

**BOROUGH OF KEANSBURG**  
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY  
January 26, 2011  
**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 the rise and recite:

**Salute to the Flag**

Mr. Cusick took:

**Roll Call**

<b>Mr. Boden</b>	<b>Mr. DePompa</b>	<b>Mrs. Strydio</b>	<b>Mr. Hoff</b>	<b>Mr. Cocuzza</b>
✓	✓	✓	Excused	✓

**Public Hearing:**

**St. John's Park ROSI diversion: Cellular Tower**

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

	Moved	Seconded	Ayes	Nays	Absent	Abstain
<b>Mr. Boden</b>		✓	✓			
<b>Mr. DePompa</b>			✓			
<b>Mrs. Strydio</b>	✓		✓			
<b>Mr. Hoff</b>					✓	
<b>Mr. Cocuzza</b>			✓			

Joe Bielavitz  
31 Howard Avenue

Mr. Bielavatz stated that he did not want the Borough Council to spend money.

Mr. Cusick explained that there would be revenues generated for the Borough from the cellular towers

Mr. Bennett spoke about the Open Space Grant received by the Borough and that new revenues will offset the Borough's share.

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

	Moved	Seconded	Ayes	Nays	Absent	Abstain
<b>Mr. Boden</b>		✓	✓			
<b>Mr. DePompa</b>			✓			
<b>Mrs. Strydio</b>	✓		✓			
<b>Mr. Hoff</b>					✓	
<b>Mr. Cocuzza</b>			✓			

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**Resolutions:**

RESOLUTION #11 – 004    Payment of Bills (01.26.11)

**BE IT RESOLVED** by the Mayor and Council of the Borough of Keansburg that the following numbered Vouchers be paid to the person therein respectively and hereinafter named, for the amounts set opposite their respective names and endorsed and approved on said vouchers; and

**BE IT FURTHER RESOLVED** that checks be drawn by the Chief Financial Officer, signed by the Mayor and attested to by the Municipal Clerk as required by law:

<b>Current</b>	\$1,262,124.50
<b>Water &amp; Sewer</b>	60,178.98
<b>Grant</b>	1,093.45
<b>Trust</b>	16,045.95
<b>Capital</b>	890.00
<b>W&amp;S Capital</b>	362,021.84
<b>Total:</b>	<b>\$1,702,354.72</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			✓			



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RESOLUTION #11 – 006 Award of Bid (Sweeper)

WHEREAS, the Borough of Keansburg advertised and received bids for a Vacuum Street Sweeper on December 1, 2010; and

WHEREAS, one (1) bid was received and opened in public by the Borough Clerk; and

WHEREAS, the following bids were received:

	ITEM	AMOUNT
	<b>(1) Vacuum Street Sweeper</b>	<b>\$235,000.00</b>
ADD	Hydraulic Wandering Hose	3,675.00
ADD	High Pressure Washdown	2,880.00
ADD	(2) 4 foot Aluminum Wandering Hose Extensions	1,285.00
DEDUCT	Curb Side Steer (only) Chassis provided ILO Dual Steer Chassis	-12,800.00
DEDUCT	Paint Cab and Door James White ILO Red	-3,315.00
DEDUCT	Paint Sweeper Body White ILO Red	-2,844.00
DEDUCT	Paint Truck Rims White ILO Red	-1,020.00
ADD	Right Hand Inspection Door & Step	630.00
ADD	Retractable Hose Reel Installed	1,687.50
ADD	Hopper Deluge	870.00
<b>Total Bid with selected options</b>		<b>\$226,048.50</b>

WHEREAS, the Borough Attorney has reviewed the bids and has determined that Timmerman Equipment Company of Whitehouse, NJ 08888. 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 Vacuum Street Sweeper (base bid plus options at listed) to:

in the total amount of \$ 226,048.50; 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 Pioneer General., Inc. after the review by the Borough Attorney and Chief Financial Officer’s certification.

Mr. Cusick asked for a roll call vote

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

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RESOLUTION #11 – 007    Rejection of Bids (Various)

**REJECTION OF BIDS**

WHEREAS, the Borough of Keansburg Municipal Clerk properly advertised seeking bids for Electrical, Plumbing, HVAC, Traffic Light Repair, Cleaning Services and Chemical Vending for the Borough of Keansburg, located at 29 Church Street, Keansburg, NJ 07734; and

WHEREAS, bid proposals were received by the Borough of Keansburg Municipal Clerk on Wednesday, December 1, 2010 at 10:00 A.M.; and

WHEREAS, several bidders submitted proposals for each requested area as listed above; and

WHEREAS, after the acceptance of the bids, the governing body has decided to substantially revise the specifications for the subject goods or services and accordingly be rejects all bids or proposals submitted based on the former specifications; and

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Keansburg that the Municipal Clerk and Deputy Clerk of the Borough of Keansburg are hereby authorized to execute another Request for Bids for the services of Electrical, Plumbing, HVAC, Traffic Light Repair, Cleaning Services and Chemical Vending for the Borough of Keansburg.

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 #11 – 008    Appointment of Reps to Mon Cty Comm. Development

**BE IT RESOLVED** that the Mayor and Council of the Borough of Keansburg wish to seek participation in the Monmouth County Community Development program; and

**BE IT RESOLVED** that in order to maintain that involvement, Representatives of the Community must be named by Resolution; and

**BE IT FURTHER RESOLVED** that the Mayor and Council of the Borough of Keansburg have decided that representation in this matter would be best served by naming, as Representatives to the Monmouth County Community Development Program, with the Preferred Addresses of Record being listed at c/o Keansburg Borough Hall, 29 Church Street, Keansburg, NJ 07734

**Mary Foley, as Representative**

**Deputy Mayor George Hoff, as Alternative Representative**

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be sent to

Ms. Debbie Dovedytis,  
Assistant Program Analyst  
Monmouth County Community Development  
Hall of Records Annex

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One East Main Street  
Freehold, New Jersey 07728

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 #11 – 009    Payment of Bills v2 (01.26.11)

**BE IT RESOLVED** by the Mayor and Council of the Borough of Keansburg that the following numbered Vouchers be paid to the person therein respectively and hereinafter named, for the amounts set opposite their respective names and endorsed and approved on said vouchers; and

**BE IT FURTHER RESOLVED** that checks be drawn by the Chief Financial Officer, signed by the Mayor and attested to by the Municipal Clerk as required by law:

<b>Current</b>	\$1,262,124.50
<b>Water &amp; Sewer</b>	60,178.98
<b>Grant</b>	1,093.45
<b>Trust</b>	16,045.95
<b>Capital</b>	890.00
<b>W&amp;S Capital</b>	<u>362,021.84</u>
<b>Total:</b>	<u><b>\$1,702,354.72</b></u>

Mr. Cusick asked for a roll call vote

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

**Council Discussion:**

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Fran Mullan  
Borough Engineer

Presented his monthly report. Outfalls on track. FEMA update.

Councilwoman Strydio

Thanked Dennis O’Keefe and the Department of Public Works for their work during the recent snowstorms.

**Communications:**

**REMINDER:**

The next Council Meeting will be Wednesday, February 23rd at 7pm.

**Keansburg Fire Department  
New Members**

Jon Ferraro.

New Point Comfort Fire Co.

Mr. Cusick asked for a roll call vote to place on file:

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

**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			✓			

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

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

**Executive Session:**

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

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

Councilman Hoff arrived at this time.

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			✓			

**Resolutions:**

**RESOLUTION # 11-010A – Desal Change Order**

WHEREAS, the Borough of Keansburg awarded a contract to DMR Construction Services, Inc. in the total amount of \$ 2,601,800.00 for Water Treatment Plant Improvements; and

WHEREAS, the Project Engineer has recommended a Change Order to ensure the successful completion of the Project.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that based upon the recommendation of the Project Engineer that it does hereby approve the attached change order in the amount of \$ 408,228.30; and







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BE IT FURTHER RESOLVED that the Borough Council does hereby authorize Raymond B. O'Hare, Borough Manager, to execute the Change Order entitled Modification # 1 to Project 1321001-001 dated January 31, 2011.

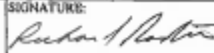
CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE			
1. ISSUING OFFICE Boro. of Keansburg	2. PROJECT NO. 1321001-001	3. CONTRACT NO. 2008-1	4. MODIFICATION NO. 001
5. TO (CONTRACTOR) DMR Construction Services, Inc.		6. PROJECT LOCATION AND DESCRIPTION 40 Frazee Place, Keansburg, NJ - Upgrades to municipal WTP	
7. A proposal is required for making the hereinafter described change in accordance with specification and drawing revisions cited herein or listed in attachment hereto. Submit your proposal in space indicated on Page 2, attach detailed breakdown of prime and sub-contract costs (See the clause of this contract entitled, "Changes". DO NOT start work under this proposed change until you receive a copy signed by the Contracting Officer or a directive to proceed).			
1/31/2011		Raymond O'Hare, Boro. Manager	
Date		Type Name and Title	Signature
8. DESCRIPTION OF CHANGE: Pursuant to the clause of this contract covering changes, the contractor shall furnish all labor and material, and all work necessary to accomplish the following described work: Increase in general project operational and administrative costs, due to contract extension, winter pipe and treatment process protection, additional structural, electrical, and plumbing-related construction, and stabilization of existing structures during below-grade work.			
As a result of the above, the contract price is revised as follows:			
ITEM NO.	ITEM DESCRIPTION	UNIT PRICE	ESTIMATED QUANTITY
*** See Item 13, below ***			
TOTAL COST OF THIS MODIFICATION		\$ 408,228.30	
The contract time is hereby: increase <input checked="" type="checkbox"/> decrease <input type="checkbox"/> or remains the same <input type="checkbox"/> by 261 calendar days as a result of this modification.			
The foregoing modification is hereby accepted:			
			
CONTRACTOR	OWNER	(DUPE SEAL) ENGINEER	
BY: R. Radici	BY: R. O'Hare	BY: P. Cole	
DATE: 1/31/2011	DATE: 1/31/2011	DATE: 1/31/2011	
APPROVAL:			
STATE OF NEW JERSEY		DATE	

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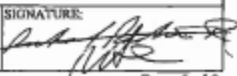
**CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE**

9. ISSUING OFFICE Boro. of Keansburg	10. PROJECT NO. 1321001-001	11. CONTRACT NO. 2008-1	12. MODIFICATION NO. 001
13. CONTRACTOR'S PROPOSAL - CHANGE IN CONTRACT PRICE (Detailed breakdown, attach additional sheets as necessary)			
(Proposed)			
Proposed Change Order No. 001:			
Item 1.01 - Additional Home Office Overhead		\$70,000.00	
Item 1.02 - Additional Proj. General Conditions		\$100,529.00	
Item 1.03 - East Perimeter Wall Extension		\$36,500.00	
Item 1.04 - Underpinning + Excavation Shoring		\$70,000.00	
Item 1.05 - Add'l Winter Pipe/Process Protection		\$28,236.88	
Item 1.06 - Add'l Elec., Plumbing, + Winter Prot.		\$133,962.42	
Item 1.07 - Lime Building Construction Credit		(\$16,000.00)	
Item 1.08 - Filters No. 4/5 Demolition Credit		(\$15,000.00)	
NET INCREASE		NET DECREASE	
\$ 408,228.30		\$ N/A	
		CALENDAR DAYS INCREASE	
		261 DAYS	
DATE: 1/31/2011	TYPE NAME AND TITLE: Richard Radici, President DMR Construction Services, Inc.		SIGNATURE: 

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CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE		
14. ISSUING OFFICE & PROJECT NO. Boro. of Keansburg, 1321001-001	15. CONTRACT NO. 2008-1	16. MODIFICATION NO. 001
17. ORIGINAL CONTRACT BID PRICE..... \$ 2,601,800.00		
TOTAL OF PREVIOUS CHANGE ORDERS..... \$ 0.00		
TOTAL CONTRACT COST INCLUDING CHANGE ORDERS..... \$ 3,010,028.30		
18. NECESSITY FOR CHANGE AND REASON FOR OMISSION FROM PLANS AND SPECIFICATIONS: Additional operational and administrative costs. Resolution of plan and specification interpretation discussions regarding scope of subgrade and new building-related construction.		
19. OTHER IMPACTS RESULTANT OF THIS CHANGE: <u>Extension of contract duration:</u> Notice-To-Proceed Date: Feb 1, 2010 Original Contract Term: 300 calendar days, final completion Nov 27, 2010 Additional Time Allowance: 261 calendar days Revised Final Completion Date: Aug 15, 2011		
20. RESUME OF NEGOTIATIONS OR RECOMMENDATIONS (Loanee's Representative): - Negotiations initiated informally in October 2010, continued monthly - Jan 5, 2011 final negotiation, conducted by attorneys John O. Bennett and Robert Hedinger, assisted by representatives of the project Owner (Borough Manager Raymond O'Hare, Engineer-Of-Record Francis Mullan, and Project Manager Patrick Cole), and representatives of the project Contractor (President Richard Radici). - Proposals were submitted by both parties, with mutually-agreed resolution achieved on total additional scope (as described above), total additional fee (\$408,228.30), and contract extension (261 calendar days). Resolution on all points achieved through direct negotiation. - All parties to the agreement, included here as signatories, assent "that the agreed-to price is fair and reasonable." - By signature of this document, the Contractor has assented to waive claims to all previously proposed change orders, and proceed to contract completion by the full terms of the original contract, and within the new contract duration term.		
DATE: 1/31/2011	TYPE NAME AND TITLE OF LOANEE'S REPRESENTATIVE: Raymond O'Hare, Borough Manager Borough of Keansburg	SIGNATURE: 

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Mr. Cusick asked for a roll call vote

	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

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



I, THOMAS P. CUSICK, Clerk of the  
Borough of Keansburg, in the County of Monmouth, New Jersey, do hereby certify that the foregoing is  
a true copy of meeting minutes of a regularly scheduled public meeting held on **January 26, 2011**

***Attest:***

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