

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
April 24, 2013
MEETING MINUTES

Mr. Cusick read the following:

ADEQUATE NOTICE HAS BEEN GIVEN OF THIS MEETING BY NOTIFICATION TO THE ASBURY PARK PRESS AND PLACED ON THE BULLETIN BOARD IN THE MUNICIPAL BUILDING OF THE BOROUGH OF KEANSBURG.

Mr. Cusick asked all to rise and recite:

Salute to the Flag

Mr. Cusick took:

Roll Call

Mr. Foley	Mr. DePompa	Mr. Boden	Mr. Cocuzza	Mr. Hoff
✓	Excused	✓	✓	✓

In Memoriam:



Mayor Patrick Antonacci



Meeting Minutes:

Meeting Minutes March 27, 2013

Mr. Cusick asked for a roll call vote to accept the minutes and place same on file:

Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Foley		✓	✓			
Mr. DePompa					✓	
Mr. Boden	✓		✓			
Mr. Cocuzza			✓			
Mr. Hoff			✓			

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
April 24, 2013
MEETING MINUTES

Ordinances:

Second Reading:

ORDINANCE #1535 – Floodplain

AN ORDINANCE AMENDING AND REVISING CHAPTER XIV – FLOOD DAMAGE PREVENTION – OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG

CHAPTER XIV FLOOD DAMAGE PREVENTION

14-1 STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES.

14-1.1 Statutory Authorization.

SHALL READ:

The Legislature of the State of New Jersey has in N.J.S.A. 40:48-1, et seq., delegated the responsibility to local governmental units to adopt regulations designed to promote public health, safety, and general welfare of its citizenry. Therefore, the Borough Council of the Borough of Keansburg of County of Monmouth, State New Jersey does ordain as follows:

14-1.2 Findings of Fact.

NO CHANGE

14-1.3 Purpose.

NO CHANGE

14-1.4 Methods of Reducing Flood Losses.

NO CHANGE

14-2 DEFINITIONS.

ADD: (in alphabetic order)

Advisory Base Flood Elevation (ABFE) —The elevation shown on a community's Advisory Flood Hazard Map that indicates the advisory stillwater elevation plus wave effect (ABFE = SWEL + wave effect) resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
April 24, 2013

MEETING MINUTES

Advisory Flood Hazard Area (AFHA) —The land in the floodplain within a community subject to flooding from the 1% annual chance event depicted on the Advisory Flood Hazard Map.

Advisory Flood Hazard Map - The official map on which the Federal Emergency Management Administration has delineated the areas of advisory flood hazards applicable to the community.

Modular buildings and modular homes are sectional prefabricated buildings, or houses, that consist of multiple sections called modules. The modules are six sided boxes constructed in a remote facility, then delivered to their intended site of use, provided appropriate anchoring of the building complies with Coastal building regulations.

Substantial Damage – means damage of any origin sustained by a structure whereby the cost of restoring the structure to it's before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred. Substantial damage also means flood-related damages sustained by a structure on two or more separate occasions during a 10 year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds twenty-five percent (25%) of the market value of the structure before the damages occurred (accumulative losses).

SHALL READ: (in alphabetic order)

Appeal – a request for a review of the Construction Official/Certified Floodplain Manager's interpretation of any provision of this Chapter or a request for a variance.

Substantial Improvement — Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

[1] Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or

[2] Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

14-3 GENERAL PROVISIONS.

14-3.1 Applicability.

SHALL READ:

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of the Borough of Keansburg, County of Monmouth, State of New Jersey.

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
April 24, 2013

MEETING MINUTES

14-3.2 Basis for Establishing the Areas of Special Flood Hazard.

SHALL READ:

The areas of special flood hazard for the Borough of Keansburg, Community No 340303, are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

- a) A scientific and engineering report "Flood Insurance Study, Monmouth County, New Jersey (All Jurisdictions)" dated September 25, 2009.
- b) Flood Insurance Rate Map for Monmouth County, New Jersey (All Jurisdictions) as shown on Index and panel(s) 34025 C0034F, 34025C0042F and 34025C0055F, whose effective date is September 25, 2009.
- c) Advisory Base Flood Elevations and Advisory Flood Hazard Maps Keyport NE, Keyport SE and Sandy Hook West NW dated December 12, 2012. These documents shall take precedence over previous panels and FIS in construction and development regulations only. Where the Special Flood Hazard Area (SFHA) and the Advisory Flood Hazard Area (AFHA) maps conflict or overlap, whichever imposes the more stringent requirement shall prevail.

The above documents are hereby adopted and declared to be a part of this ordinance. The Flood Insurance Study, maps and advisory documents are on file at Keansburg Borough Hall, George E. Kauffmann Municipal Building, 29 Church Street, Keansburg, NJ 07734

14-3.3 Penalties for Noncompliance.

SHALL READ

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor.

Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$1,250.00 (one thousand two hundred and fifty dollars) or imprisoned for not more than 10 days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the Borough of Keansburg from taking such other lawful action as is necessary to prevent or remedy any violation.

14-3.4 Abrogation and Greater Restrictions.

NO CHANGE

14-3.5 Interpretation.

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
April 24, 2013

MEETING MINUTES

NO CHANGE

14-3.6 Warning and Disclaimer of Liability.

NO CHANGE

14-4 ADMINISTRATION.

14-4.1 Establishment of Development Permit.

SHALL READ

A Development Permit shall be obtained before construction or development begins, including placement of manufactured homes, within any area of special flood hazard established in SECTION 3.2. Application for a Development Permit shall be made on forms furnished by the Construction Official/Certified Floodplain Manager and may include, but not be limited to; plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

[1] Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;

[2] Elevation in relation to mean sea level to which any structure has been floodproofed.

[3] Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in SECTION 5.2-2; and,

[4] Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

DELETE:

14-4.2 Designation of the Building Sub-code Official.

ADD:

14-4.2 Designation of the Local Administrator.

SHALL READ:

The Construction Official/Certified Floodplain Manager is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
April 24, 2013

MEETING MINUTES

DELETE:

14-4.3 Duties and Responsibilities of the Building Sub-code Official.

ADD:

14-4.3 Duties and Responsibilities of the Local Administrator.

SHALL READ:

Duties of the Construction Official/Certified Floodplain Manager shall include, but not be limited to:

[1] Review all development permits to determine that the permit requirements of this ordinance have been satisfied.

[2] Review all development permits to determine that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required.

[4] Review all development permits in the coastal high hazard area of the area of special flood hazard to determine if the proposed development alters sand dunes so as to increase potential flood damage.

[5] Review plans for walls to be used to enclose space below the base flood level in accordance with SECTION 5.4-2 [4].

b. Use of Other Base Flood Data. When base flood elevation and floodway data have not been provided in accordance with subsection 14-3.2, the Construction Official/Certified Floodplain Manager shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to administer subsections 14-6.2a and 14-6.2b.

c. Information To Be Obtained and Maintained.

1. Obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.

2. For all new substantially improved floodproofed structures:

(a) Verify and record the actual elevation (in relation to mean sea level).

(b) Maintain the floodproofing certifications required in subsection 14-4.1c.

3. In coastal high hazard areas, certification shall be obtained from a registered professional engineer or architect that the provisions of paragraphs b, 1 and b, 2 of subsection 14-6.3 are met.

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
April 24, 2013

MEETING MINUTES

4. Maintain for public inspection all records pertaining to the provisions of this Chapter.
 - d. Alteration of Watercourses.
 1. Notify adjacent communities and the New Jersey Department of Environmental Protection, Dam Safety and Flood Control Section and the Land Use Regulation Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
 2. Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.
 - e. Interpretation of Firm Boundaries. Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 14-5.

14-5 VARIANCE PROCEDURE.

SHALL READ:

14-5.1 Appeal Board.

- [1] The Planning Board of Adjustment as established by Keansburg Borough Council shall hear and decide appeals and requests for variances from the requirements of this ordinance.
- [2] The Planning Board of Adjustment shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Construction Official/Certified Floodplain Manager in the enforcement or administration of this ordinance.
- [3] Those aggrieved by the decision of the Planning Board of Adjustment or any taxpayer, may appeal such decision to the New Jersey Superior Court, as provided by State Statute.
- [4] In passing upon such applications, the Planning Board of Adjustment, shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and:
 - (i) the danger that materials may be swept onto other lands to the injury of others;
 - (ii) the danger to life and property due to flooding or erosion damage;
 - (iii) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
April 24, 2013

MEETING MINUTES

- (iv) the importance of the services provided by the proposed facility to the community;
- (v) the necessity to the facility of a waterfront location, where applicable;
- (vi) the availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
- (vii) the compatibility of the proposed use with existing and anticipated development;
- (viii) the relationship of the proposed use to the comprehensive plan and floodplain management program of that area;
- (ix) the safety of access to the property in times of flood for ordinary and emergency vehicles;
- (x) the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,
- (xi) the costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

[5] Upon consideration of the factors of SECTION 4.4-1 [4] and the purposes of this ordinance, the Planning Board of Adjustment may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.

[6] The Construction Official/Certified Floodplain Manager shall maintain the records of all appeal actions, including technical information, and report any variances to the Federal Insurance Administration upon request.

14-5.2 Conditions for Variances.

NO CHANGE

14-6 PROVISIONS FOR FLOOD HAZARD REDUCTION.

14-6.1 General Standards.

SHALL READ:

In all areas of special flood hazards, compliance with the applicable requirements of the Uniform Construction Code (N.J.A.C. 5:23) and the following standards, whichever is more restrictive, is required:

SECTION A -- ANCHORING

SHALL READ

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
April 24, 2013

MEETING MINUTES

1 All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.

2 All manufactured homes to be placed or substantially improved shall be anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

SECTION B – CONSTRUCTION MATERIALS AND METHODS

NO CHANGE

SECTION C – UTILITIES

SHALL READ

4 For all new construction and substantial improvements the electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

SECTION D – SUBDIVISION PROPOSALS

SHALL READ:

[1] All subdivision proposals and other proposed new development shall be consistent with the need to minimize flood damage;

[2] All subdivision proposals and other proposed new development shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;

[3] All subdivision proposals and other proposed new development shall have adequate drainage provided to reduce exposure to flood damage; and,

[4] Base flood elevation data shall be provided for subdivision proposals and other proposed new development which contain at least fifty (50) lots or five (5) acres (whichever is less).

SECTION E – ENCLOSURE OPENINGS

NO CHANGE

14-6.2 Specific Standards.

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
April 24, 2013

MEETING MINUTES

SHALL READ:

In all areas of special flood hazards where base flood elevation data have been provided as set forth in SECTION 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD or in SECTION 4.3-2, USE OF OTHER BASE FLOOD DATA, the following standards are required:

[A] RESIDENTIAL CONSTRUCTION

[1] New construction and substantial improvement of any residential structure shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities, elevated at or above the base flood elevation or advisory base flood elevation whichever is more restrictive, plus one foot.

[2] Require within any AO zone on the municipality's FIRM that all new construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated above the highest adjacent grade one foot above the depth number specified in feet (at least three feet if no depth number is specified) or at or above the advisory base flood elevation plus one foot, whichever is more restrictive. And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.

[B] NONRESIDENTIAL CONSTRUCTION

In an Area of Special Flood Hazard, all new construction and substantial improvement of any commercial, industrial or other nonresidential structure shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities:

either

[1] Elevated to or above the base flood elevation or advisory base flood elevation whichever is more restrictive, plus one foot; and

[2] Require within any AO zone on the municipality's DFIRM that all new construction and substantial improvement of any commercial, industrial or other nonresidential structure shall have the lowest floor, including basement, elevated above the highest adjacent grade one foot above the depth number specified in feet (at least three feet if no depth number is specified) or at or above the advisory base flood elevation plus one foot, whichever is more restrictive. And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures;

or

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
April 24, 2013

MEETING MINUTES

[3] Be floodproofed so that below the base flood level plus one foot, or advisory base flood elevation plus one foot, (whichever is more restrictive) the structure is watertight with walls substantially impermeable to the passage of water;

[4] Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,

[5] Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of this subsection. Such certification shall be provided to the official as set forth in section 4.3-3 [2] [ii].

[C] MANUFACTURED HOMES

[1] Manufactured homes shall be anchored in accordance with SECTION 5.1-1

[2] All manufactured homes to be placed or substantially improved within an area of special flood hazard shall be elevated on a permanent foundation such that the top of the lowest floor is at or above the base flood elevation or advisory base flood elevation, plus one foot (whichever is more restrictive).

14-6.3 Coastal High Hazard Area.

SHALL READ:

Coastal high hazard areas (V or VE Zones) are located within the areas of special flood hazard established in subsection 14-3.2. These areas have special flood hazards associated with high velocity waters from tidal surges and hurricane wave wash; therefore, the following provisions shall apply:

REMAINDER OF SECTION INTACT UNTIL

DELETE:

b. Construction Methods.

1. Elevation. All new construction and substantial improvements shall be elevated on piling or columns so that the bottom of the lowest horizontal structural member of the lowest floor (excluding the piling or columns) is elevated to or above the base flood level, with all space below the lowest floor's supporting member open so as not to impede the flow of water, except for breakaway walls as provided for in subsection 14-6.3b, 4.

ADD:

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
April 24, 2013

MEETING MINUTES

b. Construction Methods.

- (i) 1. Elevation. The bottom of the lowest horizontal structural member of the lowest floor (excluding the piling or columns) is elevated to or above the base flood elevation, advisory base flood elevation or as required by the Uniform Construction Code (NJAC 5:23), whichever is more restrictive, and,
- (ii) with all space below the lowest floor's supporting member open so as not to impede the flow of water, except for breakaway walls as provided or in section 6.3b. 4.

DELETE:

- (d) Prior to construction, plans for any breakaway wall must be submitted to the local administrator for approval.

ADD:

- (d) Prior to construction, plans for any breakaway wall must be submitted to the Building Sub-Code Official for approval.

DELETE:

- c. Sand Dunes. There shall be no alteration of sand dunes which would increase potential flood damage.

ADD:

- c. Sand Dunes. Prohibit man-made alteration of sand dunes within Zones VE and V on the community's DFIRM which would increase potential flood damage.

14-7 FLOOD PLAIN LETTER.

14-7.1 Reserved.*

NO CHANGE

DELETE:

14-7.2 Municipal Clerk to Furnish.

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
April 24, 2013

MEETING MINUTES

The Municipal Clerk shall be the agency to furnish the letter.

ADD:

14-7.2 Construction Official/Certified Floodplain Manager to Furnish.

The Construction Official/Certified Floodplain Manager shall be the agency to furnish the letter.

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

REPEALER.

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

INCONSISTENT ORDINANCES.

All Ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

SEVERABILITY.

If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

EFFECTIVE DATE.

This ordinance shall take effect upon its passage and publication according to law.

Mr. Cusick asked for a roll call vote to open the meeting for Ordinance #1535:

Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Foley			✓			
Mr. DePompa					✓	
Mr. Boden		✓	✓			
Mr. Cocuzza			✓			
Mr. Hoff	✓		✓			

NO MEMBER OF THE PUBLIC SPOKE AT THIS TIME

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
April 24, 2013
MEETING MINUTES

Mr. Cusick asked for a roll call vote to close the meeting for Ordinance #1535:

Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Foley			✓			
Mr. DePompa					✓	
Mr. Boden			✓			
Mr. Cocuzza		✓	✓			
Mr. Hoff	✓		✓			

Mr. Cusick asked for a roll call vote to adopt Ordinance #1535:

Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Foley			✓			
Mr. DePompa					✓	
Mr. Boden			✓			
Mr. Cocuzza		✓	✓			
Mr. Hoff	✓		✓			

Resolutions:

RESOLUTION # 13-039 Payment of Bills (4.24.13)

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg 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; and

BE IT FURTHER RESOLVED that checks be drawn by the Chief Financial Officer, signed by the Mayor and attested to by the Municipal Clerk as required by law:

Capital	\$44,707.87
Current	1,818,486.85
Dog Trust	93.00
Trust	120,991.67
Water & Sewer	107,371.55

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
April 24, 2013
MEETING MINUTES

Total: \$2,091,650.94

Mr. Cusick asked for a roll call vote:

Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Foley		✓	✓			
Mr. DePompa					✓	
Mr. Boden			✓			
Mr. Cocuzza	✓		✓			
Mr. Hoff			✓			

RESOLUTION # 13-040 2013 Raffle License (New Point Comfort)

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that

New Point Comfort Fire Company,
2013 Raffle to be held on August 3, 2013
At 4pm located at New Point Comfort Firehouse
192 Carr Avenue
Keansburg

BE IT FURTHER RESOLVED that the Borough Clerk be and is hereby authorized and directed to issue and execute the said license.

Mr. Cusick asked for a roll call vote:

Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Foley		✓	✓			
Mr. DePompa					✓	
Mr. Boden			✓			
Mr. Cocuzza	✓		✓			
Mr. Hoff			✓			

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
April 24, 2013
MEETING MINUTES

RESOLUTION # 13-041 Refund of Fees (DeFranco)

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that the following payment be made to

Amount: \$577.00

Reason: Refund of escrow fees

Payable to: George DeFranco
212 Old Bridge Turnpike REF:
South River, NJ 08882 13-15 North Shore St

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby directed to issue payment as stated above:

Mr. Cusick asked for a roll call vote:

Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Foley		✓	✓			
Mr. DePompa					✓	
Mr. Boden			✓			
Mr. Cocuzza	✓		✓			
Mr. Hoff			✓			

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
April 24, 2013
MEETING MINUTES

RESOLUTION # 13-042 Re-Appointment to Housing Authority (Mrs. Mary Foley)

BE IT RESOLVED, by the Mayor and Council of the Borough of Keansburg,
in the County of Monmouth, New Jersey that it does hereby appoint:

Mary Foley

To the Housing Authority

for the Borough of Keansburg

for a term commencing on April 2, 2013 and expiring on April 1, 2018.

Mr. Cusick asked for a roll call vote:

Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Foley						✓
Mr. DePompa					✓	
Mr. Boden		✓	✓			
Mr. Cocuzza	✓		✓			
Mr. Hoff			✓			

RESOLUTION # 13-043 Mosquito Control Aerial Agreement 2013

BE IT RESOLVED that the Mayor and Council of the Borough of Keansburg wish reinstate their agreement with the Monmouth County Mosquito Extermination Commission; and

BE IT RESOLVED that in the interest of public health the Mayor and Council of the Borough of Keansburg does hereby authorize the Monmouth County Mosquito Extermination Commission to apply pesticides from aircraft to control mosquitoes over portions of the Borough of Keansburg; and

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Keansburg understand that all pesticides used are registered with the NJDEP for aerial application by the State and the USEPA. It is also understood that the areas being treated are only those found to have a significantly high mosquito population and may present either a public health nuisance or disease factor.

BE IT FURTHER RESOLVED that approval is subject to the Monmouth County Mosquito Extermination Commission notifying the local police department prior to each and every application.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are authorized to execute the Monmouth County Mosquito Extermination Commission Aerial Agreement for 2013.

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
April 24, 2013

MEETING MINUTES

Mr. Cusick asked for a roll call vote:

Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Foley		✓	✓			
Mr. DePompa					✓	
Mr. Boden	✓		✓			
Mr. Cocuzza						✓
Mr. Hoff			✓			

RESOLUTION # 13-044 Emergency Purchase (Water Plant Scraper Arm Repair)

RESOLUTION – EMERGENCY PURCHASE – A.C.Schultes and Sigma Engineering (parts)– EMERGENCY REPAIR OF Equipment: Scraper Arm Shaft – LOCATED AT the water treatment plant WITHIN THE BOROUGH OF KEANSBURG – NOT TO EXCEED \$35,000.00 combined

Whereas, NJSA 40A:11-6 provides that a purchase, contract or agreement may be made, negotiated or awarded without public advertising for bids and bidding therefore, notwithstanding that the cost of contract price will exceed the amount set in the prevailing bidding threshold, when an emergency affecting the public health, safety or welfare requires the immediate delivery of performance of services, provided:

A written requisition for the performance of such work or labor, or the furnishing of materials, supplies or services is filed with the contracting agent or his deputy in charge describing the nature of the emergency, the time of its occurrence and the need for invoking this section, certified by the officer or director in charge of the department wherein the emergency occurred, or such other officer or employee as may be authorized to act in the place of said officer or director, and the contracting agent or his deputy in charge, being satisfied that the emergency exists, is hereby authorized to award a contract for said work or labor, materials, supplies or services; and

Whereas, an emergency situation meeting the criteria set forth above resulting from equipment failure creating the need to replace a drive gear, impeller bearing and shaft bearing used in the clarification tank at the water treatment plant , which could have lead to leaving no other water service the residents of Keansburg.

Whereas, an emergency purchase was made by the Water and Sewer Department for services from:

**A.C. Schultes and Sigma Engineering (parts)
in the amount not to exceed \$35,000.00 combined**

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Keansburg, does hereby authorize the payment of

NOT TO EXCEED \$35,000.00 to A.C. Schultes and Sigma Engineering (parts)

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
April 24, 2013

MEETING MINUTES

for the emergency purchase described herein in accordance with NJSA 40A:11-6

Mr. Cusick asked for a roll call vote:

Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Foley			✓			
Mr. DePompa					✓	
Mr. Boden			✓			
Mr. Cocuzza	✓		✓			
Mr. Hoff		✓	✓			

RESOLUTION # 13-045 CY2013 Temporary Budget Amendment

2013 RESOLUTIONS—April 24, 2013
AUTHORIZING AMENDMENT TO THE CY 2013
TEMPORARY BUDGET

WHEREAS, The Revised Statutes of New Jersey 40A:4-20 provides for the adoption of emergency temporary appropriations in addition to temporary appropriations necessary for the period between the beginning of the current fiscal year and the date of the adoption of the Local Budget for the Calendar Year 2013.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of Keansburg, that the following amendments to the temporary appropriations be made in the amounts and for the purposes herein set forth for the period between January 1, 2013 and the adoption of the Local Budget for the Borough of Keansburg, County of Monmouth and State of New Jersey for the Calendar Year 2013:

Temp. Budget Amendment General Appropriations

General Government	CY 2013
L.O.S.A.P	28,000.00
 UTILITY EXPENSES & BULK PURCHASING	
Natural Gas	7,000.00
 TOTAL OPERATIONS WITHIN "CAPS"	 35,000.00

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
April 24, 2013
MEETING MINUTES

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
April 24, 2013
MEETING MINUTES

Mr. Cusick asked for a roll call vote:

Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Foley			✓			
Mr. DePompa					✓	
Mr. Boden			✓			
Mr. Cocuzza	✓		✓			
Mr. Hoff		✓	✓			

RESOLUTION # 13-046 Authorize Monmouth County Board of Health Membership

Resolution putting the Monmouth County Board of Chosen Freeholders on notice of the Borough of Keansburg intent to participate in the Monmouth County Board of Health system.

WHEREAS, the Mayor and Council of the Borough of Keansburg, in the County of Monmouth, State of New Jersey contracted with the Monmouth County Regional Board of Health Commission #1 for local health services as required by 8:52, Standards Of Performance For Local Boards of Health In New Jersey, and,

WHEREAS, the Governing Body after careful review and consideration, by resolution **February 27, 2013** did officially withdraw from the contract for local health services with the Monmouth County Regional Board of Health Commission #1, and,

NOW THEREFORE, BE IT FURTHER RESOLVED, that the Mayor and Committee of the Borough of Keansburg does hereby put the Monmouth County Board of Chosen Freeholders on notice of its intent and desire, to officially become a participating member of the Monmouth County Board of Health system, pursuant to the provisions of the Local Health Services Act, N.I.S.A. 26:3A-1 et. seq., effective January 1, 2013.

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Keansburg that the Mayor and Municipal Clerk be, and they are hereby authorized to execute any and all documents necessary with the Monmouth County Board of Chosen Freeholders, for the purposes and intent of this resolution.

BE IT FURTHER RESOLVED, that the Municipal Clerk be, and she/he is hereby authorized and directed to forward a certified copy of this resolution to:

- **The New Jersey State Commissioner of Health**
- **The Monmouth County Board of Chosen Freeholders**
- **The Monmouth County Board of Health**
- **County Tax Administrator**

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
April 24, 2013

MEETING MINUTES

Mr. Cusick asked for a roll call vote:

Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Foley			✓			
Mr. DePompa					✓	
Mr. Boden			✓			
Mr. Cocuzza	✓		✓			
Mr. Hoff		✓	✓			

Redevelopment:

Presentation:

208 Main Street – Dr. Robert Luca

Dr. Robert Luca, Staten Island, NY gave a brief description of a proposed medical practice to be located at 208 Main Street.

There was a discussion on medical drug detox and associated issues. The Borough Council expressed concern about parking and the privacy afforded to the potential patients.

Redevelopment Counsel:

Anne Babineau, Wilentz, Goldman & Spitzer: Redevelopment Counsel for the Borough discussed redevelopment options with the Borough Council. A brief discussion about NJ State Legislation A-3615 was held. The Borough Council will be following up with Ms. Babineau to discuss various redevelopment issues.

Communications:

- True Jesus Church
Elizabeth, NJ
Semi-Annual Baptism at Beach

Resolutions:

RESOLUTION # 13-047 Authorize Use of Public Facilities (True Jesus Church)

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
April 24, 2013

MEETING MINUTES

Whereas the True Jesus Church of Elizabeth, NJ has requested the use of Keansburg’s beaches for a semiannual baptismal.

Be It Resolved by the Mayor and Council of the Borough of Keansburg that permission is granted to True Jesus Church for the use of this public facility.

Mr. Cusick asked for a roll call vote:

Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Foley			✓			
Mr. DePompa					✓	
Mr. Boden			✓			
Mr. Cocuzza	✓		✓			
Mr. Hoff		✓	✓			

- Claddagh na nGael [Irish Claddagh – an Irish heritage organization]
Marty Haughton, Dermot Farley

Members of Claddagh na nGael gave a brief description of their organization. Announced a June 1st presentation to be held at CBA, Lincroft and discussed the possible use of the Library to expand their organization in Keansburg.

**Keansburg Fire Department
New Members**

- Jack Lazar New Point Comfort Fire Company

- Amanda DeRosa Keansburg EMS Cadet
- Anthony Donohue Keansburg EMS Cadet
- David Pisano Jr Keansburg EMS Cadet
- Gabriel Vargas Keansburg EMS Cadet
- James Hynes Keansburg EMS Cadet
- Jessica Demerest Keansburg EMS Cadet

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
April 24, 2013

MEETING MINUTES

John Lupino	Keansburg EMS Cadet
Michael Caputo	Keansburg EMS Cadet
Raymond Baker	Keansburg EMS Cadet
Sunita James	Keansburg EMS Cadet
Thanh Huynh	Keansburg EMS Cadet

Mr. Cusick asked for a roll call vote to place this communication on file:

Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Foley			✓			
Mr. DePompa					✓	
Mr. Boden			✓			
Mr. Cocuzza		✓	✓			
Mr. Hoff	✓		✓			

Department Reports:

Mr. O’Keefe	Presented a road repair report
Mr. Falco	Stated that the County is charging for paint can removal. Suggested resident dry out paint cans before disposing. Use of kitty litter is suggested.
Mr. Ussmann	<p>Stated that the Borough will be coming off of NJ American Water supply on May 1st. May through October 1st the Borough will be on local water only.</p> <p>Discussed the emergency repair of the scraper arm on March 29th.</p> <p>Spoke about the chlorine investigation and NJ American Water.</p> <p>Discussed a water main break located at the Borough Yard and its repair.</p> <p>Stated that Road Runner would be doing the repaving at that location.</p>

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
April 24, 2013
MEETING MINUTES

Council Discussion:

Councilman Boden and Deputy Mayor Cocuzza	Inquired about the bulkhead. Chief O’Hare stated that it was currently being worked on with the help of the Borough’s Engineer.
Councilman Foley	Announced the Library Art Show exhibition beheld April 26 th thorough May 30 th . Artist reception for Keansburg resident Bill Jones, photographer, being held on Friday, April 26 th 7 to 9pm.
Mayor Hoff	Gave an update on the berm replenishment. Stated that the Borough is expecting a 150’ foot extention of the beach, dunes and levees.

Planning Board Vacancy (Alternate #2 Position) – to be carried to May 22, 2013

Open to the Public:

Mr. Cusick asked for a roll call vote to open the meeting to the public:

Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Foley			✓			
Mr. DePompa					✓	
Mr. Boden		✓	✓			
Mr. Cocuzza	✓		✓			
Mr. Hoff			✓			

Isabelle Newsome 50 Lawrence Ave	Asked why did the berm breach? Wanted to know why the town did nothing.
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There was a lengthy discussion on how long the Borough has pursued berm replenishment through the Army Corps of Engineers. Mayor Hoff, Deputy Mayor Cocuzza and Borough Manager O’Hare discussed that for at least 15 years, this has been a priority for the Borough.

Wesley Amaoko Wamley 39 Oceanview Ave	Discussed matters concerning his ownership of a 2 family home
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Salma Harris 129 Seeley Ave	Asked why the Borough is not going after federal government to recoup expenses
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BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
April 24, 2013
MEETING MINUTES

Chief O’Hare stated that the Borough was conducting discussions with FEMA everyday fighting for all reimbursements.

Stated her thanks for the Lowes voucher.

Inquired about her new assessment. Mr. Bennett explained the reassessment.

Kevin Berg
21 Beaconlight Ave

Questioned website: Burners without Borders. The Borough will remove information.

Tracee Truglia
18 Pineview Ave

Inquired about the Planning Board and stated concerns about 208 Main Street as discussed earlier in the meeting.

Mr. Cusick asked for a roll call vote to close the meeting to the public:

Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Foley			✓			
Mr. DePompa					✓	
Mr. Boden			✓			
Mr. Cocuzza		✓	✓			
Mr. Hoff	✓		✓			

Adjournment

Mr. Cusick asked for a roll call vote to adjourn:

Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Foley		✓	✓			
Mr. DePompa					✓	
Mr. Boden			✓			
Mr. Cocuzza	✓		✓			
Mr. Hoff			✓			