

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
October 28, 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

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

Presentation:

200 Main Street/Manuela Onacki

RESOLUTION #09- 157 Recommend to the Planning Bd of Adjustment

Mr. Cusick asked for a roll call vote:

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

Public Hearing:

Public Hearing: Transition Year 09 Budget Hearing

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	√		√			
Mrs. Strydio		√	√			
Mr. DePompa					√	

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
October 28, 2009
Meeting Minutes

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	√		√			
Mrs. Strydio		√	√			
Mr. DePompa					√	

Mayor DePompa arrived at this time. (7:45pm)

Resolution:

RESOLUTION #09- 156 Adoption of Transition Year 2009 Budget

Mr. Cusick asked for a roll call vote:

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

Council Discussion:

The governing body had a discussion concerning the Desalination Water Treatment Project at this time.

Ordinances:

First Readings:

ORDINANCE #1493: Bond Ordinance Amending 1466 Desal

BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 1441 ADOPTED ON JUNE 27, 2007, AS AMENDED BY BOND ORDINANCE NO. 1466 ADOPTED ON JUNE 11, 2008, FOR THE DESIGN, CONSTRUCTION AND INSTALLATION OF THE DESALINATION SYSTEM FOR THE WATER TREATMENT PLANT, IN ORDER TO INCREASE THE APPROPRIATION THEREFOR BY \$625,000 FOR A TOTAL APPROPRIATION OF \$3,125,000, TO INCREASE THE AUTHORIZED BONDS AND NOTES TO BE ISSUED TO FINANCE A PORTION OF THE COSTS THEREOF BY \$625,000 FOR A TOTAL DEBT AUTHORIZATION OF \$3,125,000, AND TO INCREASE THE ALLOCATION OF THE APPROPRIATION TO COSTS PERMITTED UNDER N.J.S.A. 40A:2-20, AUTHORIZED IN AND BY THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, NEW JERSEY

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
October 28, 2009
Meeting Minutes

WHEREAS, the Borough of Keansburg, in the County of Monmouth, New Jersey (the “Borough”) finally adopted Bond Ordinance No. 1441 on June 27, 2007, as amended by Bond Ordinance 1446 adopted on June 11, 2008 (collectively the “Prior Ordinance”), for the design, construction and installation of the Desalination System for the Water Treatment Plant; and

WHEREAS, the Borough has determined that the costs associated with said improvements are higher than anticipated and has determined to supplement the appropriation and bonds and notes authorized therefore; and

WHEREAS, the Borough has determined that the \$630,000 authorized by the Prior Ordinance for purposes permitted under N.J.S.A. 40A:2-20 is insufficient and desires to increase such allocation by \$95,000 to an aggregate amount of \$725,000.

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

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of Keansburg, in the County of Monmouth, New Jersey (the “Borough”). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$625,000 in addition to the \$2,500,000 appropriated by the Prior Ordinance, said sums being inclusive of all appropriations heretofore made therefor. No down payment is required or appropriated herein, in accordance with N.J.S.A. 40A:2-11c of the Local Bond Law, as this bond ordinance authorizes obligations solely for purposes which are self-liquidating and deductible from the gross debt of the Borough as set forth in N.J.S.A. 40A:2-7h. It is anticipated that the costs of said improvements or purposes will be financed through the New Jersey Environmental Infrastructure Program.

Section 2. In order to finance the costs of said improvements or purposes, \$625,000 negotiable bonds are hereby authorized to be issued in addition to the \$2,500,000 previously authorized by the Prior Ordinance for a total principal amount not to exceed \$3,125,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the obligations are to be issued to provide for the design, construction, and installation of the planned desalination

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
October 28, 2009

Meeting Minutes

system for the water treatment plant, including, but not limited to, all engineering and design work, surveying, preparation of maps, plans and specifications, permit application and acquisition work, bid documents, contract administration, environmental work, the construction of additions to the existing water treatment plant, the construction of a structure that will house the new treatment process consisting of reverse osmosis membrane treatment and related equipment, including pumps and chemical storage/feed, and modifications of the existing treatment plant chemical storage and feed systems to upgrade and improve the chemical systems, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of Borough.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$3,125,000, including the \$625,000 authorized herein, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$3,125,000, which is equal to the amount of the \$625,000 supplemental appropriation herein made therefor and the \$2,500,000 appropriation made by the Prior Ordinance.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

October 28, 2009

Meeting Minutes

as a general improvement of the Water Utility and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is forty (40) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Municipal Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is not increased by the authorization of the \$625,000 Bonds and notes provided in this bond ordinance because the purposes authorized herein are self-liquidating and are deductible from the Borough's gross debt in accordance with N.J.S.A. 40A:2-44c and the obligations authorized herein will be within all debt limitations prescribed by said Law.

(d) An aggregate amount not exceeding \$725,000, including \$630,000 authorized hereby and \$95,000 authorized by the Prior Ordinance, for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto. This ordinance shall constitute a declaration of official intent for the purposes and within the meaning of Section 1.150-2(e) of the United States Treasury Regulations.

(f) This bond ordinance authorizes obligations of the Borough solely for purposes described in subparagraph (h) of §40A:2-7 of the Local Bond Law, and the obligations authorized herein are to be issued for purposes which are self-liquidating within the meaning and limitation of N.J.S.A. 40A:2-45 of said Law and are deductible from the gross debt of the Borough pursuant to N.J.S.A. 40A:2-44c and N.J.S.A. 40A:2-46 of said Law.

Section 6. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Municipal Clerk and is available there for public inspection.

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
October 28, 2009
Meeting Minutes

Section 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. 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 bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. All Ordinances or parts of ordinances in conflict or inconsistent with any of the terms of this ordinance are hereby repealed to the extent that they are in such conflict or are inconsistent. In the event that any section, part or provision of this ordinance shall be held to be unconstitutional or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part hereof other than the part so held unconstitutional or invalid.

Section 10. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mr. Cusick asked for a roll call vote to set down for public hearing on November 12, 2009 at 7:00 pm:

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

First Readings:

ORDINANCE #1491: Adoption Amendment to Ordinance #1483

ORDINANCE ADOPTING THE INTERNATIONAL PROPERTY MAINTENANCE CODE

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

October 28, 2009

Meeting Minutes

An ordinance of the Borough of Keansburg adopting the 2006 edition of the International Property Maintenance Code, regulating and governing the conditions and maintenance of all property, buildings, and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in the Borough of Keansburg; providing for the issuance of permits and collection of fees therefore; repealing Ordinance # 1240 of the Borough of Keansburg and all other ordinances and parts of the ordinances in conflict therewith.

The Mayor and Council of the Borough of Keansburg does ordain as follows:

SECTION 1. That a certain document, three (3) copies of which are on file in the office of the Borough Clerk of the Borough of Keansburg, being marked and designated as the International Property Maintenance Code, 2006 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Borough of Keansburg, in the State of New Jersey for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Borough Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

SECTION 2. The following sections are hereby revised.

Section 101.1 The Borough of Keansburg

Section 103.5 FEES: Pursuant to Borough Ordinance #1143.

Section 302.4 WEEDS: All premises and exterior property shall be maintained free from weeds or plant growth in excess of 12”.

Section 304.14INSECT SCREENS: During the period from April 1 to October 1, every door, window and other outside opening utilized or required for ventilation purposes serving any structure containing habitable rooms, food preparation areas, food service areas, or any

Section 602.3 HEAT SUPPLY. Every owner and operator of any building who rents, leases or lets one or more dwelling units, rooming unit, dormitory or guestroom on terms, either express or implied, to furnish heat to the occupants thereof shall supply sufficient heat during the period from October 1 to May 1 to maintain the room temperatures specified in Section PM 602.2 during the hours between 6:30 a.m. and 10:30 p.m. of each day and not less than 60 degrees F. (16 degrees C.) during other hours.

Section 602.4 HEAT: Occupiable work spaces. Non residential structures. Every enclosed occupied work space shall be supplied with sufficient heat during the period October 1 to May 1 to maintain a temperature of not less than 65 degrees F. (18 degrees C.) during all work hours.

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
October 28, 2009

Meeting Minutes

Exceptions: 1. Processing, storage and operation areas that require cooling or specific temperature conditions.

2. Areas in which persons are primarily engaged in vigorous physical activities. (Ordinance #1240)

SECTION 3. That Ordinance No. 1240 of the Borough of Keansburg entitled: “ORDINANCE ESTABLISHING THE MINIMUM REGULATION GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO INSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES; KNOWN AS THE BOCA PROPERTY MAINTENANCE CODE” and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance. The Mayor and Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 5. That nothing in this ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 6. That the Borough Clerk is hereby ordered and directed to cause this ordinance to be published as required by law.

SECTION 7. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect 20 days from and after the date of its final passage and adoption.

Mr. Cusick asked for a roll call vote:

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

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
October 28, 2009

Meeting Minutes

ORDINANCE #1492: Amend Fire Prevention Ordinance 2009

AN ORDINANCE AMENDING CHAPTER XIII, FIRE PREVENTION AND PROTECTION

13-1.9 Additional Required Inspections and Fees

b. Type L Uses

1. Replace the wording "BOCA Basic National Building Code," with "2009 International Property Maintenance Code"
2. Replace the wording "BOCA Basic National Building Code," with "2009 International Property Maintenance Code"

c. Type M Uses

1. Replace the wording "BOCA Basic National Building Code," with "2009 International Property Maintenance Code"
2. Replace the wording "BOCA Basic National Building Code," with "2009 International Property Maintenance Code"
3. Replace the wording "BOCA Basic National Building Code," with "2009 International Property Maintenance Code"

d. Type N Uses

1. Replace the wording "BOCA Basic National Building Code," with "2009 International Property Maintenance Code"
2. Replace the wording "BOCA Basic National Building Code," with "2009 International Property Maintenance Code"
3. Replace the wording "BOCA Basic National Building Code," with "2009 International Property Maintenance Code"

e. Type O Uses

1. Replace the wording "BOCA Basic National Building Code," with "2009 International Property Maintenance Code"
2. Replace the wording "BOCA Basic National Building Code," with "2009 International Property Maintenance Code"
3. Replace the wording "BOCA Basic National Building Code," with "2009 International Property Maintenance Code"

f. Type P Uses

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
October 28, 2009

Meeting Minutes

1. Replace the wording “BOCA Basic National Building Code,” with “2009 International Property Maintenance Code”
2. Replace the wording “BOCA Basic National Building Code,” with “2009 International Property Maintenance Code”
3. Replace the wording “BOCA Basic National Building Code,” with “2009 International Property Maintenance Code”

g. Type Q Uses

1. Replace the wording “BOCA Basic National Building Code,” with “2009 International Property Maintenance Code”
2. Replace the wording “BOCA Basic National Building Code,” with “2009 International Property Maintenance Code”
3. Replace the wording “BOCA Basic National Building Code,” with “2009 International Property Maintenance Code”
4. Replace the wording “BOCA Basic National Building Code,” with “2009 International Property Maintenance Code”

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:

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

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
October 28, 2009
Meeting Minutes

Second Readings:

ORDINANCE 1489 Audio Reproduction

AN ORDINANCE AMENDING ORDINANCE # 1333 ENTITLED “AN ORDINANCE REVISING CHAPTER II (ADMINISTRATION), SECTION 30 (FEE SCHEDULE) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG.

Section 1: Ordinance #1333, Section 1. Audio Reproduction.

Shall read:

That a fee of one hundred (\$100.00) dollars be charged for an audio reproduction. This fee shall be for one (1) incident. Each incident or incident sheet shall be considered a separate incident for purposes of this subsection.

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 open the meeting to the public:

	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 vote to close the meeting to the public:

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

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
October 28, 2009

Meeting Minutes

Mr. Hoff	√		√			
Mrs. Strydio		√	√			
Mr. DePompa			√			

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

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

ORDINANCE 1490 Amend Underage Drinking

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 3, SECTION 9 ENTITLED "ALCOHOLIC BEVERAGES IN PUBLIC PLACES" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG.

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

Section 1: Section 3-9.3 A shall read:

Any person under the legal age, without legal authority, who knowingly possesses or knowingly consumes an alcoholic beverage on private property shall be guilty of a violation of this section and shall be punished by a fine of \$ 250.00 for a first offense and \$ 350.00 for any subsequent offense.

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 open the meeting to the public:

	Moved	Seconded	Ayes	Nays	Absent	Abstain

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

October 28, 2009

Meeting Minutes

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 vote 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 vote to adopt the Ordinance:

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

Resolutions:

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

Resolution Authorizing the Mayor and Municipal Clerk to Execute a Grant Agreement with Monmouth County for Alcoholism, Youth Education and Intervention Services

Whereas, the County of Monmouth through the Alcohol and Drug Abuse Services, division of Monmouth County Department of Human Services, provides for grants towards Substance Abuse Programs; and

Whereas, the Director has submitted a grant agreement for the year 2010 in the amount of \$35,440.00,

Now, Therefore Be It Resolved by Mayor and Council of the Borough of Keansburg that it does hereby authorize the Mayor and Municipal Clerk to execute and attest any and all necessary and convenient to effectuate this grant; and

Be It Further Resolved that a copy of this Resolution shall be provided by the borough Clerk to each of the following:

1. Chief Financial Officer

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
October 28, 2009

Meeting Minutes

2. Substance Abuse Awareness Coordinator
3. Monmouth County Drug and Alcohol Abuse Services
4. Borough Manager

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #09- 148 Payment of Bills (10.28.09)

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

BE IT FURTHER RESOLVED that checks be drawn by the Chief Financial Officer, signed by the Mayor and attested to by the Municipal Clerk as required by law:

Current	\$2,065,105.13
Water & Sewer	351,370.37
Grant	3,621.12
Trust	7,636.31
Capital	16,351.28
W/S Capital	6,107.64
Dog Trust	363.90
Total:	\$2,450,555.75

Mr. Cusick asked for a roll call vote:

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

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
October 28, 2009

Meeting Minutes

**RESOLUTION #09- 149 Authorize Prep and Receipt of Bids for Cell Antenna
(at St. John’s Park)**

RESOLUTION AUTHORIZING ADVERTISEMENT FOR RECEIPT OF BIDS FOR THE LEASE OF SPACE ON AND ADJACENT TO THE BOROUGH WATER TOWER AT ST. JOHN’S PLACE

WHEREAS, N.J.S.A. 40A:12-14 and N.J.S.A. 40A:12-24 require public bidding when a municipality has determined to lease any real property or personal property not needed for public use; and

WHEREAS, the State of New Jersey, on or about November 30, 1999, granted the Borough permission to lease a 30’ x 30’ compound (hereinafter “compound” or “site” for cellular communication systems; and

WHEREAS, the Borough is aware that one or more wireless communication companies have expressed an interest in leasing space within the existing cellular tower compound located at St. John’s Place (the “site”); and

WHEREAS, certain space is available, and is not presently needed for public use, at said cellular tower and the property adjacent thereto; and

WHEREAS, the Mayor and Council have determined that it is in the Borough's interest to grant nonexclusive leases on the land located at this site for use of cellular provider to construct and maintain cellular communications equipment to one or more wireless communications companies, depending upon compatibility with the Borough's needs and with the technical requirements of the tenants; and

WHEREAS, the use of space on at the site by one or more tenants will not be detrimental to the portions of the public property which will continue to be used for public purposes; and

WHEREAS, N.J.S.A. 40A:12-14 requires advertisement and receipt of bids at public auction or by way of sealed bids; and

WHEREAS, the aforesaid statute allows the governing body to fix a minimum rental with the reservation of the right to reject all bids where the highest bid is not accepted.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg as follows:

1. In accordance with N.J.S.A. 40A:12-14, the Borough Clerk is hereby directed to publish an advertisement for the receipt of sealed bids for space on the Borough’s property, located on St. John’s Place, subject to the terms and conditions set forth in this resolution. The advertisement shall be published once a week during the two consecutive weeks prior to the date of receipt of bids, but not earlier than seven (7) days prior to that date.

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

October 28, 2009

Meeting Minutes

2. The minimum rental for land necessary to gain access to the existing cellular tower space will be five-hundred and thirty (\$530.00) dollars per month for the first year and increasing three percent (3%) annually for each successive year occupant is present on the site. The lease agreement will consist of an initial lease term of ten (10) years with the option of renewals for three (3) successive periods of five (5) years.
4. The Borough reserves the right to reject all bids where the highest bid is not accepted and further reserves the right to award more than one lease, depending upon the needs of the Borough and the technical requirements of the high bidder or bidders.
5. Upon or before the date of the determination of the high bidder, the Borough Attorney shall prepare a detailed lease agreement which shall include all of the terms and conditions set forth in this resolution, as well as any other provisions deemed necessary by the Borough Attorney in order to protect the interests of the Borough, including but not limited to typical lease agreement provisions dealing with such subjects as use of and damage to the property, insurance coverage in favor of the Borough, access to the leased premises, standard representations of the Borough and the lessee, maintenance and repair, default and right to cure, assignment and sublease, notices, applicability of Federal and State laws and regulations, determinations and responsibilities with respect to interference, and payment of utility costs.
6. All bidders submitting bids pursuant to the advertisement shall do so with full knowledge of the requirement of a fully-negotiated lease with respect to the provisions listed in paragraph 5 above.
7. Insurance shall be provided for a minimum of \$1,000,000.00, with a minimum of a combined single limit of \$1,000,000.00 for bodily injury and/or property damage per occurrence, and excess/umbrella coverage of \$2,000,000.00. Coverage shall include: Commercial General Liability, Auto Liability and Property Damage. The Borough shall be named as an additional insured.
8. For each lease, the following shall constitute the leased premises:
 - a. construction and maintenance of cellular communication equipment on an existing 30' x 30' cellular compound located at St. John's Place. The successful bidder will negotiate with the owner of the cellular tower, T-Mobile, in order to acquire their right to access the tower. The agreement between the successful bidder and T-Mobile will be subject to review by the Borough.
 - b. Installation of coaxial cables along and within the site will be subject to prior approval of the Borough, through the Borough Superintendent of Public Works.
 - c. Equipment cabinets on the ground at the base of the tower may not interfere with the ability of existing carriers to maintain their operations. The final location of the equipment will be subject to approval of the Borough Superintendent of Public Works.
9. All bidders shall be required to submit with each bid a certified check, cashier's check or bid bond in the amount of ten percent (10%) of the annual rental bid amount, not to exceed \$20,000.00, made payable to the Borough of Keansburg to serve as bid security. The successful bidder(s) shall deposit with the Borough one month's rent as a security deposit for the lease. The bid security of all

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
October 28, 2009

Meeting Minutes

unsuccessful bidders shall be returned immediately after the adoption of a resolution granting the lease(s).

10. Acceptance or rejection of bids shall be made by the Borough Council not later than its second regular meeting following the receipt of bids. If no action is taken by the Council, all bids shall be deemed to have been rejected.

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #09- 150 Appointment of Mayor’s Planning Bd Designee

Be It Resolved by the Mayor and Council of the Borough of Keansburg that at the request of Mayor Anthony DePompa, Councilman James Cocuzza shall serve as the Class I member of the Keansburg Planning Board of Adjustment in the absence of Mayor DePompa; and,

Be It Further Resolved that a certified copy of this resolution be forwarded to the Keansburg Planning Board of Adjustment.

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #09- 151 Auth approval of a Settlement Agreement (T-Mobile/Sprint)

RESOLUTION AUTHORIZING THE BOROUGH TO ENTER INTO A SETTLEMENT AGREEMENT WITH T-MOBILE AND SPRINT

WHEREAS, the Borough has been negotiating with T-Mobile and Sprint (hereinafter the “Parties”) regarding the occupancy of the Parties on Borough Property; and

WHEREAS, the Borough attorney has negotiated a settlement agreement with the Parties; and

WHEREAS, the Borough Council finds that it is the best interests of the Borough to enter into this settlement agreement, the terms of which are as follows:

- (a) Cellular/PCS Rent Fees paid to Borough by T-Mobile. T-Mobile hereby agrees to pay the Borough five percent (5%) of the Cellular/PCS Rent Fees it received from Sprint since the inception of the Site License. This amount is Nine Thousand Four Hundred Seventy-One Dollars (\$9,471.45) as of

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

October 28, 2009

Meeting Minutes

September 24, 2009. Going forward, T-Mobile shall adjust its payments to the Borough to ensure that, in accordance with the Lease Agreement, the Borough receives twenty-five percent (25%) of all Cellular/PCS Rent Fees received by T-Mobile from all colocators at the Premises. In the event that this Settlement is not fully executed by remittance of the next installment of Rent payable to Borough, T-Mobile agrees to pay the additional Cellular/PCS Rent Fee owed to Borough in the subsequent rent check to Borough.

(b) Back Rent paid to Borough from T-Mobile. In settlement of the dispute regarding back rent owed for Borough property inadvertently occupied by Sprint, T-Mobile agrees to pay the Borough Twenty-Five Thousand Dollars (\$25,000.00) (“T-Mobile Back Rent”).

(c) Back Rent paid to Borough from Sprint. In settlement of the dispute regarding back rent owed for Borough property inadvertently occupied by Sprint, Sprint agrees to pay Borough Twenty-Five Thousand Dollars (\$25,000.00) (“Sprint Back Rent”).

(d) Agreement with T-Mobile. In consideration of the payments made hereunder by T-Mobile, the Borough agrees to amend the Lease Agreement with T-Mobile to: i) decrease the annual rent increases owed by T-Mobile by one percent (1%) for each colocator with whom T-Mobile enters into a site license agreement for the Premises, up to a maximum reduction in the rent increase of 2% (i.e., from the current 5% to 3%); and ii) to add two additional Renewal Terms of five (5) years each (each an “Additional Renewal Term”). The first such Additional Renewal Term shall commence on the day following the expiration of the last remaining renewal period currently available under the Lease Agreement. Consistent with the terms of the Lease Agreement, all renewal periods (including the Additional Renewal Terms) shall renew automatically without any notice required by T-Mobile.

(e) Ground Lease with Sprint. Sprint and the Borough agree to enter into a lease for ground space, which shall encompass the area on which Sprint’s equipment is currently located, including but not limited to Sprint’s cabinets, shelters, cables and utility lines, and other equipment necessary to operate its wireless telecommunications system (“Sprint Ground Lease”). In consideration for Sprint Ground Lease, Sprint shall pay Borough, as Rent, Five Hundred Thirty Dollars (\$530.00) per month. Annual rent increases for the Sprint Ground Lease shall be three percent (3%) per year. The term of the Sprint Ground Lease shall be twenty-five (25) years and shall commence on October 1, 2009. All other terms shall be negotiated by Sprint and the Borough and encompassed in the Sprint Ground Lease.

(f) The Site License between Sprint and T-Mobile shall remain in full force and effect and nothing contained herein shall alter or mitigate any of the rights or obligations of Sprint or T-Mobile under the Site License.

(g) T-Mobile and the Borough shall use their best efforts in order to collocate other wireless carriers at the Premises and in accordance with the terms of the Lease Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg as follows:

1. That the Mayor and Council of the Borough find that entering into this settlement agreement is in the best interests of the Township.

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
October 28, 2009

Meeting Minutes

2. That the appropriate Borough officials be and hereby are authorized to execute the settlement agreement, in a form acceptable to the Borough Attorney, between the Borough of Keansburg and the Parties

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #09- 152 Auth Signing of Cellular Lease (Water Tower)

AUTHORIZING THE MAYOR AND BOROUGH CLERK TO SIGN A WIRELESS COMMUNICATION LEASE AGREEMENT BETWEEN THE BOROUGH OF KEANSBURG AND METROPCS, LLC

WHEREAS, the Borough of Keansburg is the owner of a water tower and certain property located at Highland Boulevard (“the Property”); and

WHEREAS, the Borough leases certain portions of that Property for the purposes of maintaining cellular communications antennae; and

WHEREAS, the Borough solicited for bids and one bid was received; and

WHEREAS, pursuant to N.J.S.A. 40A:12-14 of the New Jersey “Local Lands and Buildings Law”, the Borough of Keansburg has authorized the acceptance of bids for the assignment of the leases on the Property and declared the high bidder to be MetroPCS;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Borough of Keansburg that the Mayor and Borough Clerk are hereby authorized to sign and execute a Wireless Communications Lease Agreement between the Borough and MetroPCS for said property in the amount of \$33,000 for the first year subject to the approval of the Borough Attorney

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #09- 153 Authorize Execution of MCIA Documents

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

October 28, 2009

Meeting Minutes

A RESOLUTION OF THE BOROUGH OF KEANSBURG, NEW JERSEY, APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LETTER OF REPRESENTATION AND A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION WITH THE ISSUANCE AND DELIVERY OF THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY'S CAPITAL EQUIPMENT POOLED LEASE REVENUE BONDS, SERIES 2009 AND AUTHORIZING AN AUTHORIZED MUNICIPAL REPRESENTATIVE TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF SUCH BONDS.

WHEREAS, the Borough of Keansburg, New Jersey (the "Municipality") desires to lease and permanently finance the cost of acquisition of certain capital equipment (the "Equipment") from The Monmouth County Improvement Authority (the "Authority"); and

WHEREAS, the Authority will provide for the financing of the cost of the acquisition of the Equipment by the issuance of its Capital Equipment Lease Revenue Bonds, Series 2009 (Keansburg Project) (the "Bonds") payable from rentals by the Municipality pursuant to a Lease and Agreement by and between the Municipality and the Authority (the "Lease"); and

WHEREAS, in order to induce the Authority to issue and deliver the Bonds and its Capital Equipment Pooled Lease Revenue Bonds, Series 2009, there has been prepared and submitted to the Municipality a Letter of Representation in the form attached hereto as Exhibit A; and

WHEREAS, there has been prepared and submitted to the Municipality a Continuing Disclosure Agreement in the form appended hereto as Exhibit B for execution by the Municipality if the Authority shall determine that the Municipality is or will be an "obligated person" with respect to the Authority's Capital Equipment Lease Revenue Bonds, Series 2009 within the meaning of Rule 15c2-12 of the United States Securities and Exchange Commission (an "Obligated Person");

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH OF KEANSBURG, AS FOLLOWS:

Section 1. That the Letter of Representation, in the form presented to this meeting, be and the same is hereby approved, and any Authorized Municipal Representative (as that term is defined in the Lease) is hereby authorized to, and one of such officers shall execute the Letter of Representation, with such additions, deletions or modifications as such officer shall approve, and to deliver the same to the addressees designated on such Letter of Representation, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 2. That the Continuing Disclosure Agreement, in the form presented to this meeting, be and the same is hereby approved, and any Authorized Municipal Representative is hereby authorized to, and one of such officers shall execute the Continuing Disclosure Agreement, with such additions, deletions or modifications as such officer shall approve, and to deliver the same upon the determination by the Authority that the Municipality is or will be an Obligated Person, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 3. That any Authorized Municipal Representative is hereby authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the sale, issuance and delivery of the Bonds, the

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
October 28, 2009

Meeting Minutes

Authority's Capital Equipment Pooled Lease Revenue Bonds, Series 2009 and all related transactions contemplated by this resolution.

Section 4. All resolutions or proceedings, or parts thereof, in conflict with the provisions of this resolution are to the extent of such conflict hereby repealed.

Section 5. This resolution shall become effective immediately.

Mr. Cusick asked for a roll call vote:

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

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

October 28, 2009

Meeting Minutes

RESOLUTION #09- 154 SFY 2008 Corrective Action Plan Resolution

Whereas, the Audit for the year ending June 30, 2008 has been previously received and reviewed by the Members of the Borough Council; and,

Whereas, as the Recommendation of the Audit requires that a corrective action plan be undertaken.

Now, Therefore Be It Resolved that the Mayor and Members of the Borough Council hereby adopt the Corrective Action Plan, as submitted, by the Borough Manager as attached to this Resolution.

Be It Further Resolved that a certified copy of this Resolution and the attached plan be forwarded to the State of New Jersey

SFY 2008 CORRECTIVE ACTION PLAN

	Recommendation	Explanation and Corrective Action	Implementation
#1	<p>Inter-fund loan balances listed are to a certain extent, the result of year-end adjustments and journal entries between the funds and the failure to clear prior year amounts.</p> <p>Recommendation: That inter-fund loan payables be cleared by cash transfer, where feasible.</p>	<p>Explanation and Corrective Action: The Borough will eliminate when possible all inter-fund balances by transferring funds.</p>	<p>Implementation Date: July 1, 2008.</p>
#2	<p>A tax sale was scheduled and held during the state fiscal year 2008, and excluded items subject to sale for accounts reported to be under bankruptcy and/or disputed. In addition, the Borough had established a policy to exclude utility delinquencies billed subsequent to December of the respective fiscal year during the year of acquisition of the utility.</p> <p>Recommendation: That all delinquent utility accounts be reviewed and proper disposition be made and included in the next subsequent or additional tax sale where appropriate.</p>	<p>Explanation and Corrective Action: The Borough has addressed this issue and has determined that we will be in full compliance with this comment beginning in Transition year 2009.</p>	<p>Implementation Date: July 1, 2009.</p>
#3	<p>During the performance of audit procedures, bank reconciliations for the court were not being performed on a timely basis for the general and bail accounts.</p>	<p>Explanation and Corrective Action: The Municipal Court personnel have been notified and assistance will be provided to them as needed to</p>	<p>Implementation Date: July 1, 2009</p>

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

October 28, 2009

Meeting Minutes

	Recommendation: That the Municipal Court bank reconciliations be performed on a timely basis for the general and bail accounts.	comply with this comment..	
#4	<p>There are various deficiencies of the outside offices and departments including non-compliance of the 48 hour deposit requirement, lack of a permanent complete cash receipts and disbursement journal, lack of duplicate receipts, lack of issuance of monthly reports and lack of segregation of duties.</p> <p>Recommendation: That the Borough review and standardize control and reporting policies with respect to outside offices and departments collecting Borough funds, including compliance with the statutory 48 hour deposit requirement.</p>	<p>Explanation and Corrective Action: All departments have been advised of the 48 hour deposit requirement and the funds are now turned over daily to the finance department and revenues are posted. Monthly reports are being prepared by the outside offices and compared to the revenue posting of the finance department.</p>	Implementation Date: July 1, 2009
#5	<p>The review of procedures presently in place for the budgeting and accounting for grants allocated to the borough revealed non-compliance with the requirement promulgated by the Director of Local Government Services.</p> <p>Recommendation: That State, Federal, and local grant funds be appropriated in accordance with the local budget law N.J.S.A.40A-4.</p>	<p>Explanation and Corrective Action: All grants are now processed through the Municipal Budget process and grant accounting procedures are now in place and are being complied with.</p>	Implementation Date: July 1, 2008.
#6	<p>Comment #6: The Water and Sewer Utility Operating Fund reports an over-expenditure of the SFY 2008 budget appropriations in the amount of \$2,581.76 as at June 30, 2008.</p> <p>Recommendation: That the Borough avoid budgetary over-expenditures in accordance with the local budget law N.J.S.A. 40A-4.</p>	<p>Corrective Action: An encumbrance system is now in place and all over-expenditures have been eliminated.</p>	Implementation Date: July 1, 2008.

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

October 28, 2009

Meeting Minutes

- #7 During audit procedures were noted Trust Fund reserves in which dedication by rider resolution have not been prepared, submitted or approved by the Governing Body or the Division of Local Government Services.
- Recommendation: That the Borough review trust fund reserves for compliance with N.J.S.A. 40A-4:39- dedication by rider.
- Corrective Action: A full review of all trust fund balances will be performed as to their status. This is an on-going task that is being assisted by all departments impacted by these trust funds.
- Implementation Date: December 31, 2009.

- #8 That the Borough incorporate the complete activities and transactions of the payroll deductions/deductions payable and the workman's compensation trust reserve within the financial accounting and reporting system with the financial statements.
- Recommendation: That the financial accounting and reporting system of the Borough be maintained in a complete, accurate, and timely for all funds, including timely bank reconciliations. In addition, a formal review and approval function established for the recording of all transactions and adjusting journal entries.
- Explanation and Corrective Action: The finance department has changed over the entire financial accounting system to the Edmunds software. The new system has the necessary controls features in place. The payroll department does reconcile the payroll accounts and maintains details of the payroll agency funds.
- Implementation Date: July 1, 2009.

Mr. Cusick asked for a roll call vote:

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

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
October 28, 2009
Meeting Minutes

RESOLUTION #09- 155 Authorize Revising Tax Maps

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that:

T & M Associates

be and is hereby appointed to update and revise the Borough Tax Maps; and

BE IT FURTHER RESOLVED by the Mayor and Council as follows:

1. The Borough Council accepts the proposal dated October 22, 2009 and the Acting Borough Manager is hereby authorized to enter into an agreement with T & M Associates in the contract amount not to exceed \$ 7,600.00.
2. The attached contract is awarded without competitive bidding as a “Professional Service” in accordance with the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i) because it is for services performed by persons authorized by law to practice a recognized profession.
3. The services to be performed are necessary for the orderly function of the project.
4. The amounts paid under the attached contract shall not exceed the amount appropriated by the Borough Council for such services.
5. The Chief Financial Officer certifies the availability of funds.

Patrick DeBlasio, Chief Financial Officer

6. A copy of this Resolution as well as the executed contract shall be placed on file with the Municipal Clerk of the Borough of Keansburg.

Mr. Cusick asked for a roll call vote:

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

Communications:

Keansburg Fire Department

New Members

Anthony Cappiello Keansburg EMS

Lillian Wasserman Keansburg EMS

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
October 28, 2009

Meeting Minutes

Mr. Cusick asked for a roll call vote:

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

Council Discussion:

Save the Date!

Christmas Tree Lighting Ceremony has been set for November 30, 2009 at 7pm

Save the Date!

Next Council Meeting is **Thursday, November 12th**

Planning Board Vacancy

Background checks for volunteers

Open to the Public:

Mr. Cusick asked for a roll call vote:

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

Mr. Cusick asked for a roll call vote:

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

Executive Session:

Mr. Cusick asked for a roll call vote to go into Executive Session:

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

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
October 28, 2009

Meeting Minutes

Mr. Hoff	√		√			
Mrs. Strydio			√			
Mr. DePompa			√			

Mr. Cusick asked for a roll call vote to return from Executive Session:

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

Adjournment

Mr. Cusick asked for a roll call vote:

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