

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
May 28, 2014

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. Hoff	Mr. Cocuzza	Mr. Boden
✓	Absent	✓	✓	✓

Mr. Cusick announced:

Municipal Election Results:

The official results of the May 13, 2014 Municipal Election is as follows:

Diane Nelson 198	Arthur Boden 447	James Cocuzza 429
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Meeting Minutes:

Meeting Minutes April 23, 2014

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. Hoff	✓		✓			
Mr. Cocuzza			✓			
Mr. Boden			✓			

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PUBLIC HEARING: CY2014 Municipal Budget

OPEN TO THE PUBLIC: CY2014 Municipal Budget

Mr. Cusick asked for a roll call vote:

Roll Call

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

NO MEMBER OF THE PUBLIC SPOKE AT THIS TIME

Mr. Cusick asked for a roll call vote:

Roll Call

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

Ordinances:

Second Reading:

ORDINANCE #1548 – Index Rate Ordinance 2014

Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish A CAP Bank (N.J.S.A. 40A:4-45.14) - Calendar year 2014

**CALENDAR YEAR 2014
MODEL ORDINANCE TO EXCEED THE
MUNICIPAL BUDGET APPROPRIATION LIMITS**

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**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 **.5%** 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 2014 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 **\$392,275.92** 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 2014 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 **\$457,655.24**, and that the CY 2014 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.

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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. Hoff			✓			
Mr. Cocuzza	✓		✓			
Mr. Boden			✓			

NO MEMBER OF THE PUBLIC SPOKE AT THIS TIME

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. Hoff	✓		✓			
Mr. Cocuzza			✓			
Mr. Boden			✓			

Mr. Cusick asked for a roll call vote to adopt Ordinance #1548:

Roll Call

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

First Reading:

ORDINANCE #1552 – No Parking – Forest Park

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII (TRAFFIC), SECTION 3.3 (PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG.

Section 1:

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BE IT ORDAINED by the Mayor and Council of the Borough of Keansburg that Schedule I (No Parking) of Chapter VII (Traffic), Section 3.3 (Parking Prohibited at All Times on Certain Streets) be amended and supplemented to include the following:

<i>Name of Street</i>	<i>Side</i>	<i>Location</i>
FOREST AVENUE	East	Between Park Avenue and Parkside Place

Section 2: 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.

Section 3: INCONSISTENT ORDINANCES. All Ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

Section 4: 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.

Section 5: EFFECTIVE DATE. This ordinance shall take effect upon its passage and publication according to law and approval by the Department of Transportation.

Mr. Cusick asked for a roll call vote and set down for a Public Hearing Ordinances #1552 on June 25, 2014 at 7pm.

Roll Call

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

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ORDINANCE #1553 – BOND ORDINANCE (Police Building)

BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A NEW FACILITY FOR THE KEANSBURG POLICE DEPARTMENT, AND APPROPRIATING \$4,800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,560,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, NEW JERSEY

BE IT ORDAINED by the BOROUGH COUNCIL OF THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of Keansburg, in the County of Monmouth, New Jersey (the “Borough”). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$4,800,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$240,000 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets. The Borough is anticipating a cost-share for a portion of the project with the Army Corps of Engineers and New Jersey Department of Environmental Protection.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$4,800,000, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the obligations are to be issued consist of the construction of a new facility for the Keansburg Police Department, including the clearing and preparation of the site, construction of the facility and parking lot, and the acquisition of communication and technological equipment, as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$4,800,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$4,800,000, which is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject

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to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

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

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 27.84 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$4,800,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$600,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto. This ordinance shall constitute a declaration of official intent for the purposes and within the meaning of Section 1.150-2(e) of the United States Treasury Regulations.

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Section 6. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mr. Cusick asked for a roll call vote and set down for a Public Hearing Ordinances #1552 on June 25, 2014 at 7pm.:

:

Roll Call

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

ORDINANCE #1554 – STORMWATER: Containers and Dumpsters

AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG, CHAPTER XXVII STORMWATER CONTROL.

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NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL.. OF THE BOROUGH OF KEANSBURG that CHAPTER XXVII STORMWATER CONTROL OF THE REVISED GENERAL ORDINANCES, Is hereby amended and supplemented as follows:

SECTION I: Definitions pertaining to refuse containers and dumpsters:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meaning stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When. not inconsistent with the context, words used in the present tense include the future, words used in a plural number include the singular number, include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

a. Municipal separate storm sewer system (MS4)- a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Borough of Keansburg or any other public body, and is designed and used for collecting and conveying storm water. NOTE: In municipalities with combined sewer systems, add the following: "MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources."

b. Person- any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject or municipal jurisdiction.

c. Refuse container- any waste container that person, controls whether owned, lease~ or operate~ including dumpsters, trash cans, garbage pails, and plastic trash bags.

d. Stormwater- means water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface is captured by separate storm, sewers or other sewerage or drainage or drainage facilities or is conveyed by snow removal equipment.

e. Water of the State-means the ocean and its estuaries, all springs, streams and bodies of surface ground water, whether natural or artificial, within boundaries of the State of New Jersey or subject to its jurisdiction.

SECTION II. Prohibited Conduct:

Any person who controls whether owned, leased, or operated a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing. Any person, who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system(s) operated by the Borough of Keansburg.

SECTION III. Exceptions to Prohibition:

a. Permitted temporary demolition containers

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- b. Litter receptacles (other than dumpsters or other bulk containers)
- c. Individual homeowner trash and recycling containers
- d. Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit
- e. Large bulky items (e.g. furniture~ bound carpet and padding, white goods placed curbside for pickup)

SECTION IV. Enforcement:

This ordinance shall be enforced by employees and officials of the Borough of Keansburg.

SECTION V. Penalties:

Any person (s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$ 2,000.00.

SECTION VI. Severability:

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect the portion of this Ordinance.

Mr. Cusick asked for a roll call vote and set down for a Public Hearing Ordinances #1552 on June 25, 2014 at 7pm.:

:

Roll Call

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

ORDINANCE #1555 – Parking: Lot Number Designation

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AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VIII (PARKING METER ZONES AND PARKING LOTS) of the REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG.

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VIII (PARKING METER ZONES AND PARKING LOTS) of the REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG.

BE IT ORDAINED by the Mayor and Council of the Borough of Keansburg that Chapter VIII entitled "Parking Meter Zones and Parking Lots" is hereby amended and supplemented as follows:

Section 1: 8-1.1 Established. Pursuant to the provisions of N.J.S.A. 39:4-197, the areas described below are designated Parking Meter Zones.

ADD:

c) *Parking Lots*
Designations:

Lot # 1 Belvedere Parking Lot

Lot # 2 Raritan Avenue Parking Lot

Lot # 3 Baywalk East Parking Lot

Section 2: 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.

Section 3: INCONSISTENT ORDINANCES. All Ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

Section 4: 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.

Section 5: EFFECTIVE DATE. This ordinance shall take effect upon its passage and publication according to law.

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Mr. Cusick asked for a roll call vote and set down for a Public Hearing Ordinances #1552 on June 25, 2014 at 7pm.:

Roll Call

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

ORDINANCE #1556 – Police Base Salary

AN ORDINANCE AMENDING ORDINACE #1452 ESTABLISHING THE ANNUAL SALARIES FOR THE OFFICERS OF THE POLICE DEPARTMENT OF THE BOROUGH OF KEANSBURG

<i>Annual Base Salary</i>	2014	2015	2016	2017
	<i>1/1 to 12/31</i>	<i>1/1 to 12/31</i>	<i>1/1 to 12/31</i>	<i>1/1 to 12/31</i>
Starting Salary (Police Academy)	\$42,448.00	\$43,297.00	\$44,163.00	\$45,046.00
Upon Graduation from Police Academy (7 mos -- 12 mos)	\$47,754.00	\$48,709.00	\$49,683.00	\$50,677.00
Start of 2nd Year	\$62,607.00	\$63,859.00	\$65,136.00	\$66,439.00
Start of 3rd Year	\$71,677.00	\$73,111.00	\$74,574.00	\$76,065.00
Start of 4th Year	\$80,749.00	\$82,364.00	\$84,011.00	\$85,691.00
Start of 5th Year	\$89,821.00	\$91,671.00	\$93,449.00	\$95,318.00
Start of 6th Year	\$98,892.00	\$100,870.00	\$102,887.00	\$104,945.00
Sergeant	\$107,960.00	\$110,119.00	\$112,321.00	\$114,567.00
Lieutenant	\$115,893.00	\$118,211.00	\$120,575.00	\$122,987.00
Captain	\$123,828.00	\$126,305.00	\$128,831.00	\$131,408.00

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All Ordinances heretofore enacted by the Borough of Keansburg which are inconsistent with any part of this Ordinance are hereby repealed.

This Ordinance shall be effective upon its passage and publication according to law.

- Section 2: 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.
- Section 3: INCONSISTENT ORDINANCES. All Ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.
- Section 4: 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.
- Section 5: EFFECTIVE DATE. This ordinance shall take effect upon its passage and publication according to law.

Mr. Cusick asked for a roll call vote and set down for a Public Hearing Ordinances #1552 on June 25, 2014 at 7pm.:

Roll Call

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

Resolutions:

RESOLUTION # 14-062 Payment of Bills (5/2/14)

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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Capital	\$167,774.68
Current	1,520,771.20
Dog Trust	85.80
Trust	93,314.30
Unemployment Comp	203.16
Water & Sewer	157,704.08
Total:	\$1,939,853.22

Mr. Cusick asked for a roll call vote

Roll Call

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

RESOLUTION # 14-063 Fireworks Permits 2014

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that the governing body does hereby approve the application for fireworks display as submitted by Jersey Shore Beach & Boardwalk, Inc. for occasions to be held on:

July 3, 2014, and

July 4, 2014

BE IT FURTHER RESOLVED that the Bureau of Fire Safety has reported that the application has been properly completed and all fees have been paid to the Borough of Keansburg; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Bureau of Fire safety and Jersey Shore Beach & Boardwalk, Inc.

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Mr. Cusick asked for a roll call vote

Roll Call

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

RESOLUTION # 14-064 Adoption of Fair and Open 2014

RESOLUTION AUTHORIZING “FAIR AND OPEN PROCESS” UNDER N.J.S.A. 19:44A-20.1 ET. SEQ. AS THE METHOD THAT THE BOROUGH OF KEANSBURG WILL USE TO CONTRACT FOR ALL PROFESSIONAL SERVICES AND EXTRAORDINARY AND UNSPECIFIED SERVICES

WHEREAS, as of January 1, 2006, N.J.S.A. 19:44A-20.1 et seq., commonly known as the “State Pay to Play” law, enacted by the New Jersey State Legislature shall become effective; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.1 et seq., a public entity may not award contracts with a value in excess of \$17,500.00 to a business entity which has made reportable contributions in excess of \$300.00, in the aggregate, to the said public entity’s political parties or to any candidate’s committee of any person serving in an elective public office of said public entity when such contract was awarded, unless said business entity is awarded a contract under a “fair and open process” pursuant to N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.7 “fair and open process” is defined to mean, at a minimum, that a contract be publicly advertised in newspapers or on the internet website maintained by a public entity in sufficient time to give notice in advance of the contract; be awarded under a process that provides for public solicitation of proposals or qualifications; be awarded and disclosed under criteria established in writing by the public entity prior to the solicitation of proposals or qualifications; and be publicly opened and announced when awarded. The decision of a public entity as to what constitutes a fair and open process shall be final; and

WHEREAS, in accordance with N.J.S.A. 19:44A-20.1 et seq. the Borough of Keansburg hereby adopts criteria establishing a “fair and open process” as set forth in Exhibit A attached hereto; and

WHEREAS, it is necessary for the Borough of Keansburg to engage the services for various legal, engineering and consulting professional services; and

WHEREAS, the Borough of Keansburg desires to contract for such professionals and services by a “fair and open process” pursuant to N.J.S.A. 19:44A-20.1 et seq.; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Keansburg, County of Monmouth and State of New Jersey that it hereby adopts the “fair and open process” set forth in Exhibit A attached hereto as the method that the Borough of Keansburg will use to contract

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for all professional services and extraordinary and unspecified services (“EUS”) in excess of \$17,500.00 per year, including but not limited to the following services:

1. Borough Attorney - Non-Retainer Hourly Work	5. Planning Board Engineer
2. Borough Engineer	6. Public Defender
3. Bond Counsel	7. Municipal Prosecutors - Hourly Work
4. Planning Board Attorney	8. Borough Auditor

BE IT FURTHER RESOLVED, that all contracts awarded for the above professional services shall be made in accordance with the Borough of Keansburg “Fair and Open Process” as set forth in Exhibit A attached hereto.

Mr. Cusick asked for a roll call vote

Roll Call

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

RESOLUTION # 14-065 Refund of Escrow Fees (various)

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that the following refund of escrow fees payments be made to

Payable to:	John O’Hanlon 18 Orchard Street	\$60.30
and	Jack Huber 85 Shore Blvd	\$73.50
and	James Farney 92 Raritan Ave	\$103.50

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

Roll Call

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

RESOLUTION # 14-066 Refund of Fees (Community Constr.)

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

Payable to:	Community Construction Group 1060 Andrew Drive Suite 130 West Chester, PA 19380	\$126.25
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Refund of Off Duty Police Officer Fee

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. Hoff			✓			
Mr. Cocuzza	✓		✓			
Mr. Boden			✓			

RESOLUTION # 14-067 Refund of Overpayment of Taxes (50 Terrace Place)

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

Payable to:	CoreLogic Services LLC Post Office Box 961230 Fort Worth, TX 76161-0230	\$595.49
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Refund of Tax Overpayment
REFERENCE: 50 Terrace Place

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. Hoff			✓			
Mr. Cocuzza	✓		✓			
Mr. Boden			✓			

RESOLUTION # 14-068 Authorization to Execute CWA Contract (2014-2017)

BE IT RESOLVED, by the Mayor and Council of the Borough of Keansburg, in the County of Monmouth, New Jersey do authorize the Borough Manager and Borough Clerk to execute the CWA Contract dated for the contract term of January 1, 2014 through December 31, 2017.

Mr. Cusick asked for a roll call vote

Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Foley		✓	✓			
Mr. DePompa					✓	

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Mr. Hoff			✓			
Mr. Cocuzza	✓		✓			
Mr. Boden			✓			

RESOLUTION # 14-069 Authorization to Execute PBA Contract (2014 to 2017)

BE IT RESOLVED, by the Mayor and Council of the Borough of Keansburg, in the County of Monmouth, New Jersey do authorize the Borough Manager and Borough Clerk to execute the PBA Contract dated for the contract term of January 1, 2014 through December 31, 2017.

Mr. Cusick asked for a roll call vote

Roll Call

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

RESOLUTION # 14-070 Professional Services (Millennium Strategies) #2

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

Millennium Strategies

hereby appointed as Borough Engineer for engineering services for

**FEMA Public Assistance Consultant / Disaster Recovery Grant Writer
Proposal Dated October 1, 2013**

And continued for the months of April, May and June 2014

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 October 1, 2013, with **Millennium Strategies** in the proposal amount of \$5,000.00 per month plus reimbursable expenses, not to exceed 3 months, for a total of \$15,000.00.
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

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.

Mr. Cusick asked for a roll call vote

Roll Call

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

RESOLUTION # 14-071 2014 Amusement Games Lic. (Cassata – Fish Bowl Game)

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg, in the County of Monmouth, New Jersey that a 2014 Amusement Game License be granted to:

Cassata FLA Concessions Inc
Fish Bowl Game

GAMES PREVIOUSLY OPERATED BY JERSEY SHORE BEACH AND BOARDWALK COMPANY

Pursuant to P.L. of 1959; Chap.108 and 109 of the “Amusement Game Licensing Law”, and in accordance with their application for such operation; and

BE IT FURTHER RESOLVED that the Borough Clerk be and he 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. Hoff			✓			
Mr. Cocuzza	✓		✓			
Mr. Boden			✓			

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RESOLUTION # 14-072 Authorization of Chapter 159 Revenue (Strategic Planning Grant)

**REQUESTING APPROVAL OF INSERTION OF \$30,000 THE 2014
BUDGET REVENUE AVAILABLE FROM THE STRATEGIC
RECOVERY PLANNING REPORT GRANT**

WHEREAS, N.J.S. 40:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Keansburg hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the 2014 Year in the sum of \$30,000, which item is now available as a revenue from the Strategic Recovery Planning Report Grant

BE IT FURTHER RESOLVED that a like sum of \$30,000, be and the same is hereby appropriated under the caption of:

THE STRATEGIC RECOVERY PLANNING REPORT GRANT

Mr. Cusick asked for a roll call vote

Roll Call

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

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RESOLUTION # 14-073

RESCIND: 2013-2014 Plenary License Renewal (Jay Kay Jay)

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that Plenary Retail Licenses is RESCINDED for the following licensee for the July 1, 2013 to June 30, 2014 term:

**Jay Kay Jay
Hwy 36**

1321-33-012-006

Until such time as a Special Ruling is completed by the State of NJ, Division of ABC

Mr. Cusick asked for a roll call vote

Roll Call

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

RESOLUTION # 14-074

RESCIND: 2013-2014 Plenary License Transfer (Ashcree LLC)

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that Plenary Retail Licenses is RESCINDED for the following license transfer for the July 1, 2013 to June 30, 2014 term:

**Jay Kay Jay
Hwy 36**

**Ashcree LLC
Hwy 36**

1321-33-012-006

1321-33-012-007

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Until such time as a Special Ruling is completed by the State of NJ, Division of ABC for the renewal of the license held by Jay Kay Jay 1321-33-0012-006 for the 2013 – 2014 term

Mr. Cusick asked for a roll call vote

Roll Call

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

RESOLUTION # 14-075

Adoption of CY2014 Municipal Budget

ON FILE IN THE MUNICIPAL CLERK’S OFFICE

Mr. Cusick asked for a roll call vote

Roll Call

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

Department Reports:

Steve Ussmann

Gave a monthly report for the Water and Sewer Department. Spoke about revenues and well water to be utilized in the summer.

Dennis O’Keefe

In regard to the beach replenishment, reported that the dredge was back in motion, moving back to Keansburg. There was a tremendous amount of trash

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at the beachfront from Memorial Day weekend.
Signage similar to Sandy Hook being considered.

Fran Mullan, Borough
Engineer

Reviewed monthly report. Working on easements for continuance of drainage pipes. Demolition program ending. Bulkhead project almost done (2-3 weeks) and under budget.

Reviewing completion of tennis courts. Raritan Avenue project being reviewed by NJ DOT before being advertised.

Beach fill should be complete in next two weeks. Drainage pipe being extended after beach fill by DEP.

Concerns by Council on the dredging of Waackaack Creek.

Fran reviewed draft of the Strategic Recovery Planning Grant.

Weak cell signals may cause alarm to trip at outfalls and a hard wire connection to be investigated.

Possibly hard wire to a phone bill.

Councilman Hoff

Pleased with Tennis Courts and bulkhead.

Opening of Tennis Courts discussed.

Mayor Boden

Beach clean-ups to start in June. Fourth Saturday of each month.

Councilman Hoff

Titan 5K and Memorial Day Parade both were successes thanks to Police Department, DPW, Staff and Council Members

Thanks to Police Department for participation in Heroin forum.

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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. Hoff	✓		✓			
Mr. Cocuzza			✓			
Mr. Boden			✓			

Susanne Hrabosky
72 Frances Place

Inquired into which properties will be included in the Police Department construction.

Borough Manager explained at this time it is only 331 Carr Avenue. Neighbors will be kept informed.

Jeff Petta
1 Church Street

Virtual food pantry not granted permission at 1 Church Street. Referred to Housing Authority.

Martin Slezek
33 Lincoln Ave
Councilman DePompa arrived at this time (7:40pm)

Communication needs to be expanded to the public.

Martin Slezek
33 Lincoln Ave

Snow was plowed to certain properties causing flooding.

Property in question is owned by the Borough.

Council is not addressing drainage problems in Borough.

Mr. O’Hare and Council replied on projects recently completed and pending.

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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. Hoff	✓		✓			
Mr. Cocuzza			✓			
Mr. Boden		✓	✓			

Adjournment

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

Roll Call

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



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
May 28, 2014

Attest:

Thomas P. Cusick
Municipal Clerk
Borough of Keansburg