

**BOROUGH OF KEANSBURG**  
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY  
March 23, 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 the rise and recite:

**Salute to the Flag**

Mr. Cusick took:

**Roll Call**

<b>Mr. Boden</b>	<b>Mr. DePompa</b>	<b>Mrs. Strydio</b>	<b>Mr. Hoff</b>	<b>Mr. Cocuzza</b>
✓	Excused	✓	✓	✓

A moment of silence was observed:

**In Memoriam:**



*George E. Kaufmann*



**Meeting Minutes:**

Meeting Minutes for February 23, 2011  
Meeting Minutes for March 9, 2011

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

Mr. Cusick asked for a roll call vote:

	Moved	Seconded	Ayes	Nays	Absent	Abstain
<b>Mr. Boden</b>		✓	✓			
<b>Mr. DePompa</b>					✓	
<b>Mrs. Strydio</b>	✓		✓			
<b>Mr. Hoff</b>			✓			
<b>Mr. Cocuzza</b>			✓			

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**Ordinances:**

**Second 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.

**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 to open the meeting to the public:

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	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**

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

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

Mr. Cusick asked for a roll call vote to adopt Ordinance #1504:

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

**Resolutions:**

RESOLUTION #11 – 063    Payment of Bills (03.23.11)

**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:

<b>Current</b>	\$1,696,481.15
<b>Water &amp; Sewer</b>	127,073.95
<b>Water &amp; Sewer Capital</b>	14,975.35
<b>Grant</b>	2,085.00
<b>Trust</b>	27,771.00

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<b>Unemployment Trust</b>	30,229.31
<b>Total:</b>	<b>\$1,898,615.76</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 – 064    Authorize Renaming of Borough Hall

**Whereas**, George E. Kauffmann, a long time resident has left this mortal coil on March 2, 2011; **and**,

**Whereas**, George E. Kauffmann, served the People of Keansburg faithfully and graciously for 25 years as an elected official and Mayor; **and**,

**Whereas**, George E. Kauffmann, exemplified the meaning of being a public servant through his tireless efforts to promote Keansburg, the Bayshore, the rights of adoptees, Veterans and the disenfranchised of our society; **and**,

**Whereas**, the Mayor and Council of the Borough of Keansburg believe that through his leadership and by the example of his actions, George E. Kauffmann has lead the life of a true community activist and participant of home town spirit; **and**,

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Keansburg that George E. Kauffmann shall be honored and memorialized for his efforts and deeds; and

**BE IT FURTHER RESOLVED** that the Keansburg Borough Hall, located at 29 Church Street will now and forever be known and referred to as

*George E. Kauffmann Municipal Building*

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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 – 065 Mosquito Commission Agreement

**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 2011.

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 – 066    Appointment to the Housing Authority  
(term expiring Judy Ferraro)

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:

*Judy Ferraro*

To the Housing Authority  
for the Borough of Keansburg  
for a term commencing on April 2, 2011  
and expiring on April 1, 2016.

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 – 067    Appointment of Risk Management Consultant

**RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT**

**WHEREAS**, the Borough of Keansburg (hereinafter "Local Unit") has joined the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

**WHEREAS**, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the "Fund"; and

**WHEREAS**, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

**WHEREAS**, the "Fund" has requested its members to appoint individuals or entities to that position; and

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of "Local Unit", in the County of Monmouth and State of New Jersey, as follows:

1. Borough of Keansburg hereby appoints

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Dominick S. Cinelli of Brown & Brown Metro Inc. and James P. Conroy of W.A. Conroy and Son as its local Risk Management Consultant.

2. The Borough Manager and Borough Clerk and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant's Agreement for the year 2011 in the form attached hereto.

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 – 068     Authorize Execution of Risk Management Agreement

**2011 FUND YEAR  
STATEWIDE INSURANCE FUND  
RISK MANAGEMENT CONSULTANT'S AGREEMENT**

**THIS AGREEMENT** entered into this 24<sup>th</sup> day of March, 2011, among the Statewide Insurance Fund ("FUND"), a joint insurance fund of the State of New Jersey, Borough of Keansburg ("MEMBER") and Dominick S. Cinelli of Brown & Brown and James P. Conroy of W.A. Conroy & Son("CONSULTANT") through a fair and open process, pursuant to N.J.S.A.19:44A-20.4.

**WHEREAS**, the **CONSULTANT** has offered to the **MEMBER** professional risk management consulting services as required by the Bylaws of the **FUND**; and

**WHEREAS**, the **CONSULTANT** has advised the **FUND** that he/she is familiar with the terms, conditions and operations of the **FUND**; and

**WHEREAS**, the **MEMBER** desires these professional services from the **CONSULTANT**; and

**WHEREAS**, the **MEMBER** has complied with relevant law in regard to the appointment of a Risk Management Consultant; and

**WHEREAS**, the Bylaws of the **FUND** require that members engage a **CONSULTANT** and that the **CONSULTANT** comply with certain requirements set forth therein.

**NOW, THEREFORE**, the parties in consideration of the mutual promises and covenants set forth herein, agree as follows:

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1. For and in consideration of the amount stated hereinafter, the **CONSULTANT** shall:
  - (a) assist in evaluating the MEMBER'S exposures and advise on matters relating to the Member's operation and coverage.
  - (b) explain to the MEMBER, or its representatives, the various coverages available from the FUND.
  - (c) explain to the MEMBER, or its representatives, the terms of the member's commitment and obligations to the FUND.
  - (d) explain to the MEMBER, or its representatives the operation of the FUND.
  - (e) prepare applications, statements of values, etc., on behalf of the MEMBER, if required by the FUND.
  - (f) review the MEMBER'S assessment and assist in the preparation of the MEMBER'S insurance budget.
  - (g) review losses and engineering reports and provide assistance to the MEMBER'S safety committee, if required.
  - (h) assist in the claims settlement process, if required, by MEMBER or FUND.
  - (i) attend the majority of meetings of the Fund Commissioners or Executive Committee, if requested, and perform such other services as required by the MEMBER or the FUND.
  - (j) comply with the obligations imposed upon Risk Managers in the FUND's Bylaws.
  - (k) act in good faith and fair dealing to the FUND.
  - (l) perform other duties for the FUND as may be required from time to time by the FUND.
  
2. In exchange for the above services, the **CONSULTANT** shall be compensated in the following manner:
  - (a) The **CONSULTANT** shall be paid by the FUND, on behalf of the MEMBER, a fee as compensation for services rendered. Said fee, an apportionment of the MEMBER'S assessment: 6% of workers' compensation (excluding any fees, PLIGA, and loss ratio apportionment); 7.5% of all lines assessment (excluding any fees, PLIGA, and loss ratio apportionment); and 10% of Selective umbrella assessment (excluding fees, PLiGA and administrative expenses).
  - (b) The **CONSULTANT** shall be entitled to compensation for services provided during any calendar year only if the **CONSULTANT** has been appointed and holds the position of Risk Management Consultant, as of January 31 of the said calendar year for counties and municipalities holding general elections and July 30 for municipalities holding regular elections.
  - (c) For any insurance coverages authorized by the MEMBER to be placed outside the FUND, the **CONSULTANT** shall receive as compensation the normal brokerage commissions paid by the insurance company. The premiums for said policies shall not be added to the FUND'S assessment in computing the fee set forth in 2(a).



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(d) If the MEMBER shall require of the CONSULTANT extra services other than those outlined above, the CONSULTANT shall be paid by the MEMBER a fee at a rate to be negotiated by the parties.

The term of this Agreement shall be from **January 1, 2011 to January 1, 2012**. However, this Agreement may be terminated by either party at any time by mailing to the other thirty (30) days written notice, certified mail return receipt.

4. The CONSULTANT shall comply with all laws applicable to producers who provide insurance products to public entities and shall comply with all applicable statutes and regulations relating to joint insurance funds.

5. The CONSULTANT agrees to comply with all affirmative action laws applicable in accordance with Exhibit A and to submit all necessary documentation establishing compliance within seven (7) days of this Agreement.

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 – 069    Rejection of Bids (Improvement to Parks)

REJECTION OF BIDS

WHEREAS, the Borough of Keansburg Municipal Clerk properly advertised seeking bids for Improvement to Parks for the Borough of Keansburg, located at 29 Church Street, Keansburg, NJ 07734; and

WHEREAS, bid proposals were received by the Borough of Keansburg Municipal Clerk on Friday, March 18, 2011 at 9:00 A.M.; and

WHEREAS, several bidders submitted proposals for the project as listed above; and

WHEREAS, after the acceptance of the bids, the governing body has decided to that the bid proposals were substantially higher in value then expected and the Borough wishes to review and or revise the specifications for the subject goods or services and accordingly rejects all bids or proposals submitted based on bid monetary values; and

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BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Keansburg that the Municipal Clerk and Deputy Clerk of the Borough of Keansburg are hereby authorized to execute another Request for Bids for the Improvement of Parks for the Borough of Keansburg.

Mr. Cusick asked for a roll call vote:

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

**Redevelopment:**

**PAR Realty/Ritesh Shah                      304 Main Street**

John Wiley, Esq. appeared before the council on behalf of his client, PAR Realty. He is proposing demolition of the structure located at 304 Main Street (formerly the “Sports Barn”) and construction of a new building consisting of commercial uses on the ground floor and apartments on the second and third floor. They are in contract to buy the liquor to buy the liquor license held by the former owner of the property. PAR Realty has purchased the lot behind the building on Port Monmouth Road to allow for additional parking. One of the commercial used would be for a store selling beer and wine but must contain a bar with seven (7) stools.

The Council, acting as the Redevelopment Agency, expressed that they are not receptive to a third floor on the structure. There was discussion on parking and ingress/egress. The agency members did not feel that the submitted plans showing the front of the building was conducive to the Main Street business area. They would like to see windows and/or entrances on the Main Street side. Also there was concern on the appearance of the building on the Port Monmouth Road side.

Mr. Ritesh Shah also appeared before Council on behalf of PAR Realty. He will confer with his architect to revise the plans. Mr. Wiley will be in contact with the Clerk’s office to schedule a future appearance before the Redevelopment Agency.

**Council Discussion:**

- True Jesus Church  
Elizabeth, New Jersey  
Annual request to use beach for baptism was approved
- Solid Waste Collection – Multi-Family Units, this topic shall be carried to the April 26<sup>th</sup> meeting.

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- Raritan Avenue Drainage  
At this time Borough Engineer, Francis Mullan, discussed with the Council a drainage improvement to Raritan Avenue. The Raritan Avenue Outfall Drains into town down Carr Avenue to Manning Place. It is the largest amount of area in town utilizing any of the outfalls. Improvements to be considered would begin at Beachway and continue to slightly past East Shore Street. The cost of the project is estimated to be \$500,000.00 and engineering costs of \$90,000.00. Council expressed concern over costs and that Raritan Avenue (Center Avenue to Bayview Avenue) had been repaved approximately five years ago. Mr. Mullan assured Council that the lines would be videotaped prior to any reconstruction. A water main on Raritan Avenue would also be replaced during construction. At this time the Council agreed to the following resolution:

**Resolutions:**

RESOLUTION #11 – 070 Professional Services Agreement (T&M)

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

**T&M Associates**

hereby appointed as Borough Engineer for engineering services for

**Raritan Avenue Drainage Improvements**

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 March 22, 2011, with T&M Associates in the proposal amount of \$38,500.00 plus reimbursable expenses. Which is comprised of the following:
  - A. Field Survey \$13,000.00
  - B. Pre-Design, design, Bidding (50%) \$25,500.00
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 proposal shall not exceed the amount appropriated by the Borough Council for these services.
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 proposal 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.

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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			✓			

**Open to the Public:**

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

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

Martin Slezak  
33 Lincoln Ave

Vice President of the Keansburg Youth Leadership Council. Asked about fixing the Baywalk as a community project.

Dick Stryker  
115 Carr Ave

Asked Council to do something about drainage (Carr Avenue).

Spoke about the Key Club Kiwanis participating in a Clean-up of parks on Saturday, April 2<sup>nd</sup>.

Informed Council about deteriorating sidewalks at Port Monmouth Road and Beech Street at Main Street.

Possibility of using the temporary pump on Carr Avenue

Martin Slezak  
33 Lincoln Ave

Asked to consider costs of drainage before new positions. Mayor Cocuzza explained that there have not been new hires and positions have been filled at lower costs.

Jonathan Burnley  
57 Kennedy Way

Thank the Borough for the help with the Creek Clean Up

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

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

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**Adjournment**

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

	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 23, 2011**

***Attest:***

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