

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

September 25, 2013

Meeting Minutes

Mr. Cusick read the following:

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

Mr. Cusick asked all to rise and recite:

Salute to the Flag

Mr. Cusick took:

Roll Call

Mr. Foley	Mr. DePompa	Mr. Hoff	Mr. Cocuzza	Mr. Boden
✓	Excused	✓	✓	Excused

2013/2014 Best Practices Inventory:

Mr. Cusick, Borough Clerk, gave a report on the 2013/2014 Best Practices Inventory.

After consultation with the Borough Manager and Chief Financial Officer we are pleased to report that the Borough is compliance and State Aid will not be affected.

Council and Public had no comments or questions on this matter.

Public Hearing:

Monmouth County Open Space Grant Public Hearing:

Lori Thompson, T&M Associates gave a brief overview of the project and explained the grant application process.

Councilman Hoff inquired into the timeframe for the bulkhead reconstruction.

Mr. Mullan, Borough Engineer, stated that materials are on order and construction should being in 3 to 4 weeks.

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

Roll Call

Moved Seconded Ayes Nays Absent Abstain

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

Lawrence Sherwood
82 Oakwood Place

Asked if this grant would assist in the payment for the bulkhead reconstruction.

Ms. Thompson and Mr. Cusick explained that it would allow for the park improvements adjacent to the bulkhead.

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

Roll Call

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

Resolutions:

RESOLUTION # 13-130 Authorize Execution Open Space Grant Application

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS, the Governing Body of Borough of Keansburg desires to obtain County Open Space Trust Funds in the amount of \$250,000 to fund the Keansburg Crab Park located along Seeley Avenue and Creek Road in the Borough of Keansburg, NJ. The parcel is identified on the Borough Tax Map as Block 70, Lot 1; and

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WHEREAS, the total cost of the project including all matching funds is \$611,195; and

WHEREAS, the Borough of Keansburg is the owner of and controls the project site.

NOW, THEREFORE, BE IT RESOLVED BY BOROUGH COUNCIL THAT:

1. Chief Raymond O’Hare, Borough Administrator is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the municipal contact person and correspondent of the above named municipality; and
2. The Borough of Keansburg is committed to this project and will provide the balance of funding necessary to complete the project as described in the grant application in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations and statutes thereto; and
4. Chief Raymond O’Hare, Borough Administrator is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and
5. This resolution shall take effect immediately.

Mr. Cusick asked for a roll call vote:

Roll Call

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

Mr. DePompa entered at 7:20pm

Ordinances:

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First Reading:

ORDINANCE #1543 – Development Regulations: Amend Permitted Uses in B-2 Zone

AN ORDINANCE AMENDING §22-5.9 and §22-5.10, PROHIBITING SINGLE-FAMILY HOUSING IN THE BEACHWAY AVENUE WATERFRONT REDEVELOPMENT DISTRICT

The Amendments to §22-5.10 shall appear underlined and in bold

§22-5.10 Regulations Controlling the B-2 Mixed Use Commercial-Residential Zone District.

a. Purpose. The B-2 Mixed Use Commercial-Residential Zone District is intended to encourage revitalization and economic development of a commercial area oriented to the Raritan Bayfront. Major redevelopment is supported through a conditional use provision that allows mixed use commercial-residential development. Older commercial recreation uses which are presently a characteristic land use within this zone district are maintained as permitted uses.

b. Permitted Uses and Structures.

1. Any use permitted in the B-1 General Commercial Zone, **except for single family homes located within Block 184, Lots 1 (formerly 1&2) and 3.**

2. Amusement parks

3. Amusement arcades.

4. Marinas

5. Water transportation

6. Detached single family dwellings meeting the requirements of the R-5 Zone District, ***except for single family homes located within Block 184, Lots 1 (formerly 1&2) and 3.***

7. Essential services.

8. Community residences for the developmentally disabled and shelters for victims of domestic violence.

c. Required Accessory Uses and Structures.

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1. Off-street parking subject to the provisions of subsection 22-9.3a.
2. Off-street loading subject to the provisions of subsection 22-9.4.
- d. Permitted Accessory Uses and Structures.
 1. Ground, wall, window and exempt signs subject to the provisions of subsection 22-7.24.
 2. Fences and walls subject to the provisions of subsection 22-7.25.
 3. Customary accessory uses and structures incidental to a permitted use subject to the provisions of Section 22-7.
- e. Conditional Uses. Permitted subject to the provisions of Section 22-6:
 1. Mixed use development.
 2. Public utilities.
 3. Reserved.
 4. Motor vehicles service stations and repair garages.
- f. Standards and regulations shall be in accordance with Schedule referred to in Section 22-5, subsection 22-5.1 and a part of this Chapter.

§22-5.9 Regulations Controlling the B-1 General Commercial Zone

- b. Permitted Uses and Structures.
 6. Detached single family dwellings meeting the requirements of the R-5 Zone District, **except for single family homes located within Block 184, Lots 1 (formerly 1&2) and 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.

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

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.

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

Mr. Cusick asked for a roll call vote and set down for a Public Hearing Ordinances #1543 on October 23, 2013 at 7pm.:

Roll Call

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

Resolutions:

RESOLUTION # 13-131 Emergency Purchase (Water Treatment Aerator)

RESOLUTION – EMERGENCY PURCHASE – A.C. Schultes, Inc, Woodbury Heights, NJ – EMERGENCY REPAIR OF water treatment aerator – NOT TO EXCEED \$13,300

Whereas, NJS.A 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 mechanical failure of WATER TREATMENT AERATOR located at 40 Frazee Place, Water Treatment Plant.

Whereas, an emergency purchase/repair was made by A.C. Schultes, Woodbury Heights, NJ in the amount not to exceed of \$13,300 for said water main repairs

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NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Keansburg, does hereby authorize the payment of \$13,300 to A.C. Schultes, Woodbury Heights, NJ for the emergency purchase described herein in accordance with NJSA 40A:11-6

Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION # 13-133A Authorize Execution of NJ DOT Grant (Shore Blvd)

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Shore Boulevard project.

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

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2014-Keansburg Borough-00631 to the New Jersey Department of Transportation on behalf of Borough of Keansburg.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Borough of Keansburg and that their signature constitutes 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:

Roll Call

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

Council Discussion:

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There was a brief discussion on the donation of 13 Garfield Avenue by the property owner to the Borough. Council is agreeable and wishes to refer to the Borough Attorney.

Resolutions:

RESOLUTION # 13-133B Authorize Execution of SRO Interlocal Agreement

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that the Mayor is hereby authorized to execute an Interlocal Services Agreement with the Keansburg Board of Education for a School Resource Officer (SRO).

Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION # 13-133A Authorize Execution of Interlocal Agreement (Tennis Courts)

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg authorize the Mayor and Municipal Clerk to execute an Interlocal agreement dated August 28th between the Borough and the Keansburg Board of Education for the purpose of renovation to the Tennis Courts to be located at Collins Field, (Wood Street).

BE IT FURTHER RESOLVED that this Interlocal agreement shall be for the term period of September 1, 2013 to June 30, 2014.

Mr. Cusick asked for a roll call vote:

Roll Call

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

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Mr. Cocuzza			✓			
Mr. Boden					✓	

Meeting Minutes:

Meeting Minutes August 19, 2013
Meeting Minutes August 21, 2013

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

Roll Call

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

Second Reading:

ORDINANCE #1540 – Significant Damage Appeal Procedures

WITHDRAWN

Mr. Cusick asked for a roll call vote to WITHDRAW Ordinance #1540:

Roll Call

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

ORDINANCE #1542 – Residential Parking Only Amendment

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AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII (TRAFFIC), THE SECTION ENTITLED "RESIDENTIAL PARKING ONLY" AND A CORRESPONDING SCHEDULE(S) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG.

Section 1:

BE IT ORDAINED by the Mayor and Council of the Borough of Keansburg that Schedule XXI in the section entitled "Residential Parking Only" of Chapter VII (TRAFFIC) of the Revised General Ordinances be amended and supplemented to include the following:

<u>Name of Street</u>	<u>Sides</u>	<u>Location</u>	<u>Time Period</u>
Manning Place	Both	Carr Avenue to Creek Road	School Session
Myrtle Avenue	Both	Church Street to Kennedy Way	School Session
Waackaack Avenue	Both	Frances Place to Terrace Place	School Session
Creek Road	Both	Church Street to Terrace Place	School Session

Section 2: REPEALER. The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

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

Section 4: SEVERABILITY. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

Section 5: EFFECTIVE DATE. This ordinance shall take effect upon its passage and publication according to law.

REINTRODUCTION OF Ordinances:

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Second Reading:

ORDINANCE #1436 – Sidewalks and Driveways

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XV (STREETS, SIDEWALKS AND SANITATION), SECTION 2 (CONSTRUCTION AND REPAIR OF SIDEWALKS, CURBS AND DRIVEWAYS).

Section 1: BE IT ORDAINED by the Mayor and Council of the Borough of Keansburg that Section 2.11 shall be created as follows:

a) No person(s) shall construct a driveway, apron or depressed curb or use any portion of any property as a driveway or as a parking area without first completing a Development Permit Application and obtaining approval by the Zoning Officer of the Borough of Keansburg or his designee. A separate construction permit shall then be obtained by the property owner.

b) No person shall ride, drive, pass over or mount any curb except a legal depressed curb for the purpose of parking a vehicle on any portion of any property that is not legally defined as a driveway or parking area.

c) Driveways and parking areas must conform to the specification size of a minimum width of nine (9) feet and a minimum length of eighteen (18) feet. The apron and depressed curb are not to be considered as part of the driveway unless approved by the Planning Board of Adjustment.

d) Vehicles shall not be parked on any front lawn without site approval from the Planning Board of Adjustment. Vehicles shall not be parked on any front lawn so as to block access to any entrance to a structure.

e) No existing driveway(s) providing off-street parking shall be eliminated without approval from the Planning Board of Adjustment.

f) Upon receipt of a permit for concrete and/or asphalt it is mandatory that the permit holder have a consultation with the Concrete Inspector or his designee to insure that specifications for construction are in compliance with the Code of the Borough of Keansburg.

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g) The Concrete Inspector, or his designee, shall determine if the roadway at any new curb installation is to be replaced and shall furnish dimensions of the new installation.

Section 2:REPEALER. The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

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

Section 4:SEVERABILITY. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

Section 5:EFFECTIVE DATE. This ordinance shall take effect upon its passage and publication according to law.

ORDINANCE #1439 – Traffic: Woodside – Grove

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII (TRAFFIC), SECTION 6 (THROUGH STREETS, STOP INTERSECTIONS AND YIELD INTERSECTIONS) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG.

Section 1:

BE IT ORDAINED by the Mayor and Council of the Borough of Keansburg that Schedule VIII (Stop Intersections) of Chapter VII (Traffic), Section 6 (Through Streets, Stop Intersections and Yield Intersections) and be supplemented to include the following:

Grove Place and Woodside Avenue

STOP sign to be installed on Woodside Avenue

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.

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Section 4:SEVERABILITY. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

Section 5:EFFECTIVE DATE. This ordinance shall take effect upon its passage and publication according to law.

ORDINANCE #1458 – Traffic: Hancock St (northside)

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII (TRAFFIC), SECTION 3.3 (PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG.

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 to include the following:

Name of Street	Side	Location
Hancock Street	North	Entire length

Section 2:REPEALER. The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

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

Section 4:SEVERABILITY. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

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

ORDINANCE #1502 – Police Structure

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AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE #1283 ENTITLED "AN ORDINANCE ESTABLISHING AND CREATING THE DEPARTMENT OF PUBLIC SAFETY AND DIVISION OF POLICE WITHIN THE BOROUGH OF KEANSBURG."

BE IT ORDAINED by the Mayor and Council of the Borough of Keansburg that Ordinance # 1283 entitled "AN ORDINANCE ESTABLISHING AND CREATING THE DEPARTMENT OF PUBLIC SAFETY AND DIVISION OF POLICE WITHIN THE BOROUGH OF KEANSBURG" be amended and supplemented as follows:

Section 1: Section 2-20.2. Duties of Director.

DELETED IN ITS ENTIRETY

Section 2: Section 2-20.3. Police Division Established; Composition.

SHALL READ:

The Police Division of the Borough of Keansburg is hereby established and shall consist of a Chief of Police, one (1) Deputy Chief of Police, two (2) Captains of Police, four (4) Lieutenants of Police, five (5) Sergeants of Police and as many regular and special policemen as the Borough Manager may deem necessary. All members of the Police Department shall be appointed, promoted and removed by the Borough Manager in accordance with state statutes. They shall, upon appointment, be assigned daily duties by the Chief of Police. The Borough Manager may also require that an applicant for appointment to the Police Division shall successfully complete a physical, mental and psychological examination.

Section 3: Section 2-20.12. Police Review Committee

DELETED IN ITS ENTIRETY

Section 4: **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 5: **INCONSISTENT ORDINANCES.** All Ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

Section 6: **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 7: **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 for Ordinances #1542, #1436, #1439, #1458 AND #1502:

Roll Call

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

NO MEMBER OF THE PUBLIC SPOKE AT THIS TIME

Mr. Cusick asked for a roll call vote to close the meeting to the public for Ordinances #1542, #1436, #1439, #1458 AND #1502:

Roll Call

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

Mr. Cusick asked for a roll call vote to ADOPT Ordinances#1542, #1436, #1439, #1458 AND #1502:

Roll Call

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

Resolutions:

RESOLUTION # 13-110 Person to Person Plenary Transfer (Pumps)

WHEREAS, an application has been received by the Mayor and Council of the Borough of Keansburg from Ashcree LLC for a Person-to-Person transfer of Liquor License Plenary Distribution License No. 1321-33-012-006 from; and

WHEREAS, the application form for said transfer is in proper form, and the proper certified check has been received by the Borough Clerk; and

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WHEREAS, publication of the transfer has been made in “The Asbury Park Press” on June 7, 2013 and June 14, 2013; and

WHEREAS, the applicant has disclosed and the Mayor and Council have reviewed the source of all funds used in the purchase of the license and the licenses business and all additional financing obtained in connection with the licensed business; and

WHEREAS, the Mayor and Council has received a written statement, under oath signed by an authorized representative of both the transferor and transferee affirming that the transferee is aware of all obligations outstanding to New Jersey Alcoholic Beverage Manufacturers, Wholesalers and Distributors, and that either the transferee has assumed any such obligations or the obligations have been or will be satisfied by the transferor out of the proceeds of the sale of the licenses business.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that the application of Ashcree to transfer a Plenary Retail Distribution License No. 1321-33-012-007 from person-to-person, being Jay Kay Jay Inc. it is hereby approved.

Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION # 13-123 Payment of Bills (9.17.13)

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	\$300,004.36
Current	2,614,608.85
Dog Trust	54.60
Trust	241,470.54

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Grant	1,690.70
Water & Sewer	<u>149,433.91</u>
Total:	<u><u>\$3,307,262.96</u></u>

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Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION # 13-124 Appointments to the Planning Board of Adjustment
BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that

for the term of

James Cocuzza	Be a Class I Member	July 1, 2013 through June 30, 2014
Virginia Rogan	Be a Class II Member	July 1, 2013 through June 30, 2014
Thomas Foley	Be a Class III Member	July 1, 2013 through June 30, 2014

Be and are hereby appointed to the Keansburg Planning Board of Adjustment Be and are hereby appointed to the Keansburg Planning Board of Adjustment

Mr. Cusick asked for a roll call vote:

Roll Call

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

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RESOLUTION # 13-125 Refund of Fees (Werner Reschmeir)

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that by direction of the Tax Collector the following refund of property taxes in the amount of \$ 975.00 be authorized:

Block 107 Lot 12 Address: 19-21 Seawood Avenue

Reason: Duplicate Payment made prior to real estate closing

Payable to: Werner Reschmeir
c/o Brian Daly, Esq.
1250 Highway # 35
Middletown, NJ 07748

BE IT FURTHER RESOLVED that a certified copy be forwarded to Chief Financial Officer.

Mr. Cusick asked for a roll call vote:

Roll Call

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

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RESOLUTION # 13-126 Refund of Fees (Various – Asbestos Fees)

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that the following refund of asbestos fees payments be made to

Payable to:	Mr. & Mrs Wokas 38 Highland Avenue Keansburg, NJ 07734	\$15.00
And	Mr. & Ms. Greenan 6 Shadyside Avenue Keansburg, NJ 07734	\$120.00
and	Mr. & Mrs. Cutter 2 Woodside Avenue Keansburg, NJ 07734	\$30.00

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:

Roll Call

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

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RESOLUTION # 13-127 Authorize Letter of Interest to NFIP CRS Program

Whereas, the Mayor and Council of the Borough of Keansburg wish the community to join and benefit from membership within the Community Rating System (CRS).

Whereas the Borough of Keansburg will cooperate with the verification process and the Borough of Keansburg understands that approval from the FEMA Regional Office is needed for the ISO/CRS Specialist to visit the community and verify the creditable activities.

THEREFORE BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Keansburg that the Edward P. Streidl, CFM be appointed the CRS Coordinator for the Borough of Keansburg.

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Keansburg that the Borough Manager, the CRS Coordinator and the Municipal Clerk are hereby authorized to execute all necessary documents to join the CRS.

Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION # 13-128 2013 Halloween Curfew

Whereas, Halloween will celebrated on Thursday, October 31, 2013; and

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

Whereas, it is in the best interests of the residents of the Borough of Keansburg that a curfew be imposed on October 30th and October 31st 2013; and,

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that a curfew of 7 pm be imposed within the Borough of Keansburg for all youth under the age of eighteen years on Wednesday, October 30th and Thursday, October 31st, 2013; and,

BE IT FURTHER RESOLVED that Trick or Treating is allowed only between the hours of 12 pm (noon) through 7pm on Thursday, October 31st.

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

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Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION # 13-129 Authorize Release of Letter of Credit (Harbor Light-Segel Morel)

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE IRREVOCABLE STANDBY LETTER OF CREDIT
BENEFITING THE BOROUGH OF KEANSBURG**

WHEREAS, on August 16, 2011 a performance bond in the amount of \$856,661.50 was issued guaranteeing full and faithful completion of the improvements associated with project No.: 060192101-06 (050404601) Tierra Del Sol (Harbor Lights on the Bayshore) located within the Borough of Keansburg, at Block 184, Lots 1 and 2; and

WHEREAS, Segal and Morel, owner of Block 184 lot 1 (formerly lots 1 &2) successfully applied to Provident Bank for an irrevocable Standby Letter of Credit, numbered 8050002224 and dated August 16, 2013 in the favor of the Borough; and

WHEREAS, the Borough attorney has reviewed said Letter of Credit and finds the terms of conditions to be sufficient.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED that the Borough Council of the Borough of Keansburg does hereby authorize acceptance of the Letter of Credit No.: 8050002224, dated August 16, 2013 in the favor of the Borough and in the amount of \$856,661.50.

BE IT FURTHER RESOLVED THAT, that the Borough hereby releases Bond Safeguard Insurance Company of their obligation pursuant to Bond No.: 5038855.

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Mr. Cusick asked for a roll call vote:

Roll Call

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

Council Discussion:

Appointment Vacancy: Kearsburg Recreation Committee (1 seat)

RESOLUTION # 13-134 Appointment to the Recreation Committee (Gonzales)

BE IT FURTHER RESOLVED, by the
Mayor and Council
of the
Borough of Kearsburg
that it does hereby reappoint,

Voting Members

- Eileen Enright
- Ginger Rogan
- Dolores Bartram
- Tina Manoes
- Lisa Strydio
- Robert Kistner
- Donna Kistner
- Raymond Preston
- Kim Birch
- Michael Gonzales**

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**As a Member of the Keansburg Recreation Committee,
for a term to run from August 1, 2013 to July 31, 2014.**

Mr. Cusick asked for a roll call vote:

Roll Call

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

Best Practices Inventory

Department Reports:

- | | |
|------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Mr. O’Hare
Borough Manager | Reported that Chief Pigott has concerns over homeless persons sleeping on the Beach. He will be discussing this matter with the Borough Attorney for possible ordinance introduction. |
| Councilman Hoff | Suggested all parks be included in the ordinance. |
| Joseph Arcardi,
Assistant Water Plant
Superintendent | Gave a brief report regarding collections and new bills being processed. The Department is working on the cut and cap process for demolition and a new water line at Collins Field. A new aerator is being installed and customers will be on NJAmerican Water Company on October 1. |
| Mr. O’Keefe | Reported on the shredding program (Recycling) to be held at the High School on September 28. |
| Francis Mullan
Borough Manager | Stated that the Road Improvement Project is winding down. The Project did come in under budget. House demolition program is moving forward. The bulkhead and tennis court projects will begin in late October. |
| Mr. O’Hare | Reported on a \$30,000 Strategic Recovery Plant Grant received by the Borough |

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- Deputy Mayor Cocuzza Stated he is concerned with facilities at the water plant. Hopes grant opportunities will be pursued.
- Councilman Foley Announced that the Business Revitalization Committee will be having an Art Show at the Library on October 12th.
- Councilman Hoff Thanked the Tzu Chi Foundation for their beach cleanup and fire equipment donation. There will be a Remembrance Ceremony for Superstorm Sandy sponsored by NJ 101.5fm. The Police Department is doing a great job with recent events. The tree lighting ceremony will be held the first week of December.

Open to the Public:

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

Roll Call

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

Kevin & Diane Berg
21 Beaconlight Avenue Concerned with sidewalk damage at their home during storm clean-up and demolition.

Mr. Mullan will meet with homeowners on-site for to discuss necessary repairs.

Rick Crossnohare
100 Shore Blvd Inquired into the status of the berm replenishment. Also concerned with the number of vacant homes in town.

Berm Replenishment Project, sponsored by the Army Corps of Engineers, has awarded a contract and construction should commence by November 1.

Lawrence Sherwood
82 Oakwood Place Concerned with conditions of a vacant home on Seeley Avenue. Hopes grant money will continue to be available to raise houses.

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

Roll Call

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

Adjournment

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

Roll Call

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



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
September 25, 2013

Attest:

Thomas P. Cusick
Municipal Clerk
Borough of Keansburg