

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

August 24, 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 read the following. A moment of silence was observed.

In Memoriam:



Nicholas S. Ott



Marine Corporal Nicholas S. Ott, 23, of Manchester, was killed in action on Wednesday, Aug. 10, 2011, in Helmand Province, Afghanistan. Born in Neptune, Nick was a lifelong resident of Manchester.

His maternal grandparents, the late John F. Kleinknecht and Mrs. Janet Kleinknecht, as well as his mother Mrs. Debra Kleinknecht are former Keansburg residents.

Mr. Cusick asked all to rise and recite:

Salute to the Flag

Mr. Cusick took:

Roll Call

Mr. Boden	Mr. Cocuzza	Mr. Hoff	Mr. DePompa	Mrs. Strydio
✓	✓	Excused	Excused	✓

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
 August 24, 2011
Meeting Minutes

Meeting Minutes:

Meeting Minutes July 27, 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
Mr. Boden			✓			
Mr. Cocuzza	✓		✓			
Mr. Hoff					✓	
Mr. DePompa					✓	
Mrs. Strydio		✓	✓			

Ordinances:

First Reading:

ORDINANCE #1511 Rental License Late Fee Fine:

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 11-4 OF CHAPTER XI, “BUILDING AND HOUSING”, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG.

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 11-4 OF CHAPTER XI, “BUILDING AND HOUSING”, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG.

Amending Ordinance 1438

11-4.7 Violations and Penalties.

Failure to comply with the provisions of this Chapter shall result in the imposition of the following penalties:

SECTION 1. Fine schedule

Failure to comply with the provisions of this Chapter shall result in the imposition of a fine:

11-4.7a 1st Offense - \$100.00

11-4.7b 2nd Offense - \$250.00

11-4.7c 3rd Offense - Or any subsequent Offense – mandatory Court appearance - maximum fine of \$1,250.00 and in addition to the fine set forth, the Court may impose imprisonment for a term not exceeding 90 days, or a period of community service not exceeding 90 days, or both.

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

August 24, 2011

Meeting Minutes

It shall be deemed a separate and distinct violation, subject to the penalty provisions of this Ordinance, for each and every day that such violation continues and for each and every rental property and/or rental unit for which the violation continues.

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 to introduce and set down for a Public Hearing on September 28th at 7pm.:

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

ORDINANCE #1512 Recycling: Fee Schedule for Electronics

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 7.14 OF CHAPTER XV “DISPOSAL OF APPLIANCES; FEE” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG.

AN ORDINANCE AMENDING AND SUPPLEMENTING Section 7.14 of Chapter XV “Disposal of Appliances; Fee” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG.

SECTION 1 ADD:

A fee of fifteen (\$15.00) dollars is established for the disposal of household electronics within the Borough of Keansburg for curbside pickup service.

There will be no charge for the disposal of household electronics that are taken by the owner directly to the disposal area within the Borough’s Public Yard.

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

August 24, 2011

Meeting Minutes

This fee shall include recyclable household electronics. This will include computers (desktop or laptop versions), computer components and computer peripherals, intact televisions up to 65 inches, stereos and typewriters.

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 to introduce and set down for a Public Hearing on September 28th at 7pm.:

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

Resolutions:

RESOLUTION #11 – 141 Payment of Bills (8.24.2011)

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:

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
 August 24, 2011
Meeting Minutes

Current	\$1,989,210.78
Water & Sewer	115,231.29
Water & Sewer Capital	444,389.62
Capital	18,350.00
Trust	42,493.27
Grant	564.00
Dog Trust	18.60
Total:	\$2,610,257.56

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #11 – 142 Appointment of Redeveloper (Arisa/Harvestate)

**RESOLUTION OF THE MAYOR AND COUNCIL
 BOROUGH OF KEANSBURG
 MONMOUTH COUNTY, NJ**

**RESOLUTION CONDITIONALLY DESIGNATING
 ARISA/HARVESTATE AT KEANSBURG, LLC AS THE
 REDEVELOPER OF BLOCK 184 LOTS 1-3 PURSUANT
 TO THE BEACHWAY AVENUE REDEVELOPMENT PLAN**

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-6.a, the Mayor and Borough Council of the Borough of Keansburg (“Governing Body”), upon the recommendation of the Planning Board, determined, by Resolution #171-A dated July 27, 2005 that the Borough of Keansburg be designated as an area in need of rehabilitation pursuant to N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, the Governing Body approved the Beachway Avenue Waterfront Redevelopment Plan for the Beachway Avenue Waterfront Redevelopment Area (including Lots 1-3 of Block 184) by Ordinance adopted February 22, 2006 (the “Redevelopment Plan”); and

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

August 24, 2011

Meeting Minutes

WHEREAS, since the time of adoption of the Redevelopment Plan, work was commenced on the construction of a residential project, pursuant to site plan approvals granted by the Planning Board of Adjustment on November 18, 2002, and without a redevelopment agreement having been executed with the Borough, however, that Project has been abandoned;

WHEREAS, Arisa/Harvestate at Keansburg, LLC (the "Redeveloper") has submitted a proposal to enter into a redevelopment agreement with the Borough to Construct residential development on Block 184 Lots 1-3, with the understanding that the development of Lot 3 would be conditioned on the modification and limitations of the Green Acres and Tideland restrictions that presently impact the Lot, and the developer obtaining an interest in Lot 1; and

WHEREAS, the Redeveloper, a single purpose entity focused on the proposed project on Block 184, Lots 1-3, is to be owned by Arisa Realty, Harvestate, LLC and Danitom Development Inc., each of whom has considerable development expertise, as well as financial capability to undertake the proposed project, as evidenced in the submission provided to the Borough; and

WHEREAS, the Redeveloper's proposal contemplates primarily residential development on the project site, along with replacement of public parking in the form of surface parking in an alternative location on Lot 3.; and therefore the proposal contemplates amendment of the Redevelopment Plan to eliminate commercial development from the project, but it is generally consistent with the objectives and requirements set forth in the Redevelopment Plan.

WHEREAS, the Redeveloper was conditionally designated for six (6) months by Resolution dated February 23, 2011, and

WHEREAS, that Resolution designating the Redeveloper also provided for extension of this designation upon satisfactory demonstration to the Borough that substantive progress has occurred in the negotiation of a redevelopment agreement; and

WHEREAS, the Mayor and Council, upon consideration, are satisfied that meaningful progress has been made with regard to negotiating the redevelopment agreement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough

of Keansburg that:

1. The Redeveloper is conditionally re-designated as the redeveloper of Block 184, Lots 1-3, as that area is defined in the Beachway Avenue Waterfront Redevelopment Plan.

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

August 24, 2011

Meeting Minutes

2. This designation is conditioned on the Borough and the Redeveloper successfully negotiating a redevelopment agreement within 180 days of conditional designation and upon the above-referenced minor modification of the Redevelopment Plan, and the Borough obtaining modification and limitation of the Green Acres and Tidelands restrictions on Lot 3, and the Redeveloper obtaining an interest in Lot 1.

3. This designation may be extended upon satisfactory demonstration to the Borough that substantive progress has occurred in the negotiation of a redevelopment agreement. Such extension shall require the approval of the Borough Council. Otherwise, the conditional designation shall terminate.

4. The Redeveloper shall be required to pay all applicable Borough fees and costs associated with the preparation of the Redevelopment Agreement, in accordance with the Redevelopment Plan. Any such payments required to be paid to the Borough shall be specified in an interim cost sharing agreement effective during the period prior to the Redevelopment Agreement, and in the Redevelopment Agreement.

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #11 – 143 Authorize Execution of MCBOA Agreement (8.2011)

Be It Resolved by the Mayor and Council of the Borough of Keansburg that the Borough Manager and Borough Municipal Clerk are hereby authorized to execute an agreement with the Monmouth County Bayshore Outfall Authority for services related to operations of a force main that receives treated effluent received from Bayshore Regional Sewerage Authority and the Township of Middletown Sewage Authority and MCBOA discharges this treated effluent into the Atlantic Ocean by their force main for use with the desalinization facility within the Borough of Keansburg

Be It Further Resolved that a copy of said agreement will be placed on file with the Clerk’s Office.

Mr. Cusick asked for a roll call vote:

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

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

August 24, 2011

Meeting Minutes

RESOLUTION #11 – 144 Authorize Purchasing Vendors List (State Contract Vendors)

WHEREAS, the Borough of Keansburg purchased item from authorized vendors under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

WHEREAS, the purchase of goods and services by a local contracting unit is authorized by the Local Public Contracts Law, NJSA 40A:11-12; and,

WHEREAS, the below list of vendors have been awarded a New Jersey State Contractor Number; and,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Keansburg that the below listed vendors have been approved for the purchase of goods and services:

<u>Number</u>	<u>Name</u>	<u>Number</u>	<u>Name</u>
67911	Pitney Bowes	M0483 /xxxxx	Computer Systems and Methods
40238	Absolute Fire Protection	75583	Panasonic-ToughBooks
71188	Autozone	70265	IMB-Servers
70256	Dell Computer	70263	Lenovo-ThinkPad's & Desktops
74337	Staples Office Supply	74851	Printers
T0123	Edwards Tire	A74217	Keyport Army/Navy
70844	Craft Motor Oil		
M0483	HP Financial-Hewlett Parckard		
39895	Mid Atlantic Truck Centre		
67755	Modern Equipment Sales & Rental		
66921	Troil Enterprises		
53764	AR Communications		
72467	Winner Ford		
71626	Campbell Foundry Inc		
69948	Tanner Office Furniture		

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #11 – 145 Authorize Execution of Easement Agreement (Mon. Cty-Henry Hudson Trail)

Be It Resolved by the Mayor and Council of the Borough of Keansburg that the Borough Manager and Borough Municipal Clerk are hereby authorized to execute an agreement with Monmouth County for the Right-of-Way and Pipeline Easement.

Be It Further Resolved that a copy of said agreement will be placed on file with the Clerk's Office.

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

August 24, 2011

Meeting Minutes

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #11 – 146 Deputize for Wedding (Hoff 9.23.2011)

BE IT RESOLVED that at the request of Mayor Lisa Strydio that Councilman George Hoff be deputized for the purpose of conducting wedding vows on September 17, 2011.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to Councilman George Hoff.

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #11 – 147 Appointment to Recreation Committee (Mantello)

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Keansburg that it does hereby reappoint,

Maureen O'Brien
 Eileen Enright
 Ginger Rogan
 Dolores Bartram
 Debbie Ott
 George Burdick
 Salma Harris
 Suzanne Sokoloski
Paul Mantello
 Seat 10 Open

As Members of the Keansburg Recreation Committee, for a term to run from August 1, 2011 to July 31, 2012.

Mr. Cusick asked for a roll call vote:

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Boden		✓	✓			

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

August 24, 2011

Meeting Minutes

Mr. Cocuzza	✓		✓			
Mr. Hoff					✓	
Mr. DePompa					✓	
Mrs. Strydio			✓			

RESOLUTION #11 – 148 Payment of Bills (8.24.2011) #2

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:

Water & Sewer	<u>\$9,733.95</u>
Total:	<u>\$9,733.95</u>

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #11 – 149 Appointment of Municipal Judge

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Keansburg that it does hereby appoint,

Michael Pugliese

As Municipal Court Judge, effective September 1, 2008; and for a term to run from September 1, 2011 to August 31, 2014, .

BE IT FURTHER RESOLVED, that the Borough Council that a certified copy of this Resolution be forwarded to the New Jersey Department of Personnel, Monmouth County Administrative of the Courts and the Borough of Keansburg Payroll Department.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be placed in Mr. Pugliese’s personnel file.

Mr. Cusick asked for a roll call vote:

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
 August 24, 2011
Meeting Minutes

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

Communications:

REMINDER:

The next Council Meeting will be **Wednesday, September 28 at 7pm.**

Council Discussion:

Mr. Cusick discussed the questionnaire completed by the Borough under the Best Practices Survey. The Borough is in compliance and will be eligible to receive the full amount of State Aid anticipated in the Municipal Budget

Francis Mullan, Borough Engineer presented plans for the construction of three tennis courts at Collins Field. The Borough Council will conduct a Special Hearing on this matter in order to apply for a Monmouth County Open Space Grant.

Mr. Bennett reported on agreements with the Monmouth County Bayshore Outfall Authority (MCBOA) and Henry Hudson Trail

Steve Ussman gave monthly report and about the water leak on Carr Avenue

Jim Falco gave report on street signs (parking) being installed. Recycling containers in business area working out well.

Mr. DePompa entered the meeting at this time.

Resolutions:

RESOLUTION #11 – 150 Authorize Receipt of Bids (Raritan Ave)

Be It Resolved by the Mayor and Council of the Borough of Keansburg that the Borough Engineer is hereby authorized to advertise and prepare bid documents in regard to the Raritan Avenue Project.

Mr. Cusick asked for a roll call vote:

Moved	Seconded	Ayes	Nays	Absent	Abstain
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BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

August 24, 2011

Meeting Minutes

Mr. Boden	✓		✓			
Mr. Cocuzza			✓			
Mr. Hoff					✓	
Mr. DePompa		✓	✓			
Mrs. Strydio			✓			

RESOLUTION #11 – 151 Authorize Receipt of Bids (Main St. Project)

Be It Resolved by the Mayor and Council of the Borough of Keansburg that the Borough Engineer is hereby authorized to advertise and prepare bid documents in regard to the Main Street and Manning Place Project.

Mr. Cusick asked for a roll call vote:

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

Council Discussion:

Francis Mullan presented his monthly report regarding the status of various projects in the Borough.

Mr. Mullan requested that Stormwater Management be placed on next month’s agenda. The County is preparing a sanitary sewer map and it is recommended that the Borough request four additional properties at the beachfront be added to the plan.

Deputy Mayor DePompa requested that the storm drains on Port Monmouth Road be examined. Although under County jurisdiction they are causing flooding problems.

Mr. Falco believes that these storm drains may not be connected to any drainage system.

Mayor Strydio

Spoke about weeds at the fields at St. John’s. Possibility of using community service workers.

Reported on Office of Emergency Management meetings. Daily meetings until the storm.

September 11, Memorial, Mr. O’Hare to discuss with Councilman

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

August 24, 2011

Meeting Minutes

Hoff. Would like to see a dedication of the new park improvements.

Councilman Boden Spoke about the volunteer Beach Cleanup.

Ann Commarato in charge. Cleanups schedules September through December. Lawn signs. 3rd Sunday of each month. Need bags and gloves. **Jim Falco** to discuss with Ms. Commarato.

Mayor Strydio

Ordinances:

Second Reading:

ORDINANCE #1508 BOND ORDINANCE: Raritan

BOND ORDINANCE AMENDING BOND ORDINANCE NO. 1347 ADOPTED ON OCTOBER 23, 2003, AS AMENDED BY BOND ORDINANCE NO. 1382 ADOPTED ON JULY 27, 2005, PROVIDING FOR THE RECONSTRUCTION OF RARITAN AVENUE FROM CENTER AVENUE TO SEELY AVENUE, AND THE RECONSTRUCTION OR REPAVING OF OAK STREET, EAST SHORE STREET, FOX AVENUE, CARR AVENUE AND CENTER AVENUE, IN ORDER TO EXPAND THE SCOPE OF IMPROVEMENTS TO INCLUDE THE REPLACEMENT OF WATER, SANITARY SEWER AND DRAINAGE MAINS AS WELL AS RECONSTRUCTION OF ADDITIONAL ROADS IN THE BOROUGH, AND TO INCREASE THE APPROPRIATION BY \$504,000 AND INCREASE AUTHORIZED BONDS AND NOTES TO BE ISSUED TO FINANCE A PORTION OF THE COSTS THEREOF BY \$380,000, FOR A TOTAL APPROPRIATION OF \$991,057 AND A TOTAL DEBT AUTHORIZATION OF \$651,732, AUTHORIZED IN AND BY THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, NEW JERSEY

WHEREAS, the Borough of Keansburg, in the County of Monmouth, New Jersey (the "Borough") finally adopted Bond Ordinance No. 1347 on October 23, 2003, as amended by Bond Ordinance No. 1382, finally adopted on July 27, 2005 (collectively, the "Prior Ordinance"), providing for the reconstruction of Raritan Avenue from Center Avenue to Seely Avenue, and the Reconstruction or repaving of Oak Street, East Shore Street, Fox Avenue, Carr Avenue and Center Avenue; and

WHEREAS, the Borough has determined that the project description set forth in the Prior Ordinance needs to be amended to include additional road improvements; and

WHEREAS, the Borough has determined that the appropriation from the Prior Ordinance in the amount of \$487,057 and the debt authorized by the Prior Ordinance in the amount of \$271,732 is insufficient and desires to increase the appropriation by \$504,000, said sum being inclusive of a \$104,000 grant expected to be received

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

August 24, 2011

Meeting Minutes

from the New Jersey Department of Transportation (NJDOT), and increase the debt authorized by \$380,000; and

NOW, THEREFORE, 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") and were previously authorized by the Borough by the Prior Ordinance. For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$504,000 in addition to the \$487,057 appropriated by the Prior Ordinance, said sums being inclusive of all appropriations heretofore made therefor and including a NJDOT Grant expected to be received in the amount of \$104,000 (the "Grant") and the sum of \$34,325 as down payment, \$14,325 previously authorized by the Prior Ordinance and an additional down payment of \$20,000 is authorized hereby and 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.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment or Grant, \$380,000 negotiable bonds are hereby authorized to be issued in addition to the \$271,732 previously authorized by the Prior Ordinance for a total principal amount not to exceed \$651,732 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 to be undertaken consist of the roadway improvements to and reconstruction of Center Avenue and the intersection of Raritan Avenue and Seabreeze Way, and the replacement of water, sanitary sewer and drainage mains as well as reconstruction of Center Avenue, Seabreeze Way, Beachway, Raritan Avenue, Oak Street, East Shore Street, West Shore Street, Bayview Avenue, Fox Avenue, Bellevue Avenue, Carr Avenue and Seely Avenue, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Borough Chief Financial Officer, 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 \$651,732 including the \$380,000 authorized herein, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$991,057, which is equal to the amount of the \$504,000 supplemental appropriation herein made therefor and the \$487,057 appropriation made by the Prior Ordinance. The excess of the appropriation of \$991,057 over the estimated maximum amount of bonds or notes to be issued therefor being the sum of the \$34,325 down payment appropriated by this Ordinance and the Prior Ordinance, and the Grant.

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 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

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

August 24, 2011

Meeting Minutes

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 ten (10) years.
- (c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Municipal 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 \$380,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.
- (d) An aggregate amount not exceeding \$250,000, including \$100,000 authorized hereby and \$150,000 authorized by the Prior Ordinance, 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.

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 Municipal 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.

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

August 24, 2011

Meeting Minutes

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. All ordinances or parts of ordinances in conflict or inconsistent with any of the terms of this ordinance are hereby repealed to the extent that they are in such conflict or are inconsistent. In the event that any section, part or provision of this ordinance shall be held to be unconstitutional or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part hereof other than the part so held unconstitutional or invalid.

Section 10. 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 took a roll call vote to open the meeting to the public:

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

NO MEMBER OF THE PUBLIC SPOKE AT THIS TIME

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

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

Mr. Cusick took a roll call vote to adopt Ordinance #1508:

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

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

August 24, 2011

Meeting Minutes

ORDINANCE #1510 BOND ORDINANCE: Main Street, Manning Place, Seeley Avenue Road Reconstruction

BOND ORDINANCE AMENDING BOND ORDINANCE NO. 1477 ADOPTED ON FEBRUARY 25, 2009, PROVIDING FOR IMPROVEMENTS TO THE MAIN STREET BUSINESS AREA TO INCLUDE ADDITIONAL ROADWAYS OF MAIN STREET, BEACHWAY, SEELY AVENUE, MANNING PLACE, CENTER AVENUE AND SHORE BOULEVARD, AND TO INCREASE THE APPROPRIATION BY \$410,000 AND INCREASE AUTHORIZED BONDS AND NOTES TO BE ISSUED TO FINANCE A PORTION OF THE COSTS THEREOF BY \$250,000, FOR A TOTAL APPROPRIATION OF \$1,205,000 AND A TOTAL DEBT AUTHORIZATION OF \$672,747, AUTHORIZED IN AND BY THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, NEW JERSEY

WHEREAS, the Borough of Keansburg, in the County of Monmouth, New Jersey (the "Borough") finally adopted Bond Ordinance No. 1477 on February 25, 2009, (the "Prior Ordinance"), providing for improvements to the Main Street Business Area in the Borough; and

WHEREAS, the Borough has determined that the project description set forth in the Prior Ordinance needs to be amended to include additional roadways in the Borough; and

WHEREAS, the Borough has determined that the appropriation from the Prior Ordinance in the amount of \$795,000 and the debt authorized by the Prior Ordinance in the amount of \$422,747 is insufficient and desires to increase the appropriation by \$410,000, said sum being inclusive of a \$160,000 grant expected to be received from the New Jersey Department of Transportation (NJDOT), and increase the debt authorized by \$250,000; and

NOW, THEREFORE, 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") and were previously authorized by the Borough by the Prior Ordinance. For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$410,000 in addition to the \$795,000 appropriated by the Prior Ordinance, said sums being inclusive of all appropriations heretofore made therefor and including a NJDOT Grant expected to be received in the amount of \$160,000 (the "Grant"), in addition to \$372,253 of grants previously included in the Prior Ordinance. No down payment is required or appropriated herein, in accordance with N.J.S.A. 40A:2-11c of the Local Bond Law.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment or Grant, \$250,000 negotiable bonds are hereby authorized to be issued in addition to the \$422,747 previously authorized by the Prior Ordinance for a total principal amount not to exceed \$672,747 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.

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

August 24, 2011

Meeting Minutes

Section 3. (a) The improvements hereby authorized to be undertaken consist of improvements to the Main Street Business Area and additional roadways of Main Street, Beachway, Seely Avenue, Manning Place, Center Avenue and Shore Boulevard, including but not limited to roadway improvements, sidewalk improvements and landscaping improvements, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Borough Chief Financial Officer, 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 \$672,747 including the \$250,000 authorized herein, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$1,205,000, which is equal to the amount of the \$410,000 supplemental appropriation herein made therefor and the \$795,000 appropriation made by the Prior Ordinance. The excess of the appropriation of \$1,205,000 over the estimated maximum amount of bonds or notes to be issued therefor being the sum of \$532,253 appropriated by this Ordinance and the Prior Ordinance for grants.

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 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 fifteen (15) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Municipal 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 \$250,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$150,000, including \$50,000 authorized hereby and \$100,000 authorized by the Prior Ordinance, for interest on said obligations, costs of issuing said obligations, engineering

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

August 24, 2011

Meeting Minutes

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.

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 Municipal 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. All ordinances or parts of ordinances in conflict or inconsistent with any of the terms of this ordinance are hereby repealed to the extent that they are in such conflict or are inconsistent. In the event that any section, part or provision of this ordinance shall be held to be unconstitutional or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part hereof other than the part so held unconstitutional or invalid.

Section 10. 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 took a roll call vote to open the meeting to the public:

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

NO MEMBER OF THE PUBLIC SPOKE AT THIS TIME

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

August 24, 2011

Meeting Minutes

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

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

Mr. Cusick took a roll call vote to adopt Ordinance #1510:

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

Ordinances:

First Reading:

**ORDINANCE #1513 BOND ORDINANCE: Desal
 BOND ORDINANCE NO. 1513**

BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 1441 ADOPTED ON JUNE 27, 2007, AS AMENDED BY BOND ORDINANCE NO. 1466 ADOPTED ON JUNE 11, 2008, AS AMENDED BY ORDINANCE NO. 1513 ADOPTED ON NOVEMBER 12, 2009, FOR THE DESIGN, CONSTRUCTION AND INSTALLATION OF THE DESALINATION SYSTEM FOR THE WATER TREATMENT PLANT, IN ORDER TO INCREASE THE APPROPRIATION THEREFOR BY \$400,000 FOR A TOTAL APPROPRIATION OF \$3,525,000, TO INCREASE THE AUTHORIZED BONDS AND NOTES TO BE ISSUED TO FINANCE A PORTION OF THE COSTS THEREOF BY \$400,000 FOR A TOTAL DEBT AUTHORIZATION OF \$3,525,000, AND TO INCREASE THE ALLOCATION OF THE APPROPRIATION TO COSTS PERMITTED UNDER N.J.S.A. 40A:2-20, AUTHORIZED IN AND BY THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, NEW JERSEY

WHEREAS, the Borough of Keansburg, in the County of Monmouth, New Jersey (the “Borough”) finally adopted Bond Ordinance No. 1441 on June 27, 2007, as amended by Bond Ordinance No. 1446 adopted on June 11, 2008, as amended by Bond Ordinance No. 1513 adopted on

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

August 24, 2011

Meeting Minutes

November 12, 2009 (collectively the “Prior Ordinance”), for the design, construction and installation of the Desalination System for the Water Treatment Plant; and

WHEREAS, the Borough has determined that the costs associated with said improvements are higher than anticipated and has determined to supplement the appropriation and bonds and notes authorized therefore; and

WHEREAS, the Borough has determined that the \$725,000 authorized by the Prior Ordinance for purposes permitted under N.J.S.A. 40A:2-20 is insufficient and desires to increase such allocation by \$80,000 to an aggregate amount of \$805,000.

NOW, THEREFORE, 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 \$400,000 in addition to the \$3,125,000 appropriated by the Prior Ordinance, said sums being inclusive of all appropriations heretofore made therefor. No down payment is required or appropriated herein, in accordance with N.J.S.A. 40A:2-11c of the Local Bond Law, as this bond ordinance authorizes obligations solely for purposes which are self-liquidating and deductible from the gross debt of the Borough as set forth in N.J.S.A. 40A:2-7h. It is anticipated that the costs of said improvements or purposes will be financed through the New Jersey Environmental Infrastructure Program.

Section 2. In order to finance the costs of said improvements or purposes, \$400,000 negotiable bonds are hereby authorized to be issued in addition to the \$3,125,000 previously authorized by the Prior Ordinance for a total principal amount not to exceed \$3,525,000 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.

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

August 24, 2011

Meeting Minutes

Section 3. (a) The improvements hereby authorized and the purposes for which the obligations are to be issued to provide for the design, construction, and installation of the planned desalination system for the water treatment plant, including, but not limited to, all engineering and design work, surveying, preparation of maps, plans and specifications, permit application and acquisition work, bid documents, contract administration, environmental work, the construction of additions to the existing water treatment plant, the construction of a structure that will house the new treatment process consisting of reverse osmosis membrane treatment and related equipment, including pumps and chemical storage/feed, and modifications of the existing treatment plant chemical storage and feed systems to upgrade and improve the chemical systems, together with all purposes necessary, incidental or appurtenant thereto, all 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 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 \$3,525,000, including the \$400,000 authorized herein, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$3,525,000, which is equal to the amount of the \$400,000 supplemental appropriation herein made therefor and the \$3,125,000 appropriation made by the Prior Ordinance.

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 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.

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

August 24, 2011

Meeting Minutes

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 of the Water Utility 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 forty (40) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Municipal 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 not increased by the authorization of the \$400,000 Bonds and notes provided in this bond ordinance because the purposes authorized herein are self-liquidating and are deductible from the Borough's gross debt in accordance with N.J.S.A. 40A:2-44c and the obligations authorized herein will be within all debt limitations prescribed by said Law.

(d) An aggregate amount not exceeding \$805,000, including \$80,000 authorized hereby and \$725,000 authorized by the Prior Ordinance, 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.

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

August 24, 2011

Meeting Minutes

(f) This bond ordinance authorizes obligations of the Borough solely for purposes described in subparagraph (h) of §40A:2-7 of the Local Bond Law, and the obligations authorized herein are to be issued for purposes which are self-liquidating within the meaning and limitation of N.J.S.A. 40A:2-45 of said Law and are deductible from the gross debt of the Borough pursuant to N.J.S.A. 40A:2-44c and N.J.S.A. 40A:2-46 of said Law.

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 Municipal 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 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. All Ordinances or parts of ordinances in conflict or inconsistent with any of the terms of this ordinance are hereby repealed to the extent that they are in such conflict or are inconsistent. In the event that any section, part or provision of this ordinance shall be held to be unconstitutional or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part hereof other than the part so held unconstitutional or invalid.

Section 10. 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 to introduce and set down for a Public Hearing on September 28th at 7pm.:

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

August 24, 2011

Meeting Minutes

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

Executive Session:

Open to the Public:

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

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

Dick Stryker
 115 Carr Avenue

Congratulations on park improvements. Graffiti still a problem. Reported problem with sidewalk at Cookie's Garage.

The Borough Manager will follow up with the Mr. O'Keefe.

Telephone pole to be removed, to be removed at site by utility company.

Police Chief, James Pigott, did report that several young people were arrested for graffiti this past weekend.

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

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

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
August 24, 2011
Meeting Minutes

Adjournment

Mr. Cusick asked for a roll call vote:

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