

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
July 22, 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 asked all to rise and recite:

Salute to the Flag

Mr. Cusick took:

Roll Call

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

Meeting Minutes:

Meeting Minutes June 24, 2009
Meeting Minutes July 2, 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. Boden | | | √ | | | |
| Mr. Cocuzza | √ | | √ | | | |
| Mr. Hoff | | √ | √ | | | |
| Mrs. Strydio | | | √ | | | |
| Mr. DePompa | | | √ | | | |

Ordinances:

First Reading:

ORDINANCE 1486 FEMA MAPS
AN ORDINANCE AMENEDING AND REVISING CHAPTER XIV – FLOOD
DAMAGE PREVENTION – OF THE REVISED GENERAL ORDINANCES OF
THE BOROUGH OF KEANSBURG

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
July 22, 2009

Meeting Minutes

NEED ORDINANCE (WAITING FOR DOCUMENT FROM ATTORNEY)

Mr. Cusick asked for a roll call vote to set down for public hearing on August 26, 2009 at 7:00 pm:

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

Second Reading:

ORDINANCE 1485 MCIA

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

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
July 22, 2009

Meeting Minutes

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

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

SCHEDULE A - EQUIPMENT LIST
BOROUGH OF KEANSBURG
2009CapLease

| <i>Useful Lease Estimated</i> | <i>Equipment Life (yrs.)</i> | <i>Term (yrs.)</i> | <i>Cost</i> |
|-------------------------------------|----------------------------------|--------------------|---------------------|
| Police Cars | | 3 | \$75,000.00 |
| Mobile Data Computers | 5 | 5 | 40,000.00 |
| Radar Units | 5 | 5 | 8,000.00 |
| Radar Message Display Unit | 5 | 5 | 15,000.00 |
| Printer | 5 | 5 | 1,500.00 |
| Personal Computers | 5 | 5 | 18,400.00 |
| Sports Utility Vehicles | 5 | 5 | 100,000.00 |
| Emergency Call System | 10 | 10 | 8,000.00 |
| Heavy – Duty Printer | 10 | 10 | 25,000.00 |
| Municipal Building Office Furniture | 10 | 10 | 30,000.00 |
| Copiers | 10 | 10 | 35,000.00 |
| Portable Bleachers | 10 | 10 | 40,000.00 |
| Street Sweeper | 10 | 10 | 150,000.00 |
| | | | \$545,900.00 |

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

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

NO MEMBER OF THE PUBLIC SPOKE ON ORDINANCE #1485

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

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

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
July 22, 2009

Meeting Minutes

Mr. Cusick asked for a roll call vote to adopt Ordinance #1485:

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

First Reading:

ORDINANCE 1487 2009 MCIA Supplemental Ordinance

SUPPLEMENTAL ORDINANCE APPROPRIATING \$630,000 FOR THE ACQUISITION OF EQUIPMENT BY THE BOROUGH OF KEANSBURG, NEW JERSEY THROUGH THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY

WHEREAS, by an ordinance introduced on June 24, 2009 and finally adopted on July 22, 2009, the Borough of Keansburg, New Jersey (the “Borough”) authorized the leasing of certain items of equipment, as specified in said ordinance (the “Equipment”), from The Monmouth County Improvement Authority (the “Authority”); and

WHEREAS, the Borough authorized the Authority to issue its bonds in an amount not to exceed \$600,000 to finance the acquisition of the Equipment on behalf of the Borough;

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 4. For the acquisition of the Equipment there is hereby appropriated the amount of \$630,000, which sum includes the sum of \$30,000 as the down payment (the “Down Payment”) required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented. The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments for capital improvement purposes.

Section 5. 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 August 26, 2009 at 7:00 pm:

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

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
July 22, 2009

Meeting Minutes

Resolutions:

RESOLUTION #09-109 Payment of Bills (7.22.09)

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 | \$1,756,731.29 |
| Water & Sewer | 185,153.57 |
| Grant | 3,909.08 |
| Trust | 10,960.67 |
| Capital | 149,816.29 |
| Dog Trust | 1,002.28 |
| Total: | \$2,107,573.18 |

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #09-110 SFY 2010 – Temporary Budget Revision
AUTHORIZING AMENDMENT TO THE SFY 2010 TEMPORARY BUDGET

WHEREAS, The Revised Statutes of New Jersey 40A:4-20 provides for the adoption of emergency temporary appropriations in addition to temporary appropriations necessary for the period between the beginning of the current fiscal year and the date of the adoption of the Local Budget for the State Fiscal Year 2010.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of Keansburg, that the following amendments to the temporary appropriations be made in the amounts and for the purposes herein set forth for the period between July 1st, 2008 and the adoption of the Local Budget for the Borough of Keansburg, County of Monmouth and State of New Jersey for the State Fiscal Year 2010:

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
July 22, 2009
Meeting Minutes

| Department | Amount |
|--------------------------------------|---------------------|
| OEM Salary 0-01-25-253-101 | \$2,000.00 |
| KASA O&E 0-01-43-500-299 | 1,000.00 |
| Workers Compensation 0-01-23-215-299 | 75,000.00 |
| Judgements 0-01-37-480-200 | 25,000.00 |
| Total | \$103,000.00 |

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #09-111 NJEIT Agreement Resolution

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN AGREEMENTS TO BE EXECUTED BY THE BOROUGH OF KEANSBURG AND EACH OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL PURSUANT TO THE 2009 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM

WHEREAS, the Borough of Keansburg (the "Local Unit"), in the County of Monmouth, New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate or install the Project (the "Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the 2009 New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Local Unit has determined to finance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
July 22, 2009

Meeting Minutes

WHEREAS, to evidence the Loans, each of the Trust and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's General Obligation Bonds, Series 2009A, to the Trust in an aggregate principal amount not to exceed \$670,000 (the "Trust Loan Bond") and General Obligation Bonds, Series 2009B, to the State in an aggregate principal amount not to exceed \$1,830,000 (the "Fund Loan Bond", and together with the Trust Loan Bond, the "Local Unit Bonds") pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements; and

WHEREAS, the Trust and the State have expressed their desire to close in escrow the making of one or more of the Loans, the issuance of one or more of the Local Unit Bonds and the execution and delivery of one or more of the Loan Agreements, all pursuant to the terms of an Escrow Agreement (the "Escrow Agreement") to be entered into by and among the Trust, the State, the Local Unit and the escrow agent named therein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Local Unit as follows:

Section 1. The Trust Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the "Financing Documents") are hereby authorized to be executed and delivered on behalf of the Local Unit by either the Mayor or the Chief Financial Officer in substantially the forms attached hereto as Exhibits A, B and C, respectively, with such changes as the Mayor or the Chief Financial Officer (each an "Authorized Officer"), in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit (collectively, the "Local Unit Consultants") and after further consultation with the Trust, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants", and together with the Local Unit Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of such Financing Documents by an Authorized Officer as determined hereunder. The Local Unit Clerk is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Local Unit as determined hereunder and to affix the corporate seal of the Local Unit to such Financing Documents.

Section 2. The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Local Unit Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 3. This resolution shall take effect immediately.

Section 4. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to Meghan Bennett Clark, Esq., Dilworth Paxson LLP, bond counsel to the Local Unit, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

Mr. Cusick asked for a roll call vote:

| | | | | | |
|-------|----------|------|------|--------|---------|
| Moved | Seconded | Ayes | Nays | Absent | Abstain |
|-------|----------|------|------|--------|---------|

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY

July 22, 2009

Meeting Minutes

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

RESOLUTION #09-112 NJEIT Bond Resolution

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING \$2,500,000 GENERAL OBLIGATION BONDS, SERIES 2009, OF THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY PURSUANT TO THE 2009 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM.

WHEREAS, the Borough of Keansburg (the "Local Unit"), in the County of Monmouth, New Jersey, has determined that there exists a need within the Local Unit to construct the Project (the "Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the 2009 New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Local Unit has determined to finance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's General Obligation Bonds, Series 2009A, to the Trust in an aggregate principal amount not to exceed \$670,000 (the "Trust Loan Bond") and General Obligation Bonds, Series 2009B, to the State in an aggregate principal amount not to exceed \$1,830,000 (the "Fund Loan Bond", and together with the Trust Loan Bond, the "Local Unit Bonds") pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements; and

WHEREAS, N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law allows for the sale of the Trust Loan Bond and the Fund Loan Bond to the Trust and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the Trust Loan Bond to the Trust without any public offering, all under the terms and conditions set forth herein.

NOW, THEREFORE, BE IT RESOLVED by a 2/3 vote of the full membership of the governing body of the Local Unit as follows:

Section 1. In accordance with N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Local Unit hereby sells and awards its (a) Trust Loan Bond in an aggregate principal amount

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
July 22, 2009

Meeting Minutes

not to exceed \$670,000 to the Trust in accordance with the provisions hereof and (b) Fund Loan Bond in an aggregate principal amount not to exceed \$1,830,000 to the State in accordance with the provisions hereof. The Local Unit Bonds have been referred to and are described in bond ordinance #1466 of the Local Unit, entitled "BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 1441 ADOPTED ON JUNE 27, 2007, THE DESIGN OF THE PLANNED DESALINATION SYSTEM FOR THE WATER TREATMENT PLANT, IN ORDER TO INCREASE THE APPROPRIATION THEREFOR BY \$2,335,000 FOR A TOTAL APPROPRIATION OF \$2,500,000, TO INCREASE THE AUTHORIZED BONDS AND NOTES TO BE ISSUED TO FINANCE A PORTION OF THE COSTS THEREOF BY \$2,335,000 FOR A TOTAL DEBT AUTHORIZATION OF \$2,500,000, AND TO EXPAND THE SCOPE OF IMPROVEMENTS TO INCLUDE THE CONSTRUCTION AND INSTALLATION OF THE DESALINATION SYSTEM FOR THE WATER TREATMENT PLANT, AUTHORIZED IN AND BY THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, NEW JERSEY" and was finally adopted by the Local Unit at a meeting duly called and held on June 11, 2008, at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Local Unit (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the Trust and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the Trust Loan Bond and the Fund Loan Bond:

- (a) The aggregate principal amounts of the Trust Loan Bond and the Fund Loan Bond to be issued;
- (b) The maturity and annual principal installments of the Local Unit Bonds, which maturity shall not exceed 20 years;
- (c) The date of the Local Unit Bonds;
- (d) The interest rates of the Local Unit Bonds;
- (e) The purchase price for the Local Unit Bonds; and
- (f) The terms and conditions under which the Local Unit Bonds shall be subject to redemption prior to their stated maturities.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Local Unit Bonds by the parties authorized under Section 4(c) hereof.

Section 4. The Local Unit hereby determines that certain terms of the Local Unit Bonds shall be as follows:

- (a) The Trust Loan Bond shall be issued in a single denomination and shall be numbered 2009A-1. The Fund Loan Bond shall be issued in a single denomination and shall be numbered 2009B-2;
- (b) The Local Unit Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and
- (c) The Local Unit Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
July 22, 2009

Meeting Minutes

Section 5. The Trust Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the Trust Loan Agreement and the Fund Loan Agreement, respectively.

Section 6. The law firm of Dilworth Paxson LLP is hereby authorized to arrange for the printing of the Local Unit Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the Trust and the State for the Program, to arrange for same. The Local Unit auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Local Unit Bonds. The Mayor, the Chief Financial Officer and the Local Unit Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the financial and other information.

Section 7. The terms of the Local Unit Bonds authorized to be set forth by the Chief Financial Officer in accordance with Section 2 hereof shall be ratified by the affirmative vote of 2/3 of the full membership of the governing body of the Local Unit.

Section 8. The Mayor and the Chief Financial Officer are hereby severally authorized to execute any certificates or documents necessary or desirable in connection with the sale of the Local Unit Bonds, and are further authorized to deliver same to the Trust and the State upon delivery of the Local Unit Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

Section 9. This resolution shall take effect immediately.

Section 10. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to Meghan Bennett Clark, Esq., Dilworth Paxson LLP, bond counsel to the Local Unit, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #09-113 Appointment of Borough 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:

Patrick Healy

Borough Prosecutor

for the Borough of Keansburg for one year term
commencing immediately and expiring on June 30, 2010

Mr. Cusick asked for a roll call vote:

| | Moved | Seconded | Ayes | Nays | Absent | Abstain |
|-----------|-------|----------|------|------|--------|---------|
| Mr. Boden | | | √ | | | |

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
July 22, 2009

Meeting Minutes

| | | | | | | |
|--------------|---|---|---|--|--|--|
| Mr. Cocuzza | | | √ | | | |
| Mr. Hoff | | | √ | | | |
| Mrs. Strydio | √ | | √ | | | |
| Mr. DePompa | | √ | √ | | | |

RESOLUTION #09-114 Appointment of Borough Auditor

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:

Hodulik and Morrison

Robert Morrison

Borough Auditor

In accordance with their engagement letter for the Budget Year ending December 31, 2009

Mr. Cusick asked for a roll call vote:

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

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
July 22, 2009
Meeting Minutes

RESOLUTION #09-115 Authorize Execution of RFQ Contracts

BE IT RESOLVED that the Mayor and Council of the Borough of Keansburg do hereby authorize the Mayor and the Acting Borough Manager to execute Professional Service Contracts with

| | | |
|---------------------|---------------------------|-----------------|
| Borough Attorney | Dilworth Paxson LLP | John O. Bennett |
| Bond Counsel | Dilworth Paxson LLP | John O. Bennett |
| Borough Engineer | CMX Consulting | Francis Mullan |
| Consulting Engineer | Birdsall Engineering | Tom Rospos |
| Consulting Engineer | Maser Consulting | Dave Hoder |
| Consulting Engineer | Hatch Mott McDonald | |
| Public Defender | Raymond Albert Raya, Esq. | Ray Raya |

for the period of July 1, 2009 to June 30, 2010.

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #09-116 2009 Mon. Cty. Community Development (Foley.Hoff)

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
Councilman George Hoff, as Alternative Representative

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
July 22, 2009
Meeting Minutes

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

RESOLUTION #09-117 Professional Services Agreement (CMX.Parks)

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

CMX Engineering

be and is hereby appointed as Borough Engineer for engineering services for

**OPEN SPACE GRANT
Donohue Park, Forest Park, and St. John’s Park
CMX job no.: 090449500; and**

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

1. The Borough Manager and Clerk are hereby authorized to enter into the attached agreement dated July 14, 2009, CMX job number 090449500 with CMX Engineering. in the contract amount of \$21,200.00 plus reimbursable expenses.
2. The attached contract is awarded without competitive bidding as a “Professional Service” in accordance with the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i) because it is for services performed by persons authorized by law to practice a recognized profession.
3. The services to be performed are necessary for the orderly function of the Project.
4. The amounts paid under the attached contract shall not exceed the amount appropriated by the Borough Council for these services.
5. The Chief Financial Officer certifies that funds are available for this purpose.

Patrick DeBlasio CFO

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

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
July 22, 2009

Meeting Minutes

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

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #09-118 Professional Services Agreement (CMX.Highland Blvd)

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

CMX Engineering

be and is hereby appointed as Borough Engineer for engineering services for

**FY 2008 NJDOT Local Aid Program
Improvements to Highland Blvd, Highland Avenue and Center Avenues
CMX job no.: 090394900; and**

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

7. The Borough Manager and Clerk are hereby authorized to enter into the attached agreement dated May 21 and revised June 2, 2009, CMX job number 090394900 with CMX Engineering. in the contract amount of \$55,390.00 plus reimbursable expenses.
8. The attached contract is awarded without competitive bidding as a “Professional Service” in accordance with the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i) because it is for services performed by persons authorized by law to practice a recognized profession.
9. The services to be performed are necessary for the orderly function of the Project.
10. The amounts paid under the attached contract shall not exceed the amount appropriated by the Borough Council for these services.
11. The Chief Financial Officer certifies that funds are available for this purpose.

Patrick DeBlasio CFO

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

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

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
July 22, 2009
Meeting Minutes

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #09-119 2009 Raffle License (Bayshore Senior Center)

BE IT RESOLVED, by the Mayor and Council of the Borough of Keansburg, in the County of Monmouth, New Jersey that a **2009 RAFFLE LICENSE** be granted to:

Bayshore Senior Center
100 Main Street
Keansburg, New Jersey 07734
Registration Id # 233-4-86199

in accordance with their application to be held as follows:

Monday, August 31, 2009
12:00pm

At the

Bayshore Senior Center
100 Main Street
Keansburg, New Jersey 07734

BE IT FURTHER RESOLVED that the Borough Clerk be and he is hereby authorized and directed to issue and execute the said license.

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #09-120 Authorize Execution of Commodity Resale Agreement

Authorizing the Execution of a
Commodity Resale Agreement
with the County of Monmouth

WHEREAS, N.J.A.C. 5:34-7.15 authorizes local contracting units to enter into Commodity Resale Agreements for the purchase of certain commodities from other contracting units; and

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
July 22, 2009

Meeting Minutes

WHEREAS, the County of Monmouth has authorized the creation of the Monmouth County Commodity Resale System; and

WHEREAS, it would be in the best interest of this Municipality to become a member of the Monmouth County Commodity Resale System.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Keansburg that the Mayor and Municipal Clerk be and they are hereby authorized to execute the attached Commodity Resale Agreement with the County of Monmouth.

BE IT FURTHER RESOLVED that the Municipal Clerk forward a certified copy of this resolution, along with the executed Commodity Resale Agreement to the Clerk of the Board of Chosen Freeholders, County of Monmouth, Hall of Records, 1 E. Main Street, Freehold, New Jersey 07728.

Mr. Cusick asked for a roll call vote:

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

RESOLUTION #09-121 Authorize Assistance/Shared Services Agreement

RESOLUTION

Authorizing the Execution of a
Municipal Assistance / Shared Services Agreement
with the County of Monmouth

WHEREAS, the New Jersey Uniform Shared Services and Consolidation Act (C.40A:65-1, et seq.) authorizes local units such as this Municipality to enter into shared service agreements with other local units; and

WHEREAS, the County of Monmouth, a local unit, has offered to provide municipal assistance / shared services to this Municipality; and

WHEREAS, it is in the best interest of this Municipality to into enter the proposed Municipal Assistance / Shared Services Agreement with the County of Monmouth.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Keansburg that the Mayor and Municipal Clerk be and they are hereby authorized to execute the attached Municipal Assistance / Shared Services Agreement with the County of Monmouth.

BE IT FURTHER RESOLVED that the Municipal Clerk forward a certified copy of this resolution, along with the executed Municipal Assistance / Shared Services Agreement to the Clerk of the Board of Chosen Freeholders, County of Monmouth, Hall of Records, 1 E. Main Street, Freehold, New Jersey 07728.

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
July 22, 2009
Meeting Minutes

Mr. Cusick asked for a roll call vote:

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

Council Discussion:

Mr. Cusick informed Council that the terms for the Recreation Committee were due for renewal. Recreation Committee member Debbie Ott asked that she be excused from reappointment at this time. The following resolution reflects the reappointments made by Council at this time. There are two vacancies to be filled.

RESOLUTION #09-122 Appointment to the Recreation Committee

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

- Maureen O'Brien
- Ann Marie Best
- Judy Ferraro
- Fred Ross
- Eileen Enright
- Ginger Rogan
- Dolores Bartram

As Members of the Keansburg Recreation Committee, effective August 1, 2009; and for a term to run from August 1, 2009 to July 31, 2010.

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
July 22, 2009
Meeting Minutes

Mr. Cusick Re-Assessment – Mr. Cusick informed the Council about a possible reassessment of property values and the expected costs.

SFY 2008 Audit Report – Mr. Cusick gave a report on the Audit Report supplied by the Borough’s Auditor. The Auditor will be at a future meeting to discuss the comments and recommendations.

Councilman Cocuzza thanked Mr. Bennett and Steve Ussman for their attendance at the recent BRSA Meeting.

Mr. Bennett reported that the BRSA has approved a preliminary permit to use their facility for discharge from the desalinization plant.

Mayor DePompa thanked his fellow Council Members for their support and assistance.

Fran Mullan and Joe May, CMX Engineering, reported to Council on pending matters. Council will have a detailed report prior to Council meetings.

Mr. May reported on the Main Street and Highland/Center Avenue projects are on target to be put out to bid in September.

There was a general discussion on the condition of the bulkhead.

Tom Rospos, Birdsall Engineering, gave an update on the outfall and pump station projects. DEP has outfall plans and they are under review by that agency. Pumps should be ready for installation in approximately six weeks. The Borough is waiting on the agreement with JCP&L from the utility pole at Beachlight.

Dennis O’Keefe, DPW Superintendent reported that due to the inordinate amount of rainfall the storm drains have been discharging sediment in several areas.

There was a general discussion on working to remedy sinkholes throughout town with the assistance of the engineer.

Mr. O’Keefe discussed the asphalt machine owned by the Borough. Machine tends to only work on newer roadway due to the composition of the base of the asphalt.

Mr. Ussman gave a report on the repair of a water main at the Water Plant facility and the revenues collected this quarter.

Mr. DePompa thanked Mr. Ussman on the repairs completed as it has saved the Borough added expenses.

Councilman Boden thanked Mr. Ussman for having the hydrants marked out.

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
July 22, 2009
Meeting Minutes

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

George Hoey
9 Commodore Ave

Neighbor problem

Tuff Act running business out of home, noise of machinery at late hours.

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

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

Executive Session:

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

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

EXECUTIVE SESSION CONVENED

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

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

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
July 22, 2009
Meeting Minutes

Adjournment

Mr. Cusick asked for a roll call vote:

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

ATTEST: _____
Thomas P. Cusick
Municipal Clerk