

**BOROUGH OF KEANSBURG**  
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY  
December 12, 2012

**Meeting Minutes**

Mr. Cusick read the following:

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

Mr. Cusick asked all to rise and recite:

**Salute to the Flag**

Mr. Cusick took:

**Roll Call**

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

**Meeting Minutes:**

**Meeting Minutes October 24, 2012**

**Meeting Minutes November 13, 2012**

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

**Roll Call**

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

**Ordinances:**

**Second Reading:**

Mr. Cusick asked for a roll call vote to open the meeting to the public for Ordinances #1530 and #1531:

**Roll Call**

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Foley					✓	

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

**NO MEMBER OF THE PUBLIC SPOKE AT THIS TIME**

Mr. Cusick asked for a roll call vote to close the meeting to the public for Ordinances #1530 and #1531:

:

**Roll Call**

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

**ORDINANCE #1530 – Precious Metals**

AN ORDINANCE AMENDING AND REVISING CHAPTER IV -GENERAL LICENSING AND BUSINESS REGULATIONS OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG

Changes to this ordinance are highlighted in bold and underlined.

BE IT ORDAINED by the Mayor and Council of the Borough of Keansburg, in the County of Monmouth, in the State of New Jersey, as follows:

I. The purpose of this Ordinance is to amend Chapter IV General Licensing and Business Regulations, establishing a new section 20 entitled Precious Metals and Gems:

§4-20 Precious Metals and Gems

§4-20.5 Display; Possession.

Every person holding a license under this Chapter shall be required to carry the license with him or at his business premises while engaged in the business licensed. He must produce the license at the request of any Borough official. To every applicant granted a license, the Borough Clerk shall issue either a license card, button or other identification, bearing the words “Licensed Purveyor Of Precious

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Metals And Gems, Borough of Keansburg", together with the number of the license and the year for which it is issued. All automobiles, wagons, carts, or other vehicles used by persons licensed hereunder shall have affixed thereon the license. Persons soliciting money for a religious or charitable organization shall at all times during such solicitation carry with them and shall exhibit upon request the identification cards for which provisions are made in Section 4-2.

§4-20.6 Revocation; Suspension - Notice of Hearing.

Any license issued may be suspended by the Borough Council for any infraction or violation of the terms of the license. The Borough Council may find that a violation of the terms of the license has occurred upon proof of falsification in applying for the license; conviction of any state or federal crime involving moral turpitude, dishonesty, fraud, deceit misrepresentation, or interference with a police investigation . The suspension shall become effective by the mailing of a notice to the address appearing upon the application and shall state that opportunity for a hearing will be given at a time certain, within five (5) days from the date of notice, before the Borough Council, which, upon finding of such a violation, may revoke the license. In the event of the failure of the licensee to appear, the license shall automatically be revoked and cancelled.

§4-20.7 Expiration.

Each license issued under this Chapter shall expire December 31 of the year in which issued, unless sooner revoked or suspended or unless it expires prior thereto in accordance with its terms. Upon the expiration of any license issued, the holder shall surrender the license to the Borough Clerk within twenty-four (24) hours. Upon notice of the cancellation or revocation or any license issued, the holder shall surrender the license to the Borough Clerk within twenty-four (24) hours after notice of such cancellation.

§4-20.8 Age Requirement.

No license shall be issued to any applicant unless he shall be over eighteen (18) years of age and a citizen of the United States.

§4-20.9 Investigation of applicant; issuance or denial of license; appeals.

A. Upon receipt of an application completed pursuant to §4-20.2 of this Code, the Borough Clerk shall refer such application to the Chief of Police, who shall institute such investigation of the applicant's criminal background. Upon completion of the criminal investigation, the Chief of Police shall return the application, or a copy thereof to the Borough Clerk, accompanied by his or her recommendations as to whether the license should be issued or denied. If the recommendation of Chief of Police is to deny the license, the grounds for such recommendation shall be stated. Grounds for recommending denial of a license application or revocation of a existing license shall include falsification or misrepresentation in applying for a license, or violations of any State or Federal statutes involving crimes of moral turpitude, dishonesty, fraud, deceit or misrepresentation.

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- B. Upon receipt of the recommendation of the Chief of Police, the Borough Clerk shall issue or deny the license accordingly.
- C. No person denied such a license shall engage in any business of buying or selling any precious metals or gems.
- D. Any person aggrieved by such denial may appeal to the Borough Counsel, which may affirm or reverse such a denial as deemed.

§4-20.10 Identification and receipt required for selling items.

All licenses shall require of each person offering an item for sale to produce identification and to sign a receipt for said item.

§4-20.11 Maintenance of records.

- A. Each license shall be issued a digital camera provided by the Borough of Keansburg Police Department, at no expense to the licensee, batteries included. The licensee will be required to photograph any item purchased as well as the actual photo identification presented by the seller at the time of the transaction. The photograph shall be visually clear and depict the item and identification as presented by the seller. The licensees shall ensure that the photo identification presented by the seller matches the person who presented it. If the seller does not have photo identification the licensee shall take an actual photograph of the seller. The Keansburg Borough Police Department will arrange with the licensee to periodically collect these images from licensee.
- B. Each licensee shall also keep a written document containing the type of identification presented by the seller, the seller's name, date of birth, address and either the social security number or driver's license number of the seller.
- C. Each licensee shall also keep a written document containing a description of the item purchased, any identifying numbers and a copy of the designed receipt. These records shall be available for inspection by the Borough of Keansburg Police Department during regular business hours. The records shall be maintained by the licensee for a period not less than five (5) years.
- D. Each licensee shall provide the Keansburg Borough Police Department with a list containing each transaction to include each item purchased as well as the seller's information on a daily basis in addition to the other record requirements.
- E. Each licensee shall hold any item purchased for a period of not less than fourteen (14) Calendar days before reselling, melting or disposing of the item in any way.
- F. Upon reasonable or credible belief that an item acquired for sale may be stolen, the licensee shall immediately contact the Keansburg Police Department and inform them of their suspicion. Sale of any item reasonably believed to be stolen property to any person is prohibited. Sale of such items shall subject the licensee to penalty under the general ordinances of the Borough of Keansburg

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pursuant to §1-5.1 and constitute poor moral character and questionable business responsibility as set forth at §4-20.9(A), subjecting the licensee to possible revocation of their license.

Mr. Cusick asked for a roll call vote to adopt Ordinance #1530:

**Roll Call**

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

**ORDINANCE #1531 – Land Purchase (Tartivita Property)**

AN ORDINANCE AUTHORIZING THE BOROUGH OF KEANSBURG TO ACQUIRE CERTAIN REAL PROPERTY KNOWN AND DESIGNATED AS BLOCK 163, LOT 16.02 ON THE KEANSBURG BOROUGH TAX MAP (TARTIVITA PROPERTY).

WHEREAS, the Borough of Keansburg has been involved with ongoing litigation surrounding Block 163, Lot 16.02 dating back to 2006; and

WHEREAS, this matter was settled on or about December of 2011 contemplating the purchase of a portion of the above referenced lot for \$40,000 less \$3,300 for cost of concrete curbing to be constructed by the Borough for a total cost of \$36,700, which was to be credited on Seller’s tax bill in lieu of a check payment; and

WHEREAS, in order to finalize this agreement the Borough must enter into a contract for sale with Seller; and

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED by the Mayor and Counsel of the Borough of Keansburg, in the County of Monmouth and State of New Jersey, as follows:

1. That, pursuant to the “Local Lands and Buildings Law,” N.J.S.A. 40A:12-1, et seq., the Borough of Keansburg is hereby authorized to acquire in fee, a portion of the real property known and designated as Block 163, Lot 16.02 on the Keansburg Borough Tax Map consistent with the terms of Settlement.

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2. That the Mayor is hereby authorized to execute and the Municipal Clerk to attest any and all documents that are necessary in order to effectuate the acquisition of this property, including Assignment Agreements, provided that said documents are in a form acceptable to the Borough Attorney prior to final execution.
  
5. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.
  
6. That this Ordinance shall take effect upon final passage and publication in accordance with the law.
  
7. That, in the event that any portion of this Ordinance is found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.

Mr. Cusick asked for a roll call vote to adopt Ordinance #1531:

**Roll Call**

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

**Resolutions:**

**RESOLUTION # 12-204**      Payment of Bills (12.12.12)

**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	\$1,714,957.83
Dog Trust	121,506.61
Grant	3,478.35

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Trust	22.20
Water & Sewer	1,150.00
Total:	<b>\$1,841,114.99</b>

Mr. Cusick asked for a roll call:

**Roll Call**

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

**RESOLUTION # 12-205**      Appointment of Special Class II Officers 2013

BE IT FURTHER RESOLVED, by the Mayor and Council

of the Borough of Keansburg that it does hereby appoint,

Joseph Lamb

Guillermo Rivera

John Swartz

As a Special Police Officer Class II for 2013; and,

BE IT FURTHER RESOLVED, that the Borough Council that a certified copy of this Resolution be forwarded to the Keansburg Police Department

Mr. Cusick asked for a roll call:

**Roll Call**

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

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Mr. Hoff		✓	✓			
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**RESOLUTION # 12-206** Authorize Execution of the 2013 Food Shopping Agreement (SCAT)

BE IT RESOLVED that the Mayor and Council of the Borough of Keansburg do hereby authorize the Mayor and Municipal Clerk to execute the attached agreement, entitled “2013 Food Shopping Agreement” with the Board of Chosen Freeholders.

Mr. Cusick asked for a roll call:

**Roll Call**

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

**RESOLUTION # 12-207** Refund of Escrow Fees (Schumacher)

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

Amount: \$406.00

Reason: Refund of escrow fees

Payable to: Jennifer Schumacher  
91 Seabreeze Way  
Keansburg, NJ 07734

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

Mr. Cusick asked for a roll call:

**Roll Call**

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

**RESOLUTION # 12-208**      Authorize Execution of Statewide Insurance Fund Membership

WHEREAS, a number of local units have joined together to form the Statewide Insurance Fund (“FUND”), a joint insurance fund, as permitted by N.J.S.A. 40A:10-36, *et seq.*; and

WHEREAS, the Borough of Keansburg (“LOCAL UNIT”) has complied with relevant law with regard to the acquisition of insurance; and

WHEREAS, the statutes and regulations governing the creation and operation of joint insurance funds contain elaborate restrictions and safeguards concerning the safe and efficient administration of such funds; and

WHEREAS, the LOCAL UNIT has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

WHEREAS, the LOCAL UNIT agrees to be a member of the FUND for a period of three (3) years, effective from **January 1, 2013** terminating on **January 1, 2016** at 12:01 a.m. standard time; and

WHEREAS, the LOCAL UNIT has never defaulted on claims, if self-insured, and has not been canceled for non-payment of insurance premiums for two (2) years prior to the date of this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the LOCAL UNIT does hereby agree to join the Statewide Insurance Fund; and

BE IT FURTHER RESOLVED that to the extent required by law, the Local Unit shall provide notice of the Indemnity and Trust Agreement to the Office of the State Comptroller; and

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BE IT FURTHER RESOLVED that the LOCAL UNIT will be afforded the following coverage(s)

as marked "Yes":

	<u>YES</u>	<u>NO</u>
Workers' Compensation & Employer's Liability	✓	
Liability, Property, Crime-Faithful Performance and Fidelity,	✓	
Inland Marine, Boiler and Machinery, Comprehensive General	✓	
Liability, Auto Liability, Auto Physical Damages	✓	
and Professional Liability	✓	
Pollution Liability	✓	

BE IT FURTHER RESOLVED that Raymond O'Hare, Borough Manager (*name of member employee*) is hereby appointed as the LOCAL UNIT's Fund Commissioner and is authorized to execute the application for membership and the accompanying certification on behalf of the LOCAL UNIT; and

BE IT FURTHER RESOLVED that the LOCAL UNIT's Fund Commissioner is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying the membership in the FUND as required by the FUND's Bylaws and to deliver same to the Administrator of the FUND with the express reservation that said documents shall become effective only upon the LOCAL UNIT's admissions to the FUND following approval of the FUND by the New Jersey Department of Banking and Insurance.

Mr. Cusick asked for a roll call:

**Roll Call**

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

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**RESOLUTION # 12-209** Appointment of Risk Management Consultants

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

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

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

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

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

1. The Borough of Keansburg hereby appoints  
  
Dominick S. Cinelli of Brown and Brown Metro Inc. and James P. Conroy of W.A. Conroy and Son as its local Risk Management Consultant.
  
2. The Borough Manager and Borough Clerk (authorized representatives of the public entity) and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant’s Agreement for the year 2013 in the form attached hereto.

Mr. Cusick asked for a roll call:

**Roll Call**

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

**RESOLUTION # 12-210** CY2012 Cancellation of Tax Overpayments

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BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that by direction of the Tax Collector the following tax credits be canceled:

Block	Lot	Qualifier	AMOUNT
79	16		\$ .01
114	16		.01

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Chief Financial Officer.

Mr. Cusick asked for a roll call:

**Roll Call**

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

**RESOLUTION # 12-211**      Plenary Renewal 2012-2013 – Bar One

**Whereas**, the Clerk's Office of the Borough of Keansburg has received a Special Ruling for Bar One, Inc. License # 1321-33-025-007 dated October 26, 2012; and,

**Whereas**, the Mayor and Council of the Borough of Keansburg, wish to grant renewal to

**Bar One, Inc**

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**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, 2012 through June 30, 2013

Bar 1, Inc.

304-306 Main Street

1321-33-025-007

Mr. Cusick asked for a roll call:

**Roll Call**

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

**RESOLUTION # 12-212** Appointment of Monmouth County Community Development Reps

BE IT RESOLVED that the Mayor and Council of the Borough of Keansburg wish to seek participation in the Monmouth County Community Development program; and

BE IT RESOLVED that in order to maintain that involvement, Representatives of the Community must be named by Resolution; and

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Keansburg have decided that representation in this matter would be best served by naming, as Representatives to the Monmouth County Community Development Program, with the Preferred Addresses of Record being listed at c/o Keansburg Borough Hall, 29 Church Street, Keansburg, NJ 07734

Mary Foley, as Representative

Councilman George Hoff, as Alternative Representative

BE IT FURTHER RESOLVED that a certified copy of this Resolution be sent to

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Ms. Debbie Dovedytis,  
Assistant Program Analyst  
Monmouth County Community Development  
Hall of Records Annex  
One East Main Street  
Freehold, New Jersey 07728

Mr. Cusick asked for a roll call:

**Roll Call**

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

**RESOLUTION # 12-213**      Budget Transfer

**RESOLUTION – AUTHORIZING TRANSFERS BETWEEN BUDGET APPROPRIATIONS PURSUANT TO N.J.S.A.40A:4-58**

WHEREAS, N.J.S. 40A:4-58 provides for the transfer as permitted between budget appropriations during the last two months of the fiscal year:

NOW, THEREFORE, BE IT RESOLVED By the Council of the Borough of Keansburg (not less than two thirds of the governing body affirmatively concurring) that transfers between CY 2012 budget appropriations effective as of December 12, 2012

<b>FROM</b>			<b>TO</b>		
<u>a/c#</u>	<u>Name</u>	<u>Amount</u>	<u>a/c#</u>	<u>Name</u>	<u>Amount</u>
22-220-200	Group Insurance	12,000.	22-195-100	UCC S&W	2,000.
			44-901-200	Capital Improvement fund	10,000.
		<u>12,000</u>			<u>12,000</u>

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Mr. Cusick asked for a roll call:

**Roll Call**

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

**RESOLUTION # 12-214**      Emergency Procurement (Hurricane Sandy – O’Brien’s Response Mgmt)

RESOLUTION AUTHORIZING THE INFRASTRUCTURE SERVICES OF O’BRIENS RESPONSE MANAGEMENT IN THE APPROXIMATE AMOUNT OF \$105,000. IN CONNECTION WITH RECOVERY EFFORTS RESULTING FROM DAMAGES CAUSED BY HURRICANE SANDY IN THE BOROUGH OF KEANSBURG

WHEREAS, there exists a need for the Borough of Keansburg to retain the services in connection with recovery efforts in connection with the damage caused by Hurricane Sandy; and

WHEREAS, the services to be provided are to be contracted as an “Emergency Contract” pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-6.; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract without public advertising for bids and bidding therefore, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, the Governing Body, having considered the same, now wishes to authorize o’briens response management. to provide the aforesaid services with regard to the recovery efforts in response to the damages caused by Hurricane Sandy.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Mayor and Council as follows:

1. That the Mayor, or his designee, is authorized to execute and the Borough Administrator to attest to an agreement in a form acceptable to the Borough Attorney between the Borough of Keansburg and o’briens response management, with regard to the aforesaid services.
2. That this contract is awarded without competitive bidding or advertisement, as an “Emergency Contract”, in accordance with N.J.S.A. 40A:11-6, of the Local Public Contracts Law of New Jersey, because an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and.

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3. That Notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the Borough.
4. That a certified copy of this Resolution shall be provided to each of the following:
  - a. Borough Clerk
  - b. Borough Chief Financial Officer
  - c. Borough Attorney

Mr. Cusick asked for a roll call:

**Roll Call**

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

**RESOLUTION # 12-215** Award of Bid (Terrace Place: Black Rock)

**WHEREAS**, the Borough of Keansburg advertised and received bids for Reconstruction of Terrace Place project on Friday, October 12, 2012; and

**WHEREAS**, three (3) bids was received and opened in public by the Borough Clerk; and

**WHEREAS**, the following bids were received:

Bidder	Base Bid	Alternate A	Alternate B	Total: Base + A + B
Black Rock Enterprises LLC	\$484,979.50	\$83,911.00	\$99,710.00	\$668,600.50
Fiore Paving Co. Inc	\$530,951.60	\$94,353.15	\$103,934.50	\$729,239.25
James R. Ientile, Inc	\$666,336.00	\$106,010.00	\$125,570.00	\$897,916.00
<b>Engineer's Estimate</b>	<b>\$500,130.00</b>	<b>\$93,125.00</b>	<b>\$107,050.00</b>	<b>\$700,305.00</b>

**WHEREAS**, the Borough Attorney has reviewed the bids and has determined that Black Rock Enterprises LLC of NJ, 1316 Englishtown Road, Old Bridge, NJ 08857 is the lowest and responsible bidder for this Project.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Keansburg that based upon the recommendation of the Borough Attorney that it does hereby award the bid for the Reconstruction of Terrace Place (base bid ONLY) to:

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**BLACK ROCK ENTERPRISES LLC**

in the total amount of \$484,979.50; and

**BE IT FURTHER RESOLVED** that the award is subject to:

1. Certification of the availability of funds by the Borough Chief Financial Officer

*Patrick DeBlasio*

\_\_\_\_\_  
Patrick DeBlasio, Chief Financial Officer

**BE IT FURTHER RESOLVED** that the Mayor and Municipal Clerk are authorized to execute the contract with Black Rock Enterprises LLC of NJ after the review by the Borough Attorney and Chief Financial Officer’s certification.

Mr. Cusick asked for a roll call:

**Roll Call**

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

**RESOLUTION # 12-216** Appointment of Statewide Insurance Fund Commissioners

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

WHEREAS, the Fund’s Bylaws require participating members to appoint a Fund Commissioner;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the that Raymond O’Hare, Borough Manager is hereby appointed as the Fund Commissioner for the Local Unit for the year 2013; and

BE IT FURTHER RESOLVED that Thomas P. Cusick, Borough Clerk is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the year 2013; and

BE IT FURTHER RESOLVED that the Local Unit’s Fund Commissioner is authorized and directed to execute all such documents as required by the Fund. .

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Mr. Cusick asked for a roll call:

**Roll Call**

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

**RESOLUTION # 12-217**      Dedication by Rider: Hurricane Sandy Keansburg Strong Fund

**Requesting approval of the Director of the Division of Local Government Services to establish a Dedicated Trust Rider for “Hurricane Sandy 2012-Keansburg Strong”**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a Municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS NJSA 40A :5-29 provides for receipt of charitable contributions from Hurricane Sandy Relief efforts by the municipality to provide for the operating cost to administer this act and

WHEREAS, NJSA 40A:4-39 the dedicated revenues anticipated from the charitable contributions from Hurricane Sandy relief efforts are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg, County of Monmouth, State of New Jersey as follows:

1. The Mayor and Council hereby request permission of the Director of the Division of Local Government Services to pay expenditures for relief efforts of Hurricane Sandy victims by donating the funds directly to assist our residents of the Borough of Keansburg.
2. The Municipal Clerk of the Borough of Keansburg is hereby directed to forward two certified copies of this resolution to the Director of the Division of local Government Services.

Mr. Cusick asked for a roll call:

**Roll Call**

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

**Communications:**

Housing Authority vacancy (Cassie Huber / resignation)

**RESOLUTION # 12-218** Appointment to the Housing Authority (C. Hoff)

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:

Chris Hoff

To the Housing Authority for the Borough of Keansburg for an unexpired term commencing on December 13, 2012 and expiring on April 2, 2014.

Mr. Cusick asked for a roll call:

**Roll Call**

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

**Council Discussion:**

Steve Ussman  
Water/Sewer  
Department

Reported on collection of water receipts

Reported on a water leak and repair at Woodland and Lawrence Avenues

Dennis O’Keefe and  
James Falco  
DPW

Deferred to the Borough Engineer

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Fran Mullan  
Borough Engineer

Gave a status report on the Road Repair project and inspection of housing repairs

Announced the FEMA meeting taking place on Thursday, December 13<sup>th</sup> at Keansburg High School

Raymond O’Hare  
Borough Manager

Spoke about the FEMA meeting. The FEMA meeting has been scheduled to allow all residents to be in attendance. This meeting has been requested for several weeks.

Mayor Hoff

Thanked all for their assistance at the Tree Lighting Ceremony.

Wished Happy Holidays for all.

**Open to the Public:**

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

**Roll Call**

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

**Tom and Salma Harris  
129 Seeley Ave**

**Informed Council that they had been informed by FEMA that new elevations will be out in a few months.**

**Stated they are unhappy with Mr. Striedl and the Code Office. That they have retained a private structural engineer.**

**Mr. Foley arrived at this time (7:17pm)**

**The Harris’s feel it is difficult to live in town. Spoke about issues concerning absentee/neglectful landlords in area. Stated that they pay for Borough Services/Personnel and are treated shabbily. Suggested that the Borough should**

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**hire people with better people skills.**

**Mr. DePompa arrived at  
this time (7:25pm)**

**James O'Connor  
9 Brookside Ave**

**Stated he was indebted to the Borough volunteers.**

**Stated that FEMA had advised that he should ask the  
Borough to buy his property.**

**Fran Mullan stated that it is an option that may be  
explored**

**Mr. O'Connor went on to say that he will leave the home  
if it is not bought out by the Municipality.**

**Emeril Alonso  
162 Woodland Ave**

**Stated that his home had been inundated by the flood  
and he does not have computer access. Stated that his  
wife had been hung up on by a Borough Hall employee.**

**Maureen Shannon  
31 Pineview Ave**

**Inquired into the 50% rule on repair of home.**

**Fran Mullan answered in regard to the substantial  
damage threshold and elevation of new construction.**

**Eric Knies  
15 Waterview Pl**

**Asked if there was any information on Berm  
replenishment**

**Fran Mullan stated that the Borough was allowed by the  
DEP to restore the Berm at the breach. Stated that there  
has been active discussion with Congressman Pallone's  
office for Berm replenishment for several years.**

**Stated that findings were to be published at Mr. Knies  
asked about process for placing notices on homes**

**Mr. Mullan explained the process is based on FEMA  
guidelines. Process initiated to alert property owners  
that there may be potential problems**

**Michael Miksza  
18 Seawood Ave**

**Asked about the deadline for debris? Stated a belief that  
landlords were bringing in debris.**

**Mr. O'Hare stated that December 10<sup>th</sup> was the cutoff  
date. Additional debris will be determined on a case by**

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case basis.

Mr. Miksza asked about elevating homes while streets would still flood.

Mr. Mullan stated that drainage study/analysis is ongoing

Mayor Hoff stated Seawood/Greenwood is on original list.

Mr. Miksza asked if there would be zoning concerns if a home is torn down

Ed Striedl, Zoning Official stated that such concerns would go before the Planning Board on a case by case basis.

Tracee Truglia  
18 Pineview Avenue

Asked if Planning Board approval would be needed if a house is raised to comply with the base flood elevation?

Mr. Mullan explained that the Planning Board's objective is to get more properties to become more code compliant.

Emeril Alonso  
162 Woodland Ave

Is ICC a loan?

Mr. Striedl stated it is funding through your Flood Insurance Premium.

Stated that when debris was collected the sidewalk was damaged.

Mr. Mullan stated it will be reported to the contractor.

Salma Harris  
129 Seeley Ave

Asked who would be responsible to pay for elevation certificates after new elevation is established?

Mr. Mullan stated he is not aware of the financial responsibility of that new certificate.

There was a discussion on the "red tag" policy that alerted the property owners to potential damages.

Mr. O'Hare explained that there will be follow up on all property owners who do not respond to the red tag process.

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**There was a discussion on permit fees. The Borough will not charge if house/building is being restored to pre-storm condition.**

**Daniel Shields  
31 Myrtle Ave**

**Questioned how 50% of improvement value is determined.**

**Mr. O'Hare explained that it is roughly 18% over improvement value of assessment.**

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

**Roll Call**

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

**Adjournment**

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

**Roll Call**

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



I, THOMAS P. CUSICK, Clerk of the  
Borough of Keansburg, in the County of Monmouth, New Jersey, do hereby certify that the foregoing is a true copy of meeting minutes of a regularly scheduled public meeting held on  
**December 12, 2012**

**Attest:**

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