



JANUARY 18, 2017 MEETING MINUTES

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. Tonne	Mr. Boden	Mr. Cocuzza	Mr. Foley	Mr. Hoff
✓	Excused	✓	✓	✓

Police Retirements:

Mayor Hoff presented:



Lt. David Gogan
Lt. James Nelson



MUNICIPAL COUNCIL
REDEVELOPMENT AGENCY

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Proclamation

WHEREAS, the Mayor and Council of the Borough of Keansburg are proud of the dedication and achievements of its employees; and,

WHEREAS, David Gogan, began his employment with the Borough of Keansburg in 1991 as a Borough Patrolman; and,

WHEREAS, through his hard work and tireless service Dave rose through the ranks to the position of Lieutenant of the Keansburg Police Department; and,

WHEREAS, during his tenure Dave was a well-respected law enforcement officer dedicated to the well-being and safety of our Community, as well as his fellow Police Officers; and,

WHEREAS, after a distinguished law enforcement career Dave has retired from his service with the Borough of Keansburg.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that the governing body does hereby congratulate Dave on the occasion of his retirement; and

BE IT FURTHER RESOLVED that the Borough Council extends the thanks of a grateful Community to Lieutenant David Gogan for his devotion to duty; and

BE IT FURTHER RESOLVED that a certified copy of this Proclamation be presented to Lieutenant Dave Gogan on this 18th day of January, 2017.



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Proclamation

WHEREAS, the Mayor and Council of the Borough of Keansburg are proud of the dedication and achievements of its employees; and,

WHEREAS, James Nelson, began his employment with the Borough of Keansburg in 1991 as a Borough Patrolman; and,

WHEREAS, through his hard work and tireless service James rose through the ranks to the position of Lieutenant of the Keansburg Police Department; and,

WHEREAS, during his tenure James was a well-respected law enforcement officer dedicated to the well-being and safety of our Community, as well as his fellow Police Officers; and,

WHEREAS, after a distinguished law enforcement career James has retired from his service with the Borough of Keansburg.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that the governing body does hereby congratulate James on the occasion of his retirement; and

BE IT FURTHER RESOLVED that the Borough Council extends the thanks of a grateful Community to Lieutenant James Nelson for his devotion to duty; and

BE IT FURTHER RESOLVED that a certified copy of this Proclamation be presented to Lieutenant James Nelson on this 18th day of January, 2017.

Oath of Office:

Oath of Office: Sergeant Bryan King

Communication:

Mayor Hoff read a letter of thanks from Rose Johnson for help with motor vehicle assistance.



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

Roll Call

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

MR. BODEN ENTERED AT 7:30pm

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

Roll Call

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

Resolutions:

RESOLUTION # 17-006 Payment of Bills (01-18-17)

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	\$ 1,120,758.45
General Capital	29,421.58
Grant	4,403.15



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Water/Sewer Capital	609.50
Trust	25,190.32
Water/Sewer	297,161.46
Dog Trust	2.40
SUI	60.86
TOTAL:	\$ 1,477,607.72

Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION # 17-007 Appointment of Community Development Representatives

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 governing body does hereby appoint:

Mary Foley, as Representative

Mayor George Hoff, as Alternative Representative

For the term of January 1, 2017 through December 31, 2017

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



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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:

Roll Call

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

RESOLUTION # 17-008

Emergency Purchase/Well #5

RESOLUTION – EMERGENCY PURCHASE – A.C. Schultes., Woodbury Heights, NJ – EMERGENCY REPAIR OF Well #5 – NOT TO EXCEED \$52,000.00

Whereas, NJS A 40A:11-6 provides that a purchase, contract or agreement may be made, negotiated or awarded without public advertising for bids and bidding therefore, notwithstanding that the cost of contract price will exceed the amount set in the prevailing bidding threshold, when an emergency affecting the public health, safety or welfare requires the immediate delivery of performance of services, provided:

A written requisition for the performance of such work or labor, or the furnishing of materials, supplies or services is filed with the contracting agent or his deputy in charge describing the nature of the emergency, the time of its occurrence and the need for invoking this section, certified by the officer or director in charge of the department wherein the emergency occurred, or such other officer or employee as may be authorized to act in the place of said officer or director, and the contracting agent or his deputy in charge, being satisfied that the emergency exists, is hereby authorized to award a contract for said work or labor, materials, supplies or services; and

WHEREAS, an emergency situation meeting the criteria set forth above resulting from an **EMERGENCY REPAIR OF Well #5**.



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WHEREAS, an emergency purchase/repair was made by **A.C. Schultes., Woodbury Heights, NJ** in the amount not to exceed of **\$ 52,000.00** for said water main repairs

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Keansburg, does hereby authorize the payment of **\$52,000.00** to **A.C. Schultes., Woodbury Heights, NJ** for the emergency purchase described herein in accordance with NJSA 40A:11-6

Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION # 17-009

Execution of Agreement for Continuing Disclosure Services

RESOLUTION APPROVING EXECUTION OF AN AGREEMENT FOR CONTINUING DISCLOSURE AGENT SERVICES

WHEREAS, the Borough of Keansburg has a need to retain the services of a qualified firm to provide continuing disclosure services in conjunction with bond issues; and

WHEREAS, Phoenix Advisors, LLC, 4 West Park Street, Bordentown, NJ is a firm qualified to perform such services.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Keansburg authorizes the Chief Financial Officer to enter into the attached contract with Phoenix Advisors, LLC.

Mr. Cusick asked for a roll call vote:

Roll Call



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

RESOLUTION # 17-010

Payment of Bills (Addendum)

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

\$ 17,455.26

Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION # 17-011

Appointment of Professionals (Alternate 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:



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Mark Cintron

Alternate Prosecutor

for the Borough of Keansburg for an unexpired term ending on June 30, 2017.

BE IT FURTHER RESOLVED that the Borough Manager and the Municipal Clerk are hereby directed to execute Professional Contracts with the above named professionals.

Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION # 17-012

2016-2017 Plenary Renewal – Slover Productions

2016-2017 CONDITIONAL RENEWAL OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE FOR SLOVER PRODUCTIONS LLC WITH SPECIAL CONDITIONS

WHEREAS, Slover Productions LLC (“Licensee”) is the holder of Plenary Retail Consumption Liquor License #1321-33-031-009 and the owner of TJK Tiki Stadium; and

WHEREAS Licensee is owned, operated and controlled by Thomas Keelen; and

WHEREAS, TJK Tiki Stadium was the subject of a joint investigation by the Keansburg Police Department and the Monmouth County Prosecutor’s Office regarding the sale of illegal narcotics taking place within TJK Tiki Stadium which resulted in the arrest of approximately seven (7) individuals; and

WHEREAS, Licensee submitted a renewal application for License #1321-33-031-009 to the Borough of Keansburg (the “Borough”) on or about June 14, 2016; and



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WHEREAS, due to the on-going narcotics investigation, the Borough Council opted to take no action on the renewal of License #1321-33-031-009, but granted interim permits which expired on or about September 28, 2016; and

WHEREAS, on or about October 3, 2016, Licensee filed a Notice and Petition for Appeal with the Division of Alcoholic Beverage Control and sought interim relief to renew License #1321-33-031-009; and

WHEREAS, Counsel for Licensee engaged in settlement negotiations with the Borough Attorney for a resolution of a conditional renewal of License #1321-33-031-009 subject to various special conditions which are set forth below, and the approval and completion of a person-to-person transfer for License #1321-33-031-009; and

WHEREAS, said negotiations resulted in Licensee agreeing to special conditions as part of its license renewal, and Licensee understands that failure to abide by any of the special conditions will result in the immediate revocation of License #1321-33-031-009.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Keansburg, County of Monmouth, that the Plenary Retail Consumption Liquor License is renewed for the 2016-2017 term for the following named corporation and premises hereinafter set out, and the Borough Clerk is hereby authorized to issue and deliver such renewal license only after all conditions set forth below have been completed:

1321-33-031-009	Slover Productions LLC t/a TJK Tiki Stadium 260-262 Beachway Keansburg, New Jersey 07734
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1. Licensee agrees that neither it nor Thomas Keelen shall re-open TJK Tiki Stadium in any capacity and further agrees that no alcohol-related or operational restaurant business activities will occur on the premises of TJK Tiki Stadium indefinitely. This does not preclude the Licensee from engaging in activity necessary to finalize the closing of TJK Tiki Stadium, such as the removal of inventory.
2. Liquor License #1321-33-031-009 shall be a "Pocket Liquor License" in the possession of Thomas Keelen and shall remain indefinitely inactive unless a person-to-person transfer is approved by the Borough Council of the Borough of Keansburg.



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3. Licensee agrees that if a person-to-person transfer is approved by the Borough Council of the Borough of Keansburg, neither Licensee nor Thomas Keelen shall have any financial interest in or connection to the transferee in any way whatsoever, nor shall Thomas Keelen or Licensee have any financial interest whatsoever in the transferee’s establishment.

4. Licensee agrees and consents to waiving any and all potential litigation related to the non-renewal of License #1321-33-031-009 against the Borough of Keansburg including, but not limited to, the Borough Council of the Borough of Keansburg, the Keansburg Borough Manager, and the Keansburg Police Department.

5. Licensee agrees and consents that a violation of any of the conditions of this Resolution will result in immediate revocation of the license.

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby directed to transmit a certified true copy of this resolution to the Director of the Division of Alcoholic Beverage Control.

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby directed to transmit a certified true copy of this resolution renewing the liquor license with special conditions to the Director of the New Jersey Division of Alcoholic Beverage Control.

Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION # 17-013

Sublease Cell Tower – Verizon

RESOLUTION AUTHORIZING BOROUGH MANAGER TO EXECUTE LETTER ALLOWING T-MOBILE TO SUBLEASE CELL TOWER SPACE TO VERIZON WIRELESS PURSUANT TO A LEASE AGREEMENT



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WHEREAS, the Borough leases certain property for use of cellular communications systems and equipment on leased premises known as Block 163, Lots 15, located at St. John’s Place, Keansburg, New Jersey 07734, to T-Mobile USA Tower LLC;

WHEREAS, pursuant to the Lease Agreement dated January 11, 1994, T-Mobile USA Tower LLC through CCTMO, LLC, has requested permission from the Borough to sublease cell tower space to Verizon Wireless as set forth in a letter dated December 28, 2016, which is attached hereto; and

WHEREAS, T-Mobile has requested the Borough indicate its consent to the sublease by signing the above-referenced letter; and

WHEREAS, the Borough Attorney has reviewed the above-reference letter and found it to be conforming to the Lease Agreement dated January 11, 1994; and

WHEREAS, once the Borough signs the above-referenced letter, Verizon Wireless must still apply for and receive engineering review, all applicable zoning permits, and all applicable building permits in order to install and operate its equipment on the property subject to the Lease Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Township of Keansburg, County of Monmouth, that the Borough Manager is hereby authorized to execute the attached letter consenting to subleasing cell tower space from T-Mobile USA Tower, LLC to Verizon Wireless.

Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION # 17-014

Cell Tower – St. John’s - Verizon

WHEREAS, the Borough Council approved the specifications and authorized competitive bidding for co-locators to enter into a ground lease on municipal property at St. John’s Park, located at St. John’s



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Place, Keansburg, NJ 07734, known as Block: 163, Lots: 15 & 16.1, for the placement of communications equipment; and,

WHEREAS, bid advertisements soliciting competitive bidding were published in the October 12, 2016 and October 19, 2016 issues of the Asbury Park Press; and,

WHEREAS, a bid notice was posted on the Borough’s official web site accessed from the Home “Front” Page on October 7, 2016; and,

WHEREAS, on November 6, 2016 at 11:00 AM the following bid was received, opened and its contents read aloud:

<u>Bidder</u>	<u>Amount Bid</u>
New York SMSA Limited Partnership d/b/a Verizon Wireless (“Verizon”) 283 King George Road Building D Warren, NJ 07059	\$20,012.00 per year

WHEREAS, the Borough of Keansburg’s Wireless Telecommunications Consultant, FSD Enterprises, LLC has recommended the Borough Council award contracts to each co-locator contingent upon the Borough Attorney resolving exceptions submitted by the bidders in compliance with NJSA 40A:12-14(a); and,

WHEREAS, the bid submitted has been reviewed by the Borough Attorney and Borough administrator and a contract award is recommended consistent with NJSA 40A:12-14 which requires award of a contract no later than the second regular meeting of the governing body after the bid opening and consistent with NJSA 40A:11-1 et. seq. Currently the Borough of Keansburg is reviewing the proposed bid exceptions submitted by Verizon and this bid is awarded subject to the mutually satisfactory resolution of all submitted bid exceptions.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that a contract is hereby awarded consistent with NJSA 40A:12-14(a) and NJSA 40A:11-1 et. seq. to New York SMSA Limited Partnership d/b/a Verizon Wireless, 283 King George Road, Building D, Warren, NJ 07059 in accordance with the bid specifications for a first year rent of \$20,012.00 specifically and expressly contingent upon the mutually satisfactory resolution of all submitted bid exceptions.



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Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION # 17-015

CAFRA permit – Arisa Harvestate

WHEREAS, the Redeveloper of Block 184, Lots 1-3 (Arisa Harvestate) has made a request to the Borough of Keansburg to assist and file a CAFRA Application to the New Jersey Department of Environmental Protection for the site at 600 Beachway (Block 184, Lots 1-3); and

WHEREAS, the Borough is willing to make said application under the following terms and conditions:

1. The Borough shall not be responsible for any costs or fees with said application including, but not limited to, legal and engineering fees.
2. The Borough will not be responsible following the issuance of said CAFRA permit for any violations of said permit which may happen anytime in the future by actions of the Redeveloper.
3. In the event of any violations of State, County or local laws while construction is taking place or any contamination during construction, the Borough shall not be responsible for any such activities or any remediation or clean-up of site.
4. The Borough shall have no responsibility with any construction as permitted under the terms and conditions of the CAFRA permit issued by the State of New Jersey.
5. The Borough enters into this agreement contingent that the Redeveloper shall have and maintain insurance for any and all construction on the site and naming the Borough of Keansburg as an additional insured party for any work under the CAFRA permit.



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6. The Borough shall not be held responsible by the Redeveloper or any third party for any liability with respect to the proposed CAFRA development either during or after completion.
7. The Borough makes application in accordance with the terms and conditions which are permitted for a municipal entity to make an application for redevelopment of a portion of this property. However, application is made with the understanding that any and all activities, construction or liabilities on this site in the future shall remain the responsibility of the Redeveloper and not the Borough of Keansburg.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that the governing body authorizes application to the New Jersey Department of Environmental Protection for a CAFRA permit, subject to the aforementioned conditions of this Resolution, for the site at Block 184, Lots 1-3; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to Arisa Harvestate (Redeveloper).



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Mr. Cusick asked for a roll call vote:

Roll Call

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

Discussion:

Department Reports:

*Steve Ussmann
Water Plant Superintendent*

Reported on revenues for previous month. Repairs have been completed at Well #5 and he is satisfied with the work and the capacity has increased.

*James Falco
Public Works Superintendent*

Stated he is working with NJ Natural Gas Company in coordinating sidewalk repairs

Deputy Mayor Foley

Would like to see iron gates saved at the new police facility.

Borough Manager Raymond O'Hare stated that they are being kept at the Borough Public Works Yard.

*Robert Yuro
T&M Associates*

Stated the Façade Improvement program is out to bid. In response to an inquiry from John Bennett, Borough Attorney, Mr. Yuro stated his firm is coordinating with the State for the sinkhole repair at the Beach.

*Cliff Moore
Borough Economic*

Reported on the following:



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Development Coordinator

25 businesses have shown interest to be on the steering committee for Business Improvement District

There will be a business roundtable event with Freeholder Arnone on February 21st

The Centennial Committee is active and looking forward to working with the Borough Committee

There will be a Baykeeper's Program sponsoring free Kayak rides in August with guided tours of the Waackaack Creek

Ribbon cutting for new gym/fitness facility on Carr Avenue to be held on February 4th at 1pm.

Councilman Boden

Reminded all that the Historical Society meets on the fourth Wednesday of the month and members are needed.

Mayor Hoff

Announced an EMS Line Dance fundraiser this weekend and the St. Patrick's Day Parade will be held on Sunday, March 26 at 1pm



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Communications:

Keansburg Fire Department
New Members

John Gorski
Sean Nelson

New Point Comfort Fire Co. #1
Keansburg EMS

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

Roll Call

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

Open to the Public:

Mr. Cusick asked for a roll call vote:

Roll Call

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

Patty Frizell
46 Willis Ave

Inquired about the current sanitation contract. Stated she is very satisfied with current service.



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Mr. Cusick asked for a roll call vote:

Roll Call

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

Adjournment

Mr. Cusick asked for a roll call vote:

Roll Call

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



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I, Thomas P. Cusick, Municipal Clerk of the
Borough of Keansburg, in the County of Monmouth, New Jersey, do hereby certify that the
foregoing is a true copy of meeting minutes of a regularly scheduled public meeting held on
January 18, 2017

Attest:

Thomas P. Cusick
Municipal Clerk
Borough of Keansburg