

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
September 28, 2011
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Mr. Cusick read the following:

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

Mr. Cusick asked all to rise and recite:

Salute to the Flag

Mr. Cusick took:

Roll Call

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

In Memoriam:

There was a moment of silence observed in honor of the passing of:



Dr. Richard Benjamin Commentucci. MD



Mr. Mullan



Ordinances:

Second 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.

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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.

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All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.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

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.

SECTION 1 ADD:

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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.

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 took a roll call vote to **open the meeting to the public for Ordinances 1511 and 1512:**

	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 for Ordinances 1511 and 1512:**

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

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Mr. Cusick took a roll call vote to adopt **Ordinance 1511**

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

Deputy Mayor DePompa arrived at this time (7:10pm)

Mr. Cusick took a roll call vote to adopt **Ordinance 1512**

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

ORDINANCE #1513 Bond Ordinance: Desalination System

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 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

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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.

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

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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.

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.

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(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.

(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

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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 took a roll call vote to open the meeting to the public for Ordinances 1513:

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

At the request of Mayor Lisa Strydio, Mr. Bennett explained the intent of this ordinance. Mr. Bennett explained that this ordinance encompasses all expenses regarding the desalination process. This does not authorize new or additional expenses.

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NO MEMBER OF THE PUBLIC SPOKE AT THIS TIME

Mr. Cusick took a roll call vote to close the meeting to the public for Ordinances 1513:

	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 1513**

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

Ordinances:

First Reading:

ORDINANCE #1514 Land Sale Ordinance

ORDINANCE AUTHORIZING THE SALE OF PROPERTY IN THE BOROUGH OF KEANSBURG, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, PURSUANT TO N.J.S.A 40A:12-13 ET SEQ.

WHEREAS, the Municipal Council of the Borough of Keansburg has determined that the following list as delineated on the Tax Map of the Borough of Keansburg, County of Monmouth, State of New Jersey, is not needed for public use; and

WHEREAS, a sale of the subject properties will return said properties to the tax rolls of the Borough of Keansburg and create revenue for the Borough; and

WHEREAS, the Keansburg Borough Council has determined that it is in the best interest of the Borough to offer the property for sale pursuant to N.J.S.A. 40A:12-13 et seq.: and

WHEREAS, the subject properties are without capital improvements thereon and is less than the minimum size required for development in the zoning districts of the Borough; and

WHEREAS, N.J.S.A. 40A:12-13 (b) (5) authorizes the Borough to sell municipally owned real property contiguous thereto, the municipal property shall be sold to the highest bidder from among all

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contiguous property owners and that the sale shall be for not more than the fair market value of said real property.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Keansburg as follows:

1. The attached list as delineated on the Tax Map of the Borough of Keansburg, County of Monmouth, State of New Jersey, shall be offered for sale at a private sale to the highest bidder of the contiguous property owners pursuant to N.J.S.A. 40A:12-13(b)(5) .
2. That the minimum price for the bidding shall be as listed on the schedule as based on the current assessment.
3. That notice of the Borough's intention to sell property and the minimum bid price therefore shall be sent by certified mail, return receipt requested, to all property owners listed on the municipal tax records who own properties contiguous to said properties.
4. That said notice and a certified copy of this ordinance shall be posted on the bulletin board or other conspicuous place in the Municipal Building and shall additionally be advertised in a newspaper circulating in the municipality within five (5) days following enactment of this Ordinance.
5. That any offer(s) for the property may be thereafter be made to the Municipal Clerk's office for a period of twenty (20) days following the above advertisement, for not less than the minimum bid price provided herein.
6. That, if sold, the property shall be awarded to the highest bidder in excess of the minimum bid price.
7. That along with its bid, each bidder shall provide a certified or bank check in the amount of ten (10%) of the bid price to the Municipal Clerk, which shall be returned if the bidder is unsuccessful or the property is not sold.
8. That the Borough Council may reconsider its decision to sell the subject property within thirty (30) days after the enactment of this Ordinance and either offer the property for sale at a public sale pursuant to N.J.S.A. 40A 12-13 (a) or reject all bids and retain the property for Borough use.
9. That the Municipal Clerk shall notify and all bidders by certified mail, return receipt requested, of the Borough's determination.
10. That if awarded, full payment for the property shall be made by certified or bank check within ninety (90) days after the award of the bid.

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11. That, if the property is sold, the Borough shall file with the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, sworn affidavits verifying the publication of advertisements as required by N.J.S.A. 40A:12-13 (b).
12. The Borough of Keansburg makes no representations with regard to the property or title. The sale is made “as is.”
 - (i) All lots conveyed subject to existing encumbrances, liens, zoning regulations, easements, other restrictions, wetlands regulations and such facts as an accurate survey would reveal and any present or future assessments for the construction of improvements benefiting said property.
 - (ii) No representations are made herein, express or implied that any property referenced herein is buildable or useful for any purpose whatsoever. The purchaser accepts the premises “as is,” and acknowledges that said purchaser has examined the property, or otherwise waived the right to examine said property prior to submitting the stated bid to the Borough.
13. The conveyance of the property shall be done subject to all applicable Borough ordinances as well as County and State laws, rules and regulations.
14. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.
15. This ordinance shall take effect upon final passage and publication in accordance with the law.

Block	Lot	Amount
39	10	\$3,200
107	58	\$8,300
167	14	\$5,300

Mr. Cusick took a roll call vote to introduce Ordinance 1514 and set for public hearing on October 26 at 7pm

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

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Resolutions:

RESOLUTION #11 – 154 Payment of Bills (9.28.2011)

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:

Current	\$1,421,381.27
Capital	1,985.00
Dog Trust	33.00
Grant	910.00
Law Enforcement Trust	3,268.72
Trust	19,188.86
Unemployment Comp	189.00
Water & Sewer	501,950.20
Water & Sewer Capital	7,591.65
Total:	\$1,956,497.70

Mr. Cusick took a roll call vote:

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

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RESOLUTION #11 – 155 Refund of Fees (Dombrowski)

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

Amount: \$15.00
Reason: Refund of Fees
Payable to: Jacqueline Dombrowski Ref:
 75 Bayview Ave Refund of APU fee
 Keansburg, NJ 07734

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

Mr. Cusick took a roll call vote:

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

RESOLUTION #11 – 156 Refund of Fees (Chan)

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

Amount: \$110.00
Reason: Refund of Fees

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Payable to: Kwai Ping Chan
 Ref:
 188 Myrtle Ave

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

Mr. Cusick took a roll call vote:

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

RESOLUTION #11 – 157 Refund of Fees (Cangeloso)

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

Amount: \$380.72

Reason: Refund of Fees

Payable to: Peter Cangeloso
 350 Monastery Lane
 Aberdeen, NJ 07747

Ref:
 Escrow acct:
 38 Bayside Parkway
 #T-20-00-100-437

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

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Mr. Cusick took a roll call vote:

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

RESOLUTION #11 – 158 Plenary License: Chasers and
 RESOLUTION #11 – 159 Plenary License: Pumps

WERE HELD AT THIS TIME

RESOLUTION #11 – 160 Plenary License: Stadium

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that Plenary Retail Licenses be granted to the following licensees for the term of July 1, 2011 through June 30, 2012

Slover Productions LLC
 260-262 Beachway
 1321-33-031-008

BE IT FURTHER RESOLVED that said renewal is for the term of expiring June 30, 2012.

Mr. Cusick took a roll call vote:

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

RESOLUTION #11 – 161 Professional Agreement: Raritan

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

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T&M Associates

hereby appointed as Borough Engineer for engineering services for

Raritan Avenue Drainage Improvements [T & M Associates proposal number KNBG-G1102]

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

1. The Borough Manager and Clerk are hereby authorized to enter into the attached agreement dated March 22, 2011, with T&M Associates in the proposal amount not to exceed of \$90,000.00 plus reimbursable expenses. Which is comprised of the following:
 - A. Field Survey \$13,000.00 (**previously approved under Council Resolution 11-070**)
 - B. Pre-Design, design, Bidding \$51,500.00
(**50%, \$25,500.00 previously approved under Council Resolution 11-070**)
 - C. Construction Administration and Observation \$26,000
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.

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 took a roll call vote:

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

RESOLUTION #11 – 162 2011 Halloween Curfew

Whereas, Halloween will be celebrated on Monday, October 31, 2011; and

Whereas, The Mayor and Council are concerned with the safety and well-being of our youth; and,

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Whereas, it is in the best interests of the residents of the Borough of Keansburg that a curfew be imposed on October 30th and October 31st 2011; and,

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that a curfew of 7 pm be imposed within the Borough of Keansburg for all youth under the age of eighteen years on Sunday, October 30th and Monday October 31st, 2011; and,

BE IT FURTHER RESOLVED that Trick or Treating is allowed between the hours of 12 pm (noon) through 7pm

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Keansburg Police Department.

Mr. Cusick took a roll call vote:

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

RESOLUTION #11 – 163 Payment of Bills (9.28.2011) #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:

Current	\$129,952.61
Capital	113,625.44
Trust	34,535.96
Water & Sewer	11,937.87
Total:	<u><u>\$290,051.88</u></u>

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Mr. Cusick took a roll call vote:

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

RESOLUTION #11 – 164 Appointment to the Housing Authority

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

Cassie Huber

**To the Housing Authority
 for the Borough of Keansburg
 for an unexpired term expiring on April 1, 2014**

Mr. Cusick took a roll call vote:

	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, October 26th at 7pm.**

**Keansburg Fire Department
 New Members**

Sean M. Nelson Keansburg EMS

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

	Moved	Seconded	Ayes	Nays	Absent	Abstain

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

Council Discussion:

There was a discussion about Planning Boards fees. There was a request for information about application fees of the surrounding communities. This will be referred to the Planning Board Secretary

Francis Mullan, Borough Engineer, spoke about the Stormwater Report for the Borough and there was a discussion about drainage improvements. This was a comprehensive report for improvements to be considered over the next five years.

James Falco, gave the DPW report. Spoke about the Baywalk, storm damage and branches. Discussed the Recycling report for the period of 2007 – 2009. Report was very good, the Borough achieved 75 points of compliance.

Councilman Hoff discussed the recycling pilot program in the schools. Congratulated Mr. Falco.

Mayor and Council complimented DPW.

Steve Ussman gave his monthly report. Discussed the DEP inspection and that all records were in order. Mr. Ussman also discussed hydrant flushing.

Francis Mullan, Borough Engineer, discussed that the St. John's agreement was in place. Grants are moving forward on the Monmouth County Open Space and CDBG.

Raymond O'Hare, Borough Manager, stated that St. John's agreement was in order. He is concerned with the impact of professional fees on the budget.

Announced a donation made for the library from a woman whose brother utilized the Waterfront Library.

Announced that the Carnegie Foundation would be recognizing Mr. Fenton for aiding drowning man.

Announced a Shared Services meeting to be held on October 5th, from 9am to 12 noon with the County.

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Councilman Boden announced the Comedy Show fundraiser to be held at New Point Comfort Firehouse. Also announced the Beach Clean ups scheduled for the 3rd Sunday of each month.

Councilman Cocuzza reported on the Board of Health’s “Spay, Neuter, Release” Program for cats.

Councilman Hoff thanked all the Borough’s departments and officials for participation in the 9/11 memorial.

Thanked Francis Mullan and Raymond O’Hare for placement of an appropriate staging drainage outfall project.

Congratulations to the Recreation Committee on the new equipment in the parks.

Deputy Mayor DePompa thanked all Borough Officials and Departments for their efforts.

Mayor Strydio thanked all the Borough employees and volunteers for assistance during Hurricane Irene.

Announced the New Jersey Natural Gas Assistance Program, locally application help will be available at the Bayshore Senior Center on Friday, October 28, 2011 9am to 6pm.

Announced that the VNA Fair is rescheduled.

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	✓		✓			

Joseph Coward
143 Shore Blvd

Asked about the contractor who is asking neighbors about cracks in house foundations.

Mr. Mullan confirmed that the contractor on the outfall project would be compiling that information.

Discussed pile driving to support outfall pipe

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Asked about Berm status

The Borough Manager and Borough Engineer will continue to discuss the Berm status with Federal Officials

Light/costs (Fran/DEP)

Dick Stryker
115 Carr Avenue

Asked about the status of Raritan Avenue drainage

The Borough Engineer stated that he expects project to be advertised in October and the Construction to begin in November.

Discussed the sidewalks at Port Monmouth Road and Main Street. The Borough Attorney directed to send a letter to the County.

Flowerpots should be maintained and there should be an effort to curb dogs

Good job to DPW for clean up of Hurricane Irene

Cassie Huber
98 Beachway,
Unit 18

Spoke about adopting street planters by residents and businesses.

Possible contest

Martin Slezak
32 Lincoln Ave

Adopt a planter

High School my be interested in planters (3)

Jim Falco to see if available

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	✓		✓			

Executive Session:

Mr. Cusick took a roll call vote to convene Executive Session

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

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Desalinisation project update

Pending litigation

EXECUTIVE SESSION CONVENED

Deputy Mayor DePompa and Councilman Cocuzza excused from meeting at this time

Mr. Cusick took a roll call vote to return from Executive Session

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

Adjournment

Mr. Cusick took a roll call vote to adjourn the meeting

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