



## JULY 17, 2019 MEETING MINUTES

Mr. Cusick read the following:

**ADEQUATE NOTICE HAS BEEN GIVEN OF THIS MEETING BY NOTIFICATION TO THE ASBURY PARK PRESS AND POSTED ON THE BULLETIN BOARD AND THE OFFICIAL WEBSITE OF THE BOROUGH OF KEANSBURG.**

Mr. Cusick asked all to rise and recite:

**Salute to the Flag**

Mr. Cusick took:

**Roll Call**

<b>Ms. Ferraro</b>	<b>Mr. Tonne</b>	<b>Mr. Cocuzza</b>	<b>Mr. Foley</b>	<b>Mr. Hoff</b>

**Nomination and Election of Mayor**

### ☀️ Oath of Office of Mayor ☀️

**Nomination and Election of Mayor**

Councilman James Cocuzza was nominated as Mayor of the Borough of Keansburg.

Motion made by Councilwoman Ferraro

seconded by Mayor Hoff

Mr. Cusick asked for a roll call vote to select for the Office of Mayor:

**Roll Call**

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mrs. Ferraro	√		√			
Mr. Tonne			√			
Mr. Cocuzza			√			
Mr. Foley			√			
Mr. Hoff		√	√			

### ☀️ Oath of Office of Mayor ☀️

I, **James Cocuzza**, do solemnly swear that I will faithfully, impartially and justly perform all the duties of the office of **Mayor** according to the best of my ability. So help me God.



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### Presentation:

On behalf of the Monmouth County Board of Chosen Freeholders, Mayor George Hoff and Deputy Mayor Foley presented a proclamation to Mayor James Cocuzza.

### Appointments – Class I and Class II Police Officers

Mayor Cocuzza administered the Office of Office for:



### Class II Police Officer

Mason Sheehan

### Class I Police Officers

**Thellie Enna**  
**Danilo Ferrer**

**Christopher Jankowski**

**Derek Martinez**  
**Gabriel Torres**



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### Recess:

The Mayor and Council convened a brief recess

Mr. Cusick asked for a roll call vote to convene a recess:

### Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Ms. Ferraro	√		√			
Mr. Tonne			√			
Mr. Hoff		√	√			
Mr. Foley			√			
Mr. Cocuzza			√			

## RECESS CONVENED

### Meeting Minutes:

Mr. Cusick asked for a roll call vote to reconvene from a brief recess:

### Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Ms. Ferraro		√	√			
Mr. Tonne			√			
Mr. Hoff			√			
Mr. Foley	√		√			
Mr. Cocuzza			√			

### Meeting Minutes:

Meeting Minutes June 19, 2019

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
Ms. Ferraro	√		√			
Mr. Tonne			√			
Mr. Hoff			√			
Mr. Foley		√	√			
Mr. Cocuzza			√			



## JULY 17, 2019 MEETING MINUTES

### Ordinances:

#### Second Reading:

#### **ORDINANCE #1640 BOND ORDINANCE** *Highland Blvd. Phase II*

BOND ORDINANCE PROVIDING FOR ROADWAY IMPROVEMENTS TO HIGHLAND BOULEVARD (PHASE II), AND APPROPRIATING \$388,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$128,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, NEW JERSEY

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

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of Keansburg, in the County of Monmouth, New Jersey (the "Borough"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$388,000, said sum being inclusive of all appropriations heretofore made therefor, including grant funds expected to be received from the New Jersey Department of Transportation (NJDOT) in the amount of \$260,000. No down payment is required or appropriated herein, in accordance with N.J.S.A. 40A:2-11c of the Local Bond Law.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of a down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$128,000, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the obligations are to be issued consist of roadway improvements to Highland Boulevard (Phase II), including, but not limited to, the replacement/reconstruction of curbs, sidewalks and roadway; and drainage improvements as necessary, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of the Borough

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$128,000, as stated in Section 2 hereof.



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(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$388,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$388,000 over the estimated maximum amount of bonds or notes to be issued therefor being the grant funds in the amount of \$260,000 expected to be received from the NJDOT.

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 general 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 twenty (20) 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 \$128,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$46,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and



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

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto.

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 OPEN the meeting to the Public:

**Roll Call**

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Ms. Ferraro			√			
Mr. Tonne			√			
Mr. Hoff	√		√			
Mr. Foley		√	√			
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:



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### Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Ms. Ferraro		√	√			
Mr. Tonne			√			
Mr. Hoff			√			
Mr. Foley	√		√			
Mr. Cocuzza			√			

Mr. Cusick asked for a roll call vote to ADOPT Ordinance #1640:

### Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Ms. Ferraro			√			
Mr. Tonne			√			
Mr. Hoff	√		√			
Mr. Foley		√	√			
Mr. Cocuzza			√			

### First Reading:

#### ORDINANCE #1641 MCIA Capital Equipment Lease Program 2019

ORDINANCE AUTHORIZING THE LEASING OF CERTAIN CAPITAL EQUIPMENT BY THE BOROUGH OF KEANSBURG, NEW JERSEY FROM THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY AND THE EXECUTION OF A LEASE AND AGREEMENT RELATING THERETO

BE IT ORDAINED by the Borough Council of the Borough of Keansburg, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1. Pursuant to Section 78 of the County Improvement Authorities Law, N.J.S.A. 40:37A-44, et seq., the Borough of Keansburg (the "Municipality") is hereby authorized to unconditionally and irrevocably lease certain items of capital equipment from The Monmouth County Improvement Authority (the "Authority") pursuant to a Lease and Agreement, substantially in the form submitted to this meeting (the "Lease"), a copy of which is on file in the office of the Clerk to the Municipality. The Mayor is hereby authorized to execute the Lease on behalf of the Municipality in substantially such form as submitted to this meeting and with such changes as may be approved by the Mayor, which approval shall be conclusively evidenced by the execution thereof, and the Clerk to the Municipality is hereby authorized to affix and attest the seal of the Municipality.



## JULY 17, 2019 MEETING MINUTES

Section 2. The following additional matters are hereby determined, declared, recited and stated:

(a) In recognition of the fact that the lease payment of the Municipality under the Lease will be based, in part, on the amount of bonds issued by the Authority to finance the acquisition of the leased equipment and the interest thereon, the maximum amount of bonds which the Authority shall issue to finance the acquisition of the equipment to be leased to the Municipality shall not exceed \$1,590,000 and the interest rate on said bonds shall not exceed five and fifty hundredths percent (5.50%) per annum;

(b) The items to be leased from the Authority shall be as set forth in Schedule A hereto; provided that the Mayor or any authorized municipal representative (as defined in the Lease) may substitute or add items of equipment in accordance with the provisions of the Lease; and

(c) The lease term applicable to a particular item of leased equipment shall not exceed the useful life of such item.

Section 3. This ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by law.

### SCHEDULE A - EQUIPMENT LIST

#### Borough of Keansburg

<u>Equipment</u>	<u>Useful Life (Years)</u>	<u>Lease Term (Years)</u>	<u>Estimated Cost</u>
Ambulance	5	5	\$122,000
Bucket Truck	15	10	70,000
Fire Truck	10	10	850,000
Leaf Vacuum	15	10	65,000
Municipal Building Phone System	10	10	70,000
Parking Meter Pay Station	15	10	10,000
Eleven Police Vehicle PCs	5	5	70,000
Two Police Vehicles – SUVs	5	5	75,000
Portable Light Tower/Generator	5	5	18,000
Stage (mobile)	15	10	75,000
Traffic Message Sign	10	10	20,000
<b>Total</b>			<b>\$1,445,000</b>







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- Overtime meter only: Not to exceed \$ 50.00
- No parking 3:00 a.m. – 6:00 a.m.: Not to exceed \$ 50.00
- Violation of head-in parking only: Not to exceed \$ 50.00
- No parking 1 ½ ton vehicle from 12:01 a.m. to 5:00 a.m.: Not to exceed \$ 50.00

- 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 and approval by the Department of Transportation.

Mr. Cusick asked for a roll call vote to **INTRODUCE** the Ordinance #1642 and set for **PUBLIC HEARING** on August 21, 2019 at 7pm:

**Roll Call**

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Ms. Ferraro	√		√			
Mr. Tonne		√	√			
Mr. Hoff			√			
Mr. Foley			√			
Mr. Cocuzza			√			



## JULY 17, 2019 MEETING MINUTES

### ORDINANCE #1643 Municipal Clerk Bingo and Raffle Authorization

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER IV (GENERAL LICENSING AND BUSINESS REGULATIONS), SECTION 11 (RAFFLES) of the REVISED GENERAL ORDINANCES OF THE BOROUGH of KEANSBURG TO DELEGATE THE AUTHORITY TO ISSUE BINGO AND RAFFLE LICENSES TO THE MUNICIPAL CLERK, DEPUTY MUNICIPAL CLERK AND THE CHIEF OF POLICE

WHEREAS, the Borough of Keansburg regulates games of chance and the issuance of Bingo and Raffle licenses pursuant to Chapter IV of the Revised General Ordinances of the Borough of Keansburg; and

WHEREAS, pursuant to N.J.A.C. 13:47-4.1(a), an “issuing authority” reviews and determines whether to approve or deny a bingo or raffle license application; and

WHEREAS, N.J.A.C. 13:47-1.1 defines “issuing authority” to mean “the governing body of a municipality or a person to whom a municipal governing body has delegated by ordinance the authority to approve the granting of raffle and bingo license”; and

WHEREAS, the Borough Council wishes to supplement and amend Chapter IV to delegate the authority to issue bingo and raffle licenses to the Borough Clerk, Deputy Municipal Clerk and Chief of Police; and

WHEREAS, the Mayor and Council of the Borough of Keansburg finds that it is in the best interest of the citizens of the Borough of Keansburg to supplement and amend Chapter IV to delegate the authority to issue bingo and raffle licenses to the Borough Clerk, Deputy Municipal Clerk and Chief of Police.

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

Chapter IV (General Licensing and Business Regulations), Section 11 (Raffles) of the revised General Ordinances of the Borough of Keansburg shall be amended and supplemented as follows:

Section 1: **SHALL READ**

4-11 BINGOS AND RAFFLES

4-11.1 APPLICATION AND APPROVAL

**To set up, maintain, or permit, suffer or allow to be set up, kept or maintained in any house or other premises or place any device or game of chance for the purpose of gaming, or engage in any game of chance either as banker, player, dealer or otherwise for the purpose of gaming, except those bona fide qualified organizations which, pursuant to N.J.S.A. 5:8-24 t seq. (Bingo Licensing Law), and N.J.S.A. 5:8-50 et seq. (Raffles Licensing Law), may conduct games of chance on any day,**



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including Sunday, upon application to and approval by the Borough Clerk pursuant to the rules and regulations of the New Jersey Legalized Games of Chance Control Commission. In the event that the Borough Clerk or Deputy Municipal Clerk is unavailable or unable to review the application, the Chief of Police shall approve or disapprove of the application pursuant to the rules and regulations of the New Jersey Legalized Games of Chance Control Commission.

Section 2: All Ordinances, or parts thereof, inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of such inconsistency.

Section 3: Should any section, paragraph clause or any other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

Section 4: This Ordinance shall take effect upon its passage and publication according to law.

Mr. Cusick asked for a roll call vote to INTRODUCE the Ordinance #1643 and set for PUBLIC HEARING on August 21, 2019 at 7pm:

### Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Ms. Ferraro	√		√			
Mr. Tonne		√	√			
Mr. Hoff			√			
Mr. Foley			√			
Mr. Cocuzza			√			



## JULY 17, 2019 MEETING MINUTES

**Resolutions:**

**RESOLUTION # 19-092**                      Payment of Bills (07.17.19)

**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:

Mr. Cusick asked for a roll call vote:

**Roll Call**

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Ms. Ferraro			√			
Mr. Tonne		√	√			
Mr. Hoff	√		√			
Mr. Foley			√			
Mr. Cocuzza			√			

**RESOLUTION # 19-093**                      Appointments to the Planning Board

**BE IT RESOLVED** by the Mayor and Council of the Borough of Keansburg that

Board Member	Membership Class	for the term of
<b>Thomas Foley</b>	Be a Class I Member	July 1, 2019 through June 30, <b>2020</b>
<b>Dominick Grasso</b>	Be a Class II Member	July 1, 2019 through June 30, <b>2020</b>
<b>Judy Ferraro</b>	Be a Class III Member	July 1, 2019 through June 30, <b>2020</b>

**Be and are hereby appointed to the Keansburg Planning Board of Adjustment Be and are hereby appointed to the Keansburg Planning Board of Adjustment**



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Mr. Cusick asked for a roll call vote:

### Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Ms. Ferraro			√			
Mr. Tonne		√	√			
Mr. Hoff	√		√			
Mr. Foley			√			
Mr. Cocuzza			√			

### RESOLUTION # 19-094

Appointments to the Recreation Committee 2019

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

#### Voting Members

Eileen Enright

Ginger Rogan

Tina Manoes

Raymond Preston

Michele DeRoche

Brooke Clayton

Allison Kane

Matthew Kitchen

Krista Brand

Melissa Shaw

**As Members of the Keansburg Recreation Committee, for a term to run from August 1, 2019 to July 31, 2020**



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Mr. Cusick asked for a roll call vote:

**Roll Call**

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Ms. Ferraro			√			
Mr. Tonne		√	√			
Mr. Hoff	√		√			
Mr. Foley			√			
Mr. Cocuzza			√			

**RESOLUTION # 19-095**                      CDBG – Seeley Avenue Drainage Improvements

**Be it Resolved by the Mayor and Council** of the Borough of Keansburg does hereby approve the submission of an application for the consideration for funding under the Monmouth County Community Development Block Program for Fiscal Year 2020 ; and

**Be it Further Resolved** that the application shall be submitted for the **Seeley Avenue Drainage Improvements**; and,

**Be it Further Resolved** that the Borough Council authorizes the Mayor, Borough Manager, Borough Clerk and Borough Engineer to execute any and all documents related to the application.

Mr. Cusick asked for a roll call vote:

**Roll Call**

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Ms. Ferraro			√			
Mr. Tonne		√	√			
Mr. Hoff	√		√			
Mr. Foley			√			
Mr. Cocuzza			√			



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**RESOLUTION # 19-096** Professional Agreement – T&M Associates (Highland Blvd II)

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

T and M Associates

is hereby appointed as Borough Engineer for engineering services for

Engineering Services Proposals  
**Highland Boulevard II Reconstruction**  
**(NJ DOT Local Aid Program)**

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

1. The Borough Manager and Clerk are hereby authorized to enter into the attached agreement for the proposal with T and M Associates  
**in the proposal amount of \$45,000.00**
2. The attached contract is awarded without competitive bidding as a “Professional Service” in accordance with the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i) because it is for services performed by persons authorized by law to practice a recognized profession.
3. The services to be performed are necessary for the orderly function of the Project.
4. The amounts paid under the attached proposal shall not exceed the amount appropriated by the Borough Council for these services.
5. The Chief Financial Officer certifies that funds are available for this purpose.

*Patrick DeBlasio*

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Patrick DeBlasio CFO

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

A notice in accordance with the Local Public Contracts Law stating the nature, duration, service and amount of the contract and that the Resolution and contract are on file and available for inspection in the Office of the Municipal Clerk.





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Mr. Cusick asked for a roll call vote:

**Roll Call**

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Ms. Ferraro			√			
Mr. Tonne		√	√			
Mr. Hoff	√		√			
Mr. Foley			√			
Mr. Cocuzza			√			

**RESOLUTION # 19-097** Appointment of Class III Police Officers

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

**William Agar**

**David Gogan**

**Kevin White**

As Special Law Enforcement Police Officers Class III; and,

**BE IT FURTHER RESOLVED** that the Borough Council that a certified copy of this Resolution be forwarded to the Keansburg Police Department.

Mr. Cusick asked for a roll call vote:

**Roll Call**

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Ms. Ferraro			√			
Mr. Tonne		√	√			
Mr. Hoff	√		√			
Mr. Foley			√			
Mr. Cocuzza			√			



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### RESOLUTION # 19-098

Creation of Study Area

RESOLUTION OF THE BOROUGH OF KEANSBURG, COUNTY OF MONMOUTH, NEW JERSEY AUTHORIZING THE BOROUGH PLANNING BOARD TO INVESTIGATE WHETHER THOSE CERTAIN PARCELS, CONSISTING OF THE ENTIRETY OF BLOCKS 7, 8, 10, 11, 12, 13, 14 AND 52 ON THE BOROUGH TAX MAPS SHOULD BE DESIGNATED AS AN “AREA IN NEED OF REDEVELOPMENT (NON-CONDEMNATION)”

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”), authorizes the Borough of Keansburg (the “**Borough**”) to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

**WHEREAS**, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law the municipal council of the Borough (the “**Borough Council**”) must authorize the planning board of the Borough (the “**Planning Board**”) to conduct a preliminary investigation of the area and make recommendations to the Borough Council; and

**WHEREAS**, the Borough Council believes it is in the best interest of the Borough that an investigation occur with respect to certain parcels within the Borough and therefore authorizes and directs the Planning Board to review and make recommendation whether the Study Area (as defined below) meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5*, and should be designated as an area in need of redevelopment (non-condemnation), concerning the parcels commonly known on the Borough tax maps as:

- Block 7, Lots 1, 2, 3, 4, 5, 6, 7.01, 7.03, 8.01, 8.02, 9, 10.01, 10.02, 10.03, 10.04, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20;
- Block 8, Lots 1, 2.01, 2.02, 3.01, 3.02, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19.01, 19.02, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, and 32;
- Block 10, Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9;
- Block 11, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12;
- Block 12, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12.01;
- Block 13, Lots 1, 2.02, 3, 4, 4.01, 5.01, 5.03, 7, and 8;
- Block 14, Lots 1, 1.02, 2, 3, 4, 5, 6, 7, 8, and 9; and



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- Block 52, Lots 1.01, 1.02, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 (collectively, the “**Study Area**”); and

**WHEREAS**, the redevelopment area determination requested hereunder authorizes the Borough and the Borough Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, other than the power of eminent domain (hereinafter referred to as a “**Non-Condensation Redevelopment Area**”).

**NOW THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF KEANSBURG, NEW JERSEY AS FOLLOWS:**

1. The foregoing recitals are incorporated herein as if set forth in full.
2. The Planning Board is hereby authorized and directed to conduct an investigation pursuant to *N.J.S.A. 40A:12A-6* to determine whether the Study Area satisfies the criteria set forth in *N.J.S.A. 40A:12A-5* to be designated as an area in need of redevelopment.
3. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the parcels contained therein, and appended thereto shall be a statement setting forth the basis of the investigation.
4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically *N.J.S.A. 40A:12A-6*, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall not authorize the Borough or Borough Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a possible Non-Condensation Redevelopment Area.
5. At the public hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area. All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.
6. After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the Borough Council as to whether the Borough Council should designate all or some of the Study Area as an area in need of redevelopment.
7. This Resolution shall take effect immediately.



## JULY 17, 2019 MEETING MINUTES

Mr. Cusick asked for a roll call vote:

**Roll Call**

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Ms. Ferraro			√			
Mr. Tonne			√			
Mr. Hoff			√			
Mr. Foley		√	√			
Mr. Cocuzza	√		√			

**RESOLUTION # 19-099** Appointment of Professionals – Non Fair and Open (Redevelopment Counsel)

RESOLUTION OF THE BOROUGH OF KEANSBURG, COUNTY OF MONMOUTH, NEW JERSEY APPROVING McMANIMON, SCOTLAND & BAUMANN, LLC TO PROVIDE REDEVELOPMENT COUNSEL SERVICES PURSUANT TO N.J.S.A. 19:44A-20.5

**WHEREAS**, the Borough of Keansburg (the “**Borough**”) is desirous of engaging counsel for redevelopment initiatives in the Borough with regard to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (“**Redevelopment Law**”) and its predecessor and related laws, in assisting the Borough in developing, implementing and financing redevelopment projects, including the negotiation of, amongst other agreements, redevelopment agreements, to be provided in accordance with contracts pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the Borough is in need of legal service professionals to assist the Borough in redevelopment efforts, pursuant to the Redevelopment Law and its predecessor and related laws (“**Redevelopment Counsel**”); and

**WHEREAS**, McManimon, Scotland & Baumann, LLC (“**Counsel**”) has an excellent reputation in the area of redevelopment law, and has extensive legal staff and resources to handle any matter in the Redevelopment Law and any other unanticipated legal issue which may arise from time to time in the Borough with regard to the Borough’s redevelopment efforts; and

**WHEREAS**, William W. Northgrave, Esq., a partner at Counsel, has an excellent reputation in the area of Redevelopment Law, has practiced law for many years, and has available supporting attorney staff at and through Counsel; and

**WHEREAS**, for these reasons the Mayor and the Borough Council recommend William W. Northgrave, Esq. for the position of Redevelopment Counsel and seek to enter a contract for legal services with Counsel (“**Services Contract**”) to provide for same; and



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**WHEREAS**, the Borough’s Chief Financial Officer has determined and certified in writing that the value of the services to be provided by Counsel may exceed \$17,500.00 for Counsel (the “**Determination of Value**”); and

**WHEREAS**, Counsel will complete and submit a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee or to an elected official in the Borough in the previous one (1) year, and that each contract will prohibit it from making any reportable contributions through the term of the contract; and

**WHEREAS**, as set forth in the Certification of Funds from the Borough’s Chief Financial Officer, funds are available for this purpose.

**NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED BY THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF KEANSBURG AS FOLLOWS:**

1. The foregoing recitals are incorporated herein as if set forth in full.
2. The Mayor and Borough Council are hereby authorized and directed to execute the Services Contract with Counsel, whereby William W. Northgrave, Esq., shall represent the Borough as Redevelopment Counsel.
3. The Services Contract is awarded in accordance with contracts pursuant to the provisions of *N.J.S.A. 19:44A-20.5*.
4. The Business Disclosure Entity Certification and the Determination of Value for each professional be placed on file with this Resolution.
5. A copy of this Resolution shall be available for public inspection at the offices of the Borough.
6. This resolution shall take effect immediately.

Mr. Cusick asked for a roll call vote:

**Roll Call**

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Ms. Ferraro			√			
Mr. Tonne			√			
Mr. Hoff			√			
Mr. Foley		√	√			
Mr. Cocuzza	√		√			

**RESOLUTION # 19-100**

Beachway Avenue Redevelopment Area – Funding Agreement



## JULY 17, 2019 MEETING MINUTES

RESOLUTION OF THE BOROUGH OF KEANSBURG, COUNTY OF MONMOUTH, NEW JERSEY AUTHORIZING THE EXECUTION OF A FUNDING AGREEMENT WITH SACKMAN ENTERPRISES OF NJ, LLC IN FURTHERANCE OF REDEVELOPMENT EFFORTS PURSUANT TO THE AMENDMENT TO THE BEACHWAY AVENUE WATERFRONT REDEVELOPMENT PLAN

**WHEREAS**, the Borough of Keansburg, County of Monmouth (the “**Borough**”) is a public body corporate and politic of the State of New Jersey authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”) to determine whether certain parcels of land within the Borough constitute an area in need of rehabilitation or an area in need of redevelopment; and

**WHEREAS**, in accordance with the Redevelopment Law, on August 26, 2015, the Borough Council of the Borough (the “**Borough Council**”) adopted Resolution #15-107 designating Block 184, Lots 1 and 3 as an area in need of redevelopment (condemnation) (the “**Property**”); and

**WHEREAS**, Sackman Enterprises of NJ, LLC (the “**Entity**”) seeks to redevelop the Property; and

**WHEREAS**, the Property’s redevelopment is governed by the Amendment to the Beachway Avenue Waterfront Redevelopment Plan, adopted by the Borough Council on March 9, 2019 (the “**Redevelopment Plan**”); and

**WHEREAS**, pursuant to the Redevelopment Plan, no new construction at the Property is allowed except through a negotiated Redevelopment Agreement; and

**WHEREAS**, the Borough and the Entity have negotiated the terms of a Funding Agreement, attached hereto as **Exhibit A** (the “**Agreement**”), to provide for the funding of, amongst other related redevelopment activities regarding the Property, and any other, related property or properties as identified in the Redevelopment Plan and/or the original Beachway Avenue Waterfront Redevelopment Plan adopted by the Borough in 2005, the negotiation of a Redevelopment Agreement; and

**WHEREAS**, the Borough wishes to memorialize its acceptance of the terms of the Agreement, and its authorization for appropriate Borough representatives to execute same.

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

1. The recitals are hereby incorporated as if restated herein in full.
2. The Agreement is hereby approved and accepted, subject to such additions, deletions,



## JULY 17, 2019 MEETING MINUTES

modifications or amendments deemed necessary in consultation with counsel that do not substantially alter the rights and responsibilities of the parties, and to take all other necessary and appropriate action to effectuate the Agreement

3. The Mayor or the Mayor’s designee, as appropriate, is authorized and directed to execute the Agreement consistent with the terms set forth therein.

4. This Resolution shall take effect immediately.

Mr. Cusick asked for a roll call vote:

**Roll Call**

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Ms. Ferraro			√			
Mr. Tonne			√			
Mr. Hoff			√			
Mr. Foley		√	√			
Mr. Cocuzza	√		√			



## JULY 17, 2019 MEETING MINUTES

### Department Reports:

*Robert Yuro  
Borough Engineer*

*Reported on the D.O.T. Application for Seabreeze Way and Oakwood Place.*

*Reported on the Clarifier Tank Covers project*

*Updated Council on the C.D.B.G. Application and the ability to move ahead with Highland Blvd*

*Councilwoman Ferraro*

*Congratulated newly sworn Mayor James Cocuzza*

*Councilman Hoff*

*Thanked the Keansburg Police Department and Department of Public Works for their efforts during the Fourth of July weekend*

*Mayor Cocuzza*

*Thanked the Council for their confidence and committed to moving Keansburg forward.*

*Welcomed Assemblywoman Serena DiMaso, dignitaries and School Board members in attendance.*

### Open to the Public:

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

### Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Ms. Ferraro		√	√			
Mr. Tonne			√			
Mr. Hoff			√			
Mr. Foley	√		√			
Mr. Cocuzza			√			





## JULY 17, 2019 MEETING MINUTES

Jonathan Keyser  
non-resident  
(did not state address)

Lives 1.7 miles from Keansburg Beach

Asked Council to consider expanding their seasonal Beachfront Parking Permit system to extend to non-residents

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

### Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Ms. Ferraro		√	√			
Mr. Tonne			√			
Mr. Hoff			√			
Mr. Foley	√		√			
Mr. Cocuzza			√			



## JULY 17, 2019 MEETING MINUTES

### Adjournment

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

### Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Ms. Ferraro			√			
Mr. Tonne		√	√			
Mr. Hoff			√			
Mr. Foley			√			
Mr. Cocuzza	√		√			



I, Thomas P. Cusick, Municipal 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  
**July 17, 2019**

**Attest:**

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**Thomas P. Cusick**  
*Municipal Clerk*  
 Borough of Keansburg