

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
 December 14, 2011
Meeting Minutes

Mr. Cusick read the following:

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

Mr. Cusick asked all to rise and recite:

Salute to the Flag

Mr. Cusick took:

Roll Call

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

The following Borough Employees were presented to Council and recognized as follows:

Promotion:

Councilman Hoff read the following and presented:

Promotion of Ptl Dave Gogan to Sergeant

Ptl. Dave Gogan, a 20 year veteran of the Keansburg Police Department is being promoted to the rank of Sergeant. Sgt. Gogan was born and raised in Keansburg. He is a graduate of Keansburg High School and has a Bachelor of Science degree from New Jersey City University. He is married and the father of two children.



Sergeant David Gogan

Sgt. Gogan was hired in August of 1991 as a Patrolman, served in the Uniform Patrol Division for 9 years, then was assigned to the Bayshore Narcotics Task Force for 1 year. From 2001 until Jan 1, 2007 he served back in the Uniform Patrol Division. On Jan 1, 2007 he was assigned to newly created position of School Resource Officer (SRO) at the Joseph R. Bolger Middle School. At the end of 2007 he was assigned to the Detective Bureau where he served as a Detective assigned to criminal investigations.

In April of this year he was assigned back to the Uniform Patrol Division as a Squad Leader until his promotion tonight. Sgt. Gogan will continue to serve in the Uniform Patrol Division as a Patrol Supervisor.

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Commendations:

Councilman Boden read the following and presented:

Ptl. Richard Johnson is being commended by the Keansburg Mayor and Council for his actions on Nov 4, 2011 in arresting a suspect who had robbed a TD Bank in Hazlet Township about an hour and a half earlier.



Patrolman Rich Johnson

Ptl. Johnson was detailed by Headquarters to Hwy 36 and Main St as is Standard Operating Procedure (SOP) after the Hazlet Police had issued an alarm along with a description of the getaway vehicle.

Ptl. Johnson then observed a vehicle matching the description of the getaway vehicle. He stopped the vehicle on Hwy 36 and arrested the suspect without incident. The suspect was then turned over to Hazlet Township Police.

Ptl. Richard Johnson is commended by the Keansburg Mayor and Council for his alertness and dedication to duty in effecting this arrest.

Mayor Strydio read the following and presented:

Officer Guillermo Rivera is being commended by the Mayor and Council for his actions on Sept 18, 2011 in which he arrested a subject armed with a knife chasing another man.

Officer Rivera responded to a call on Main St of a disturbance at about 2:28AM on Sept 18, 2011. Upon his arrival he observed the subject armed with a knife chasing the unarmed victim who had just fallen as he was attempting to flee.



**Special Officer
Guillermo Rivera**

Officer Rivera used his patrol car to block the armed subject and then approached him with his weapon drawn on the suspect. Officer commanded the suspect to drop the weapon and lay on the ground, the accused then turned towards the officer, Officer Rivera then again instructed the subject to drop the weapon and lay on the ground. The suspect then followed Officer Rivera's command and was placed under arrest without incident.

Officer Rivera is being commended by the Mayor and Council for heroic efforts which resulted in him not only saving the life of the victim but effecting the arrest without the use of deadly force.

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Recognition of Service:

Deputy Mayor DePompa read the following and presented:

Retirement of Officer John R. O'Connor

Officer John R. O'Connor is being recognized by the Mayor and Council on his retirement from the Keansburg Police Department.



**Special Officer
John O'Connor**

Officer O'Connor was appointed in May of 1996 to the Keansburg Police Department and assigned to the Uniform Patrol Division. In February of 2007 he was assigned to the Street Crimes Unit (SCU) where he served until his retirement in October of this year due to injuries to his knee left him unable to do the job of a police officer.

Officer O'Connor is being recognized by the Mayor and Council tonight for his dedication and service to the Keansburg Police Department and the residents of Keansburg.

Commendations: Carnegie Institute Award

Councilman Cocuzza read the following and presented:



**25 THROUGHOUT U.S. GIVEN CARNEGIE MEDAL
FOR EXTRAORDINARY ACTS OF CIVILIAN HEROISM**

PITTSBURGH, PA, September 27, 2011—In its third award announcement of 2011, the Carnegie Hero Fund Commission today named 25 individuals as recipients of the CARNEGIE MEDAL. The medal is given throughout the United States and Canada to those who risk their lives to an extraordinary degree while saving or attempting to save the lives of others. Three of the awardees died in the performance of their heroic acts.

The heroes announced today bring to 65 the number of awards made to date in 2011 and to 9,477 the total number of awards since the Pittsburgh-based Fund's inception in 1904. Commission President Mark Laskow stated that each of the awardees or their next of kin will also receive a financial grant. Throughout the 107 years since the Fund was established by industrialist-philanthropist Andrew Carnegie, \$33.7 million has been given in one-time grants, scholarship aid, death benefits, and continuing assistance. The latest awardees include:

Steve Fenton
Keansburg, New Jersey

Steve Fenton helped to save Brian Mendoza from drowning, Keansburg, New Jersey, June 6, 2010. Brian, 11, was treading water in Raritan Bay of the Atlantic Ocean after his inflatable raft was blown away from the beach. A man from shore took a one-person kayak into the choppy water to look for him but could not find him. Another man from shore, Fenton, 37, carpenter, waded and swam out to the kayak and boarded it. Although he had never used a kayak, Fenton paddled farther out in search of Brian. Finding him a good distance into the bay, Fenton took Brian aboard the kayak and began to paddle back to shore. His progress was slowed by his having to go against the wind and current, and about halfway back, the kayak rolled, throwing both Fenton and Brian into the bay. A boater who was alerted responded and pulled Brian aboard, but Fenton by then lacked the strength to aid in his own rescue. The crew of a responding Coast Guard boat took him aboard and transferred him to the other boat. Brian and Fenton were returned to shore uninjured. Fenton recovered from exhaustion within a few days.

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Public Hearing:

PLENARY LICENSE: CHASERS, INC. (Disciplinary Charges):

This item was adjourned

PLENARY LICENSE TRANSFER: CHARLIE’S PLACE I (Person to Person)

This item was carried

Application:

Ciro Barone for Choice Taxi and Limousine Service Corp to be located at 155 Carr Ave

Borough Council awarded 6 Taxi Licenses to Choice Taxi pending the outcome of Certificate of Occupancy inspections and Mercantile requirements.

Mr. Cusick asked for a roll call vote:

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

Meeting Minutes:

Meeting Minutes November 9, 2011

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

Mr. Cusick asked for a roll call vote:

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

Ordinances:

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First Reading:

ORDINANCE #1515 Police Salaries

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

<i>Annual Base Salary</i>			
	<u>7/1/11 to 12/31/11</u>	<u>2012</u> <u>1/1 to 12/31</u>	<u>2013</u> <u>1/1 to 12/31</u>
Starting Salary (Police Academy)	\$40,000.00	\$40,800.00	\$41,616.00
Upon Graduation from Police Academy (7 mos -- 12 mons)	\$45,000.00	\$45,900.00	\$46,818.00
Start of 2nd Year	\$55,000.00	\$57,528.00	\$58,678.56
Start of 3rd Year	\$63,548.31	\$66,247.28	\$67,572.22
Start of 4th Year	\$72,096.62	\$74,966.55	\$76,465.88
Start of 5th Year	\$80,644.93	\$83,685.83	\$85,359.55
Start of 6th Year	\$89,193.23	\$92,405.09	\$94,253.20
Sergeant	\$97,737.80	\$101,120.56	\$103,142.97
Lieutenant	\$105,213.71	\$108,745.98	\$110,920.90
Captain	\$112,690.81	\$116,372.63	\$118,700.08

	<u>7/1/11 to 12/31/11</u>	<u>2012</u> <u>1/1 to 12/31</u>	<u>2013</u> <u>1/1 to 12/31</u>	<u>2014</u> <u>1/1 to 12/31</u>
Deputy Police Chief	\$159,531.00	\$162,721.00	\$165,976.00	\$169,295.00
Chief of Police	\$181,104.00	\$184,726.00	\$188,421.00	\$192,189.00

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

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

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Mr. Cusick asked for a roll call vote to introduce and set down for a Public Hearing on January 4, 2012 at 7pm.:

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

ORDINANCE #1516 Licensing Precious Metals and Gems

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

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

§4-20.1 Definitions.

As used in this section:

Applicant shall mean any person desiring a license provided for under this section.

Licencee shall mean the person to whom a license is issued.

§4-20.2 Licensing Procedure.

a. *Applications.* Any person desiring a license under this Chapter shall file with the Borough Clerk an application on forms supplied by the Clerk containing the following information:

1. Applicant's name, home and business address and local address, if any.
2. Place(s) of residence of the applicant for the preceding three (3) years.

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3. The physical description of the applicant, setting forth the applicant's age, sex, height, weight, complexion, color of hair and eyes and other distinguishing physical characteristics.
4. The name, address and principal or registered office in this State, if any, of the person, for or through whom or under whose auspices the applicant is authorized to conduct such activity or a statement if such be the case, that the applicant is engaged in such activity solely in his own behalf.
5. A brief description of the purpose(s) for which the license is sought.
6. The length of time for which the license is desired.
7. A statement as to whether the applicant has been convicted of any crime and if the applicant has been so convicted, the nature of the offense(s) and the penalty or penalties imposed therefor. If the applicant is not engaged in the proposed activity solely in his own behalf, there must be attached to the application a letter from the person, for or through whom or under whose auspices the applicant seeks authorization to conduct such activity, together with sample copies of the order or receipt form(s) to be used by him in connection with such activity. All applicants must be fingerprinted by the Borough Police Department at the time the application is made.
8. Three (3) business references.
9. In the event the holder of a license previously issued in accordance with the requirements of this Chapter desires to renew the same at the expiration of the period for which such previous license had been issued, or renewal thereof, such renewal applicant shall file a new application as for a new license in accordance with the requirements of this Chapter, except

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that it shall not be necessary for such applicant to comply with the fingerprinting requirements set forth in subparagraph 7. above provided he shall have complied with the same at the time of the issuance of the original application.

10. Two (2) photographs of the applicant, which photograph shall clearly show the head and shoulders of the applicant and shall measure three and one-half by four (3-1/2" x 4") inches, which may be waived in a renewal application.
11. Whether or not the applicant has ever had a license to conduct a business in the Borough of Keansburg which has been denied or revoked. If such license has been denied or revoked, the applicant shall set forth in detail the facts leading to such action.

§4-20.3 Fee.

- A. All initial application review and processing shall cost \$100.
- B. All licenses are effective from January 1 to December 31 and shall be annually renewed between January 1 and February 15 for a fee of \$25.
- C. Failure to renew license will result in a penalty fee of \$25.00 dollars will be charged for each license paid after that date, with the exception of amusement game licenses.

§4-20.4 Records and Report Required.

- a. All licenses shall be issued on forms drawn in accordance with this Chapter. They shall be consecutively numbered. The license shall contain spaces in which the Clerk shall insert the name, the class of license granted, the location of the business and the amount of the fee paid.
- b. There shall be kept in the Office of the Borough Clerk the necessary books for recording the time the application for license is received; showing its class; whether new or renewal; name of

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the licensee; when the application was approved by the Chief of Police, the amount of fee received, the date the license is issued and number of the same.

- c. The Borough Clerk shall monthly file a report with the Borough Council showing the number of licenses granted by classes and the amount of fees received. Each report shall state the number and class of licenses suspended or revoked and the reasons for such suspension or revocation. The Borough Clerk shall compile a summary of all licenses granted under this Chapter during a single year and report such at the final meeting of the Borough Council.

§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 peddler granted a license, the Borough Clerk shall issue either a license card, button or other identification, bearing the words "Licensed Peddler, 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, or of any Borough ordinance, State or Federal statute, or falsification in applying for a license. 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

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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 of 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 moral character and business responsibility as he or she deems necessary for the protection of the public welfare. Upon completion of the 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

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a license application or revocation of a existing license may include information indicating that the applicant is not of good moral character or is of questionable business responsibly, and a recommendation of denial shall be given if the applicant has been convicted of any crime involving dishonesty, fraud, deceit or misrepresentation.

- 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

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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 periodically download the images off of the camera's memory card.

- 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) business days before reselling, melting or disposing of the item in any way.
- F. Upon information or 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 suspected of being stolen to any person is prohibited. Sale of such items

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shall subject the licensee to penalty under the general ordinances of the Borough of Keansburg 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 introduce and set down for a Public Hearing on January 4, 2012 at 7pm.:

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

Resolutions:

RESOLUTION #11 – 193 Payment of Bills (12.14.2011)

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	\$1,164,075.47
Capital	14,028.16
Dog Trust	46.80
Grant	885.63
Trust	7,540.70

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Water & Sewer	109,362.12
Water & Sewer Capital	7,450.00
.	
Total:	\$1,303,388.88

Mr. Cusick asked for 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 – 194 Emergency Purchase [Repair Well #5-W&S 11.23.11]

RESOLUTION – EMERGENCY PURCHASE – A.C. Shulte and Peter P. Faccas & Sons Electrical – EMERGENCY REPAIR OF Well #5 – LOCATED AT the Water Treatment Plant AT 40 Frazee Place WITHIN THE BOROUGH OF KEANSBURG – NOT TO EXCEED \$12,000

Whereas, NJSА 40A:11-6 provides that a purchase, contract or agreement may be made, negotiated or awarded without public advertising for bids and bidding therefore, notwithstanding that the cost of contract price will exceed the amount set in the prevailing bidding threshold, when an emergency affecting the public health, safety or welfare requires the immediate delivery of performance of services, provided:

A written requisition for the performance of such work or labor, or the furnishing of materials, supplies or services is filed with the contracting agent or his deputy in charge describing the nature of the emergency, the time of its occurrence and the need for invoking this section, certified by the officer or director in charge of the department wherein the emergency occurred, or such other officer or employee as may be authorized to act in the place of said officer or director, and the contracting agent or his deputy in charge, being satisfied that the emergency exists, is hereby authorized to award a contract for said work or labor, materials, supplies or services; and

Whereas, an emergency situation meeting the criteria set forth above resulting from a motor burn out at Water Well #5, leaving only one other water well to service the residents of Keansburg located at the Water Treatment Plant at 40 Frazee Plant

Whereas, an emergency purchase was made by the Water and Sewer Department for services from:

A.C. Shultes, 664 South Evergreen Ave., Woodbury Heights, NJ 08097,
in the amount not to exceed \$9,000.00 and

Peter P. Faccas & Sons Electrical, 1 Stella Drive, Keansburg, NJ 07734
in the amount not to exceed \$3,000.00 and

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Keansburg, does hereby authorize the payment of

NOT TO EXCEED \$9,000.00 to **A.C. Shultes**, 664 South Evergreen Ave., Woodbury Heights, NJ 08097,
and

NOT TO EXCEED \$3,000.00 to **Peter P. Faccas & Sons Electrical**, 1 Stella Drive, Keansburg, NJ 07734

for the emergency purchase described herein in accordance with NJSА 40A:11-6

Mr. Cusick asked for 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 – 195 Authorize Purchases from 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,

WHEREAS, upon adoption, this resolution and vendor list will replace and supersede all previous lists.

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:

VENDOR	T-Number	Contract Number	VENDOR	T-Number	Contract Number
Pitney Bowes	T-0200	75237	Seely/Modern	T-2187	76906
Absolute Fire	T-0106	74018	Troil Enterprises	T-0963	66921
Autozone		71188	AR Communications	T-0109	53764
Dell/software	M-0003	77003	Chas S Winner Ford	T-2754	78843
Dell/Hardware	M-0483	70254	Chas S Winner Ford	T-2776	79009
Staples/office supplies	M-0052	77249	Campbell Foundry Co	T-0148	71626
Staples/Janitorial	T-2513	78735	Tanner North Jersey	T-0408	69948
Edwards tires-Bridgestone	T-0123	71687	PMC Management	T-2482	70092
Edwards tires-Goodyear	T-0123	71688	Computer Systems/Methods	M-0483	74851
Craft Oil Corporation	T-0097	70844	IBM Corporation	M-0483	70265
Hewlett Packard Co	M-0483	70262	Lenovo United States	M-0483	70263
Mid Atlantic Truck	T-2085	73939	XerosCorp	M-0483	74851
Mid Atlantic Truck	T-2541	70792	Keyport Army Navy	T-0046	78920
Seely/Modern	T-2188	69713	Keyport Army Navy	T-106a	75942
Seely/Modern	T-2189	74174	Lanigan Associates	T-0106	73993

Mr. Cusick asked for 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 – 196 Appointment of Special Class II Officers 2012

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 2012; 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 vote:

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

RESOLUTION #11 – 197 Award of Bid (Main, Manning, Seeley Bond #1510)

WHEREAS, the Borough of Keansburg advertised and received bids for the FY2010 NJDOT Municipal Aid Project (Main, Manning, Seeley) on December 1, 2011; and

WHEREAS, six (6) bids were received and opened in public by the Borough Engineer; and

WHEREAS, the following bids were received:

Bidder	Proposal A- Manning Place	Proposal B- Main Street	Proposal C- Seeley Avenue	Alternate A1- Main Street	Alternate A2- Seeley Avenue
L&L Paving Company Inc.	\$92,617.00	\$135,901.00	\$70,334.00	\$61,472.50	\$48,680.00
Z Brothers Concrete Co.	\$99,398.90	\$158,181.65	\$59,872.84	\$58,015.95	\$41,065.75
Mixalia Enterprises	\$110,000.00	\$155,000.00	\$64,000.00	\$66,000.00	\$47,000.00
Fiore Paving Co.	\$119,126.25	\$169,409.05	\$76,496.34	\$66,403.95	\$57,139.50
Black Rock	\$110,660.34	\$169,409.05	\$90,307.60	\$83,748.00	\$68,932.50
Engineer's Estimates	\$96,648.00	\$132,105.00	\$72,470.00	\$64,990.00	\$50,140.00

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WHEREAS, the Borough Engineer has reviewed the bids and has determined that L & L Paving of Tinton Falls, NJ., 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 Engineer that it does hereby award the bid for the FY2010 NJDOT Municipal Aid Project (Main, Manning, Seeley) (base bids and Alternates) to:

L & L Paving of Tinton Falls, NJ

in the total amount of \$ 409,004.50; and

BE IT FURTHER RESOLVED that the award is subject to:

1. Review of bid documents and contract by the Borough Attorney
2. Certification of the availability of funds by the Borough Chief Financial Officer

Patrick DeBlasio

Patrick DeBlasio, Chief Financial Officer

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 – 198 2011 Tax Cancellations

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

BLOCK	LOT	AMOUNT	REASON
18	12	.01¢	Credit
18	30	\$2,198.08	Ownership by Borough
104	7	\$286.89	Ownership by School Development Corp
163	16.02	\$3,312.94	Tartivita/Settlement Agreement

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

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #11 – 199 Resolution Accepting the CY2010 Audit

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year **CY2010** has been filed by a Registered Municipal Accountant with the *Municipal Clerk* pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

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NOW, THEREFORE BE IT RESOLVED, That the *Borough Council* of the *Borough of Keansburg, County of Monmouth*, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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 – 200 Authorization to Execute the PBA Contract 2011 to 2013

BE IT RESOLVED, by the Mayor and Council of the Borough of Keansburg, in the County of Monmouth, New Jersey do authorize the Borough Manager and Borough Clerk to execute the PBA Contract dated for December 14, 2011 for the contract term of July 1, 2011 through December 31, 2013.

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 – 201 Plenary License Person to Person Transfer (Belmont to Charlie’s Place I)

HELD

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RESOLUTION #11 – 202 CY2011 Cancellation of Appropriations

WHEREAS, the following 2011 Current Fund and Water/Sewer Fund budget appropriation balances remain unexpended:

<u>Account#</u>	<u>Name</u>	<u>Amount</u>
05-55-501-200	WATER/SEWER O&E	\$70,000
01-23-220-200	CURRENT FUND MEDICAL INSURANCE O&E	\$50,000
<u>Totals</u>		<u>\$ 120,000</u>

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances in the amount of \$120,000.00 may be credited to surplus;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Keansburg, State of New Jersey, that the above listed unexpended balances of the Current and Water Sewer Fund be cancelled accordingly.

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 – 203 2012 Safe Routes to Schools

A RESOLUTION OF APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE TERRACE PLACE PEDESTRIAN IMPROVEMENTS PROJECT

WHEREAS, the New Jersey Department of Transportation (NJDOT) is accepting applications for FY2012 Safe Routes to School projects, and NJDOT will provide financial assistance to municipalities for bicycle and pedestrian improvements which are selected through the grant application process; and

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WHEREAS, Terrace Place is in need of pedestrian and intersection improvements to protect the health and safety of school children who walk and/or bicycle to and from Keansburg Pre-School and Joseph C. Caruso Elementary School; and

WHEREAS, the Borough received \$186,719 in Community Development Block Grant Funding to construct roadway and drainage improvements to Terrace Place, and seeks additional funding to provide pedestrian improvements to further improve the roadway; therefore, the Borough of Keansburg will submit a Safe Routes to School Grant Application for the Terrace Place Pedestrian Improvements project, which will include intersections and sidewalks on Terrace Place between Waackaack Avenue and Carr Avenue;

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Keansburg, formally approves the grant application for the above stated project;

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to submit an electronic grant application identified as SRS-I-2012-Keansburg Borough-00130 to the New Jersey Department of Transportation on behalf of the Borough of Keansburg;

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Keansburg and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant 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 – 204 Payment of Bills (12.14.2011) v#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:

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Trust	\$16,440.00
Total:	<u><u>\$16,440.00</u></u>

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

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

RESOLUTION #11 – 205 Authorize Execution of Settlement (Tartavita)

Whereas, Christopher Ackerman is an Attorney with the Borough’s recognized Legal Firm Dilworth Paxson LLC of Neptune, NJ

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that Christopher Ackerman is authorized to execute a settlement agreement with Kathleen A. Tartavita on behalf of the Borough of Keansburg, in reference to Superior Court of New Jersey Monmouth County Law Division Docket No. MON-L-4593-98

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

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

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Communications:

**Keansburg Fire Department
 New Members**

Christina Block Keansburg EMS

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

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

Council Discussion:

Vacancy – Recreation Committee

- | | |
|----------------------------------|--|
| Mr. Falco | Reported that 85% of leaf clean up is complete.

Will discuss removal and pruning of trees at Friendship Park with Mary Foley and Tom Cusick

He also announced that there will be no garbage collection on Monday, December 26, 2011 or January 2, 2012 |
| Council | Thanked DPW for their assistance for the Tree Lighting Ceremony |
| Francis Mullan, Borough Engineer | Gave his monthly report. Gave updates on:

Meeting with Congressman Pallone

Main/Manning Project (construction contract awarded earlier at this meeting)

Raritan Project |

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Status of grants

DOT awards

Steve Ussman

Reported water collections were \$1.2 million for the quarter. Highest collection to date.

Desalination update

Raymond O'Hare

Unofficially introduced the CY 2012 Budget to Council. New budget calls for a 0.046¢ increase and would include the hiring of 4 new employees. (2 dispatchers, 1 court clerk and 1 water/sewer employee)

Reported that he was in discussions with the CWA in regard to their employment agreement

Councilman Boden

Stated that volunteers were still needed for the Beach Clean-up scheduled for this weekend

Councilman Hoff

Thanked the Police Department and DPW for the Tree Lighting Ceremony, as well as the Carolers.

Wished all a Merry Christmas

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	✓		✓			

Section 8 saturation

EXECUTIVE SESSION CONVENED

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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			✓			

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			✓			

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		✓	✓			

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		✓	✓			

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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 14, 2011

Attest:

Thomas P. Cusick
Municipal Clerk
Borough of Keansburg