Amended 9/1/26

BOROUGH OF KEYPORT

MEETING AGENDA

TUESDAY, SEPTEMBER 1, 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

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

R2026-243	Payment of Bills Listed on the September 1, 2026 Bills List
R2026-244	Approving the Borough of Keyport, County of Monmouth, Emergency Operations Plan
moved R2026-245	To be considered following Executive Session
R2026-246	To be considered following Executive Session
R2026-247	Temporarily Suspending the No-Parking Restriction on a Portion of Beers Street to Create Additional Parking During the Construction of the Fireman's Park parking lot
R2026-248	Authorizing the Promotional Appointment of Christopher Hicks as Assistant Water Treatment Plan Operator
New R2026-249	Authorizing the 2026 "Americana by the Bay" Municipal Concert Series and Coordinating Community Food Drives for the Keyport Ministerium Food Pantry
R2026-250	Approving the Request of the Arts Society of Keyport to Hold "Art on the Bay & Artist Ally" at Waterfront Park
R2026-251	Authorizing PBA Local 233 to Host an Event on American Legion Drive on October 17, 2026
R2026-252	Authorizing Use of Borough of Property by Friends of the Keyport Library for a Scarecrow Contest Winners Party
R2026-253	Amending Resolution 2026-121 Authorizing Keyport Bayfront Business Cooperative (KBBC) 2026 Events on Borough Property
R2026-254	Appointment of Keyport Bayfront Business Cooperative (KBBC) Board of Directors Member – Jeancarlo Torero

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 moved here

RESOLUTION-KBBC BYLAWS
R2026-255 Authorizing Approval and Amendments to the Bylaws of Keyport BID, Inc.
MM: 2nd: **Roll Call**: Brady, Bergen, Kyne, McNamara, Merla, Pecora

INTRODUCTION OF ORDINANCES

1. **Ordinance – 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**
1a. Motion to introduce:
MM: 2nd: **Roll Call**: Brady, Bergen, Kyne, McNamara, Merla, Pecora

2. **Ordinance – 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**
1a. Motion to introduce:
MM: 2nd: **Roll Call**: Brady, Bergen, Kyne, McNamara, Merla, Pecora

3. **Ordinance – 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"**
1a. Motion to introduce:
MM: 2nd: **Roll Call**: Brady, Bergen, Kyne, McNamara, Merla, Pecora

4. **Ordinance – Regulations for Junkyards and Salvage Yards**
The Clerk reads the Ordinance by Title: **AN ORDINANCE CREATING NEW CHAPTER 28, ENTITLED, "JUNKYARD AND SALVAGE YARD REGULATIONS", OF THE CODE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**
1a. Motion to introduce:
MM: 2nd: **Roll Call**: Brady, Bergen, Kyne, McNamara, Merla, Pecora

APPROVAL OF MINUTES
May 5, 2026 Regular Meeting
MM: 2nd: Ayes: Nays:

OLD BUSINESS
*Resident Parking Permit Division & Osborn (Merla)
*Short Term Rentals (McNamara)
*Street Closure Fees (Brady)
*Prepare Hurley Street Lot for Parking (Pecora)
*Stormwater Issue Reporting (Pecora)

NEW BUSINESS
*Request Approval for Valet Service (Burlew)
*Request Approval for GAR Post Sign (Gallo)
*Request Approval for 5K Sign Placement (Jones)
*Jet Vac for Storm Drains (Bergen)

BOROUGH ADMINISTRATOR REPORT

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:

EXECUTIVE SESSION

R2026-256 - Authorizing a meeting not open to the Public in accordance with the provisions of the New Jersey Open Public Meetings Act, for the purpose of discussing attorney-client privileged matters concerning lease of borough property.

MM: 2nd: Ayes: Nays:

moved here

RESOLUTIONS-MARINER'S VILLAGE

R2026-245	Authorizing Borough Administrator to Enter into an Agreement with 357 West Front LLC Requiring the Installation of a Standpipe System
R2026-246	Authorizing the Endorsement and Signature of a NJDEP TWA Permit Application for Mariner's Village at Keyport Urban Renewal Company LLC (Mariner's Village)

ADJOURNMENT

Motion to Adjourn MM: 2nd:

For Next Meeting 9/15

Removed KBBC Lorraine DeVizia Appt/Pending background check

Removed HARBOR COMM YACHT CLUB Member ORd due to Notice date

R26-243

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.	$ 571,976.16
	UTILITY FUND	$ 140,917.34
	GENERAL CAPITAL	$ 2,574.78
	RBIT	$ 2,411.30
	PAYROLL	$ 36,540.05
	WATER CAPITAL	$ 43,723.57
	TRUST OTHER	$ 11,430.00
	OPEN SPACE	$ 525.50

AUTHORIZED PER RESOLUTION

PASSED:

APPROVED:

MAYOR ROSE P. ARANEO

ATTEST:

MICHELE CLARK, BOROUGH CLERK

OFFERED BY:

SECOND BY:

ROLL CALL VOTE:
AYES:
NAYS:
ABSTAIN:
ABSENT:

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

MICHELE CLARK, BOROUGH CLERK

R26-244

RESOLUTION NO. 2026-

APPROVING THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, EMERGENCY OPERATIONS PLAN

WHEREAS, P.L. 1989, c. 222 mandates the development and approval of Emergency Operations Plans for all municipalities, counties and the State; and

WHEREAS, an Emergency Operations Plan will allow the Borough of Keyport (the "**Borough**") in correlation with its Office of Emergency Management to better prepare and manage Borough-wide emergencies; and

WHEREAS, the Borough must submit an Emergency Operations Plan through the County Office of Emergency Management, to the State Office of Emergency Management, for initial review and approval, and will require recertification every two (2) years; and

WHEREAS, the Mayor and Borough Council is in receipt of an Emergency Operations Plan and a request from its Office of Emergency Management for formal adoption; and

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

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

2. The Mayor and Council hereby approve and adopt the newly revised Municipal Emergency Operations Plan for the Borough that is maintained on file with the Borough Clerk.

3. The Borough Clerk shall forward a certified true copy of this resolution to the Monmouth County Office of Emergency Management Coordinator.

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

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

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

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 1, 2026.

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Michele Clark, RMC
Borough Clerk

R26-245

RESOLUTION NO. 2026-

A RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH 357 WEST FRONT LLC REQUIRING THE INSTALLATION OF A STANDPIPE SYSTEM

WHEREAS, 357 West Front LLC (the "Applicant") is the owner and/or developer of certain real property located within the Borough of Keyport, County of Monmouth, State of New Jersey (the "Subject Property"), and is required to design, permit, and construct a marina dry standpipe system at the Subject Property; and

WHEREAS, the Borough of Keyport (the "Borough") and the Applicant have negotiated an agreement setting forth the terms, timeframes, cost-bearing responsibilities, and inspection and maintenance obligations relating to the design, permitting, construction, and ongoing operation of the standpipe system; and

WHEREAS, the Mayor and Council of the Borough of Keyport have reviewed the proposed agreement and find that it is in the best interest of the public health, safety, and welfare of the Borough to authorize the execution of such agreement; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, County of Monmouth, State of New Jersey, that the Borough Administrator is hereby authorized and directed to execute an agreement with 357 West Front LLC substantially similar in form and substance to the agreement attached hereto and made a part hereof, subject to review and approval as to form by the Borough Attorney; and

BE IT FURTHER RESOLVED that the Borough Administrator and all other appropriate Borough officials are hereby authorized and directed to take all actions necessary to effectuate the purpose and intent of this Resolution; and

BE IT FURTHER RESOLVED that if any section, subsection, sentence, clause, or phrase of this Resolution is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption in accordance with law.

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 1, 2026.

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Michele Clark, RMC
Borough Clerk

STANDPIPE SYSTEM INSTALLATION AGREEMENT

This Standpipe System Installation Agreement (this "Agreement") is made as of ____ day of September 2026 by and between the Borough of Keyport, a municipal corporation of the State of New Jersey, with offices at 70 W. Front Street, Keyport, New Jersey 07735 (the "Borough"), and Mariner's Village at Keyport Urban Renewal Company, LLC, d/b/a 357 West Front LLC, a New Jersey limited liability company, with an address at [LLC NOTICE ADDRESS] (the "LLC"). The Borough and the LLC are sometimes referred to individually as a "Party" and collectively as the "Parties."

Definitions

I. AHJ. "AHJ" means the Borough's Authority Having Jurisdiction for review, approval, inspection, testing, acceptance, and enforcement of the Standpipe System

II. Standpipe System. "Standpipe System" means the required marina dry standpipe system for the Subject Property, including fire department connections, standpipe piping, valves, fittings, hydrants, fire hose cabinets, hoses, fire extinguishers, appurtenances, testing components, and all other improvements required by the AHJ .

III. Work. "Work" means all design, engineering, applications, permitting, procurement, construction, installation, testing, as-built preparation, closeout, and related work necessary to complete and obtain Borough acceptance of the Standpipe System.

Article I - LLC Obligations

I. Design. Within 30 days after the Effective Date, the LLC shall submit to the AHJ complete design plans for the Standpipe System, signed and sealed by a New Jersey-licensed Professional Engineer, for review and approval.

II. Design Standards. The LLC shall cause the Standpipe System to be designed and constructed in accordance with NFPA 14, NFPA 303, all applicable New Jersey and Borough codes and ordinances, and all applicable standards and written requirements of the AHJ.

III. Written Approval. The Borough's designee shall issue any design approval in writing, subject to any conditions, revisions, or supplemental submissions reasonably required by the AHJ.

IV. Permits. Within 15 days after receipt of written design approval from the Borough or the AHJ, the LLC shall submit all required permit applications and supporting materials necessary for construction of the Standpipe System at the Subject Property.

v. **Construction.** Within 30 days after receipt of all required construction permits, the LLC shall complete construction and installation of the Standpipe System to the satisfaction of the AHJ and shall submit final as-built drawings to the Borough and the AHJ.

V. Outside Completion Date. Notwithstanding any other schedule in this Agreement, the LLC shall complete the design, permitting, construction, testing, and closeout of the Standpipe System to the satisfaction of the AHJ no later than November 15, 2026.

VI. Costs. The LLC shall bear all costs and expenses associated with the Work, including design, engineering, permitting, construction, testing, closeout, maintenance, and Borough professional review fees.

Article II — Permits, Approvals, Access, and Inspection

I. Permits and Approvals. The LLC shall obtain and maintain, at its sole cost, all permits, approvals, inspections, and authorizations required for the Work. The Borough's execution of this Agreement does not constitute land use approval, construction approval, fire code approval, or waiver of any permit, inspection, or code requirement.

II. Access. The LLC shall provide the Borough, the AHJ, the Borough's fire officials, inspectors, engineers, consultants, emergency services personnel, and other authorized representatives with reasonable access to the Subject Property and the Standpipe System for plan review, inspection, testing, emergency response planning, acceptance, and enforcement purposes, upon reasonable notice except in emergencies.

III. Testing and Acceptance. The LLC shall perform or cause to be performed all testing required by the AHJ and applicable standards. The Standpipe System shall not be deemed accepted unless and until the Borough or AHJ issues written acceptance or other written confirmation that the Standpipe System has been completed to the satisfaction of the AHJ.

IV. No Assumption of Responsibility. Review, inspection, comment, approval, or acceptance by the Borough or the AHJ shall not relieve the LLC or its engineers, contractors, subcontractors, or consultants from responsibility for the design, construction, code compliance, performance, or maintenance of the Standpipe System.

Article III — General Provisions

I. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of New Jersey, without regard to conflict-of-law principles.

II. No Waiver. No failure or delay by the Borough in exercising any right or remedy shall operate as a waiver of that right or remedy, and no waiver shall be effective unless in writing and signed by the Party against whom enforcement is sought.

III. Entire Agreement. This Agreement, including Exhibit A, constitutes the entire agreement of the Parties regarding the Standpipe System and supersedes all prior or contemporaneous understandings concerning that subject matter.

IV. Amendments. This Agreement may be amended only by a written instrument signed by both Parties and, where required, authorized by appropriate Borough action.

V. Binding Effect. This Agreement shall bind and benefit the Parties and their respective permitted successors and assigns.

VI. Severability. If any provision of this Agreement is held invalid or unenforceable, the remaining provisions shall remain in full force and effect to the maximum extent permitted by law.

VII. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original, and all of which together shall constitute one instrument.

VIII. Authority. Each person signing this Agreement represents that such person is authorized to execute and deliver this Agreement on behalf of the Party for which such person signs.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the Effective Date.

BOROUGH OF KEYPORT

By: ______________________________

Name: Hector Herrera

Title: Business Administrator

Date: ______________________________

Attest:

By: ______________________________

Name: Michelle Clark

Title: Borough Clerk

Date: ______________________________

MARINER'S VILLAGE AT KEYPORT URBAN RENEWAL COMPANY, LLC, d/b/a 357 WEST FRONT LLC

By: ______________________________

Name: [LLC SIGNATORY NAME]

Title: [LLC SIGNATORY TITLE]

Date: ____________________________

R26-246

RESOLUTION NO. 2026-

RESOLUTION AUTHORIZING THE ENDORSEMENT AND SIGNATURE OF A NJDEP TWA PERMIT APPLICATION FOR MARINER'S VILLAGE AT KEYPORT URBAN RENEWAL COMPANY, LLC (MARINER'S VILLAGE)

WHEREAS, the Unified Planning Board of the Borough of Keyport granted Mariner's Village at Keyport preliminary and final major site plan approval for the purpose of constructing a multi-family apartment building containing 120 units (80 two-bedroom and 40 one-bedroom); and,

WHEREAS, Mariner's Village at Keyport Urban Renewal LLC (Developer) has submitted an application to the Borough for a sanitary sewer Treatment Works Approval (TWA) permit to construct a sanitary sewer system to serve the proposed Mariner's Village at Keyport project; and,

WHEREAS, the Borough of Keyport is required to execute the application to the New Jersey Department of Environmental Protection (NJDEP) for sanitary sewer extensions; and

WHEREAS, the Borough Engineer has reviewed said application and recommended that the Borough execute the application.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Council of the Borough of Keyport, County of Monmouth, State of New Jersey that the application shall be executed by the Borough Administrator on behalf of the Borough of Keyport.

BE IT FURTHER RESOLVED that a certified copy of the within Resolution shall be forwarded to the Applicant for submission with application to the NJDEP.

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 1, 2026.

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Michele Clark, RMC
Borough Clerk

R26-247

RESOLUTION NO. 2026-

TEMPORARILY SUSPENDING THE NO-PARKING RESTRICTION ON A PORTION OF BEERS STREET TO CREATE ADDITIONAL PARKING DURING THE CONSTRUCTION OF THE FIREMAN'S PARK PARKING LOT

WHEREAS, the construction phase of the Fireman's Park improvement project will close parking lot for approximately one year; and

WHEREAS, the Borough of Keyport looks to create additional parking opportunities while the parking lot is closed; and

WHEREAS, there is currently a no-parking restriction on west side of Beers Street from West Front Street to Maple Place; and

WHEREAS, the Borough of Keyport is desirous of lifting that restriction while the parking lot is closed along a limited distance along the westerly side of Beers Street beginning at a point approximately 275 south of the intersection of West Front Street and Beers Street, and continuing a distance of approximately 300 feet along the westerly curbline, terminating at the driveway entrance of #50 Beers Street and excluding existing driveway openings.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Keyport that:

1. The no parking restriction on Beers Street, limited to the above-referenced limits between West Front Street to Maple Place, as stated Chapter 7a, Schedule 1 of the Borough Code of the Borough of Keyport is hereby temporarily suspended.

2. Parking will be permitted on the west side of Beers Street, starting 277 feet south of the intersection of West Front Street and continuing 300 feet South along the westerly curb line.

3. This resolution shall expire September 1, 2027 or upon re-opening of the Fireman's Park lot, whichever occurs first.

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 1, 2026.

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Michele Clark, RMC
Borough Clerk

R26-248

RESOLUTION NO. 2026-

AUTHORIZING THE PROMOTIONAL APPOINTMENT OF CHRISTOPHER HICKS AS ASSISTANT WATER TREATMENT PLANT OPERATOR

WHEREAS, a vacancy exists in the position of Assistant Water Treatment Plant Operator; and

WHEREAS, the Public Works Committee recommends the promotion of Christopher Hicks from Assistant Water Treatment Plant Operator Apprentice to Assistant Water Treatment Plant Operator to fill this vacancy; and

WHEREAS, the Borough Administrator recommends the base salary for this promotion be $76,965.08 (step 4 of the current collective bargaining agreement between the International Union of Operating Engineers and the Borough of Keyport expiring December 31, 2027).

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, County of Monmouth, State of New Jersey as follows:

1. Christopher Hicks is hereby appointed as Assistant Water Treatment Plant Operator effective September 1, 2026, and shall be compensated at the annual salary of $76,965.08.
2. Christopher Hicks will receive an additional $5,000 to his base salary upon successfully obtaining a Public Water Treatment System T-2 License.
3. The Borough Administrator and Borough Clerk are hereby authorized to execute all documents necessary to effectuate this promotion.

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 1, 2026.

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Michele Clark, RMC
Borough Clerk

New R26-249

RESOLUTION NO. 2026-____

RESOLUTION AUTHORIZING THE 2026 "AMERICANA BY THE BAY" MUNICIPAL CONCERT SERIES AND COORDINATING COMMUNITY FOOD DRIVES FOR THE KEYPORT MINISTERIUM FOOD PANTRY

WHEREAS, the Borough of Keyport prides itself on fostering a vibrant, supportive community through public events, arts, and cultural enrichment for its residents and visitors alike; and

WHEREAS, the Borough desires to host two (2) municipal concerts collectively known as the **"Americana by the Bay"** concert series, celebrating American roots music and community spirit; and

WHEREAS, these municipal concerts are scheduled to take place at the Mini Park on **Thursday, September 17 (7-9pm)** and **Wednesday, October 14 (6-8pm)**; and

WHEREAS, the Borough of Keyport also recognizes the critical need to support local families experiencing food insecurity and wishes to utilize these highly attended public events to give back to the community; and

WHEREAS, the **Keyport Ministerium Food Pantry** serves as a vital community resource, providing essential nutritional assistance to Keyport residents in need; and

WHEREAS, the Borough wishes to officially designate both "Americana by the Bay" concert dates as community food drives, encouraging all attendees, staff, and vendors to donate non-perishable food items and essential supplies to benefit the Keyport Ministerium Food Pantry; and

WHEREAS, the coordination of these concerts and food drives requires cooperation between the Borough Recreation Department, Department of Public Works, the Keyport Police Department, and volunteers from the Keyport Ministerium Food Pantry to ensure a safe, clean, and successful execution of the events.

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

1. **Authorization:** The Borough Council hereby authorizes the implementation of the two (2) "Americana by the Bay" municipal concerts and concurrent food drives at Waterfront Park on the dates and times specified herein.
2. **Logistical Support:** The Department of Public Works and the Keyport Police Department are authorized and directed to provide necessary logistical, maintenance, and traffic safety support for the events if necessary.
3. **Pantry Coordination:** The Borough's event coordinators are authorized to designate a secure drop-off station at the concert venue for the collection of non-perishable goods, to be turned over directly to representatives of the Keyport Ministerium Food Pantry at the conclusion of each event.

4. **Fee Waivers (If Applicable):** Any standard municipal park use fees or sound amplification permit fees associated with these specific town-sponsored events are hereby waived.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Keyport Recreation Committee, the Public Works Superintendent, the Chief of Police, and the Director of the Keyport Ministerium Food Pantry.

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 1, 2026.

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Michele Clark, RMC
Borough Clerk

R26-250

RESOLUTION NO. 2026-

APPROVING THE REQUEST OF THE ARTS SOCIETY OF KEYPORT TO HOLD "ART ON THE BAY & ARTIST ALLY" AT WATERFRONT PARK

WHEREAS, the Arts Society of Keyport has requested permission from the Borough of Keyport to hold its "Art on the Bay & Artist Ally" event at the Waterfront Park Gazebo and Promenade; and

WHEREAS, the event is proposed to take place on Saturday, September 19, 2026, from 12:00 p.m. to 5:00 p.m., with a rain date of Sunday, September 20, 2026; and

WHEREAS, the Governing Body of the Borough of Keyport is desirous of supporting community events that promote arts, culture, and public enjoyment of the Borough's waterfront; and

WHEREAS, the event shall be conducted in accordance with all applicable Borough ordinances, rules, regulations, and requirements, and shall not unreasonably interfere with the use of the Waterfront Park by the general public.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, County of Monmouth, State of New Jersey, that the request of the Arts Society of Keyport to hold the "Art on the Bay & Artist Ally" event at the Waterfront Park Gazebo and Promenade on Saturday, September 19, 2026, from 12:00 p.m. to 5:00 p.m., with a rain date of Sunday, September 20, 2026, is hereby approved.

BE IT FURTHER RESOLVED, that the Arts Society of Keyport shall be responsible for complying with all applicable Borough requirements and for leaving the Waterfront Park Gazebo and Promenade in a clean and orderly condition following the event.

BE IT FURTHER RESOLVED, that this approval is subject to any conditions or requirements imposed by the Borough of Keyport, including requirements of the appropriate Borough departments and officials.

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to provide a certified copy of this Resolution to the Arts Society of Keyport and to such other Borough officials or departments as may be necessary.

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 1, 2026.

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Michele Clark, RMC
Borough Clerk

R26-251

RESOLUTION NO. 2026-

AUTHORIZING KEYPORT PBA LOCAL 223 TO HOST AN EVENT ON AMERICAN LEGION DRIVE ON OCTOBER 17, 2026
CAR SHOW

WHEREAS, Keyport PBA Local 223 has submitted a request to host a Car Show on Saturday, October 17, 2026, from 2:00 p.m. to 7:00 p.m., with a rain date of Sunday, October 18, 2026; and

WHEREAS, the event is proposed to take place on American Legion Drive and Waterfront Park lot within the Borough of Keyport and is intended to engage the community and promote positive public interaction; and

WHEREAS, the closure of a portion of American Legion Drive to vehicular traffic will be necessary to safely accommodate the display of vehicles and ensure the safety of event attendees; and

WHEREAS, coordination with the Keyport Police Department and Department of Public Works may be required to ensure public safety, traffic control, and logistical support; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keyport, County of Monmouth, State of New Jersey, that:

1. Authorization is hereby granted to Keyport PBA Local 223 to host a Car Show on American Legion Drive and Waterfront Park lot, on Saturday, October 17, 2026, from 2:00 p.m. to 7:00 p.m., with a rain date of Sunday, October 18, 2026;

2. The temporary closure of a portion of American Legion Drive to vehicular traffic is authorized for the duration of the event, with details of the specific closure area and timing to be coordinated with the Keyport Police Department and Department of Public Works

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to Keyport PBA Local 223, the Chief of Police, the Department of Public Works, and the Borough Administrator.

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 1, 2026.

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Michele Clark, RMC
Borough Clerk

R26-252

RESOLUTION NO. 2026-

AUTHORIZING USE OF BOROUGH PROPERTY BY FRIENDS OF THE KEYPORT LIBRARY FOR A SCARECROW CONTEST WINNERS PARTY

WHEREAS, Friends of the Keyport Library have submitted an application to use Borough property, the grounds of the Keyport Library, on October 24, 2026, from 12:00 p.m. to 2:00 p.m., with a rain date of October 31, 2026, for a Scarecrow Contest Winners Party; and

WHEREAS, the event is co-sponsored between the Friends of the Keyport Library and the Keyport Public Library, with all proceeds to benefit the Library and the Library community.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Keyport hereby authorizes the use of the Keyport Public Library grounds by Friends of the Keyport Library and the Keyport Public Library for a Scarecrow Contest Winners Party to be held on October 24, 2026, from 12:00 p.m. to 2:00 p.m., with a rain date of October 31, 2026.

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 1, 2026.

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Michele Clark, RMC
Borough Clerk

R26-253

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 a modification to an event previously approved for Saturday, October 24, 2026, identified as Bewitched; and

WHEREAS, the KBBC has requested the addition of a street closure on that portion of Main Street extending from W. Front Street to the entrance of the Municipal Parking Lot (at Nature's Plate); and

WHEREAS, the Police Chief has no objection to the street closure request; and

WHEREAS, the Mayor and Council have determined that the requested modification is 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 to add the street closure on the that portion of Main Street extending from W. Front Street to the entrance of the Municipal Parking Lot (at Nature's Plate) to the October 24, 2026 KBBC event Bewitched:

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 1, 2026.

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Michele Clark, RMC
Borough Clerk

726-254
TABLED 8/4/2026

RESOLUTION NO. 2026-

APPOINTMENT OF KEYPORT BAYFRONT BUSINESS COOPERATIVE (KBBC) BOARD OF DIRECTORS MEMBER – *Jeancarlo Torero*

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 Jeancarlo Torero, 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 Jeancarlo Torero, 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 Jeancarlo Torero 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 1, 2026.

____

Michele Clark, RMC
Borough Clerk

R26-255
New#

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 1, 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

Keyport BID, Inc.

BYLAWS

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

Deleted: September 10, 2024

Deleted: 2024-09

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

Deleted: September 10, 2024
Deleted: 2024-09

ARTICLE I
The Corporation

Section 1: Name

Keyport Bid, Inc. doing business as "Keyport BayfrontBusiness 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 andstrengthen its contributions to residents and property owners within the Borough of Keyport;

(b) Establish a public/private partnership through a business improvement district and adistrict 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 ofthe 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

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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

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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

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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:

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

(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:

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

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

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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.

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.

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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.¶

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.

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(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.

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(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.

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Deleted: <#>The ballot shall also include written instructions that a business owner must provide a valid certificate of occupancy as of November 1 and that a business property ownercommercial property owner must provide documentation showing that property taxes and utilities are paid up as of November 1. Ballots that are returned without documentation demonstrating eligibility shall be considered invalid and not counted.¶

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

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 arecarried 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

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.

R26-256
amended

RESOLUTION NO. 2026-

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

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

WHEREAS, it is necessary for the governing body to meet in a session not open to the public for the purpose of discussing attorney-client privileged matters concerning the lease of borough property and contract negotiations.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Council of the Borough of Keyport, County of Monmouth, State of New Jersey as follows:

1. The Mayor and Council assembled in public session on September 1, 2026, and determined that an Executive Session closed to the public shall be held on September 1, 2026, at approximately 7:00 p.m. at Borough Hall located at 70 West Front Street, Keyport, New Jersey, for the discussion of matters relating to the specific items designated above.

2. It is anticipated at this time the above-stated subject matter may be made public in approximately sixty days or at such time as any litigation or matters discussed are resolved.

3. This resolution will take effect immediately.

RECORDED VOTE						
Councilmember	**Offered**	**Seconded**	**Aye**	**Nay**	**Abstain**	**Absent**
Brady						
Bergen						
Kyne						
McNamara						
Merla						
Pecora						

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Keyport at the Regular Meeting held on September 1, 2026.

____

Michele Clark, RMC
Borough Clerk