on September 15, 2026.

Michele Clark, RMC
Borough Clerk

RD 201

RESOLUTION NO. 2026-

AUTHORIZING RETENTION OF ARTHEON FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO IMPROVEMENTS TO FIREMAN'S PARK FOR CONSTRUCTION MANAGEMENT/CONSTRUCTION INSPECTION SERVICES AND LICENSED SITE REMEDIATION PROFESSIONAL SERVICES

WHEREAS, the Borough of Keyport has been awarded the following grants, totaling \$3,022,694, for improvements to Fireman's Park:

- \$450,000 - FEMA Pre-Disaster Mitigation (PDM) funding (expiring September 30, 2026)
- \$1,772,000 in Green Acres Program funding
- \$800,694 in NJDCA Boardwalk Preservation funding (expiring September 30, 2026)

WHEREAS, these improvement projects include, but not limited to, the following:

- demolition of existing bulkhead and boardwalk promenade;
- construction of new raised, extended bulkhead and boardwalk promenade, and acquisition and installation, as applicable, of railing and lighting for the boardwalk promenade;
- parking lot improvements including, but not limited to, raising and reconstruction of parking lot, and stormwater improvements including, acquisition and installation, as applicable, of backflow preventers at outfalls, and landscaping and lighting for the parking lot;
- pedestrian access improvements to boardwalk promenade including, but not limited to, construction of walkway connecting West Front Street to the boardwalk promenade;

WHEREAS, on January 1, 2026, the Borough Council adopted Resolution #2026-04 appointing CME Associates (now known as Artheon) as the Borough Engineer; and

WHEREAS, CME has submitted two proposals, copies of which are attached, for construction management/construction inspection services in the amount of \$298,600, and licensed site remediation professional services in the amount of \$49,800; and

WHEREAS, the Borough Administrator has recommended retaining Artheon to perform the professional engineering service related to these projects in accordance with the proposals submitted; and

WHEREAS, the Chief Financial has certified the availability of funds for these services.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. Artheon is hereby authorized to provide construction management/construction inspection services in the amount of \$298,600.
3. Artheon is hereby authorized to provide licensed site remediation professional services in the amount of \$49,800.

4. The Mayor is authorized to execute an agreement with Artheon for the services in accordance with the submitted proposals, and to execute any other documents necessary to carry out the purpose of this Resolution.
5. The Borough Clerk is directed to arrange the publication of the notice required for the award of professional services in accordance with the requirements of the New Jersey Local Public Contracts Law.
6. The Borough Clerk is further directed to forward copies of this resolution to the Borough Administrator, Borough Engineer, and Chief Financial Officer.

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on September 15, 2026.

Michele Clark, RMC
Borough Clerk

July 14, 2026

Mr. Hector A. Herrera, Business Administrator
Borough of Keyport
70 W. Front Street
Keyport, NJ 07735

Re: *Estimate of Fees for Professional Engineering Services*
 for Construction Management / Construction Inspection Services
 Improvements to Fireman's Park
 Block 21.01, Lot 24; Block 21.02, Lots 20, 21 & 22
 Borough of Keyport, Monmouth County, New Jersey
 Our File No.: 115.KP00204.H01

Dear Mr. Herrera:

Artheon is pleased to have the opportunity to present our fee estimate for construction administration phase services for the Improvements to Fireman's Park project. This project includes the replacement and elevation of the bulkhead at Fireman's Park, extension of the Waterfront Promenade, drainage improvements, elevation of the Fireman's Park parking lot and adjoining portion of American Legion Drive, and associated improvements.

To date, our office has been authorized for and completed for the design, permitting, and bid phases for the project. We anticipate construction will commence in early August 2026, immediately following the Fireman's Fair.

As you are aware, the contract was awarded to Seacoast Construction of East Brunswick, NJ in the amount of \$4,970,647.65. We are pleased to report that the project is funded by a combination of \$3,022,694 in grants, including \$450,000 in FEMA Pre-Disaster Mitigation (PDM) funding, \$1,772,000 in Green Acres Program funding, and \$800,694 in NJDCA Boardwalk Preservation funding. We note that the NJDCA and FEMA grants have expenditure deadlines of September 30, 2026.

This fee estimate outlines the scope and costs of services necessary for our office to administer construction phase services to ensure the timely and successful completion of this project, as well as coordination with the project's funding partners for ongoing monitoring, reimbursements, and closeout.

As the project is funded by the NJDEP Green Acres Program, a separate scope of services has been provided to address Site Remediation Program requirements of Green Acres project funding.

With this being said, we propose the following scope of services:



Construction Management / Construction Inspection Phase Services

Our office will provide field inspection and observation services as well as office support for the contract for the anticipated duration of approximately 10 to 12 months including the following services:

1. Hold pre-construction and utility coordination meetings;
2. Provide assistance with interpretation of contract documents;
3. Review submittals and shop drawings;
4. Provide full-time structural engineering inspection services for the construction of the bulkhead system and office support for the review of field changes;
5. Provide part-time site/civil engineering inspection services for the construction of parking lot and site improvements;
6. Coordination with the Borough and adjacent property owners throughout the duration of the contract;
7. Coordination with utility providers for service connections;
8. Hold bi-weekly project update meetings with the Contractor;
9. Provide responses to Contractor requests for information (RFI's) and provide design-related services on an on-call, as-needed basis;
10. Review monthly pay applications and potential change orders;
11. Prepare substantial completion and final completion punchlists and certification of completed work; and,
12. Coordinate with NJOEM/FEMA, NJDCA, and NJDEP Green Acres to provide status updates, secure reimbursements, and grant closeouts.

We will provide the necessary services as described above:

Total Fee for Services (Not to Exceed)..... \$298,600.00

Exceptions

- Any services outside the scope of this proposal will be considered extra and will be invoiced on an hourly basis in accordance with the enclosed rate schedule or a mutually agreed upon fixed fee. The rate schedule is subject to change on January 1 of each year
- A scope of services for LSRP services required as part of NJDEP Green Acres Program funding has been provided under separate cover.
- Preparation of as-built surveys.

Should this fee estimate meet your approval, please provide our office with a professional services agreement or Resolution as an indication to proceed with the work.

NJ Certificate of Authorization No. 24GA28412500



In the meantime, should you have any questions concerning this matter, please do not hesitate to contact this office.

Sincerely,


ARTHEON

Matthew R. Zwingraf, PE, CME, CFM
Director

MZ

cc: Michele Clark, RMC
Jeffrey Elsasser, CFO
Trevor J. Taylor, PE, PP, CME
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July 14, 2026

Mr. Hector A. Herrera, Business Administrator
Borough of Keyport
70 W. Front Street
Keyport, NJ 07735

Re: *Estimate of Fees for Professional Engineering Services – LSRP Services*
Improvements to Fireman's Park
Block 21.02, Lots 20, 21 & 22
Borough of Keyport, Monmouth County, New Jersey
Our File No.: 115.KP00204.H01

Dear Mr. Herrera:

Artheon is pleased to have the opportunity to present our fee estimate for Licensed Site Remediation Professional (LSRP) services for the Improvements to Fireman's Park project. This project includes the replacement and elevation of the bulkhead at Fireman's Park, extension of the Waterfront Promenade, drainage improvements, elevation of the Fireman's Park parking lot and adjoining portion of American Legion Drive, and associated improvements.

This proposal is for a site investigation of Areas of Concern (AOCs) identified in the September 2024 Preliminary Assessment Report (PAR), in accordance with the Technical Requirements for Site Remediation (N.J.A.C. 7:26E-3.3 et seq).

Based on the identified AOCs and the NJDEP Green Acres funding awarded for the project, a Licensed Site Remediation Professional (LSRP) will be required to oversee remedial activities pursuant to the Administrative Requirements for the Remediation of Contaminated Sites (N.J.A.C. 7:26C) and the NJDEP Green Acres Program Rules (N.J.A.C. 7:36). Artheon will assign an LSRP and other qualified personnel to manage all administrative and technical remedial activities for the project, including regulatory compliance, project schedule and budget, meeting attendance, and coordination with the Borough, NJDEP, and other stakeholders as needed to ensure proper scheduling and implementation of the project. Artheon will prepare and submit all applicable site remediation forms and reports relevant to the proposed investigation to NJDEP. It is assumed that the Borough will be responsible for directly remitting all site remediation fees that may be assessed.

That being said, we propose the following scope of services:

1. Geophysical Survey

Artheon will retain the services of a qualified sub-consultant to perform a geophysical investigation in areas where historic infrastructure was present on the site. The geophysical consultant will employ electromagnetic

(EM), radio frequency (RF), and ground-penetrating radar (GPR) techniques to assess the presence subsurface infrastructure including USTs, septic systems, and piping as well as buried waste. This proposal includes one (1) day to complete the geophysical survey. An Artheon representative will be present onsite to identify the survey areas and evaluate the preliminary findings.

2. Soil Investigation

Artheon will retain the services of a qualified drilling contractor to install direct-push soil borings in the identified AOCs. This proposal includes one (1) day of drilling services. Artheon personnel will be onsite to direct the driller, log the soils, and collect samples for lab testing.

AOC-1: Historic Fill Area

Based on regional mapping and aerial photos, historic fill is suspected to be present at the site. Pursuant to the requirements at N.J.A.C. 7:26E-3.12(a) & 4.7(a), the presence of historic fill material will be confirmed by performing a series of test borings to characterize and delineate the vertical and general horizontal extent of the fill. Based on the site location and topography, it is anticipated that the borings will be advanced to depths varying from 10 to 15 feet below ground surface.

Borings will be installed within the suspected extent of the historic fill and advanced to a depth of two feet below the fill material. Soils will be field screened for volatile emissions utilizing a PID, and each boring will be logged to document stratigraphy, soil texture and composition, anthropogenic features (i.e., ash, brick, debris), PID readings, staining or other indications of potential contamination, depth to ground water, and the vertical extent of any fill materials. Sample locations and subsurface conditions will be photo-documented.

If historic fill material is encountered as suspected, no samples will be collected for laboratory analysis and the historic fill will be assumed to be contaminated pursuant to N.J.A.C. 7:26E-3.12(b).

AOC-2: Historic Infrastructure Area

In accordance with NJDEP requirements, other potentially contaminated AOCs on the site will be investigated independently of the historic fill material.

- A geophysical investigation will be conducted as specified above for Task 1, and additional soil borings will be installed to specifically evaluate conditions and screen for potential contamination in the areas of historic infrastructure and/or geophysical anomalies.
- This proposal includes collection of six (6) discrete soil samples for analysis of fractionated Extractable Petroleum Hydrocarbons (EPH Category 2), Volatile Organic Compounds (VO+10), Semi-Volatile Organic Compounds (BN+15), PCBs, and TAL Metals (waste oil parameters per N.J.A.C. 7:26E-2.1). Depending on analytical results, three (3) soil samples also will be analyzed for SPLP metals to evaluate leaching potential. The actual analyses selected will depend on the soil conditions and preliminary results.

Samples will be collected in conformance with the *Field Sampling Procedures Manual* (NJDEP; 2024) and the quality assurance requirements at N.J.A.C. 7:26E-2.1. Samples will be delivered to a State certified laboratory

with proper chain-of-custody and analyzed for the target parameters using EPA approved methods. Standard laboratory turnaround times for analytical results are assumed. Sample locations will be recorded using portable GPS equipment.

3. Site Investigation Report

A Site Investigation Report (SIR) will be prepared to fully document the investigation activities and results in accordance with the requirements at N.J.A.C. 7:26E-3.13. The SIR will present a detailed description of the investigation activities and results, including all required sample location plans, analytical results tables with comparison to applicable remediation standards and screening criteria, soil boring logs, geophysical reports, laboratory analytical reports, and photos. If applicable, an initial Receptor Evaluation (RE) will be completed in accordance with the requirements at N.J.A.C. 7:26E-1.12.

Based on the investigation results, the SIR will present conclusions regarding the presence of contamination at the site, and will include recommendations for further investigation and/or remediation if needed to comply with regulatory requirements.

4. Remedial Action Report

If the suspected presence of widespread historic fill at the site is confirmed, the presumptive remedy for AOC-1 is installation of engineering and institutional controls (cap and deed notice). Since the proposed park improvements include raising the topographic grade of the site, it is assumed that a remedial cap can be accommodated. Typically, a high-visibility geotextile is installed as a demarcation layer at the boundary of the contaminated fill and the overlying clean cap. Depending on the findings of the AOC-2 site investigation, additional remediation may be targeted to localized areas of buried infrastructure.

Engineering services for general construction oversight and administration have been provided under a separate task. This task includes limited spot inspection of the remedial cap installation for historic fill.

Following completion of the soil remediation, i.e. installation of a cap and filing of a deed notice, a Remedial Action Report (RAR) will be prepared in accordance with the requirements at N.J.A.C. 7:26E-5.7. The RAR will present a technical overview of the site remediation including as-built grading and remedial cap plan and details, clean fill documentation, post-remedial sample location plans analytical results tables, laboratory reports, quality assurance plan, data validation, and field logs and photographs to document completion of the remedial action. Pursuant to the requirements at N.J.A.C. 7:26E-1.12 et seq., an updated receptor evaluation will be prepared and submitted with the RAR.

Artheon will complete the online remedial action form and electronically submit the RAR and RE to NJDEP on behalf of the County. Additionally, Artheon will update the Case Inventory Document (CID) for the site.

This task is limited to remediation of historic fill. If required, oversight and reporting for remediation of other AOCs, will be addressed in a separate proposal.

5. Deed Notice and Remedial Action Permit

If contaminated historic fill remains on the site beneath a remedial cap, a deed notice is required in accordance with N.J.A.C. 7:26E-5.2(a)4 and N.J.A.C. 7:26C-7.2. The deed notice and required exhibits will be prepared and filed at the County Clerk office.

Artheon will apply to the NJDEP for a Remedial Action Permit (RAP) for Soil pursuant to the requirements at N.J.A.C. 7:26C-7.5. The RAP will define the post-remedial regulatory inspection, maintenance, certification, and reporting requirements. This proposal includes the permit application fee.

6. Response Action Outcome

Following completion of remediation activities in accordance with all applicable regulations and rules, the LSRP will issue a Response Action Outcome (RAO) pursuant to N.J.A.C. 7:26C-6.2. A site-wide RAO is contingent upon achieving the applicable remediation standards for all impacted media in all contaminated areas of concern on the site.

It is anticipated that the RAO will be for restricted use since contamination above remediation standards will remain in place with engineering and institutional controls. The RAO is a written determination by the LSRP indicating that the contaminated area of concern was remediated in accordance with applicable regulations and that no further remedial action is required. The RAO will be issued using the standard letter format provided by NJDEP.

If all areas of concern have not been fully remediated in accordance with the Technical Requirements for Site Remediation (N.J.A.C. 7:26E) and NJDEP conditions, then a site-wide RAO cannot be issued. A RAO for a specific AOC on the site may be issued if appropriate.

We will provide the necessary services as described above:

Summary of Fees:

1. Geophysical Survey.....	\$3,000.00
2. Soil Investigation.....	\$11,900.00
3. Site Investigation Report.....	\$11,200.00
4. Remedial Action Report	\$12,700.00
5. Deed Notice & Remedial Action Permit	\$6,300.00
6. <u>Response Action Outcome.....</u>	<u>\$4,700.00</u>
Total Fee for Services (Not to Exceed).....	\$49,800.00

The budget includes an estimated \$11,000 for direct costs (geophysics, drilling services, field equipment rental, and laboratory analyses).

Exceptions

- Any services outside the scope of this proposal will be considered extra and will be invoiced on an hourly basis in accordance with the enclosed rate schedule or a mutually agreed upon fixed fee. The rate schedule is subject to change on January 1 of each year
- The scope of work is limited to the tasks specified above. Based on the findings of the proposed investigations, further action may be required to comply with applicable regulations as part of any acquisition or redevelopment activities.
- This proposal is limited to remediation of historic fill and does not include remediation of other AOCs. Also, no specific groundwater investigation is proposed. If required, a separate proposal will be provided for additional work associated with other AOCs.
- This proposal does not include payment of NJDEP annual remediation fees.

Should this fee estimate meet your approval, please provide our office with a professional services agreement or Resolution as an indication to proceed with the work.

In the meantime, should you have any questions concerning this matter, please do not hesitate to contact this office.

Sincerely,



ARTHEON

Matthew R. Zwingraf, PE, CME, CFM
Director

JS\MZ

cc: Michele Clark, RMC
Jeffrey Elsasser, CFO
Trevor J. Taylor, PE, PP, CME
Behram Turan, PE, LSRP
James Sousa, LSRP

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Rob-262

RESOLUTION NO. 2026-

Governor's Council on Alcoholism and Drug Abuse Fiscal Grant Cycle July 2026-June 2027

WHEREAS, the Governor's Council on Substance Use Disorder (GCSUD) established the Municipal Alliances for the Prevention of Substance Use Disorder in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent substance use disorder in communities throughout New Jersey.

WHEREAS, The Borough Council of the **Borough of Keyport**, County of Monmouth, State of New Jersey recognizes that substance use disorder is a serious problem in our society amongst persons of all ages; and therefor has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent substance use disorder in our community; and,

WHEREAS, the Borough Council has applied for funding to the Governor's Council on Substance Use Disorder through the County of Monmouth;

NOW, THEREFORE, BE IT RESOLVED by the, County of Monmouth, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Keyport Borough Municipal Alliance grant for fiscal year 2027 in the amount of:

GCSUD Grant Fund	<u>\$ 13,670.00</u>
Cash Match	<u>\$ 3,417.50</u>
In-Kind	<u>\$ 10,252.50</u>

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: _____
Rose P. Araneo, Mayor

CERTIFICATION

I, Michele Clark, Municipal Clerk of the Borough of Keyport, County of Monmouth, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Borough Council on this 15th day of September, 2026.

Michele Clark, RMC
Municipal Clerk

RESOLUTION NO. 2026-**RESOLUTION OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, SUPPORTING ASSEMBLY BILL NO. A2273 ESTABLISHING A MUNICIPAL WATER INFRASTRUCTURE PLANNING AND DESIGN PROJECT GRANT PROGRAM**

WHEREAS, the Borough of Keyport, a coastal municipality on the Raritan Bay in Monmouth County, faces persistent stormwater management challenges, heightened localized flooding, and critical infrastructure pressures driven by severe climate events; and

WHEREAS, New Jersey municipal water infrastructures, including Keyport's stormwater conveyance networks, require continuous modernization, asset management mapping, and capital engineering to satisfy rigorous state MS4 permit mandates and safeguard local waterways; and

WHEREAS, New Jersey Assembly Bill No. A2273, introduced by Assemblywoman Margie Donlon, proposes the creation of a landmark \$100 million Municipal Water Infrastructure Planning and Design Project Grant Program within the New Jersey Department of Environmental Protection (NJDEP); and

WHEREAS, Assembly Bill A2273 explicitly stipulates that municipal governments may receive individual grants up to \$2,000,000 to fund critical phase-one components—including design engineering, utility feasibility analyses, and environmental permitting—without any mandatory local matching fund requirements; and

WHEREAS, the proposed legislative framework proactively prioritizes flood-prone, coastal, and overburdened communities, offering Keyport an invaluable financial pipeline to initiate large-scale climate resiliency projects that would otherwise place an immense capital burden on local property taxpayers.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, County of Monmouth, State of New Jersey, that the municipality formally endorses and urges the immediate passage of Assembly Bill No. A2273 by the New Jersey State Legislature to establish the Municipal Water Infrastructure Planning and Design Project Grant Program; and

BE IT FURTHER RESOLVED that the Borough Governing Body strongly encourages its legislative district representatives and State leadership to fully fund this mechanism, recognizing that technical design planning capital represents the single greatest initial hurdle for local environmental infrastructure execution; and

BE IT FURTHER RESOLVED that the Municipal Clerk is hereby authorized and directed to transmit certified copies of this Resolution to Governor Mikie Sherrill, NJDEP Commissioner Ed Potosnak, State Senator Declan O'Scanlon, Assemblyman Gerry Scharfenberger, Assemblywoman Victoria Flynn, and the New Jersey League of Municipalities.

CERTIFICATION

I, Michele Clark, Municipal Clerk of the Borough of Keyport, County of Monmouth, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly adopted by the Borough Council at a meeting held on this 15th day of September 2026.

Michele Clark, RMC
Municipal Clerk

Attest:

Michele Clark, RMC
Municipal Clerk

Rose P. Araneo, Mayor
Borough of Keyport

Bob 204

RESOLUTION NO. 2026-

**APPOINTMENT OF KEYPORT BAYFRONT BUSINESS COOPERATIVE (KBBC)
BOARD OF DIRECTORS MEMBER – *Lorraine DeVizia***

WHEREAS, the Borough of Keyport, County of Monmouth (the “**Borough**”) established the Keyport Business Improvement District by Borough Ordinance in accordance with the provisions of N.J.S.A. 40:56-65 et seq. and designated the Keyport Bayfront Business Cooperative (the “**KBBC**”) as the managing entity of the Keyport Business Improvement District; and

WHEREAS, the operations of the KBBC are managed by a Board of Directors (“**Board**”) selected in accordance with section 21-7 of the Borough Code and comprised of the Mayor, or the Mayor’s designee; one (1) member of the Borough Council; one (1) member of the Recycling Committee, Environmental Commission or a Code Enforcement Official; one (1) resident or property owner not assessed by the Business Improvement District, or an employee of the Borough; and nine (9) business property owners or occupants of assessed properties located within the Business Improvement District; and

WHEREAS, there exists a need for the appointment of a business property owner or occupant of assessed property located within the Business Improvement District to the KBBC Board and the Mayor has nominated Lorraine DeVizia, to serve in this position at the pleasure of the Mayor and Council until the next Board of Directors election.

WHEREAS, the results of the required background investigation revealed no disqualifying information, and Lorraine DeVizia, has been cleared to serve in such capacity for the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Council of the Borough of Keyport as follows the appointment of Lorraine DeVizia to the KBBC Board of Directors, to serve at the pleasure of the Mayor and Council until the next Board of Directors election, is hereby confirmed.

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on September 15, 2026.

Michele Clark, RMC
Borough Clerk

RESOLUTION NO. 2026-

**APPROVING MUNICIPAL ALLIANCE COMMITTEE GET HIGH ON LIFE, NOT
DRUGS EVENT AT WATERFRONT PARK ON OCTOBER 3, 2026**

WHEREAS, the Municipal Alliance Committee has submitted an application to host the Get High on Life, Not Drugs event at Waterfront Park on Saturday, October 3, 2026, from 11:00 a.m. to 1:00 p.m.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Keyport hereby approves the use of Borough property for the Get High on Life, Not Drugs event at Waterfront Park on Saturday, October 3, 2026, from 11:00 a.m. to 1:00 p.m.

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on September 15, 2026.

Michele Clark, RMC
Borough Clerk

RESOLUTION NO. 2026-**AUTHORIZING KEYPORT SCHOOL DISTRICT USE OF
BOROUGH PROPERTY FOR THE 2027 SEASON**

WHEREAS, the Keyport School District has submitted an application to use Borough property (Main Street Park and Cedar Street Park fields) for athletics from March 5, 2027 through July 30, 2027, Monday through Friday from 2:00 p.m. to 6:30 p.m., and Saturday from 8:00 a.m. to 12 p.m.; and

WHEREAS, the Keyport School District has requested that the applicable fees associated with the use of the Borough property be waived.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Keyport hereby authorizes the Keyport School District to use Borough property (Main Street Park and Cedar Street Park fields) for athletics from March 5, 2027 through July 30, 2027, Monday through Friday from 2:00 p.m. to 6:30 p.m., and Saturday from 8:00 a.m. to 12 p.m., with the applicable fees for such use waived as approved by the Governing Body.

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on September 15, 2026.

Michele Clark, RMC
Borough Clerk

RESOLUTION NO. 2026-

**APPROVING RECREATION COMMITTEE TO HOST A MOVIE NIGHT
AT WATERFRONT PARK ON SEPTEMBER 19, 2026**

WHEREAS, the Recreation Committee has submitted an application to host a movie night at Waterfront Park on Saturday, September 19, 2026, from 8:00 p.m. to 10 p.m.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Keyport hereby approves the use of Borough property for a movie night at Waterfront Park on Saturday, September 19, 2026, from 8:00 p.m. to 10 p.m. (with set up beginning at 7:30 p.m.).

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on September 15, 2026.

Michele Clark, RMC
Borough Clerk

RESOLUTION NO. 2026-**AMENDING RESOLUTION NO. 2026-121 AUTHORIZING
KEYPORT BAYFRONT BUSINESS COOPERATIVE (KBBC)
2026 EVENTS ON BOROUGH PROPERTY**

WHEREAS, by Resolution No. 2026-121, the Mayor and Council of the Borough of Keyport authorized the Keyport Bayfront Business Cooperative (KBBC) 2026 events on Borough property; and

WHEREAS, the KBBC has requested modifications to an event previously approved for Saturday, October 10, 2026, identified as "Octoberfest"; and

WHEREAS, the event is renamed "Concert by the Bay" and will consist of an afternoon concert with band music in the Mini Park; and

WHEREAS, the KBBC has determined the closure of American Legion Drive is no longer required; and

WHEREAS, the Police Chief has no objection to the change for the road closure; and

WHEREAS, the Mayor and Council have determined that the requested modifications are appropriate and in the best interest of the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, County of Monmouth, State of New Jersey, that Resolution No. 2026-121 is hereby amended as set forth herein.

BE IT FURTHER RESOLVED that all other terms and conditions of Resolution No. 2026-121 shall remain unchanged and in full force and effect.

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on September 15, 2026.

Michele Clark, RMC
Borough Clerk

RESOLUTION NO. 2026-

**RESOLUTION ACCEPTING THE RESIGNATION OF PROPERTY
MAINTENANCE/CODE ENFORCEMENT OFFICER PAUL MURPHY**

WHEREAS, Paul Murphy, serving as Property Maintenance/Code Enforcement Officer with the Borough of Keyport, has submitted a written resignation from employment with the Borough, effective August 28, 2026; and

WHEREAS, the Mayor and Borough Council wish to formally acknowledge receipt and acceptance of said resignation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Keyport, County of Monmouth, State of New Jersey, that the resignation of Paul Murphy from the position of Property Maintenance/Code Enforcement Officer, effective August 28, 2026, is hereby accepted and acknowledged; and

BE IT FURTHER RESOLVED that the appropriate Borough officials are authorized and directed to take all necessary steps to effectuate this resolution.

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on September 15, 2026.

Michele Clark, RMC
Borough Clerk

R26-270

RESOLUTION NO. 2026-

**RESOLUTION ACCEPTING THE RESIGNATION OF DEPUTY CLERK
CHERI THOMAS**

WHEREAS, Cheri Thomas, serving as Deputy Clerk with the Borough of Keyport, has submitted a written resignation from employment with the Borough, effective September 1, 2026; and

WHEREAS, the Mayor and Borough Council wish to formally acknowledge receipt and acceptance of said resignation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Keyport, County of Monmouth, State of New Jersey, that the resignation of Cheri Thomas from the position of Deputy Clerk, effective September 1, 2026, is hereby accepted and acknowledged; and

BE IT FURTHER RESOLVED that the appropriate Borough officials are authorized and directed to take all necessary steps to effectuate this resolution.

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on September 15, 2026.

Michele Clark, RMC
Borough Clerk

RESOLUTION NO. 2026-

**AUTHORIZING APPROVAL OF AMENDMENTS TO THE BYLAWS OF KEYPORT
BID, INC.**

WHEREAS, the Borough of Keyport ("Borough") has established a Business Improvement District in accordance with Chapter 21 of the Borough Code and the provisions of N.J.S.A. 40:56-65 et seq.; and

WHEREAS, Keyport BID, Inc., doing business as the "Keyport Bayfront Business Cooperative," has been designated as the District Management Corporation under state law and the Borough Code; and

WHEREAS, Section 21-8(c)(1) of the Borough Code authorizes the District Management Corporation to adopt bylaws to govern its affairs and business operations; and

WHEREAS, the Board of Directors of Keyport BID, Inc. has adopted revisions to its bylaws, which have been submitted to the Mayor and Council for approval in accordance with Borough Code Section 21-8(c)(1)(a);

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Keyport, County of Monmouth, and State of New Jersey, that the amendments to the bylaws of Keyport BID, Inc., specifically regarding the election process, as attached hereto as Exhibit A, are hereby approved.

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Council Meeting held on September 15, 2026.

Michele Clark, RMC
Borough Clerk

EXHIBIT A

RESOLUTION 2026-08-01

**RESOLUTION TO APPROVE AND AUTHORIZE THE AMENDMENT
OF THE CORPORATION'S BYLAWS**

WHEREAS, Keyport BID, Inc. dba Keyport Bayfront Business Cooperative (the "Corporation"), a non-profit corporation organized and existing pursuant to the New Jersey Nonprofit Corporation Act, the New Jersey Pedestrian Mall and Special Improvement District Act, and the ordinances of the Borough of Keyport, has determined that it is in need of amending its Bylaws; and

WHEREAS, the Bylaws are an integral document necessary for the orderly operation of the Corporation; and

WHEREAS, the Corporation's Board of Directors ("Board") wishes to amend the Bylaws to enhance the Board election process by eliminating unnecessary barriers to voting and by requiring that nominees undergo a background check; and

WHEREAS, in accordance with Article XIV of the current Bylaws, a copy of the proposed amendments was physically or electronically mailed to each member of the Board at least five (5) days in advance of this open public meeting; and

WHEREAS, upon thorough review and consideration, the Board now wishes to adopt the updated Bylaws; and

WHEREAS, the Board of Directors has found that it is in the best interest of the Corporation and its mission to approve and authorize the amendment of the Corporation's Bylaws; and

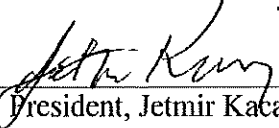
NOW THEREFORE,

BE IT RESOLVED, that the Board of Directors of Keyport BID, Inc. hereby approves and authorizes the amendment of the Corporation's Bylaws, subject to approval by the Mayor and Borough Council; and

BE IT FURTHER RESOLVED, that the Board hereby authorizes the President to take any and all administrative actions necessary to implement this resolution.

This Resolution shall take effect immediately.

PASSED and adopted on this 21st day of August 2026.



President, Jetmir Kacaj

Attachment
EXHIBIT A
TABLED 9/1/26

Keyport BID, Inc.

BYLAWS

Adopted: August 21, 2026
KBBC Board Resolution: 2026-08-01
Borough Council Resolution: _____

Deleted: September 10, 2024

Deleted: 2024-09

ARTICLE I

The Corporation

Section 1: Name

Keyport Bid, Inc. doing business as "Keyport Bayfront Business Cooperative" (hereinafter, "KBBC") is the name of the District Management Corporation for the Keyport Business Improvement District ("the District") of the Borough of Keyport, County of Monmouth (the "Borough") as designated by Section 21-7 of Borough Code.

Section 2: Office

The principal office of the corporation shall be located at such location or locations in the Borough as the Board of Directors designate.

Section 3: Purpose

As provided by Section 21-3 of the Borough Code, the KBBC shall strive to:

- (a) Foster the economic development and revitalization of the business community and strengthen its contributions to residents and property owners within the Borough of Keyport;
- (b) Establish a public/private partnership through a business improvement district and a district management corporation to allow all those who live, work or invest in the District to contribute to the improvement of the Borough and its business community;
- (c) Create and foster self-help programs to improve the local business environment;
- (d) Organize and coordinate community activities with other agencies, commissions, committees, organizations and other persons within the Borough;
- (e) Establish the procedures for the imposition of a special assessment and its collection by the Borough with the regular property tax payment or payment in lieu of taxes or otherwise, and for the transfer of all or a portion of these payments to the District Management Corporation to effectuate the purposes of Chapter XXI of the Revised General Ordinances of the Borough of Keyport and to exercise the powers given to it by this Chapter;
- (f) Provide for the administrative, planning and other services necessary to properly use the special assessment imposed and collected by the Borough to the maximum benefit of the business community and residents of the Borough of Keyport; and
- (g) Ensure that the business community has the resources required over and above the services regularly provided by the Borough to meet the unique needs of the District.

Section 4: Compliance with public laws

Keyport BID, Inc.
Bylaws

Adopted: August 21, 2026
KBBC Resolution No. 2026-08-01

Deleted: September 10, 2024

Deleted: 2024-09

In accordance with Section 21-7 of the Borough Code, the KBBC shall conduct its business in accordance with the Open Public Meeting Act, N.J.S.A. 10:4-6 et. seq., the Open Public Records Act, N.J.S.A. 47:1A-1 et seq., and the Local Public Contract Law, N.J.S.A. 40A:11-1 et seq.

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Section 5: Tax exempt status

The IRS has determined that the KBBC has a tax-exempt status under section 501(c)(3) of the Internal Revenue Code. Notwithstanding any other provision of these Bylaws, the Corporation shall not carry on any other activities not permitted to be carried on by a corporation exempt from Federal income taxation under Section 501(c)(3) of the Code, or the corresponding section(s) of any future United States Internal Revenue Law.

Section 6: Assets of the corporation

No part of the net income or assets of the Corporation shall inure to the benefit of, or shall be distributed to, any directors, officers or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services actually rendered and to make payments and distributions in furtherance of its exempt purpose pursuant to Section 501(c)(3) of the Code. The Corporation is irrevocably dedicated to and operated exclusively for non-profit purposes.

Section 7: Lobbying activities

No substantial part of the activities of the Corporation shall consist of the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate or intervene in any political campaign on behalf of or in opposition to any candidate for public office (including the publishing or distribution of statements).

ARTICLE II Board of Directors

Section 1: Directors

In accordance with Section 21-7 of the Borough Code, the KBBC shall have a Board of Directors consisting of thirteen voting Directors as follows:

- (a) The Mayor or Mayor's Designee;
- (b) One member of the Borough Council appointed by the Mayor with the approval of the Borough Council;
- (c) One member of the Recycling Committee, Environmental Commission or a Code Enforcement Official appointed by the Mayor with the approval of the Borough Council;
- (d) One resident or property owner not assessed under this chapter, who is not an employee or tenant of a business or property owner assessed under this chapter, or an employee of the Borough appointed by the Mayor with the approval of

Keyport BID, Inc.
Bylaws

Adopted: August 21, 2026
KBBC Resolution No. 2026-08-01

Deleted: September 10, 2024

Deleted: 2024-09

the Borough Council;

- (e) Nine ~~commercial property owners~~ or business owners of assessed properties located within the District, who shall be known as the "elected Directors." These ~~commercial property owners~~ or business owners of assessed properties shall not be employees or tenants of another Director on this Board.

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Section 2: Terms of office

The terms of office for the members of the Board of Directors are as follows:

- (a) The term of the Mayor shall be coterminous with his/her term in office. The term of the Mayor's designee shall be for a period of one year and shall be at the pleasure of the Mayor.
- (b) The term of the Directors appointed pursuant to Section 1(b)-(d) shall be for a period of one year and shall be at the pleasure of the Mayor and Council.
- (c) The term of the nine elected Directors shall be three years except when the elected Director is replacing an elected Director who did not complete his or her three-year term whether by way of resignation, removal, or any other reason. In such cases, the elected member's term will be determined in accordance with Article III, Section 2.
- (d) Vacancies on the Board of Directors shall be filled by appointment of the Mayor with the approval of the Council until the next election scheduled pursuant to these laws at which time a Director will be elected to serve for the balance of the unexpired term.

Section 3: Conflict of Interest

No Director shall have any financial interest in any contract with the Corporation or in any firm which has a contract with the Corporation. This restriction applies so long as the individual is serving on the Board and for a period of five (5) years following separation from the Board.

No Director shall nominate an individual to appear on the ballot for a KBBC election if that individual or their spouse has an immediate family member (e.g. grandparent, parent, uncle, aunt, sibling, spouse, child, niece, nephew, or grandchild) who is currently serving on the Board or who has already been nominated to appear on the ballot at the same Board meeting.

Section 4: Compensation

Directors shall not receive any compensation for their services.

ARTICLE III Voting

Section 1: Elected Director Groupings

- (a) Elected Directors will fall into one of three election groups (Group 1, Group 2

or Group 3) as defined below. The election groups are used to stagger the three-year terms and to assist with determining the terms of elected Directors.

- (b) Group 1 Directors are individuals who were either: (i) elected to serve one of the below three-year terms or (ii) elected to fill the position of a Director who was elected to serve, but did not complete one of the below three-year terms:

January 1, 2023-December 31, 2025
January 1, 2026-December 31, 2028
January 1, 2029-December 31, 2031
(and continuing at 3-year intervals)

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- (c) Group 2 Directors are individuals who were either: (i) elected to serve one of the below three-year terms or (ii) elected to fill the position of Directors who were elected to serve, but did not complete one of the below three-year terms:

January 1, 2024-December 31, 2026
January 1, 2027-December 31, 2029
January 1, 2030-December 31, 2032
(and continuing at 3-year intervals)

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- c) Group 3 Directors are individuals who were either: (i) elected to serve one of the below three-year terms or (ii) elected to fill the position of Directors who were elected to serve, but did not complete one of the below three-year terms:

January 1, 2025-December 31, 2027
January 1, 2028-December 31, 2030
January 1, 2031-December 31, 2033
(and continuing at 3-year intervals)

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Section 2: Term length when replacing Directors of unfinished terms

Directors elected to fill positions held by persons who did not complete their three-year term (or held by persons designated to temporarily fill the unfinished term) shall take office immediately upon certification of election and serve to the end date of the replaced Director's Group designation.

Section 3: Eligibility

To be eligible to vote in a Board of Directors election, the person must be either: (i) a commercial property owner in the District; or (ii) a business owner in the District.

To be eligible to appear on the ballot for an elected Director position, the person must be either: (i) a commercial property owner in the District not delinquent on property taxes and utilities; or (ii) a business owner in the District with a valid business certificate of occupancy. In addition, the person must successfully complete a background check conducted by the Borough in accordance with its Volunteer Background Check Policy.

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Section 4: Nomination

Keyport BID, Inc.
Bylaws

Adopted: August 21, 2026
KBBC Resolution No. 2026-08-01

Deleted: September 10, 2024

Deleted: 2024-09

Nominations shall be made at the October Board meeting and may come from the public or the Board. Self-nominations are permitted. Nominees shall be disqualified if they or their spouse have an immediate family member (e.g. grandparent, parent, uncle, aunt, sibling, spouse, child, niece, nephew, or grandchild) who is currently serving on the Board or who has already been nominated to appear on the ballot at the same Board meeting.

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Within two (2) business days of the October Board meeting, the KBBC shall determine whether nominated commercial property owners are delinquent on property taxes and/or utilities and whether nominated business owners have a valid certificate of occupancy.

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Nominees shall provide the Section 3 eligibility documentation (proof that property taxes and utilities have been paid for business property owners; valid certificate of occupancy for business owners) to the Board at the September Board meeting or to the entity supervising the election within five (5) business days following the September Board meeting. Nominees who fail to timely provide the required documentation shall not be eligible to appear on the ballot. §

Within seven (7) business days of the October Board meeting, the Borough shall complete background checks on all nominees and advise the KBBC of the results. If the background check results for any nominee are not received within the required timeframe, that nominee shall be deemed to have passed the background check.

Section 5: Election Supervision

All elections shall be supervised by the KBBC's legal counsel or an outside organization designated by the KBBC that has appropriate expertise in supervising similar elections.

Section 6: Approval of Eligible Candidates

The entity responsible for supervising the election shall review the findings of the KBBC and the Borough, determine the candidates eligible to appear on the ballot, and advise the KBBC of the eligible candidates following the October Board meeting.

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Section 7: Election of Candidates

- (a) Elections may be conducted via electronic or paper methods but in either case the voting shall be by secret ballot.
- (b) If the election is conducted electronically, a ballot containing the final slate of candidates for elected Director positions shall be prominently posted to the KBBC website no later than November 1. Commercial property owners and business owners shall have until November 20 to submit their ballots via the designated electronic method. Sections 7(c)-7(f) and 8(a) shall not apply to elections conducted via electronic methods.
- (c) If the voting is conducted by paper ballot, a ballot containing the final slate of candidates for elected Director positions on the Board shall be sent to each commercial property owner and each business owner no later than November 1. The mailed envelope containing the ballot shall also include a postage prepaid return envelope addressed to the entity responsible for supervising the election.
- (d) The mailed ballot shall also contain written instructions that the return envelope must be postmarked on or before November 15 and arrive at the supervising entity address on or before November 22. Ballots that are either: (i) not postmarked on or before November 15 or (ii) do not arrive at the supervising entity address on or before November 22 shall be considered invalid and not counted.

Deleted: Business property owner

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- (e) The ballots returned to the entity supervising the election are to be held in confidence unopened until certification.

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Section 8: Certification of Election

- (a) The entity supervising the election shall open and count the valid ballots no later than December 1.
- (b) The recipients of the highest number of votes shall be deemed the winners of the open Director positions on the ballot. If the open Director positions include positions having different term lengths, the winning recipients receiving the highest number of votes shall go to positions with the longest-term lengths and the winning recipients with the fewest number of votes shall go to the positions with the shortest-term lengths.
- (c) The entity supervising the election shall certify the results of the election to the Board of Directors no later than December 10.

ARTICLE IV Removal of Board of Director Members

Section 1: Grounds for removal

Directors of the Board of Directors may be removed from office on the following grounds:

- (a) Failure to attend at least seventy-five (75) percent of the regularly scheduled meetings of the Board during a twelve (12) month period or two (2) consecutive meetings without notice and explanation;
- (b) Failure to diligently perform assigned duties; or
- (c) Actions or conduct which discredits the reputation or encumbers the purposes, goals or operations of the Keyport Business Improvement District

Section 2: Procedure for Removal

- (a) The President of the Board or such other person as the Board shall designate shall notify the affected member in writing of the charges and the pending action and the regular or special meeting at which the action will be taken.
- (b) The member shall have the right to be present at this meeting and provide additional information and testimony on the member's behalf.
- (c) A vote for removal must be adopted by two-thirds of the Board of Directors in attendance at the meeting.

ARTICLE V Board of Director Meetings

Section 1: Monthly meetings

The KBBC shall conduct regular monthly meetings. The agenda and all copies of all items to be discussed must be given to all Board Directors at least 48 hours prior to the meeting. This can be accomplished by E-mail, Fax or by hand delivery. Items may be added to the agenda and discussed at the meeting with unanimous consent of those present.

Section 2: Post-meeting requirements

The KBBC shall file a copy of its full monthly agenda packet (which includes but is not limited to, financial documents, resolutions, policy updates and any other documentation provided as part of the packet) with the Borough Clerk within ten (10) calendar days of the KBBC's last meeting. In addition, a copy of the monthly meeting minutes shall be submitted to the Borough Clerk within ten (10) calendar days of approval by the KBBC and shall be posted on the KBBC's website within (10) calendar days of such approval.

Section 3: Meeting procedures

The meetings shall be conducted in accordance with parliamentary authority: Robert's Rules of Order, Revised.

Except as otherwise prohibited by law, any and all Directors may participate in a meeting of the Board by, or conduct the meeting through, the use of any means of communication by which all Directors may simultaneously hear each other during the meeting. A Director participating in a meeting by this means shall be deemed to be present in person at the meeting. If any Director wishes to participate telephonically, they shall give reasonable advance notice so that telephonic equipment may be properly arranged for.

Section 4: Quorum

A majority of the entire Board shall constitute a quorum for the transaction of business. The act of the majority present at a meeting at which a quorum is present shall be the act of the Board, unless the act of a greater number is required by law, the Certificate of Incorporation, or these Bylaws. Any action required to be authorized by a vote greater than a majority shall be rescinded or modified only by a like vote.

Section 5: Special meetings

Special Meetings may be called by the President or by a petition signed by at least four Board Directors. A minimum of 72-hour notice must be given to all board members. Notice of meetings must be in accordance with the Open Public Meetings Act.

Section 6: Participation of Board-elect Directors

To assist with the transition from year-to-year, Board-elect Directors are expected to attend the November and December Board Meetings to the extent they are available to do so. For the November and December Board Meetings, Board-elect members will have all the same rights and privileges as other Directors except that they will not be allowed to vote.

ARTICLE VI

Officers

Section 1: Election of officers

At the first meeting of each new fiscal year, the KBBC shall elect a President, Vice President, Secretary and Treasurer. The term of office shall be one year and no person may hold an office for more than three consecutive terms.

Section 2: President's Duties

The President's duties include: (a) preside at all meetings of the Board of Directors, at which he or she shall be present; (b) exercise such powers as are from time to time assigned to him or her by the Board of Directors; (c) oversee Board and executive committee meetings; (d) serve as ex-officio member of all committees; (e) make sure board resolutions are carried out and (f) call special meetings if necessary.

Section 3: Vice President's Duties

The Vice President's duties include: (a) at the request of the President or in his or her absence, or during his or her inability to act, perform the duties and exercise the functions of the President, and when so acting shall have the powers of the President and (b) such other duties as may be assigned to him or her by the President.

Section 4: Secretary's Duties

The Secretary's duties include: (a) cause minutes to be filed and maintained of the meetings of the Board of Directors in books provided for the purpose; (b) oversee that all notices are duly given in accordance with the provisions of the bylaws or as required by the Open Public Meetings Act; (c) serve as the custodian of the records of the corporation; and (d) perform all duties, as from time to time, may be assigned to him or to her by the Board of Directors or the President.

Section 5: Treasurer's Duties

The Treasurer's duties include: (a) have charge of and be responsible for all funds, securities, receipts, and disbursements of the corporation; (b) deposit or cause to be deposited in the name of the corporation all monies in accordance with the most recent Board-adopted version of the Internal Control Policy; (c) whenever requested, but at a minimum at each meeting, provide an account of the financial condition of the corporation; (d) serve as financial officer of the organization; and (e) work with the President to ensure that appropriate financial reports are made available to the board on a timely basis.

Section 6: Transition Duties for all elected Officers

In order to provide a smooth transition for newly elected Officers, the elected Officers for the prior fiscal year shall attend the first meeting of the next fiscal year and assist the newly elected Officers for the first month of the next fiscal year but in an advisory capacity only. These transition duties apply irrespective of whether or not the prior year elected Officer is a Board Member for the next fiscal year.

ARTICLE VII

Committees

The President of the Board shall establish and appoint such committees, committee chairpersons, and committee members as may be deemed necessary, with the advice and consent of a simple majority of the entire Board.

The Committee Chairperson shall prepare an agenda and keep minutes of the committee's meetings and submit reports of these meetings to the Board. For committee meetings, a simple majority of the members of the committee shall constitute a quorum.

ARTICLE VIII

Procurement Guide and Internal Control Policy

The Board of Directors shall comply with the Board's most recently adopted Procurement Guide and Internal Control Policy.

ARTICLE IX

Personnel

The Board of Directors may hire and/or retain an administrator, manager, staff and/or consultants as necessary to achieve the purposes of the KBBC. Compensation for any personnel will be determined by a vote of the full Board of Directors.

ARTICLE X

Annual Reports

Section 1: Audited statement of operations

On an annual basis, a full and correct statement of the affairs of the Corporation, including a balance sheet and statement of operations for the preceding fiscal year ("the annual report") shall be submitted at a regular meeting of the Board of Directors and filed immediately thereafter at the principal office of the corporation.

Section 2: Borough filing

Within thirty (30) days after the close of each fiscal year, the annual report shall be filed with the Mayor and Clerk of the Borough of Keyport.

Section 3: Annual Audit

The balance sheet and statement of operations for the preceding financial year shall be audited and certified by an independent Certified Public Accountant and filed with the Borough within four months after the close of the fiscal year of the corporation.

Section 4: New Jersey filing

Certified duplicate copy of the audit shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs, State of New Jersey, within

five days of the filing of the audit with the governing body of the municipality.

ARTICLE XI **Fiscal Year**

The fiscal year of the Corporation shall be the calendar year commencing January 1 and ending December 31, unless otherwise provided by resolution of the Board of Directors.

ARTICLE XII **Dissolution**

A vote to dissolve the Corporation will require the affirmative vote of a supermajority (at least 66%) of the entire Board. Upon the dissolution of the Corporation, all of the remaining assets of the Corporation shall be distributed to: 1) the Federal government, for a public purpose; 2) to a State or local government, for a public purpose; or 3) to one or more organizations created and operated for one or more exempt purposes, other than for religious purposes, within the meaning of Section 501(c)(3) of the Code, or the corresponding section of any future United States Internal Revenue Law.

Any such assets not so disposed of shall be disposed of by a court of competent jurisdiction of the county in which the principal office of the Corporation is then located, to one or more organizations created and operated for one or more exempt purposes, other than for religious purposes, within the meaning of Section 501(c)(3) of the Code, or the corresponding section of any future United States Internal Revenue Law.

ARTICLE XIII **Indemnification**

Each director, officer, employee or corporate agent of the KBBC shall be indemnified by the KBBC to the full extent permitted by N.J.S.A. 15A:3-4 or any other applicable provision of law.

ARTICLE XIV **Amendments to the Bylaws**

The Board shall have the power to amend or repeal these Bylaws. Any amendment to either the Bylaws or the Corporation's Certificate of Incorporation shall require the affirmative vote of a supermajority (at least 66%) of the entire Board, provided that a copy of the proposed amendment was physically or electronically mailed to each member of the Board at least five (5) days in advance of the vote, and provided further that no amendment may be made that would cause the Corporation to no longer qualify as an exempt organization described in Section 501(c)(3) of the Code, or the corresponding section(s) of any future United States Internal Revenue Law.

In accordance with Section 21-8(c)(1)(a), any amendments to the Bylaws shall be approved by the Mayor and Borough Council prior to implementation.

ARTICLE XV **Miscellaneous**

Keyport BID, Inc.
Bylaws

Adopted: August 21, 2026
KBBC Resolution No. 2026-08-01

Deleted: September 10, 2024

Deleted: 2024-09

Section 1: Severability

If these Bylaws contain any provision found to be unlawful by a court of competent jurisdiction, the same shall be deemed to be of no effect and shall be deemed stricken from these Bylaws without impairing or affecting in any manner the validity, enforceability, or effect of the remaining provisions of these Bylaws.

Section 2: Captions

The captions herein are inserted only as a matter of convenience and for reference and in no way define, limit or describe the scope of these Bylaws or the intent of any provisions thereof.

Section 3: Waiver

No restrictions, condition, obligation or provision contained in these Bylaws shall be deemed to have been abrogated or waived by reason of any failure to enforce the same.

Section 4: Seal

The Board of Directors shall provide a suitable seal, bearing the name of the Corporation, which shall be in the custody and charge of the Secretary.

Section 5: Bonds

The Board of Directors may require any officer, agent or employee of the Corporation to give a bond to the Corporation conditioned upon the faithful discharge of his or her duties with one or more sureties and in such amount as may be satisfactory to the Board of Directors.

ORDINANCE NO. 2026-20

AN ORDINANCE AMENDING CHAPTER 2, "BOARDS, COMMISSIONS, AND COMMITTEES", BY AMENDING SUBSECTION 2-7.1 "HARBOR COMMISSION" OF THE CODE OF THE BOROUGH OF KEYPORT

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

WHEREAS, N.J.S.A. 40:48-2 authorizes the Township to make, amend, repeal and enforce ordinances it may deem necessary and proper for the good government, order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

WHEREAS, the Borough desires to amend section 2-7.1 in the Boards, Commissions, and Committees section of the Borough Code to add a designated member of the Keyport Yacht Club to the Harbor Commission; and

WHEREAS, the Borough desires to amend the Code in accordance with the terms provided for herein; and

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

Deletions are indicated by ~~strikethroughs~~

Additions are indicated in **bold underline**

Language that remains unchanged is not highlighted in anyway

SECTION I. Sub-chapter 2-7.1 in Chapter II, Administration, is hereby amended as follows:

§2-7.1 Harbor Commission.

- A. Establishment. There shall be a local harbor commission to be known as "The Harbor Commission of the Borough of Keyport."
- B. Composition and Terms. The Commission shall consist of seven ~~members residents of the Borough~~ and shall be appointed by the Mayor **with the advice and consent of the Borough Council** and confirmed by the Borough Council pursuant to law. Two members of the Commission shall be members of the Governing Body and shall be appointed annually. **One member of the commission shall be a member of the Keyport Yacht Club and shall be appointed annually.** The remaining ~~five~~ **four** members shall be ~~Borough residents~~ appointed for the following terms: one member for a term of one year; one for a term of two years; one for a term of three years; **and** one for a term of four years, ~~and one for a term of five years.~~ Thereafter all appointments, except the members of the Governing Body **and Keyport Yacht Club** who shall be appointed for the period of one

year, shall be for the term of five years each, and the members shall serve until their successors are appointed and qualified.

- C. Chairman; Secretary. From their membership the Commission shall select by a majority vote one member to act as Chairman and one member to act as Secretary, each for a term of one year or until their successors are appointed and qualified.
- D. Powers and Duties. The Commission shall have the power to make, amend, adopt, and repeal bylaws for its operation and designate such additional officers from its membership as it shall deem necessary.

The Commission shall be vested with the power and duty to regulate and control with respect to the management, operation and control of the harbor and waterfront owned or leased by the Borough, including the construction, maintenance, operation and use of the harbor, waterfront, beach, land and all properties, structures, piers, bulkheads and jetties located upon lands owned or leased by the Borough and upon lands owned or leased by the Borough contiguous to the Raritan Beach of the Borough. However, the Commission shall have no power, authority, control or otherwise with respect to lands or premises to the programs, policies, and use of lands and premises and beaches presently owned by the Borough or in the future to be acquired by the Borough for recreational purposes.

- E. Expenditures. The Commission shall not create any expenditure of any kind, nature or description, including but not limited to any lease or transfer of property to a value exceeding \$500 without first acquiring the approval of the Mayor and Borough Council.
- F. Compensation. Each member of the Commission shall serve without compensation.

SECTION II. It is the intent of the Municipal Council to incorporate the additions, amendments and/or supplements contained in this Ordinance in to the Code. All of the remaining provisions in Chapter II of the Code Shall remain unchanged and have full force and legal effect. All other resolutions and ordinances governing the Harbor Commission enacted and inconsistent herewith are hereby modified pursuant to the terms of this Ordinance.

SECTION III. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.

Introduced: August 4, 2026

Public Hearing: September 15, 2026

Adopted:

Michele Clark, RMC
Borough Clerk

Mayor Rose P. Araneo
Keyport Borough

ORDINANCE NO. 2026-21

AN ORDINANCE AMENDING CHAPTER 23, "BOARD OF HEALTH REGULATIONS", BY ADDING SUBSECTION 23-10 "INTENTIONAL RELEASE OF BALLOONS" OF THE CODE OF THE BOROUGH OF KEYPORT

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

WHEREAS, N.J.S.A. 40:48-2 authorizes the Borough to make, amend, repeal and enforce ordinances it may deem necessary and proper for the good government, order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

WHEREAS, the Borough desires to amend Chapter 23, Board of Health Regulations, of the Borough Code to add subsection 23-10, Intentional Release of Balloons; and

WHEREAS, the Borough desires to amend the Code in accordance with the terms provided for herein; and

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

Deletions are indicated by ~~strikethroughs~~

Additions are indicated in **bold underline**

Language that remains unchanged is not highlighted in anyway

SECTION I. Subsection 23-10 in Chapter XXIII, Board of Health Regulations, is hereby added to the Code as follows:

§23-10. Intentional Release of Balloons.

§23-10-1. Purpose.

It is hereby found and declared that it will be the public policy of Borough of Keyport to take action when feasible to reduce the effects of certain products utilized, placed, or released within the environment in order to protect the health and safety of the general public.

§23-10-2. Release of Balloons.

This section is adopted in order to protect the environment, particularly the wildlife, and the health, safety and well-being of persons and property by prohibiting the release of helium balloons into the atmosphere, including latex and mylar, as it has been determined that the release of balloons inflated with lighter-than-air gases pose a danger and nuisance to the environment, particularly to wildlife and marine animals so as to constitute a public nuisance and may pose a threat to the safety of its inhabitants and their property.

§23-10-3. Prohibited Releases.

It shall be unlawful for any person, firm or corporation to intentionally release, organize the release, or intentionally cause to be released balloons inflated with a gas that is lighter than air within the Borough of Keyport limits, except for:

- 1. Balloons released by a person on behalf of a governmental agency or pursuant to a governmental contract for scientific or meteorological purposes.**
- 2. Hot air balloons that are recovered after launching.**
- 3. Balloons released indoors.**

§23-10-4. Violations and penalties.

Any person found in violation is guilty of a non-criminal infraction punishable by a fine not to exceed the sum of five hundred (\$500.00) dollars.

SECTION II. It is the intent of the Municipal Council to incorporate the additions, amendments and/or supplements contained in this Ordinance into the Code. All of the remaining provisions in Chapter XXIII of the Code Shall remain unchanged and have full force and legal effect. All other resolutions and ordinances governing the intentional release of balloons enacted and inconsistent herewith are hereby modified pursuant to the terms of this Ordinance.

SECTION III. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.

ORDINANCE INTRODUCED						
Councilmember	Offered	Seconded	Aye	Nay	Abstain	Absent
Brady		X	X			
Bergen			X			
Kyne			X			
McNamara	X		X			
Merla			X			
Pecora			X			

CERTIFICATION

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the ordinance introduced by the Governing Body of the Borough of Keyport on September 1, 2026.

/s/ Michele Clark

Michele Clark, RMC

Borough Clerk

ORDINANCE ADOPTED						
Councilmember	Offered	Seconded	Aye	Nay	Abstain	Absent
Brady						
Bergen						
Kyne						
McNamara						
Merla						
Pecora						

Introduced: September 1, 2026

Public Hearing: September 15, 2026

Adopted:

Michele Clark, RMC

Borough Clerk

Rose P. Araneo, Mayor

Borough of Keyport

Public Hearing - Adopt
Ord. #3

ORDINANCE NO. 2026-22

AN ORDINANCE AMENDING CHAPTER 23, "BOARD OF HEALTH REGULATIONS," TO ELIMINATE THE LICENSING REQUIREMENT FOR CATS OF THE CODE OF THE BOROUGH OF KEYPORT

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

WHEREAS, N.J.S.A. 40:48-2 authorizes the Borough to make, amend, repeal and enforce ordinances it may deem necessary and proper for the good government, order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

WHEREAS, upon the recommendation of the Board of Health, the existing cat licensing requirements impose administrative and enforcement obligations upon the Borough that are disproportionate to their regulatory benefit; and

WHEREAS, the Borough desires to amend Chapter 23, Board of Health Regulations, of the Borough Code to amend subsection 23-4.2, Licensing provisions; and

WHEREAS, the Borough desires to amend Chapter 23, Board of Health Regulations, of the Borough Code to amend subsection 23-4.6, Impounding and destruction of certain animals; and

WHEREAS, the Borough desires to amend Chapter 23, Board of Health Regulations, of the Borough Code to amend subsection 23-4.7, Registration tags and general regulations; and

WHEREAS, the Borough desires to amend the Code in accordance with the terms provided for herein; and

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

Deletions are indicated by ~~strikethroughs~~

Additions are indicated in **bold underline**

Language that remains unchanged is not highlighted in anyway

SECTION I. Subsection 23-4.2 in Chapter XXIII, Board of Health Regulations, of the Code is hereby amended as follows:

§ 23-4.2 Licensing Provisions.

a. License Required. Licenses shall be required for the following dogs ~~and cats~~ of licensing age:

1. Any dog ~~and cat~~ owned or kept within the Borough by a resident of the Borough on January 1 of any calendar year.

2. Any dog ~~and-eat~~ acquired by any person during the course of any calendar year and kept within the Borough for more than 10 days after acquisition.
 3. Any dog ~~or-eat~~ of licensing age during the course of the calendar year.
 4. Any unlicensed dog ~~and-eat~~ brought into the Borough by any person and kept within the Borough for more than 10 days.
 5. Any dog ~~and-eat~~ licensed by another state brought into the Borough by any person and kept within the Borough for more than 90 days.
 6. Required Rabies Inoculation. All dogs ~~and-eats~~ kept in the Borough are required to be inoculated against rabies by a licensed veterinarian every three years.
Proof of such inoculation shall be presented upon application for a new dog ~~or-eat~~ license, or application for renewal of a dog ~~or-eat~~ license.
- b. Application for License. Each application for a license under this section shall give the following information:
1. General description of the dog ~~and-eat~~ sought to be licensed, including breed, sex, age, color and markings, and whether the dog and cat is of a long or short-haired variety.
 2. Name, street and post office address of the owner of and of the person who shall keep or harbor the dog ~~and-eat~~.
Registration numbers shall be issued in the order in which applications are received.
- c. Application for License, When Made. Applications for licenses for dogs ~~and-eats~~ which are required to be licensed by the provisions of subsection 23-4.2a,1 shall be made before February 1 of each calendar year. In all other cases, the application for a license shall be made at the time the dog ~~and-eat~~ in question first become subject to the provisions of this section.
- d. License Record. The information on all applicants under this section and the registration number issued to each licensed dog ~~and-eat~~ shall be preserved for a period of three years by the Secretary of the Board of Health. In addition, he shall forward similar information to the State Department of Health each month on forms furnished by the Department.
- e. Fees. The person applying for a dog ~~or-eat~~ license shall pay a fee of \$7 for each dog ~~or-eat~~, plus \$1 for the registration tag and \$0.20 for the State Pilot Clinic Fund or a three year fee of \$21, plus \$3 for the registration tag and \$0.20 for the State Pilot Clinic Fund. The same fees shall be charged for the annual renewal of each license and registration tag. The owner of any dog ~~or-eat~~ may, if the license tag is mislaid, stolen or lost, procure a duplicate tag upon the payment of an additional \$1. There is an additional fee of \$3 per animal for any animal which is not spayed or neutered.
- f. Expiration Date. Each dog ~~and-eat~~ license and registration tag shall expire on January 31 of the calendar year following the calendar year in which it was issued. A late fee of \$15 will be added to licenses which are applied for after February 15 of each year.

* * *

SECTION II. Subsection 23-4.6 in Chapter XXIII, Board of Health Regulations, of the Code is hereby amended as follows:

§ 23-4.6. Impounding and destruction of certain animals.

- a. Causes for Impounding. The Animal Control Officer shall take into custody and impound, or cause to be taken into custody and impounded, any of the following animals:
 1. Any unlicensed dog ~~or cat~~ running at large in violation of the provisions of this section.
 2. Any dog or cat off the premises of the owner of or of the person keeping or harboring the dog or cat which the Animal Control Officer or his agent has reason to believe is a stray animal.
 3. Any dog ~~or cat~~ off the premises of the owner of or of the person keeping or harboring the dog ~~or cat~~ without a current registration tag on its collar.
 4. Any animal which has been determined to be a vicious animal as provided in subsection 23-4.5 or which in the judgment of the Animal Control Officer of the Borough is considered to be dangerous and a threat to humans or other animal life or property, and provided further that if such animal cannot be seized with safety, it may be killed. Any animal having a record of biting a person or any other animal, shall be deemed dangerous on the second offense, except when he is attacked or is properly confined in or upon the owner's property.

* * *

- d. Disposition of Unclaimed Dogs or Cats. The Animal Control Officer is authorized and empowered to cause the destruction of any unclaimed dog or cat, in as humane a manner as possible, under the following contingencies:
 1. When any dog or cat so seized has not been claimed by the person owning, keeping or harboring the dog or cat within seven days after notice or within seven days of the dog or cat's detention when notice has not been or cannot be given, as set forth in the previous subsection.
 2. If the person owning, keeping or harboring any dog or cat so seized has not claimed the dog or cat and has not paid all expenses incurred by reason of its detention.
 3. If the seized dog ~~or cat~~ is unlicensed at the time of its seizure and the person owning, keeping or harboring the dog ~~or cat~~ has not produced a license and registration tag as provided in this section, the dog ~~or cat~~ shall not be released until proper licensing is established for that dog ~~or cat~~.

SECTION III. Subsection 23-4.7 in Chapter XXIII, Board of Health Regulations, of the Code is hereby amended as follows:

§ 23-4.7. Registration tags and general regulations.

- a. Wearing of Registration Tags. All dogs ~~and cats~~ which are required by the provisions of this section to be licensed shall wear a collar or harness with the registration tag for the dog ~~or cat~~ securely fastened thereto.
- b. Use of Registration Tags. No person, except an officer in the performance of his duties, shall remove a registration tag from the collar of any dog ~~or cat~~ without the consent of the owner, nor shall any person attach a registration tag to a dog ~~or cat~~ for which it was not issued.

* * *

- f. Leashing Dogs ~~and Cats~~. No person owning, keeping or harboring any dog ~~or cat~~ shall permit it to be upon the public streets or in any of the public places of the Borough unless such dog ~~or cat~~ is under the immediate supervision and control of ~~accompanied by~~ a person capable of controlling such animal and ~~it is~~ securely confined and controlled by an adequate leash ~~of not more~~ not exceeding six (6) feet long ~~in length~~.

* * *

SECTION IV. It is the intent of the Municipal Council to incorporate the additions, amendments and/or supplements contained in this Ordinance in to the Code. All of the remaining provisions in Chapter XXIII of the Code shall remain unchanged and have full force and legal effect. All other resolutions and ordinances governing licensing of cats enacted and inconsistent herewith are hereby modified pursuant to the terms of this Ordinance.

SECTION V. The codifier is authorized to renumber, reletter, redesignate, and make such non-substantive formatting, cross-reference, and organizational changes as are necessary to give effect to the amendments adopted by this Ordinance. Any list, subsection, paragraph, subparagraph, table, or other provision whose numbering or lettering has been altered by the deletion, addition, or relocation of provisions shall be adjusted accordingly to maintain a logical and sequential order. Such renumbering, relettering, redesignation, and related editorial changes shall not be construed as substantive amendments to the Code.

SECTION VI. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.

ORDINANCE INTRODUCED						
Councilmember	Offered	Seconded	Aye	Nay	Abstain	Absent
Brady		X	X			
Bergen			X			
Kyne			X			
McNamara	X		X			
Merla			X			
Pecora			X			

CERTIFICATION

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the ordinance introduced by the Governing Body of the Borough of Keyport on September 1, 2026.

/s Michele Clark
 Michele Clark, RMC
 Borough Clerk

ORDINANCE ADOPTED						
Councilmember	Offered	Seconded	Aye	Nay	Abstain	Absent
Brady						
Bergen						
Kyne						
McNamara						
Merla						
Pecora						

Introduced: September 1, 2026
 Public Hearing: September 15, 2026
 Adopted:

 Michele Clark, RMC
 Borough Clerk

 Rose P. Araneo, Mayor
 Borough of Keyport

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF KEYPORT CHAPTER 7, "TRAFFIC", SUBSECTION 7-3.13 "PERMIT PARKING ON CERTAIN STREETS AT CERTAIN TIMES"

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

WHEREAS, the Borough desires to amend Chapter 7, "Traffic", Subsection 7-3.13 "Permit Parking on Certain Streets at Certain Times" in accordance with the terms provided for herein; and

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

Deletions are indicated by ~~strikethroughs~~

Additions are indicated in **bold underline**

Language that remains unchanged is not highlighted in anyway

§ 7-3.13. Permit parking on certain streets at certain times.

No person except a resident displaying on the vehicle a valid permit issued by the Borough of Keyport for said purpose shall be permitted to park a vehicle on any of the following streets or parts of streets thereof.

Permits shall be issued only to vehicles registered to residences in the applicable areas or to a nonresident family member thereof. Exemptions for work vehicles required to be brought home are to be made to the Police Chief or his designee.

Notwithstanding the foregoing, permits for the east side of Atlantic Street between a limited distance along the east side of Atlantic Street beginning at the northern intersection of Monroe Street and continuing north a distance of approximately 1,010 feet along the eastern curbline, shall be issued to teachers of the affected school, and such permits shall be valid while school is in session from 7 a.m. to 3 p.m., so as to provide those teachers a dedicated area in which to park.

The number of permits issued to a residence, including nonresident family members thereof, is limited to three.

Permits, other than temporary permits, will expire one year after date of issuance.

Temporary permits for visitors are available upon application to the Police Chief or his designee, in advance of an event that requires additional parking. Said permit is of a different color and will specify the dates and times of validity.

Name of Street	Side	Hours/Days	Location
<u>Atlantic Street</u>	<u>East</u>	<u>While school is in session from 7 a.m. to 3 p.m.</u>	<u>A limited distance along the east side of Atlantic Street beginning at the northern intersection of Monroe Street and continuing north a distance of approximately 1,010 feet</u>
Eighth Street	North	24 hours	Entire length
Fulton Street	West	24 hours	Between Eighth Street and Seventh Street
Jackson Street	Both	7:00 a.m. to 7:00 p.m.; Saturday and Sunday; August through December	Between Atlantic Street and its most easterly terminus
Manchester Avenue	Both	24 hours	Between Eighth Street and Maple Place
Seventh Street	Both	24 hours	Entire length

ORDINANCE INTRODUCED						
Councilmember	Offered	Seconded	Aye	Nay	Abstain	Absent
Brady		X	X			
Bergen			X			
Kyne			X			
McNamara			X			
Merla	X		X			
Pecora			X			

CERTIFICATION

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the ordinance introduced by the Governing Body of the Borough of Keyport on September 1, 2026.

/s/ Michele Clark

Michele Clark, RMC
Borough Clerk

ORDINANCE ADOPTED						
Councilmember	Offered	Seconded	Aye	Nay	Abstain	Absent
Brady						
Bergen						
Kyne						
McNamara						
Merla						
Pecora						

Introduced: September 1, 2026
Public Hearing: September 15, 2026
Adopted:

Michele Clark, RMC
Borough Clerk

Rose P. Araneo, Mayor
Borough of Keyport

Mayor
Rose P. Araneo

Councilmembers
Kathleen McNamara, President
Robert Bergen
Heather Brady
Vincent Kyne
Joseph Merla
Alissa Pecora



MAYOR'S APPOINTMENT

Borough Administrator
Hector Herrera

Borough Clerk
Michele Clark, RMC

Chief Financial Officer
Jeffrey Elsasser, CMFO/QPA/CTC

September 15, 2026

Re: Appointment of Planning Board Member

Honorable Councilmembers:

Whereas, the Mayor and Council of the Borough of Keyport have established, by Ordinance, a Planning Board consisting of nine members; and

Whereas, the Ordinance provides that the Mayor shall appoint Class II, Class IV and Alternate members.

Now, Therefore, Be It Determined, that I, Rose P. Araneo, Mayor of the Borough of Keyport, do hereby appoint the following member of the Planning Board for the term designated:

MEMBER	TYPE	TERM
Alfred A. Litwak	Alternate #2	Unexpired term of William Greaux ending 12/31/2026

Respectfully,

Mayor Rose P. Araneo