

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

October 6, 2010

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

A moment of silence was observed:

In Memoriam:



Virginia Young



Public Hearing:

Amendment to the 2010 Municipal Budget

2010 Municipal Budget on File

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

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

NO MEMBER OF THE PUBLIC SPOKE AT THIS TIME

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

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

Resolutions:

RESOLUTION #10 – 190 Adoption of 2010 Municipal Budget

2010 Municipal Budget on File

Mr. Cusick asked for a roll call vote:

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

Resolutions:

RESOLUTION #10 – 184 Refund of Fees

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

Amount: \$143.00

Reason: Refund of Fees – Unused Escrow Fee

Payable to: Barry & Pat Gonzales
12 Randolph Place Ref: Account # T-20-00-100-201
Keansburg, NJ 07734

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Amount: \$823.54

Reason: Refund of Fees – Unused Escrow Fee

Payable to: Angela Sweeney
47 Beacon Blvd. Ref: T-20-00-100-460
Keansburg, NJ 07734

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

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #10 – 188 Authorize Execution of Monmouth County Recycling Grant

Whereas, the Borough of Keansburg has applied to the Monmouth County Solid Waste Advisory Council for a Municipal Recycling Services Improvement Grant in order to provide more visible and convenient recycling services to our residents and businesses; and,

Whereas, the Borough of Keansburg had subsequently received an invitation to submit a final application in the amount of \$7,500 in order to Improve a portion of the Recycling Depot of the Borough Public Yard; and,

Whereas, the Borough of Keansburg had submitted its final application with appropriate documentation and is now in receipt of a Notice of Intent to Award a municipal grant for the identified purposes; and,

Whereas, the Borough of Keansburg, will provide, not later than six months from receipt of an initial check for 50% of the total grant funds, a progress and financial report

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documenting project status and expenditures and schedule for completion of the authorized recycling improvements.

Now, Therefore Be It Resolved, by the Mayor and Council of the Borough of Keansburg hereby authorize the Borough Manager, Borough Clerk and Recycling Coordinator to execute and submit the necessary vouchers, status and financial reports on behalf of the municipality to secure these grant funds.

Be It Further Resolved that the Borough of Keansburg will commit such municipal funds as may be required to provide their share of the costs of the approved recycling project(s) and consents to the requirements and payment schedule of the Municipal Recycling Services Improvement Grant procedural guidelines.

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #10 – 189 Award of Bids (Automotive Parts)

WHEREAS, the Borough of Keansburg advertised and received quotes for “**BID FOR AUTOMOTIVE PARTS**” on September 29, 2010; and

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

WHEREAS, the following bids were received:

Freehold Ford Inc.
3572 US Route 9
Freehold, NJ 07728

Naylor’s Auto Parts
137 First Avenue
Atlantic Highlands, NJ 07716

WHEREAS, the Borough Engineer has reviewed the bids and has determined that both Freehold Ford and Naylor’s Auto Parts are the lowest and responsible bidders for this Project.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that based upon the recommendation of the Borough Clerk that it does hereby award the bid for Automotive Parts to both:

Freehold Ford Inc. Naylor’s Auto Parts

BE IT FURTHER RESOLVED that the award is subject to:

1. Review of bid documents and contract by the Borough Attorney
2. Certification of the availability of funds by the Borough Chief Financial Officer

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Patrick DeBlasio
Patrick DeBlasio, Chief Financial Officer

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are authorized to execute the contract with to both:

Freehold Ford Inc.

Naylor’s Auto Parts

after the review by the Borough Attorney and Chief Financial Officer’s certification.

Mr. Cusick asked for a roll call vote:

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

Resolution #10 – 190 heard earlier in the meeting

RESOLUTION #10 – 191 Authorize Execution of Settlement (J.C.P & L)

**Resolution Authorizing the Borough of Keansburg to Settle the Case Entitled
Borough of Keansburg vs. Jersey Central Power & Light, et al.**

Whereas, the Borough of Keansburg is a duly organized municipal corporation of the State of New Jersey;

Whereas, the Borough previously instituted litigation against Jersey Central Power & Light Company (JCP&L), as a result of utility damage occurring within the Borough;

Whereas, JCP&L subsequently named the County of Monmouth as a party in the said litigation case as well;

Whereas, the parties have discussed the possibility of settling the case;

Whereas, settlement of the litigation is appropriate, fair, and cost-effective under the circumstances;

Whereas, it is believed that settlement of the case will be in the best interest of the Borough and its residents;

Now, therefore, be it resolved by the Borough Council of the Borough of Keansburg as follows:

1. That the Borough of Keansburg is hereby authorized to settle the case entitled Borough of Keansburg vs.

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Jersey Central Power & Light, et al (Docket No. MON-L-5770-08).

2. That the Borough is authorized to accept the sum of Twenty Thousand Dollars (\$20,000.00) in exchange for the settlement.
3. That the settlement shall be subject to the Borough Council receiving full releases from the other parties – officially releasing the Borough from any future/further liability associated with the subject case.
4. That in conjunction with the settlement, the Borough of Keansburg is hereby authorized to release the other parties from and against any and all future/further liability associated with the facts of the case as well.
5. That the Mayor, Borough Administrator, Borough Clerk, and Special Counsel, are hereby authorized to sign any and all documents necessary to effectuate the intentions of the within settlement – including, but not limited to, any settlement agreement, any consent order, any releases, etc.
6. That the within Resolution shall take effect immediately.

Mr. Cusick asked for a roll call vote:

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

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RESOLUTION #10 – 192 Annual Plenary Retail Lic. Renewal 10.11 (Slover Productions LLC)

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that Plenary Retail Licenses be granted to the following licensees for the term of July 1, 2010 through June 30, 2011

Slover Productions LLC
260-262 Beachway
1321-33-031-008

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #10 – 193 Transfer of Fees (Tax to Trust)

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that \$345.00 be refunded from the Borough Tax Collection Account to the Borough of Keansburg Trust Account.

Mr. Cusick asked for a roll call vote:

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

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RESOLUTION #10 – 194 Refund of APU Fee (Walling)

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

Amount: \$15.00

Reason: Refund of Appliance Pick Up Fee

Payable to: Brian Walling
 1 Sunset Street REF: Appliance had been
 Keansburg, NJ 07734 given to a family member
 before pickup

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

Mr. Cusick asked for a roll call vote:

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

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RESOLUTION #10 – 195 Authorize Automobile, Bicycle Auction (11.6.10)

DECLARATION OF SURPLUS AND PERSONAL PROPERTY AUCTION

Whereas the Mayor and Council of the Borough of Keansburg has been advised that certain vehicles have reached the end of their useful life; and,

Whereas the Mayor and Council has determined that it is appropriate to attempt to sell these vehicles, bicycles and miscellaneous office equipment; and,

Whereas a resolution authorizing the sale of such personal property is required pursuant to N.J.S.A. 40A:12-13.1; and,

WHEREAS, N.J.S.A. 40A:11-36 allows for the sale or other disposition of Borough personal property no longer needed for public use, and

WHEREAS, in accordance with N.J.S.A. 40A:11-36 if the estimated fair value of the property to be sold exceeds fifteen (15) percent of the bid threshold in any one sale and it is neither livestock nor perishable goods, it shall be sold at public sale to the highest bidder.

WHEREAS, in the opinion of the Borough Manager and/or Borough Finance Officer the estimated fair value of the property to be disposed of does not exceed fifteen (15) percent of the bid threshold, or three thousand one hundred and fifty dollars (\$3,150.00)

Whereas, such vehicles no longer bear any municipal markings (i.e. Police, EMS and/or DPW); and,

Whereas, all other Borough property and emergency equipment have been removed from such vehicles; and,

Whereas, the registration plates for such vehicles have been removed and the specific vehicles are listed below; and

WHEREAS, the Borough Administrator has notified the Borough Council that said vehicle/equipment is surplus and unneeded equipment of a value less than \$2500.00 each or less; and

WHEREAS, this Council has found that said vehicles/equipment are surplus to the overall needs of the Borough of Keansburg.

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF KEANSBURG, as follows:

1. That this Council hereby declares the following equipment to be surplus and unneeded property of a value less than \$2500.00 each or less.

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2. That this Council hereby concurs that said vehicles should be offered for sale in a manner in compliance with the NJ Local Public Contracts Law.

Year	Make/Model	VIN#	Mileage
1996	Chevy Corsica	1GILD55M9TY215367	127,112
1991	Chevy Caprice	1FIBN5376MR125627	136,775
1992	Dodge Spirit	1B3XA4633NF184893	127,900
1993	Ford Ranger Pick Up	1FTCR10V8PTA87781	174,732
1993	Chevy Pick Up	1GCGK24K3PE247848	115,740
2000	Chevy Blazer	1GNDDT13W8Y2164778	119,000

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #10 – 196 Approval of Change Order #1 (Main Street Project)

Be It Resolved by the Mayor and Council of the Borough of Keansburg that it does hereby approved the attached **CHANGE ORDER No.1** for the Main Street Improvement Project at the request of the Project Engineer; and,

Be It Further Resolved that said Change Order represents a decrease in the contract of \$43,213.68; and,

Be It Further Resolved that the Borough Manager and Municipal Clerk are hereby authorized to execute said Change Order.

Mr. Cusick asked for a roll call vote:

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

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Ordinances:

Second Reading:

ORDINANCE #1501 – REFUNDING BONDS

REFUNDING BOND ORDINANCE OF THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF THE BOROUGH’S GOVERNMENTAL LOAN REVENUE BONDS, SERIES 1995, DATED DECEMBER 1, 1995, AND GOVERNMENTAL LOAN REVENUE BONDS, SERIES 1998, DATED DECEMBER 1, 1998, PREVIOUSLY ISSUED BY THE KEANSBURG MUNICIPAL UTILITIES AUTHORITY TO FINANCE WATER AND SEWER IMPROVEMENTS, APPROPRIATING AN AMOUNT NOT EXCEEDING \$1,065,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$1,065,000 GENERAL OBLIGATION REFUNDING BONDS OF THE BOROUGH OF KEANSBURG FOR FINANCING THE COST THEREOF

WHEREAS, the Keansburg Municipal Utilities Authority (“Keansburg MUA”) was dissolved in or about 2001, and the Borough of Keansburg, in the County of Monmouth, New Jersey (the “Borough”) assumed the debt of the Keansburg MUA; and

WHEREAS, the Borough created a self-liquidating Water and Sewer Utility and directly assumed all of the Borough’s MUA’s outstanding bonds.

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

Section 1. The Borough of Keansburg, in the County of Monmouth, New Jersey (the “Borough”) is hereby authorized to (i) refund all or part of the remaining outstanding amount of the Borough’s Governmental Loan Revenue Bonds, Series 1995, dated December 1, 1995, and Governmental Loan Revenue Bonds, Series 1998, dated December 1, 1998, issued through the Monmouth County Improvement Authority Pooled Governmental Loan Program, maturing on and after June 15, 2011 and December 1, 2011, respectively, and issued to finance water and sewer utility improvements of the Borough; and (ii) provide for the payment of the costs of issuance.

Section 2. In order to finance the cost of the purpose described in Section 1 hereof, negotiable general obligation refunding bonds (the “Refunding Bonds”) are hereby authorized to be issued in the principal amount not to exceed \$1,065,000 pursuant to the Local Bond Law.

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

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

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

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

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

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

NO MEMBER OF THE PUBLIC SPOKE AT THIS TIME

Mr. Bennett, Borough Attorney, stated that this ordinance offers good news to the Borough residents. Our participation with the MCIA will result in a savings of roughly 3% on our water/sewer bonds and will assist in stabilizing future rates.

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

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

Mr. Cusick asked for a roll call vote on Ordinance #1501:

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

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

Section 6: SEVERABILITY. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

Section 7: EFFECTIVE DATE. This ordinance shall take effect upon its passage and publication according to law.

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

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

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

Mr. Cusick asked for a roll call vote on Ordinance #1502:

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

ORDINANCE #1503: Amendment to Landlord Registration Fee

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 11-4.2 OF CHAPTER XI, "BUILDING AND HOUSING; LICENSING", OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG.

At this time Mr. Bennett reported that he conferred with Gary Gordon, Esq., who represents a group of landlords in the Borough. It was agreed that the Borough will

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work with representatives of the group to devise an equitable solution for all parties to be effective January 1, 2011.

TABLED TO OCTOBER 27, 2010 at 7pm

Mr. Cusick asked for a roll call vote to table Ordinance #1503:

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

At this time Raymond O’Hare, Borough Manager, reported that Mr. Falco, Recycling Coordinator, secured a grant for the Borough in the amount of \$7,500.00 from the County of Monmouth which is the average award.

Open to the Public:

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

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

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

Executive Session:

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

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

EXECUTIVE SESSION CONVENED

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

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

Adjournment

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

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



I, THOMAS P. CUSICK, Clerk of the
Borough of Keansburg, in the County of Monmouth, New Jersey, do hereby certify that the foregoing is
a true copy of meeting minutes of a regularly scheduled public meeting held on **October 6, 2010**

Attest:

Thomas P. Cusick
Municipal Clerk
Borough of Keansburg