



## DECEMBER 14, 2022 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**

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

Mr. Cusick asked all to observe a Moment of Silence

**In Memoriam:**



### Jeanne Corey



The Borough of Keansburg mourns the passing of Jeanne Corey. Jeanne was a veteran educator with the Keansburg Public School system for 29 years, as well as an organizer and long-time volunteer with Keansburg Helping Hands.

Jeanne was a sweet and kind-hearted individual who was an instrumental part of our community while teaching our 1st and 2nd Grade Students.

We extend our sincere condolences to her family, friends and colleagues



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Mayor Hoff administered:

**Oath of Office:**



**OATH OF OFFICE**

Brian VonBargen

*Police Sergeant*

**Executive Session:**

Mr. Cusick asked for a roll call vote to CONVENE an EXECUTIVE SESSION:

**Roll Call**

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

### EXECUTIVE SESSION CONVENED

*Attorney/ Client Privilege: Licensing Procedure for Sober – Living Facilities*

Mr. Cusick asked for a roll call vote to RETURN from an EXECUTIVE SESSION:

**Roll Call**

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



## DECEMBER 14, 2022 MEETING MINUTES

### REGULAR MEETING CONTINUED

#### REDEVELOPMENT AGENCY:

- 204 Main Street – Proposed Wellness Center

Mike Palmeris – owner of Resa Treatment Center and Dr. Lionel Lionecette gave a presentation on the proposed operations for a wellness center located at 204 Main Street.

Services to be provided include medical attention, psychotherapy / counseling and vocational programs.

Addiction Services will not be provided. Hours of operation are expected to be 9am to 8pm.

Robert Yuro, Borough Engineer stated that Planning Board would be hearing the presentation and determination.

Ed Striedl, Zoning Official, concerned with egress. Back of the building does not have public access. Asked about hands-on vocational training services.

There are no plans for a second floor. It is a 2600 square foot building in a B-1 Business zone which would require 26 parking spaces.

Facility will be handling tele-medicine consultations and many patients would be dropped off.

At this time there was a motion by Mr. Hoff, seconded by Mr. Foley, not to endorse this application.



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**Resolution:**

**RESOLUTION # 22-146** REDEVELOPMENT AGENCY – Determination – 204 Main Street  
**BE IT RESOLVED** by the Mayor and Council of the Borough of Keansburg acting as the Redevelopment Agency of the Borough of Keansburg that the application of Keansburg Wellness Center, 204 Main Street, Keansburg, New Jersey **is not endorsed** by the Agency; and

**BE IT FURTHER RESOLVED** that a copy of the Resolution be forwarded to the Zoning Officer and the secretary of the Keansburg Planning Board of Adjustment.

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	✓		✓			

**Public Hearing:**

Cooperative Sober Living Residence Annual Renewal Public Hearing

- License #1321-0024 – 95 Beacon Blvd
- License #1321-0027 – 117 Port Monmouth Road
- License #1321-0028 – 38 Main Street
- License #1321-0029 – 44 Chestnut Street

Lawrence Luttrell, Esq. appeared on behalf of the four licensees. Mr. Blake Robb, Manager of the facilities was also present. Mr. Luttrell as well as Mr. Robb, explained that the facilities are complying with all applicable laws and all are being run hands-on to ensure that there are no problems with neighbors or enforcement agencies.

Senator John Bennett, Esq., Borough Attorney, explained that the State acknowledges local licensing based upon ordinances adopted by the Borough in the 1990s. The Borough desires to be the licensing authority for these facilities. Any new proposed facility would be subject to local ordinance and enforcement.



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

**Roll Call**

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

Kenneth Cook  
88 Beacon Blvd

Concerns about 95 Beacon Blvd

Questioned multi-family use. Spoke about DCA write-up on deficiencies and several police reports for address

Christina Onciu  
82 Francis Place

Asked about the history of State issuing licenses and now local enforcement

John Bennett stated that revocation is possible for non – compliance.

**Resolution:**

**RESOLUTION # 22-147**                      Renewal of Licenses for Sober-Living Facilities (Four) 2023

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that the following four (4) Cooperative Sober Living Residences licenses are hereby APPROVED for a term of one (1) year expiring on December 31, 2023:

- 1321-0024                      95 Beacon Boulevard
- 1321-0027                      117 Port Monmouth Road
- 1321-0028                      38 Main Street
- 1321-0029                      44 Chestnut Street\*



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BE IT FURTHER RESOLVED that License 1321-0029 is approved contingent upon replacement of window(s) at the direction of the Fire Official and Construction Official.

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	✓		✓			

**Meeting Minutes:**

Meeting Minutes November 9, 2022

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 #1701 – Adoption of Health License Fees**

AN ORDINANCE AMENDING CHAPTER IV (GENERAL LICENSING AND BUSINESS REGULATIONS), SECTION 4-2.9 (COMPLIANCE WITH HEALTH REQUIREMENTS) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG.



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Section 1:

BE IT ORDAINED by the Mayor and Council of the Borough of Keansburg that Chapter IV (General Licensing and Business Regulation), Section 4-2.9 (Compliance with Health Requirements) of the Revised General Ordinances be amended as follows:

Section 4-2.9 Compliance with Health Requirements

**ADD**

*a. Registration; License Fees.*

Health License Fee Schedule

Retail establishments selling only prepackaged foods	\$25.00 annually
Seasonal Food establishments	\$50.00 annually
Year-Round Food establishments, Food Distributors, Food Product Manufacturers	\$100.00 annually

- b. Licenses expire on December 31<sup>st</sup> of each calendar year.
- c. On or after March 31<sup>st</sup> of each year a penalty fee will be charged of twenty-five (\$25.00) dollars for last registration which is paid after that date.

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.



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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 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 #1701:

### Roll Call

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





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### Ordinance #1702 – Rental Property Insurance Liability Compliance

AN ORDINANCE amending, revising and supplementing CHAPTER 11 OF THE BOROUGH CODE OF THE BOROUGH OF KEANSBURG, ENTITLED “RENTAL PROPERTY”

**WHEREAS**, pursuant to *N.J.S.A. 40:48-1* and *N.J.S.A. 40:48-2*, the governing body of a municipality may make, amend, repeal and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this State or of the United States, as it may deem necessary and proper for the good of government, order and protection of person and property and for the preservation of the public health, safety and welfare of the municipality and its inhabitants and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and,

**WHEREAS**, in addition, *N.J.S.A. 40:48-2.12(a)* provides that the governing body of a municipality may make, amend and repeal and enforce ordinances to regulate buildings and structures and their use and occupation to prevent and abate conditions therein harmful to the health and safety of the occupants of said building and structures, as well as the general public in the municipality; and,

**WHEREAS**, the Legislature of the State of New Jersey adopted P.L. 2022, C. 1368, on August 5, 2022, and said law was signed by the Governor on August 8, 2022 mandating that businesses and residential rental units have premises liability insurance for negligent acts and omissions for such particular property and premises in amounts required therein; and,

**WHEREAS**, by such legislation, the Borough is mandated to enact an Ordinance to implement the said insurance requirements, provide for annual registration of certificates of insurance required by the said law, and maintain a registry of such certificates of insurance:

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that the Borough Code of the Borough of Keansburg is hereby amended, revised and supplemented as to Chapter 4 of the Borough Code, entitled “Business Regulations”, by more specifically adding a new Section entitled “Business and Residential Liability Insurance” to the Borough Code, which shall read as follows:

The Borough Code of the Borough of Keansburg is hereby amended as follows:

**ADD:**

SECTION 11-4.1e

**Certificate of Insurance**

A proof of current liability insurance insuring against negligent acts and omissions for a particular property and premises shall maintain liability insurance for negligent acts and omissions in an amount



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of no less than \$500,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence

### Residential Rental Unit

Any single family residence, apartment, studio, condominium and/or other dwelling designed to be occupied by one or more persons and rented, leased and/or otherwise offered for use by other than the owner for one (1) or more nights in a Calendar Year.

### Liability Insurance Required.

The owner of a business or rental unit or units shall annually register a certificate of insurance with the Borough of Keansburg as follows:

- A. Except as provided in subsection B of this section, the owner of a business or the owner of a rental unit or units shall maintain liability insurance for negligent acts and omissions in an amount of no less than \$500,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence.
- B. The owner of a multifamily home which is four (4) or fewer units, one (1) of which must be owner-occupied, shall maintain liability insurance for negligent acts and omissions in an amount of no less than \$300,000 for combined property damage and bodily injury to or death of one (1) or more persons in any one (1) accident or occurrence.

### Fee For Business or Residential Rental Insurance Registration.

The fee for obtaining a business or residential rental insurance registration certificate is Fifty Dollars (\$50.00).

### Violations; Penalties.

- A. Any person, firm or corporation that shall be convicted of a violation of a provision of this chapter shall, upon conviction thereof by any court authorized by law to hear and determine the matter, be subject to a fine not exceeding One Thousand (\$1,000) Dollars or imprisonment for a term not exceeding ninety (90) days, or both, as such court in its discretion may impose. Each day that such violation exists shall constitute a separate offense.
- B. The Borough may collect through a summary proceeding under *N.J.S.A. 2A:58-10, et. seq.* a fine of not less than Five Hundred (\$500.00) Dollars, but no more than Five Thousand (\$5,000.00) Dollars for failing to file with the Code and Construction Office a certificate of insurance registration as required by P.L. 2022, C. 1368.



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**BE IT FURTHER ORDAINED** by the Borough Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that if any word, section, paragraph, subsection, clause and/or provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall only apply to the word, section, paragraph, subsection, clause or provision so adjudicated and the remainder of the Ordinance shall be deemed valid and effective; and,

**BE IT FURTHER ORDAINED** that any ordinance or parts thereof in conflict with the provisions of this Ordinance are repealed only to the extent of such conflict; and,

**BE IT FURTHER ORDAINED** that this Ordinance shall take effect following the adoption and approval in the time and manner prescribed by law, *N.J.S.A. 40A:60-6(b)(1)*, whereby the powers of the Borough Council permit that the Council may “pass, adopt, amend and repeal any ordinance or, where permitted, any resolution for any purpose required for the government of the municipality or for the accomplishment of any public purpose for which the municipality is authorized to act under general 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.



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Mr. Cusick asked for a roll call vote 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 #1702:

### Roll Call

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

### **Ordinance #1703 – Business/Commercial Property Insurance Liability Compliance**

AN ORDINANCE amending, revising and supplementing CHAPTER 4 OF THE BOROUGH CODE OF THE BOROUGH OF KEANSBURG, ENTITLED “GenERAL LICENSING AND BUSINESS REGULATION”

**WHEREAS**, pursuant to N.J.S.A. 40:48-1 and N.J.S.A. 40:48-2, the governing body of a municipality may make, amend, repeal and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this State or of the United States, as it may deem necessary and proper for the good of government, order and protection of person and property and for the preservation of the public health, safety and welfare of the municipality and its inhabitants and as



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may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and,

**WHEREAS**, in addition, *N.J.S.A. 40:48-2.12(a)* provides that the governing body of a municipality may make, amend and repeal and enforce ordinances to regulate buildings and structures and their use and occupation to prevent and abate conditions therein harmful to the health and safety of the occupants of said building and structures, as well as the general public in the municipality; and,

**WHEREAS**, the Legislature of the State of New Jersey adopted P.L. 2022, C. 1368, on August 5, 2022, and said law was signed by the Governor on August 8, 2022 mandating that businesses and residential rental units have premises liability insurance for negligent acts and omissions for such particular property and premises in amounts required therein; and,

**WHEREAS**, by such legislation, the Borough is mandated to enact an Ordinance to implement the said insurance requirements, provide for annual registration of certificates of insurance required by the said law, and maintain a registry of such certificates of insurance:

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that the Borough Code of the Borough of Keansburg is hereby amended, revised and supplemented as to Chapter 4 of the Borough Code, entitled "Business Regulations", by more specifically adding a new Section entitled "Business and Residential Liability Insurance" to the Borough Code, which shall read as follows:

The Borough Code of the Borough of Keansburg is hereby amended as follows:

**DELETE:**

SECTION 4-2.6 In its entirety

**ADD:**

SECTION 4-2.6

**Definitions.**

**Certificate of Insurance**

A proof of current liability insurance insuring against negligent acts and omissions for a particular property and premises no less than \$500,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence, is required issued by an insurance company and stating coverage for a particular property and premises.

**Liability Insurance Required.**



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The owner of a business, business property, commercial property shall annually register a certificate of insurance with the Borough of Keansburg as follows:

- A) the owner of each operating business shall maintain liability insurance for negligent acts and omissions in an amount of no less than \$500,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence
- B) the owner of each individual commercial property regardless of being vacant or occupied by a business entity, the owner of a business / commercial property shall maintain liability insurance for negligent acts and omissions in an amount of no less than \$500,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence.

### **Fee For Business or Business Rental Insurance Registration.**

The fee for obtaining a business or residential rental insurance registration certificate is Fifty Dollars (\$50.00).

### **Violations; Penalties.**

- A) Any person, firm or corporation that shall be convicted of a violation of a provision of this chapter shall, upon conviction thereof by any court authorized by law to hear and determine the matter, be subject to a fine not exceeding One Thousand (\$1,000) Dollars or imprisonment for a term not exceeding ninety (90) days, or both, as such court in its discretion may impose. Each day that such violation exists shall constitute a separate offense.
- B) The Borough may collect through a summary proceeding under N.J.S.A. 2A:58-10, et. seq. a fine of not less than Five Hundred (\$500.00) Dollars, but no more than Five Thousand (\$5,000.00) Dollars for failing to file with the Borough Clerk a certificate of insurance registration as required by P.L. 2022, C. 1368.

**BE IT FURTHER ORDAINED** by the Borough Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that if any word, section, paragraph, subsection, clause and/or provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall only apply to the word, section, paragraph, subsection, clause or provision so adjudicated and the remainder of the Ordinance shall be deemed valid and effective; and,

**BE IT FURTHER ORDAINED** that any ordinance or parts thereof in conflict with the provisions of this Ordinance are repealed only to the extent of such conflict; and,

**BE IT FURTHER ORDAINED** that this Ordinance shall take effect following the adoption and approval in the time and manner prescribed by law, N.J.S.A. 40A:60-6(b)(1), whereby the powers of the Borough Council permit that the Council may "pass, adopt, amend and repeal any ordinance or, where permitted, any resolution for any purpose required for the government of the municipality or



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for the accomplishment of any public purpose for which the municipality is authorized to act under general 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.

Mr. Cusick asked for a roll call vote 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	✓		✓			



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Mr. Cusick asked for a roll call vote to ADOPT Ordinance #1703:

### Roll Call

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

### Resolutions:

**RESOLUTION # 22-131**                      Payment of Bills (12/14/22)

**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 # 22-132**                      Appointment of Special Officers 2023

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

**Brent Bennet**  
**Victor Matay**

As Special Law Enforcement Police Officers Class I; and,

**Justin Acevedo**  
**Christine L. Kozak**  
**Joseph Lamb**  
**Guillermo Rivera**

As Special Police Officers Class II; and,

**David Gogan**  
**Kevin White**  
**William Agar**  
**Robert Sheehan**

As Special Law Enforcement Police Officers Class III for 2023; 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			✓			



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**RESOLUTION # 22-133** Authorize Execution Personnel Contract – S. Ussmann 2023-2024

BE IT RESOLVED that the Mayor and Council of the Borough of Keansburg do authorize the Mayor, the Deputy Borough Manager and the Municipal Clerk to execute the Personnel Contract as presented to Mayor and Council between the Borough of Keansburg and Steve Ussmann; and

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

Mr. Cusick asked for a roll call vote:

**Roll Call**

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

**RESOLUTION # 22-134** Appointment of Public Agency Compliance Officer 2023 – T. Cusick

**WHEREAS**, in accordance with N.J.A.C. 17:27-3.5 a Public Agency must annually designate an officer to serve as its Public Agency Compliance Officer; and

**WHEREAS**, the Public Agency Compliance Officer is responsible for assuring that no public contract may be awarded nor any monies paid until the contractor has agreed to contract performance which complies with the approved Affirmative Action Plan; and

**WHEREAS**, it is deemed necessary that the Public Agency (the Borough of Keansburg) shall designate an officer or employee to serve as Public Agency Compliance Officer (P.A.C.O.), whose name title, business address, telephone number and fax number shall be forwarded to the State Affirmative Action Office by January 10, of every year; and

**WHEREAS**, the P.A.C.O. if the liaison official for matters concerning P.L. 1975, c. 127 (N.J.A.C. 17:27) and should have the authority to make the appropriate correction(s) to the Borough of Keansburg’s contracting procedures if required; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Keansburg hereby appoint Thomas P. Cusick, RMC, as Public Agency Compliance Officer in the Borough of Keansburg for the year 2023 and that the Clerk is hereby directed to file a copy of this resolution with the Department of the Treasury, Affirmative Action Office, CN-206, Trenton, New Jersey 08625-0206



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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 # 22-135**                      Appointment of Monmouth County Community Development Reps 2023

**BE IT RESOLVED** that the Mayor and Council of the Borough of Keansburg wish to seek participation in the Monmouth County Community Development program; and

**BE IT RESOLVED** that in order to maintain that involvement, Representatives of the Community must be named by Resolution; and

**BE IT FURTHER RESOLVED** that the governing body does hereby appoint:

**Cliff Moore, as Representative**

**Mayor George Hoff, as Alternative Representative**

For the term of January 1, 2023 through December 31, 2023

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

Ms. Debbie Dovedytis,  
 Program Specialist  
 Monmouth County Community Development  
 Hall of Records Annex  
 One East Main Street  
 Freehold, New Jersey 07728

Mr. Cusick asked for a roll call vote:

**Roll Call**

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



## DECEMBER 14, 2022 MEETING MINUTES

**RESOLUTION # 22-136**

Rescind Resolution #22-128 – Agreement with Monmouth County SPCA 2023

**BE IT RESOLVED** that the Mayor and Council of the Borough of Keansburg that Resolution #22-128 – titles Execution of Agreement Monmouth County SPCA 2023 is hereby rescinded.

**BE IT RESOLVED** that in a copy of this resolution being given to the Borough Manager’s Office.

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 # 22-137**

Execute Associated Humane Society Agreement 2023

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Keansburg, does hereby authorize the Borough Manager and Municipal Clerk to execute the Associated Humane Society Contract/Agreement for CY2023 for the stated amount of \$40,000.00.

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			✓			



## DECEMBER 14, 2022 MEETING MINUTES

**RESOLUTION # 22-138/139**      2023 Amusement Games Licenses – RRB (Bev & Wally’s/The Game Room)

**BE IT RESOLVED** by the Mayor and Council of the Borough of Keansburg, in the County of Monmouth, New Jersey that a 2023 Amusement Game License be granted to:

**RRB Inc**

Name	Resolution #	Amusement Game License #
<b>Bev &amp; Wally’s</b>	<b>#22-138</b>	<b>MG23-001</b>
<b>The Game Room</b>	<b>#22-139</b>	<b>MG23-002</b>

Pursuant to P.L. of 1959; Chap.108 and 109 of the “Amusement Game Licensing Law”, and in accordance with their application for such operation; and

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

Mr. Cusick asked for a roll call vote:

**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>			✓			



## DECEMBER 14, 2022 MEETING MINUTES

**RESOLUTION # 22-140**

Refund of Fees (V. Sadkova)

**BE IT RESOLVED** by the Mayor and Council of the Borough of Keansburg that the following payment be made to

<b>Amount:</b>	\$520.00
<b>Reason:</b>	Application Fee Refund
<b>Reference:</b>	8 Woodland Avenue

<b>Payable to:</b>	Vera Sadkova 39 Azimuth Ct Holmdel, NJ 07734	<i>Total Payable:</i> \$520.00
--------------------	--	-----------------------------------

**BE IT FURTHER RESOLVED** that the Chief Financial Officer is hereby directed to issue payment as stated above

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			✓			



## DECEMBER 14, 2022 MEETING MINUTES

**RESOLUTION # 22-141** Cancellation of Property Taxes and Tax Credits 2022

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that by direction of the Tax Collector the following tax amounts be canceled:

Block	Lot		AMOUNT	REASON
11	4		\$ 9,549.53	Demolition of Structure
33	12	CO03	1,167.47	Ownership by Borough
56	20.23	C075B	4,409.62	Fully-Exempt Veteran
70	4.02		8,001.46	Tax-Exempt (State- Blue Acres Program)
	5		1,815.00	
	9		2,065.00	
	10		1,270.00	
163	5.01		826.33	Ownership by County of Monmouth
168	17		4,417.20	Tax-Exempt (Church Street Corporation)

BE IT FURTHER RESOLVED that the following CREDITS be canceled at the request of the Tax Collector:

Block	Lot	AMOUNT
93	20.03	\$ .01

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Chief Financial Officer and the Tax Collector.

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		✓	✓			



## DECEMBER 14, 2022 MEETING MINUTES

**RESOLUTION # 22-142** Authorize Co-Op Purchase Roll Off Freightliner (DPW)

### AUTHORIZING THE PURCHASE OF A ROLL-OFF FREIGHTLINER FOR THE DPW DEPARTMENT

**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 a Roll-off Freightliner for the DPW Department utilizing the HGAC Cooperative Purchasing Program, from Campbell Freightliner, contract# HT 06-20 in the amount of \$ 209,947.00; and

**WHEREAS**, the Chief Financial Officer has certified that funds are or will be available for said purpose.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough of Keansburg authorizes the purchase of a Roll-Off Freightliner for the DPW Department, from Campbell Freightliner contract # HT 06-20 1015 Cranbury South River, South Brunswick NJ 08831 in the amount of \$ 209,947.00.

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	✓		✓			





## DECEMBER 14, 2022 MEETING MINUTES

### RESOLUTION # 22-143      Transfer of Funds 12.14.22 PROVIDING FOR THE TRANSFER OF SURPLUS FUNDS

WHEREAS, N.J.S. 40:4-58 provides for the transfer of surplus funds from one account to the other during the last two months of the calendar year:

NOW, THEREFORE, BE IT RESOLVED By the Council of the Borough of Keansburg that transfers be made in the Boroughs' 2022 budget appropriations in accordance with the following schedule:

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

<u>A/C #</u>	<u>FROM</u>	<u>TO</u>
23-220-200 Medical Insurance	\$ 53,000.00	
26-290-100 Streets & Rds-S&W		20,000.00
26-310-200 Garage- OE		2,000.00
36-472-200 Social Security		28,000.00
25-250-100 Police Dispatch-S&W		3,000.00
 Totals	 <u>\$ 53,000.00</u>	 <u>\$ 53,000.00</u>

### SEWER UTILITY

<u>A/C #</u>	<u>FROM</u>	<u>TO</u>
05-55-501-200 Operating- OE	\$ 27,000.00	
05-55-501-100 Operating- S&W		20,000.00
05-55-550-200 Social Security		7,000.00
 Totals	 <u>\$ 27,000.00</u>	 <u>\$ 27,000.00</u>

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	✓		✓			



## DECEMBER 14, 2022 MEETING MINUTES

**RESOLUTION # 22-144**

Payment of Bills (12/14/22) No. 2

**BE IT RESOLVED** by the Mayor and Council of the Borough of Keansburg that the following numbered Vouchers be paid to the person therein respectively and hereinafter named, for the amounts set opposite their respective names and endorsed and approved on said vouchers; and

**BE IT FURTHER RESOLVED** that checks be drawn by the Chief Financial Officer, signed by the Mayor and attested to by the Municipal Clerk as required by law.

Mr. Cusick asked for a roll call vote:

**Roll Call**

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

**RESOLUTION # 22-145**

Payment of Bills (12/14/22) No. 3

**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	✓		✓			



## DECEMBER 14, 2022 MEETING MINUTES

The following resolutions were acted upon earlier in the meeting:

- RESOLUTION # 22-146 Recommendation to the Zoning Officer – 204 Main Street
- RESOLUTION # 22-147 Renewal of Licenses for Sober-Living Facilities (Four) 2023

### Communications:

#### UPCOMING MEETINGS:

- January 4, 2023 – First Wednesday
- January 25, 2023 – Fourth Wednesday

### Discussion:

### Department Reports:

*Steve Ussmann  
Water and Sewer*

*Reported on the 4<sup>th</sup> quarter water bills  
Reported that Well #5 is now up and running*

*James Della Pietro  
Street and Roads*

*300 yards of leaves have been collected and continuing leaf pick up  
All Holiday Lights installed, thanked Council for their support and wished all Happy Holidays*

*Edward Striedl  
Code and Construction*

*Reported on the upcoming demolition of 4 properties on Creek Road, part of the Blue Acres Program  
There is concern about erosion on Creek Road*

*Cliff Moore  
Economic Development*

*Reported that there is interest to start new businesses:  
New Smoke Shop at 320 Main Street  
Photo Studio at 369 Carr Avenue  
Dominican Restaurant at the Commons – Main Street  
Pentecostal Church at the Commons – Main Street  
Facade Grants from County awarded to 282 Main Street  
Grin Brewery expected to open in January*



## DECEMBER 14, 2022 MEETING MINUTES

*Robert Yuro  
Borough Engineer*

*Monroe Road Bridge has been completed prior to Thanksgiving  
Meeting with Army Corp of Engineers for Beach Replenishment  
DOT Marine – dredging channel on Waackaack and Thorn  
Creeks*

*Councilman Cocuzza*

*\$300,000 funding from Congressman Pallone for beach  
replenishment study*

*Mayor Hoff*

*Thanked all for the Tree Lighting Ceremony  
Parade Committee will hold a Virtual Gift Auction on February  
10<sup>th</sup>  
St. Patrick’s Parade to be held on March 25, 2023  
Wished all Happy Holidays*

**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	✓		✓			

Eduardo Frizzell  
270 Carr Avenue

Eduardo Frizzell, 270 Carr Avenue, stated that the conditions at 274 Carr Avenue have become worse. Owner has created an extreme amount of debris on property and there are health and safety concerns. There has been a fire in a van on the premises.

Code Officials are aware of the situation and will be in municipal court with the owner the following morning.



## DECEMBER 14, 2022 MEETING MINUTES

Antionetta Carbone  
101 Center Avenue

Antoinetta Carbone, 101 Center Avenue, presented a petition regrading residential permit parking in the Borough. Said petition was not submitted to the Borough.

Senator Bennett stated that the Borough has submitted a municipal access plan for parking at the beachfront and that it has been filed with the State Department of Environmental Protection.

Mr. Cusick stated that the petition should be circulated in areas of the Borough which will be subject to parking restrictions.

Kaylin Flores  
158Seabreeze Way

Kaylin Flores, 158 Seabreeze Way, disagreed with Mr. Cusick on the circulation of the petition.

Rob Nardello  
270 Carr Avenue

Rob Nardello, 270 Carr Avenue, stated there are parking concerns throughout the Borough.

Cristina Onciu  
82 Francis Place

Cristina Onciu, 82 Frances Place, stated that the Borough Attorney previously stated a minimum number of signatures are needed for a petition.

Senator Bennett did not recall stating an amount and that each situation is different for accumulation of signatures for a petition.

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			✓			



## DECEMBER 14, 2022 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 **December 14, 2022**

**Attest:**

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