

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
March 25, 2015

Meeting Minutes

Mr. Cusick read the following:

ADEQUATE NOTICE HAS BEEN GIVEN OF THIS MEETING BY NOTIFICATION TO THE ASBURY PARK PRESS
AND PLACED ON THE BULLETIN BOARD IN THE MUNICIPAL BUILDING OF THE BOROUGH OF KEANSBURG.

Mr. Cusick asked all the rise and recite:

Salute to the Flag

Mr. Cusick took:

Roll Call

Mr. DePompa	Mr. Boden	Mr. Cocuzza	Mr. Hoff	Mr. Foley
Absent	✓	✓	Excused	✓

In Attendance:

Debbie Kendrick and Michelle Quilty Keansburg Co-Chairpersons – for **“Paint the Town Pink”**

Conference:

Dr. Edward Balyk, President, Douglas Foulks and John Swartz of the Keansburg Historical Society appeared before the Borough Council at this time to discuss the status of their building at 59 Carr Avenue. Borough Manager, Raymond O’Hare, stated that the Borough is appealing the determination from FEMA and that the Borough hopes to receive additional funds to address the storm damage at that site.

Mayor Foley stated that there is thought to a combination recreation / arts center with the Historical Society at the former police station. Such a venture would also require FEMA approval and engineering studies as that building was also substantially damaged from the storm.

The Society Members and Council agreed to stay in communication and coordinate some local volunteers/ contractors to address some of the needs at the 59 Carr Avenue site.

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Asked about status concerned with FEMA. The Mayor responded siting a possible venture at the old police station to include recreation and art center

The Borough Manager stated that the Borough has appealed FEMA’s decision

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Meeting Minutes February 25, 2015

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

Roll Call

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

Public Hearing:

Person – to – Person Plenary Transfers

Miami Club

Chilangos La Playa

PUBLIC HEARING

Mr. Cusick stated there are no objections at this time for either application.

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Mr. Cusick asked for a roll call vote to open the meeting to the public for PUBLIC HEARING on Plenary Transfer for the Miami Club and Chilangos La Playa

Roll Call

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

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 PUBLIC HEARING on Plenary Transfer for the Miami Club and Chilangos La Playa:

Roll Call

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

Resolutions:

RESOLUTION # 15-033 Plenary PERSON-TO-PERSON Transfer (The Cabana – Jersey Shore Bar & Grill)

WHEREAS, an application has been received by the Mayor and Council of the Borough of Keansburg from The Cabana LLC, 307 Beachway to Jersey Shore Bar & Grill Inc. located at 307 Beachway for a Person-to-Person of Liquor License Plenary Distribution License No. 1321-33-029-008 from; and

WHEREAS, the application form for said transfer is in proper form, and the proper certified check has been received by the Borough Clerk; and

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WHEREAS, publication of the transfer has been made in “The Asbury Park Press” on April 16, 2014 and April 23, 2014; and

WHEREAS, there was a public hearing on July 23, 2014; and,

WHEREAS, the applicant has disclosed and the Mayor and Council have reviewed the source of all funds used in the purchase of the license and the licenses business and all additional financing obtained in connection with the licensed business; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that the application of Jersey Shore Bar and Grill Inc. located at 307 Beachway to transfer a Plenary Retail Distribution License No. 1321-33-029-009 from person-to-person, being The Cabana LLC, 307 Beachway it is hereby approved.

Mr. Cusick asked for a roll call vote

Plenary PERSON-TO-PERSON Transfer (The Cabana – Jersey Shore Bar & Grill):

Roll Call

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

RESOLUTION # 15-034 Plenary PERSON-TO-PERSON Transfer (Bayliners – Chilangos)

WHEREAS, an application has been received by the Mayor and Council of the Borough of Keansburg from Bayliners LLC, 2 Beachway to Chilangos La Playa located at 2 Beachway for a Person-to-Person Liquor License Plenary Distribution License No. 1321-33-014-004 from; and

WHEREAS, the application form for said transfer is in proper form, and the proper certified check has been received by the Borough Clerk; and

WHEREAS, publication of the transfer has been made in “The Asbury Park Press” on March 11, 2015 and March 18, 2015; and

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WHEREAS, the applicant has disclosed and the Mayor and Council have reviewed the source of all funds used in the purchase of the license and the licenses business and all additional financing obtained in connection with the licensed business; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that the application of Chilangos La Playa, LLC. located at 2 Beachway to transfer a Plenary Retail Distribution License No. 1321-33-014-005 from person-to-person, being Bayliners LLC, 2 Beachway it is hereby approved.

Mr. Cusick asked for a roll call vote
Plenary PERSON-TO-PERSON Transfer (Bayliners – Chilangos):

Roll Call

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

Ordinances:

Second Reading:

ORDINANCE #1562 – Retail Hours Restrictions

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXII (DEVELOPMENT REGULATIONS), SECTION 5.9 (REGULATIONS CONTROLLING THE B-1 GENERAL COMMERCIAL ZONE DISTRICT) AND SECTION 5.10 (REGULATIONS CONTROLLING THE B-2 (MIXED USE COMMERCIAL-RESIDENTIAL ZONE DISTRICT) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG.

BE IT ORDAINED by the Mayor and Council of the Borough of Keansburg as follows:

Section 1: Permitted Uses and Structures in the B-1 (General Commercial Zone District) and B-2 (Mixed Use Commercial-Residential Zone District) Zones of the Borough of Keansburg shall be subject to the following restriction:

4. Retail trade limited to the following:

(a) through (h) and (j) through (p): Hours of operation shall be limited to 5:00 a.m. to 1:00 a.m.

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- 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.

PUBLIC HEARING

Mr. Cusick asked for a roll call vote to open the meeting to the public for Ordinance #1562:

Roll Call

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

Mr. Ash Patel – 7-11 Store

Mr. Patel stated that franchise rules do not allow for closure and that all deliveries are made at night

The Mayor stated there have been problems with a store on Main Street near the firehouse.

Deputy Mayor Hoff arrived at this time

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Mr. Cusick asked for a roll call vote to close the meeting to the public for Ordinance #1562:

Roll Call

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

Mr. Cusick asked for a roll call vote to adopt Ordinance #1562:

Roll Call

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

Councilman DePompa arrived at this time

First Reading:

ORDINANCE #1563 – Refinancing MCIA 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 GENERAL OBLIGATION BONDS, SERIES 2008, DATED DECEMBER 4, 2008, APPROPRIATING AN AMOUNT NOT EXCEEDING \$2,600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,600,000 GENERAL IMPROVEMENT REFUNDING BONDS OF THE BOROUGH OF KEANSBURG FOR FINANCING THE COST THEREOF

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:

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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 General Obligation Bonds, Series 2008, dated December 4, 2008, maturing on and after December 1, 2019; 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 improvement refunding bonds (the “Refunding Bonds”) are hereby authorized to be issued in the principal amount not to exceed \$2,600,000 pursuant to the Local Bond Law.

Section 3. An aggregate amount not exceeding \$65,000 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.

Section 4. The purpose of the refunding is to reduce the debt service payable by the Borough with respect to its outstanding obligations.

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 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 6. A certified copy of this refunding bond ordinance as adopted on first reading has been filed 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 7. 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 introduce Ordinance #1563 and set down for public hearing on April 22, 2015:

Roll Call

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

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ORDINANCE #1564 – Index Rate Ordinance 2015

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) - CALENDAR YEAR 2015

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of the Borough of Keansburg in the County of Monmouth finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 2.0% increase in the budget for said year, amounting to \$265,763.30 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Keansburg, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Borough of Keansburg shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$465,085.77, and that the CY 2015 municipal budget for the Borough of Keansburg be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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Mr. Cusick asked for a roll call vote to introduce Ordinance #1564 and set down for public hearing on April 22, 2015:

Roll Call

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

ORDINANCE #1565 – Water and Sewer Bond

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

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as Water/Sewer Utility improvements to be undertaken in and by the Borough of Keansburg, in the County of Monmouth, New Jersey (the “Borough”). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$1,200,000, said sum being inclusive of all appropriations heretofore made therefore, including the sum of \$60,000 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Water/Sewer Capital Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$1,140,000, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized to be undertaken consist of various Water/Sewer Utility improvements including, but not limited to, water treatment filter media replacement; replacement of two (2) water treatment aerators and support towers; sanitary collection system cleaning, TV inspection and reporting; Sanitary Sewer Repairs and Improvements Phase I; and replacement of three (3) pump station variable frequency drives and associated controls, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Borough Chief Financial Officer, as finally approved by the governing body of the Borough.

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(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$1,140,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$1,200,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$1,200,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$60,000 down payment for said purposes.

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

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

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as Water/Sewer Utility improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 18.65 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,140,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$175,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted

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under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

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

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

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

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mr. Cusick asked for a roll call vote to introduce Ordinance #1565 and set down for public hearing on April 22, 2015:

Roll Call

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

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INTRODUCTION: CY2015 Municipal Budget

Introduction of the CY 2015 Borough of Keansburg Municipal Budget

A copy of CY 2015 Borough of Keansburg Municipal Budget is on file in the Municipal Clerk’s Office, for public inspection.

Mr. Cusick asked for a roll call vote to introduce the CY2015 Municipal Budget

Roll Call

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

Resolutions:

RESOLUTION # 15-026 Payment of Bills (03/25/15)

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:

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Capital	\$ 31,463.23
Current	2,491,326.92
Dog Trust	89.40
Grant	1,543.75
Trust	23,923.41
Water/Sewer	291,180.96
Total:	\$2,839,527.67

Mr. Cusick asked for a roll call vote

Roll Call

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

RESOLUTION # 15-027 Approval of LOSAP 2013 Annual Certification List

RESOLUTION APPROVING THE CERTIFICATION LIST OF VOLUNTEER MEMBERS OF THE BOROUGH OF KEANSBURG FIRE DEPARTMENT AND EMERGENCY SERVICES QUALIFYING FOR CREDIT UNDER THE LENGTH OF SERVICE AWARDS PROGRAM (LOSAP) FOR 2014

WHEREAS, The Mayor and Council of the Borough of Keansburg adopted Ordinance No. 1449 which created the Length of Service Awards Program (LOSAP); and

WHEREAS, N.J.S.A. 40A:14-191 requires that the Keansburg Fire Department and Emergency Services furnish the Borough Council with an annual certification list of all volunteer members who have qualified for credit under the award program for the previous year; and

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WHEREAS, that a copy of this list has been posted for at least thirty (30) days in the buildings of the Keansburg EMS-Carr Ave, Keansburg Fire Company #1-Main and Manning and New Point Comfort Fire Company-Carr Avenue.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that the Municipal Council hereby approves the list of the volunteer members of the Borough of Keansburg Fire Department and Emergency Services certified by the Borough of Keansburg Board of Fire Commissioners for the year 2014, a copy of which list is attached here as Exhibit A; and

Mr. Cusick asked for a roll call vote

Roll Call

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

RESOLUTION # 15-028 Appointment to the Housing Authority (M. Anderson)

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:

MATTIE ANDERSON

To the Housing Authority

for the Borough of Keansburg

for a term commencing on April 2, 2015 and expiring on April 1, 2020.

Mr. Cusick asked for a roll call vote

Roll Call

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

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RESOLUTION # 15-029 2015 Tonnage Grant – Recycling Coordinator

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L., c. 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection and Energy is promulgating recycling regulations to implement the mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulation impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a Resolution authorizing the Borough of Keansburg to apply for such tonnage grants will memorialize the commitment of the Borough to recycling and indicate the assent of the Mayor and Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and Recycling regulations; and

WHEREAS, such a Resolution should designate the individual authorized to ensure that the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that the Borough hereby endorses the submission of a Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection and Energy and designates

**James Falco,
Recycling Coordinator,**

29 Church Street, Keansburg, NJ 07734, to ensure that the said application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a recycling trust fund to be used solely for the purposes of recycling.

Mr. Cusick asked for a roll call vote

Roll Call

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

RESOLUTION # 15-030 Authorize Execution of Contract to Purchase Real Property (331 Carr Ave)

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg authorize the Mayor and the Municipal Clerk to execution the contracts for the purchase of property located at 331 Carr Avenue, Keansburg, Block 157 Lots 5 and 6.

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BE IT FURTHER RESOLVED that a certified copy of the resolution be forwarded to the Chief Financial Officer.

Mr. Cusick asked for a roll call vote

Roll Call

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

RESOLUTION # 15-031 Appointment of Clean Communities Coordinator (Falco)

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:

JAMES FALCO

AS CLEAN COMMUNITIES COORDINATOR

for the Borough of Keansburg+

Mr. Cusick asked for a roll call vote

Roll Call

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

RESOLUTION # 15-032 Authorize Mosquito Control Division Aerial Agreement 2015

RESOLUTION AUTHORIZING
THE COUNTY OF MONMOUTH MOSQUITO CONTROL DIVISION TO CONDUCT AERIAL
MOSQUITO CONTROL OPERATIONS WITHIN

Borough of Keansburg

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WHEREAS, the Monmouth County Board of Chosen Freeholders, pursuant to N.I.S.A. 26:9-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitoes within the county; and

WHEREAS, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control, and chemical control to exterminate the mosquito population within the county of Monmouth; and

WHEREAS, prior to conducting aerial dispensing operations over a designated "congested area," the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

WHEREAS, the **Borough of Keansburg** is designated as a "congested area" by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

NOW, THEREFORE, be it resolved as follows:

1. The Governing Body hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat or areas harboring high populations of mosquitoes constituting either a nuisance, a health hazard, or both with the understanding that:

- a) the County shall utilize pesticides, application equipment and aircraft that are approved for aerial applications by the applicable Federal (USEPA) and State (NIDEP) agencies, and
- b) such operations will be performed in compliance with applicable Federal and State regulations, and
- c) the County will notify the police department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

Mr. Cusick asked for a roll call vote

Roll Call

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

RESOLUTION # 15-033 *Listed earlier in meeting*
RESOLUTION # 15-034 *Listed earlier in meeting*

RESOLUTION # 15-035 Award of Outfall Pipes #11 and #14 Bid

WHEREAS, the Borough of Keansburg advertised and received bids for Outfall Pipe Project [Outfalls #11 and #14] on Friday, February 13, 2015; and

WHEREAS, four (4) bids was received and opened in public by the Borough Clerk; and

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WHEREAS, the following bids were received:

S. Brothers	\$1,095,213.00
Marbro Inc.	958,617.00
Precise Construction	780,015.00
Blackrock Ent.	748,922.00

WHEREAS, the Borough Attorney has reviewed the bids and has determined that Blackrock Ent. is the lowest and responsible bidder 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 Attorney that it does hereby award the bid for the Outfall Pipe Project [Outfalls #11 and #14] to: Blackrock Ent

in the total amount of \$748,922.00; and

BE IT FURTHER RESOLVED that the award is subject to:

1. Certification of the availability of funds by the Borough Chief Financial Officer

Patrick DeBlasio

Patrick DeBlasio, Chief Financial Officer

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are authorized to execute the contract with J Campbell Freightliner LLC of Monroe, New Jersey after the review by the Borough Attorney and Chief Financial Officer's certification.

Mr. Cusick asked for a roll call vote

Roll Call

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

RESOLUTION # 15-036 Monmouth County Mutual Aid Agreement 2015

**RESOLUTION AUTHORIZING THE BOROUGH OF KEANSBURG TO PARTICIPATE IN INTRA-COUNTY
MUTUAL AID AND ASSISTANCE AGREEMENTS WITH PARTICIPATING UNITS IN THE COUNTY OF
MONMOUTH**

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et. Seq., ("Act") provides that any local governmental unit may enter into a contract with any other local

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governmental unit to provide or receive any service that each local unit is empowered to provide or receive within its own jurisdiction; and

WHEREAS, mutual aid and assistance agreements between municipalities, counties, law enforcement agencies, police, emergency medical service, fire departments, fire companies, or EMS organizations and fire departments situated in fire districts operated by a Board of Fire Commissioners, are permitted pursuant to N.J.S.A. 40A: 14-26 and 40A: 14-156.1; and

WHEREAS, the President in Homeland Security Directive (HSPD-5), directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System ("NIMS"), which would provide a consistent nationwide approach to Federal, State, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, "The New Jersey Civilian Defense and Disaster Control Act" App.A9-33 et. seq., provides for the health, safety and welfare of the people of the State of New Jersey during any emergency by centralizing control of all civilian activities having to do with such emergency giving the Governor control over the resources of each and every political subdivision to cope with any condition that shall arise out of such emergency; and

WHEREAS, The Director of the Division of Fire Safety in the Department of Community Affairs promulgated rules in accordance with the "Fire Service Resource Emergency Deployment Act," N.J.A.C. 52:14E-11 et. seq., commonly referred to as the "Fire Service Resource Emergency Deployment Regulations" N.J.A.C. 5:75A et. seq.; and **WHEREAS**, the Mayor and Council of the Borough of Keansburg deem it to be in the best interests of the Borough of Keansburg to enter into Mutual Aid and Assistance Agreements with governmental entities throughout Monmouth County and all of their departments, authorities, boards, commissions and other functions under the auspices of each participating governmental entity including but not limited to, law enforcement, public works, emergency medical services, emergency management, human services, hazardous materials response units technical or special operations teams, Community Emergency Response Team ("CERT") members, Medical Reserve Corps ("MRC") members or other volunteers and other jurisdictions defined "local governments" in the Homeland Security Act of 2002; and

WHEREAS, N.J.S.A. 40A: 14-26 AND 156.1 et seq. has authorized interjurisdictional mutual aid; and

WHEREAS, the Mayor and Council of the Borough of Keansburg and the Participating Units recognize the benefit of entering into an Agreement for mutual aid and assistance with each other to protect against loss, damage or destruction by fire, civil unrest, hazardous material, major criminal or emergency events, natural and man-made disaster or catastrophe and to address those situations when additional aid and assistance is needed to protect the best interests of the persons and property of each individual jurisdiction.

NOW, THEREFORE, BE IT RESOLVED that the Intra-County Mutual Aid and Assistance Agreements between the Borough of Keansburg and Participating Units be and are hereby accepted.

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BE IT FURTHER RESOLVED that the Borough Manager and Mayor and Council are authorized to execute the Intra-County Mutual Aid and Assistance Agreements once they have been authorized and executed by each Participating Unit.

BE IT FURTHER RESOLVED that the Borough Manager forward a certified true copy of this resolution to the Monmouth County Sheriff; Office of Emergency Management Coordinator; and Mayor and Council; Local OEM Coordinators.

Mr. Cusick asked for a roll call vote

Roll Call

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

RESOLUTION # 15-037 Monmouth County Hazard Mitigation Plan

WHEREAS the Borough of Keansburg, NJ, has experienced natural hazards that result in public safety hazards and damage to private and public property;

WHEREAS the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk;

WHEREAS the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the mitigation plan;

WHEREAS a Hazard Mitigation Plan has been developed by the Mitigation Planning Committee;

WHEREAS the Hazard Mitigation Plan includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property, and

WHEREAS the draft plan was provided to each participating jurisdiction and was posted on the County Office of Emergency Management's website so as to introduce the planning concept and to solicit questions and comments; and to present the Plan and request comments, as required by law, and

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

1. The Monmouth County Multi-Jurisdictional Hazard Mitigation Plan, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on March 16, 2015 by the Monmouth County Office of

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Emergency Management is hereby adopted as an official plan of the Borough of Keansburg; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.

2. The OEM Coordinators departments identified in the Plan are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments.

3. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Borough Administrator, and this resolution shall not be interpreted so as to mandate any such appropriations.

4. The Emergency Management Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Monmouth County Office of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date as agreed upon by all stakeholders.

Mr. Cusick asked for a roll call vote

Roll Call

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

RESOLUTION # 15-038 Authorize Preparation and Execution of Notice to Bidders (water/sewer)

Be It Resolved by the Mayor and Council of the Borough of Keansburg that the governing body does hereby authorize Kim Gonzales, Borough QPA, to prepare bid specifications for:

Emergency Water / Sewer System Repairs; and,

Water/Sewer Chemicals

for the Borough of Keansburg.

Be It Further Resolved that the Borough QPA is authorized to advertise for receipt of bids for the Solid Waste Removal Services in accordance with the Local Public Contracts Law.

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Mr. Cusick asked for a roll call vote

Roll Call

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

RESOLUTION # 15-039 Appointment of Deputy Registrar of Vital Statistics

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

Ann Marie Best
Deputy Registrar of Vital Statistics

Mr. Cusick asked for a roll call vote

Roll Call

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

RESOLUTION # 15-040 Appointment to the Recreation Committee

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

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Voting Member

Shaun Alt

**As a Member of the Keansburg Recreation Committee,
for the unexpired term ending July 31, 2015.**

Mr. Cusick asked for a roll call vote

Roll Call

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

RESOLUTION # 15-041 Payment of Bills (03/25/15) no. 2

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:

Capital	\$ 31,463.23
Current	2,491,326.92
Dog Trust	89.40
Grant	1,543.75
Trust	23,923.41
Water/Sewer	291,180.96
	<hr/>
Total:	<u><u>\$2,839,527.67</u></u>

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Mr. Cusick asked for a roll call vote

Roll Call

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

RESOLUTION # 15-042 CDBG

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

- 1) Mayor Thomas Foley, Raymond O’Hare, Borough Manager and Patrick J. DeBlasio, Chief Finance Officer, are authorized to apply to the State of New Jersey Department of Community Affairs, a Subrecipient Agreement Implementing Grants under the Community Development Block Grant (“CDBG”) Disaster Recovery Program through the Essential Services Grant Program, whereby the Borough of Keansburg will apply for funds from the state and federal governments to fund essential services and offset the loss of tax ratables and other revenue as a result of “Superstorm Sandy”.
- 2) A certified copy of this resolution shall be provided by the Office of the Borough Clerk to the Department of Community Affairs.

Mr. Cusick asked for a roll call vote

Roll Call

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

Communications:

*The next meeting of the Keansburg Borough Council will be **Wednesday, April 22nd***

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Keansburg Fire Department
New Members

<i>Jaxhiel Duran</i>	<i>Keansburg EMS</i>
<i>William Kane, Jr.</i>	<i>New Point Comfort Fire Company #1</i>
<i>David Cassidy</i>	<i>New Point Comfort Fire Company #1</i>
<i>Jose Jara</i>	<i>Keansburg Fire Company #1</i>

Resignations

<i>Ryan Dowens</i>	<i>Keansburg EMS</i>
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Mr. Cusick asked for a roll call vote to place this communication on file:

Roll Call

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

Councilman DePompa left the meeting

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Department Reports::

Steve Ussmann,
Water Plant Superintendent

Reported that the second quarter bills will be mailed on March 31st. Mr. Ussmann reported on the repairs to Well #5 and at the Church/Main Street intersection, also he gave a summary of revenue collections.

James Falco,
Roads Supervisor

Stated that 32 tons of asphalt have been utilized in the Borough for recent pothole repairs. Beach cleaning will be starting and signs are being installed regarding the beach (dune) grass not to be disturbed.

At this time there was a discussion on road reconstruction and drainage improvements on Shore Boulevard and vicinity. There will be a follow-up discussion at the April meeting.

At this time there was a **STRAW POLL** by Council, moved by Mr. Cocuzza, seconded by Mr. Boden approving the Borough Engineer to conduct survey work on Shore Boulevard.

Mr. Cocuzza, Mr. Boden, Mr. Hoff and Mr. Foley all were in agreement to approve this action.

Councilman Boden

Announced that the Keansburg Recreation Committee will be conducting the Easter Egg Hunt to be held on Saturday April 4th at 12 noon

Announced Volunteer Beach Clean – Up to begin in late April

Mayor Foley

Announced that Borough Resident, Bill Jones will have a reception on April 12 at the Monmouth County Library Eastern Branch as a highlight of his month-long exhibit “Celebrating Keansburg”. Also reported that the next Bayshore Conference of Mayors meeting will be held in Keansburg.

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Resolutions:

RESOLUTION # 15-042A Creation of Flood Plain Management Committee

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

THAT, the following be and they are hereby appointed as members of the Borough of Keansburg Flood Plain Management Committee

Mayor Thomas Foley, Councilman Arthur Boden

Borough Manager – Chief Raymond O’Hare

Borough Clerk/Housing and Community Development – Thomas Cusick

Construction Official, Floodplain Manager, Planning/Zoning, Code Enforcement – Ed Striedl

Police/OEM – Chief James Pigott or designee

Department of Public Works – Dennis O’Keefe or designee

Parks and Recreation – Ginger Rogan

T&M Associates/Engineering – Francis Mullan, P.E. or designee

The committee shall select from its members a chair, by majority vote of the committee. Committee members shall review and provide input concerning the development of the Floodplain Management Plan which is being developed by the Township’s Engineering Consultant, T&M Associates. The committee shall adopt a formal meeting schedule at the first meeting. All meetings shall be open to the public and advertised upon the Borough’s webpage.

That a certified copy of this resolution be forwarded to the Francis Mullan, T & M Associates and the members stated above.

Open to the Public:

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

Roll Call

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

NO MEMBER OF THE PUBLIC SPOKE AT THIS TIME

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

Roll Call

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

Executive Session:

Adjournment

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

Roll Call

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

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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
March 25, 2015

Attest:

Thomas P. Cusick
Municipal Clerk
Borough of Keansburg