

**BOROUGH OF KEANSBURG**  
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY  
March 9, 2011  
**Meeting Minutes**

Mr. Cusick read the following:

ADEQUATE NOTICE HAS BEEN GIVEN OF THIS MEETING BY NOTIFICATION TO THE ASBURY PARK PRESS  
AND THE STAR - LEDGER 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. Boden	Mr. DePompa	Mrs. Strydio	Mr. Hoff	Mr. Cocuzza
✓	Absent/Excused	✓	✓	✓

**In Memoriam:**



*George E. Kauffmann*



**Resolutions:**

RESOLUTION #11 – 054    Payment of Bills (03.09.11)

**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:

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<b>Current</b>	\$517,403.65
<b>Water &amp; Sewer</b>	46,475.44
<b>Water &amp; Sewer Capital</b>	215,350.84
<b>Trust</b>	1,374.17
<b>Total:</b>	<b>\$780,604.10</b>

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #11 – 055    Refund of Fees (A.J. Perri)

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

<b>Amount:</b>	\$188.00	
<b>Reason:</b>	Refund of unused Permit Fee	
<b>Payable to:</b>	A. J. Perri, Inc. 1138 Pine Brook Road Tinton Falls, NJ 07724	Ref: 8 Stella Drive

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

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Mr. Cusick asked for a roll call vote:

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

RESOLUTION #11 – 056 Authorize Cancellation of Checks

**BE IT RESOLVED**, by the Borough Council of the Borough of Keansburg,  
that the Certified Financial Officer is authorized to cancel the following

<u>Bank</u>	<u>Ck#</u>	<u>Date</u>	<u>Amount</u>
Valley National #81005431			
	22586	2009	2.44
	22589	2009	190.00
	23128	2009	50.11
	23170	2009	887.35
	23173	2009	790.00
	24489	2009	28860.01
	24832	2009	47.85
	294934	2009	16.99
	25243	2009	25.00
	25440	2009	2628.00
	25605	2009	52.05
	25667	2009	79.09
	25824	2009	168.82
	25924	2009	5.00
	26545	2009	1359.50
	26654	2009	250.00
	26723	2009	9.80
	26712	2009	250.00
	26707	2009	250.00

Mr. Cusick asked for a roll call vote:

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

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RESOLUTION #11 – 057    2011 Tonnage Grant

**WHEREAS**, the Mandatory Source Separation and Recycling Act, P.L., c. 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

**WHEREAS**, the New Jersey Department of Environmental Protection and Energy is promulgating recycling regulations to implement the mandatory Source Separation and Recycling Act; and

**WHEREAS**, the recycling regulation impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, a Resolution authorizing the Borough of Keansburg to apply for such tonnage grants will memorialize the commitment of the Borough to recycling and indicate the assent of the Mayor and Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and Recycling regulations; and

**WHEREAS**, such a Resolution should designate the individual authorized to ensure that the application is properly completed and timely filed.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Keansburg that the Borough hereby endorses the submission of a Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection and Energy and designates

**James Falco,**  
**Recycling Coordinator,**

29 Church Street, Keansburg, NJ 07734, to ensure that the said application is properly filed; and

**BE IT FURTHER RESOLVED** that the monies received from the recycling tonnage grant be deposited in a recycling trust fund to be used solely for the purposes of recycling.

Mr. Cusick asked for a roll call vote:

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

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RESOLUTION #11 – 058 Authorize Refunding of Water & Sewer Bonds  
BOND RESOLUTION PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED  
\$1,065,000 GENERAL IMPROVEMENT REFUNDING BONDS, SERIES 2011  
AND THE SALE THEREOF TO THE MONMOUTH COUNTY IMPROVEMENT  
AUTHORITY, AND DETERMINING THE FORM AND OTHER DETAILS OF  
SUCH BONDS, AUTHORIZED IN AND BY THE BOROUGH OF KEANSBURG,  
IN THE COUNTY OF MONMOUTH, NEW JERSEY.

WHEREAS, pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.*, the Keansburg Municipal Utilities Authority, in the County of Monmouth, New Jersey (the “Keansburg MUA”), has heretofore issued to the Monmouth County Improvement Authority (the “Authority”) the following Pooled Governmental Loan Program Bonds: Governmental Loan Revenue Bonds, Series 1995, dated December 1, 1995; and Governmental Loan Revenue Bonds, Series 1998, dated December 1, 1998 (collectively, the “1995 and 1998 Refunded Bonds”); and

WHEREAS, the Keansburg MUA was dissolved in or about 2001, and the Borough of Keansburg, in the County of Monmouth, New Jersey (the “Borough”) created a self-liquidating Water and Sewer Utility and directly assumed all of the Keansburg MUA’s outstanding bonds; and

WHEREAS, the 1995 and 1998 Refunded Bonds currently are outstanding in the amount of \$845,000 and may be redeemed prior to maturity at the option of the Borough; and

WHEREAS, the Borough has determined to provide for the refunding of the 1995 and 1998 Refunded Bonds through the issuance by the Borough of its refunding bonds (the “Bonds”) in an aggregate principal amount of not to exceed \$1,065,000, as provided in Refunding Bond Ordinance No. 1501 entitled: “REFUNDING BOND ORDINANCE OF THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF THE BOROUGH’S GOVERNMENTAL LOAN REVENUE BONDS, SERIES 1995, DATED DECEMBER 1, 1995, AND GOVERNMENTAL LOAN REVENUE BONDS, SERIES 1998, DATED DECEMBER 1, 1998, PREVIOUSLY ISSUE BY THE KEANSBURG MUNICIPAL UTILITIES AUTHORITY TO FINANCE WATER AND SEWER IMPROVEMENTS, APPROPRIATING AN AMOUNT NOT EXCEEDING \$1,065,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$1,065,000 GENERAL IMPROVEMENT REFUNDING BONDS OF THE BOROUGH OF KEANSBURG FOR FINANCING THE COST THEREOF” finally adopted by the Borough Council on October 6, 2010 (the “Refunding Bond Ordinance”) followed by the review thereof on October 13, 2010, by the Local Finance Board, in the Division of Local Government Services in the Department of Community Affairs; and

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WHEREAS, the Authority has established a 2010 Governmental Loan Program (the “Program”) pursuant to a resolution adopted by the Authority on October 14, 2010, as amended on February 3, 2011 (herein, the “Program Resolution”), and is authorized to purchase bonds of the Borough; and

WHEREAS, the Authority is issuing its Governmental Loan Revenue Refunding Bonds, Series 2011 dated March 30, 2011 (the “Program Bonds”), a portion of the proceeds of which will be used to purchase the Bonds of the Borough; and

WHEREAS, the Local Bond Law, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (*N.J.S.A. 40A:2-1 et seq.*), governs the issuance of refunding bonds by the Borough and pursuant to N.J.S.A. 40A:2-59, the Borough is authorized to sell bonds by private sale to the Authority; and

WHEREAS, the Borough has determined that it is in the best interests of the Borough to issue the Bonds and sell such bonds to the Authority;

NOW THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. Authorization for the Bonds. Pursuant to the Local Bond Law and by virtue of the Refunding Bond Ordinance, the Borough hereby authorizes the sale and issuance of General Improvement Refunding Bonds in an aggregate principal amount not to exceed \$1,065,000 as hereinafter set forth, to refund the 1995 and 1998 Refunded Bonds. The bonds shall consist of one (1) series composed of not to exceed \$1,065,000 General Improvement Refunding Bonds, Series 2011 (the “Bonds”) issued pursuant to the Refunding Bond Ordinance and hereto.

Section 2. Details of the Bonds. (a) The Bonds shall be dated their date of issuance and shall mature on the dates and in the principal amounts as set forth on Attachment A annexed hereto, and shall be payable as set forth in subsection (d) hereof.

(b) The Bonds are not subject to redemption prior to maturity.

(c) The Bonds shall bear interest from their date of issuance at the rate(s) per annum set forth in Attachment A, payable semiannually as set forth in the form of bond annexed hereto as Attachment B.

(d) Interest is payable to the Authority at the corporate trust office of TD Bank, National Association, Cherry Hill, New Jersey, as Trustee for the Authority’s Program Bonds. The Bonds, as to principal, will be payable as set forth in the form of bond annexed hereto as Attachment B.

(e) The Bonds shall be issued in fully registered form, without coupons, as to both principal and interest as one (1) series designated “General Improvement Refunding Bonds, Series 2011” and shall be issued in the form of one or more certificates registered in the name of The Monmouth County Improvement Authority, c/o TD Bank, National Association, as Trustee. The Bonds may be issued as a single certificate or as a separate

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certificate for each maturity. The Bond certificates will be on deposit with the Trustee, and shall be numbered from 1 upwards with a prefix designating the series, and shall be in denominations of \$5,000 or any integral multiple thereof or such other denomination as is determined by the Chief Financial Officer or Deputy Chief Financial Officer of the Borough (herein, the "Financial Officer"), consistent with the provisions of this Resolution and the Bond Purchase Agreement (hereinafter described). The Bonds shall be executed by the manual or facsimile signatures of the Mayor and Financial Officer, under the official seal of the Borough affixed, imprinted or reproduced thereon and attested to by the manual signature of the Borough Clerk or Deputy Clerk, and in the event the Bonds are authenticated by the manual signature of an authorized officer of the Registrar of the Bonds, if any, the Bonds may be executed by the facsimile signatures of such officer as directed by the Financial Officer in accordance with law. In the absence of the Mayor, Financial Officer or Clerk, the respective deputy thereof is hereby authorized to so execute or attest to such execution of the Bonds.

(f) The Bonds shall be payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public or private debts and which constitutes immediately available funds.

(g) The Bonds are transferable only upon the Bond Register maintained by the Financial Officer by the registered owner or by his attorney duly authorized in writing, upon surrender of the Bond with a written instrument of transfer satisfactory to the Financial Officer duly executed by the registered owner or his duly authorized attorney and upon the payment of any tax, fee, governmental or administrative charge or expense. Upon surrender for transfer of a Bond, the Financial Officer shall issue in the name of the transferee a Bond or Bonds identical in aggregate principal amount, interest rate, maturity and tenor to the Bond so surrendered for transfer. The Borough may deem and treat the person in whose name a Bond is registered as the absolute owner thereof for all purposes whatsoever, including the payment of the principal and interest due thereon.

Section 3. Form of the Bonds. (a) The Bonds shall be in substantially the form as set forth in Attachment B, subject to such modifications as are approved in the reasonable discretion of the Financial Officer in consultation with Bond Counsel (hereinafter described), and consistent with applicable law.

(b) If any Bond is mutilated, destroyed, lost or stolen and replaced in accordance with the Local Bond Law, including specifically *N.J.S.A. 40A:2-36*, the owner thereof shall be responsible for all costs incurred in connection with the replacement thereof, including legal, printing and other related costs.

(c) At the discretion of the Financial Officer, upon advice of Bond Counsel, the Bonds may have printed thereon a copy of the written opinion with respect to the Bonds (complete except for omission of its date), which is to be rendered by the law firm of Dilworth Paxson LLP, Neptune, New Jersey, Bond Counsel for the Borough. The Borough Clerk is hereby authorized and directed to certify to the correctness of the copy of

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such opinion by executing, by manual or facsimile signature, a certificate on each of the Bonds, in form satisfactory to said firm, and to file a signed duplicate of such written opinion in said Clerk's office.

Section 4. Award of the Bonds and Execution of Bond Purchase Agreement. The Borough hereby sells and awards the Bonds at par value to the Monmouth County Improvement Authority pursuant to and in accordance with the terms of this Resolution and the Bond Purchase Agreement annexed hereto as Attachment C, the terms of which are incorporated herein by reference. The Financial Officer is hereby authorized to consent to any modification of said Agreement which is not inconsistent with this Resolution and the Mayor, Deputy Mayor or Financial Officer is hereby authorized to execute said Agreement on behalf of the Borough.

Section 5. Additional Matters. The following additional matters are hereby determined, declared, recited and stated:

(a) The Bonds have not been heretofore sold or issued and the Refunding Bond Ordinance described herein has not been rescinded and now remains in full force and effect as authorization for the aggregate principal amount of the Bonds.

(b) The purposes for which the Bonds have been authorized to be issued are purposes for which bonds may lawfully be issued pursuant to the Local Bond Law.

(c) The Bonds shall be sold and issued in accordance with the provisions of the Local Bond Law, specifically including N.J.S.A. 40A:2-51 et seq., applicable to the sale and issuance of a single issue of refunding bonds and accordingly may be sold at private sale upon the terms approved by the Local Finance Board.

Section 6. Tax Matters. (a) The Borough hereby covenants, to the extent permitted by the Constitution and laws of the State of New Jersey and to the extent that such action is within the control of the Borough, that it will comply with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") applicable to the Bonds and will take all lawful action within the Borough's control and which is necessary under the Code to ensure that interest on the Bonds will remain excluded from the gross income of the recipients thereof for Federal income tax purposes and to refrain from taking any action that would cause interest on the Bonds to become included in such gross income.

(b) If the Bonds so qualify, upon the advice of Bond Counsel and request of the Authority, as purchaser, the Borough hereby authorizes the Financial Officer to designate (to the extent not deemed to be designated) the Bonds as Qualified Tax-Exempt Obligations pursuant to and for the purposes of Section 265(b)(3) of the Code, or to the extent the Bonds refund other obligations of the Borough, the Bonds are Qualified Tax-Exempt Obligations pursuant to Section 265(b)(3)(D)(iii) of the Code, and declares that as of this date the Borough reasonably anticipates that the amount of tax-exempt obligations (excluding current refunding



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obligations and private activity bonds) which it, together with any “subordinate entity,” will issue during the 2011 calendar year will not exceed \$10,000,000.

(c) Upon the date of delivery of the Bonds to the Authority and the payment of the purchase price thereof in accordance with the Bond Purchase Agreement, the Financial Officer is hereby authorized and directed, as of the date of issue, to deliver to the Authority a Non- Arbitrage and Use of Proceeds Certificate with respect to the Bonds in such form as shall be satisfactory to Bond Counsel under and for the purposes of Section 148 of the Code.

(d) The proceeds of the Bonds shall not be used in a manner which would render the Bonds to be private activity bonds.

Section 7. Security for the Bonds. Any Bond issued pursuant to this Resolution shall be a general obligation of the Borough, and the Borough’s full faith and credit are hereby irrevocably pledged to the punctual payment of the principal of and the interest on, and all other amounts due under the Bonds, according to their terms, and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 8. Delegation of Authority. The Financial Officer is hereby authorized and directed to determine all matters in connection with the Bonds not determined by this or subsequent resolution, or by the Bond Purchase Agreement, all in consultation with Bond Counsel, and the manual or facsimile signature of the Financial Officer upon the Bonds shall be conclusive as to such determinations. The Mayor, Clerk, and Financial Officer, or the deputies thereof, are hereby authorized and directed to execute and deliver such documents as are necessary for the issuance and delivery of the Bonds, including any required Continuing Disclosure Agreement, and to take such actions or refrain from such actions as are necessary for the issuance of the Bonds, in consultation with Bond Counsel. The Borough Auditors are authorized to prepare the financial information and other information required by the Authority and necessary in connection with the issuance of the Bonds.

Section 9. Closing and Delivery of the Bonds. The Borough shall cause the Bonds to be prepared and made ready for delivery on or about March 30, 2011, as agreed to by the Financial Officer (the “Closing Date”). The delivery of and payment for the Bonds shall take place at the offices of Dilworth Paxson LLP, Neptune, New Jersey, Bond Counsel, or at such other place as is agreed to by the Financial Officer. If the Authority shall so request, the Bonds shall be made available before the Closing Date for purposes of inspection and packaging. At the Closing, the Borough will deliver the Bonds to the Authority or upon its order in definitive or temporary form duly executed, together with the other required documents and, subject to the terms and conditions hereof, the Authority will accept such delivery and pay the aggregate purchase price of the Bonds in immediately available funds.

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Section 10. Application of Proceeds of Bonds. (a) From the proceeds of the sale of the Bonds, the following amounts shall simultaneously with the issuance of the Bonds (or as soon as practicable thereafter) be paid by the Borough as follows:

(i) To the payees designated by the Mayor and/or Financial Officer of the Borough, amounts representing the costs of issuance of the Bonds, which costs include the Borough’s proportionate share of certain costs of issuance associated with the issuance of the Authority’s Program Bonds, as summarized in Attachment A hereof; and

(ii) To the Escrow Agent (as described in the Bond Purchase Agreement), an amount to be held in trust by the Escrow Agent for the payment of the principal of, redemption premium and interest on the 1995 and 1998 Refunded Bonds upon (and prior to) redemption thereof on the Redemption Date specified in Section 10(b) hereof.

(b) The Borough hereby irrevocably elects to redeem the 1995 and 1998 Refunded Bonds on March 30, 2011, or on the date otherwise specified by the Authority, at a redemption price calculated in accordance with the terms of the 1998 and 1995 Refunded Bonds.

Section 11. Effective Date. This resolution shall take effect immediately.

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #11 – 059 Authorize Execution of 2011 VNA Agreement

**BE IT RESOLVED** that the Mayor and Council of the Borough of Keansburg do hereby authorize the Borough Manager and Municipal Clerk to execute the agreement, entitled “2011 VNA Agreement” to run from January 1, 2011 to December 31, 2011 in the amount of \$12.055.00.

Mr. Cusick asked for a roll call vote:

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

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RESOLUTION #11 – 060 Interlocal Agreement (KBOE – Road materials)  
AUTHORIZING THE BOROUGH OF KEANSBURG TO ENTER INTO A CONTRACT WITH  
THE KEANSBURG BOARD OF EDUCATION FOR THE PROVISION OF ROAD MATERIAL

**WHEREAS**, the Mayor and Council of the Borough of Keansburg find that it is the best interest to provide Road Materials commencing for the school year 2010-2011.

**BE IT RESOLVED** that a copy of this agreement shall be available for examination in the Municipal Clerk’s Office in Borough Hall.

**BE IT FURTHER RESOLVED**, that the Mayor and Council of the Borough of Keansburg do hereby authorize the Mayor and the Municipal Clerk to execute the attached Interlocal Service Agreement for the Provision of Road Materials

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #11 – 061 Professional Services (Birdsall - Lime Process Feed)

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

**Birdsall Engineering**

be and is hereby appointed as Borough Engineer for engineering services for

**Engineering Services Keansburg WTP – Lime Process Feed Relocation  
Project No. 09.04374.01; and**

**BE IT FURTHER RESOLVED** by the Mayor and Council as follows:

1. The Borough Manager and Clerk are hereby authorized to enter into the attached agreement dated February 8, 2011, Birdsall project number 09 04374.01 with Birdsall Engineering. in the contract amount of \$11,780.00 plus reimbursable expenses.
2. The attached contract is awarded without competitive bidding as a “Professional Service” in accordance with the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i) because it is for services performed by persons authorized by law to practice a recognized profession.
3. The services to be performed are necessary for the orderly function of the Project.
4. The amounts paid under the attached contract shall not exceed the amount appropriated by the Borough Council for these services.

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5. The Chief Financial Officer certifies that funds are available for this purpose.

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**Patrick DeBlasio CFO**

6. A copy of this Resolution as well as the executed contract shall be placed on file with the Municipal Clerk of the Borough of Keansburg.

A notice in accordance with the Local Public Contracts Law stating the nature, duration, service and amount of the contract and that the Resolution and contract are on file and available for inspection in the Office of the Municipal Clerk.

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #11 – 062      Amendment to the Temporary Budget

Resolution # 11-062

2011 RESOLUTIONS—March 9th 2011

AUTHORIZING AMENDMENT TO THE CY 2011

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 2011.

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, 2011 and the adoption of the Local Budget for the Borough of Keansburg, County of Monmouth and State of New Jersey for the Calendar Year 2011:

<u>DEPARTMENT</u>	<u>ACCOUNT</u>		<u>AMOUNT</u>
Parking Meters	01-25-111-200	O&E	\$3,450.00
Utilities/Nat. Gas	01-31-446-200	O&E	\$13,000.00
<b>Total</b>			<b>\$16,450.00</b>

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Mr. Cusick asked for a roll call vote:

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

**Ordinances:**

**First Reading:**

**ORDINANCE #1504** – ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) - CALENDAR YEAR 2011

**CALENDAR YEAR 2011  
MODEL ORDINANCE TO EXCEED THE  
MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK**

(N.J.S.A. 40A: 4-45.14)

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Mayor and Council of the Borough of Keansburg in the County of Monmouth finds it advisable and necessary to increase its CY 2011 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Mayor and Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$418,631.00 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

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**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Council of the Borough of Keansburg, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2011 budget year, the final appropriations of the Borough of Keansburg shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$418,631.00, and that the CY 2011 municipal budget for the Borough of Keansburg be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mr. Cusick asked for a roll call vote:

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

**2011 Municipal Budget**

**Introduction of Municipal Budget**

**Councilman DePompa arrived at this time.**

Mr. Cusick asked for a roll call vote:

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

Said Budget on file with Municipal Clerk. Public Hearing scheduled for Wednesday, April 26, 2011 at 7 p.m.

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**Council Discussion:**

There was a discussion concerning **Solid Waste Collection – Multi-Family Units**. Council would like to have some information put together to further this discussion. Items of interest include establishing a per unit cost and an estimate of the number of multiple family units.

**Communications:**

**REMINDER:**

The next Council Meeting will be Wednesday, March 23 at 7:30pm.

**Keansburg Fire Department  
New Members**

Leslie Thompson                      Keansburg EMS

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

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

**Open to the Public:**

Mr. Cusick asked for a roll call vote:

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

NO MEMBER OF THE PUBLIC SPOKE AT THIS TIME

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Mr. Cusick asked for a roll call vote:

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

**Executive Session:**

Mr. Cusick asked for a roll call vote to go into Executive Session:

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

Executive Session Convened

– Worker’s Compensation Matter –

Mr. Cusick asked for a roll call vote to return from Executive Session:

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



**BOROUGH OF KEANSBURG**  
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**Adjournment**

Mr. Cusick asked for a roll call vote:

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



I, THOMAS P. CUSICK, Clerk of the Borough of Keansburg, in the County of Monmouth, New Jersey, do hereby certify that the foregoing is a true copy of meeting minutes of a regularly scheduled public meeting held on **March 9, 2011**

***Attest:***

**Thomas P. Cusick**  
Municipal Clerk  
Borough of Keansburg