

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
June 26, 2013

Meeting Minutes

This meeting took place at the Bayshore Senior Center, 100 Main Street, Keansburg, NJ.

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 to rise and recite:

Salute to the Flag

Mr. Cusick took:

Roll Call

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

Oaths of Office: New Police Officers

The following gentlemen were sworn into office as Police Officers of the Borough of Keansburg:

George Neckles

Christopher Rogan

Thomas P. Sheehan

Michael Thompson

Police Commendations:

Citizen Awards

In grateful recognition of services provided during Superstorm Sandy

- ❖ Larry Boccio: for extinguishing a brush fire that was starting to spread to a building on February 17, 2013.
- ❖ Mitchell Hersh, CEO of Mack Cali donation of office furniture and office equipment for new Police HQTRS.

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- ❖ Ellen Berkowitz, owner Arbee Associates, donation of work stations and desks for Detective Bureau, Detective Commander Office, Deputy Chiefs office and Chiefs secretary office.
- ❖ Nelson A. Gralha, Manager of Arbee Associates, set up work stations and furniture
- ❖ Ray Raya, Keansburg Public Defender, coordinated donations of equipment to KPD that was loss in storm along with assisting in coordinating other donations and supplies to the Borough.
- ❖ Edward Eager and Raymond Kavanagh, Quality Sheet Metal and Welding, moved cell from old building and installed that and another one at the new Police Headquarters.
- ❖ Jeff Harold, site leader - Mitre Corporation, Ann Rugo, supervisor and William Franklin, employee, desktop computers for the KPD
- ❖ Kristine Zrebiec, Airgas Solutions, donation of desks and chairs to KPD.
- ❖ Craig Budelmann, Head Trustee for United Methodist Church and Rev Sunghee Park, pastor of United Methodist Church (she had foot surgery and will not be attending) for all their help and assistance provided to the Keansburg Police Department after Hurricane Sandy in allowing us to set up temporary Police HQTRS in their hall.
- ❖ Christopher J. Hoff, John R. O'Connor, Michael D. Allfrey, RJ Gorski and Christian Witzig for their services and actions during and after Hurricane Sandy.
- ❖ Det/Capt. John J. White in recognition of his graduation from the prestigious FBI National Academy located in Quantico, Virginia. It is an intense 10 week course designed for high level police managers from all over the world.
- ❖ Lt. Gary Kronenberger, Ptl. Richard Johnson and Ptlw. Tiffanie Dill for their outstanding work which led to the arrest of two murder suspects within 12 hours of the crime which occurred on May 19, 2012.
- ❖ Sgt. John Magner, Ptl. Joseph Jankowski, Special Officer Guillermo, Ptl. Justin Cocuzza and Disp. Leslie Thompson for their outstanding work which led to the arrest of a murder suspect within 1 hour of the crime on August 8, 2012.
- ❖ Det/Lt. Wayne Davis, Sgt. Andrew Gogan, Det. Michael Deaney, Ptl. Nicholas Angerami, Ptl. John Soranno and Special Officer John Swartz for their actions on March 18, 2012 in disarming a knife wielding suspect who was attempting to commit "Suicide by Cop". They also had to deal with a large crowd that had gathered and at times was hostile. Their actions resulted in the arrest of the suspect without injury to the suspect, the bystanders or themselves.
- ❖ Police Officer of the year for 2012: The entire department for their actions before, during and after Hurricane Sandy.

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- ❖ I would also like to publically acknowledge the officer of the year for:
- ❖ 2010: Det/Capt. John White (FBI graduation)
- ❖ 2011: Det/Lt. Wayne Davis and Detectives Jason Lopez, Bryan King, Michael Deaney and Jillian Puthkowski for serving in Monmouth County Strike Force undercover Unit



**Police Officer of the Year
2012**

THE ENTIRE KEANSBURG POLICE DEPARTMENT

in recognition of service to the community
before, during and in the aftermath
of Superstorm Sandy
October 29, 2012



There was a brief recess



CDGB APPLICATION:

At this time Mr. Cusick, Borough Clerk, presented a proposed application for consideration for funding under the Monmouth County Community Development Program. Also assisting in the presentation was Jason Harzold of T & M Associates, the Borough's engineering firm.

Mr. Cusick discussed the proposed application of drainage and roadway improvements on Raritan Avenue. The Raritan Avenue drainage system accounts for almost one-third of the storm water drainage in the Borough. Previously the Borough has replaced the drainage lines from the Bay to the intersection of Birch Court and Raritan Avenue. A pumping station was also constructed at the Beachfront. There has been a

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gradual improvement to the drainage in the area, but the full effect will not be witnessed until the last of the main drainage lines have been replaced. Improper drainage in the area has caused damage to property and vehicles for many years and has depressed the general condition of the neighborhood. Businesses located on Carr Avenue have been negatively impacted by the flooding on the roadway for the past twenty-five years.

The proposed construction will be on Raritan Avenue from Birch Court to East Shore Street and East Shore Street from Raritan to Carr Avenue. A new line will be installed on Oak Street from Raritan to Carr Avenue. The drainage in the Carr Avenue area should dramatically improve if these improvements are made.

The Borough has received an award from the New Jersey Department of Transportation to fund a portion of these improvements. This neighborhood is within the area that is eligible for CDBG consideration. The Citizen Participation Group endorsed the application at their meeting earlier that day.

Upon a motion by Mr. Hoff, seconded by Mr. Cocuzza, the Public Hearing on this application was opened. All Council Members were in favor.

Ms. Harris, 129 Seeley Avenue, asked if the drainage improvements will impact her street. Mr. Cusick explained that several storm drains on that roadway empty into this system and there should be a slight improvement on her roadway.

Ms. Kovacs, 57 Lakewood Avenue, would like to see the Borough become more aggressive in drainage improvements throughout the Borough.

As there were no other members of the Public that wished to speak there was a motion by Mr. Boden, seconded by Mr. Hoff, to close the Public Portion. All in favor.

RESOLUTION # 13-095

RESOLUTION #13-095

CDBG Resolution: Improvement to Roadways

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 2014 ; and

Be it Further Resolved that the application shall be submitted for the reconstruction of a portion of the Raritan Avenue drainage system; 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:

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Roll Call

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

Council Discussion

Chief Pigott Report on the “Yield to Oncoming Traffic” signs installed on Seeley Avenue.

Reported that Hank Ruhman and Joe Pezzano just recently picked up additional equipment for the Borough at no cost.

Steve Ussmann Reported on activities and revenues received by the Water/Sewer Department.

Raymond O’Hare Bulldozer obtained through surplus equipment.

James Falco Announced that the paper shredder will be available on September 29th at the High School

Jay Harzold Written report submitted to all Council Members.
T&M Associates

PUBLIC HEARING: CY2013 Municipal Budget

OPEN TO THE PUBLIC: CY2013 Municipal Budget

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

Roll Call

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

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

Ordinances:

Second Reading:

ORDINANCE #1536 – Index Rate Ordinance 2013

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) - CALENDAR YEAR 2013

CALENDAR YEAR 2013

MODEL ORDINANCE TO EXCEED THE

MUNICIPAL BUDGET APPROPRIATION LIMITS

AND TO ESTABLISH A CAP BANK

(N.J.S.A. 40A: 4-45.14)

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 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

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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 2013 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 3.5% increase in the budget for said year, amounting to \$430,067.85 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 2013 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 \$430,067.85, and that the CY 2013 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.

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

Roll Call

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

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NO 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. Foley			✓			
Mr. DePompa			✓			
Mr. Boden			✓			
Mr. Cocuzza	✓		✓			
Mr. Hoff		✓	✓			

Mr. Cusick asked for a roll call vote to adopt Ordinance #1536:

Roll Call

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

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

Roll Call

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

Mrs. Harris
129 Seeley Ave

Inquired about the Robin Hood Foundation Grant and how it was utilized.

Fund placed in trust account; all records at Borough Hall.

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

Roll Call

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

First Reading:

ORDINANCE #1537 – Residential Only Parking

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII (TRAFFIC), CREATING A NEW SECTION ENTITLED “RESIDENTIAL PARKING ONLY” AND A CORRESPONDING SCHEDULE(S) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG.

Section 1:

BE IT ORDAINED by the Mayor and Council of the Borough of Keansburg that Chapter VII (TRAFFIC) of the Revised General Ordinances be amended and supplemented to include a Section entitled “Residential Parking Only.”

Section 2:

BE IT FURTHER ORDAINED that residential parking shall mean that only motor vehicles owned and/or leased by residents of the Borough of Keansburg

may park in certain areas during prescribed time periods. Said motor vehicles must be registered by the resident with the New Jersey Division of Motor Vehicles.

Section 3:

BE IT FURTHER ORDAINED that residential parking areas shall be contained in Schedule XXI in Chapter VII (Traffic) of the Revised General Ordinances of the Borough of Keansburg.

Section 4:

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BE IT FURTHER ORDAINED that “School Session” as used in the Revised General Ordinances shall mean the dates and hours of operation of the Keansburg School District as promulgated by the Keansburg Board of Education.

Section 5:

BE IT FURTHER ORDAINED that Schedule XXI in Chapter VII (Traffic) in the Revised General Ordinances shall read as follows:

Name of Street	Sides	Location	Time Period
Terrace Place	Both	Carr Avenue to Creek Road	School Session
Frances Place	Both	Carr Avenue to Creek Road	School Session
Myrtle Avenue	Both	Manning Place to Kennedy Way	School Session
Ramsey Avenue	Both	Manning Place to Kennedy Way	School Session

Section 6: 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 7: INCONSISTENT ORDINANCES. All Ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

Section 8: 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 9: EFFECTIVE DATE. This ordinance shall take effect upon its passage and publication according to law.

Mr. Cusick asked for a roll call vote and set down for a Public Hearing Ordinances #1537 on July 24, 2013 at 7pm.:

Roll Call

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

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ORDINANCE #1538 – Code Enforcement Abandoned Property List

AN ORDINANCE AMENDING §2-13.3, DESIGNATING THE BOROUGH CODE ENFORCEMENT OFFICER FOR THE PURPOSE OF CREATING AN ABANDONED PROPERTY LIST

The Amendments to §2-13.3 shall appear underlined and in bold

2-13.3 Code Enforcement Officer.

A Code Enforcement Officer and a deputy if any, shall be appointed by the Manager. He shall be charged with the administration and enforcement of the Building Code, Property Maintenance Code and Zoning Ordinance of the Borough and shall exercise all powers, functions and duties prescribed by General Law, administration regulations and ordinance.

The Code Enforcement Officer shall also create an abandoned property list in accordance with N.J.S.A. 55:19-54 et seq. This list may be updated from time to time in the discretion of the Code Enforcement Officer. The creation and any amendments to the Abandoned Property List must comply with any and all notice requirements as provided by law.

Section 2: REPEALER. The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

Section 3: INCONSISTENT ORDINANCES. All Ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

Section 4: SEVERABILITY. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

Section 5: EFFECTIVE DATE. This ordinance shall take effect upon its passage and publication according to law.

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Mr. Cusick asked for a roll call vote and set down for a Public Hearing Ordinances #1538 on July 24, 2013 at 7pm.:

Roll Call

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

ORDINANCE #1539 – Beaches, Parks and Recreation

AN ORDINANCE AMENDING AND REVISING CHAPTER X - BEACHES, PARKS AND RECREATION AREAS

10-4 Dunes

10-4.1 Purpose

This chapter is adopted to regulate the dune areas between the easterly side of Beachway Avenue and the beaches, which are vital ingredients in the efforts of the Borough and the State of New Jersey, to preserve and protect the shoreline of this municipality from erosion by wind and water.

10-4.2 Definitions

Dune Areas. Those tracts of land east of Beachway Avenue, along the bay front on which sand dunes have been constructed at a height approximately 15 feet above the level of the beach and a width approximately 150 feet so as to provide protection from erosion by water or wind.

Vegetation. Plants or dune grass which normally grow or which are planted in the dune areas.

10-4.3 Prohibitions

- A. No person, firm, or corporation shall place any structure or object of any kind within the dune areas of the Borough.
- B. No person shall trespass by foot on or across the dune areas of the Borough, except in those areas clearly marked and designated for access, upon and across the dune area.
- C. No person shall operate any bicycle or motor vehicle of any kind on or across the dune areas of the Borough

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D. No person shall remove or destroy the natural vegetation, sand, dunes, fences, or other types of dune-protective devices in the dune areas of the Borough.

10-4.4 Exceptions

This chapter is not intended to prohibit the officers and employees of the Borough and other authorized personnel from entering into and upon the dune areas for the purpose of cleaning, maintenance, repair, restoration, and planting in order to preserve and protect the Dune Areas of the Borough

10-4.5 Violations and Penalties

Every person violating any of the provisions of this section shall, upon conviction, be liable to the penalty stated in Chapter I, Section 1-5.

Mr. Cusick asked for a roll call vote and set down for a Public Hearing Ordinances #1539 on July 24, 2013 at 7pm.:

Roll Call

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

Resolutions:

RESOLUTION # 13-061 Payment of Bills (6.26.13)

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	\$352,064.65
Current	1,313,980.57
Dog Trust	24.60
Grant	60.00
Trust	52,950.50
Water & Sewer	402,217.16
Total:	\$2,121,297.48

Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION #13-062 Annual Plenary Retail Lic. Renewal 13.14 (Carr Avenue Liquors)

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that Plenary Retail Licenses be granted to the following licensees for the term of July 1, 2013 through June 30, 2014

Carr Avenue Liquors LLC

67 Carr Avenue

1321-32-016-004

HELD AT THIS TIME: NO VOTE

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RESOLUTION #13-063 Annual Plenary Retail Lic. Renewal 13.14 (Keelen's Bar)

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that Plenary Retail Licenses be granted to the following licensees for the term of July 1, 2013 through June 30, 2014

Keelen's Bar

1 & 3 Railroad

1321-32-020-002

Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION #13-064 Annual Plenary Retail Lic. Renewal 13.14 (Belmont Bar & Grill) HELD

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that Plenary Retail Licenses be granted to the following licensees for the term of July 1, 2013 through June 30, 2014

Charlie's Place I

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32 Carr Ave

1321-33-007-009

Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION #13-065

Annual Plenary Retail Lic. Renewal 13.14 (K.I.B. Enterprises Inc.)

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that Plenary Retail Licenses be granted to the following licensees for the term of July 1, 2013 through June 30, 2014

K.I.B. Enterprises Inc

33 Laurel

1321-33-008-003

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Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION #13-066

Annual Plenary Retail Lic. Renewal 13.14 (Jay Kay Jay Inc.) HELD

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that Plenary Retail Licenses be granted to the following licensees for the term of July 1, 2013 through June 30, 2014

Jay Kay Jay Inc

77 Route 36

1321-33-012-006

HELD AT THIS TIME: NO VOTE

RESOLUTION #13-067

Annual Plenary Retail Lic. Renewal 13.14 (Chasers, Inc.) [NO CLEARANCE] HELD

Chasers Inc

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20 Main Street

1321-33-013-007

HELD AT THIS TIME: NO VOTE

RESOLUTION #13-068 Annual Plenary Retail Lic. Renewal 13.14 (Bayliners, Inc)

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that Plenary Retail Licenses be granted to the following licensees for the term of July 1, 2013 through June 30, 2014

Bayliner's LLC

2 Beachway

1321-33-014-003

Mr. Cusick asked for a roll call vote:

Roll Call

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

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RESOLUTION #13-069

Annual Plenary Retail Lic. Renewal 13.14 (La Rich LLC)

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that Plenary Retail Licenses be granted to the following licensees for the term of July 1, 2013 through June 30, 2014

La Rich LLC

72 Boardwalk

1321-32-032-010

Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION #13-070

Annual Plenary Retail Lic. Renewal 13.14 (R. Lengyel LLC)

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that Plenary Retail Licenses be granted to the following licensees for the term of July 1, 2013 through June 30, 2014

Russell J. Lengyel LLC

60 Carr Avenue

1321-33-018-005

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Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION #13-071 Annual Plenary Retail Lic. Renewal 13.14 (The Cabana LLC)

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that Plenary Retail Licenses be granted to the following licensees for the term of July 1, 2013 through June 30, 2014

The Cabana LLC
307 Beachway
1321-33-029-008

HELD AT THIS TIME: NO VOTE

RESOLUTION #13-072 Annual Plenary Retail Lic. Renewal 13.14 (Steve Kontos)-

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that Plenary Retail Licenses be granted to the following licensees for the term of July 1, 2013 through June 30, 2014

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Steve Kontos

Plenary Retail Consumption License

No. 1321-33-015-004

HELD AT THIS TIME: NO VOTE

RESOLUTION #13-073

Annual Plenary Retail Lic. Renewal 13.14 (Slover Prod. LLC)

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that Plenary Retail Licenses be granted to the following licensees for the term of July 1, 2013 through June 30, 2014

Slover Productions LLC

260-262 Beachway

1321-33-031-008

HELD AT THIS TIME: NO VOTE

RESOLUTION #13-074

Annual Plenary Retail Lic. Renewal 13.14 (Gokul Enterprises)

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that Plenary Retail Licenses be granted to the following licensees for the term of July 1, 2013 through June 30, 2014

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Gokul Enterprises
t/a Sheehan's Liquor Store
245 Main Street
1321-44-004-003

Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION #13-075

Annual Plenary Retail Lic. Renewal 13.14 (Bar One) HELD

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that Plenary Retail Licenses be granted to the following licensees for the term of July 1, 2013 through June 30, 2014

Bar 1, Inc. (Keansburg Discount Liquors)
304-306 Main Street
1321-33-025-007

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Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION #13-076 Annual Plenary Retail Lic. Renewal 13.14 (American Legion)

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that Plenary Retail Licenses be granted to the following licensees for the term of July 1, 2013 through June 30, 2014

American Legion Post 273
348 Carr Ave
1321-31-034-001

Mr. Cusick asked for a roll call vote:

Roll Call

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

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RESOLUTION # 13-077 Appointment of Professionals (Redevelopment – Wilentz)

RESOLUTION AUTHORIZING THE PROFESSIONAL SERVICES OF WILENTZ, GOLDMAN & SPITZER TO PERFORM PROFESSIONAL LEGAL SERVICES AND TO PROVIDE ASSISTANCE IN CONNECTION WITH THE BOROUGH’S REDEVELOPMENT ACTIVITIES.

WHEREAS, there exists a need for the Borough of Keansburg to retain the services of special counsel to provide assistance in connection with proposed redevelopment activities in the Borough; and

WHEREAS, the services will include the providing of legal services with respect to redevelopment activities conducted within the Borough; and

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

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

WHEREAS, the Governing Body, having considered the same, now wishes to authorize Wilentz, Goldman & Spitzer to provide the aforesaid services with regard to the redevelopment activities conducted in the Borough.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of Keansburg as follows:

1. That the Mayor, or his designee, is authorized to execute and the Borough Clerk to attest to an agreement in a form acceptable to the Borough Attorney between the Borough of Keansburg and Wilentz, Goldman & Spitzer, with regard to the aforesaid services, as per the proposal attached hereto.
2. That, in accordance with said agreement, Wilentz Goldman & Spitzer is hereby authorized to provide the aforesaid services with regard to the evaluation and assessment of the proposed redevelopment of properties within the Borough of Keansburg.
3. That the total fee for the services, including expenses, shall be in an amount not to exceed \$25,000.00. Further authorization from the Mayor and Council shall be required for any expenditures beyond said amount.
4. That this contract is awarded without competitive bidding as a “Professional Service”, in accordance with N.J.S.A. 40A:11-5, of the Local Public Contracts Law of New Jersey, because the

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services will be performed by persons authorized by law to practice a recognized profession and it is not possible to obtain bids for such needed qualitative services.

5. That the Chief Financial Officer is directed to file a Certificate of Availability of sufficient funds for this contract and to attach same to this Resolution.
6. That Notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the Township.
7. That a certified copy of this Resolution shall be provided to each of the following:
 - a. Wilentz, Goldman & Spitzer (Attn: Anne S. Babineau)
 - b. Borough Business Administrator
 - c. Borough Chief Financial Officer
 - e. Borough Attorney

Mr. Cusick asked for a roll call vote:

Roll Call

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

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RESOLUTION # 13-078 Refund of Fees (REVCO/CVS)

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

Amount: \$11,573.46

Reason: Refund of fees

Payable to: CVS/Caremark
One CVS Drive
Woonsicket, RI 02895
ATTN:
Joanne Brunetti or
Michael Beaton
Senior Payment Manager --
Finance

REF:
REVCO Drug Store
*(defunct 1998 project – now
occupied by Family Dollar)*

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby directed to issue payment as stated above:

Mr. Cusick asked for a roll call vote:

Roll Call

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

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RESOLUTION # 13-079 Authorize Execution of Risk Management Agreement [Brown & Brown]

RISK MANAGEMENT CONSULTANT'S AGREEMENT

THIS AGREEMENT entered into this 26 day of June 2013, among the Statewide Insurance Fund ("FUND"), a joint insurance fund of the State of New Jersey, Borough of Keansburg ("MEMBER") and Brown and Brown Metro ("CONSULTANT") through a fair and open process, pursuant to N.J.S.A.19:44A-20.4.

WHEREAS, the CONSULTANT has offered to the MEMBER professional risk management consulting services as required by the Bylaws of the FUND; and

WHEREAS, the CONSULTANT has advised the FUND that he/she is familiar with the terms, conditions and operations of the FUND; and

WHEREAS, the MEMBER desires these professional services from the CONSULTANT; and

WHEREAS, the MEMBER has complied with relevant law in regard to the appointment of a Risk Management Consultant; and

WHEREAS, the Bylaws of the FUND require that members engage a CONSULTANT and that the CONSULTANT comply with certain requirements set forth therein.

NOW, THEREFORE, the parties in consideration of the mutual promises and covenants set forth herein, agree as follows:

1. For and in consideration of the amount stated hereinafter, the CONSULTANT shall:
 - (a) assist in evaluating the MEMBER'S exposures and advise on matters relating to the Member's operation and coverage.
 - (b) explain to the MEMBER, or its representatives, the various coverages available from the FUND.
 - (c) explain to the MEMBER, or its representatives, the terms of the member's commitment and obligations to the FUND.
 - (d) explain to the MEMBER, or its representatives the operation of the FUND.
 - (e) prepare applications, statements of values, etc., on behalf of the MEMBER, if required by the FUND.
 - (f) review the MEMBER'S assessment and assist in the preparation of the MEMBER'S insurance budget.

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- (g) review losses and engineering reports and provide assistance to the MEMBER'S safety committee, if required.
- (h) assist in the claims settlement process, if required, by MEMBER or FUND.
- (i) attend the majority of meetings of the Fund Commissioners or Executive Committee, if requested, and perform such other services as required by the MEMBER or the FUND.
- (j) comply with the obligations imposed upon Risk Managers in the FUND's Bylaws.
- (k) act in good faith and fair dealing to the FUND.
- (l) perform other duties for the FUND as may be required from time to time by the FUND.

2. In exchange for the above services, the CONSULTANT shall be compensated in the following manner:

(a) The CONSULTANT shall be paid by the FUND, on behalf of the MEMBER, a fee as compensation for services rendered. Said fee, an apportionment of the MEMBER's assessment: 6% of workers' compensation (excluding any fees, PLIGA, and loss ratio apportionment); 7.5% of all lines assessment (excluding any fees, PLIGA, and loss ratio apportionment); and 10% of Selective umbrella assessment (excluding fees, PLIGA and administrative expenses).

(b) The CONSULTANT shall be entitled to compensation for services provided during any calendar year only if the CONSULTANT has been appointed and holds the position of Risk Management Consultant, as of January 31 of the said calendar year for counties and municipalities holding general elections and July 30 for municipalities holding regular elections.

(c) For any insurance coverages authorized by the MEMBER to be placed outside the FUND, the CONSULTANT shall receive as compensation the normal brokerage commissions paid by the insurance company. The premiums for said policies shall not be added to the FUND's assessment in computing the fee set forth in 2(a).

(d) If the MEMBER shall require of the CONSULTANT extra services other than those outlined above, the CONSULTANT shall be paid by the MEMBER a fee at a rate to be negotiated by the parties.

3. The term of this Agreement shall be from January 1, 2013 to January 1, 2014. However, this Agreement may be terminated by either party at any time by mailing to the other thirty (30) days written notice, certified mail return receipt.

4. The CONSULTANT shall comply with all laws applicable to producers who provide insurance products to public entities and shall comply with all applicable statutes and regulations relating to joint insurance funds.

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5. The CONSULTANT agrees to comply with all affirmative action laws applicable in accordance with Exhibit A and to submit all necessary documentation establishing compliance within seven (7) days of this Agreement.

Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION # 13-080 Appointment of Risk Management Consultant [Brown & Brown]

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

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

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

WHEREAS, the “Fund” has requested its members to appoint individuals or entities to that position; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of “Local Unit”, in the County of Monmouth and State of New Jersey, as follows:

1. The Borough of Keansburg hereby appoints

Dominick Cinelli its local Risk Management Consultant.

2. The Borough Manager (authorized representative of the public entity) and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant’s Agreement for the year 2013 in the form attached hereto.

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Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION # 13-081 Authorize Execution Indemnity & Trust Agreement [Brown & Brown]

THIS AGREEMENT made this 26 day of June, 2013, in the County of Morris, State of New Jersey, by and between the Statewide Insurance Fund (hereinafter “FUND”), and

The Borough of Keansburg, in the County of Monmouth a duly constituted local unit of government (hereinafter “LOCAL UNIT”);

WHEREAS, two or more local units have collectively formed a joint insurance fund as such an entity is authorized and described in N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, the LOCAL UNIT has agreed to become a member of the FUND in accordance with and to the extent provided for in the Bylaws of the FUND and in consideration of such obligations and benefits to be shared by the membership of the FUND; and

WHEREAS, the LOCAL UNIT has complied with relevant law with regard to the acquisition of insurance;

NOW, THEREFORE, it is agreed as follows:

1. The LOCAL UNIT, upon entering the FUND, agrees to be bound by and to accept and comply with each and every provision of the FUND’s Bylaws, Risk Management Program, as it applies to the LOCAL UNIT and the applicable statutes and administrative regulations pertaining to joint insurance funds.
2. The LOCAL UNIT agrees to participate in the FUND with respect to those coverage listed in the LOCAL UNIT’s “Resolution to Join” in accordance with the FUND’s Bylaws and Risk Management Program.
3. The LOCAL UNIT agrees to become a member of the FUND until

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January 1, 2016, at 12:01 a. m. eastern standard time. The commencement date shall be the effective date as established by the FUND’s Bylaws and policies.

4. The LOCAL UNIT certifies that it has not been canceled for non-payment of insurance premiums for a period of at least two (2) years prior to the date hereof, or, if self-insured, that it has never defaulted on any claims.

5. In consideration of membership in the FUND, the LOCAL UNIT agrees that it shall jointly and severally assume and discharge the liability of each and every member of the FUND in accordance with statute and regulation, and by execution hereof the full faith and credit of the LOCAL UNIT is pledged to the punctual payment of any sums which shall become due to the FUND in accordance with the Bylaws thereof, this Agreement or any applicable statute or regulation.

6. If the FUND, in the enforcement of any part of this Agreement, shall incur necessary expense or become obligated to pay attorney’s fees and/or court costs, the LOCAL UNIT agrees to reimburse the FUND for all such reasonable expenses, fees and costs on demand.

7. The LOCAL UNIT and the FUND agree that the FUND shall hold in trust all monies paid by the LOCAL UNIT to the FUND and those monies will be used in accordance with all applicable statutes, the FUND’s Bylaws and the Risk Management Program.

8. If required by the Commissioner of Insurance or applicable statutes or regulations, the FUND shall establish separate trust fund accounts in accordance with N.J.S.A. 40A:10-36, et seq. and any other statutes or regulations that may be applicable. Said trust accounts shall be used solely for the payment of claims made against members of the FUND, excess insurance premiums and/or the administration of the FUND, or for such other purposes as now or hereunder permitted by statute or regulation.

9. Each LOCAL UNIT which shall become a member of the FUND shall be obligated to execute an agreement similar in form to this Agreement.

10. To the extent required by law, the LOCAL UNIT shall provide notice of this Agreement to the Office of the State Comptroller.

Mr. Cusick asked for a roll call vote:

Roll Call

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

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RESOLUTION # 13-082 Appointment of Fund Commissioner (O’Hare/Cusick)

RESOLUTION APPOINTING FUND COMMISSIONER

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

WHEREAS, the Fund’s Bylaws require participating members to appoint a Fund Commissioner;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Keansburg that Raymond O’Hare, Borough Manager is hereby appointed as the Fund Commissioner for the Local Unit for the year 2013; and

BE IT FURTHER RESOLVED that Thomas Cusick, Municipal Clerk is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the year 2013; and

BE IT FURTHER RESOLVED that the Local Unit’s Fund Commissioner is authorized and directed to execute all such documents as required by the Fund. .

Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION # 13-083 Resolution to Join (Renew) the Fund (Statewide)

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

WHEREAS, the Borough of Keansburg (“LOCAL UNIT”) has complied with relevant law with regard to the acquisition of insurance; and

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

WHEREAS, the LOCAL UNIT has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

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WHEREAS, the LOCAL UNIT agrees to be a member of the FUND for a period of three (3) years, effective from January 1, 2013 terminating on January 1, 2016 at 12:01 a.m. standard time; and

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

NOW, THEREFORE, BE IT RESOLVED that the LOCAL UNIT does hereby agree to join the Statewide Insurance Fund; and

BE IT FURTHER RESOLVED that to the extent required by law, the Local Unit shall provide notice of the Indemnity and Trust Agreement to the Office of the State Comptroller; and

BE IT FURTHER RESOLVED that the LOCAL UNIT will be afforded the following coverage(s) as marked "Yes":

	YES	NO
Workers' Compensation & Employer's Liability	X	
Liability, Property, Crime-Faithful Performance and Fidelity,	X	
Inland Marine, Boiler and Machinery, Comprehensive General	X	
Liability, Auto Liability, Auto Physical Damages	X	
and Professional Liability	X	
Pollution Liability	X	

BE IT FURTHER RESOLVED that Raymond O'Hare (name of member employee) is hereby appointed as the LOCAL UNIT's Fund Commissioner and is authorized to execute the application for membership and the accompanying certification on behalf of the LOCAL UNIT; and

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

Mr. Cusick asked for a roll call vote:

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Roll Call

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

RESOLUTION # 13-084 Authorize Execution of Letter of Intent (dotgov.gov)

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that the Mayor is hereby authorized to execute a letter of intent and agreement with the United States Treasury Department’s regulatory body “dotgov.gov” for the purposes of securing a “.gov” extension for website/internet purposes of the Borough.

Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION # 13-085 Rescind Redeveloper Designation

Whereas the Mayor and Council of the Borough of Keansburg have found the results of efforts for redevelopment by the Redevelopment Appointee have not met the objectives of the Borough’s redevelopment concerns; and,

NOW THEREFORE BE IT RESOVLED that the Mayor and Council rescind RESOLUTION NUMBER 13-060A and the appointment of Arista/Harvistate as Redeveloper within the Borough of Keansburg.

Mr. Cusick asked for a roll call vote:

Roll Call

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

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RESOLUTION # 13-086 Approval of 2012 LOSAP 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 2012

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;

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 2012, a copy of which list is attached here as Exhibit A; and

BE IT FURTHER RESOLVED that a copy of this list will be 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.

Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION # 13-087 Special Emergency Appropriation – Superstorm Sandy (Demolition)

RESOLUTION OF THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-54 TO PROVIDE FUNDS FOR RESPONSE TO THE EXTRAORDINARY EXPENSES RESULTING FROM DAMAGE CAUSED BY SUPER STORM SANDY AND FURTHER AUTHORIZING THE ISSUANCE OF SPECIAL EMERGENCY NOTES TO FUND SUCH SPECIAL EMERGENCY APPROPRIATION

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WHEREAS, it has been found necessary to make a special emergency appropriation to meet certain expenses incurred or to be incurred as a result of the extraordinary damage to the streets, roads and other public property caused by Super Storm Sandy, requiring the demolition of homes within the Borough (the "Recovery") and the appropriation of funds of the Borough of Keansburg, in the County of Monmouth, State of New Jersey (the "Borough"), in the amount of \$800,000; and

WHEREAS, N.J.S.A 40A:4-54 provides that it shall be lawful to make such appropriation, which appropriation and special emergency notes issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act:

NOW, THEREFORE BE IT RESOLVED (by not less than two-thirds of the full membership of the governing body affirmatively concurring) as follows:

1. Pursuant to N.J.S.A. 40A:4-54, a special emergency appropriation is hereby made in the amount of \$800,000 for the Recovery from Super Storm Sandy. The \$800,000 appropriated herein is sufficient to fund the special emergency.
2. The special emergency appropriation set forth in Section 1 hereof shall be provided for in the budgets of the succeeding years by the inclusion of not less than \$160,000 annually in each of the next five years' succeeding budgets.
3. The Borough expects cost of the Recovery to be fully funded by the receipt of grants and FEMA funds.
4. Special Emergency Notes not in excess of \$800,000 are hereby authorized to be issued by the Borough.
5. Such Notes shall be executed by the Mayor and the Chief Financial Officer of the Borough and the official seal shall be thereunto affixed and attested to by the Clerk of the Borough.

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6. All Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. It is hereby delegated to the Chief Financial Officer of the Borough the authority to determine all matters in connection with the Notes issued, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. The Chief Financial Officer is also hereby authorized to sell part or all of the Notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon 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 the Notes pursuant to this resolution is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the Notes so sold, the price obtained and the name of the purchaser.

7. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on the Notes issued under this resolution.

8. The Borough reasonably expects to reimburse the expenditures toward the costs of the Recovery described in this resolution incurred and paid for by the Borough prior to the issuance of the Notes authorized by this resolution with the proceeds of such Notes. No funds from sources other than the Notes have been or are reasonably expected to be reserved or allocated on a long-term basis or otherwise set aside by the Borough, or any member of the same "controlled group" as the Borough, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to expenditures of the Borough to be reimbursed. This paragraph 7 is intended to be and hereby is a declaration of the Borough's official intent to reimburse the expenditures toward the costs of the Recovery described in this resolution incurred and paid for prior to the issuance of the Notes with the proceeds of such issuance of the Notes by the Borough, in accordance with Treasury Regulation Section 1.150-2(e)(1), and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section 1.148-10 to avoid, in whole or in part, arbitrage yield restrictions or arbitrage rebate requirements or to avoid restrictions under Sections 142 through 147 of the Code. The proceeds of the Notes used by the Borough to reimburse itself for expenditures towards the Recovery described in this resolution incurred and paid for, will not be used directly or indirectly (i) to "refund" an issue of governmental obligations within the meaning of Section 148 of the Code, (ii) to create or increase the balance of a "sinking fund" within the meaning of Treasury Regulation Section 1.148-1(c)(2) with respect to any obligation of the Borough, or to replace funds that have been, are being or will be used for sinking fund purposes, (iii) to create or increase the balance in a "reserve or replacement fund" within the meaning of Section 148(d) of the Code and Treasury Regulation Section 1.148-2(f) with respect to any obligation of the Borough or to replace funds that have been, are being or will be so used for reserve or replacement fund purposes, or (iv) to reimburse the Borough for any expenditure or payment that was originally paid with the proceeds of any obligation of the Borough (other than borrowing by the Borough from one of its own funds or the funds of a member of the same "controlled group" within the meaning of Treasury Regulation Section 1.150-1(e)). The Notes to be issued by the Borough to finance those expenditures towards the Recovery described in this resolution to be reimbursed will be issued in an

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amount not to exceed \$800,000 which moneys shall be expended from a fund of the Borough, entitled "Current Fund," which fund contains moneys which can be expended for any lawful project of the Borough. That the expenditures incurred and paid towards the Recover described in this resolution to be reimbursed with the proceeds of the Notes will be "capital expenditures" in accordance with the meaning of Treasury Regulation Section 1.150-2(d)(3).

9. Two certified copies of this resolution shall be filed with the Director of the Division of Local Government Services.

10. This resolution shall take effect immediately

Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION # 13-088

CY2013 Municipal Budget Amendment

RESOLUTION #13-088

BOROUGH OF KEANSBURG
MONMOUTH COUNTY, NEW
JERSEY

RESOLUTION TO AMEND 2013
BUDGET

WHEREAS, the Calendar Year 2013 Budget was approved on the 22nd day of May 2013, and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget,

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Keansburg,

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County of Monmouth, that the following amendments to the approved
Calendar Year 2013 Budget
be made:

	<u>Ayes</u>	<u>Nays</u>	<u>Abstained</u>
	Mr. Foley	NONE	NONE
	Mr. ((
	DePompa		
	Mr. Boden		(
Recorded Vote (Insert last names)	Mr. Cosuzza		(
	Mr. Hoff		<u>Absent</u>
	(NONE
	((
	((
	((

CURRENT FUND BUDGET

	<u>From</u>	<u>To</u>
Current Fund-Anticipated Revenues		
General Revenues:		
Miscellaneous Revenues-Section A: Local Revenues		
Parking Meters	90,000.00	91,483.00
Total Section A: Local Revenues	1,110,000.00	1,111,483.00
Miscellaneous Revenues- Section G: Special Items of General Revenues Anticipated with Prior Written Consent of Director of Local Government Services		
-Other Special Items		
FEMA Reserve-A/R	600,000.00	873,958.00
Community Disaster Loan Program	1,685,000.00	1,745,000.00
Total Section G: Special Items of General Revenues Anticipated with Prior Written Consent of Director of Local Government Services		
-Other Special Items	2,380,000.00	2,713,958.00
Total Miscellaneous Revenues	5,643,207.67	5,978,648.67
5. Subtotal General Revenues (Items 1,2,3 and 4)	6,493,207.67	6,828,648.67
Total General Revenues	16,460,786.04	16,796,227.04

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Current Fund - Appropriations 8. General Appropriations (A) Operations Within "CAPS"		
Engineering-Other Expenses	110,000.00	140,000.00
	<hr/>	
Total Operations (Item 8A) Within "CAPS"	11,221,030.00	11,251,030.00
	<hr/>	
Total Operations Within "CAPS" Including Contingent	11,371,030.00	11,401,030.00
	<hr/>	
Detail: Other Expenses	5,381,765.00	5,411,765.00
(H-1) Total General Appropriations for Municipal Purposes Within "CAPS"	12,740,423.00	12,770,423.00
	<hr/>	
(A) Operations - Excluded from "CAPS" Other Operations - Excluded from "CAPS" Superstorm Sandy	600,000.00	0.00
	<hr/>	
Total Other Operation - Excluded from "CAPS"	671,000.00	71,000.00
	<hr/>	
Total Operations - Excluded from "CAPS"	1,120,288.67	520,288.67
	<hr/>	
Detail: Other Expenses	980,156.67	380,156.67
(D) Municipal Debt Service-Excluded from "CAPS" Payment of BAN and Capital Notes Interest on Notes	0.00	25,183.00
	36,000.00	42,300.00
	<hr/>	
Total Municipal Debt Service Excluded	1,297,074.37	1,328,557.37

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from "CAPS"

(E) Deferred Charges-Municipal-
Excluded from "CAPS"

Special Emergency Authorizations	0.00	873,958.00
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Total Deferred Charges-Municipal-
Excluded from "CAPS"

	53,000.00	926,958.00
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(H-2) Total General Appropriations for
Municipal

Purposes Excluded from "CAPS"	2,720,363.04	3,025,804.04
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(O) Total General
Appropriations-

Excluded from
"CAPS"

	2,720,363.04	3,025,804.04
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(L) Subtotal General
Appropriations

Items (H-1) and (O)	15,460,786.04	15,796,227.04
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9. Total General
Appropriations

	16,460,786.04	16,796,227.04
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**DEDICATED WATER/SEWER UTILITY
BUDGET**

10. Dedicated Revenues from
Water/Sewer Utility

Water/Sewer Rents

	4,176,605.00	4,183,200.00
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Total Water/Sewer
Utility Revenues

	4,460,605.00	4,467,200.00
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11. Appropriations for Water/Sewer
Utility

Payment of BAN and
Capital Notes

	0.00	6,595.00
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Total Water/Sewer Utility
Appropriations

	4,460,605.00	4,467,200.00
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BE IT FURTHER RESOLVED, that two (2) certified copies of this resolution be filed forthwith in the office of the Director of the Division of Local Government Services for

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certification of the
Calendar Year 2013 budget so
amended.

It is hereby certified that this is a true copy of a resolution amending the
budget, adopted by the
governing body on the 26th day of June,
2013.

Certified by me
June 26, 2013

Thomas P. Cusick
Borough Clerk

Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION # 13-089 Adoption of **CY2013** Municipal Budget

ON FILE IN THE MUNICIPAL CLERK'S OFFICE

Mr. Cusick asked for a roll call vote:

Roll Call

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

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RESOLUTION # 13-090 Appointment of Professionals: Municipal Prosecutor

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:

Sean Kean

Municipal Prosecutor

for the Borough of Keansburg for one year term commencing immediately and expiring on June 30, 2014

Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION # 13-091 Appointment of Professionals: Public Defender

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:

Raymond Raya

Municipal Public Defender

for the Borough of Keansburg for one year term commencing immediately and expiring on June 30, 2014

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Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION # 13-092 Award of Bid (Superstorm Sandy Demolition)

REJECTION OF BIDS AND AUTHORIZE RE-BID

Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION # 13-093 Award of Bid (Third Party Electric)

WITHDRAWN – matter carried to July 24, 2013

RESOLUTION # 13-095 PLEASE SEE CDBG PUBLIC MEETING AND RESOLUTION AT BEGINNING OF MEETING MINUTES

Council Discussion:

- Raymond O’Hare Spoke about applying for 2 grants [renewjerseystronger.org]
- Councilman Boden Announced the beach clean-up taking place on July 20th
Announced the art exhibit featuring Guy Dorian, Comic Book Artist; reception to be held on July 13th.
- Councilman Foley Announced Holmdel Helps Fundraiser during the Fall Festival

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Deputy Mayor Cocuzza

Board of Health switch to August 1st

John Bennett

Spoke of Governor visiting Keyport the following day.

Department Reports:

Open to the Public:

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

Mrs. Harris
Seeley Avenue

Questioned sewer bills and the quarter

Mr. Cusick explained capital expenses, desalinization and water/sewer infrastructure rates.

Inquired into 75%/25% grants

2 State grants-\$14,000 applied

Sharon Kovacs
57 Lawrence Ave

Inquired about Holmdel Helps-owners only

Contradictory info on other websites

Diane Berg
21 Beaconlight Ave

Union Beach program database for grants

Mr. O'Hare stated that names are documented for donations.

Tom Harris
129 Seeley Ave

Asked about rental properties, many not being renovated-do they have to be lifted?

Matter depends on base flood elevation of structures.

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Mr. Cusick asked for a roll call vote:

Roll Call

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

Councilman Foley

Announced that there will be 175 volunteers week of July 8th to do work in community.

RESOLUTION # 13-094:

Nomination and Election of Mayor

Nominated by Mr. DePompa and motion seconded by Mr. Hoff, Mr. Boden is nominated to serve as Mayor of the Borough of Keansburg.

Having no other nominations Mr. Cusick took:

Roll Call

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

Mr. Cusick asked for a roll call vote:

Roll Call

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

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Adjournment

Mr. Cusick asked for a roll call vote:

Roll Call

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