



MARCH 24, 2021 MEETING MINUTES

Mr. Cusick read the following:

ADEQUATE NOTICE HAS BEEN GIVEN OF THIS MEETING BY NOTIFICATION TO THE ASBURY PARK PRESS AND POSTED ON THE BULLETIN BOARD AND THE OFFICIAL WEBSITE OF THE BOROUGH OF KEANSBURG.

Mr. Cusick asked all to rise and recite:

Salute to the Flag

Mr. Cusick took:

Roll Call

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

Meeting Minutes:

Meeting Minutes February 17, 2021

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

Roll Call

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

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In Memoriam:

Mr. Cusick asked for a Moment of Silence in honor of the passage of former Fire Chief John F. Schulte



The Mayor and Council of the Borough of Keansburg mourn the passing of Former Fire Chief John F. Schulte.

After serving his Country in the US Army during the Korean War, John became a member of the Keansburg Fire Department, rising through the ranks to serve his community as Fire Chief.

A self-employed business owner, John and his wife, Betty Jane raised their children in Keansburg, where he found time to be a life-long volunteer.

On behalf of the People of Keansburg, the Mayor and Council extend their sincere condolences to his Family.

Presentation:



Edward Striedl presented to the Borough Council the AWARD from the ASBPA for Keansburg's designation as 2020 Best Restored Beach

REDEVELOPMENT AGENCY:

Redevelopment Zone: 12 Francis Place

RESOLUTION # 21-032

REDEVELOPMENT AGENCY: Referral to the Planning Board/
12 Frances Place

Recommendation to the Keansburg Planning Board of Adjustment

12 Frances Place

WHEREAS, the Borough Council in its capacity as the Redevelopment Agency has reviewed plans submitted by Burj World LTD for 12 Frances Place which is located in the Borough's Redevelopment and Rehabilitation Zone; and



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WHEREAS, said property is a residential use and the Redevelopment Agency offers no suggestions or recommendations at this time.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council acting as the Redevelopment Agency recommends the application of Burj World, LTD for premises located at 12 Frances Place to the Planning Board of Adjustment; and,

BE IT FURTHER RESOLVED that the Borough Council/Redevelopment Agency expresses no conditions on the application; and,

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Keansburg Planning Board of Adjustment.

Mr. Cusick asked for a roll call:

Roll Call

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

Half Moon – 2 Beachway

RESOLUTION # 21-033 REDEVELOPMENT AGENCY: Referral to the Planning Board/
2 Beachway
Redevelopment Agency Determination/ 2 Beachway

WHEREAS, the Borough Council in its capacity as the Redevelopment Agency has reviewed plans submitted by principals of KB 2 Beachway, LLC and Half Moon for property located at 2 Beachway which is located in the Borough’s Redevelopment and Rehabilitation Zone; and

WHEREAS, said property will continue use as a bar/restaurant and the Redevelopment Agency is receptive to the proposed improvements; and

WHEREAS, the Borough Council has approved an expansion of premises for the liquor license utilized at this location including the side yard, parking lot and the two floors of the building.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council acting as the Redevelopment Agency recommends the application of KB 2 Beachway, LLC and Half Moon for premises located at 2 Beachway to the Construction Official/Zoning Officer for his determination for issuance of permits and/or application to the Planning Board of Adjustment; and,



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BE IT FURTHER RESOLVED that the Borough Council/Redevelopment Agency expresses no conditions on this application at this time; and,

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Borough Manager, Construction Official/Zoning Officer and the Keansburg Planning Board of Adjustment.

Mr. Cusick asked for a roll call:

Roll Call

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

Plenary Transfers:

Alla Grobsten – 32 Carr Avenue MOVED TO APRIL 2021 Meeting

La Playa – 2 Beachway (Half Moon)

RESOLUTION # 21-034 Plenary License Transfer: La Playa to Half Moon

WHEREAS, an application has been received by the Mayor and Council of the Borough of Keansburg for a Person-to-Person, Place-to-Place transfer of Plenary Retail Consumption License # 1321-33-014-005 from Chilangos La Playa, LLC, 2 Beachway, Keansburg, NJ to KB 2 Beachway, LLC, 2 Beachway, Keansburg, NJ 07734; and

WHEREAS, the application for said transfer is in proper form, and the proper fees have been received by the Borough Clerk; and

WHEREAS, publication of the transfer has been made in “The Star-Ledger” on January 30 and February 6, 2021; and

WHEREAS, the Keansburg Police Department has reviewed the transfer application and have not recommended any conditions; and

WHEREAS, the Borough Council, in consultation with the Borough Zoning Officer, has reviewed the expansion of the licensed premises as contained in the application; and

WHEREAS, a public hearing was held on March 24, 2021 and no objections were raised nor were any objections received by the Borough Clerk prior to said hearing; and,



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WHEREAS, the applicant has disclosed and the Mayor and Council have reviewed the source of all funds used in the purchase of the license.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that the person-to-person and place-to-place transfer application of Plenary Retail Consumption License No. 1321-33-014-005 from Chilango’s La Playa, LLC, 2 Beachway, Keansburg, NJ to KB 2 Beachway, LLC, 2 Beachway, Keansburg, NJ is hereby approved.

Mr. Cusick asked for a roll call:

Roll Call

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

Ordinances:

First Reading:

Ordinance #1668 – Refunding Bond Ordinance –

REFUNDING BOND ORDINANCE OF THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, NEW JERSEY, PROVIDING FOR THE CONVERSION OF A SHORT TERM DEBT OBLIGATION OF THE BOROUGH INTO A LONG TERM DEBT OBLIGATION BY APPROPRIATING AN AMOUNT NOT EXCEEDING \$1,900,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$1,900,000 GENERAL OBLIGATION REFUNDING BONDS OF THE BOROUGH OF KEANSBURG TO ACCOMPLISH THE CONVERSION

WHEREAS, the Borough of Keansburg, in the County of Monmouth, New Jersey (the "Borough") has an existing Community Disaster Loan ("CDL Loan") from the Federal Emergency Management Agency ("FEMA") which is currently scheduled to be repaid in three years;

WHEREAS, the Borough has applied to FEMA for the purpose of obtaining forgiveness of the CDL Loan but has been unsuccessful;

WHEREAS, the Borough Council has determined that it is in the best interests of the Borough to convert the CDL Loan to a long term debt obligation with a ten year maturity by the issuance of refunding bonds to cover the amount required to repay the CDL Loan and all costs in connection with the conversion to a long term debt obligation.



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NOW, THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The Borough is hereby authorized (A) to finance the cost of the conversion of the CDL Loan from a three year period to a ten year long term debt obligation (the "Conversion"), and (B) to provide for the payment of the costs of issuing the refunding bonds (including printing, advertising, accounting, financial and legal services, and further including bond insurance premium (if any) and underwriting compensation).

Section 2. In order to finance the cost of the purpose described in Section 1 hereof, one or more series of negotiable general obligation refunding bonds (the "Refunding Bonds") are hereby authorized to be issued from time to time in the principal amount not to exceed \$1,900,000 pursuant to the Local Bond Law.

Section 3. An aggregate amount not exceeding \$65,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 4. The purposes for which the Refunding Bonds are to be issued are (i) to accomplish the Conversion; and (ii) to provide for the payment of the costs of issuing the refunding bonds (including printing, advertising, accounting, financial and legal services, and further including bond insurance premium (if any) and underwriting compensation).

Section 5. Further provisions as to the terms of sale, deposit, securing, regulation, investment, reinvestment, disposition or application of the proceeds of the refunding bonds, and any matters in connection therewith, shall be determined by resolution of the Borough Council of the Borough adopted prior to the issuance of the refunding bonds.

Section 6. All other matters relating to the refunding bonds shall be performed or determined by subsequent resolution of the Borough Council of the Borough, or the performance or determination thereof shall be delegated by resolution of the Borough Council of the Borough to the Chief Financial Officer of the Borough.

Section 7. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this refunding bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 8. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete



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statement in the form prescribed by the Director and signed by the chief financial officer of the Borough as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein.

Section 9. This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that, except for refunding bonds issued in accordance with N.J.S.A. 40A:2-51(c), this refunding bond ordinance shall not be effective as to any refunding bonds unless the consent of the Local Finance Board has been endorsed upon a certified copy of this refunding bond ordinance as finally adopted.

Mr. Cusick asked for a roll call vote to INTRODUCE Ordinance #1668 and set for public hearing on April 21, 2021 at 7pm:

Roll Call

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

Ordinance #1669 – Parking Restrictions on Borough Properties

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII (TRAFFIC), SECTION 3 (PARKING) 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), SECTION 3 (PARKING) be amended and supplemented to include the following:

ADD:

SECTION 7-3.7 PARKING PROHIBITED ON CERTAIN BOROUGH PROPERTIES DURING CERTAIN HOURS

- a. BE IT ORDAINED that parking of vehicles is prohibited after hours of operation at the following Borough owned properties:

Keansburg Waterfront Library	55 Shore Blvd
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Keansburg Police Department/Donohue Park	179 Carr Avenue
Keansburg Borough Public Works Yard	40 Frazee Place
Keansburg Borough Hall Parking Lot	29 Church Street

b. Any unoccupied vehicle parked or standing in violation of this section shall be deemed a nuisance and any police officer may provide for the removal of such vehicle. The owner shall assume the reasonable costs of removal and storage which may result from such removal before regaining possession of the vehicle.

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.

Mr. Cusick asked for a roll call vote to INTRODUCE Ordinance #1669 and set for public hearing on April 21, 2021 at 7pm:

Roll Call

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



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Ordinance #1670 – Parking Fees – Beachfront Parking

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VIII (PARKING METER ZONES AND PARKING LOTS) SECTION 6 (BEACHFRONT PARKING – SEASONAL PARKING TAGS FOR RESIDENTS)

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED that Section 6.2 (Beachfront Parking Seasonal Parking Tags for Residents; Regulations) be amended and supplemented as follows:

DELETE:

8-6.2

c. Each application shall be accompanied by a twenty-five dollar (\$25.00) application fee. However, if multiple residents from a single household wish to apply for parking tags, the first tag shall be \$25.00 and each additional tag within that household, as proven by vehicle registration documentation, shall be five dollars (\$5.00).

e. Parking tags are valid only for the season during which it is issued. Residents who wish to renew their parking tag shall pay an annual renewal fee equal to the amount paid the previous year unless otherwise notified by the Borough. In order to obtain a new parking tag in a subsequent year, the resident must either return their existing tag or pay a replacement fee of \$2.00.

ADD:

8-6.2

c. SHALL READ: Each application shall be accompanied by a \$25.00 (twenty-five dollar) fee.

Section 3: 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 4: INCONSISTENT ORDINANCES. All Ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

Section 5: 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 6: 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 to INTRODUCE Ordinance #1670 and set for public hearing on April 21, 2021 at 7pm:

Roll Call

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

Ordinance #1671– Parking Fees – Raritan Avenue Parking Lot

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VIII (PARKING METER ZONES AND PARKING LOTS) SECTION 3.3 (RARITAN AVENUE PARKING LOT; CHARGE FOR PARKING)

BE IT ORDAINED by the Mayor and Council of the Borough of Keansburg that Section 3.3 (Raritan Avenue Parking Lot; Charge for Parking) of Chapter VIII (Parking Meter Zones and Parking Lots) be amended as follows:

b. SHALL READ:

\$200.00 per year: all commercial and residential units located at 250-252 Beachway, now known as “Cove on the Bay”.

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.

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

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.

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

Mr. Cusick asked for a roll call vote to INTRODUCE Ordinance #1671 and set for public hearing on April 21, 2021 at 7pm:



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Roll Call

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

Ordinance #1672– Prohibited Parking on Certain Streets

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII (TRAFFIC), SECTION 3.3 (PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS) 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 Schedule I (No Parking) of Chapter VII (Traffic), Section 3.3 (Parking Prohibited at All Times on Certain Streets) be amended and supplemented as follows:

	<i>Name of Street</i>	<i>Side</i>	<i>Location</i>
DELETE:	Highland Boulevard	South	Entire length; except on Wednesday From 6:00 a.m. to 4:00 p.m. beginning at a point 330 feet West of Highland Avenue
	Highland Boulevard	North	For a distance of 345 feet West of Highland Avenue; except on Wednesday from 6:00 a.m. to 4:00 p.m. when parking shall be prohibited for the entire length of the North side of Highland Boulevard.
	Seabreeze Way	South	Entire length; except on Wednesday from 6:00 a.m. to 4:00 p.m., exclusive of that portion of the South side of Seabreeze Way beginning at a point 285 feet West of Highland Avenue to a point 396 feet West



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of Highland Avenue.

Seabreeze Way	North	Carr Avenue to Raritan Avenue and that portion of Seabreeze Way beginning at a point 285 feet West of Highland Avenue to a point 410 feet West of Highland Avenue; except on Wednesday from 6:00 a.m. to 4:00 p.m. when parking shall be prohibited for the entire length of the North side of Seabreeze Way.
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Woodland Avenue	North	Johnson Lane to Woodland Avenue
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ADD: Highland Boulevard South Entire Length

Highland Boulevard	North	For a distance of 345 feet West of Highland Avenue.
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Seabreeze Way	South	Entire Length
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Seabreeze Way	North	Carr Avenue to Raritan Avenue and that portion of Seabreeze Way beginning at a point 285 feet West of Highland Avenue to a point 410 west of Highland Avenue.
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Woodland Avenue	North	Johnson Lane to Twilight Avenue
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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.



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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 and approval by the Department of Transportation.

Mr. Cusick asked for a roll call vote to INTRODUCE Ordinance #1672 and set for public hearing on April 21, 2021 at 7pm:

Roll Call

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

Resolutions:

RESOLUTION # 21-018 Payment of Bills (March 24, 2021)

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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Mr. Cusick asked for a roll call:

Roll Call

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

RESOLUTION # 21-019

Approval of LOSAP Annual Certification List 2020

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 2020

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; and

WHEREAS, that a copy of this list has been 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.

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 CY2020



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Mr. Cusick asked for a roll call:

Roll Call

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

RESOLUTION # 21-020 Authorize CO-OP Purchase: Body Cameras 3.2021

AUTHORIZING PURCHASE OF BODY CAMERAS FOR POLICE DEPT

WHEREAS, the Borough of Keansburg, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS. the Borough of Keansburg has the need to purchase Body Cameras for the Police Department utilizing the State Contract Cooperative Purchasing Program, from WatchGuard Video Using state contract # 17DPP00046 in the amount of \$90,989.00; and

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Keansburg authorizes the purchase of Body Cameras for Police Department, from WatchGuard Video, using contract#17DPP00046 415 E. Exchange Allen, TX 75002 in the amount of \$90,989.00

Mr. Cusick asked for a roll call:

Roll Call

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



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RESOLUTION # 21-021 Authorizing Disposal of Surplus Property

WHEREAS, the Borough of Keansburg is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Mayor and Council are desirous of selling said surplus property in an “as is” condition without express or implied warranties.

NOW THEREFORE, be it RESOLVED by the Mayor and Council of the Borough of Keansburg, as follows:

(1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-83453/T2581 – State Vendor #V0006449 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Municipal Clerk’s office.

(2) The sale will be conducted online and the address of the auction site is govdeals.com.

NJ State Contract Vendor # V0006449
 GovDeals Inc.
 100 Capital Commerce Blvd
 Suite 100
 Montgomery, AL 36117
 800-613-0156
 334-387-0519 fax
vendor@govdeals.com website

(3) The sale is being conducted pursuant to Local Finance Notice 2008-9.

(4) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

(5) The Borough of Keansburg reserves the right to accept or reject any bid submitted.

(6) A list of the surplus property to be sold is as follows:

1. Air Compressor Speedaire Model # 3Z408K 3hp
2. Kohler Command Air Compressor Model# CH6ST EMGlo
3. Air Flow Stainless Salt Spreaders S/N 17525
4. Air Flow Stainless Salt Spreaders S/N 17541
5. Honda GX240 Electronic Ignition Cement Mixer Model # 655PM S/N 1800130

Mr. Cusick asked for a roll call:

Roll Call

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



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RESOLUTION # 21-022

Resolution Urging Repeal of Senate Bill No. 3454 (Marijuana Use by Minors; Notification by Law Enforcement)

RESOLUTION URGING THE IMMEDIATE REPEAL OF SENATE**BILL NO. 3454**

WHEREAS, Public Question 1, the “Marijuana Legalization Amendment,” was on the ballot in New Jersey as a legislatively referred constitutional amendment on November 3, 2020; and

WHEREAS, the text of the ballot question was provided as follows:

CONSTITUTIONAL AMENDMENT TO LEGALIZE MARIJUANA

Do you approve amending the Constitution to legalize a controlled form of marijuana called “cannabis”?

Only adults at least 21 years of age could use cannabis. The State commission created to oversee the State’s medical cannabis program would also oversee the new, personal use cannabis market.

Cannabis products would be subject to the State sales tax. If authorized by the Legislature, a municipality may pass a local ordinance to charge a local tax on cannabis products.

WHEREAS, Public Question 1 was approved with 67.08% “Yes” votes and 32.92% “No” votes; and

WHEREAS, on February 22, 2021, Governor Phil Murphy signed into law legislation legalizing and regulating cannabis use and possession for adults 21 years and older (A-21, The New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act) and decriminalizing marijuana and hashish possession (A-1897). The Governor also signed S-3454, addressing marijuana and cannabis use and possession penalties for individuals younger than 21 years old and imposing criminal penalties on law enforcement officers; and

WHEREAS, the majority of New Jersey residents last Fall voted in favor to legalize marijuana for use by adults at least 21 years of age. There is no question, nor debate, on the outcome of the ballot question. However, New Jersey residents were not aware at the time of their vote that this would eventually lead to the New Jersey Legislature voting to make law enforcement officers “guilty of a crime” if they notify parents of children under the age of 18 that their child was caught with marijuana or alcohol, on the first offense; and

WHEREAS, Senate Bill No. 3454 was voted on, passed and signed into law with less than one (1) hour left before the legalization of marijuana was scheduled to become law; and



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WHEREAS, as a result of this law, our law enforcement officers will be guilty of a crime if they notify parents that an underage child is using or in possession of marijuana or alcohol on their first offense. Only if the child is found again using or in possession can a law enforcement officer notify the parents; and

WHEREAS, the legislation is treacherous to law enforcement officers because it creates a penalty of 3rd Degree Deprivation of Civil Rights if an officer uses the odor or possession of marijuana or alcoholic beverages as the reason for initiating an investigatory stop of a person. The new law states that a law enforcement officer cannot use the odor of marijuana or alcohol as reasonable articulable suspicion to initiate an investigatory stop. The new law states a minor cannot consent to be searched and that a law enforcement officer no longer has probable cause to search a minor for illegally using marijuana or alcohol. Further, if an officer violates a minor's rights by using pot or alcohol as the reason for a search, then the officer will be charged with the crime of Deprivation of Civil Rights; and

WHEREAS, Senate Bill No. 3454 establishes penalties of only warnings for illegal use by minors of marijuana or alcohol but it essentially prevents an officer from even approaching a person suspected of being a minor. The smell of marijuana and its use in the presence of a law enforcement officer will no longer be grounds to search an individual. While marijuana is now legal for those 21 and older, Senate Bill No. 3454 is an assault on law enforcement's ability to enforce the law. Senate Bill No. 3454 is an attack on law enforcement officers by making law enforcement officers the target of punishment rather than the individuals breaking the law. This language will have dangerous consequences for the public and law enforcement officers; and

WHEREAS, the County Commissioners of the County of Monmouth continue to strive to support the local law enforcement effort and recognize that the resources of law enforcement is already drastically strained.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Monmouth that this Board does hereby urge the immediate repeal of Senate Bill No. 3454 and finds:

1. Senate Bill No. 3454 was passed with little to no discussion, no public transparency, and no public debate.
2. By passing Senate Bill No. 3454, the Legislature and Governor Phil Murphy ignored the judgment of parents over the lives of their children. The requirements of the new law will keep parents in the dark about what may be happening in their children's lives. It shows children there are no major consequences if they are found using marijuana or alcohol for the first time. Parents should have the right to know if their child is using or in possession of marijuana from the first encounter and be given the chance to discuss its consequences before it potentially becomes a larger issue.
3. Senate Bill No. 3454 takes a huge step backward on the path of ensuring children are aware of both the short-term and long-term consequences of drug and alcohol



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use. Essentially, the Legislature is telling children they have one “free pass” to get caught with marijuana or alcohol before there are any real consequences.

4. Senate Bill No. 3454 unfairly and unreasonably imposes criminal penalties on law enforcement officers if they are found to have violated new rules dictating underage possession. The odor of cannabis or alcohol will no longer be enough to justify a search. The same holds true for “the unconcealed possession” of an alcoholic beverage, marijuana, hashish or cannabis item, according to the bill text.

5. Senate Bill No. 3454 turns law enforcement officers into criminals. It establishes a legal set of enforcement powers, but it criminalizes the actual enforcement of those powers.

6. Senate Bill No. 3454 contradicts a prior law that banned smoking tobacco products on beaches and boardwalks, but now that law may be essentially unenforceable when it comes to smoking marijuana on beaches and boardwalks. Underage users of marijuana will now be free to smoke it anywhere, including in places the law says is illegal, because merely stopping a person to enforce the law is now illegal for police. Drug dealers will quickly learn to hide their drugs, guns and evidence of crimes on anyone under 18 years of age since merely lighting a joint as the officer approaches will put the officer in jeopardy of making an illegal search and being charged criminally.

7. Senate Bill No. 3454 goes well beyond the express terms of the ballot question and the intent of New Jersey’s voters when they approved the question.

8. Governor Murphy and the State Legislature should take urgent steps to repeal Senate Bill No. 3454 to protect our children and law enforcement officers.

BE IT FURTHER RESOLVED that the Clerk of the Board shall forward a certified true copy of this resolution to the Governor of the State of New Jersey.

Mr. Cusick asked for a roll call:

Roll Call

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



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RESOLUTION # 21-023 Authorize Execution of Employment Contract (Borough Manager)

BE IT RESOLVED that the Mayor and Council of the Borough of Keansburg do authorize the Mayor and the Municipal Clerk to execute the Personnel Contract as presented to Mayor and Council between the Borough of Keansburg and Raymond O’Hare; and

BE IT FURTHER RESOLVED that a certified copy be placed on file with the Finance Department and the Borough Clerk’s Office

Mr. Cusick asked for a roll call:

Roll Call

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

RESOLUTION # 21-024 Award of Bid – RO Membrane Element

WHEREAS, the Borough of Keansburg advertised and received two (2) bids for Reverse Osmosis Membrane Element on Wednesday, March 17, 2021; and

WHEREAS, two (2) bids were received and opened in public by the Borough Clerk; and

WHEREAS, the following bids were received:

Company Name	Base Bid
Eastern RO	\$88,000.00
Surplus Management, Inc (dba Water Surplus)	\$89,275.00

WHEREAS, the bid for Eastern RO was received after the bid deadline of 2 p.m., local prevailing time on March 17, 2021 and was not received in the expected and acceptable format, said bid can not be accepted for award; and,

WHEREAS, the Borough Attorney has reviewed the bids and has determined that Surplus Management, Inc (dba Water Surplus) is the lowest and responsible bidder for this Project.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that based upon the recommendation of the Borough Attorney that it does hereby award the bid for the Reverse Osmosis Membrane Element to Surplus Management, Inc (dba Water Surplus) in the total amount of \$89,275.00; and

BE IT FURTHER RESOLVED that the award is subject to:

1. Certification of the availability of funds by the Borough Chief Financial Officer

Patrick DeBlasio

Patrick DeBlasio, Chief Financial Officer



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BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are authorized to execute the contract with Surplus Management, Inc. (dba Water Surplus) after the review by the Borough Attorney and Chief Financial Officer’s certification

Mr. Cusick asked for a roll call:

Roll Call

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

RESOLUTION # 21-025 Authorize Application to the Local Finance Board (Community Disaster Loan)

RESOLUTION OF THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, NEW JERSEY, MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-26

WHEREAS, THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, NEW JERSEY (the "Borough"), desires to make application to the Local Finance Board for its review and consent of a proposed debt issuance of general obligation refunding bonds in an amount not to exceed \$1,900,000;

WHEREAS, the Borough Council of the Borough believes:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, wealth, convenience or betterment of the inhabitants of the Borough;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant; and
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Borough and will not create an undue financial burden to be placed upon the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Keansburg, in the County of Monmouth, New Jersey, as follows:



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Section 1. The application to the Local Finance Board is hereby approved, and the Borough's Chief Financial Officer, Auditor, Municipal Advisor and Bond Counsel, along with other representatives of the Borough, are hereby authorized to prepare such application and to represent the Borough in matters pertaining thereto.

Section 2. The Clerk of the Borough is hereby directed to file a copy of this Resolution with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statutes.

Mr. Cusick asked for a roll call:

Roll Call

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

RESOLUTION # 21-026 Opposition to Proposed Senate Bill #3375 (Workmen’s Comp Law Revision)

RESOLUTON IN OPPOSITION TO SENATE BILL S3375

WHEREAS The Statewide Insurance Fund (“Fund”) was created to provide a cost-efficient means of supplying workers’ compensation benefits to injured municipal and other public employees including emergency volunteers; and

WHEREAS, the Fund is not a traditional, profit-making insurance company, but rather is composed of individual municipalities, counties, municipal utilities authorities and other local government entities whose budges are all funded by taxpayer or public rate payers; and

WHEREAS, because the Fund’s members are funded, in large, by tax dollars, and because the Fund has determined that Senate Bill 3375 will increase workers compensation costs drastically, creating an undo burden to the taxpayers and rate payers of its members; and

WHEREAS, Senate Bill 3375 requires significant changes to the Workers’ Compensation Act where current law already has provisions in place to protect injured workers from claim abuse and



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requires all reasonable and necessary medical care be provided in a timely manner, subject to penalty; and

WHEREAS, Any communications between the patient, a physician, a joint insurance fund, an insurance carrier and its representative, are already governed by Court Rules, the rules of evidence, and both medical and legal ethical standards; and

WHEREAS the hallmark of the New Jersey Workers Compensation Act is the obligation of the employer to provide medical benefits to an injured worker, as long as the injury or illness arises out of and in the course of employment, tantamount with the obligation to provide medical care, is the employer’s statutory right to authorize the medical provider and the treatment to be administered. This bill would do nothing more than shift the entire balance of an already equitable system, to one side, to the detriment and greater cost of the employer.

WHEREAS Senate Bill 3375 will not serve the interest of the taxpayers and rate payers in New Jersey because it will increase the costs associated with workers’ compensation claims by at least 35% and these costs will be borne by the taxpayers of individual municipalities, counties, municipal utilities authorities and other public rate payers.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that it strongly opposes the adoption of Senate Bill 3375 and urges the Governor, State Senators and Assemblymen to protect taxpayers and rate payers from unnecessary and unwarranted charges; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that a copy of this resolution be sent to the following:

1. The Honorable Phillip Murphy, Governor;
2. All members of the New Jersey State Senate;
3. All members of the New Jersey State Assembly;
4. Statewide Insurance Fund

Mr. Cusick asked for a roll call:

Roll Call

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



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RESOLUTION # 21-027 2020-2021 Plenary Renewal – RDS / DBA: Pier 260

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, 2020 through June 30, 2021

RESOLUTION #	LICENSE NUMBER	LICENSEE
21-027	1321-33-031-010	RDS Bar and Restaurant / DBA Pier 260

BE IT FURTHER RESOLVED that the MUNICIPAL CLERK may issue the **2020-2021 LICENSE** for the above listed licensees.

Mr. Cusick asked for a roll call:

Roll Call

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

RESOLUTION # 21-028 2020-2021 Plenary Renewal – 20 Main Street Keansburg 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, 2020 through June 30, 2021

RESOLUTION #	LICENSE NUMBER	LICENSEE
21-028	1321-33-013-008	20 Main Street Keansburg LLC

BE IT FURTHER RESOLVED that the MUNICIPAL CLERK may issue the **2020-2021 LICENSE** for the above listed licensees.



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Mr. Cusick asked for a roll call:

Roll Call

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

RESOLUTION # 21-029 Resolution Approving Payment for Reconstruction of Baywalk West

RESOLUTION APPROVING PAYMENT FOR RECONSTRUCTION of BAYWALK WEST

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that the governing body does hereby approve the following payment in regard to the reconstruction of Baywalk West:

PAYEE: Ascend Construction Management, Inc.
 3327 Sunset Avenue
 Ocean, New Jersey 07712

AMOUNT: \$ 80,623.00

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available for said purpose; and

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

Mr. Cusick asked for a roll call:

Roll Call

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



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RESOLUTION # 21-030

Payment of Bills (March 24, 2021) No. 2

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.

Mr. Cusick asked for a roll call:

Roll Call

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

RESOLUTION # 21-031

Resolution Supporting the Supply of COVID-19 Vaccine to Independent Pharmacies

RESOLUTION SUPPORTING THE SUPPLY OF COVID-19 VACCINE TO INDEPENDENT PHARMACIES

WHEREAS, the residents of the Borough of Keansburg have been severely impacted by COVID-19; and

WHEREAS, our Community has been patiently awaiting the availability of the COVID-19 vaccine; and

WHEREAS, our residents depend on the local pharmacies for guidance on medical issues as well as the prevention of disease; and

WHEREAS, many of the local population have limited access to transportation and routes to local hospitals and clinics are not serviced by public transportation; and

WHEREAS, it would be in the best interests of our residents if the COVID-19 vaccine were made available at the local pharmacies.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that the governing body does hereby urge the Governor’s office to authorize local pharmacies to vaccinate residents and allocate sufficient supply to effectuate same; and



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BE IT FURTHER RESOLVED that it is the understanding of the Keansburg Borough Council that DrugSmart Pharmacy has completed all the necessary protocols to become a location to issue the COVID-19 vaccinations and the site information is as follows:

Site Name: DrugSmart Pharmacy

Site Number: 14225

Site Location: 300 Main Street
Keansburg, NJ 07734

Site Phone Number: (732) 769-5550

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to Governor Phil Murphy and Commissioner Judith Persichilli, R.N., B.S.N., M.A. of the New Jersey Department of Health.

Mr. Cusick asked for a roll call:

Roll Call

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

RESOLUTION # 21-032
RESOLUTION # 21-033
RESOLUTION # 21-034

ACTION TAKEN EARLIER IN MEETING
ACTION TAKEN EARLIER IN MEETING
ACTION TAKEN EARLIER IN MEETING



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Communications:

- **Keansburg Fire Department**
New Members

<i>Bryan Fentiman</i>	<i>New Point Comfort Fire Company</i>
<i>Matthew Kitchen</i>	<i>New Point Comfort Fire Company</i>
<i>William Boggs</i>	<i>Keansburg EMS</i>
<i>Jeanine Leonardo</i>	<i>Keansburg EMS</i>

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

Roll Call

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

Discussion:

Department Reports:

DEPARTMENT REPORTS:

Steve Ussmann, Water Plant Superintendent, reported on the revenues collected for the quarter. There were two water main repairs were completed by Borough employees at 42 Maple Avenue and the intersection of Forest Place and Seawood Place (with the assistance of Branin Contracting).

Steve Rogan, Public Works Department, reported on the beginning of beach clean-up and maintenance for the season.

Cliff Moore, Economic Community Development Coordinator, reported on the following:

Mexican restaurant on (272) Main Street is now open.

Sneaker store at 212 Main Street awaiting background report.

Italian ice store on Carr Avenue hoping to open in a few weeks.



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Beauty supply store should be opening soon on Main Street.

Property at 34 Church Street is actively for sale; possible use as shared office space or computer repair.

Thunder Development is finalizing application to Keansburg Planning Board for property located 69-71 Carr Avenue.

Robert Yuro, P.E., T & M Associates, Borough Engineer, reported on the replacement of the reverse osmosis membranes at the desalinization plant which should be completed within the next month. The reconstruction of Baywalk west should be completed in 10 days to 2 weeks.

COUNCIL REPORTS:

Councilman James Cocuzza reported that he has been in contact with Congressman Pallone’s office in regard to dredging and beach replenishment. Indications are that those items may be addressed in 2024.

Open to the Public:

Mr. Cusick asked for a roll call to OPEN the meeting to the Public:

Roll Call

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

NO MEMBER OF THE PUBLIC SPOKE AT THIS TIME



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Mr. Cusick asked for a roll call to CLOSE the meeting to the Public:

Roll Call

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

Adjournment

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

Roll Call

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



I, Jo-Ann O'Brien, 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 **March 24, 2021**

Attest:

Jo-Ann O'Brien
Deputy Municipal Clerk
Borough of Keansburg