



## MARCH 15, 2023 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>
✓	✓	Excused	✓	✓

Mr. Cusick asked all to observe a Moment of Silence:

**In Memoriam:**



**Richard S. Hausner**



Former Keansburg Fire Chief Richard S. Hausner, 89, of Keansburg, NJ, passed away Sunday, February 12th, at Jersey Shore Medical Center, Neptune.

He was in the Naval Reserve during the Korean War. He worked for many years at DuPont in Parlin as a head technician for photo film, retiring in 1988. He was also past Fire Chief of the New Point Comfort Fire Company, Keansburg in 1977 and 1978



**Carole Carey Wenger**



Carole Ann Wenger, age 88, peacefully passed away January 24, 2023, at her home in Vero Beach with her three daughters by her side. She grew up and raised her family in Keansburg, New Jersey and lived in Hazlet, New Jersey and Lantana, Florida before settling in Vero Beach, Florida.

Carole retired from the Borough of Keansburg in 1997 as the Tax Collector after 27 years.

## MARCH 15, 2023 MEETING MINUTES

**In Memoriam:**

  
**Sam Arguinzoni**  




Sam Arguinzoni, 89, passed away in February surrounded by dear friends. Sam, a former resident, owned and operated Sam’s Parking Lot at the Keansburg Amusement Park for many years. He served as a Republican Committeeman and Chairman of the Keansburg Republican Party for decades. In that capacity Sam assisted many residents and entities in the Borough of Keansburg. Sam was recognized by the State and County Republican parties for his tireless efforts on their behalf.

A friend to all, Sam dedicated himself to assisting civic and charitable causes for many years. He was a generous benefactor to the Bayshore Senior Day Center, the Keansburg P.B.A., and the recreation programs sponsored by the Borough and school system. A true friend to the Borough, he will truly be missed.

**Meeting Minutes:**

Meeting Minutes February 15, 2023

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			✓			



## MARCH 15, 2023 MEETING MINUTES

### Ordinances:

#### First Reading:

#### Ordinance #1705 – 2023 Bond Ordinance for Roadway Improvements

BOND ORDINANCE PROVIDING FOR WATER MAIN REPLACEMENTS, DRAINAGE SYSTEM UPGRADES, AND ROAD RECONSTRUCTION, AND APPROPRIATING \$2,897,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,293,100 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 and water/sewer 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 \$2,897,500, said sum being inclusive of all appropriations heretofore made therefor, including \$87,500 from the Recreation Omni Lease Trust, \$200,000 from the Borough’s Water/Sewer Operating Budget, grant funds in the amount of \$191,900 expected to be received from the New Jersey Department of Transportation (NJDOT), and the sum of \$125,000 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.

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 \$2,293,100, 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 water main replacements, drainage system upgrades, and the reconstruction of various roads throughout the Borough, including, but not limited to, Forest Avenue, Evergreen Place, Willis Avenue, Park Avenue, Collins Street, Beachway Avenue, Lincoln Court, Wilson Avenue, Frances Place, Locust Street, Lincoln Court, Holly Street, Garden Street, Wood Avenue and Railroad Avenue, 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 Borough Clerk, as finally approved by the governing body of the Borough.



## MARCH 15, 2023 MEETING MINUTES

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$2,293,100, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$2,897,500, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$2,897,500 over the estimated maximum amount of bonds or notes to be issued therefor being the \$87,500 from the Recreation Omni Lease Trust for the improvements to Wood Avenue, \$200,000 from the Borough's Water/Sewer Operating Budget for the water main replacements, grant funds in the amount of \$191,900 expected to be received from the NJDOT for the reconstruction of Beachway Avenue, and the sum of \$125,000 as down payment for said purposes.

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 and water/sewer 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 twenty (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 \$2,293,100 and the obligations authorized herein will be within all debt limitations prescribed by that Law.



## MARCH 15, 2023 MEETING MINUTES

(d) An aggregate amount not exceeding \$400,000 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.

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 INTRODUCE Ordinance #1705 and set for public hearing on April 19, 2023 at 7pm.

### Roll Call

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



## MARCH 15, 2023 MEETING MINUTES

Ordinance #1706– Index Rate Ordinance CY2023

CALENDAR YEAR 2023 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 2.5% 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 2023 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,

WHEREAS, the Mayor and Borough Council hereby determines that a 1% increase in the budget for said year, amounting to \$161,342.83 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

2023 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 \$564,699.91, and that the CY 2023 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,



## MARCH 15, 2023 MEETING MINUTES

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 INTRODUCE Ordinance #1706 and set for public hearing on April 19, 2023 at 7pm.

### Roll Call

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

### Resolutions:

#### INTRODUCTION: CY2023 Municipal Budget

**RESOLUTION # 22-021** Introduction of the CY 2023 Keansburg Municipal Budget

*NOTE: A copy of the municipal budget is available in the Municipal Clerk's Office for review and also on the Municipal website, [www.keansburgnj.gov](http://www.keansburgnj.gov) under the Government tab.*

Mr. Cusick asked for a roll call vote to INTRODUCE the CY2023 Municipal Budget:

### Roll Call

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





## MARCH 15, 2023 MEETING MINUTES

### RESOLUTION # 23-022 Payment of Bills (03/15/23)

**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 # 23-023 Approval of CY2022 LOSAP Certification List

#### RESOLUTION APPROVING THE CERTIFICATION LIST OF VOLUNTEER MEMBERS OF THE BOROUGH OF KEANSBURG FIRE DEPARTMENT AND EMERGENCY SERVICES QUALIFYING FOR CREDIT UNDER THE LENGTH OF SERVICE AWARDS PROGRAM (LOSAP) FOR 2022

**WHEREAS**, The Mayor and Council of the Borough of Keansburg adopted Ordinance No. 1449 which created the Length of Service Awards Program (LOSAP); and

**WHEREAS**, N.J.S.A. 40A:14-191 requires that the Keansburg Fire Department and Emergency Services furnish the Borough Council with an annual certification list of all volunteer members who have qualified for credit under the award program for the previous year; and

**WHEREAS**, that a copy of this list has been posted for at least thirty (30) days in the buildings of the Keansburg EMS-Carr Ave, Keansburg Fire Company #1-Main and Manning and New Point Comfort Fire Company-Carr Avenue.





## MARCH 15, 2023 MEETING MINUTES

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Keansburg that the Municipal Council hereby approves the list of the volunteer members of the Borough of Keansburg Fire Department and Emergency Services certified by the Borough of Keansburg Board of Fire Commissioners for the year CY2022

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 # 23-024**

Appointment to the Housing Authority – M. Foley

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Keansburg, in the County of Monmouth, New Jersey that it does hereby appoint:

### Mary Foley

To the Housing Authority

for the Borough of Keansburg

for a term commencing on April 2, 2023 and expiring on April 1, 2028.

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		✓	✓			



## MARCH 15, 2023 MEETING MINUTES

**RESOLUTION # 23-025** 2023 Tonnage Grant

**WHEREAS**, the Mandatory Source Separation and Recycling Act, P.L., c. 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

**WHEREAS**, the New Jersey Department of Environmental Protection and Energy is promulgating recycling regulations to implement the mandatory Source Separation and Recycling Act; and

**WHEREAS**, the recycling regulation impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, a Resolution authorizing the Borough of Keansburg to apply for such tonnage grants will memorialize the commitment of the Borough to recycling and indicate the assent of the Mayor and Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and Recycling regulations; and

**WHEREAS**, such a Resolution should designate the individual authorized to ensure that the application is properly completed and timely filed.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Keansburg that the Borough hereby endorses the submission of a Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection and Energy and designates

**Greg McLellan,  
Recycling Coordinator,**

29 Church Street, Keansburg, NJ 07734, to ensure that the said application is properly filed; and

**BE IT FURTHER RESOLVED** that the monies received from the recycling tonnage grant be deposited in a recycling trust fund to be used solely for the purposes of recycling.

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		✓	✓			



## MARCH 15, 2023 MEETING MINUTES

**RESOLUTION # 23-027** Authorize Change Order – Seeley Avenue – Discover

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

**WHEREAS**, Discover Construction, LLC of Dayton, NJ for the Seeley Avenue Drainage Improvements project which was awarded by the Borough of Keansburg; and

**WHEREAS**, during construction, unanticipated conditions associated with existing groundwater and tidal conditions of the Waackaack Creek required the raising of the existing roadway grades and reconstruction of Maplewood Avenue in order to eliminate flooding/ponding conditions, thereby requiring changes in the original scope of the work which had been contemplated by the relevant bid specifications; and

**WHEREAS**, Discover Construction, LLC submitted a proposed change order of the necessary changes in the scope of the project along with corresponding cost increases, has resulted in a total proposed net cost increase of \$74,149.84, thereby increasing the original contract amount of \$228,440.64 to a final contract amount of \$302,590.48; and

**WHEREAS**, the Municipal Engineer recommends Council approval of the change order which would increase the original contract price by \$74,149.84; 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 Seeley Avenue Drainage Improvement project, which was awarded to Discover Construction, LLC of Dayton, NJ for an increase of Seventy-Four Thousand, One Hundred Forty-Nine dollars and Eighty-Four Cents (\$74,149.84) is hereby approved,
2. A certified copy of this resolution shall be forwarded to the Chief Financial Officer.

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		✓	✓			



## MARCH 15, 2023 MEETING MINUTES

**RESOLUTION # 23-028** Authorize Change Order – 2022 Roadway Improvements – S Brothers

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

**WHEREAS**, S. Brothers, Inc, of South River, NJ for the 2022 Roadway Improvement Program project which was awarded by the Borough of Keansburg, and

**WHEREAS**, during construction, due to the increase of oil prices resulting in the increase of asphalt and fuel costs and due to the Borough’s request of the contractor to construct proposed curb, sidewalk and parking lot improvements associated with the construction of the Beach Pavilion building, thereby requiring changes in the original scope of the work which had not been contemplated by the relevant bid specifications; and

**WHEREAS**, S. Brothers, Inc of South River, NJ submitted a proposed change order of the necessary changes in the scope of the project along with corresponding cost increases, has resulted in a total proposed net cost increase of \$110,150.04, thereby increasing the original contract amount of \$1,230,554.80 to a contract amount of \$1,340,704.84; and

**WHEREAS**, the Municipal Engineer recommends Council approval of the change order which would increase the original contract price by \$110,150.04; 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 2022 Roadway Improvement Program project, which was awarded to S. Brothers, Inc, of South River, NJ for an increase of One Hundred Ten Thousand, One Hundred Fifty dollars and Four Cents (\$110,150.04) is hereby approved,
2. A certified copy of this resolution shall be forwarded to the Chief Financial Officer.

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		✓	✓			



## MARCH 15, 2023 MEETING MINUTES

### RESOLUTION # 23-029

Authorization Resolution – MCIA 2023 Pooled Notes

**RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SALE OF \$2,573,836 BOND ANTICIPATION NOTES OF THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, NEW JERSEY TO THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY, AND DETERMINING VARIOUS MATTERS IN CONNECTION THEREWITH**

**WHEREAS**, the Borough of Keansburg, in the County of Monmouth, New Jersey (the “Borough”) has heretofore adopted, from time to time, various bond ordinances (the “Bond Ordinances”) authorizing various capital improvements, and the issuance and sale, from time to time, of its bonds and bond anticipation notes in order to finance such capital improvements; and

**WHEREAS**, the Bond Ordinances authorize the Chief Financial Officer to sell any bond anticipation notes thereunder at public or private sale, as determined by the Chief Financial Officer; and

**WHEREAS**, the Borough has applied to The Monmouth County Improvement Authority (the “MCIA”) to participate in its pooled governmental note financing program (the “Program”); and

**WHEREAS**, under the Program, the MCIA will issue and sell its pooled notes (the “MCIA Notes”), which MCIA Notes will be secured by (i) payments by various governmental entities located in Monmouth County (including the Borough) under various notes issued by such entities to the MCIA and (ii) the unconditional guaranty of the County of Monmouth (the “County”); and

**WHEREAS**, on March 8, 2023, the New Jersey Local Finance Board held a hearing and issued positive findings in respect of the issuance of the MCIA Notes by the MCIA; and

**WHEREAS**, the Borough wishes to participate in the Program, and to issue and sell all or a portion of its bond anticipation notes to the MCIA; and

**WHEREAS**, the Borough will receive a proposal for the purchase of such bond anticipation notes from the MCIA, which purchase will be effected through a note purchase agreement to be entered into between the Borough and the MCIA; and

**WHEREAS**, the Borough acknowledges that the MCIA intends to execute a contract of purchase with an underwriter pertaining to the sale of the MCIA Notes, the proceeds of which shall be used by the MCIA, inter alia, to purchase the such bond anticipation notes of the Borough; and

**WHEREAS**, the Borough now wishes to authorize the issuance and sale of its bond anticipation notes, and the issuance and sale of all or a portion thereof to the MCIA;



## MARCH 15, 2023 MEETING MINUTES

**NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, NEW JERSEY, as follows:**

SECTION 1. The Chief Financial Officer is hereby authorized to cause all or a portion of its bond anticipation notes (the "Program Notes") to be issued and sold to the MCIA in accordance with the Program.

SECTION 2. The terms and conditions of the sale of the Program Notes to the MCIA shall be set forth in a Note Purchase Agreement to be dated on or about the date of pricing of the MCIA Notes, between the MCIA and the Borough. The execution and delivery by the Mayor, the Business Administrator or the Chief Financial Officer of the Borough (each, an "Authorized Officer") of the Note Purchase Agreement, in such form as shall be approved by such officer, is hereby authorized, such approval to be conclusively evidenced by such officer's execution thereof.

SECTION 3. The Borough hereby authorizes the use of certain information concerning the Program Notes and the Borough in the Preliminary Official Statement and final Official Statement of the MCIA, to be used in connection with the marketing and sale of the MCIA Notes.

SECTION 4. The execution and delivery by an Authorized Officer of a Continuing Disclosure Agreement, if any, to be dated as of the date of closing of the MCIA Notes, between the Borough and the trustee for the MCIA Notes, in such form as shall be approved by such officer, is hereby authorized, such approval to be conclusively evidenced by such officer's execution thereof.

SECTION 5. A portion of the proceeds of sale of the Program Notes to the MCIA may be retained by the MCIA as payment for the Borough's allocable share of issuance expenses and expenses related to the County Guaranty. Any Authorized Officer is hereby authorized and directed to pay all of the costs associated with the sale and issuance of the Program Notes.

SECTION 6. The Authorized Officers and any other officer of the Borough, and the staff and consultants of the Borough, are hereby authorized and directed to take all actions and execute any other agreement which may be necessary or convenient to effectuate the terms of this resolution in connection with the issuance, sale and delivery of the Program Notes, which includes the review and delivery of a preliminary official statement and official statement on behalf of the Borough, and the execution of the Note Purchase Agreement, the Continuing Disclosure Agreement, if any, and any other agreement to be executed in connection with the issuance of the Program Notes or the MCIA Notes.

SECTION 7. This resolution shall take effect immediately.



## MARCH 15, 2023 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 # 23-030** Authorize Temporary Extension of Plenary Hours – Townwide

**Whereas**, the Mayor and Council of the Borough of Keansburg may on occasion make temporary revisions to existing Ordinance as may be needed for the benefit of its Residents and Business Community; and,

**Whereas**, the Saint Patrick’s Day Parade will take place on Sunday, March 26, 2023; and,

**Whereas**, consumption of alcohol on licensed premises is prohibited on Sunday’s during the hours of 9:00 am and 12:00 pm as per Borough’s General Code Ordinance 6-4.2; and,

**BE IT RESOLVED** by the Mayor and Council of the Borough of Keansburg that current plenary license holders in good standing and in operation on Sunday, March 26, 2023 may open their doors to patrons during the additional hours of 9:00 am and 12:00 pm.

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		✓	✓			





## MARCH 15, 2023 MEETING MINUTES

**RESOLUTION # 23-031**

Designate Non-Condemnation Redevelopment Area – Grandview Apts

**RESOLUTION OF THE BOROUGH OF KEANSBURG DECLARING THE PROPERTIES IDENTIFIED AS BLOCK 15, LOT 2 AND BLOCK 53, LOT 1 (HEREINAFTER REFERRED TO AS “THE STUDY AREA”) TO BE AN AREA IN NEED OF NON-CONDEMNATION REDEVELOPMENT IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.**

**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 September 21, 2022, the Borough Council (“Council”) of the Borough of Keansburg (“Borough”) adopted Resolution 22-100, authorizing and directing the Planning Board of the Borough (“Board”) to undertake a preliminary investigation and redevelopment study to determine whether the properties identified as Block 15, Lot 2 and Block 53, Lot 1, thereof (“Study Area”), meet the criteria set forth in the Redevelopment Law and should be designated as a Non-Condemnation Redevelopment Area, as that term is defined by the Redevelopment Law; and

**WHEREAS**, the Board conducted a preliminary investigation of the Study Area to determine whether it should be designated as a Non-Condemnation Redevelopment Area in accordance with the criteria and procedures set forth in N.J.S.A. 40A:12A-5 and 40A:12A-6; and

**WHEREAS**, as part of its preliminary investigation, the Board caused Caroline Reiter, P.P., AICP, from T&M Associates, the Board’s Consulting Planner, to prepare a Redevelopment Study & Preliminary Investigation Report (“Redevelopment Study”) for the Board for its consideration in determining whether the Study Area should be designated a Non-Condemnation Redevelopment Area; and

**WHEREAS**, the Redevelopment Study found that Block 15, Lot 2 and Block 53, Lot 1 qualified as an Area in Need of Redevelopment under both N.J.S.A. 40A:12A-5(a) and (d), and that the Study Area should be designated a Non-Condemnation Redevelopment Area; and

**WHEREAS**, in addition to the foregoing, Ms. Reiter prepared a map showing the boundaries of the proposed redevelopment area and locations of the parcels or properties included therein, along with a statement setting forth the basis for its investigation in accordance with N.J.S.A. 40A:12A-6(b) (1); and

**WHEREAS**, public hearings were conducted by the Board on February 6, 2023 and March 13, 2023, with notice having been properly given pursuant to N.J.S.A. 40A:12A-6(b) (3); and

**WHEREAS**, at the public hearings, the Board reviewed the Study Area, the map and associated documents, and heard testimony from Ms. Reiter and others; and



## MARCH 15, 2023 MEETING MINUTES

**WHEREAS**, at the public hearings, members of the general public were given an opportunity to be heard and to address questions to the Board concerning the potential designation of the Study Area as a Non-Condensation Redevelopment Area; and

**WHEREAS**, after completing its investigation and public hearings on this matter, the Board concluded that there was sufficient credible evidence to support findings that satisfy the criteria set forth in the Redevelopment Law, particularly at N.J.S.A. 40A:12A-5(a) and (d) for designating the Study Area as a Non-Condensation Redevelopment Area and that said designation is necessary for the effective redevelopment of the area comprising the Study Area; and

**WHEREAS**, in accordance with the Redevelopment Law and as memorialized by resolution on March 13, 2023 (attached as Exhibit A), the Board recommended to the Borough Council that the properties identified as Block 15, Lot 2 and Block 53, Lot 1 be designated as a Non-Condensation Redevelopment Area; and

**WHEREAS**, the Borough Council considered the Board's recommendation at its scheduled public meeting on March 15, 2023; and

**WHEREAS**, the Borough Council accepted the recommendation of the Planning Board to declare the Study Area as a Non-Condensation Redevelopment Area.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Keansburg, County of Monmouth, State of New Jersey accepts the recommendation from the Planning Board of the Borough of Keansburg and finds that the properties identified as Block 15, Lot 2 and Block 53, Lot 1 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-5(a) and (d); and

**BE IT FURTHER RESOLVED**, that the designation of the properties identified as Block 15, Lot 2 and Block 53, Lot 1 as a Non-Condensation Redevelopment Area shall **not** authorize the Borough, acting as the duly authorized redevelopment entity, to exercise the power of eminent domain to acquire any property in the Study Area; and

**BE IT FURTHER RESOLVED**, that the Borough hereby reserves all other authority and powers granted to it under the Redevelopment Law; and

**BE IT FURTHER RESOLVED**, that the Clerk of the Borough of Keansburg shall forthwith transmit a copy of the within Resolution to the Commissioner of the Department of Community Affairs for review; and



## MARCH 15, 2023 MEETING MINUTES

**BE IT FURTHER RESOLVED**, that within ten (10) days of the Borough Council’s adoption of the within Resolution, the Clerk of the Borough of Keansburg shall serve notice of the Borough Council’s determination and a copy of this Resolution upon all record owners of property within the Non-Condemnation Redevelopment Area, those whose names are listed on the tax assessor’s records, and upon each person who filed a written objection thereto and stated, in or upon such written submission, an address to which notice of the determination and Resolution may be sent; and

**BE IT FURTHER RESOLVED**, that such notice shall be in a form consistent with the requirements of N.J.S.A. 40A:12A-5(e) (i) and (ii); and

**BE IT FURTHER RESOLVED**, that 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		✓	✓			

**RESOLUTION # 23-032** Appointment of Professional – Non Fair and Open – Special Counsel

**WHEREAS**, the Borough of Keansburg has a need to acquire immediate professional legal services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 and,

**WHEREAS**, the term of this contract shall expire at the conclusion of litigation entitled “Jersey Shore vs. Borough of Keansburg, not to exceed \$15,000.00, and;

**WHEREAS**, Edward Eastman of Davison, Eastman, Munoz & Paone, P.A., Freehold, New Jersey has previously submitted a proposal indicating they will provide the immediate required, and;

**WHEREAS**, Edward Eastman. has completed and submitted a Business Entity Disclosure Certification which certifies that Edward Eastman has not made any reportable contributions to a political or candidate committee in the Borough of Keansburg in the previous one year, and that the contract will prohibit the Edward Eastman from making any reportable contributions through the term of the contract, and

**NOW THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Keansburg authorizes the finance department to enter into a contract with Edward Eastman of Davison, Eastman, Munoz & Paone, P.A., Freehold, New Jersey as described herein; and,

**BE IT FURTHER RESOLVED** that the award is subject to:



## MARCH 15, 2023 MEETING MINUTES

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

Patrick DeBlasio

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

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 # 23-033**                      Payment of Bills (03/15/23) 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		✓	✓			



## MARCH 15, 2023 MEETING MINUTES

### Communications:

- **Keansburg Fire Department**  
*New Members*

*Karl Strauch III*

*Keansburg EMS*

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

### Roll Call

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

### REDEVELOPMENT AGENCY:

- *204 Main Street*

*Michael Palmieri presented plans for a medical facility at 204 Main Street. After discussion amongst the Council Members it was decided to refer this matter to the Zoning Officer and Planning Board of Adjustment.*

### Resolutions:

**RESOLUTION # 23-034** Recommendation to the Zoning Officer/Planning Board – 204 Main Street

WHEREAS, Michael Palmieri of 204 Main Street appeared before the Redevelopment Agency for the purpose of utilizing the premises as a medical facility; and

WHEREAS, the members of the Redevelopment Agency have no objections, endorsements or recommendations on this matter.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council acting as the Redevelopment Agency that the application of Michael Palmieri, 204 Main Street, be referred to the Borough Zoning Officer.



## MARCH 15, 2023 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	✓		✓			

### Discussion:

### Department Reports:

*Steve Ussmann  
Water / Sewer Department*

*Reported two water main repairs at Frances Place and Shore Blvd / Morningside Avenue*

*James DellaPietro  
Public Works Department*

*Reported that the Parade Route is ready. Stated that 10 tons of blacktop have been utilized for road repairs*

*Deputy Chief Sandra Burton*

*Stated that the next Neighborhood Watch meeting would take place on April 11<sup>th</sup>*

*Cliff Moore  
Economic Development*

*Reported that Grin Brewing is anticipating opening before the Parade*

*A new Caribbean Restaurant at the Keansburg Commons is anticipated to open on April 4<sup>th</sup>*

*There is an inquiry to create a Photo Studio at 365 Carr Avenue*

*There is an interest to put a take-out restaurant inside at CBS Market*

*There has been a tattoo parlor, cannabis and 4 auto body inquiries*

*Robert Yuro  
Borough Engineer*

*Spoke of drainage repair at Kennedy Way and Ramsey Avenue. He is also preparing specifications for the 2023 Road Reconstruction Project.*

*Mayor Hoff*

*Reminded all that the St Patrick Parade will take place on March 26<sup>th</sup>. Stated that the Route is being changed to be more condensed. Wished all a Happy St. Patrick's Day.*



## MARCH 15, 2023 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	✓		✓			

*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	✓		✓			

### Executive Session:

*Redevelopment*

- *Improvements to Area "RABs"*

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		✓	✓			





## MARCH 15, 2023 MEETING MINUTES

### EXECUTIVE SESSION CONVENED

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

#### Roll Call

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

#### Adjournment

Mr. Cusick asked for a roll call vote:

#### Roll Call

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



I, Jo-Ann O'Brien, Municipal Clerk of the Borough of Keansburg, in the County of Monmouth, New Jersey, do hereby certify that the foregoing is a true copy of meeting minutes of a regularly scheduled public meeting held on **March 15, 2023**

**Attest:**

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