



## MAY 19, 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  |

Mr. Cusick asked all for a moment to observe the passing of former Keansburg Police Captain Harry Schaeffer.

**In Memoriam:**



### Police Captain Harry Schaeffer



**Business Community:**

Cliff Moore: Introduction to Mayor and Council

Victoria Neito, Optician Visions of Victoria Rose

Mr. Moore introduced Dr. Neito to the Mayor and Council. Dr. Neito gave a brief overview of her business to the Council.



## MAY 19, 2021 MEETING MINUTES

### Meeting Minutes:

Meeting Minutes April 21, 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      |       |          |      |      | ✓      |         |

### Ordinances:

#### Second Reading:

Ordinance #1673– Bond Ordinance – Maple/Seeley/Raritan

BOND ORDINANCE PROVIDING FOR Maple avenue roadway construction, seeley avenue drainage improvements, and Raritan avenue stormwater pump station upgrade, AND APPROPRIATING \$999,800 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$396,825 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, NEW JERSEY

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

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of Keansburg, in the County of Monmouth, New Jersey (the “Borough”). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$999,800, said sum being inclusive of all appropriations heretofore made therefor, including grant funds expected to be received from the New Jersey Department of Trust (NJDOT) in the amount of \$295,000 and a Community Development Block Grant (CDBG) in the amount of \$156,200, the sum of \$150,000 expected to be received from a third-party contribution in connection with a developer’s agreement, and the sum of \$1,775 as down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.



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Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$396,825, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the obligations are to be issued consist of the:

- i) reconstruction of Maple Avenue Roadway located in the Borough, including but not limited to work on Maple Avenue, Main Street, Braden Place, Brookside and Wilson Avenues, with a total appropriation and estimated cost of \$500,000, including grant funds expected to be received from the NJDOT in the amount of \$295,000, an estimated maximum amount of bonds or notes therefor of \$205,000, and an average period of usefulness of twenty (20) years;
- ii) Seeley Avenue drainage improvements, with a total appropriation and estimated cost of \$314,300, including grant funds expected to be received from the CBDG in the amount of \$156,200, an estimated maximum amount of bonds or notes therefor of \$158,100, and an average period of usefulness of twenty (20) years, and
- iii) Raritan Avenue Storm-water Pump Station Upgrade, with a total appropriation and estimated cost of \$185,500, including \$150,000 contribution expected to be received by a third party contribution in connection with a developer's agreement, \$1,775 required down payment, an estimated maximum amount of bonds or notes therefor of \$33,725, and an average period of usefulness of twenty (20) years.

together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the Township Clerk, as finally approved by the governing body of the Township.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$396,825, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$999,800, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$999,800 over the estimated maximum amount of bonds or notes to be issued therefor being the sum of grant funds expected to be received from the NJDOT in the amount of \$295,000 and a CBDG in the amount of \$156,200, the sum of \$150,000 expected to be received from a third-party contribution in connection with a developer's agreement, and the sum of \$1,775 as down payment for said purposes.



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Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$396,825 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$225,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto.



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Section 6. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. 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 bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mr. Cusick asked for a roll call vote to OPEN the meeting to the Public for Ordinance #1673:

**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***



## MAY 19, 2021 MEETING MINUTES

Mr. Cusick asked for a roll call vote to CLOSE the meeting to the Public for Ordinance #1673:

### Roll Call

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

Mr. Cusick asked for a roll call vote to ADOPT Ordinance #1673:

### Roll Call

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

### Ordinance #1674– Index Rate Ordinance CY2021

CALENDAR YEAR 2021 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Mayor and Borough Council of the Borough of Keansburg, in the County of Monmouth, finds it advisable and necessary to increase its CY 2021 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,



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**WHEREAS**, the Mayor and Borough Council hereby determines that a 2.5% increase in the budget for said year, amounting to \$389,665.84 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Mayor and Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Borough Council of the Borough of Keansburg, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2021 budget year, the final appropriations of the Borough of Keansburg shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$545,532.18, and that the CY 2021 municipal budget for the Borough of Keansburg be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mr. Cusick asked for a roll call vote to OPEN the meeting to the Public for Ordinance #1674:

### Roll Call

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



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### NO MEMBER OF THE PUBLIC SPOKE AT THIS TIME

Mr. Cusick asked for a roll call vote to CLOSE the meeting to the Public for Ordinance #1674:

#### Roll Call

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

Mr. Cusick asked for a roll call vote to ADOPT Ordinance #1674:

#### Roll Call

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

#### Ordinance #1675– Cannabis Opt Out Ordinance 2021

AN ORDINANCE BY BOROUGH OF KEANSBURG IN THE COUNTY OF MONMOUTH, NEW JERSEY PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES AND AMENDING Chapter XXII OF THE (Development Regulations) of the Revised General Ordinances of the Borough of Keansburg

**WHEREAS**, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

**WHEREAS**, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

**WHEREAS**, the Act establishes six marketplace classes of licensed businesses, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;





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- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributer license, for businesses involved in transporting cannabis plants in bulk from on licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchases items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

**WHEREAS**, section 31a of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location manner and times operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

**WHEREAS**, section 31b of the Act authorizes municipalities by ordinance to prohibit the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality; and

**WHEREAS**, section 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (*i.e.*, by August 22, 2021); and

**WHEREAS**, pursuant to section 31b of the Act, the failure to do so shall mean that for a period of five years thereafter, the growing, cultivating, manufacturing, selling and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use in all commercial and retail zones; and

**WHEREAS**, at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality; and



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**WHEREAS**, the Mayor and Council of the Borough of Keansburg has determined that, due to present uncertainties regarding the potential future impacts that allowing one or more classes of cannabis business might have on New Jersey municipalities in general, and on the Borough of Keansburg in particular, it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of Keansburg's residents and members of the public who visit, travel, or conduct business in Keansburg, to amend Borough of Keansburg's zoning regulations to prohibit all manner of marijuana-related land use and development within the geographic boundaries of Borough of Keansburg and

**WHEREAS**, officials from two prominent non-profit organizations that have been established for the purpose of advising New Jersey municipalities on legal matters such as have been presented by the Act (those organizations being the New Jersey State League of Municipalities and the New Jersey Institute of Local Government Attorneys) have strongly urged that, due to the complexity and novelty of the Act; the many areas of municipal law that are or may be implicated in decisions as to whether or to what extent cannabis or medical cannabis should be permitted for land use purposes or otherwise regulated in any particular municipality; and the relatively short duration in which the Act would allow such decisions to be made before imposing an automatic authorization of such uses in specified zoning districts subject to unspecified conditions, the most prudent course of action for all municipalities, whether or not generally in favor of cannabis or medical cannabis land development and uses, would be to prohibit all such uses within the Act's 180-day period in order to ensure sufficient time to carefully review all aspects of the Act and its impacts;

**NOW THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of Keansburg, in the County of Monmouth, State of New Jersey, as follows:

1. Pursuant to section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16), all cannabis establishments, cannabis distributors or cannabis delivery services are hereby prohibited from operating anywhere in the Borough of Keansburg except for the delivery of cannabis items and related supplies by a delivery service.

2. Chapter XXII of the (Development Regulations) of the Revised General Ordinances of the Borough of Keansburg is hereby amended by adding to the list of prohibited uses, the following: "All classes of cannabis establishments or cannabis distributors or cannabis delivery services as said terms are defined in section 3 of P.L. 2021, c. 16, but not the delivery of cannabis items and related supplies by a delivery service."

3. Any article, section, paragraph, subsection, clause, or other provision of the Revised General Ordinances of the Borough of Keansburg inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.



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4. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

5. This ordinance shall take effect upon its passage and publication and filing with the Monmouth County Planning Board, and as otherwise provided for by law.

Mr. Cusick asked for a roll call vote to OPEN the meeting to the Public for Ordinance #1675:

**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***

Mr. Cusick asked for a roll call vote to CLOSE the meeting to the Public for Ordinance #1675:

**Roll Call**

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

Mr. Cusick asked for a roll call vote to ADOPT Ordinance #1675:

**Roll Call**

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



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### First Reading:

Ordinance #1676– Vacating Portions of Charles and Maplewood Avenues

AN ORDINANCE OF THE BOROUGH OF KEANSBURG, COUNTY OF MONMOUTH, NEW JERSEY VACATING CENTRAL AVENUE IN ITS ENTIRETY AND VACATING A PORTION OF CHARLES AVENUE AND VACATING A PORTION OF MAPLEWOOD AVENUE; ALSO PERMITTING THE ACQUISITION OF APPROXIMATELY 9,000 SQUARE FEET OF BLOCK 1, LOT 1 OF THE BOROUGH OF KEANSBURG FOR THE PURPOSE OF RELOCATING THE VACATED CENTRAL AVENUE.

### TO BE SUPPLIED BY J.BENNETT

Mr. Cusick asked for a roll call vote to INTRODUCE Ordinance #1676 and set down for public hearing on June 16, 2021 at 7pm:

### Roll Call

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

### CY2021 MUNICIPAL BUDGET:

### Public Hearing:

Mr. Cusick asked for a roll call vote 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      |       |          |      |      | ✓      |         |





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

### Roll Call

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

### Resolutions:

**RESOLUTION # 21-045**                      Payment of Bills (May 21, 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.

Mr. Cusick asked for a roll call vote:

### Roll Call

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



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**RESOLUTION # 21-046**

Emergency Purchase – Water / Sewer – Branin’s Contracting

**RESOLUTION – EMERGENCY PURCHASE – Branin’s Contracting, 47 Shore Dr. Highlands, New Jersey – EMERGENCY WATER LEAK– NOT TO EXCEED \$35,000.**

*Whereas, NJSA 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:3*

*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 WATER REPAIRS AT CENTER AVE AND OCEANVIEW AVE**

**WHEREAS** , an emergency purchase/repair was made by **Branin’s Contracting, 47 Shore Dr. Highlands, New Jersey** in the amount not to exceed of **\$ 35,000.00** for said Water Leaks.

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Keansburg, does hereby authorize the payment of **\$35,000.00** to **Branin’s Contracting, 47 Shore Dr. Highlands, New Jersey** 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. Donaldson |       | ✓        | ✓    |      |        |         |
| Mr. Tonne     |       |          | ✓    |      |        |         |
| Mr. Cocuzza   | ✓     |          | ✓    |      |        |         |
| Mr. Foley     |       |          | ✓    |      |        |         |
| Mr. Hoff      |       |          |      |      | ✓      |         |



## MAY 19, 2021 MEETING MINUTES

**RESOLUTION # 21-047**

Emergency Purchase – Water / Sewer – Roadrunner Paving

**RESOLUTION – EMERGENCY PURCHASE – ROADRUNNER PAVING, PO BOX 123 MIDDLETOWN, NJ 07748– EMERGENCY PAVING OF 4 LOCATIONS FROM EMRGENCY WATER BREAK - NOT TO EXCEED \$8,800.00**

*Whereas, NJSA 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:3*

*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 WATER BREAK WHICH OCURRED ON 4/27/21**

**WHEREAS** , an emergency purchase/repair was made by **ROADRUNNER PAVING, PO BOX 123 MIDDLETOWN, NJ 07748** in the amount not to exceed of **\$ 8,800.00** for said repairs.

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Keansburg, does hereby authorize the payment of **\$8,800.00** to **ROADRUNNER PAVING, PO BOX 123 MIDDLETOWN, NJ 07748** for the emergency paving 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. Donaldson |       | ✓        | ✓    |      |        |         |
| Mr. Tonne     |       |          | ✓    |      |        |         |
| Mr. Cocuzza   | ✓     |          | ✓    |      |        |         |
| Mr. Foley     |       |          | ✓    |      |        |         |
| Mr. Hoff      |       |          |      |      | ✓      |         |





## MAY 19, 2021 MEETING MINUTES

**RESOLUTION # 21-048** Appointment of Special Officers Class I

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

**Victor Matay**  
**Louis Chalmers**  
**Brent Bennet**

As Special Police Officers Class I for 2021 and,

**BE IT FURTHER RESOLVED** that the Borough Council that a certified copy of this Resolution be forwarded to the Keansburg Police Department.

Mr. Cusick asked for a roll call vote:

**Roll Call**

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

**RESOLUTION # 21-049** Authorize Vehicle Purchase – Sourcewell Co-Op (DPW-Trucks)

**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 of (2) 2022 F450 MASON DUMP TRUCKS for the Department of Public Works utilizing the Sourcewell (formerly known as NJPA) Cooperative Purchasing Program, from National Auto Fleet Group using co-op # 120716-NAF in the amount of \$118,277.40; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough of Keansburg authorizes the purchase of (2) 2022 F450 MASON DUMP TRUCKS for the Department of Public Works, from National Auto Fleet Group, using contract# 120716-NAF 490 Auto Center Dr. Watsonville, CA 95076 in the amount of \$118,277.40.



## MAY 19, 2021 MEETING MINUTES

Mr. Cusick asked for a roll call vote:

### Roll Call

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

**RESOLUTION # 21-050** Amendment to the Temporary Budget

### CY 2021 AMENDMENT TO THE TEMPORARY MUNICIPAL BUDGET

WHEREAS, N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the CY 2021 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the effective date of this Resolution shall be effective immediately; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg, County of Monmouth, State of New Jersey, that the temporary appropriations be made and a certified copy of this Resolution be transmitted to the Chief Financial Officer for his records.

### Borough of Keansburg General Appropriations

| Acc # |     | General Government          | 2021             |                |
|-------|-----|-----------------------------|------------------|----------------|
|       |     |                             | Salaries & Wages | Other Expenses |
| 20    | 110 | Borough Council             | 8,750.00         | 2,250.00       |
| 20    | 100 | Office of Borough Manager   | 58,750.00        | 6,650.00       |
| 20    | 120 | Office of the Borough Clerk | 42,625.00        | 5,625.00       |
| 20    | 155 | Legal Services              |                  | 42,500.00      |



## MAY 19, 2021 MEETING MINUTES

|    |     |                                  |              |           |
|----|-----|----------------------------------|--------------|-----------|
| 20 | 121 | Elections                        |              | 4,625.00  |
|    |     |                                  |              |           |
| 20 | 130 | Office of Director of Finance    | 41,250.00    | 5,100.00  |
|    |     |                                  |              |           |
| 20 | 135 | Annual Audit                     |              | 18,000.00 |
|    |     |                                  |              |           |
| 20 | 145 | Division of Tax Collector        | 14,500.00    | 7,625.00  |
|    |     |                                  |              |           |
| 20 | 150 | Division of Tax Assessor         | 17,875.00    | 2,625.00  |
|    |     |                                  |              |           |
| 25 | 240 | Division of Police Bureau        | 1,170,467.00 | 48,150.00 |
|    |     |                                  |              |           |
| 25 | 250 | Dispatchers                      | 45,625.00    | 250.00    |
|    |     |                                  |              |           |
| 25 | 243 | Detective Bureau                 |              | 3,750.00  |
|    |     |                                  |              |           |
| 25 | 244 | Bureau of Street Crossing Guards | 15,750.00    | 875.00    |
|    |     |                                  |              |           |
| 25 | 241 | SRO Interlocal                   | 15,300.00    |           |
|    |     |                                  |              |           |
| 25 | 260 | Emergency Medical Services       |              | 8,250.00  |
|    |     |                                  |              |           |
| 25 | 265 | Fire Department                  |              | 29,900.00 |
|    |     |                                  |              |           |
| 22 | 196 | Code Enforcement                 | 49,750.00    | 1,500.00  |
|    |     |                                  |              |           |
| 25 | 266 | Uniform Safety Act               | 11,875.00    | 1,500.00  |
|    |     |                                  |              |           |
| 20 | 165 | Engineering                      |              | 75,000.00 |
|    |     |                                  |              |           |
| 26 | 290 | Streets & Roads                  | 159,500.00   | 23,250.00 |
|    |     |                                  |              |           |
| 26 | 291 | Snow Removal                     | 5,000.00     | 10,000.00 |
|    |     |                                  |              |           |
| 25 | 111 | Parking Meter Maintenance        | 8,250.00     | 8,875.00  |
|    |     |                                  |              |           |
| 26 | 310 | Building & Grounds               |              | 35,625.00 |
|    |     |                                  |              |           |



## MAY 19, 2021 MEETING MINUTES

|    |     |   |           |            |
|----|-----|---|-----------|------------|
| 26 | 293 | Municipal Garage                              | 35,000.00 | 23,000.00  |
|    |     |   |           |            |
|    |     | Sanitation                                    |           |            |
| 32 | 465 | -Contract                                     |           | 163,500.00 |
| 32 | 466 | -Landfill Solid Waste                         |           | 150,000.00 |
|    |     |   |           |            |
| 27 | 330 | Health  | 2,500.00  | 250.00     |
|    |     |   |           |            |
| 27 | 340 | Dog Regulation                                |           | 9,250.00   |
|    |     |   |           |            |
| 28 | 370 | Recreation, Parks & Playgrounds               | 4,750.00  | 7,750.00   |
|    |     |   |           |            |
| 28 | 375 | Celebration of Public Events                  |           | 8,750.00   |
|    |     |   |           |            |
| 28 | 380 | Historical Society                            |           | 750.00     |
|    |     |   |           |            |
| 25 | 275 | Municipal Prosecutor                          | 5,750.00  |            |
|    |     |   |           |            |
| 21 | 180 | Planning Board                                | 10,000.00 | 6,087.50   |
|    |     |   |           |            |
| 25 | 253 | Emergency Management Services                 | 6,250.00  | 1,250.00   |
|    |     |   |           |            |
|    |     | Insurances                                    |           |            |
| 23 | 220 | Group Insurance Plan for Employees            | 6,250.00  |            |
| 28 | 371 | Senior Citizen Center                         |           | 250.00     |
| 28 | 372 | Transportation of Senior Citizens             |           | 2,750.00   |
|    |     |   |           |            |
| 43 | 490 | Municipal Court                               | 56,750.00 | 3,450.00   |
|    |     |   |           |            |
| 27 | 332 | PEOSHA-Bd of Health                           |           | 500.00     |
|    |     |   |           |            |
| 36 | 476 | Municipal Library                             | 10,000.00 | 1,900.00   |
|    |     |   |           |            |
| 22 | 195 | Construction Code Official                    | 60,750.00 | 1,625.00   |
|    |     |   |           |            |
|    |     | <b>UTILITY EXPENSES &amp; BULK PURCHASING</b> |           |            |
| 31 | 430 | Electricity                                   |           | 23,750.00  |
| 31 | 435 | Street Lighting                               |           | 30,000.00  |



## MAY 19, 2021 MEETING MINUTES

|    |     |                                       |                     |                   |
|----|-----|---------------------------------------|---------------------|-------------------|
| 31 | 440 | Telephone                             |                     | 20,000.00         |
| 31 | 446 | Natural Gas                           |                     | 8,000.00          |
| 31 | 450 | Telecommunications Costs              |                     | 2,125.00          |
| 31 | 447 | Gasoline & Fuel Oil                   |                     | 38,750.00         |
|    |     |                                       |                     |                   |
| 36 | 472 | Social Security System                |                     | 73,750.00         |
|    |     |                                       |                     |                   |
| 35 | 470 | Contingent                            |                     | 12,500.00         |
|    |     |                                       |                     |                   |
|    |     | <b>TOTAL OPERATIONS WITHIN "CAPS"</b> | <b>1,863,267.00</b> | <b>931,862.50</b> |
|    |     |                                       |                     |                   |

| <b>OPERATIONS EXCLUDED FROM "CAPS"</b> |     |                               |                     |                   |
|--|-----|-------------------------------|---------------------|-------------------|
|  |     |                               |                     |                   |
| 25                                     | 252 | 911 Emergency Dispatch-Police |                     | 15,000.00         |
|  |     |                               |                     |                   |
| 25                                     | 255 | LOSAP                         |                     | 14,000.00         |
|  |     |                               |                     |                   |
|  |     |                               |                     |                   |
| 46                                     | 875 | Deferred Charges              |                     |                   |
|  |     |                               |                     |                   |
|  |     |                               |                     |                   |
|  |     | <b>TOTAL APPROPRIATIONS</b>   | <b>1,863,267.00</b> | <b>960,862.50</b> |

|    |     |                             | <b>Water Sewer Utility Appropriations</b> |                       |
|----|-----|-----------------------------|---|-----------------------|
|    |     |                             | <b>Salaries &amp; Wages</b>               | <b>Other Expenses</b> |
|    |     |                             |   |                       |
| 55 | 501 | Operating                   | 172,500.00                                | 800,000.00            |
|    |     |                             |   |                       |
| 55 | 511 | Capital Outlay              |   | 00.00                 |
|    |     |                             |   |                       |
| 55 | 550 | Social Security             |   | 12,000.00             |
|    |     |                             |   |                       |
|    |     |                             |   |                       |
|    |     | <b>TOTAL APPROPRIATIONS</b> | <b>172,500.00</b>                         | <b>812,000.00</b>     |



## MAY 19, 2021 MEETING MINUTES

Mr. Cusick asked for a roll call vote:

### Roll Call

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

**RESOLUTION # 21-051** Authorize Change Order – Clarifier Tank Covers (increase)

### RESOLUTION AUTHORIZING A CHANGE ORDER INCREASING THE CONTRACT PRICE

**WHEREAS**, T.R. Weniger, Inc. of Piscataway, NJ for the WTP Clarifier Tank Covers project which was awarded by the Borough of Keansburg; and

**WHEREAS**, during the construction unanticipated conditions were identified and thereby requiring changes in the scope of the work which had been contemplated by the relevant bid specifications; and

**WHEREAS**, T.R. Weniger, Inc. submitted a proposed change order of the necessary changes in the scope of the project along with the corresponding cost increases, which has resulted in a total proposed net cost increase of \$13,669.00, thereby increasing the original contract amount of \$390,000.00 to a final contract amount of \$403,669.00; and

**WHEREAS**, the Municipal Engineer recommends Council approval of the change order which would increase the original contract price by \$13,669.00; and

**WHEREAS**, N.J.A.C. 5:30-11.3 provides the Municipality with authority by way of change order to approve additional work when the cost of such work is less than 20% of the original total bid amount; and

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

1. The change order for the WTP Clarifier Tank Cover project, which was awarded to T.R. Weniger, Inc., of Piscataway, NJ for an increase of Thirteen Thousand, Six Hundred Sixty-nine dollars and Zero cents (\$13,669.00) is hereby approved,
2. A certified copy of this resolution shall be forwarded to the Chief Financial Officer.



## MAY 19, 2021 MEETING MINUTES

Mr. Cusick asked for a roll call vote:

**Roll Call**

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

**RESOLUTION # 21-052**                      Plenary Transfer 2020-2021 License (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,

**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. 1321-33-014-006 from Chilango’s La Playa, LLC, 2 Beachway, Keansburg, NJ to KB 2 Beachway, LLC, 2 Beachway, Keansburg, NJ is hereby approved.



## MAY 19, 2021 MEETING MINUTES

Mr. Cusick asked for a roll call vote:

### Roll Call

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

### RESOLUTION # 21-053

Plenary Transfer 2020-2021 License (Carr Liquor License LLC)

**WHEREAS**, an application has been received by the Mayor and Council of the Borough of Keansburg for a Person-to-Person, transfer of Plenary Retail Consumption License # 1321-33-007-010 from Alla Grobstin, 34 Carr Avenue, Keansburg, NJ to Carr Liquor License LLC, 34 Carr Avenue, 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 "Asbury Park Press" on April 3, 2021 and April 10, 2021; and

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

**WHEREAS**, a public hearing was held on May 19, 2021 and no objections were raised nor were any objections received by the Borough Clerk prior to said hearing; and,

**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 transfer application of Plenary Retail Consumption License No. 1321-33-007-011 from Alla Grobstin, 34 Carr Avenue, Keansburg, NJ to Carr Liquor License LLC, 34 Carr Avenue, Keansburg, NJ 07734 is hereby approved.





## MAY 19, 2021 MEETING MINUTES

Mr. Cusick asked for a roll call vote:

### Roll Call

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

**RESOLUTION # 21-054** Authorize Shared Services Agreement – Monmouth County MOD IV Services

WHEREAS, The State of New Jersey has mandated the use of the MODIV Property Assessment Computer System for all New Jersey Municipalities; and,

WHEREAS, The Board of Chosen Freeholders of the County of Monmouth, in conjunction with the County Board of Taxation, is offering the County's MOD IV Property Assessment Computer System services to the municipalities; and,

WHEREAS, A Shared Services Agreement has been proposed for this purpose, pursuant to N.J.S.A. 40A:65-1 et seq.; and,

WHEREAS, It is in the best interest of the Borough of Keansburg to enter into such an Agreement;

NOW, THEREFORE, BE IT RESOLVED, By the Borough Council of the Borough of Keansburg, that the agreement entitled, "**Agreement Between the County of Monmouth and the Borough of Keansburg for MODIV Property Assessment Computer Services**", a copy of which is attached hereto, be approved for the First of January, 2022 through December 31, 2031; and,

BE IT FURTHER RESOLVED, That the Mayor and Clerk be and are hereby authorized and directed to execute the contract agreement.

Mr. Cusick asked for a roll call vote:

### Roll Call

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



## MAY 19, 2021 MEETING MINUTES

**RESOLUTION # 21-055**

Authorize Change Order – Seabreeze Way (increase)

### **RESOLUTION AUTHORIZING A CHANGE ORDER INCREASING THE CONTRACT PRICE**

**WHEREAS**, S. Brothers, Inc. of South River, NJ for the Seabreeze Way and Oakwood Place Roadway Improvements project which was awarded by the Borough of Keansburg; and

**WHEREAS**, during construction, unanticipated conditions associated with the reconstruction of the pavement consisting of the removal of the asphalt pavement and soil sub base and replacement with a suitable soil sub-base, dense graded aggregate and bituminous asphalt base course were identified, thereby requiring changes in the original scope of the work which had been contemplated by the relevant bid specifications; and

**WHEREAS**, S. Brothers, Inc. submitted a proposed change order of the necessary changes in the scope of the project along with corresponding cost increases, which has resulted in a total proposed net cost increase of \$77,342.32 (25.94%), thereby increasing the original contract amount of \$298,104.55 to a final contract amount of \$375,446.87; and

**WHEREAS**, the Municipal Engineer recommends Council approval of the change order which would increase the original contract price 25.94% by \$77,342.32; and

**WHEREAS, N.J.A.C. 5:30-11.3** provides the Municipality with authority by way of change order to approve additional work when the cost of such work is less than 20% of the original total bid amount, however since the cost of such work is 25.94% which exceeds the 20% threshold of the original contract price the Borough will forward the information to the Department of Community Affairs (DCA) for their review; and

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

1. The change order for the Sea Breeze Way and Oakwood Place Roadway Improvements project, which was awarded to S. Brothers, Inc. of South River, NJ for an increase of Seventy-Seven Thousand, Three Hundred Forty-Two dollars and Thirty-Two Cents (\$77,342.32) is hereby approved,
2. A certified copy of this resolution shall be forwarded to the Chief Financial Officer.



## MAY 19, 2021 MEETING MINUTES

Mr. Cusick asked for a roll call vote:

**Roll Call**

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

**RESOLUTION # 21-056** Authorize Safe and Secure Grant Application

**STATE OF NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY DIVISION OF CRIMINAL JUSTICE  
SAFE AND SECURE COMMUNITIES PROGRAM  
RESOLUTION OF PARTICIPATION – GRANT No. P-21-1321**

A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY FEDERAL GRANT PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY.

WHEREAS, the **BOROUGH OF KEANSBURG POLICE DEPARTMENT** wishes to apply for funding of approximately **\$32,400.00** with a match of **\$227,552.00** for an approximate project total cost of **\$259,952.00** for a project under the State of New Jersey **SAFE AND SECURE COMMUNITIES GRANT PROGRAM** for the grant period of July 1, 2020 to June 30, 2010, and

WHEREAS, the **KEANSBURG BOROUGH COUNCIL** has reviewed the accompanying application and has approved said request, and

WHEREAS, the project is a joint effort between the **Department of Law and Public Safety and KEANSBURG POLICE DEPARTMENT** for the purpose described in the application;

THEREFORE, BE IT RESOLVED by the **KEANSBURG BOROUGH COUNCIL**: that

1. As a matter of public policy the **KEANSBURG BOROUGH COUNCIL** wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General will receive funds on behalf of the applicant.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
4. The Division of Criminal Justice shall initiate allocations to each applicant as authorized.



## MAY 19, 2021 MEETING MINUTES

Mr. Cusick asked for a roll call vote:

**Roll Call**

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

**RESOLUTION # 21-057**

Budget Amendment CY2021

**BOROUGH OF KEANSBURG  
MONMOUTH COUNTY, NEW JERSEY  
RESOLUTION TO AMEND 2021 BUDGET**

WHEREAS, the Calendar Year 2021 Budget was approved on the 21st day of April 2021, and  
 WHEREAS, the public hearing on said budget was held as advertised, and  
 WHEREAS, it is desired to amend said approved budget,

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Keansburg,  
 County of Monmouth, that the following amendments to the approved Calendar Year 2021 Budget  
 be made:

|                     | <u>Ayes</u> | <u>Nays</u> | <u>Abstained</u> |
|---------------------|-------------|-------------|------------------|
|                     | (           |             | (                |
|                     | (           |             | (                |
|                     | (           |             |                  |
| Recorded Vote       | (           |             | <u>Absent</u>    |
| (Insert last names) | (           |             | (                |

**CURRENT FUND  
BUDGET**

**Anticipated Revenues:**

**General Revenues:**

|  | <u>From</u>    | <u>To</u>      |
|--|----------------|----------------|
| 1. Surplus Anticipated   | \$2,000,000.00 | \$2,237,494.55 |
| Total Surplus Anticipated  | 2,000,000.00   | 2,237,494.55   |
| 3. Miscellaneous Revenues-Section B: State Aid without Offsetting Revenues |                |                |
| Consolidated Municipiap Property Tax Relief Act                            | 386,732.00     | 297,665.00     |
| Energy Receipts Tax  | 1,438,899.00   | 1,527,966.00   |
| 3. Miscellaneous Revenues-Section F: Specdial Items of General Revenue     |                |                |
| Anticipated with prior written Consent of Dirctor of Local Government      |                |                |
| Services-Private Revenues Offset with Appropriations:                      |                |                |



## MAY 19, 2021 MEETING MINUTES

|  |                         |                         |
|--|-------------------------|-------------------------|
| -Safe and Secure Communities Grant                                     | 60,000.00               | 32,400.00               |
| Total-Section F: Special Items of General Revenue                      |                         |                         |
| Anticipated with prior written Consent of Director of Local Government |                         |                         |
| Services-Private Revenues Offset with Appropriations:                  | 88,784.13               | 61,184.13               |
| 5. Sub-Total General Revenues (Items 1,2,3 and 4)                      | 6,550,415.13            | 6,760,309.68            |
| <b>10. TOTAL GENERAL REVENUES</b>                                      | <b>\$ 18,890,993.53</b> | <b>\$ 19,100,888.08</b> |
| <br><b>Current Fund - Appropriations</b>                               |                         |                         |
| <b>8. General Appropriations</b>                                       |                         |                         |
| <b>(A) Operations Excluded from "CAPS"</b>                             |                         |                         |
| <b>Public and Private Programs Offset by Revenues</b>                  |                         |                         |
| -Safe and Secure Communities Grant                                     | 60,000.00               | 32,400.00               |
| <b>Total Public and Private Programs Offset by Revenues</b>            | 275,496.13              | 247,896.13              |
| <b>Total Operations excluded from "CAPS"</b>                           | 407,496.13              | 379,896.13              |
| Detail: Salaries and Wages   | 203,132.00              | 175,532.00              |
| <b>(D) Municipal Debt Service - Excluded from "CAPS"</b>               |                         |                         |
| CDL Loan Repayment-Principal   | 0.00                    | 189,995.64              |
| CDL Loan Repayment-Interest  | 0.00                    | 47,498.91               |
| Total Municipal Debt Service-Excluded from "CAPS"                      | 1,654,388.40            | 1,891,882.95            |
| <b>(H-2) Total General Appropriations for Municipal</b>                |                         |                         |
| Purposes Excluded from "CAPS"  | 2,171,884.53            | 2,381,779.08            |
| <b>(O) Total General Appropriations-Excluded from "CAPS"</b>           | 2,171,884.53            | 2,381,779.08            |
| <b>(L) Subtotal General Appropriations {Items (H-1) and (O)}</b>       | 17,890,993.53           | 18,100,888.08           |
| <b>9. TOTAL GENERAL APPROPRIATIONS</b>                                 | <b>\$18,890,993.53</b>  | <b>\$19,100,888.08</b>  |

BE IT FURTHER RESOLVED, that a copy of this resolution be filed forthwith in the office of the Director of the Division of Local Government Services for certification of the Calendar Year 2021 budget so amended.

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with the provisions of N.J.S.A. 40A: 4-9, be published in The Asbury Park Press in the issue of May 28, 2021, and that said publication contain notice of public hearing on said amendment to be held at the Borough of Keansburg 29 Church Street, Keansburg, NJ on June 16, 2021, at 7:00 o'clock pm.



## MAY 19, 2021 MEETING MINUTES

Mr. Cusick asked for a roll call vote:

**Roll Call**

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

**RESOLUTION # 21-058** Appointment of Special Officer Class II

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

**Chris Jankowski**

As Special Police Officers Class II for 2021 and,

**BE IT FURTHER RESOLVED** that the Borough Council that a certified copy of this Resolution be forwarded to the Keansburg Police Department.

Mr. Cusick asked for a roll call vote:

**Roll Call**

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



## MAY 19, 2021 MEETING MINUTES

### Communications:

- **Keansburg Fire Department**  
New Members

*Frank Travers*

*New Point Comfort Fire Company*

*Matthew Spriko*

*New Point Comfort Fire Company*

*Paula Sharkey*

*Keansburg EMS*

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:

*James Della Pietro*  
*Street and Roads*

*Flags have been hung*

*Beach Rake is in use*

*Thanked Borough Council for their support*

*Police Chief Sheehan*

*Report has been given to Council*

*Robert Yuro*

*RO Membranes to be installed on May 24<sup>th</sup>*

*Borough Engineer*

*Sewer line problem at the Marina Bar has been repaired –  
damage from Bridge reconstruction*

*Raymond O’Hare*  
*Borough Manager*

*Spoke about dredging – beach fill for Keansburg from  
floodgate to Ideal Beach*

*Councilman Cocuzza*

*Announced there would be a Beach Clean Up June 19<sup>th</sup> at  
9am*

*The Historical Society will be open May 22<sup>nd</sup> and 23<sup>rd</sup>.*



## MAY 19, 2021 MEETING MINUTES

### Open to the Public:

Mr. Cusick asked for a roll call vote 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      |       |          |      |      | ✓      |         |

Tami Alt  
1A Parkside Place

Spoke about a conflict of interest. Requested a copy of the meeting recording

Jessica Mankowski  
7 Bayview Avenue

Spoke about graffiti on Baywalk East

Michael Mankowski  
7 Bayview Avenue

Spoke about the April 30<sup>th</sup> lockdown at the Joseph C. Caruso School. Thanked the Police Department for their tremendous response.

Mr. Cusick asked for a roll call vote 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      |       |          |      |      | ✓      |         |

Raymond O'Hare,  
Borough Manager

Stated the Waterfront Library has reopened with the assistance of the Department of Public Works





## MAY 19, 2021 MEETING MINUTES

### Adjournment

Mr. Cusick asked for a roll call vote 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 **May 19, 2021**

**Attest:**

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