

**BOROUGH OF KEANSBURG**  
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY  
August 25, 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
✓	✓	✓	Excused	✓

**Proclamation:**

Sean Nelson, a Keansburg High School student and Eagle Scout candidate was awarded the following:

# Proclamation

**Whereas**, Sean Nelson, a Keansburg resident, has expressed a wish to achieve the time honored and distinguished Eagle Scout designation from the Boy Scouts of America; and

**Whereas**, it is a long standing tradition that in order to achieve the Eagle Scout designation, a scout must complete, on their own, with a limited budget, a community project; and

**Whereas**, Sean Nelson approached the Borough of Keansburg with a project to enhance public safety, marking the Borough's fire hydrants with a Maltese cross to aid in the visibility of the hydrants locations; and

**Whereas**, Sean Nelson spent his time and energy to organize the mapping and marking the 191 fire hydrants within the Borough; and

**Therefore Be It Resolved** that the Borough of Keansburg wishes to thank Sean Nelson for this invaluable service.

**Be It Further Resolved** that the Borough of Keansburg congratulates Sean Nelson on a job well done on behalf of a grateful community.

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

Meeting Minutes July 28, 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:**

**Second 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

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

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- 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.

Mr. Cusick asked for a roll call vote to open the meeting to the public for Ordinance #1498:

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

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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 for Ordinance #1498:

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

Mr. Cusick asked for a roll call vote to adopt Ordinance #1498

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

**First Reading:**

**ORDINANCE #1499:** Stormwater: Inlets and Manholes

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG, CHAPTER XXVII STORMWATER CONTROL.**

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG, CHAPTER XXVII STORMWATER CONTROL.**

**NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL.. OF THE BOROUGH OF KEANSBURG that CHAPTER XXVII STORMWATER CONTROL OF THE REVISED GENERAL ORDINANCES, Is hereby amended and supplemented as follows:**

**SECTION I:** Definitions pertaining to private storm drain inlet retrofitting ordinance:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meaning stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in a plural number include the singular number, include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4)- a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Borough of Keansburg or any other public body, and is designed and used for collecting and conveying storm water. NOTE: In municipalities

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with combined sewer systems, add the following: "MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources."

b. Person- any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject or municipal jurisdiction.

c. Storm drain Inlet- an opening in the storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, and combination inlet.

d. Water of the State-means the ocean and its estuaries, all springs, streams and bodies of surface ground water, whether natural or artificial, within boundaries of the State of New Jersey or subject to its jurisdiction.

**SECTION II. Prohibited Conduct:**

No person in control of private property (except residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes) resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen) reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property 1. Unless the storm drain inlet either:

a. Already meets the design standard below to control passage of the solid and floatable materials; or b. Is retrofitted or replaced to meet the standard in the Section III below prior to the completion of the project.

**SECTION III. Design Standard:**

Storm drain inlets identified in the Section I above shall with the following standard to control passage of solid and floatable through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section III.) below

1. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body that grate:

a. The New Jersey Department of Transportation {NJDOT} bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or

b. A different grate, if each individual clear space in that grate has an area of more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension. Examples of grate subject to this standard include grates in the grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on the storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including

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bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.

2. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

3. This standard does not apply:

a. Where the municipal engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;

b. Where flows are conveyed through any device (e.g. end of pipe netting facility manufactured treatment device, or catch basin hood) that is designed at a minimum, to prevent delivery of all solid and floatable that could not pass through one of the following:

i. A rectangular space four and five eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities) or

ii. A bar screen having a bar spacing of 0.5 inches. c. Where flows are conveyed through a task rack that has parallel bars with one-inch (1") spacing between the bars; or

d. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2 (c) that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

**SECTION IV. Enforcement:**

This ordinance shall be enforced by employees and officials of the Borough of Keansburg.

**SECTION V. Penalties:**

Any person (s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed less than three hundred (\$300.00) dollars not more than one thousand (\$1,000.00) dollars for each storm drain inlet that is not retrofitted to meet the design standard.

**SECTION V. Severability:**

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect the portion of this Ordinance.

**SECTION VI. Effective Date:**

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This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Mr. Cusick asked for a roll call vote to introduce and set down for a Public Hearing on September 22nd at 7pm.

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

**ORDINANCE #1500:** Stormwater: Containers/Dumpsters

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG, CHAPTER XXVII STORMWATER CONTROL.**

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG, CHAPTER XXVII STORMWATER CONTROL.**

**NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL.. OF THE BOROUGH OF KEANSBURG that CHAPTER XXVII STORMWATER CONTROL OF THE REVISED GENERAL ORDINANCES, Is hereby amended and supplemented as follows:**

**SECTION I:** Definitions pertaining to refuse containers and dumpsters:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meaning stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When. not inconsistent with the context, words used in the present tense include the future, words used in a plural number include the singular number, include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

a. Municipal separate storm sewer system (MS4)- a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Borough of Union Beach or any other public body, and is designed and used for collecting and conveying storm water. NOTE: In municipalities with combined sewer systems, add the following: "MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources."

b. Person- any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject or municipal jurisdiction.

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- c. Refuse container- any waste container that person. controls whether owned, lease~ or operate~ including dumpsters, trash cans, garbage pails, and plastic trash bags.
- d. Stormwater- means water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface is captured by separate storm. sewers or other sewerage or drainage or drainage facilities or is conveyed by snow removal equipment.
- e. Water of the State-means the ocean and its estuaries, all springs, streams and bodies of surface ground water, whether natural or artificial, within boundaries of the State of New Jersey or subject to its jurisdiction.

**SECTION II. Prohibited Conduct:**

Any person who controls whether owned, leased, or operated a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing. Any person. who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system(s) operated by the Borough of Union Beach.

**SECTION III. Exceptions to Prohibition:**

- a. Permitted temporary demolition containers
- b. Litter receptacles (other than dumpsters or other bulk containers)
- c. Individual homeowner trash and recycling containers
- d. Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit
- e. Large bulky items (e.g. furniture~ bound carpet and padding, white goods placed curbside for pickup)

**SECTION IV. Enforcement:**

This ordinance shall be enforced by employees and officials of the Borough of Keansburg.

**SECTION V. Penalties:**

Any person (s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$ 2,000.00.

**SECTION VI. Severability:**

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect the portion of this Ordinance.



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Mr. Cusick asked for a roll call vote to introduce and set down for a Public Hearing on September 22nd at 7pm.

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

**Resolutions:**

**RESOLUTION #10 – 158 Payment of Bills (08-25-10)**

**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>	\$2,109,298.61
<b>Water &amp; Sewer</b>	233,515.82
<b>Trust</b>	37,120.50
<b>Grant</b>	10,669.00
<b>Unemployment Comp Trust</b>	1,032.01
<b>Dog Trust</b>	70.80
<b>Capital</b>	23,520.00

<b>Total:</b>	<b>\$2,415,226.74</b>
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Mr. Cusick asked for a roll call vote:

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

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Mr. Hoff					✓	
Mr. Cocuzza			✓			

**RESOLUTION #10 – 159 Authorization to Execute Cooperative Agreement (Somerset)**

**WHEREAS**, the Borough of Keansburg desires to become a member of the Somerset County Cooperative Pricing System, #2-SOCCP, effective August 25, 2010 and, that such membership shall be for the period ending December 31, 2013, and each renewal, thereafter of the system, unless The Borough of Keansburg elects to formally withdraw from the system; and

**BE IT RESOLVED** that the Mayor and Municipal Clerk are authorized to execute the Cooperative Agreement with the County of Somerset for such membership.

**BE IT FURTHER RESOLVED** that two (2) certified copies, of the Resolution and two (2) executed copies of the Agreement to:

Mary Louise Stanton, QPA  
Purchasing  
P.O. Box 3000  
20 Grove St.  
Somerville, NJ 08876-1262

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 – 160 Authorize Purchases from State Contract Vendors**

**WHEREAS**, the Borough of Keansburg purchased item from authorized vendors under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

**WHEREAS**, the purchase of goods and services by a local contracting unit is authorized by the Local Public Contracts Law, NJS 40A:11-12; and,

**WHEREAS**, the below list of vendors have been awarded a New Jersey State Contractor Number; and,

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Keansburg that the below listed vendors have been approved for the purchase of goods and services:

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Number	Name
67911	Pitney Bowes
40238	Absolute Fire Protection
71188	Autozone
70256	Dell Computer
74337	Staples Office Supply
T0123	Edwards Tire
70844	Craft Motor Oil
M0483	HP Financial-Hewlett Parckard
39895	Mid Atlantic Truck Centre
67755	Modern Equipment Sales & Rental
66921	Troil Enterprises
53764	AR Communications
72467	Winner Ford
71626	Campbell Foundry Inc Tanner Office Furniture

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 – 161 Support of Flood Insurance Reform Priorities Act**

**Whereas**, the Flood Insurance Reform Priorities Act of 2010 (HR5114) amends the National Flood Insurance Act of 1968 (“NFIA”) that would extend the National Flood Insurance Program for five years and reform the program by expanding coverage and providing homeowners with more control over their insurance; and,

**Whereas**, this legislation amends the Flood Disaster Protection Act of 1973 (“FDPA”) to delay, for a five-year period, the effective date for mandatory purchase of flood insurance for certain new flood hazard areas not previously designated as having special flood hazards within 100-year floodplains and amends NIFA to set forth a five-year phase in of flood insurance rates for newly mapped areas not previously designated as having special flood hazards; and,

**Whereas**, this legislation would raise the maximum coverage limits for the first time since 1994 to the maximum aggregate amount of:

1. From \$250, 000 to \$335,000 for certain single or multifamily dwelling residential structures;

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2. From \$100,000 to \$135,000 for dwelling unit contents; and
3. From \$500,000 to \$670,000 for nonresidential properties; and

**Whereas**, on July 15, 2010, this legislation was passed by the United State House of Representatives by a vote of 329 to 90 and is now before the United State Senate for consideration; and,

**Whereas**, the enactment of this legislation would be overwhelmingly beneficial to entire population of Keansburg, as well as the thousands of Bayshore area residents in our neighbor communities.

**Now, Therefore, Be It Resolved** that the Mayor and Council of the Borough of Keansburg, County of Monmouth, State of New Jersey does hereby support, endorse and encourage the immediate passage and enactment of the Flood Insurance Reform Priorities Act of 2010.

**Be It Further Resolved** that the Municipal Clerk is hereby directed to electronically transmit a certified copy of this Resolution to the offices of United State Senator Robert Menendez, United States Senator Frank Lautenberg, Congressman Frank Pallone, Congressman Rush Holt, the Office of Governor Chris Christie, State Senator Joseph Kyrillos, Assemblywoman Amy Handlin, Assemblyman Sam Thompson and the Monmouth County Board of Chosen Freeholders.

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 – 162: Discussion item listed later in the agenda*

**RESOLUTION #10 – 163 Authorize Firework Permit**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Keansburg that the governing body does hereby approve the application for fireworks display as submitted by Jersey Shore Beach & Boardwalk, Inc. for occasions to be held on:

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**BE IT FURTHER RESOLVED** that the Bureau of Fire Safety has reported that the application has been properly completed and all fees have been paid to the Borough of Keansburg; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the Bureau of Fire safety and Jersey Shore Beach & Boardwalk, Inc.

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 – 164 Authorize Refund of Escrow Fees (Homs)**

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

**Amount:** \$1,424.75

**Reason:** Refund of Escrow Fees

**Payable to:** Jim Homs  
120 West Concourse St.      Ref: 304 Main Street  
Keyport, NJ 07735

**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 – 165 Statewide Insurance Fund (RMC)**

STATEWIDE INSURANCE FUND

RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT

WHEREAS, the Borough of Keansburg (hereinafter “LOCAL UNIT”) has joined the Statewide Insurance Fund (hereinafter “FUND”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the FUND; and

WHEREAS, the FUND has requested its members to appoint individuals or entities to that position.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Keansburg, in the County of Monmouth and the State of New Jersey, as follows:

1. Borough of Keansburg hereby appoints Dominick S. Cinelli of Brown and Brown Metro, Inc. and James P. Conroy of W.A. Conroy and Son as its local Risk Management Consultant.
2. The Mayor and Borough Manager are hereby authorized to execute the Risk Management Consultant’s Agreement for the fund year 2010 in the form attached hereto.

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 – 166 Statewide Insurance Fund (renew membership)**

**Whereas**, a number of local units have joined together to form the Statewide Insurance Fund (“Fund”), a joint insurance fund, as permitted by N.J.S.A. 40A:10-36, et seq.; and

**Whereas**, the statutes and regulations governing the creation and operation of joint insurance funds contain elaborate restrictions and safeguards concerning the safe and efficient administration of such funds; and

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**Whereas**, Borough of Keansburg (“Local Unit”) has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

**Whereas**, the LOCAL UNIT agrees to be a member of the FUND for a period of three (3) years, effective from January 1, 2010 terminating on January 1, 2013 at 12:01 am standard time; and

**Whereas**, the LOCAL UNIT has never defaulted on claims, if self-insured, and has not been canceled for non-payment of insurance premiums for two (2) years prior to the date of this Resolution.

**Now Therefore, Be It Resolved** that the LOCAL UNIT does hereby agree to join the Statewide Insurance Fund; and

**Be It Further Resolved** that the LOCAL UNIT will be afforded the following coverage(s) as marked “Yes”;

	Yes	No		Yes	No
Worker’s Compensation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Boiler and Machinery	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Employer’s Liability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Comprehensive General Liability	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Auto Liability	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Property	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Auto Physical Damages	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Crime-Faithful Performance and Fidelity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Professional Liability	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Inland Marine	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Pollution Liability	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Be It Further Resolved** that the Borough Manager is hereby appointed as the LOCAL UNIT’s Fund Commissioner and is authorized to execute the application for membership and the accompanying certification on behalf of the Local UNIT; and

**Be It Further Resolved** that the LOCAL UNIT’s Fund Commissioner is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying the membership in the FUND as required by the FUND’s Bylaws and to deliver same to the Administrator of the Fund with the express reservation that said documents shall become effective only upon the LOCAL UNIT’s admissions to the FUND following approval of the FUND by the New Jersey Department of Banking and Insurance

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 – 167 Statewide Insurance Fund (renew membership)**

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**Whereas**, the Borough of Keansburg is a member of the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 et seq.; and,

**Whereas**, the Fund’s Bylaws require participating members to appoint a Fund Commissioner.

**Now Therefore, Be It Resolved** by the governing body of the Borough of Keansburg that Raymond O’Hare, Borough Manager of the Borough of Keansburg is hereby appointed as the Fund Commissioner for the Local Unit; and,

**Be It Further Resolved** that Thomas Cusick, Borough Clerk is hereby appointed as the Alternate Fund Commissioner for the Local Unit; and,

**Be It Further Resolved** that the Local Unit’s Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

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 – 168 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:

	<b>Department</b>	<b>Total</b>
Legal	0-01-20-155-200	\$25,000.



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Uniform Construction s&w	0-01-22-195-100	20,000.
S.R.O. s&w	0-01-25241-100	6,000.
Dog Regulation	0-01-27-340-200	10,000.
Emergency Water/Sewer o&e	0-05-55-501-200	4,000.
Water/Sewer o&e	0-05-55-501-200	500,575.
W/S Social Security	0-05-55-550-205	4,000.
<b>Total</b>		<b><u><u>\$569,575</u></u></b>

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 – 169 2010.2011 Plenary Renewal Liquor Lic. (Chasers)**

**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

**Chasers Inc**  
**20 Main Street**  
**1321-33-013-006**

**BE IT FURTHER RESOLVED** that said license is approved **CONDITIONALLY** pending the outcome of disciplinary charges; and,

**BE IT FURTHER RESOLVED** that said renewal is for a term of an additional ninety (90) days expiring November 30, 2010.

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	✓		✓			

**Council Discussion:**

**Housing Authority vacancy**

**RESOLUTION #10 – 162 Appointment to the Housing Authority**

**BE IT RESOLVED, by the Mayor and Council of the Borough of Keansburg, in the County of Monmouth, New Jersey that it does hereby appoint:**

**Robert Gorski**

**To the Housing Authority  
for the Borough of Keansburg  
for an unexpired term commencing immediately  
and expiring on April 1, 2012.**

Mr. Cusick asked for a roll call vote:

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

**Communications:**

**Clean Ocean Action: October Clean Sweeps**

**Keansburg Fire Department**

**New Members**

Andrew Murray, Jr.	Keansburg Fire Co. No. 1
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Mr. Cusick asked for a roll call vote:

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

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Mr. Hoff					✓	
Mr. Cocuzza			✓			

**Council Discussion:**

**PRESENTATIONS:**

Ritesh Shah: Property at Main Street and Port Monmouth Road

Mr. Shah, along with his tow partners, discussed possible uses at the property at 304-306 Main Street (formerly known as “Sports Barn”). He has encountered difficulty in his attempts to purchase the empty lot facing Port Monmouth Road. He will be in possession of a liquor license and would propose a small (3-4 stool) bar and liquor store (subject to the parameters of his license). Mr. Cusick stated that he does not have a distribution license and would be required to have a bar in the establishment. Mr. Shah stated his Engineer has reported that the building does not have to be demolished and can be renovated. Different commercial and professional uses were discussed. Mr. Shah will be considering the removal of the attached garage to allow for more parking.

The Council introduced him to Mary Foley of the Business Revitalization Committee who was in attendance. Council asked that they meet. Mr. Shah will keep Council informed of his progress.

Mr. Shah did express concern on the flooding conditions on Willis Place.

Steve Ussmann gave an update on the desalination project as well as the operations of the water/sewer department for the last month.

There was a brief discussion on an application to the NJ Environmental Infrastructure Trust. Mr. O’Hare state he would like to examine the Borough’s long-term finances before proceeding with an application.

Francis Mullan, Borough Engineer, reported on the status of the FEMA application for the bulkhead and the submission of the DOT application for Seabreeze Way. He is very grateful for the assistance of Borough personnel in these matters.

Mr. Mullan also reported there will be a meeting with Ben Keiser of NJ DEP Coastal Engineering and Borough Officials in regard to the construction of the Outfalls. Meeting will take place in mid-September.

Councilwoman Strydio would like to address the cost of multi-family garbage collection in the Borough. Also inquired into the status of Ed Dunphy and the Concert Series.

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Councilman Boden stated he had been in contact with him and that due to the costs involved would not be interested.

Councilman Boden and Councilwoman Strydio both that there is a lack of cellular service in the eastern section of town near the beachfront.

Mr. Bennett, Borough Attorney, suggested the possibility of the Library as a future site of an antenna.

Mayor Cocuzza is concerned with the lack of a traffic sign at East Shore Street and Bayview Avenue

Councilwoman Strydio stated there is a truck parked at Park and Morningside Avenues for quite some time. Matter will be referred to the Police Department.

Councilman DePompa commented on the new restrictions placed on property owners by FEMA.

**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			✓			

Dick Stryker  
115 Carr Avenue

Spoke in reference to the Raritan Ave Pumping Station

Stated that Carr Avenue was still flooding, very frustrated.

Council also expressed frustration with the situation.

There was also a general discussion on the flooding on Woodland Avenue.

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			✓			

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**Executive Session:**

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

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

 **EXECUTIVE SESSION CONVENED** 

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:

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