

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

April 25, 2012

Meeting Minutes

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

Salute to the Flag

Roll Call

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

In Memoriam:



Frank DiGangi



Frank DiGangi, 79, of Keansburg, died Wednesday, March 28, 2012 at home. Born in Brooklyn, New York, he lived in Keansburg for 62 years. He was a Representative for DelMonte Inc. before retiring. Frank was a Combat Korean War veteran for the U.S. Army in 1952; was ex-chief of the Keansburg Fire Department for the New Point Comfort Fire Company #1, as well as a past president of the Company. Also Frank was former president of the Ex-Chief Association, and a member of the Board of Fire Commissioners. A life member of the New Jersey Fireman's Association, and a Captain of the Fire Police.

Surviving are his lovely wife of 59 years, Dolores DiGangi of Keansburg; two sons, Kenneth DiGangi and his wife Anne of Middletown, and Michael DiGangi of Belmar; two daughters, Jacqueline Jackman and her husband Joseph of New Hampshire, and Mary VanOrden and her husband Timothy of Union Beach; a daughter-in-law, Diane DiGangi of Toms River; 4 grandchildren, Jason, Jonelle, Aleksandra, and Timothy; and 4 great-grandchildren, Sydney, Connor, Ayden, and Jacksyn.

Meeting Minutes:

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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:

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

Ordinances:

Second Reading:

ORDINANCE #1518 Fire Department: Requirements for Membership

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER II (ADMINISTRATION), SECTION 21.1 (VOLUNTEER FIRE DEPARTMENT; REQUIREMENTS FOR MEMBERSHIP) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG.

Section 1:

BE IT RESOLVED BY Mayor and Council of the Borough of Keansburg that Section 21.1, (Volunteer Fire Department; Requirements for Membership) be amended and supplemented to read as follows:

This section provides for the recognition of the three (3) companies: Keansburg Fire Company #1, New Point Comfort Fire Company #1 and the Emergency Medical Services Unit, which shall consist of one (1) Chief and one (1) Assistant Chief and as many firemen of the age of eighteen (18) years and not more than forty-five (45) years of age at the time of their election to active membership who are citizens and residents of the Borough. Prospective members shall have resided within the Borough of Keansburg for a minimum of thirty (30) days. The number of persons holding active membership shall be governed by the rules as set forth by the New Jersey State Firemen’s Association. In addition there will be an Emergency Medical Services Unit, the members shall be firemen as noted above. This amendment will provide for a one (1) time waiver of age, medical requirements for any EMT or driver currently serving with the Keansburg Fire Aid Squad. These members shall be a part of the Department. (Ord. #940, AI, §1; Ord. #768, §1; Ord. #1247; Ord. #1305, §1); and,

Section 2: REPEALER

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

Section 3: INCONSISTENT ORDINANCES

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

Section 4: SEVERABILITY

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If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

Section 5: EFFECTIVE DATE

This ordinance shall take effect upon its passage and publication according to law.

Mr. Cusick asked for a roll call vote to 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 adopt ORDINANCE #1518:

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

First Reading:

ORDINANCE #1520 Refunding Bond Ordinance

REFUNDING BOND ORDINANCE OF THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF THE BOROUGH'S GENERAL OBLIGATION BONDS, SERIES 2002A, DATED SEPTEMBER 1, 2002, AND GENERAL IMPROVEMENT BONDS, SERIES 2003, DATED OCTOBER 15, 2003, APPROPRIATING AN AMOUNT NOT EXCEEDING \$8,500,000 THEREFOR AND

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AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$8,500,000 GENERAL OBLIGATION REFUNDING BONDS OF THE BOROUGH OF KEANSBURG FOR FINANCING THE COST THEREOF

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The Borough of Keansburg, in the County of Monmouth, New Jersey (the "Borough") is hereby authorized to (i) refund all or part of the remaining outstanding amount of the Borough's General Obligation Bonds, Series 2002A, dated September 1, 2013, and General Improvement Bonds, Series 2003, dated October 15, 2003, maturing on and after December 1, 2013 and July 15, 2014, respectively, and issued to finance general improvements of the Borough; and (ii) provide for the payment of the costs of issuance.

Section 2. In order to finance the cost of the purpose described in Section 1 hereof, negotiable general obligation refunding bonds (the "Refunding Bonds") are hereby authorized to be issued in the principal amount not to exceed \$8,500,000 pursuant to the Local Bond Law.

Section 3. An aggregate amount not exceeding \$150,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 4. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this refunding bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 5. A certified copy of this refunding bond ordinance as adopted on first reading shall file with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the chief financial officer of the Borough as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein.

Section 6. This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted.

Mayor Strydio asked about the potential savings this refunding action would realize.

Mr. Bennett, Borough Attorney stated the savings were approxiamated around \$273,000.00

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Mr. Cusick asked for a roll call vote to introduce and set down for a Public Hearing on May 23, 2012 at 7pm.:

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

Resolutions:

RESOLUTION #12 – 085 Payment of Bills (04-25-12)

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:

Capital	\$14,677.60
Current	\$1,486,212.26
Dog Trust	\$71.40
Grant	\$6,342.90
Trust	\$51,758.32
Water & Sewer	\$404,384.82
Water & Sewer Capital	\$185,203.71
Total:	<u><u>\$2,148,651.01</u></u>

Mr. Cusick asked for a roll call vote:

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

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

RESOLUTION #12 – 086 Adoption of Fair and Open 2012

RESOLUTION AUTHORIZING “FAIR AND OPEN PROCESS” UNDER N.J.S.A. 19:44A-20.1 ET. SEQ. AS THE METHOD THAT THE BOROUGH OF KEANSBURG WILL USE TO CONTRACT FOR ALL PROFESSIONAL SERVICES AND EXTRAORDINARY AND UNSPECIFIED SERVICES

WHEREAS, as of January 1, 2006, N.J.S.A. 19:44A-20.1 et seq., commonly known as the “State Pay to Play” law, enacted by the New Jersey State Legislature shall become effective; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.1 et seq., a public entity may not award contracts with a value in excess of \$17,500.00 to a business entity which has made reportable contributions in excess of \$300.00, in the aggregate, to the said public entity’s political parties or to any candidate’s committee of any person serving in an elective public office of said public entity when such contract was awarded, unless said business entity is awarded a contract under a “fair and open process” pursuant to N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.7 “fair and open process” is defined to mean, at a minimum, that a contract be publicly advertised in newspapers or on the internet website maintained by a public entity in sufficient time to give notice in advance of the contract; be awarded under a process that provides for public solicitation of proposals or qualifications; be awarded and disclosed under criteria established in writing by the public entity prior to the solicitation of proposals or qualifications; and be publicly opened and announced when awarded. The decision of a public entity as to what constitutes a fair and open process shall be final; and

WHEREAS, in accordance with N.J.S.A. 19:44A-20.1 et seq. the Borough of Keansburg hereby adopts criteria establishing a “fair and open process” as set forth in Exhibit A attached hereto; and

WHEREAS, it is necessary for the Borough of Keansburg to engage the services for various legal, engineering and consulting professional services; and

WHEREAS, the Borough of Keansburg desires to contract for such professionals and services by a “fair and open process” pursuant to N.J.S.A. 19:44A-20.1 et seq.; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Keansburg, County of Monmouth and State of New Jersey that it hereby adopts the “fair and open process” set forth in Exhibit A attached hereto as the method that the Borough of Keansburg will use to contract for all professional services and extraordinary and unspecified services (“EUS”) in excess of \$17,500.00 per year, including but not limited to the following services:

- | | |
|------------------------------------------------------|-------------------------------------------|
| 1. Borough Attorney
- Non-Retainer Hourly
Work | 5. Planning Board Engineer |
| 2. Borough Engineer | 6. Public Defender |
| 3. Bond Counsel | 7. Municipal Prosecutors
- Hourly Work |

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4. Planning Board Attorney	8. Borough Auditor
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BE IT FURTHER RESOLVED, that all contracts awarded for the above professional services shall be made in accordance with the Borough of Keansburg “Fair and Open Process” as set forth in Exhibit A attached hereto.

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 – 087 Mosquito Commission Aerial Agreement 2012

BE IT RESOLVED that the Mayor and Council of the Borough of Keansburg wish reinstate their agreement with the Monmouth County Mosquito Extermination Commission; and

BE IT RESOLVED that in the interest of public health the Mayor and Council of the Borough of Keansburg does hereby authorize the Monmouth County Mosquito Extermination Commission to apply pesticides from aircraft to control mosquitoes over portions of the Borough of Keansburg; and

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Keansburg understand that all pesticides used are registered with the NJDEP for aerial application by the State and the USEPA. It is also understood that the areas being treated are only those found to have a significantly high mosquito population and may present either a public health nuisance or disease factor.

BE IT FURTHER RESOLVED that approval is subject to the Monmouth County Mosquito Extermination Commission notifying the local police department prior to each and every application.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are authorized to execute the Monmouth County Mosquito Extermination Commission Aerial Agreement for 2012.

Mr. Cusick asked for a roll call vote:

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

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Mr. DePompa					✓	
Mrs. Strydio	✓		✓			

RESOLUTION #12 – 088 [acted on later in meeting]

RESOLUTION #12 – 089 Authorize Application to the Local Finance Board

RESOLUTION OF THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, NEW JERSEY, MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-51 AND 40A:2-55

WHEREAS, the Borough Council of the Borough of Keansburg, in the County of Monmouth, New Jersey (the "Borough") desires to submit an Application to the Local Finance Board for its review and approval of a proposed refunding issue consisting of not to exceed \$8,500,000 aggregate principal amount of the Borough's general obligation refunding bonds (the "Refunding Bonds"); and

WHEREAS, the Borough Council believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) such purpose is in compliance with the requirements of N.J.S.A. 40A:2-51, et seq.;
- (c) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the Borough;
- (d) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant and are consistent with the requirements of N.J.S.A. 40A:2-51, et seq.; and
- (e) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Borough and will not create an undue financial burden to be placed upon the Borough.

NOW THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, NEW JERSEY, AS FOLLOWS:

Section 1. The application to the Local Finance Board for the purpose described in the preamble hereof is hereby approved, and the Borough's chief financial officer, bond counsel, financial advisor, and auditor, along with other representatives of the Borough, are hereby authorized to prepare such application, to file such application with the Local Finance Board and to represent the Borough in matters pertaining thereto.

Section 2. The Clerk is hereby directed to prepare and file a copy of this resolution together with the refunding bond ordinance as introduced with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute

Mr. Cusick asked for a roll call vote:

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

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

RESOLUTION #12 – 090 Authorize Execution of CWA Contract (2012-2013)

HELD

RESOLUTION #12 – 091 Refund of Contruction Fees (Cantillion)

Mr. Cusick asked for a roll call vote:

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

Resolutions:

RESOLUTION #12 – 092 Appointment to the Housing Authority (Nelson)

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:

Diane Nelson

To the Housing Authority

for the Borough of Keansburg

for a term commencing on April 2, 2012 and expiring on April 1, 2017.

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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Councilman DePompa arrived at this time (7:25pm)

Resolutions:

RESOLUTION #12 – 088 Amendment to the Temporary Budget (4.25.12)

**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 2012.

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

**Borough of Keansburg
 General Appropriations**

General Government	CY 2012
Dispatch	
Salaries and Wages-Dispatchers	47,350.00
Planning	
Other Expenses	2,000.00
Emergency Management	
Salaries and Wages	3,000.00
Parking Meter Maintenance	
Other Expenses	5,350.00
Building & Grounds	
Other Expenses	5,000.00
Health	
Other Expenses	30,000.00

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UTILITY EXPENSES & BULK PURCHASING	
Gasoline & Fuel Oil	25,000.00
Totals	117,700.00
Water Sewer Utility Appropriations	CY 2012
W/S Capital Outlay	100,000.00
Totals	100,000.00

Mr. Cusick asked for a roll call vote:

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

Presentation:

Municipal Road Improvement Project: Fran Mullan, Borough Engineer, presented a study regarding pavement and drainage repairs on various streets in the Borough. The Borough Council directed the Engineer, Manager and Clerk to proceed, with the advice of Bond Counsel, for the introduction on an Ordinance, related budget and timetable at the next meeting.

Council Discussion:

Mayor Strydio wanted to address concerns about the water quality.

Borough Engineer, Fran Mullan, discussed the water testing, system history, necessary notifications and post desal updates.

Steve Ussmann discussed the Water/Sewer monthly report and the start of the hydrant flushings.

Dennis O’Keefe discussed waste disposal tipping fee increases, FEMA study and sinkhole repair

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James Falco discussed the recycling report, announced the Hazardous Disposal dates and stated that the County will not accept latex paint any longer.

There was a discussion on the debt schedule

Fran Mullan presented the monthly Engineering report

Councilman Hoff announced Opening Day for Babe Ruth baseball will be Saturday, April 28th at 10am. The Titan 5K will be held on May 12th at 9am and the Memorial Day Parade will take place on Sunday, May 20th.

Mayor Strydio thanked Steve Ussmann and the Water/Sewer department for addressing the contaminant issue.

Councilman Hoff discussed the 4th grade Science Fair which compared town tap water vs. Poland Spring. 80% found no difference in the taste test.

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						

Christopher J. Hoff
26 Harding Ave

Discussed the scope of the contaminant issue with the water supply. Also notified Council that the drains on Harding Avenue have sinkholes.

Dennis O’Keefe and
Fran Mullan

Announced that there will be a sinkhole repair program throughout the Borough due to the receipt of a State grant.

Mr. Hoff

That Bolger School Eight Grade Teacher Mrs. Grieco was in attendance. She is working on a project with her students to participate with our local government.

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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						

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

April 25, 2012

Attest:

Thomas P. Cusick
Municipal Clerk
Borough of Keansburg