

**BOROUGH OF KEANSBURG**  
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY  
August 26, 2009

**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**

|                  |                    |                 |                     |                    |
|------------------|--------------------|-----------------|---------------------|--------------------|
| <b>Mr. Boden</b> | <b>Mr. Cocuzza</b> | <b>Mr. Hoff</b> | <b>Mrs. Strydio</b> | <b>Mr. DePompa</b> |
| Via phone        | √                  | Excused         | √                   | √                  |

**Meeting Minutes:**

**Meeting Minutes July 22, 2009**

The above noted meeting minutes were reviewed and approved by Council.

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

|              | Moved | Seconded | Ayes | Nays | Absent | Abstain |
|--------------|-------|----------|------|------|--------|---------|
| Mr. Boden    |       |          | √    |      |        |         |
| Mr. Cocuzza  |       | √        | √    |      |        |         |
| Mr. Hoff     |       |          |      |      | √      |         |
| Mrs. Strydio | √     |          | √    |      |        |         |
| Mr. DePompa  |       |          | √    |      |        |         |

**Ordinances:**

**Second Reading:**

**ORDINANCE 1487 2009 MCIA SUPPLEMENT**  
SUPPLEMENTAL ORDINANCE APPROPRIATING \$630,000 FOR  
THE ACQUISITION OF EQUIPMENT BY THE BOROUGH OF  
KEANSBURG, NEW JERSEY THROUGH THE MONMOUTH  
COUNTY IMPROVEMENT AUTHORITY

WHEREAS, by an ordinance introduced on June 24, 2009 and finally adopted on July 22, 2009, the Borough of Keansburg, New Jersey (the "Borough") authorized the leasing of certain items of equipment, as specified in said ordinance (the "Equipment"), from The Monmouth County Improvement Authority (the "Authority"); and

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WHEREAS, the Borough authorized the Authority to issue its bonds in an amount not to exceed \$600,000 to finance the acquisition of the Equipment on behalf of the Borough;

BE IT ORDAINED by the Borough Council of the Borough of Keansburg, New Jersey (not less than two-thirds of all members thereof affirmatively concurring), as follows:

Section 1. For the acquisition of the Equipment there is hereby appropriated the amount of \$630,000, which sum includes the sum of \$30,000 as the down payment (the “Down Payment”) required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented. The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments for capital improvement purposes.

Section 2. This ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by law.

**SCHEDULE A - EQUIPMENT LIST**  
**BOROUGH OF KEANSBURG**  
2009CapLease

| <i>Useful Lease Estimated</i>       | <i>Equipment Life<br/>(yrs.)</i> | <i>Term (yrs.)</i> | <i>Cost</i>         |
|-------------------------------------|----------------------------------|--------------------|---------------------|
| Police Cars                         |                                  | 3                  | \$75,000.00         |
| Mobile Data Computers               | 5                                | 5                  | 40,000.00           |
| Radar Units                         | 5                                | 5                  | 8,000.00            |
| Radar Message Display Unit          | 5                                | 5                  | 15,000.00           |
| Printer                             | 5                                | 5                  | 1,500.00            |
| Personal Computers                  | 5                                | 5                  | 18,400.00           |
| Sports Utility Vehicles             | 5                                | 5                  | 100,000.00          |
| Emergency Call System               | 10                               | 10                 | 8,000.00            |
| Heavy – Duty Printer                | 10                               | 10                 | 25,000.00           |
| Municipal Building Office Furniture | 10                               | 10                 | 30,000.00           |
| Copiers                             | 10                               | 10                 | 35,000.00           |
| Portable Bleachers                  | 10                               | 10                 | 40,000.00           |
| Street Sweeper                      | 10                               | 10                 | 150,000.00          |
|                                     |                                  |                    | <b>\$545,900.00</b> |

Mr. Cusick asked for a roll call to open the meeting to the public for Ordinance 1487:

|              | Moved | Seconded | Ayes | Nays | Absent | Abstain |
|--------------|-------|----------|------|------|--------|---------|
| Mr. Boden    |       |          | √    |      |        |         |
| Mr. Cocuzza  |       | √        | √    |      |        |         |
| Mr. Hoff     |       |          |      |      | √      |         |
| Mrs. Strydio | √     |          | √    |      |        |         |
| Mr. DePompa  |       |          | √    |      |        |         |

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

Mr. Cusick asked for a roll call to close the meeting to the public for Ordinance 1487:

|              | Moved | Seconded | Ayes | Nays | Absent | Abstain |
|--------------|-------|----------|------|------|--------|---------|
| Mr. Boden    |       |          | √    |      |        |         |
| Mr. Cocuzza  |       | √        | √    |      |        |         |
| Mr. Hoff     |       |          |      |      | √      |         |
| Mrs. Strydio | √     |          | √    |      |        |         |
| Mr. DePompa  |       |          | √    |      |        |         |

Mr. Cusick asked for a roll call for Ordinance 1487:

|              | Moved | Seconded | Ayes | Nays | Absent | Abstain |
|--------------|-------|----------|------|------|--------|---------|
| Mr. Boden    |       |          | √    |      |        |         |
| Mr. Cocuzza  |       | √        | √    |      |        |         |
| Mr. Hoff     |       |          |      |      | √      |         |
| Mrs. Strydio | √     |          | √    |      |        |         |
| Mr. DePompa  |       |          | √    |      |        |         |

**Resolutions:**

AT this time Mr. Cusick requested that the meeting be opened to the public on the matter of the liquor license expansion for Applejacks.

|              | Moved | Seconded | Ayes | Nays | Absent | Abstain |
|--------------|-------|----------|------|------|--------|---------|
| Mr. Boden    |       |          | √    |      |        |         |
| Mr. Cocuzza  |       | √        | √    |      |        |         |
| Mr. Hoff     |       |          |      |      | √      |         |
| Mrs. Strydio | √     |          | √    |      |        |         |
| Mr. DePompa  |       |          | √    |      |        |         |

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

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

|              | Moved | Seconded | Ayes | Nays | Absent | Abstain |
|--------------|-------|----------|------|------|--------|---------|
| Mr. Boden    |       |          | √    |      |        |         |
| Mr. Cocuzza  |       | √        | √    |      |        |         |
| Mr. Hoff     |       |          |      |      | √      |         |
| Mrs. Strydio | √     |          | √    |      |        |         |
| Mr. DePompa  |       |          | √    |      |        |         |

Mr. Cusick asked for a roll call:

|              | Moved | Seconded | Ayes | Nays | Absent | Abstain |
|--------------|-------|----------|------|------|--------|---------|
| Mr. Boden    |       |          | √    |      |        |         |
| Mr. Cocuzza  |       | √        | √    |      |        |         |
| Mr. Hoff     |       |          |      |      | √      |         |
| Mrs. Strydio | √     |          | √    |      |        |         |
| Mr. DePompa  |       |          | √    |      |        |         |

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**RESOLUTION #09- 126    Plenary Lic. Lic. Place to Place Expansion  
(Applejacks)**

WHEREAS, an application has been received by the Mayor and Council of the Borough of Keansburg from Russell J. Lengyel, LLC, 510 Monmouth Road, West Allenhurst, New Jersey, 07711 for a Place-to-Place transfer of Liquor License Plenary Retail Consumption License No. 1321-33-018-004 for premises located at 60 Carr Avenue Keansburg, New Jersey to premises located at 60-64 Carr Avenue, Keansburg, NJ thereby allowing for an expansion of premises; 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

WHEREAS, publication of the transfer has been made in “The Asbury Park Press” on August 14 and August 21, 2009.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that the application of Russell J. Lengyel, LLC to transfer a Plenary Retail Consumption License No. 1321-33-018-004 from place-to-place, for premises located at 60-64 Carr Avenue, Keansburg, New Jersey, 07734 be and it is hereby approved.

Mr. Cusick asked for a roll call:

|              | Moved | Seconded | Ayes | Nays | Absent | Abstain |
|--------------|-------|----------|------|------|--------|---------|
| Mr. Boden    |       |          | √    |      |        |         |
| Mr. Cocuzza  | √     |          | √    |      |        |         |
| Mr. Hoff     |       |          |      |      | √      |         |
| Mrs. Strydio |       |          | √    |      |        |         |
| Mr. DePompa  |       | √        | √    |      |        |         |

**Mr. Boden was Excused at this time.**

**Ordinances:**

**First Reading:**

**ORDINANCE 1486 FEMA MAPS**  
AN ORDINANCE AMENEDING AND REVISING CHAPTER XIV – FLOOD DAMAGE PREVENTION – OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG

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Chapter XIV

Flood Damage Prevention

14-1 Statutory Authorization, Findings of Fact, Purpose and Objectives.

§14-1.1 Statutory Authorization.

The Legislature of the State of New Jersey has in N.J.S.A. 40:48-1 et seq, delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety and general welfare of its citizenry.

14-1.2 Findings of Fact.

No Change

14-1.3 Purpose.

No Change

14-1.4 Methods of Reducing Flood Losses

No Change

14-2 Definitions

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

“Areas of special flood related erosion hazard” is the land within a community which is most likely to be subject to severe flood related erosion losses. After a detailed evaluation of the special flood related erosion hazard area will be designated a Zone E on the Fled Insurance Rate Map.

“Coastal High Hazard Area” means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources.

"Development" means any man made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials located within the area of special flood hazard.

"Digital Flood Insurance Rate Map" (DFIRM) means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

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“Flood Insurance Study” (FIS) shall mean the official report provided in which the federal Insurance Administration has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation on the base flood.

"Flood plain management regulations" means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a flood plain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such State or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

"Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

“Historic Structure” means any structure that is:

[a] Listed individually in the National Register of historic Places (a listing maintained by the department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

[b] Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminary determined by the by the Secretary to qualify as a registered historic district;

[c] Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or

[d] Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified wither:

(1) By an approved State program as determined by the Secretary of the Interior; or

(2) Directly by the Secretary of the Interior in States without approved programs.

"New manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the flood plain management regulations adopted by the municipality.

“Primary frontal dune” means a continuous or nearly continuous mound or ridge of sand with relatively steep seaweed and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves from coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from the relatively steep slope to a relatively mild slope.

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"Recreational vehicle" means a vehicle which is [i] built on a single chassis; [ii] 400 square feet or less when measured at the longest horizontal projections; [iii] designed to be self-propelled or permanently towable by a light duty truck; and [iv] designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Start of Construction" (for other than new construction or substantial improvements under the Coastal Barrier Resources Act(P.L. 97-348) shall include substantial improvement and mean the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within one hundred eighty (180) days of the permit date. The actual start shall mean either the first placement of permanent construction of a structure on a site such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling nor does it include the installation of street and/or walkways; nor does include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupies as dwelling units or not part of the main structure. For substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"Substantial Damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50% of the market values of the structure before the damage occurred.

"Substantial Improvement" means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or
2. Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

#### 14-3 GENERAL PROVISIONS.

##### 14-3.1 Applicability.

No Change

##### 14-3.2 Basis for Establishing the Areas of Special Flood Hazard.

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The areas of special flood hazard for the Borough of Keansburg, Community No. 340303, are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

(a) A scientific and engineering report “Flood Insurance study, Monmouth County, New Jersey (All Jurisdictions)” dated September 25, 2009

(b) Flood Insurance Rate Map for Monmouth County, New Jersey (All Jurisdictions) as shown on Index and panel numbers 34025C0034F, 34025C0042F, 34025C0055F; whose effective date is September 25, 2009

The above documents are hereby adopted and declared to be a part of this ordinance. The Flood Insurance Study and maps are on file at 29 Church Street, Keansburg, New Jersey 07734-1497.

14-3.3 Penalties for non-compliance

No Change

14-3.4 Abrogation and Greater Restrictions. This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and other ordinances, easements, covenants, or deed restrictions conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

14-3.5 Interpretation.

No Change

14-3.6 Warning and Disclaimer of Liability

No Change

14-4 ADMINISTRATION

14-4.1 Establishment of Development Permit

No Change

14-4.2 Designation of the Borough Manager or his/her Designee

No Change

14-4.3 Duties and Responsibilities of the Borough Manager or his/her designee

a. Permit Review

1, 2, and 3. No Change



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4. Review plans for walls to be used to enclose space below the base flood level in accordance with Section 14-6.3b(4)

b and c. No change

d. Alteration of Watercourses

1. Notify adjacent communities and the New Jersey Department of Environmental Protection , Dam Safety and Flood Control section and the Land Use Regulation Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.

2. No Change

e. No Change

14-5 VARIANCE PROCEDURE

14-5.1 Appeal Board

No Change

14-5.2 Conditions for Variances

b. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic character and design of the structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

14-6 PROVISION FOR FLOOD HAZARD REDUCTION

14-6.1 General Standards.

a. Anchoring

2. All manufactured homes shall be anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

b, c, and d. No change

e. Enclosure Openings. All new construction and substantial improvements having fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:

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1 and 2. No Change

14-6.2 Specific Standards No Change to introductory paragraph

a. Residential Construction. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities, elevated to or above base flood elevation

b. Nonresidential Construction. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement together with the attendant utilities and sanitary facilities, elevated to the level of the base flood elevation; or

1, 2, and 3. No Change

c. Manufactured Homes

1. Manufactured homes shall be anchored in accordance with Section 14-6.1(a)(2).

2. All manufactured homes to be placed or substantially improved within an area of special flood hazard shall be elevated on a permanent foundation such that the top of the lowest floor is at or above the base flood elevation.

14-6.3 Coastal High Hazard Area. Coastal high hazard areas (V or VE Zones) are located within the areas of special flood hazard established in subsection 14-3.2 These areas have special flood hazards associated with high velocity waters from tidal surges and hurricane wave wash; therefore, the following provisions shall apply:

a. Location of Structures

1. No Change

2. The placement of manufactured homes shall be prohibited, except in an existing manufactured home subdivision.

b. Construction Methods

1, 2, and 3. No Change

4. Space Below the Lowest Floor

a and b. No Change

b.1. No Change

b.2. The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement or other structural damage due to the effects of wind and water load acting simultaneously on all building components (structural and non-structural). Water loading

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values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable State or local building standards.

c and d. No Change

c. Sand Dunes. Prohibit man-made alteration of sand dunes within VE and V on the community's DFIRM which would increase potential flood damage.

14-7 FLOOD PLAIN LETTER

No Change

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

Section 1. All Ordinances, or parts thereof, inconsistent with the provisions of this Ordinance, be and the same are hereby repealed to the extent of such inconsistency.

Section 2. Should any section, paragraph, clause or any other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

Section 3. This Ordinance shall take effect on September 25, 2009 after final passage and publication as provided by law.

Mr. Cusick asked for a roll call vote to set down for public hearing on September 23, 2009 at 7:00 pm:

|              | Moved | Seconded | Ayes | Nays | Absent | Abstain |
|--------------|-------|----------|------|------|--------|---------|
| Mr. Boden    |       |          |      |      | √      |         |
| Mr. Cocuzza  |       | √        | √    |      |        |         |
| Mr. Hoff     |       |          |      |      | √      |         |
| Mrs. Strydio | √     |          | √    |      |        |         |
| Mr. DePompa  |       |          | √    |      |        |         |

**ORDINANCE 1488 REVISION ACCESORY BUILDINGS SQ FOOTAGE**

AN ORDINANCE AMENDING CHAPTER XXII (DEVELOPMENT REGULATIONS) OF THE REVISED GENERAL ORDINANCES (ACCESSORY BUILDINGS).

BE IT ORDAINED by the Mayor and Council of the Borough of Keansburg that Chapter XXII (Development Regulations) shall be amended and supplemented as follows:

Section 1:

Chapter 22-7.8          Accessory Buildings and Structures.

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a. (shall read) An accessory building or structure attached to a principal building shall comply in all respects with the yard requirements of this Chapter for the principal building. Detached accessory buildings shall be located in other than a front yard, and if located in a side or rear yard area, shall be set back 3 (three) feet from any property line.

i. Construction of any accessory buildings exceeding 100 (one hundred) square feet shall require permits to be issued from the Construction Official.

j. A fee of \$ 25.00 (twenty-five dollars and no cents) shall be paid to the Borough of Keansburg for a permit to allow for the installation of any accessory buildings 100 (one hundred) square feet or less.

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.

Mr. Cusick asked for a roll call vote to set down for public hearing on September 23, 2009 at 7:00 pm:

|              | Moved | Seconded | Ayes | Nays | Absent | Abstain |
|--------------|-------|----------|------|------|--------|---------|
| Mr. Boden    |       |          |      |      | √      |         |
| Mr. Cocuzza  |       | √        | √    |      |        |         |
| Mr. Hoff     |       |          |      |      | √      |         |
| Mrs. Strydio | √     |          | √    |      |        |         |
| Mr. DePompa  |       |          | √    |      |        |         |

**Resolutions:**

**RESOLUTION #09- 123    Payment of Bills (8.26.09)**

**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

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**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:

|                                  |                       |
|----------------------------------|-----------------------|
| <b>Current</b>                   | \$2,447,752.92        |
| <b>Trust</b>                     | 23,504.88             |
| <b>Grant</b>                     | 3,463.00              |
| <b>Water &amp; Sewer</b>         | 114,544.26            |
| <b>Water &amp; Sewer Capital</b> | 11,572.93             |
| <b>Capital</b>                   | 8380.00               |
| <b>Dog Trust</b>                 | 1,943.00              |
| <b>Total:</b>                    | <b>\$2,611,160.99</b> |

Mr. Cusick asked for a roll call:

|              | Moved | Seconded | Ayes | Nays | Absent | Abstain |
|--------------|-------|----------|------|------|--------|---------|
| Mr. Boden    |       |          |      |      | √      |         |
| Mr. Cocuzza  |       | √        | √    |      |        |         |
| Mr. Hoff     |       |          |      |      | √      |         |
| Mrs. Strydio | √     |          | √    |      |        |         |
| Mr. DePompa  |       |          | √    |      |        |         |

**RESOLUTION #09- 124 Appointment to Recreation Committee**

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

Daniel Valle

Debbie Ott

As Members of the Keansburg Recreation Committee, effective immediately; with term expiring on July 31, 2010.

Mr. Cusick asked for a roll call:

|              | Moved | Seconded | Ayes | Nays | Absent | Abstain |
|--------------|-------|----------|------|------|--------|---------|
| Mr. Boden    |       |          |      |      | √      |         |
| Mr. Cocuzza  |       | √        | √    |      |        |         |
| Mr. Hoff     |       |          |      |      | √      |         |
| Mrs. Strydio | √     |          | √    |      |        |         |
| Mr. DePompa  |       |          | √    |      |        |         |

**RESOLUTION #09- 125 Award of Bid – Cellular Water Tower**  
*[to be supplied at meeting by Borough Attorney]*

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Mr. Cusick asked for a roll call:

|              | Moved | Seconded | Ayes | Nays | Absent | Abstain |
|--------------|-------|----------|------|------|--------|---------|
| Mr. Boden    |       |          |      |      | √      |         |
| Mr. Cocuzza  |       | √        | √    |      |        |         |
| Mr. Hoff     |       |          |      |      | √      |         |
| Mrs. Strydio | √     |          | √    |      |        |         |
| Mr. DePompa  |       |          | √    |      |        |         |

**RESOLUTION #09- 127 Support of “Over the Limit Under Arrest”**

**Whereas** impaired drivers on our nation’s roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

**Whereas**, 26% of motor vehicle fatalities in New Jersey are alcohol related; and

**Whereas**, an enforcement crackdown is planned to combat impaired driving; and

**Whereas**, the end of summer season is traditionally a time of social gatherings which often include alcohol; and

**Whereas**, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the State to participate in the **OVER THE LIMIT UNDER ARREST 2009 STATEWIDE CRACKDOWN**; and

**Whereas**, the project will involve increased impaired driving enforcement from August 21 through September 7 2009; and

**Whereas**, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

**Therefore**, be it resolved that the Borough of Keansburg declares its support for the **OVER THE LIMIT UNDER ARREST 2009 STATEWIDE CRACKDOWN** from August 21 through September 7, 2009 and pledges to increase awareness of the dangers of drinking and driving.

Mr. Cusick asked for a roll call:

|              | Moved | Seconded | Ayes | Nays | Absent | Abstain |
|--------------|-------|----------|------|------|--------|---------|
| Mr. Boden    |       |          |      |      | √      |         |
| Mr. Cocuzza  |       | √        | √    |      |        |         |
| Mr. Hoff     |       |          |      |      | √      |         |
| Mrs. Strydio | √     |          | √    |      |        |         |
| Mr. DePompa  |       |          | √    |      |        |         |

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**RESOLUTION #09- 128    Amendment to Temp Budget 8.09**  
**AUTHORIZING AMENDMENT TO THE SFY 2010**  
**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 State Fiscal 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 July 1<sup>st</sup>, 2008 and the adoption of the Local Budget for the Borough of Keansburg, County of Monmouth and State of New Jersey for the State Fiscal Year 2010:

| Department                            | Amount       |
|---------------------------------------|--------------|
| Worker Comp Insurance 0-01-23-215-299 | \$25,000.00  |
| Meters S&W 0-01-25-111-101            | \$5,000.00   |
| Group Insurance 0-01-23-220-200       | \$200,000.00 |
| Health O&E 0-01-27-330-200            | \$25,000.00  |
| Senior Transportation 0-01-28-370-200 | \$3,000.00   |
| Manager S&W 0-01-20-100-100           | \$15,000.00  |
| Council S&W 0-01-20-110-100           | \$2,000.00   |
| Tax Collector S&W 0-01-20-145-100     | \$10,000.00  |
| Tax Assessment S&W 0-01-20-150-100    | \$5,000.00   |
| Engineering O&E 0-01-20-165-200       | \$10,000.00  |
| Planning S&W 0-01-21-180-100          | \$2,000.00   |
| Construction S&W 0-01-22-195-100      | \$25,000.00  |
| Code S&W 0-01-22-196-100              | \$25,000.00  |
| Streets/Rds S&W 0-01-26-290-100       | \$50,000.00  |
| Buildings/Grounds 0-01-26-310-200     | \$5,000.00   |
| Gasoline /Fuel 0-01-31-447-200        | \$10,000.00  |
| Total                                 | \$417,000.00 |

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Mr. Cusick asked for a roll call:

|              | Moved | Seconded | Ayes | Nays | Absent | Abstain |
|--------------|-------|----------|------|------|--------|---------|
| Mr. Boden    |       |          |      |      | √      |         |
| Mr. Cocuzza  |       | √        | √    |      |        |         |
| Mr. Hoff     |       |          |      |      | √      |         |
| Mrs. Strydio | √     |          | √    |      |        |         |
| Mr. DePompa  |       |          | √    |      |        |         |

**RESOLUTION #09- 129    Deferred Compensation Plan**

Whereas, in order to attract and retain qualified employees there exists a need to adopt and implement a DEFERRED COMPENSATION PLAN for the employees of the Borough of Keansburg (hereinafter referred to as “Employer”), which will provide employees the opportunity to enhance their financial security at retirement through savings of compensation on a deferred basis as provided by Section 457 of the Internal Revenue Code of 1986, as amended (“Code”); and

Whereas, in 2009 the Employer adopted a DEFERRED COMPENSATION PLAN provided by AXA-Equitable and assigned the plan identifier (66-PD-Equitable-053107) Keansburg by the Division of Local Government Services; and

Whereas, the offering of additional investments from another contractor will provide additional retirement investment options to participating employees; and

Whereas, there is no direct financial cost to the Employer to adopt and implement an additional employee deferred

Whereas, the Employer solicited written proposals from tow or more contractors for a Deferred Compensation Plan that meet the requirements of the Municipal, County an Authority Deferred Compensation Programs Rule N.J.A.C. 5:37; including AXA Equitable and Nationwide.

Whereas, the following contractors submitted written proposals: AXA Equitable Life Insurance Company (hereinafter referred to as ”AXA Equitable”) and Nationwide; and

Whereas, the Borough of Keansburg reviewed the proposals and met with representatives of the responding contractors of deferred compensation services; and,

Whereas, it was deemed that AXA Equitable has the ability to: (1) maintain complete records of accounts; (2) manage accounts with absolute fidelity; (3) provide advice concerning various categories of investments; and (4) provide continuing consultation to participants.

Now, Therefore, Be It Resolved by the Council of the Borough of Keansburg that the Borough Manager is hereby authorized to execute the Service Agreement (bearing the



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identifier: 66-SA-Equitable-053107 assigned by the New Jersey Division of Local Government) with AXA Equitable for the provision of administrative and investment services.

Be It Further Resolved that the Borough of Keansburg is hereby designated as Local Plan Administrator for the administration of the DEFERRED COMPENSATION PLAN.

Be It Further Resolved that there has been no collusion or evidence or appearance of collusion, between any local official and a representative of AXA Equitable in the selection of AXA Equitable as contractor for the administration of the Service Agreement pursuant to N.J.A.C. Section 5:37-5.7.

Be It Further Resolved that the Borough of Keansburg is adopting a deferred compensation plan substantially similar to one on which a favorable Private Letter Ruling has been previously obtained from the federal Internal Revenue Service except for provision added by reason of The Small Business Job Protection Act 1996 (United State Public Law no. 104-188), the Tax Payer Relief Act 2001 (United States public law no.105-34) and the Economic Growth and Tax Relief Reconciliation Act 2001 (United States public law no. 107-16), and all such provisions are stated in the plan in terms substantially similar to the text of those provisions in the Internal Revenue code section 457. The use of the Ruling is for guidance only and acknowledge that for Internal Revenue Service purpose, the Ruling of another employer is not to be considered precedent.

Mr. Cusick asked for a roll call:

|              | Moved | Seconded | Ayes | Nays | Absent | Abstain |
|--------------|-------|----------|------|------|--------|---------|
| Mr. Boden    |       |          |      |      | √      |         |
| Mr. Cocuzza  |       | √        | √    |      |        |         |
| Mr. Hoff     |       |          |      |      | √      |         |
| Mrs. Strydio | √     |          | √    |      |        |         |
| Mr. DePompa  |       |          | √    |      |        |         |

**RESOLUTION #09- 130 Authorization of Agreement (KASA Grant)**

Mr. Cusick asked for a roll call:

|              | Moved                              | Seconded | Ayes | Nays | Absent | Abstain |
|--------------|------------------------------------|----------|------|------|--------|---------|
| Mr. Boden    | <b>NO VOTE<br/>RESOLUTION HELD</b> |          |      |      |        |         |
| Mr. Cocuzza  |                                    |          |      |      |        |         |
| Mr. Hoff     |                                    |          |      |      |        |         |
| Mrs. Strydio |                                    |          |      |      |        |         |
| Mr. DePompa  |                                    |          |      |      |        |         |

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**RESOLUTION #09- 131 Authorization of Execution of Reassessment**

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that the governing body does hereby approve execution of the attached Proposal for a Reassessment of Property with Realty Appraisal Co.; and

BE IT FURTHER RESOLVED that Thomas P. Cusick, Acting Borough Manager/Municipal Clerk is hereby authorized to execute the attached agreement on behalf of the Borough of Keansburg.

Mr. Cusick asked for a roll call:

|              | Moved | Seconded | Ayes | Nays | Absent | Abstain |
|--------------|-------|----------|------|------|--------|---------|
| Mr. Boden    |       |          |      |      | √      |         |
| Mr. Cocuzza  |       | √        | √    |      |        |         |
| Mr. Hoff     |       |          |      |      | √      |         |
| Mrs. Strydio | √     |          | √    |      |        |         |
| Mr. DePompa  |       |          | √    |      |        |         |

**RESOLUTION #09- 132 Authorization of SRO Interlocal Agreement**

AUTHORIZING THE BOROUGH OF KEANSBURG TO ENTER INTO A CONTRACT WITH THE KEANSBURG BOARD OF EDUCATION FOR THE PROVISION OF SCHOOL RESOURCE OFFICERS

**WHEREAS**, the Mayor and Council of the Borough of Keansburg find that it is the best interest to provide School Resource Officers at Bolger Middle School and Keansburg High School commencing for the school year 2009-2010.

**BE IT RESOLVED** that a copy of this agreement shall be available for examination in the Municipal Clerk’s Office in Borough Hall.

**BE IT FURTHER RESOLVED**, that the Mayor and Council of the Borough of Keansburg do hereby authorize the Mayor and the Municipal Clerk to execute the attached Interlocal Service Agreement for the Provision of School Resource Officers

Mr. Cusick asked for a roll call:

|              | Moved | Seconded | Ayes | Nays | Absent | Abstain |
|--------------|-------|----------|------|------|--------|---------|
| Mr. Boden    |       |          |      |      | √      |         |
| Mr. Cocuzza  |       | √        | √    |      |        |         |
| Mr. Hoff     |       |          |      |      | √      |         |
| Mrs. Strydio | √     |          | √    |      |        |         |
| Mr. DePompa  |       |          | √    |      |        |         |

**RESOLUTION #09- 133 Deputize for Wedding (Cocuzza)**

**BE IT RESOLVED** that at the request of Mayor Anthony DePompa that Councilman James Cocuzza be deputized for the purpose of conducting wedding vows.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to Councilman James Cocuzza.

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Mr. Cusick asked for a roll call:

|              | Moved | Seconded | Ayes | Nays | Absent | Abstain |
|--------------|-------|----------|------|------|--------|---------|
| Mr. Boden    |       |          |      |      | √      |         |
| Mr. Cocuzza  |       |          | √    |      |        |         |
| Mr. Hoff     |       |          |      |      | √      |         |
| Mrs. Strydio | √     |          | √    |      |        |         |
| Mr. DePompa  |       | √        | √    |      |        |         |

**Communications:**

**Keansburg Fire Department**

**New Members**

David Gergely                      Keansburg EMS

Lawrence Lozito Jr.      Keansburg Fire Company

**Resignation**

Jeremy Brito                      New Point Comfort

**Granted Exemption**

John Donohue      New Point Comfort

Mr. Cusick asked the above mention communication be place on file

Mr. Cusick asked for a roll call:

|              | Moved | Seconded | Ayes | Nays | Absent | Abstain |
|--------------|-------|----------|------|------|--------|---------|
| Mr. Boden    |       |          |      |      | √      |         |
| Mr. Cocuzza  | √     |          |      | √    |        |         |
| Mr. Hoff     |       |          |      |      | √      |         |
| Mrs. Strydio |       |          |      | √    |        |         |
| Mr. DePompa  |       | √        |      | √    |        |         |

**Council Discussion:**

**Councilwoman Strydio**

Announced the rescheduling date for The Kootz Band as Tuesday, September 1, 2009

Announced that KASA would have a game night at the concert

**Councilman Cocuzza**

Asked if employees were able to answer EMS calls while actively at work

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**Presentation:**

**Lt. Bill Nagle of the Keansburg Police Department on behalf of the Mayor and Council presented Certificate of Appreciation of Assistance rendered by the following officers and police dogs to the Keansburg Police Department**



Patrolman Kevin Geoghan  
&  
Memphis  
Hazlet Police Department -- Narcotics



Patrolman Matthew Chesek  
&  
Deder  
Highlands Police Department -- Narcotics



Patrolman William Bernard  
&  
Harley  
Holmdel Police Department -- Narcotics



Patrolman William Bernard  
&  
Hunter  
Holmdel Police Department -- Bomb



Detective Edward Martinez  
&  
Buddy  
Holmdel Police Department -- Bomb



Patrolman Joseph Van Pelt  
&  
Diogi  
Holmdel Police Department -- Narcotics



Patrolman Joseph Ruth  
&  
Jake  
Keyport Police Department -- Narcotics



Sheriff's Officer Thomas Duda  
&  
Rocky  
Monmouth County Sheriff's Office – Bomb



Sheriff's Officer Robin Eckel  
&  
Lexus  
Monmouth County Sheriff's Office -- Bomb



Sheriff's Officer James Faye  
&  
Falko  
Monmouth County Sheriff's Office -- Bomb



Sheriff's Officer Patrick Hamor  
&  
Jake  
Monmouth County Sheriff's Office – Bomb



Sheriff's Officer George Jelks  
&  
Cida  
Monmouth County Sheriff's Office – Bomb



Sheriff's Officer Vincent Santaniello  
&  
Roxi  
Ocean County Sheriff's Office -- Bomb



Police Officer Joseph Baker  
&  
Vigo  
United States Park Police -- Bomb

**Council Discussion:**

*Councilman Cocuzza left at this time. Meeting adjourned due to lack of quorum.*