

**BOROUGH OF KEANSBURG**  
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY  
July 28, 2010

**Meeting Minutes**

Mr. Cusick read:

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
Excused	✓	✓	✓	✓

Mr. Cusick asked for a moment of silence in tribute to:

**In Memoriam:**



*Debra Stretton*



Deputy Mayor Hoff read a statement giving details of a life saving event:

Plaques were presented:

**Presentation:**

**Life Saving Awards**

Brian Mendoza  
Justin Wuskiewicz  
Steve Fenton  
Robert Dalton

**Promotions:**

**Oath of Office administered by Councilman DePompa to:**

**Michael Pigott**  
Deputy Chief

**Oath of Office administered by Councilwoman Strydio to:**

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**Bill Nagle**

Captain

**Oath of Office administered by Deputy Mayor Hoff to:**

**Kevin White**

Detective Lieutenant

**Oath of Office administered by Mayor Cocuzza to:**

**Andrew Gogan**

Sergeant

**Presentation:**

Patrick Cole, Birdsall Engineering gave the Borough Council an update on the desalinization project. There have been issues raised by the contractor in regard to asbestos removal and lead paint abatement.

Mr. Cole received quotes on these matters and in concert with the Borough Attorney's office have prepared the following Resolutions for consideration by the Borough Council:

**RESOLUTION #10 – 155 Professional Services Agreement (Birdsall-Desal)**

**AUTHORIZING THE PROFESSIONAL SERVICES OF BIRDSALL SERVICES GROUP, INC. FOR CONSTRUCTION MANAGEMENT SERVICES IN CONNECTION WITH THE FRAZEE PLACE WATER TREATMENT PLANT**

**WHEREAS**, there is a need for the Borough of Keansburg to retain the services of Birdsall Services Group for additional project management services in connection with the construction of the Frazee Place water treatment plant; and

**WHEREAS**, the firm of Birdsall Services Group Inc. has submitted a proposal to the Borough in order to provide the aforesaid services, at a fee of \$39,800, a copy of which is on file in the Borough Clerk's Office; and

**WHEREAS**, the services to be provided are considered to be "Professional Services" pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-1, et seq.* and are as follows:

- **Environmental Hygiene: \$19,000**
- **Structural Engineering: \$5,400**
- **Project Administration: \$15,400**
- **Project total: \$39,800**

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**WHEREAS**, the Local Public Contracts Law authorizes the awarding of a contract for “Professional Services” without public advertising for bids and bidding therefor, provided that the resolution authorizing the contract and the contract itself be available for public inspection in the Office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality; and

**WHEREAS**, the Mayor and Council, having considered the same, now wishes to authorize the awarding of a professional services contract to Birdsell Services Group, for the provision of the aforesaid appraisal services.

**NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED** by the mayor and Council of the Borough of Keansburg, in the County of Monmouth and State of New Jersey, as follows:

1. That the Mayor is hereby authorized to execute and the Borough Clerk to attest an agreement, which shall be in a form acceptable to the Borough Attorney, between the Borough of Keansburg and Birdsell Services Group, Inc., for the provision of additional construction management services in connection with the construction of the Frazee Place water treatment plant. The fees for said services shall not exceed \$39,800, without further authorization from the Mayor and Council.
2. That this contract is awarded without competitive bidding as a “Professional Service”, in accordance with *N.J.S.A. 40A:11-5*, of the Local Public Contracts Law of New Jersey, because the services will be performed by persons authorized by law to practice a recognized profession and it is not possible to obtain bids for such needed qualitative services.
3. That the Chief Financial Officer is directed to file a Certificate of Availability of sufficient funds for this contract and to attach same to this Resolution.
4. That Notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the Borough.
5. That a certified copy of this Resolution shall be provided to each of the following:
  - a. Birdsell Services Group
  - b. Chief Financial Officer
  - c. Borough Attorney

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 – 156 Contract Enviro Contractors – Lead Paint Abatements  
RESOLUTION AUTHORIZING ENTRY INTO A CONTRACT FOR THE PROVISION OF  
LEAD PAINT ABATEMENT IN THE BOROUGH OF KEANSBURG.**

**WHEREAS**, there is a need for the Borough of Keansburg to remediate the presence of lead paint at the project site of the proposed desalinization plant; and

**WHEREAS**, the Project Engineer has solicited and received quotations for the provision of the said goods and services; and

**WHEREAS**, the following proposals were received by the Project Engineer and provided to the Borough Clerk:

- **Environmental Contractors Inc.:**                   **\$24,760**
- **Synatech, Inc.:**                                       **\$26,000**
- **Asbestos & Mold Services:**                   **\$64,250**

**WHEREAS**, the project engineer recommends awarding a contract for the low quote received from Environmental Contractors Inc. of Hainesport, NJ, in the amount of \$24,760; and

**WHEREAS**, the Local Public Contracts Law, *N.J.S.A. 40A:11-1, et seq.*, authorizes, without public advertising for bids and bidding therefor, the purchase of any goods or services when the cost of such goods or services in the aggregate does not exceed in a contract year the bid threshold amount as set forth in *N.J.S.A. 40A:11-3*; and

**WHEREAS**, the Chief Financial Officer certifies that appropriate funds are available for the purchase of the aforesaid goods and services; and

**WHEREAS**, the Mayor and Borough Council, having considered the same, now wish to authorize an agreement with Environmental Contractors Inc. for the provision of the aforesaid goods and services.

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**NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED** by the Mayor and Council of the Borough of Keansburg, County of Monmouth, State of New Jersey as follows:

1. That the appropriate Borough officials be and hereby are authorized to execute an agreement between the Borough of Keansburg and Environmental Contractors Inc. for the remediation and abatement of lead paint located at the desalination plant construction site, at a cost of \$24,760.

2. That this contract is awarded without competitive bidding, in accordance with *N.J.S.A. 40A:11-3*, of the Local Public Contracts Law of New Jersey, because the cost of the goods or services to be provided, in the aggregate, does not exceed in a contract year the bid threshold amount as set forth therein.

3. That a certified copy of this Resolution shall be provided to each of the following:

- a. Environmental Contractors Inc.
- b. Patrick Cole, P.E.
- c. Chief Financial Officer
- d. Borough Attorney

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 – 157 Contract Enviro Contractors – Asbestos Removal  
RESOLUTION AUTHORIZING ENTRY INTO A CONTRACT FOR THE PROVISION OF  
ASBESTOS ROOFING REMOVAL IN THE BOROUGH OF KEANSBURG.**

**WHEREAS**, there is a need for the Borough of Keansburg to remediate the presence of asbestos at the project site of the proposed desalinization plant; and

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**WHEREAS**, the Project Engineer has solicited and received quotations for the provision of the said goods and services; and

**WHEREAS**, the following proposals were received by the Project Engineer and provided to the Borough Clerk:

- **Environmental Contractors Inc.:**                   **\$4,530**
- **Synatech, Inc.:**                                       **\$6,900**
- **Asbestos & Mold Services:**                   **\$13,670**

**WHEREAS**, the project engineer recommends awarding a contract for the low quote received from Environmental Contractors Inc. of Hainesport, NJ, in the amount of \$4,530; and

**WHEREAS**, the Local Public Contracts Law, *N.J.S.A. 40A:11-1, et seq.*, authorizes, without public advertising for bids and bidding therefor, the purchase of any goods or services when the cost of such goods or services in the aggregate does not exceed in a contract year the bid threshold amount as set forth in *N.J.S.A. 40A:11-3*; and

**WHEREAS**, the Chief Financial Officer certifies that appropriate funds are available for the purchase of the aforesaid goods and services; and

**WHEREAS**, the Mayor and Borough Council, having considered the same, now wish to authorize an agreement with Environmental Contractors Inc. for the provision of the aforesaid goods and services.

**NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED** by the Mayor and Council of the Borough of Keansburg, County of Monmouth, State of New Jersey as follows:

1. That the appropriate Borough officials be and hereby are authorized to execute an agreement between the Borough of Keansburg and Environmental Contractors Inc. for the remediation and abatement of asbestos located at the desalination plant construction site, at a cost of \$4,530.

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2. That this contract is awarded without competitive bidding, in accordance with *N.J.S.A. 40A:11-3*, of the Local Public Contracts Law of New Jersey, because the cost of the goods or services to be provided, in the aggregate, does not exceed in a contract year the bid threshold amount as set forth therein.

3. That a certified copy of this Resolution shall be provided to each of the following:
- a. Environmental Contractors Inc.
  - b. Patrick Cole, P.E.
  - c. Chief Financial Officer
  - d. Borough Attorney

Mr. Cusick asked for a roll call vote:

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

Mr. Cole is hopeful that the project in its entirety will be complete the end of next summer. Mr. Bennett raised the subject of the discharge which is being worked on and hopefully will be resolved prior to completion of the Project. Mr. Ussmann stated that the County has scheduled a meeting and the feeling is that our plan should be encompassed in the Monmouth County Planning Board regulations concerning wastewater.

Joanne Bergin, T&M Associates gave an overview of grants that may be available to the Borough. Monmouth County Open Space, DOT Municipal Aid and Safe Routes to Schools will be coming up shortly. She also discussed opportunities under NJEIT program for drainage relief. Ms. Bergin just worked on the COPS grant and is hopeful our application will be considered.

Francis Mullen, Borough Engineer, gave an update on projects in the Borough. The County will not be seeking funds for the Laurel Avenue bridge and thereby not addressing the bulkhead. The County will endorse the funding request of the Borough to FEMA.

Mr. Ussmann gave a report on the operations of the Water & Sewer Department.

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**Meeting Minutes:**

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

Minutes for June 23, 2010  
Minutes for July 1, 2010

Mr. Cusick asked for a roll call vote:

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

**Ordinances:**

**First Reading:**

**ORDINANCE #1498:**                      Tow Truck Ordinance

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 4-14 (GENERAL LICENSING AND BUSINESS REGULATION; TOW TRUCK OPERATORS) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG**

- 4-14.5      Maximum Rates. The maximum rates that may be charged for the use of a tow truck and/or storage of a vehicle towed, whether licensed or unlicensed, are as follows:
- b.      Storage: Storage fees shall be charged per calendar day or fraction thereof. An additional charge of fifty (\$50.00) dollars may be imposed if a request is made of the storage facility to release the vehicle in question after normal business hours, on a week-end, Saturday or Sunday, or on a holiday.

Vehicle Class	Inside*	Outside
Class I	\$75.00	\$50.00
Class II	\$100.00	\$75.00
Class III	-n/a-	\$100.00

\*at request of police or vehicle owner



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All fees to be paid to an operator by a municipality, or department thereof, for the storage of removed motor vehicles shall not exceed the amount set forth in *N.J.S.A. 40:48-2.50*.

c. Other fees

- Off road recovery or winching

First ½ hour                      \$250.00 plus \$3.00 a foot for cable or chain

Each ½ hour after                \$150.00

- Vehicle Removal Charge Flat fee:    \$65.00 tow to street for pick up
- Additional man power                      \$75.00
- No Key Charge                                \$80.00
- Clean up fee:                                 \$75.00 dollars in half hour increments. (Includes Absorbent Charge and cost of Speedy Dry)
- Waiting time:                                 \$65.00 after one half (1/2) hour twenty five (\$65.00) per half hour.
- After Hours release:                        \$50.00 with Police Authorization
- Tower's Administrative Fee                \$50.00
- Other fee's not listed above may not be charged unless preauthorized by vehicle operator or owner.

This Ordinance shall become effective immediately upon its final passage and publication as required by law.

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.

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Mr. Cusick asked for a roll call vote to introduce and set down for a Public Hearing on August 25, 2010 at 7pm.

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

**Resolutions:**

**RESOLUTION #10 – 145 Payment of Bills (07-28-10)**

**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:

<b>Current</b>	\$1,416,283.55
<b>Water &amp; Sewer</b>	503,994.97
<b>Capital</b>	48,315.26
<b>W&amp;S Capital</b>	79,482.00
<b>Dog Trust</b>	44.40
<b>Trust</b>	15,511.20
<b>Grant</b>	5,067.44
<b>Total:</b>	<u><u>\$2,068,698.82</u></u>

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 – 146 Resolution accepting SFY 2009 Audit**

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**GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**  
FORM OF RESOLUTION

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

**WHEREAS**, the Annual Report of Audit for the year *SFY 2009* has been filed by a Registered Municipal Accountant with the *Municipal Clerk* pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations, and,

**WHEREAS**, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**NOW, THEREFORE BE IT RESOLVED**, That the *Borough Council* of the *Borough of Keansburg, County of Monmouth*, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Mr. Cusick asked for a roll call vote:

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

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

**RESOLUTION #10 – 147 Appointments to Recreation Committee (7.2010)**

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

Maureen O'Brien

Fred Ross

Eileen Enright

Ginger Rogan

Dolores Bartram

Daniel Valle

Debbie Ott

George Burdick

Salma Harris

Suzanne Sokoloski

As Members of the Keansburg Recreation Committee, effective August 1, 2010; and for a term to run from August 1, 2010 to July 31, 2011.

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 – 148 Authorize Auction of Vehicles/Bicycles**

**Whereas**, it becomes necessary for the Keansburg Police Department to store unclaimed bicycles; and

**Whereas**, said bicycles have not been retrieved by their owners and are now subject to disposal by way of a municipal auction; and,

**Whereas**, the Borough of Keansburg has a need to divest of surplus vehicles; and,

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**Whereas**, said vehicles are now subject to disposal by way of a municipal 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; 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**, the Mayor and Council has determined not to fix minimum prices for such vehicles nor has the Borough reserved onto itself the right to reject all bids where the highest bidder is not accepted; and

**Whereas**, such vehicles no longer bear any municipal markings (i.e. Police 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

**Now, Therefore Be It Resolved** that the Mayor and Council do hereby authorize the Borough Clerk to conduct the necessary procedures and operations needed to accommodate an Auction of surplus vehicles/bicycles pursuant to New Jersey State Statute.

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 – 149 Estimated Tax Rate**

**RESOLUTION APPROVING MUNICIPAL TAX LEVY**

**FOR BILLING OF CY2010 THIRD QUARTER TAXES**

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that the governing body does hereby authorize the Tax Collector to prepare and mail 2010 estimated third quarter tax bills in accordance with DLGS regulations; and

BE IT FURTHER RESOLVED that certified copies of this resolution be filed with the New Jersey Department of Local Government Services and with the Monmouth County Board of Taxation.

Mr. Cusick asked for a roll call vote:

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

**RESOLUTION #10 – 150 Improvements to Seabreeze Way (2010 DOT)**

**Resolution and Agreement For State Aid Municipal Aid**

Resolution: Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Improvements to Seabreeze Way project.

WHEREAS, The New Jersey Department of Transportation (Department) is committed to advancing projects that enhance safety, renew the aging infrastructure and support new transportation opportunities and, via the Transportation Trust Fund, provides the opportunity for State assistance to local governments for the funding of road, bridge, and other transportation projects;

WHEREAS, the Borough of Keansburg desires to receive Department Municipal Aid in order to construct roadway improvements on Seabreeze Way between Highland Avenue and Oakwood Place, including pavement reconstruction, sidewalk, curbing and drainage improvements.

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

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

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Keansburg and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Mr. Cusick asked for a roll call vote:

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

**RESOLUTION #10 – 151 Authorize Execution of Cooperative Pricing Agreement**

**RESOLUTION FOR MEMBER PARTICIPATION  
IN A COOPERATIVE PRICING SYSTEM:**

A RESOLUTION AUTHORIZING THE (CONTRACTING UNIT) TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Cranford Police Cooperative Pricing System (ID # 47-CPCPS), hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

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WHEREAS, on July 28, 2010 the governing body of the Borough of Keansburg, County of Monmouth , State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

**TITLE**

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Keansburg

**Borough Manager**

Pursuant to the provisions of *N. J.S.A. 40A:11-11(5)*, the Borough Manager is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

**Borough of Keansburg**

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

**July 28, 2010**

This resolution shall take effect immediately upon passage.

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 – 152 Refund of Inspection Fee**

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

**Amount:** \$110.00

**Reason:** Refund of Inspection Fees

**Payable to:** Shannon Matheny  
211 Center Avenue  
Unit: Rear  
Keansburg, NJ 07734

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**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 – 153 Temporary Budget Amendment**

**AUTHORIZING AMENDMENT TO THE CY 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 Calendar 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 January 1, 2010 and the adoption of the Local Budget for the Borough of Keansburg, County of Monmouth and State of New Jersey for the Calendar Year 2010:

Department	Total
<b>L.O.S.A.P.</b>	
<b>0-01-25-255-000</b>	<b>\$12,000.</b>
<b>Building &amp; Grounds-O&amp;E-</b>	
<b>0-01-26-310-000</b>	<b>10,000.</b>
<b>Workers Comp</b>	
<b>0-01-23-215-299</b>	<b>34,000.</b>
<b>Liability</b>	
<b>0-01-23-210-299</b>	<b>58,000.</b>
<b>Total</b>	<b>\$114,000.</b>

Mr. Cusick asked for a roll call vote:

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



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Mr. Cocuzza			✓			
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**RESOLUTION #10 – 154 Approval of Tax Anticipation Note**

**RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SALE OF TAX ANTICIPATION NOTES OF THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, NEW JERSEY as follows:

SECTION 1. In anticipation of the collection of taxes for the fiscal year commencing January 1, 2010 whether levied or to be levied in such fiscal year, the Borough of Keansburg, in the County of Monmouth, New Jersey (the “Borough”) hereby authorizes and determines to issue, from time to time, negotiable Tax Anticipation Notes with the Borough in the principal amount of \$3,000,000, in accordance with the Local Budget Law. Each such Tax Anticipation Note shall be designated “Tax Anticipation Note of 2010”, together with such other designation as may be determined by the Chief Financial Officer. The proceeds of the sale of such Tax Anticipation Notes, unless used to pay outstanding notes issued in anticipation of the collection of taxes of the same fiscal year, shall be applied only to the purposes provided for in the budget or for which taxes are levied or to be levied for such fiscal year, and shall not be applied to any other purpose.

SECTION 2. The amount of Tax Anticipation Notes outstanding at one time shall not exceed \$3,000,000, which is within the gross borrowing power (as certified by the Chief Financial Officer) of the Borough, and the amount of Tax Anticipation Notes authorized hereby is within the net borrowing power (as certified by the Chief Financial Officer) of the Borough. On July 28, 2010, the Chief Financial Officer executed a certificate setting forth the gross borrowing power and the net borrowing power of the Borough in accordance with N.J.S.A. 40A:4-66. Such certificate has been filed in the office of the Municipal Clerk, and a copy thereof is attached hereto as Exhibit A and is hereby incorporated herein in its entirety.

SECTION 3. Tax Anticipation Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that all such Tax Anticipation Notes and any renewals thereof shall mature within 120 days after the beginning of the next succeeding fiscal year. The Chief Financial Officer shall determine all matters in connection with the Tax Anticipation Notes issued pursuant to this resolution, and the Chief Financial Officer’s signature upon the Tax Anticipation Notes shall be conclusive evidence as to all such determinations. All Tax Anticipation Notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:4-67. The Chief Financial Officer is hereby authorized to sell part or all of the Tax Anticipation Notes from time to time, at not less than par and accrued interest, at private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price plus accrued interest from their date to the date of delivery thereof.

SECTION 4. 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 Tax Anticipation Notes pursuant to this resolution is made, the amount, the description, the interest rate and the maturities of

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the Tax Anticipation Notes sold, the price obtained and the name of the purchaser, and such report shall be entered in full on the minutes of such meeting.

SECTION 5. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the Tax Anticipation Notes authorized by this resolution. The Tax Anticipation Notes shall be direct, unlimited obligations of the Borough. The power and obligation of the Borough to pay any Tax Anticipation Notes issued pursuant to this resolution and the Local Budget Law shall be unlimited and the Borough shall have the power and be obligated to levy *ad valorem* taxes upon all taxable property within the Borough for the payment of such Tax Anticipation Notes and interest thereon, without limitation of rate or amount.

SECTION 6. All Tax Anticipation Notes issued pursuant to this resolution shall be executed by the Chief Financial Officer and the Mayor of the Borough, and shall be under the seal of the Borough and attested by the Municipal Clerk. Such officers are hereby authorized to execute and deliver all documents necessary or convenient in connection with the issuance, sale and delivery of the Tax Anticipation Notes.

SECTION 7. A certified copy of this resolution shall be filed with the Director of Local Government Services in the Department of Community Affairs, State of New Jersey.

SECTION 8. This 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			✓			

**Council Discussion:**

The Borough Council will discuss the vacancy on the Housing Authority at the August meeting.

Sample ordinances on fees for use of municipal fields are being reviewed by the Council. Council members will make recommendations to the Clerk’s Office for inclusion to an Ordinance to be introduced in August.

**Communications:**

**Open to the Public:**

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

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

Jacqueline Dean  
38 Linton Place

State that she was new to the community and had several questions. She asked about the new tax bills.

Mr. Cusick stated that tax bills should be ready in roughly 10 days and that there would be a 25 day grace period

Asked about the Keelen Fieldhouse

Deputy Mayor Hoff and Councilwoman Strydio explained the naming of the clubhouse

Asked about the donation of a tree (Funeral Home via letter inquired about a tree donation to honor a deceased spouse)

Asked about the interviewing of Borough Managers

Deputy Mayor Hoff explained the process and the parameters of the contract.

Mr. Dean thanked Borough Council for listening to his wife.

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			✓			

**Executive Session:**

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

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

**EXECUTIVE SESSION CONVENED**

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

	Moved	Seconded	Ayes	Nays	Absent	Abstain
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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			✓			