

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
June 24, 2009

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 all to rise and recite:

Salute to the Flag

Mr. Cusick took:

Roll Call

Mr. DePompa	Mr. Hoff	Mrs. Strydio	Mr. Cocuzza	Mr. Boden
7:20pm arrival	√	Excused	√	√

Meeting Minutes:

Meeting Minutes May 27, 2009

Meeting Minutes June 10, 2009

The above noted meeting minutes were reviewed and approved by Council.

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

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

Ordinances:

Second Reading:

ORDINANCE 1483 Conversion to Calendar Fiscal Year

AN ORDINANCE REVERTING FROM THE STATE FISCAL YEAR TO A CALENDAR FISCAL YEAR

AN ORDINANCE REVERTING FROM THE STATE FISCAL YEAR TO A CALENDAR FISCAL YEAR

BE IT ORDAINED BY THE GOVERNING BODY OF THE BOROUGH OF KEANSBURG, COUNTY OF MONMOUTH, STATE OF NEW JERSEY THAT:

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Whereas, the Borough of Keansburg operates under the State Fiscal Year Budget; and,

Whereas, it is in the best interest of the taxpayers of the Borough of Keansburg to revert to a Calendar Fiscal Year;

Now Therefore Be It Resolved by the Governing Body of the Borough of Keansburg as follows:

1. The Borough of Keansburg desires to explore the possibility of a conversion to a Calendar year pursuant to the applicable State Statute.
2. If found desirable, the Borough of Keansburg shall apply to the Local Finance Board to revert to a Calendar Fiscal Year commencing January 1, 2010 with the appropriate transition year budget for the second half of 2009, (July 1, 2009 to December 31, 2009)
3. The Mayor and Municipal Clerk are hereby authorized and directed to make the required application to the Local Finance Board for the above reversion and to take all action and execute all documents to achieve the objectives of this Ordinance.
4. This Ordinance shall take effect upon its passage and publication as required by law.

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

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

NO MEMBER OF THE PUBLIC SPOKE ON ORDINANCE #1483

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

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

Mr. Cusick asked for a roll call vote to adopt Ordinance #1483:

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

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First Reading:

ORDINANCE 1485 MCIA Capital Lease Program 2009

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.

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

(a) In recognition of the fact that the lease payments 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 \$600,000 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.

Mr. Cusick asked for a roll call vote to set down for public hearing on July 22, 2009 at 7:00 pm:

Moved Seconded Ayes Nays Absent Abstain

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Mr. DePompa					√	
Mr. Hoff			√			
Mrs. Strydio					√	
Mr. Cocuzza	√		√			
Mr. Boden		√	√			

Resolutions:

RESOLUTION #09-089 Payment of Bills (6.24.09)

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:

Current	\$714,725.62
Water & Sewer	516,876.98
Grant	51,360.64
Trust	13,960.96
Capital	19,167.70
Dog Trust	229.20
W&S Capital	<u>7,630.00</u>
Total:	<u>\$1,323,951.10</u>

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #09-090 Firework Permit 2009

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

July 3, 2009

July 4, 2009

July 13, 2009

July 20, 2009

July 27, 2009

August 3, 2009

August 10, 2009

And

August 17, 2009

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

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

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #09-091 Employment Agreement (Cusick)

RESOLUTION CARRIED TO JULY 22, 2009 Meeting

RESOLUTION #09-092 Appointment to OEM – Deputy Emergency Coordinator (Etzkorn)

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BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that the position of Deputy Emergency Management Coordinator be filled by

William Etzkorn

For the unexpired term ending December 31, 2009

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #09-093 Refund of Deposit (Vaccaro)

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

Amount: \$100.00

Reason: Refund of an OPRA deposit, services not executed, materials rec'd from property owner.

Payable to: Michael Vaccaro
c/o Kearns-Duffy Law Firm
PO Box 56
Liberty Center, NJ 07920

Ref: ORPA
request for
building plans
for Viking
House

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

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Mr. Cusick asked for a roll call vote:

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

RESOLUTION #09-094 Cancellation of Taxes

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that by direction of the Tax Collector the following tax credits be canceled:

BLOCK	LOT	QUALIFIER	AMOUNT
3	1.006	C0006	\$.10
4	22		.13
5	4.06	C006A	.01
8	26		.01
18	19		.32
19	9		.01
51	18		.01
70	14		.01
76	7		.01
81	2		.01
91	18.06		.01
97	21		.40
103	9		.01
120	9		.33
153	7		.01
171	1		.03

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

Mr. Cusick asked for a roll call vote:

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

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RESOLUTION #09-095 SFY 09 Budget Transfer

**RESOLUTION – AUTHORIZING TRANSFERS BETWEEN BUDGET APPROPRIATIONS
PURSUANT TO N.J.S.A.40A:4-58**

WHEREAS, N.J.S. 40A:4-58 provides for the transfer as permitted between budget appropriations during the last two months of the fiscal year:

NOW, THEREFORE, BE IT RESOLVED By the Council of the Borough of Keansburg (not less than two thirds of the governing body affirmatively concurring) that transfers between SFY 2009 budget appropriations be made as follows:

from			to		
<u>a/c#</u>	<u>Name</u>	<u>Amount</u>	<u>a/c#</u>	<u>Name</u>	<u>Amount</u>
9-01-32-465-000	SANITATION-CONTRACTS	16,300.	9-01-20-145-200	TAX COLLECTOR O&E	4,000.
			9-01-200-250-100	DISPATCHERS S&W	1,200.
			9-01-31-430-200	UTILITIES-ELECTRIC	5,000.
			9-01-31-440-200	UTILITIES-TELEPHONE	2,000.
			9-01-26-290-200	STREETS & ROADS O&E	2,000.
			9-01-27-330-200	HEALTH O&E	1600.
			9-01-26-293-100	GARAGE S&W	500.
		<u>16,300.</u>			<u>16,300.</u>

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #09-096 Confirming Resolution – Main/Manning

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Resolution: Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for improvements to Main Street.

WHEREAS, the Borough of Keansburg intends to apply for Municipal Aid funds for improvements to Main Street;

WHEREAS, the funds will be used for streetscape improvements on Main Street and Manning Place.

NOW, THEREFORE, BE IT RESOLVED, that Mayor Arthur Boden and Municipal Clerk Thomas Cusick are hereby authorized to submit an electronic grant application identified as MA-ARRA-Keansburg Borough-00679 to the New Jersey Department of Transportation on behalf of the Borough of Keansburg.

Certified as a true copy of the resolution adopted by the Governing Body on this 24th day of June 2009

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #09-097 Confirming Resolution – Seabreeze

Resolution and Agreement For State Aid Municipal Aid

Resolution: Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Improvements to Seabreeze Way project.

WHEREAS, The New Jersey Department of Transportation (Department) is committed to advancing projects that enhance safety, renew the aging infrastructure and support new transportation opportunities and, via the Transportation Trust Fund, provides the opportunity for State assistance to local governments for the funding of road, bridge, and other transportation projects;

WHEREAS, the Borough of Keansburg desires to receive Department Municipal Aid in order to construct roadway improvements on Seabreeze Way between Highland Avenue and Oakwood Place, including pavement reconstruction, sidewalk, curbing and drainage improvements.

NOW, THEREFORE, BE IT RESOLVED that the governing body of Borough of Keansburg formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2010-Keansburg Borough-00436 to the New Jersey Department of Transportation on behalf of the Borough of Keansburg.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Keansburg and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the governing body of the Borough of Keansburg

On this 24th day of June, 2009

Thomas P. Cusick, Borough Clerk

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My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL _____

(Clerk)	(Presiding Officer)
Thomas P. Cusick	Arthur Boden
	Mayor

Mr. Cusick asked for a roll call vote:

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

Mr. DePompa arrived at the meeting

Council Discussion:

- | | |
|------------------------------|---|
| eCivis renewal contract | Council agreed that the eCivis contract would not be renewed on June 30 th . |
| Mr. Cusick: OPEN SPACE GRANT | Briefly discussed the Installation of Playground Recreation Equipment under the Monmouth County Open Space Grant |
| Mayor Boden | Announced that the New Point Comfort Fire Company would host a Comedy Show on 9/11

Announced that Father Time along with the Revitalization Committee will be hosting a Car Show on 7/11 |
| Councilman Hoff | Commend the Fire Department for their work during the Grandview Apartment Fire.

Gave congratulations to the Mayor and Deputy Mayor |
| Councilman Cocuzza | Spoke about representing the Borough's Board of Health at the Monmouth County Regional Health Commission meetings |

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Councilman DePompa Stated that the Fire Department did a great job at both the Carr Ave and Woodland Ave fires

Spoke about fees collected from the Boardwalk and related amusements

Mr. Cusick stated that license fees are current. Ordinance revision would be needed to raise any fees

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. DePompa			√			
Mr. Hoff		√	√			
Mrs. Strydio					√	
Mr. Cocuzza			√			
Mr. Boden	√		√			

John Swartz, President – Historical Society Picture of lighthouse for Oliva’s family at 200 Creek Road to be installed on July 11th

Robert Scifo, Secretary – Historical Society Asked about pictures of the Police Department in the museum; would like to have better quality of pictures to honor the department.

It was suggested he speak with the Chief

Spoke about the conditions of the Belvedere Hotel. Said that they are dumping derelicts into the building

Asked if cameras could be installed at the Baywalks

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

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

Ordinances:

Second Reading:

ORDINANCE 1484 Bond Ordinance Center/Highland

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BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO HIGHLAND BOULEVARD, HIGHLAND AVENUE AND CENTER AVENUE, AND APPROPRIATING \$425,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$250,000 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

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

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

NO MEMBER OF THE PUBLIC SPOKE ON ORDINANCE #1484

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

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

Mr. Cusick asked for a roll call vote to adopt Ordinance #1484:

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

Mr. Hoff was excused from the meeting at this time.

Executive Session:

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

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

EXECUTIVE SESSION DID CONVENE

Mr. Cusick asked for a roll call vote to return from Executive Session:

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

Resolutions:

RESOLUTION #09-098A Authorize Litigation Settlement (Tartavita)

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that the governing body after consultation with the Borough Attorney does hereby authorize settlement in regard to the litigation entitled “Kathleen Tartivita vs. Borough of Keansburg” in regard to the claim of the overlay of the redevelopment zone on the B-3 Highway Commercial Zone; and

BE IT FUTHER RESOLVED that the Borough Council has previously amended the Development Regulations to reflect the intentions of the governing body which the litigant is in agreement; and

BE IT FURTHER RESOLVED that the Borough Council authorizes payment to the plaintiff in the amount of \$ 600.00 to be made payable to the Attorney Trust Account; and

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

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #09-098B Authorize Retainer (M.Smith)

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that the governing body does hereby authorize the Acting Borough Manager to retain the services of SMITH PIZZUTILLO, LLC, 791 Alexander Road, Princeton, New Jersey 08540 for an amount not to exceed \$ 5,000.00; and

BE IT FURTHER RESOLVED that the firm of Smith Pizzutillo, LLC is retained for the purpose of securing the necessary approvals of a NJPDES (New Jersey Pollution Discharge Elimination System) permit for the desalinization system for the water treatment plant; and

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

Mr. Cusick asked for a roll call vote:

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

Adjournment

Mr. Cusick asked for a roll call vote:

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