

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

February 22, 2012

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
Excused	7:15pm	✓	✓	✓

Meeting Minutes:

Meeting Minutes January 25, 2012

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:

Second Reading:

ORDINANCE #1517 Traffic (Campview Avenue/Place Parking and Stop Sign)

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII (TRAFFIC), SECTION 3.3 (PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS), SCHEDULE I (NO PARKING) AND SECTION 6.2 (STOP INTERSECTIONS), SCHEDULE VIII (STOP INTERSECTIONS) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG.

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Section 1:

BE IT ORDAINED by the Mayor and Council of the Borough of Keansburg that Schedule I (No Parking) of Chapter VII (Traffic), Section 3.3 (Parking Prohibited at All times on Certain Streets) be amended and supplemented as follows: Name of Street Side Location

	<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
DELETE:	Campview Avenue	South	Entire length
	Campview Place	West Entire	Length
	Campview Place	East	Entire Length
ADD:	Campview Avenue	East	Entire Length
	Campview Place	South	Entire Length

Section 2:

BE IT FURTHER ORDAINED by the Mayor and Council of the Borough of Keansburg that Schedule VIII (Stop Intersections) of Chapter VII (Traffic), Section 6.2 (Stop Intersections) be amended and supplemented as follows:

Campview Avenue and Campview Place:

Pursuant to the provisions of N.J.S.A. 39:4-140, the intersections described in Schedule VIII attached to and made a part of this Chapter are hereby designated as Stop Intersections. STOP signs shall be installed as provided therein. STOP signs to be placed on Campview Avenue.

Section 3: 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 4: INCONSISTENT ORDINANCES. All Ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

Section 5: 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 6: EFFECTIVE DATE. This ordinance shall take effect upon its passage and publication according to law and approval by the Department of Transportation.

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

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

Mr. Cusick asked for a roll call vote to adopt Ordinance #1517:

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

Councilman Cocuzza arrived at this time 7:15pm

Resolutions:

RESOLUTION #12 – 019 Payment of Bills (01-25-12)

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:

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Current	\$1,426,300.07
Water & Sewer	177,008.11
Dog Trust	1.20
Trust	14,503.53
Grant	458.25
Total:	<u><u>\$1,618,271.16</u></u>

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #12 – 020 through 048 2012 Amusement Game License (*Gelhaus*)

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg, in the County of Monmouth, New Jersey that a 2011 Amusement Game License be granted to:

Rocky’s Excellent Adventure
(Henry Gelhaus)

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

BE IT FURTHER RESOLVED that the Borough Clerk be and he is hereby authorized and directed to issue and execute the said license

Rocky’s Excellent Adventure

Amusement Type	Resolution#	Certification	Muni Lic #
Top Glo	12-020	Cert. #4002	12-007
Stop & Go #9	12-021	Cert. #5	12-008
Stop & Go #8	12-022	Cert. #5	12-009
Stop & Go #7	12-023	Cert. #5	12-010
Stop & Go #6	12-024	Cert. #5	12-011
Stop & Go #5	12-025	Cert. #5	12-012
Stop & Go #4	12-026	Cert. #5	12-013
Stop & Go #3	12-027	Cert. #5	12-014

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Stop & Go #2	12-028	Cert. #5	12-015
Stop & Go #1	12-029	Cert. #5	12-016
Spyro	12-030	Cert. #4002	12-017
Skeeball	12-031	Cert. #1052	12-018
Roll A Ball #2	12-032	Cert. #4012	12-019
Roll A Ball	12-033	Cert. #4012	12-020
Ping Popper	12-034	Cert. #3008	12-021
Ping Pong Toss	12-035	Cert. #1	12-022
Mr. Frog Game	12-036	Cert. #1	12-023
Football Toss	12-037	Cert. #5	12-024
Fish "R" Jumping	12-038	Cert. #1095	12-025
Dime Pitch	12-039		12-026
Dart Game	12-040	Cert. #1	12-027
Dart / Balloon Dart	12-041	Cert. #1	12-028
Crazyball	12-042	Cert. #9	12-029
Cigarette Game	12-043	Cert. #9	12-030
Blockbuster	12-044		12-031
Basketball #2	12-045	Cert. #1003	12-032
Basketball	12-046	Cert. #1003	12-033
Arcade #2	12-047	Cert. #2000	12-034
Arcade	12-048	Cert. #2000	12-035

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 #12 – 049 Refund of Fees (*Roshanski – Comfort by the Sea LLC*)

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

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Amount: \$5,954.44

Reason: Refund of remaining unused escrow fees

Escrow accounts: #314, 318, 394 and
 Bond account #7200033282

Payable to: Comfort by the Sea LLC
 910 Amboy Ave
 Edison, NJ 08837
 Attn: Mark Roshanski

Ref: Construction of
 Comfort by the Sea,
 276 Beachway

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

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #12 – 050 Authorize Execution of 2012 CDBG Agreement

**CDBG BLOCK GRANT RESOLUTION AUTHORIZING THE MAYOR
 AND CLERK TO EXECUTE A PROJECT AGREEMENT WITH MONMOUTH
 COUNTY FOR PERFORMANCE AND DELIVERY OF FY 2012
 COMMUNITY DEVELOPMENT PROJECTS**

WHEREAS, certain federal funds are potentially available to Monmouth County under the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the County of Monmouth expects to receive an allocation for FY 2012 from the United States Department of Housing and Urban Development; and

WHEREAS, the County of Monmouth has submitted its Annual Plan for FY2012 to the U.S. Department of Housing and Urban, which included a project hereinafter referred to as **Borough of Keansburg** with a grant allocation of **\$186,719.00**

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WHEREAS, the **Borough of Keansburg** hereby met all the requirements for the release of funds to begin incurring costs for this project; and

WHEREAS, the **Borough of Keansburg** has filed with the Monmouth County Community Development Program an acceptable "TIMETABLE FOR PROJECT COMPLETION AND EXPENDITURE OF GRANT FUNDS," which is included as Appendix I of the Project Agreement.

NOW, THEREFORE, BE IT ORDAINED, that the Mayor and Municipal Clerk of the **Borough of Keansburg** authorized to execute with the County of Monmouth the attached Project 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 #12 – 051 Execute Anti Excessive Force/Anti Lobbying Resolution (CDBG)

**CDBG BLOCK GRANT RESOLUTION AUTHORIZING THE MAYOR
TO SIGN A CERTIFICATION PROHIBITING THE USE
OF EXCESSIVE FORCE AND A CERTIFICATION PROHIBITING
THE USE OF FEDERAL FUNDS FOR LOBBYING**

WHEREAS, certain federal funds are potentially available to Monmouth County through the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the United States Department of Housing and Urban Development has allocated funding to the County of Monmouth for FY 2012; and

WHEREAS, the County is making some of these funds available to certain participating municipalities and non-profit agencies; and

WHEREAS, it is required that the **Borough of Keansburg** execute a project agreement with Monmouth County to undertake a project known as **Terrace Place Improvements** and

WHEREAS, the U.S. Department of Housing and Urban Development is requiring that the Mayor of the **Borough of Keansburg** sign additional certifications in order to receive these funds; and

WHEREAS, the **Borough of Keansburg** has adopted a policy prohibiting the use of excessive force by its law enforcement agency (police force) within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

WHEREAS, a copy of that policy is attached to and made part of this resolution.

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NOW, THEREFORE, BE IT RESOLVED, that the Borough of Keansburg has met the conditions of receiving a FY 2012 allocation by adopting a policy prohibiting the use of excessive force and by not using federal funds for lobbying or by disclosing that funds have been used for lobbying.

BE IT FURTHER RESOLVED, that the Mayor of the Borough of Keansburg is hereby authorized to sign the attached certifications which will become part of the FY 2012 Project 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 #12 – 052 Authorize Execution of the Humane Society Agreement CY2012

Be It Resolved by the Mayor and Council of the Borough of Keansburg that the Borough Manager and Municipal Clerk are hereby authorized to execute an agreement with the Humane Society. The term of this agreement shall be Calendar Year 2012, and;

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

Mr. Cusick asked for a roll call vote:

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

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RESOLUTION #12 – 053 2012 Amusement Game License (Wickham)

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg, in the County of Monmouth, New Jersey that a 2012 Amusement Game License be granted to:

Debra Wickham

Balloon Game

Cert. #1

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

BE IT FURTHER RESOLVED that the Borough Clerk be and he is hereby authorized and directed to issue and execute the said license.

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #12 – 054 Temporary Budget Adjustment CY2012

AUTHORIZING AMENDMENT TO THE CY 2012
 TEMPORARY BUDGET

WHEREAS, The Revised Statutes of New Jersey 40A:4-20 provides for the adoption of emergency temporary appropriations in addition to temporary appropriations necessary for the period between the beginning of the current fiscal year and the date of the adoption of the Local Budget for the Calendar Year 2010.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of Keansburg, that the following amendments to the temporary appropriations be made in the amounts and for the purposes herein set forth for the period between January 1, 2012 and the adoption of the

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Local Budget for the Borough of Keansburg, County of Monmouth and State of New Jersey for the Calendar Year 2012

GENERAL GOVERNMENT	CY 2012
BOROUGH COUNCIL	
SALARIES AND WAGES	1,800.00
OTHER EXPENSES	250.00
OFFICE OF BOROUGH MANAGER	
SALARIES AND WAGES	46,250.00
OTHER EXPENSES	862.50
OFFICE OF THE BOROUGH CLERK	
SALARIES AND WAGES	36,000.00
OTHER EXPENSES	4,075.00
LEGAL SERVICES AND COSTS	
SALARIES AND WAGES	
OTHER EXPENSES	26,250.00
ELECTIONS	
OTHER EXPENSES	2,000.00
OFFICE OF DIRECTOR OF FINANCE	
SALARIES AND WAGES	49,750.00
OTHER EXPENSES	3,250.00
ANNUAL AUDIT	11,000.00
DIVISION OF TAX COLLECTOR	
SALARIES AND WAGES	22,750.00
OTHER EXPENSES	2,000.00
DIVISION OF TAX ASSESSOR	
SALARIES AND WAGES	15,625.00
OTHER EXPENSES	750.00

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GENERAL GOVERNMENT	CY 2012
DIVISION OF POLICE BUREAU	
SALARIES AND WAGES-POLICE	951,275.00
SALARIES AND WAGES-DISPATCHERS	15,825.00
OTHER EXPENSES-POLICE	17,900.00
DETECTIVE BUREAU	
OTHER EXPENSES	1,250.00
BUREAU OF STREET CROSSING GUARDS	
SALARIES AND WAGES	10,750.00
OTHER EXPENSES	50.00
EMERGENCY MANAGEMENT	
OTHER EXPENSES	2,000.00
DIVISION OF FIRE	
EMERGENCY MEDICAL SERVICES	
OTHER EXPENSES	7,250.00
FIRE DEPARTMENT	
OTHER EXPENSES	30,000.00
L.O.S.A.P.	
L.O.S.A.P.	44,725.00
CODE ENFORCEMENT	
SALARIES AND WAGES	22,750.00
OTHER EXPENSES	437.00
UNIFORM SAFETY ACT	
SALARIES AND WAGES	7,500.00
OTHER EXPENSES	787.50
ENGINEERING	
SALARIES AND WAGES	
OTHER EXPENSES	14,375.00

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GENERAL GOVERNMENT	CY 2012
STREETS & ROADS	
SALARIES AND WAGES	148,625.00
OTHER EXPENSES	14,925.00
SNOW REMOVAL	
SALARIES AND WAGES	6,250.00
OTHER EXPENSES	3,875.00
PARKING METER MAINTENANCE	
SALARIES AND WAGES	3,375.00
OTHER EXPENSES	1,725.00
BUILDING & GROUNDS	
SALARIES AND WAGES	
OTHER EXPENSES	15,625.00
MUNICIPAL GARAGE	
SALARIES AND WAGES	28,962.50
OTHER EXPENSES	16,500.00
SANITATION	
-CONTRACT	100,000.00
-LANDFILL SOLID WASTE	102,125.00
HEALTH	
SALARIES AND WAGES	2,500.00
OTHER EXPENSES	25,650.00
DOG REGULATION	9,500.00
RECREATION, PARKS & PLAYGROUNDS	
SALARIES AND WAGES	0.00
OTHER EXPENSES	3,875.00
HISTORICAL SOCIETY	
SALARIES AND WAGES	
OTHER EXPENSES	156.25

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GENERAL GOVERNMENT	CY 2012
MUNICIPAL PROSECUTOR	
SALARIES AND WAGES	7,750.00
PLANNING BOARD	
SALARIES AND WAGES	7,625.00
OTHER EXPENSES	2,300.00
INSURANCES	
GROUP INSURANCE PLAN FOR EMPLOYEES	479,500.00
WORKERS COMPENSATION	204,000.00
LIABILITY INSURANCE	168,000.00
DISABILITY INSURANCE	17,500.00
TRANSPORTATION OF SENIOR CITIZENS	
OTHER EXPENSES	3,250.00
MUNICIPAL COURT	
SALARIES AND WAGES	52,250.00
OTHER EXPENSES	2,016.25
PEOSHA-BD OF HEALTH	
OTHER EXPENSES	250.00
MUNICIPAL LIBRARY	
SALARIES AND WAGES	11,375.00
OTHER EXPENSES	1,617.50
UNIFORM CONSTRUCTION CODE	
CONSTRUCTION CODE OFFICIAL	
SALARIES AND WAGES	33,100.00
OTHER EXPENSES	487.00
UTILITY EXPENSES & BULK PURCHASING	
ELECTRICITY	23,750.00

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GENERAL GOVERNMENT	CY 2012
STREET LIGHTING	33,000.00
TELEPHONE	20,000.00
TELECOMMUNICATIONS COSTS	2,250.00
GASOLINE & FUEL OIL	32,500.00
SOCIAL SECURITY SYSTEM	70,000.00
TOTAL OPERATIONS WITHIN "CAPS"	3,005,676.50
OPERATIONS EXCLUDED FROM "CAPS"	
911 EMERGENCY DISPATCH-POLICE	
OTHER EXPENSE	3,125.00
PERS PENSION	239,340.00
PFRS PENSION	875,593.75
TOTAL APPROPRIATIONS	4,123,735.25
WATER SEWER UTILITY APPROPRIATIONS	CY 2010
OPERATING	
SALARIES AND WAGES	136,975.00
OTHER EXPENSES	649,625.00
PERS	21,750.00
SOCIAL SECURITY	10,750.00
UNEMPLOYMENT COMPENSATION	0.00
TOTALS	819,100.00

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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 #12 – 055 Refund of Fees (*St Ann Church*)

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

Amount: \$2,000.00

Reason: Refund of escrow fees

Payable to: St. Ann Church
c/o Rev. Daniel Cahill
311 Carr Avenue
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 vote:

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

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RESOLUTION #12 – 056 Refund of Fees (*New Jersey Natural Gas*)

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

Amount: \$180.00

Reason: Refund of Street Opening Fee

Payable to: New Jersey Natural Gas
 1415 Wyckoff Road
 Wall, NJ 07719
 ATTN: Engineering Dept

Ref: 204 Main Street

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

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #12 – 057 Authorize Execution of the VNA Agreement CY2012

Be It Resolved by the Mayor and Council of the Borough of Keansburg that the Borough Manager and Municipal Clerk are hereby authorized to execute an agreement with the Visiting Nurse Association (VNA). The term of this agreement shall be Calendar Year 2012, and;

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

Mr. Cusick asked for a roll call vote:

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

Borough Engineer Francis Mullan and Borough Attorney John Bennett gave an explanation of the desalination project and the following resolution.

RESOLUTION #12 – 058 Desal Change Order (2.22.12)

WHEREAS, the Borough of Keansburg awarded a contract to DMR Construction Services, Inc. in the total amount of \$ 2,601,800.00 for Water Treatment Plant Improvements; and

WHEREAS, the Project Engineer has recommended a Change Order to ensure the successful completion of the Project.

Whereas, this is the second resolution and the 4th modification approved by the Borough of Keansburg 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 Project Engineer that it does hereby approve the attached change order in the amount of \$ 73,926.85; and

BE IT FURTHER RESOLVED that the Borough Council does hereby authorize Raymond B. O'Hare, Borough Manager, to execute the Change Order entitled Modification # 4 to Project 1321001-001 dated February 22, 2012.

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CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

1. ISSUING OFFICE Boro. of Keansburg	2. PROJECT NO. 1321001-001	3. CONTRACT NO. 2008-1	4. MODIFICATION NO. 004
5. TO (CONTRACTOR) DMR Construction Services, Inc.		6. PROJECT LOCATION AND DESCRIPTION 40 Frazee Pl., Keansburg, NJ - Upgrades to municipal WTP	
7. A proposal is required for making the hereinafter described change in accordance with specification and drawing revisions cited herein or listed in attachment hereto. Submit your proposal in space indicated on Page 2, attach detailed breakdown of prime and sub-contract costs (See the clause of this contract entitled, 'Changes'. DO NOT start work under this proposed change until you receive a copy signed by the Contracting Officer or a directive to proceed).			
2/15/2012	Raymond O'Hare, Boro. Manager		_____
Date	Type Name and Title		Signature
8. DESCRIPTION OF CHANGE: Pursuant to the clause of this contract covering changes, the contractor shall furnish all labor and material, and all work necessary to accomplish the following described work: Additional Work Task: Resolution of all outstanding project claims for out-of-scope work, including but not limited resolution of all additional civil, mechanical, electrical, and treatment-process related claims. Inclusion of all additional work in project warranty and bonding coverage.			
As a result of the above, the contract price is revised as follows:			
ITEM NO.	ITEM DESCRIPTION	UNIT PRICE	ESTIMATED QUANTITY
*** See Item No. 13, below ***			
TOTAL COST OF THIS MODIFICATION		\$ 73,926.85	
The contract time is hereby: increase <input checked="" type="checkbox"/> decrease <input type="checkbox"/> or remains the same <input type="checkbox"/> by 200 calendar days as a result of this modification.			
The foregoing modification is hereby accepted:			
CONTRACTOR	OWNER	(NYPE SEAL)	ENGINEER
BY: R. Radici	BY: R. O'Hare	BY: P. Cole	
DATE: _____	DATE: _____	DATE: _____	
APPROVAL:			
STATE OF NEW JERSEY		DATE	

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

February 22, 2012

Meeting Minutes

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

9. ISSUING OFFICE Boro. of Keansburg	10. PROJECT NO. 1321001-001	11. CONTRACT NO. 2008-1	12. MODIFICATION NO. 004
13. CONTRACTOR'S PROPOSAL - CHANGE IN CONTRACT PRICE (Detailed breakdown, attach additional sheets as necessary)			
(Proposed)			
Proposed Change Order No. 004:			
Resolution of items cited in DMR Change Order Proposal Letter, dated Feb 7, 2012:			
Item 4.01 - Schedule Extension - Severe Winter Weather			
Item 4.02 - Lime Feed System			
Item 4.03 - R.O. Brine Discharge Re-Routing			
Item 4.04 - Add'l Dewatering - Hurricane Irene			
Item 4.05 - Runoff Mitigation			
Item 4.06 - R.O. System CIP Elec. Feed Upgrade			
Item 4.07 - R.O. System Solenoid Valve Elec. Feeds			
Item 4.08 - R.O. System CIP Piping/Valving Upgrade			
Item 4.09 - R.O. System Air/Vacuum Release Valves			
Item 4.10 - Chlorinator Solenoid Wiring			
Additional resolution of the following items:			
Item 4.11 - Eyewash Hot Water Heater Relocation			
Item 4.12 - Agreement to complete rescind all other/pending claims for compensation or additional schedule extension			
\$73,926.85 aggregate settlement proposed for all items cited above.			
200 additional contract calendar days for all items cited above.			
NET INCREASE \$ 73,926.85	NET DECREASE \$ N/A/	CALENDAR DAYS INCREASE 200 DAYS	
DATE: 2/15/2012	TYPE NAME AND TITLE: Richard Radici, President DMR Construction Services, Inc.	SIGNATURE:	

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CMPA-3

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CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

14. ISSUING OFFICE & PROJECT NO. Boro. of Keansburg, 1321001-001	15. CONTRACT NO. 2008-1	16. MODIFICATION NO. 004						
<table border="0"> <tr> <td>17. ORIGINAL CONTRACT BID PRICE.....</td> <td>\$ 2,601,800.00</td> </tr> <tr> <td>TOTAL OF PREVIOUS CHANGE ORDERS.....</td> <td>\$ 446,364.93</td> </tr> <tr> <td>TOTAL CONTRACT COST INCLUDING CHANGE ORDERS.....</td> <td>\$ 3,122,091.78</td> </tr> </table>			17. ORIGINAL CONTRACT BID PRICE.....	\$ 2,601,800.00	TOTAL OF PREVIOUS CHANGE ORDERS.....	\$ 446,364.93	TOTAL CONTRACT COST INCLUDING CHANGE ORDERS.....	\$ 3,122,091.78
17. ORIGINAL CONTRACT BID PRICE.....	\$ 2,601,800.00							
TOTAL OF PREVIOUS CHANGE ORDERS.....	\$ 446,364.93							
TOTAL CONTRACT COST INCLUDING CHANGE ORDERS.....	\$ 3,122,091.78							
<p>18. NECESSITY FOR CHANGE AND REASON FOR OMISSION FROM PLANS AND SPECIFICATIONS:</p> <p>Additional operational costs. Resolution of plan and specification interpretation discussions regarding scope of civil and mechanical work in bringing project to a status of Substantial Completion.</p>								
<p>19. OTHER IMPACTS RESULTANT OF THIS CHANGE:</p> <p>Extension of Contract Duration: Notice-To-Proceed Date: Feb 1, 2010 Original Contract Term: 300 calendar days + 275 calendar days (CO's No. 001-003) Additional Time Allowance: 200 calendar days Revised Final Completion Date: Mar 16, 2012</p>								
<p>20. RESUME OF NEGOTIATIONS OR RECOMMENDATIONS (Loanee's Representative):</p> <ul style="list-style-type: none"> - Negotiations ongoing since July 2011 regarding resolution of various operational cost claims by DMR - Jan 26, 2012 progress meeting served as final negotiation setting for all currently pending project claims. Representatives for the Contractor were Richard Radici (President) and Earl Balaputra (Project Manager). Representatives for the Owner were Francis Mullan (Municipal Engineer of Record), John Bennett (Municipal Attorney of Record), and Patrick Cole (Construction Manager, present on behalf of David Applegate). - Proposals were submitted by both parties, and resolution achieved through direct negotiation - By execution of this document, the Contractor assents to waiver claims to all previously proposed change orders, and proceed to contract completion by the full terms of the original contract, and with the new contract duration term. 								
DATE: 2/15/2012	TYPE NAME AND TITLE OF LOANEE'S REPRESENTATIVE: Raymond O'Hare, Borough Manager Borough of Keansburg	SIGNATURE:						

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Mr. Cusick asked for a roll call vote:

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

Tom Critelli of Arisa/Harvestate, addressed the Borough Council in regard to their activity on the property slated for redevelopment.

RESOLUTION #12 – 059 Appointment of Redeveloper (Arisa Harvistate)

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

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

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

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

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

WHEREAS, Arisa/Harvestate at Keansburg, LLC (the "Redeveloper") has submitted a proposal to enter into a redevelopment agreement with the Borough to construct residential development on

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MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

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Block 184 Lots 1-3, with the understanding that the development of Lot 3 would be conditioned on the modification and limitations of the Green Acres and Tidelands restrictions that presently impact the Lot, and the developer obtaining an interest in Lot 1; and

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

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

WHEREAS, the Redeveloper was conditionally designated for six (6) months by Resolution dated August 24, 2011; and

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

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

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

of Keansburg that:

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

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

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

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

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #12 – 060 Award of Bid (*Raritan Ave Improvements*)

WHEREAS, the Borough of Keansburg advertised and received bids for a Rebid of Raritan Avenue Drainage Improvements on Friday, February 17, 2012; and

WHEREAS, two (2) bids was received and opened in public by the Borough Clerk; and

WHEREAS, the following bids were received:

Bidder	Base Bid	Alternate A-1	Alternate A-2	Total
Jads Construction Co. Inc of NJ	\$398,903.00	\$69,443.25	\$58,059.75	\$526,406.00
Black Rock Enterprises LLC	\$424,154.85	\$68,816.58	\$64,623.66	\$557,595.09
<i>Engineer's Estimate</i>	<i>\$480,512.50</i>	<i>\$136,015.00</i>	<i>\$127,162.50</i>	<i>\$743,690.00</i>

WHEREAS, the Borough Attorney has reviewed the bids and has determined that Jads Construction Co., Inc. 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 Rebid of Raritan Avenue Drainage Improvements (base bid plus options at listed) to:

in the total amount of \$ 526,406.00; and

BE IT FURTHER RESOLVED that the award is subject to:

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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 Jads Construction Co., Inc. of NJ after the review by the Borough Attorney and Chief Financial Officer’s certification.

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 #12 – 061 Appointment of Hearing Officer (*23 Campview Pl Block 21, Lot 14*)

Be It Resolved by the Mayor and Council of the Borough of Keansburg that the Borough Manager or his designee be appointed by the Borough Council to conduct hearings and take testimony on the condition of **31 Campview Place, Keansburg, NJ 07734, Block 21, Lot 14** as it relates to the structure being unsafe and dangerous to the neighboring properties.

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 #12 – 062 Award of Professional Services (*Tax Appraisal: Gagliano/Integra*)

WHEREAS, the Borough has a need for additional professional services for the Tax Appeals; and

WHEREAS, the Borough’s Tax Assessor has solicited quotes from appraisal companies; and

WHEREAS, the following quotations were received from:

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Respondent	Location	Hourly Rate Schedule	
Gagliano & Company	1129 Broad Street Suite 104 Shrewsbury, NJ 07702 732-380-0880	Principal or MAI Appraiser	\$175.00
		Certified Appraiser	\$125.00
		Administrative/Clerical	\$75.00
Integra Realty Resources	1415 Hooper Avenue Suite 202 Toms River, NJ 08753 732-244-7000	Principal or MAI Appraiser	\$170.00 to \$195.00
		Certified Appraiser	\$100.00 to \$130.00
		Administrative/Clerical	\$50.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that based upon the recommendations of the Borough Tax Assessor that it does hereby award to both Gagliano and Company & to Integra Realty Resources the ability to service the Borough of Keansburg for appraisal services.

BE IT FURTHER RESOLVED that the award is subject to:

2. Certification of the availability of funds by the Borough Chief Financial Officer
3. A limit of \$2,000.00 payable to each firm when services are performed.

Patrick DeBlasio

Patrick DeBlasio, Chief Financial Officer

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are authorized to execute contracts with both Gagliano and Company and Ingtegra Realty Resources after the review by the Borough Attorney and Chief Financial Officer's certification.

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 #12 – 063 Authorize Execution of Amended Lease Agreement *(Gelhaus 2.22.12)*

Be It Resolved by the Mayor and Council of the Borough of Keansburg that the Borough Manager and Municipal Clerk are hereby authorized to execute an **AMENDED LEASE AGREEMENT** with Jersey Shore Beach and Boardwalk Company, Inc. of Keansburg, NJ, and;

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

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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 #12 – 064 Authorize Execution of Settlement Agreement (*Gelhaus 2.22.12*)

Be It Resolved by the Mayor and Council of the Borough of Keansburg that the Borough Manager and Municipal Clerk are hereby authorized to execute a settlement agreement with Jersey Shore Beach and Boardwalk Company, Inc. of Keansburg, NJ, and;

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

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #12 – 065 Authorize Execution of 2012 Safe & Secure Communities Grant

**Authorize Grant Application –
2012 Safe & Secure Communities Grant Program - \$
Grant #P-5468-12**

WHEREAS, the Borough of Keansburg in the County of Monmouth, State of New Jersey wishes to apply for funding a project under the Safe and Secure Communities Program (Grant No. P-5468-12); and

WHEREAS, the Borough of Keansburg has reviewed the accompanying application and has approved said request; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and Borough of Keansburg for the purpose described in the application;

THEREFORE, BE IT RESOLVED by the Mayor and Council that:

- (1) As a matter of public policy the Borough of Keansburg wishes to participate to the fullest extent possible with the department of Law and Public Safety.

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- (2) The Attorney General will receive funds on behalf of the applicant.
- (3) The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
- (4) The Division of Criminal Justice shall initiate allocations to each applicant as authorized

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 #12 – 066 2012 Raffle License

BE IT RESOLVED, by the Mayor and Council of the Borough of Keansburg, in the County of Monmouth, New Jersey that a **2012 BINGO LICENSE** be granted to:

New Point Comfort Fire Company Ladies Auxiliary
 192 Carr Avenue
 PO Box 352
 Keansburg, New Jersey 07734
 233-9-29823

BE IT FURTHER RESOLVED that the Borough Clerk be and he is hereby authorized and directed to issue and execute the said license. Mr. Cusick asked for a roll call vote:

	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, March 28, 2012 at 7pm.**

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Council Discussion:

- Mr. O'Hare
- Reported on the SREC (solar) submission on the Library.
- A family member of a deceased Library patron donated \$650.00 to the Library in his memory.
- The Borough did not lower flags in regard to Whitney Houston.
- Presented a memorandum on the 2012 Municipal Budget.
- There is an opening for a clerical position in the Court Office.
- James Falco
- Reported on repairs to the drainage line at Harding Ave and Port Monmouth Road, stating it should abate the flooding
- Dune grass planting near the 911 Memorial by students and Father Time will take place on May 18th.
- Saturday, April 14th will be a Shredding Day 9am to 1pm. Will include our neighboring towns of Hazlet and Middletown.
- Steve Ussman
- Gave a report on collections. Also reported that Keansburg is in compliance with Safe Water Drinking reports to the State. First time in 10 years the Borough is in compliance for sodium level.
- Desalination process is in effect
- Mr. Mullan
- Gave an engineering report. Main, Manning, Seeley & Raritan starting shortly.
- Councilman Hoff asked about the Tennis Courts. Mr. Mullan stated that plans are in place to go out to bid in approximately 3 weeks.
- Councilman Hoff
- Announced the St. Patrick's Parade will take place on March 31st. Stated that he is working on the Titan 5K Run. Announced that the Father Time Dance was a great success.
- Councilman Cocuzza
- T&M report on project activity

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Deputy Mayor DePompa

Inquired into the status of the EMS driver issue

Mr. O’Hare and Mr. Falco commented that they are awaiting word for the Fire Commissioners on the topic

Questioned the selection of roadways for rehabilitation

There was a discussion about FEMA funding for sinkhole repairs

Mayor Strydio

Announced that the Recreation Committee is holding signups for the upcoming season on Tuesdays and Thursday from 7pm to 9pm at Blue Jean Hall on Church Street.

Announced that the annual Easter Egg Hunt will take place on March 25th. Raindate April 1st.

Open to the Public:

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

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

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Adjournment

Mr. Cusick asked for a roll call vote:

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



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
February 22, 2012

Attest:

Thomas P. Cusick
Municipal Clerk
Borough of Keansburg