**BOROUGH OF KEYPORT**

**MEETING AGENDA**

**TUESDAY, OCTOBER 20, 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**

**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**

| | |
|---|---|
| R2026-281 | Payment of Bills Listed on the October 20, 2026 Bills List |
| R2026-282 | Resolution in Support of Submission of Application for New Jersey Department of Transportation Safe Routes to School Program |
| R2026-283 | Authorizing Return of Remaining Cash Repair Deposit for Road Opening Permit at 75 Division Street |
| R2026-284 | Approving Halloween on Main Street Event and Authorizing Temporary Closing of Portions of Main Street and Barricading of Certain Street Entrances |

R2026-285 Authorizing Keyport Bayfront Business Cooperative (KBBC) to Conduct a St. Patrick's Parade

R2026-286 Moved for Separate Consideration

R2026-287 Award Contract to Pravco Incorporated, for Roofing and HVAC Replacement Work at the Borough of Keyport Municipal Building, Located at 70 West Front Street, for a Base-Bid Amount of $782,830, Bid Alternate #2 in the Amount of $80,670, and Bid Alternate #3 in the Amount of $85,340 for a Total Award of $948,840 through the Bergen County Cooperative Roof Repairs, Replacement and Maintenance Bid #BC-BID-23-46 under the Master Service Contract #CK04-Bergen and #11BeCCP, Resolution Number 1638-25

R2026-288 Accepting a Grant from the Hazardous Discharge Site Remediation Fund Public Entity Program through the New Jersey Economic Development Authority and the New Jersey Department of Environmental Protection

R2026-289 Appointment of Harbor Commission Member – Christie Pedersen

**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 FOR BOARD APPOINTMENT**

R2026-286 Appointment of Keyport Bayfront Business Cooperative (KBBC) Board of Directors Member – Agustin Lopez

**PUBLIC HEARINGS/ADOPTION OF ORDINANCES**

**1. Ordinance No. 2026-26 – Amending Chapter 7 - Parking**

The Clerk reads the Ordinance by Title: **AN ORDINANCE AMENDING CHAPTER 7, "TRAFFIC" OF THE CODE OF THE BOROUGH OF KEYPORT BY ESTABLISHING NEW SECTION 7- 3.15 "PERMISSIBLE PARKING DISTANCES", AND AMENDING SCHEDULE XV "BUS STOPS"**

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. 2026-27 – Amending Chapter 16, Streets, Sidewalks, and Sanitation**

The Clerk reads the Ordinance by Title: **AN ORDINANCE AMENDING CHAPTER 16, "STREETS, SIDEWALKS, AND SANITATION" TO AMEND THE REGULATORY REQUIREMENTS FOR ROAD OPENINGS 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

**INTRODUCTION OF ORDINANCES**

**1. Ordinance – Bond Ordinance for Various Capital Improvements**

The Clerk reads the Ordinance by Title: **BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS BY THE BOROUGH OF KEYPORT,**

**APPROPRIATING THE AGGREGATE AMOUNT OF $1,810,000 THEREFOR, INCLUDING GRANTS IN THE AGGREGATE AMOUNT OF $767,509 EXPECTED TO BE RECEIVED, AND AUTHORIZING THE ISSUANCE OF $1,774,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

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

2. **Ordinance – Bond Ordinance for Various 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 $1,528,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $1,528,000 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

3. **Ordinance – Snowstorm Hernando Extraordinary Expenses**
The Clerk reads the Ordinance by Title: **ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION OF $151,000.00 FOR ALL SNOW RELATED OPERATIONS AND REPAIRS FROM SNOWSTORM HERNANDO**

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

## APPROVAL OF MINUTES

September 1, 2026 Regular Meeting
MM: 2nd: Ayes: Nays:

## REPORTS

1. Municipal Clerk's Report for September 2026
2. Tax/Water/Sewer Collector's Report for September 2026
3. Board of Health Treasurer's Report for September 2026
4. Building Department Report for September 2026
5. Municipal Court Report for September 2026

MM: 2nd: Ayes: Nays:

## OLD BUSINESS

1. Resident Parking Permit Division & Osborn (Merla)
2. Prepare Hurley Street Lot for Parking (Pecora)
3. Stormwater Issue Reporting (Pecora)

## NEW BUSINESS

1. 5K Lawn Sign Placements (Recreation)
2. Broad Street Parking Lot (Merla)
3. JCP&L Pole Replacement (Mayor)
4. Lincoln (Bergen)
5. 2026 Best Practices Inventory (BA)

**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:

R26-281

# 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. | $ 507,604.14 |
| | UTILITY FUND | $ 64,265.68 |
| | GENERAL CAPITAL | $ 761.00 |
| | PAYROLL | $ 4,086.75 |
| | RBIT | $ 50.00 |
| | TRUST OTHER | $ 18,197.95 |
| | ESCROW | $ 2,057.00 |
| | OPEN SPACE | $ 2,776.75 |
| | WATER CAPITAL | $ 72,876.44 |

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

R26-282

Borough of Keyport
Resolution No.

Resolution: **Support Submission of Application for New Jersey Department of Transportation Safe Routes to School Program**

**WHEREAS**, the Borough of Keyport is applying for funding to construct new sidewalks curbing, curb ramps, signage and striping, along the school route for the Keyport Central School via Broad Street, between the intersections of 3rd Street and Monroe within the Borough of Keyport; and

**WHEREAS**, the project will help to continue and improve the promotion and encouragement of pedestrian and bicycle access and safety for school children; and

**WHEREAS,** maintenance of the facility, once constructed, will be assumed by the Borough of Keyport with the exception of (1) local ordinances that places maintenance responsibility with each individual property owner, and (2) improvements along County Roadways;

**NOW, THEREFORE BE IT RESOLVED**, by the Council of the Borough of Keyport that it hereby supports the submission of a grant application for the Safe Routes to School Program within the State of New Jersey Department of Transportation and authorizes the Mayor, Manager and the Municipal Clerk to execute any and all documents necessary and related to the submission of said grant application or grant agreement.

Certified as a true copy of the Resolution adopted by the Borough Council
On this day of , 20

_____
Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL _____ _____
(Clerk) (Presiding Officer)

R26-283

**RESOLUTION NO. 2026-**

**AUTHORIZING THE RETURN OF THE REMAINING CASH REPAIR DEPOSIT FOR ROAD OPENING PERMIT AT 75 DIVISION STREET**

**WHEREAS**, Laura Dimattina, the applicant for the property located at 75 Division Street, Keyport, New Jersey (Block 78, Lot 5), submitted a road opening permit for the installation of concrete curbing along the property frontage on Warren Street; and

**WHEREAS**, in accordance with the Borough of Keyport Street Excavation requirements (Section 16-1 of the Borough Code), the Applicant posted a cash repair deposit in the amount of $1,980.00 with the Borough of Keyport prior to the issuance of the road opening permit; and

**WHEREAS**, pursuant to Resolution No. 2024-349 of the Mayor and Borough Council, one-half (50%) of the cash repair deposit, in the amount of $990.00, was authorized to be returned to the Applicant upon satisfactory completion of the work; and

**WHEREAS**, the remaining balance of the cash repair deposit, in the amount of $990.00, was retained by the Borough during the required two-year maintenance period, in accordance with Section 16-1 of the Borough Code; and

**WHEREAS**, the required two-year maintenance period has expired, and the Borough Engineer has verified that the work covered by the cash repair deposit remains in satisfactory condition; and

**WHEREAS**, based upon the Borough Engineer's verification and the expiration of the required maintenance period, the Mayor and Borough Council desire to authorize the return of the remaining cash repair deposit to the Applicant.

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

1. The Borough is hereby authorized to return the remaining cash repair deposit to Laura Dimattina in the amount of $990.00, representing the balance of the original $1,980.00 deposit posted for the road opening permit at 75 Division Street, Keyport, New Jersey (Block 78, Lot 5).

2. The Finance Department is hereby authorized to process the refund in accordance with applicable Borough procedures.

3. A certified copy of this resolution shall be provided to Laura Dimattina and the Finance Department for their records and further action.

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately upon adoption.

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 October 20, 2026.

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Michele Clark, RMC
Borough Clerk

R26-284

**RESOLUTION NO. 2026-**

**APPROVING THE HALLOWEEN ON MAIN STREET EVENT AND AUTHORIZING TEMPORARY CLOSING OF PORTIONS OF MAIN STREET AND BARRICADING OF CERTAIN STREET ENTRANCES**

**WHEREAS**, the Recreation Committee has submitted an application to host the Halloween on Main Street event on Main Street, between Pershing Place and Maple Place and between Maple Place and Warren Street, on Saturday, October 31, 2026, from 2:00 p.m. to 9:00 p.m.; and

**WHEREAS**, to ensure the safety and welfare of the public during the event, Main Street, between Pershing Place and Maple Place and between Maple Place and Warren Street, shall be temporarily closed to vehicular traffic, and the portions of certain intersecting streets leading onto Main Street shall be temporarily barricaded to restrict vehicular access to the event area; and

**WHEREAS**, the placement and removal of the barricades and any necessary traffic control measures shall be coordinated by the Chief of Police; and

**WHEREAS**, a crossing guard has been requested to assist pedestrians in safely crossing Maple Place during the event.

**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 Halloween on Main Street event is hereby approved for Saturday, October 31, 2026, from 2:00 p.m. to 9:00 p.m., on Main Street between Pershing Place and Maple Place and between Maple Place and Warren Street.

**BE IT FURTHER RESOLVED** that Main Street, between Pershing Place and Maple Place and between Maple Place and Warren Street, shall be temporarily closed to vehicular traffic during the event, from 2:00 p.m. to 9:00 p.m., and that the portions of intersecting streets leading onto Main Street may be temporarily barricaded during the event, as coordinated by the Chief of Police, to restrict vehicular access to the event area.

**BE IT FURTHER RESOLVED** that the appropriate arrangements shall be made for a crossing guard to assist pedestrians crossing Maple Place during the event, subject to coordination with the Police Department.

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately upon adoption.

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 October 20, 2026.

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Michele Clark, RMC
Borough Clerk

R26-285

**RESOLUTION NO. 2026-**

**AUTHORIZING KEYPORT BAYFRONT BUSINESS COOPERATIVE (KBBC) TO CONDUCT A ST. PATRICK'S PARADE**

**WHEREAS**, the Borough established the Keyport Business Improvement District (the "**District**") pursuant to *N.J.S.A.* 40:56-65 *et seq.* by Borough Ordinance No. 25-99, as amended by Borough Ordinance No. 6-02; and

**WHEREAS**, by Borough Ordinance No. 15-13, the Borough designated the non-profit corporation Keyport BID, Inc. (also known as the Keyport Bayfront Business Cooperative, Inc., and hereinafter referred to as the "**KBBC**"), incorporated pursuant to *N.J.S.A.* 15A:1-1 *et seq.*, as the District Management Corporation for the District; and

**WHEREAS**, the KBBC has requested authorization to hold a St. Patrick's Parade in the Borough of Keyport on Saturday, March 20, 2027, from 1:00 p.m. to 3:00 p.m., commencing at Maple Place and Perry Street, proceeding along Maple Place to Broad Street, down Broad Street to West Front Street, and continuing along West Front Street to conclude at the Mini Park; and

**WHEREAS,** a KBBC Program and Activity Request form has been provided to the Borough Clerk and the Police Chief; and

**WHEREAS,** the event will require the closure of roadways within the Borough which will be coordinated with the Police Chief.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Keyport hereby authorizes the St. Patrick's Parade taking place on Saturday, March 20, 2027.

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 October 20, 2026.

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Michele Clark, RMC
Borough Clerk

R26286

**RESOLUTION NO. 2026-**

**APPOINTMENT OF KEYPORT BAYFRONT BUSINESS COOPERATIVE (KBBC) BOARD OF DIRECTORS MEMBER** – *Agustin Lopez*

**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 Agustin Lopez, 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 Agustin Lopez, 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 Agustin Lopez 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 October 20, 2026.

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Michele Clark, RMC
Borough Clerk

R26-287

**RESOLUTION NO. 2026-**

**AWARD OF A CONTRACT TO PRAVCO INCORPORATED, FOR ROOFING AND HVAC REPLACEMENT WORK AT THE BOROUGH OF KEYPORT MUNICIPAL BUILDING, LOCATED AT 70 WEST FRONT STREET, FOR A BASE-BID AMOUNT OF $782,830, BID ALTERNATE #2 IN THE AMOUNT OF $80,670, AND BID ALTERNATE #3 IN THE AMOUNT OF $85,340 FOR A TOTAL AWARD OF $948,840 THROUGH THE BERGEN COUNTY COOPERATIVE ROOF REPAIRS, REPLACEMENT AND MAINTENANCE BID #BC-BID-23-46 UNDER THE MASTER SERVICE CONTRACT #CK04-BERGEN AND #11BECCP, RESOLUTION NUMBER 1638-25**

**WHEREAS,** the Borough of Keyport is an authorized participant of the Bergen County Cooperative Pricing System and the Borough Administrator recommends utilizing this cooperative pricing system for the award of this contract; and

**WHEREAS,** in accordance with the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-12, public bids are not required when a purchase is made utilizing a New Jersey State Cooperative Purchasing contract or other cooperative purchasing program, provided the purchase is approved by resolution of the governing body; and

**WHEREAS,** the Chief Financial Officer has certified the availability of funds.

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

1. The award of this contract to Pravco Incorporated, for roofing and hvac replacement work at the borough of Keyport Municipal Building, located at 70 West Front Street, for a base-bid amount of $782,830, bid alternate #2 (window flashing replacement) in the amount of $80,670, and bid alternate #3 (interior renovations) in the amount of $85,340 for a total award of $948,840 through the Bergen County Cooperative Roof Repairs, Replacement and Maintenance Bid #BC-BID-23-46 under the Master Service Contract #CK04-BERGEN and #11BeCCP, Resolution Number 1638-25

2. The Borough Administrator and Chief Financial Officer are authorized to issue purchase orders and execute all documents necessary to effectuate this purchase.

3. The Borough Clerk is directed to forwarded copies of this resolution to the Borough Administrator, Chief Financial Officer, and Settembrino Architects.

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 October 20, 2026.

R26-288

**RESOLUTION NO. 2026-**

**A RESOLUTION ACCEPTING A GRANT FROM THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND PUBLIC ENTITY PROGRAM THROUGH THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY AND THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**WHEREAS,** Borough of Keyport has applied for and has been awarded a grant in the amount of up to $ 55,614.65 from the Hazardous Discharge Site Remediation Fund Municipal Grant Program through the New Jersey Department of Environmental Protection and the New Jersey Economic Development Authority for Site Investigation of the Aeromarine Industrial Park property;

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Borough of Keyport that the above referenced grant is hereby accepted and the Mayor or Borough Administrator is hereby authorized to execute grant documents as an authorized representative thereunder, as the representative for the Borough of Keyport,

**BE IT FURTHER RESOLVED** that a comprehensive plan exists specifically for the development or redevelopment of suspected or confirmed discharge of a hazardous substance or hazardous waste in the host municipality or can otherwise demonstrate its commitment to the Authority that the Project Site will be developed or redeveloped within a three-year period from the completion of the remediation.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to the New Jersey Economic Development Authority.

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 October 20, 2026.

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Michele Clark, RMC
Borough Clerk

PUBLIC HEARING/
ADOPTED #1

**ORDINANCE NO. 2026-20**

**AN ORDINANCE AMENDING CHAPTER 7, "TRAFFIC" OF THE CODE OF THE BOROUGH OF KEYPORT BY ESTABLISHING NEW SECTION 7- 3.15 "PERMISSIBLE PARKING DISTANCES", AND AMENDING SCHEDULE XV "BUS STOPS"**

**WHEREAS**, pursuant to New Jersey State Statute (N.J.S.A.) 39:138.6 a municipality may mandate by ordinance the permissible distance a person may park a motor vehicle from a crosswalk, side line of a street or intersecting highway, or "stop" sign. A municipality may not, however, permit parking within 25 feet of a crosswalk or side line of a street or intersection highway or within 50 feet of a "stop" sign in a school zone during hours when school is in session; and

**WHEREAS**, on-street parking is valuable for both residents and businesses and intersection safety will not be compromised by reducing the permissible distance a person may park a motor vehicle from a "stop" sign from 50 feet to 25 feet outside of a school zone.

**WHEREAS**, New Jersey Transit has requested a resolution of support from the governing body in order to reflect the current locations of bus stop inventory on county roads; and

**WHEREAS**, New Jersey Transit is responsible for installing and maintaining its bus stop signs and poles; and

**WHEREAS**, New Jersey Transit shares the Borough's concern for motorist and pedestrian safety and proposes to install bus stop signs at designated bus stop locations; and

**WHEREAS**, the Borough Engineer and the Police Chief have reviewed the bus stop inventory provided by New Jersey Transit and provided their recommendations; and

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Keyport that the following new Chapter 7 of the Borough Code be and is hereby amended to read as follows:

Deletions are noted by ~~strike-throughs~~
Additions are indicated in **bold underline**
Language that remains unchanged is not highlighted in any way

## SECTION I

Chapter 7 - Traffic

§ 7-3.15. Permissible Parking Distances

A. Pursuant to N.J.S.A. 39:4-138.6, the permissible distance a person may park a motor vehicle from a "stop" sign is 25 feet except when the intersection is located in a school zone, in which case the mandated parking distance is 50 feet, pursuant to N.J.S.A. 39:138(h). All intersections otherwise posted prior to the adoption of this Ordinance shall remain in effect. Only the Municipal Engineer, or his designee, shall reserve the right to modify the distance at any of these locations.

B. Vehicles shall at all times comply with all other parking regulations, including but not limited to regulations of on parking permits, street cleaning, and parking along emergency snow routes.

C. The Borough of Keyport shall not be required to install or maintain any markings, signs or other indications for permissible parking distances; it shall be incumbent upon the driver to ensure that no vehicle is parked within the permissible parking distances at any time.

D. All other provisions of N.J.S.A. 39:4-138 shall apply.

## SECTION III

SCHEDULE XV BUS STOPS

In accordance with the provisions of Section 7-9, the following described locations are hereby designated as bus stops:

1. Along Broad Street (CR 4), southbound, on the westerly side thereof at:
   a. West Front Street (Near side) – Beginning at the northerly curb line of West Front Street and extending 105 feet northerly therefrom (Location 24747).

2. Along Broadway (CR 6), northbound, on the easterly side thereof at:
   a. West 3rd Street (Near side) – Beginning at the southerly curb line of West 3rd Street and extending 105 feet southerly therefrom (Location 24751).

   b. West 1st Street (Far side) – Beginning at the northerly curb line of West 1st Street and extending 105 feet northerly therefrom (Location 24756).

3. Along Broadway (CR 6), southbound, on the westerly side thereof at:
   a. West 1st Street (Near side) – Beginning at the prolongation of the northerly curb line of West 1st Street and extending 105 feet northerly therefrom (Location 24745).

   b. West 4th Street (Near side) – Beginning at the northerly curb line of West 4th Street

and extending 105 feet northerly therefrom (Location 24750).

4. Along First Street (CR 6), eastbound, on the southerly side thereof at:
   a. Atlantic Street (Near side) – Beginning at the westerly curb line of Atlantic Street and extending 105 feet westerly therefrom (Location 24755).

   b. Fulton Street (Far side) – Beginning at the easterly curb line of Fulton Street and extending 100 feet easterly therefrom (Location 24754).

5. Along First Street (CR 6), westbound, on the northerly side thereof at:
   a. Cedar Street (Near side) – Beginning at the easterly curb line of Cedar Street and extending 105 feet easterly therefrom (Location 24753).

   b. Atlantic Street (Near side) – Beginning at the prolongation of the easterly curb line of Atlantic Street and extending 105 feet easterly therefrom (Location 24752).

6. Along West Front Street (CR 6), eastbound, on the southerly side thereof at:
   a. Beers Street (Near side) – Beginning at the westerly curb line of Beers Street and extending 105 feet westerly therefrom (Location 24749).

7. Along West Front Street (CR 6), westbound, on the northerly side thereof at:
   a. Beers Street (Near side) – Beginning at the easterly curb line of Beers Street and extending 105 feet easterly therefrom (Location 24746).

SECTION IV

If any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudications shall apply to the section, paragraph, subsection, clause, or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid in effect.

SECTION V

Any Ordinance or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION IV

This Ordinance shall take effect upon passage and publication in accordance with the applicable law.

Introduced: October 6, 2026
Public Hearing: October 20, 2026
Adopted:

Michele Clark, RMC
Borough Clerk

Mayor Rose P. Araneo
Borough of Keyport

PUBLIC HEARING/
ADOPT ORD #2

**ORDINANCE NO. 2026-27**

**AN ORDINANCE AMENDING CHAPTER 16, "STREETS, SIDEWALKS, AND SANITATION" TO AMEND THE REGULATORY REQUIREMENTS FOR ROAD OPENINGS 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 Borough Engineer to modernize the provision to clearly address commercial general liability, automobile liability, worker's compensation/employer liability and the applicable additional insurance requirements; and

**WHEREAS,** the Borough desires to amend several sub-chapters within Chapter 16, Streets, Sidewalks and Sanitation of the Borough Code; 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 16-1.2 in Chapter XVI, Streets, Sidewalks and Sanitation, of the Code is hereby amended as follows:

§ 16-1.2. Definitions and word usage

For the purposes of this section, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include singular, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

APPLICANT

Any person making written application to the Borough Clerk for an excavation permit hereunder. In the event that the applicant is a corporation or partnership, the applicant shall be the individual authorized to make said application on behalf of the corporation or business entity.

EMERGENCY

Any unforeseen circumstance or occurrence, the existence of which constitutes a clear and immediate danger or hazard to person or property.

EXCAVATION WORK

The excavation, removal, replacement, repair, construction, water, ~~and~~ sewer, **gas, electric, or telecommunications mains or** connections or other disturbance of any portion of the public improvements within a public street or drainage right-of-way. These public improvements include, but are not limited to, curbs, sidewalks, driveways and driveway aprons, drainage structures and conduits, pavements, base courses, gutters, retaining walls, channels, headwalls, railings, guardrails or any other public improvements existing within the public right-of-way, and retention/detention basins. For the purposes of this section, that work which is being performed outside of the public right-of-way, but which requires the storage of materials or the operation of equipment within the public right- of-way, in such a manner as may cause damage, will also be deemed "excavation work." The term "excavation work" shall also include the construction, addition, installation or other disturbance of the whole or portions of the improvements within a public street, drainage right-of-way or other public grounds by persons other than those exempted from the provisions of this section, including privately sponsored construction of curbing, sidewalks, pavement extensions, aprons, drainage or any other portions of the public improvements.

* * *

**SECTION II.** Subsection 16-1.8 in Chapter XVI, Streets, Sidewalks and Sanitation, of the Code is hereby amended as follows:

§ 16-1.8. Surety

a. If an individual cash repair deposit required by subsection 16-1.7 exceeds $1,000 or if the aggregate of the cash repair deposits which any applicant expects to be required to provide within a period of one year exceeds $5,000 or if the applicant is a public utility regulated by the Federal government and/or the State of New Jersey, then the Borough Council may allow the provisions of all or, at the Borough Council's discretion, a portion of the required cash repair deposits in the form of a surety bond. If a surety bond is to be provided in accordance with the requirement of this subsection, the applicant shall deposit it with the Borough Clerk in accordance with paragraph b. of this subsection, made payable to the Borough of Keyport. The required bond must be:

1. With good sufficient surety.
2. By a surety company authorized to transact business in the State of New Jersey.
3. Satisfactory to the Borough Attorney in form and substance.
4. Conditioned upon the permittee's compliance with this section and to secure and hold the Borough and its officers harmless against any and all claims, judgments or other costs arising from the excavations and other work covered by the excavation permit or for which the Borough, the Borough Council or any Borough Officer may be made liable by reason of any accident or injury to person or property through the fault of the permittee either in not properly guarding the excavation or for any other injury resulting from the negligence of the permittee, and shall be further conditioned to fill up, restore

and place in good and safe condition as near as may be to its original condition all openings and excavations made in streets to the satisfaction of the Borough.

b. The amount of the performance bond to be submitted to the Borough Clerk shall be a minimum of double the amount of the cash repair deposit required pursuant to subsection 16-1.7 of this section. In the event that the Borough Engineer or Superintendent of Public Works or his designee determines that the cost of proper restoration of the excavation work will exceed the amount of the calculation, the additional bond for the particular job in question may be required by the Department of Public Works in a sum determined by the Borough Engineer.

c. In lieu of a performance bond per job, any utility regulated by the Board of ~~Regulatory Commissioners~~ **Public Utilities,** or any contractor expecting to request multiple permits per year, may post a blanket performance guarantee in the minimum sum of $10,000 with the Borough on an annual basis. In the event the Borough Engineer or Superintendent of Public Works or his designee determines that the cost of proper restoration of the area disturbed and pavement surface will exceed the amount of the blanket bond, an additional bond for that particular job, in an amount to be determined by the Borough Engineer, shall be posted by the permittee prior to the issuance of any permit(s).

**SECTION III.** Subsection 16-1.25 in Chapter XVI, Streets, Sidewalks and Sanitation, of the Code is hereby amended as follows:

§ 16-1.25 Restoration of the surface.

a. Restoration

1. Once the restoration work area has been properly saw cut, and the back fill tamped and compacted, the permittee shall install no less than ~~eight~~ **six** inches of ~~bituminous stabilized~~ **hot mix asphalt 19M64** base course to the trench surface **in lifts conforming to the latest edition of the NJDOT Standard Specifications for Road and Bridge Construction**. If the distance from the edge of the excavation work area to the existing curb is less than two feet, the permittee shall be required to excavate the curb and evenly install ~~eight~~ **six** inches of ~~bituminous stabilized~~ **hot mix asphalt 19M64** base course in the entire area.

2. **For excavation conducted on roads constructed of concrete base with an asphalt overlay, excavations which leaves slabs of concrete based measuring less than four feet in length or width on the perimeter of the excavation, the permittee shall be required to excavate the concrete base to the nearest existing joint and install six inches of hot asphalt 19M64 base course or an equivalent concrete pavement in the entire area.**

3. The partially restored pavement shall be allowed to settle for no less than 90 and no more than 180 days. At the end of the period of time of settlement required by the Superintendent of the Department of Public Works or his designee, an inspection shall be performed by the Superintendent of Public Works or his designee. **The permittee shall immediately repair any settlement, potholes, depressions, or failures occurring prior to acceptance.**

4. At this time, unless ~~the~~ **otherwise approved by the Borough Engineer or** Superintendent of the Department of Public Works, ~~using a standard of reasonableness, authorizes a less stringent action,~~ the permittee shall be required to mill and restore the ~~excavation~~ work area ~~surface extending from the curb to the centerline of the road or a minimum of one foot beyond the outer edges of the excavation, whichever is greater, and install no less than two inches of FABC surface course. The permittee shall also be required to provide a tack coat on all existing bituminous and concrete surfaces and a hot poured rubber asphalt joint sealer (per section 908 of DOT Standard Specifications for Roads and Bridges). If the excavation work area will be within two feet or less of a previous excavation made within one year (by the same permittee along the same side of the road), the permittee shall be required to mill and restore between the outermost excavation from the centerline of the roadway to the curb.~~ as follows:

   a. **Minor Openings: Where less than 20% of the existing paved roadway width and a distance parallel or longitudinal to the roadway centerline of less than 25 feet has been disturbed, the permittee shall sawcut the existing surface course 2 inches deep at a location 12 inches beyond the trench surface and remove the existing pavement to the same depth. Where the limits of the proposed pavement restoration are within two (2) feet of the face of curb, edge of pavement, or roadway centerline, the restoration limits shall be extended to meet the curb, edge of pavement, or roadway centerline, as applicable. Pavement removal shall be done by milling or another method as approved by the Borough Engineer or Superintendent of the Department of Public Works. The permittee shall clean and sweep the milled surface and apply tack coat for immediate paving. The permittee shall then pave the area with 2 inches of Hot Mix Asphalt 9.5M64 surface course in accordance with the latest edition of the NJDOT Standard Specifications for Road and Bridge Construction. Terminal ends of the paving shall be keyed and cut vertical to provide a smooth transition to the existing asphalt surface. Feathering will not be allowed. Joints along existing asphalt surfaces shall be sealed with hot-applied polymeric joint adhesive.**

   b. **Major Openings: Where 20% or more of the existing paved roadway width and/or a distance parallel or longitudinal to the roadway centerline of 25 feet or more has been disturbed, the permittee shall mill the entire pavement surface from edge to edge or curb to curb and the full length of the trench plus five (5) feet on each terminal end at a minimum depth of 2 inches. The permittee shall clean and sweep the milled surface and apply**

tack coat for immediate paving. The permittee shall then pave the area with 2 inches of Hot Mix Asphalt 9.5M64 surface course in accordance with the latest edition of the NJDOT Standard Specifications for Road and Bridge Construction. Terminal ends of the paving shall be keyed and cut vertical to provide a smooth transition to the existing asphalt surface. Feathering will not be allowed. Joints along existing asphalt surfaces shall be sealed with hot-applied polymeric joint adhesive

~~5. If the distance from the edge of the excavation work area to the existing curb is greater than two feet and less than four feet, permittee shall be required to mill this area, as well as the surface of the excavation work area. In the event that the excavation work area opening is smaller than 10 square yards, the Superintendent of the Department of Public Works, or his designee, may determine that milling and/or other trench repair methods be used.~~

6. For excavations conducted on roads constructed of concrete base with an asphalt overlay, milling will be required to the full depth of the overlay to the limits determined by the Borough Engineer.
7. For excavations on roads paved within the preceding five (5) years, the Borough Engineer or Superintendent of the Department of Public Works, at their discretion, may require half-width or full-width milling on all excavations as deemed appropriate to maintain the integrity of the pavement.
8. With the approval of the Borough Engineer, the centerline milling limit may be offset as necessary to avoid disturbing existing pavement markings or raised pavement markers.
9. Striping and pavement markings affected by excavations or pavement restoration shall be restored with thermoplastic material in accordance with the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD).
10. The Borough Engineer may require larger restoration limits whenever existing pavement condition, trench configuration, roadway classification, drainage, traffic loading, or adjacent pavement deterioration warrant
11. The permittee will be required to replace any structures including, but not limited to, curb, pavement and sidewalk, that had been undermined by the adjacent trench excavation and restoration work, at his or its expense. Such work shall be performed according to Borough standards.
12. Rules and Regulations. Applicant shall comply with all ~~BOCA Codes~~, New Jersey Uniform Construction Code, American with Disabilities Act (ADA), Ordinances of Borough of Keyport, resolutions or conditions of the Mayor and Council, or any duly constituted Board and any regulations which the Superintendent of Public Works or the Borough Engineer may establish.

b. Maintenance procedures.

1. When final pavement restoration is approved, as required in paragraph a above, the Superintendent of Public Works or his designee, shall notify the Borough Clerk in writing that the portion of the cash repair deposit or performance guarantee pertaining to the street opening permit posted by the permittee at the onset of the project may be released subject to the retainage requested herein below. Such release shall be subject to the permittee agreeing to maintain the restored excavation work area for a period of two years from the date of final approval of the work and posting a maintenance bond to guarantee same. The permittee shall also agree to repair any adjacent structures including but not limited to curb, pavement and sidewalk that are damaged as a result of any excavation work area settlement during this period of time. In furtherance of these agreements, the Borough Clerk shall retain as a cash retainage, 50% of the cash repair deposit and/or performance guarantee during the two year maintenance period.

2. If an inspection reveals that the restored excavation work area becomes unacceptable, the Superintendent of the Department of Public Works, or his designee shall notify the permittee that he must repair the area in accordance with the aforementioned procedure within 30 days from the date of notification or sooner if safety on public conveyances is involved. If the permittee fails to repair the trench within this time, the Superintendent of the Department of Public Works, or his designee shall notify the Borough Clerk and he shall allow the Borough to utilize the permittee's cash retainage and maintenance bond to pay for the cost of repairing the excavation work area. If the restoration costs exceed the maintenance bond, the permittee shall be liable for said additional costs.

3. Upon the termination of the two-year maintenance period, any remaining portion of said maintenance bond that has not been expended shall be returned to the permittee without interest.

c. The permittee may be required to place a temporary surface over openings made in paved traffic lanes. Except when the permanent replacement pavement is to be replaced before the opening of the cut to traffic, the fill above the bottom of the existing pavement shall be tamped into place, properly graded and topped with a minimum of two inches of bituminous patch material which is suitable to maintain the opening in good condition until permanent restoration can be made. The crown of the temporary restoration shall not exceed one inch above the adjoining pavement. The permittee shall exercise special care in making such temporary restorations and must maintain such restorations in safe traveling condition until such time as permanent restorations are made. If, in the judgment of the Borough Engineer, it is not expedient to replace the pavement over any cut or excavation made in the street upon completion of the work allowed under such permit by reason of the looseness of the earth or weather conditions or any other reason, he may direct the permittee to lay a temporary pavement of steel plate or other suitable material designated by him over such cut or excavation, to remain until such time as the repair of the original pavement may be properly made.

d. Acceptance or approval of any excavation work by the Superintendent of the Department of Public Works, his designee, or the Borough Engineer shall not prevent the Borough from asserting a claim against the permittee and his or its surety under the surety bond required hereunder for incomplete or defective work if discovered within 24 months from the completion of the excavation work. The presence of a representative of the Department of Public Works or the Borough Engineer during the performance of any excavation work shall not relieve the permittee of its responsibilities hereunder.

e. Openings in newer paved streets; additional fee.

1. No permit shall be issued by the Superintendent of Public Works of the Borough of Keyport which would allow an excavation or opening of a paved or improved street surface less than five years old unless the applicant can clearly demonstrate that public health or safety requires that the proposed work be permitted or unless an emergency condition exists.

2. If by special permission of the Superintendent of Public Works a permit is issued to open any paved or improved street surface less than five years old, an additional fee shall be charged for the opening, except that the additional fee shall be waived in the event the work is of an emergency nature. ~~The additional fee shall be equal to the sum of $300 for the first two years and $150 for years three through five.~~ **The surcharge shall be on a sliding scale and shall be equal to 2% of the cost of restoring the opening for each unelapsed month or fraction thereof of the five-year restricted period, but in no event shall the surcharge be less than $500.**

3. **Where such work is authorized, the Borough Engineer or Superintendent of the Department of Public Works may require enhanced restoration measures, including but not limited to full-width resurfacing, extended restoration limits, and an extended maintenance guarantee, as deemed necessary to protect the integrity of the roadway.**

**SECTION IV.** Subsection 16-1.36 in Chapter XVI, Streets, Sidewalks and Sanitation, of the Code is hereby amended as follows:

§ 16-1.36 Insurance

a. A permittee, prior to the issuance of the permit to do the work hereunder, shall furnish to the Borough Clerk satisfactory certificates of insurance indicating that the permittee has in force and will maintain in force, during the performance of the excavation work and the period of the excavation permit, public liability insurance ~~of not less than $300,000 for any one person and $1,000,000 for any one accident, and property damage insurance of not less than $500,000,~~ duly issued by an insurance company authorized to do business in this State~~.~~ **as follows:**

1. Commercial General Liability: $2,000,000 Each Occurrence / $3,000,000 Aggregate
    a. Liquor Liability, Sexual Abuse / Molestation and Athletic Activities must be included
    b. Completed Operations must be included
2. Business Automobile Liability: $1,000,000 combined single limit any one accident
    a. All owned, hired or non-owned automobiles used in connection with this agreement
3. Professional Liability/Errors & Omissions Liability: $1,000,000 each claim / $1,000,000 annual aggregate
    a. Must not contain cyber, privacy or network-related exclusions
4. Workers' Compensation: Statutory
5. Employers' Liability: $1,000,000
6. Crime: $1,000,000
    a. Must include Employee Theft and Client Coverage
7. Cyber Liability: $1,000,000 Each Claim / $1,000,000 Aggregate

The Borough shall be named as an additional insured on the permittee's insurance policy. In cases where the character or nature of the proposed excavation work is such as to present an unusual hazard or a higher than normal risk of damage or injury, the Borough Council may require the provision of increased amounts of liability and property damage insurance. Any permits which occasion such increased hazard or liability shall be referred, by the Superintendent of the Department of Public Works, for the consideration of the Council prior to the issuance of a permit.

* * *

SECTION V. Subsection 16-1.39 in Chapter XVI, Streets, Sidewalks and Sanitation, of the Code is hereby amended as follows:

For the violation of the provisions herein contained, the Superintendent of the Department of Public Works or the Borough Engineer may revoke the permit and the excavation or opening and pavements may be restored by the Borough of Keyport at the expense of the permittee. In addition, any person, firm or corporation violating any provision of this section shall, upon conviction thereof, be subject to the penalties stated in Chapter I, Section 1-5, General Penalty, except that the minimum penalty shall not be less than ~~$300~~ $500 for a first offense and for a second or subsequent offense shall not be less than ~~$500~~ $1,000.

SECTION VI. 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 XVI of the Code shall remain unchanged and have full force and legal effect. All other resolutions and ordinances governing regulations for road openings enacted and inconsistent herewith are hereby modified pursuant to the terms of this Ordinance.

SECTION VII. 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 VIII.** 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: October 6, 2026
Public Hearing: October 20, 2026
Adopted:

Michele Clark, RMC
Borough Clerk

Mayor Rose P. Araneo
Borough of Keyport