



## JUNE 29, 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**

**Roll Call**

<b>Mr. Donaldson</b>	<b>Mr. Tonne</b>	<b>Mr. Cocuzza</b>	<b>Mr. Foley</b>	<b>Mr. Hoff</b>
✓	✓	✓	✓	✓

**Meeting Minutes:**

Meeting Minutes June 16, 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
<b>Mr. Donaldson</b>		✓	✓			
<b>Mr. Tonne</b>			✓			
<b>Mr. Cocuzza</b>	✓		✓			
<b>Mr. Foley</b>			✓			
<b>Mr. Hoff</b>			✓			



## JUNE 29, 2021 MEETING MINUTES

### Ordinances:

#### Second Reading:

##### Ordinance #1677 – Police Chiefs Salary

AN ORDINANCE AMENDING ORDINANCE #1655 ESTABLISHING THE ANNUAL SALARIES FOR THE CHIEF AND DEPUTY CHIEF OF THE POLICE DEPARTMENT OF THE BOROUGH OF KEANSBURG

#### Salaries and Wages

	<u>Minimum</u>	<u>Maximum</u>
Chief of Police	\$190,000.00	\$250,000.00
Deputy Chief of Police	\$175,000.00	\$225,000.00

All Ordinances heretofore enacted by the Borough of Keansburg which are inconsistent with any part of this Ordinance are hereby repealed.

This Ordinance shall be effective upon its passage and publication according to law.

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 All Ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.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



## JUNE 29, 2021 MEETING MINUTES

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	✓		✓			

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

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			✓			

Mr. Cusick asked for a roll call vote to ADOPT Ordinance #1677:

**Roll Call**

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



## JUNE 29, 2021 MEETING MINUTES

### Ordinance #1678 – Unclassified Salary

AN ORDINANCE FIXING AND ESTABLISHING A SCHEDULE OF SALARIES, SALARY RANGES, INCREMENTS, WAGES AND FEES FOR CERTAIN OFFICIALS AND EMPLOYEES OF THE BOROUGH OF KEANSBURG, COUNTY OF MONMOUTH, STATE OF NEW JERSEY.

Unclassified Service	Salaries and Wages	
	Minimum	Maximum
Records Support Technician I	\$40,000.00	\$75,000.00

All Ordinances heretofore enacted by the Borough of Keansburg which are inconsistent with any part of this Ordinance are hereby repealed.

This Ordinance shall be effective upon its passage and publication according to law.

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.



## JUNE 29, 2021 MEETING MINUTES

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	✓		✓			

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

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			✓			

Mr. Cusick asked for a roll call vote to ADOPT Ordinance #1678:

**Roll Call**

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



## JUNE 29, 2021 MEETING MINUTES

### Ordinance #1680 – Beach Amendment

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER X (BEACHES, PARKS AND RECREATION AREAS), SECTION 1 (REGULATIONS OF BEACHES), 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 Section 1 (Regulation of Beaches) of Chapter X (Beaches, Parks and Recreation Areas) of the Revised General Ordinances be amended and supplemented as follows:

#### 10-1.1 Beaches Designated

*Shall be amended to include the following:*

For the purposes of this Chapter “Beaches” and “Dedicated Beachfront” shall mean all area adjacent to the shore which is owned or leased by the Borough of Keansburg

#### 10-1.4 Prohibitions

*Shall be amended as follows:*

g. Peddling: No person shall peddle, vend, sell, distribute or offer for sale, any goods, wares or merchandise on the beach without first obtaining a permit from the Borough of Keansburg.

*Shall be supplemented as follows:*

o. Camping: No person or organization shall camp on the beach without permission from the Borough of Keansburg.

p. Sleeping: No person shall sleep on the beach after dusk or before dawn.

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.



## JUNE 29, 2021 MEETING MINUTES

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 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

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			✓			

Mr. Cusick asked for a roll call vote to ADOPT Ordinance #1680:

**Roll Call**

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



## JUNE 29, 2021 MEETING MINUTES

### First Reading:

#### 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;
- 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.





## JUNE 29, 2021 MEETING MINUTES

**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

**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



## JUNE 29, 2021 MEETING MINUTES

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.

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.

Mr. Cusick asked for a roll call vote to INTRODUCTION Ordinance #1675 set for public hearing on July 21, 2021 at 7pm.

### Roll Call

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



## JUNE 29, 2021 MEETING MINUTES

Ordinance #1679 – Redevelopment Plan – Carr Avenue 6.2021

AN ORDINANCE OF THE BOROUGH OF KEANSBURG, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ADOPTING A REDEVELOPMENT PLAN FOR THE CARR AVENUE CORRIDOR

**WHEREAS**, on July 27, 2005, the Mayor and Council of the Borough of Keansburg (“Borough”) designated the entirety of the Borough as an “Area in Need of Rehabilitation” pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.A.A. 40A:12A-1, et seq (“LRHL”); and

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (“Redevelopment Law”), authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment; and

**WHEREAS**, on July 17, 2019, the Borough Council (“Council”) of the Borough of Keansburg (“Borough”) adopted Resolution 19-098, authorizing and directing the Planning Board of the Borough (“Board”) to undertake a preliminary investigation and redevelopment study to determine whether all properties, identified in Blocks 7, 8, 10, 11, 12, 13, 14 and 52, thereof (“Study Area”), meet the criteria set forth in the Redevelopment Law and should be designated as a Non-Condensation Redevelopment Area, as that term is defined by the Redevelopment Law; and

**WHEREAS**, on April 22, 2020, the Borough Council (“Council”) of the Borough of Keansburg (“Borough”) adopted Resolution 20-038, accepting the recommendation from the Planning Board of the Borough of Keansburg and finding that all properties identified in Blocks 7, 8, 10, 11, 12, 13, 14 and 52 as shown on the official tax map of the Borough of Keansburg be and are hereby deemed to be a Non-Condensation Redevelopment Area pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

**WHEREAS**, pursuant to N.J.S.A. 40A-12A-4, the Borough, through the firm T&M Associates, prepared a redevelopment plan entitled “Carr Avenue Corridor Redevelopment Plan” substantially in the form attached hereto (“Redevelopment Plan”), which provides for the redevelopment of several areas of the Borough, specifically Block 10, Lots 1 and 3 through 9, Block 12, Lots 6 through 9, Block 13, Lots 1, 2.02, 3, 4, 5.01, 5.03, 7 and 8, Block 14, Lots 1, 1.02 and 2 through 9 and Block 52, Lots 4 through 8; and

**WHEREAS**, prior to the final passage of this Ordinance, the Borough Council referred the Redevelopment Plan to the Planning Board of Adjustment (“Planning Board”) for its review at the July 11, 2021 meeting as to master plan consistency and for any other comments in accordance with N.J.S.A 40A:12A-7; and

**WHEREAS**, the Redevelopment Plan has been available for public review in the office of the Planning Board and in the office of the municipal Clerk; and



## JUNE 29, 2021 MEETING MINUTES

**WHEREAS**, the Borough Council now wishes to approve and adopt the Carr Avenue Corridor Redevelopment Plan, in the form attached hereto as **Exhibit A**.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Keansburg, County of Monmouth, and State of New Jersey, that the Borough Council hereby approves and adopts the Carr Avenue Corridor Redevelopment Plan in the form attached hereto as **Exhibit A**.

**BE IT FURTHER ORDAINED**, that the Redevelopment Plan shall supersede the applicable provisions of the Borough's Zoning Ordinance.

**BE IT FURTHER ORDAINED**, that the remainder of all other sections and subsections of the afore mentioned Ordinance not specifically amended by this Ordinance shall remain in full force and effect.

**BE IT FURTHER ORDAINED**, all Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such consistency.

**BE IT FURTHER ORDAINED**, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

Mr. Cusick asked for a roll call vote to INTRODUCTION Ordinance #1679 set for public hearing on July 21, 2021 at 7pm.

### Roll Call

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



## JUNE 29, 2021 MEETING MINUTES

### Resolutions:

*Carried from June 16, 2021 Meeting*

**RESOLUTION # 21-061** Authorize Redeveloper AGREEMENT – Sackman

**RESOLUTION OF THE BOROUGH OF KEANSBURG, COUNTY OF MONMOUTH, NEW JERSEY AUTHORIZING THE DESIGNATION OF SACKMAN ENTERPRISES OF NJ, LLC AS REDEVELOPER FOR A PERIOD NOT TO EXCEED ONE HUNDRED TWENTY (120) DAYS FOR THE CERTAIN PARCELS IDENTIFIED ON THE TAX MAPS OF THE BOROUGH AS BLOCK 184, LOT 3.02 (LOTS 3.02 A BEING A PORTION OF FORMER LOT 3)**

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended from time to time (the "**Redevelopment Law**"), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

**WHEREAS**, pursuant to *N.J.S.A. 40A:12A-4(c)*, the municipal council of the Borough of Keansburg (the "**Borough Council**") is the designated "Redevelopment Entity," as such term is defined at *N.J.S.A. 40A:12A-3*, with full authority to exercise the powers contained in the Redevelopment Law to facilitate and implement the development of the redevelopment areas within the Borough of Keansburg (the "**Borough**"); and

**WHEREAS**, in accordance with the Redevelopment Law, a redevelopment plan was prepared and entitled 'Beachway Avenue Waterfront Redevelopment Plan' and initially adopted by the Borough Council via Ordinance No. 1403 on February 9, 2006 (the "**Redevelopment Plan**"); and

**WHEREAS**, the Borough Council directed the Planning Board of the Borough (the "**Planning Board**") to investigate whether that certain area of the Borough, amongst other parcels, commonly known as Block 184, Lots 1, 3 (the former Lot 3 currently known as Lots 3.02 and 3.03) and a portion of 3.01 on the tax maps of the Borough (the "**Study Area**"), constitutes as an "area in need of redevelopment" as defined in the Redevelopment Law; and

**WHEREAS**, based upon the recommendation of the Planning Board, the Borough Council on August 26, 2015 adopted resolution #15-107 to designate the Study Area as an "area in need of redevelopment" ("**Redevelopment Area**") in accordance with the Redevelopment Law; and

**WHEREAS**, the Borough Council desired to amend the Redevelopment Plan and engaged T&M Associates to undertake same; and

**WHEREAS**, on May 17, 2017, the Borough Council introduced Ordinance #1600 making certain amendments to the Redevelopment Plan; and



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**WHEREAS**, on June 12, 2017, in accordance with the Redevelopment Law, the Planning Board of the Borough reviewed those certain amendments to the Redevelopment Plan and recommended the adoption of same; and

**WHEREAS**, on June 21, 2017, after reviewing the Planning Board's recommendation, the Borough Council adopted those certain amendments to the Redevelopment Plan by Ordinance #1600 (the "**Redevelopment Plan**"); and

**WHEREAS**, on December 11, 2019 the Borough Council inadvertently designated Sackman Group, LLC as redeveloper of the Redevelopment Area, and on January 29, 2020, the Borough appropriately designated Sackman Enterprises of NJ, LLC as Redeveloper of the Block 184, Lots 3.01, 3.03 and 3.03 of the Redevelopment Area in furtherance of the Borough's powers pursuant to the Redevelopment Law (the "**Proposed Redeveloper**"), and in an effort to allow for the redevelopment of the Redevelopment Area, for a period of no longer than sixty (60) days, that designation of the Proposed Redeveloper to be void and of no further legal effect following sixty (60) days from the effective date of that resolution, regardless of any progress made by the Parties towards the negotiation of a comprehensive redevelopment agreement to govern the redevelopment of Redevelopment Area; and

**WHEREAS**, on April 22, 2020, the Borough Council continued the designation of the Proposed Redeveloper for the Redevelopment Area, for an additional sixty (60) days, which expired on June 21, 2020; and

**WHEREAS**, the Borough Council continued the designation of the Proposed Redeveloper as redeveloper only as to Block 184, Lot 3.02 of the Redevelopment Area (the "**Property**"), (Proposed Redeveloper, together with the Borough, the "**Parties**), retroactive to May 29, 2020, as set forth in the resolution adopted on June 22, 2020, for a period of time being the later of : i) ninety (90) days from June 22, 2020, or ii) the date of the next Borough Council meeting following the ninetieth day from the effective date of June 22, 2020; and

**WHEREAS**, on September 16, 2020, the Borough Council adopted Resolution 20-096, further continuing the designation of the Proposed Redeveloper for ninety (90) days, or the date of the next Borough Council meeting following the ninetieth day from the effective date of that resolution; and

**WHEREAS**, on January 27, 2021, the Borough Council adopted Resolution 21-008, further continuing the designation of the Proposed Redeveloper for one hundred twenty (120) days, or the date of the next Borough Council meeting following the one hundred twentieth day from the effective date of that resolution; and

**WHEREAS**, the Borough Council deems it necessary to continue the designation of the Proposed Redeveloper as Redeveloper of the Property, and such designation of Proposed



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Redeveloper shall be void and of no further legal effect following one hundred twenty (120) days from the effective date of this resolution or the date of the next Council meeting following the one hundred twentieth day from the effective date of this resolution, whichever is later, regardless of any progress made by the Parties towards the negotiation of a comprehensive redevelopment agreement to govern the redevelopment of Redevelopment Area.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF KEANSBURG, NEW JERSEY AS FOLLOWS:**

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
  
2. The instant designation of the Proposed Redeveloper, with regard to the proposed redevelopment of the Property is effective from May 27, 2021 and to the enactment of this resolution, and for a period of time being the later of: i) one hundred twenty (120) days from the effective date of this resolution or ii) the date of the next Borough Council meeting following the one hundred twentieth day from the effective date of this resolution, and such designation of Proposed Redeveloper shall be void and of no further legal effect following one hundred twenty (120) days from the effective date of this resolution or the date of the next Borough Council meeting following the none hundred twentieth day from the effective date of this Resolution, whichever is later, regardless of any progress made by the Borough and Proposed Redeveloper towards the negotiation of a comprehensive redevelopment agreement to govern the Property.
  
3. This Resolution shall take effect immediately.

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			✓			



## JUNE 29, 2021 MEETING MINUTES

**RESOLUTION # 21-072**                      Payment of Bills (June 29, 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			✓			

**RESOLUTION # 21-073**                      Resolution Accepting Audit CY2020

**GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT FORM OF RESOLUTION**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

**WHEREAS**, the Annual Report of Audit for the year **CY2020** has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations, and,

**WHEREAS**, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,





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**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**NOW, THEREFORE BE IT RESOLVED**, That the Borough Council of the Borough of Keansburg, County of Monmouth, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

***I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON June 29, 2021***

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			✓			



## JUNE 29, 2021 MEETING MINUTES

RESOLUTION # 21-074

2021 – 2022 Plenary Renewal (Half Moon)

**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, 2021 through June 30, 2022

RESOLUTION #	LICENSE NUMBER	LICENSEE
21-074	1321-33-014-006	KB2 Beachway LLC dba Half Moon

**BE IT FURTHER RESOLVED** that the MUNICIPAL CLERK may issue the **2021-2022 LICENSE** for the above listed licensees.

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 # 21-075

Appointment of Municipal Tax Assessor

**Resolution of the Mayor and Council of the Borough of Keansburg appointing Municipal Tax Assessor Jay Briscione effective July 1, 2021 through June 30, 2025.**

**Whereas**, pursuant to N.J.S.A. 40A:9-146, the governing body or chief executive, as shall be the appropriate form of government of the municipality, shall provide for the appointment of a municipal assessor; and,

**Whereas**, pursuant to N.J.S.A. 40A:9-148, every municipal assessor shall hold his office for a term of four years from the first day of July next following his appointment and vacancies other than due to expiration of shall filled by appointment from the unexpired term; and,

**Whereas**, upon the conclusion of its search for a Tax Assessor, the Borough Manager finds that Jay Briscione possesses all necessary certifications pursuant to N.J.S.A. 54:1-35.30 and has recommended to the Borough Council that Jay Briscione is the best candidate to carry out the duties of this position; and,



## JUNE 29, 2021 MEETING MINUTES

**Now, Therefore, Be It Resolved** by the Mayor and Council of the Borough of Keansburg, County of Monmouth, that it hereby appoints Jay Briscione as Tax Assessor of the Borough of Keansburg for a four-year term beginning July 1, 2021 and ending June 30, 2025.

**Be It Further Resolved** that a certified copy of the within resolution be forwarded to Matthew Clark, Monmouth County Board of Taxation and the Borough's Chief Financial Officer

### Jay Briscione Tax Assessor

For the four-year term beginning July 1, 2021 and ending June 30, 2025.

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 # 21-076

Appointment of Planning Board Members 2021

**BE IT RESOLVED** by the Mayor and Council of the Borough of Keansburg that

Board Member	Membership Class	for the term of
Thomas Foley	Be a Class I Member	July 1, 2020 through June 30, <b>2022</b>
Dominick Grasso	Be a Class II Member	July 1, 2020 through June 30, <b>2022</b>
Michael Donaldson	Be a Class III Member	July 1, 2020 through June 30, <b>2022</b>

**Be and are hereby appointed to the Keansburg Planning Board of Adjustment Be and are hereby appointed to the Keansburg Planning Board of Adjustment**



## JUNE 29, 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			✓			

**Communications:**

*Mayor Hoff*

*Announced that Concert Series would be starting this Friday.*

**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		✓	✓			

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

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			✓			



## JUNE 29, 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 **June 29, 2021**

**Attest:**

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