



## MAY 17, 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	✓	✓

**Meeting Minutes:**

Meeting Minutes April 19, 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	✓		✓			

Meeting Minutes April 24, 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			✓			

**Ordinances:**



## MAY 17, 2023 MEETING MINUTES

### Second Reading:

#### Ordinance #1707 – Demolition of Borough Owned Structures

BOND ORDINANCE PROVIDING FOR THE DEMOLITION OF VARIOUS STRUCTURES, AND APPROPRIATING \$175,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$166,250 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, NEW JERSEY

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

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of Keansburg, in the County of Monmouth, New Jersey (the “Borough”). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$175,000, said sum being inclusive of all appropriations heretofore made therefor, including the sum of \$8,750 as the 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 a down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$166,250, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the obligations are to be issued consist of the demolition of various structures owned by the Borough, located within the Borough at 103-105 Raritan Avenue; 109 Raritan Avenue; 115-117 Raritan Avenue; and 138 Center Avenue, and identified on the Borough Tax Map as Block 55, Lot 1; Block 55, Lot 3; Block 55, Lot 5; and Block 56, Lot 17, respectively, together with all work and materials necessary therefor or incidental thereto, as more fully described in plans and specifications on file with the Borough Clerk, as finally approved by the governing body of the Borough.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$166,250, as stated in Section 2 hereof.



## MAY 17, 2023 MEETING MINUTES

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$175,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$175,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$8,750 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 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 five (5) 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 \$166,250 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$43,750 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of



## MAY 17, 2023 MEETING MINUTES

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. This ordinance shall constitute a declaration of official intent for the purposes and within the meaning of Section 1.150-2(e) of the United States Treasury Regulations.

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 OPEN the meeting to the Public:

### Roll Call

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



## MAY 17, 2023 MEETING MINUTES

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	✓		✓			

*NO MEMBER OF THE PUBLIC SPOKE AT THIS TIME*

Mr. Cusick asked for a roll call vote to ADOPT Ordinance #1707:

**Roll Call**

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

Ordinance #1708 – Amendment to the Carr Avenue Corridor Redevelopment Plan

ORDINANCE OF THE BOROUGH OF KEANSBURG, COUNTY OF MONMOUTH, NEW JERSEY APPROVING AMENDMENTS TO THE CARR AVENUE CORRIDOR REDEVELOPMENT PLAN

**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/or rehabilitation; 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



## MAY 17, 2023 MEETING MINUTES

**WHEREAS**, to realize the development of the Redevelopment Area (defined herein below), the Borough has determined to exercise the powers of redevelopment and serve as the redevelopment entity responsible for carrying out the redevelopment projects in the Redevelopment Area in accordance with the Redevelopment Plan pursuant to *N.J.S.A. 40A:12A-4(c)*; and

**WHEREAS**, pursuant to *N.J.S.A. 40A:12A-4(c)*, the municipal council of the Borough (“**Borough Council**”), on July 17, 2019, directed the Borough planning board (“**Planning Board**”) to investigate whether that certain area of the Borough, specifically, all properties located at Blocks 7, 8, 10, 11, 12, 13, 14 and 52 (the “**Study Area**”) constitutes as an “area in need of redevelopment” as defined in the Redevelopment Law; and

**WHEREAS**, T&M Associates prepared a Redevelopment Study & Preliminary Investigation Report, dated January 22, 2020 (the “**Study Report**”), related to the Study Area, and on March 9, 2020, the Planning Board held a hearing on the findings of the Study Report and adopted a resolution that recommended the Borough Council designate the Study Area as an area in need of redevelopment pursuant to the Redevelopment Law; and

**WHEREAS**, on April 22, 2020, the Borough Council, by way of Resolution No. 20-038, accepted the recommendations of the Planning Board and designated the Study Area (hereinafter referred to as the “**Redevelopment Area**”) as an area in need of redevelopment; and

**WHEREAS**, on July 21, 2021, the Borough Council adopted Ordinance No. 1679, approving a redevelopment plan entitled the “Carr Avenue Corridor Redevelopment Plan” prepared by T&M Associates, dated June 9, 2021 (the “**Redevelopment Plan**”), to govern the following block and lots:

- Block 10, Lots 1, 3, 4, 5, 6, 7, 8, and 9;
- Block 11, Lots 3, 8 and 9
- Block 12, Lots 3, 4, 5, 6, 7, 8, 9 and 10;
- Block 13, Lots 1, 2.02, 3, 4, 5.01, 5.03, 7, and 8;
- Block 14, Lots 1, 1.02, 2, 3, 4, 5, 6, 7, 8, and 9;
- Block 52, Lots 3, 4, 5, 6, 7, 8, 9 and 10; and

**WHEREAS**, Carr Enterprises, LLC (the “**Redeveloper**”) is the owner, contract purchaser or option-holder of Block 10, Lots 1, 3, 4, 5, 6, 7, 8 and 9; Block 11, Lots 8 and 9; Block 13, Lots 1, 2.02, 3, 4, 5.01, 5.03, 7 and 8; Block 14, Lots 4, 5, 6, 7, and 8; and Block 52, Lots 7, 8 and 9 (the “**Property**”), sought to be considered by the Borough as redeveloper of the Property, and in furtherance thereof, the Borough and the Redeveloper entered into a redevelopment agreement, dated September 22, 2021 (the “**Redevelopment Agreement**”) to effectuate the redevelopment of the aforementioned properties within the Redevelopment Area; and



## MAY 17, 2023 MEETING MINUTES

**WHEREAS**, at the request of Redeveloper, the Borough Council has determined it to be in the Borough’s best interests to further amend the Redevelopment Plan in order to effectuate the redevelopment on the Property within the Redevelopment Area (“**Proposed Amendments**”), as more specifically described in Exhibit A, attached hereto and made a part hereof; and

**WHEREAS**, on February 15, 2023, by way of Resolution No. 23-019, the Borough Council referred the Proposed Amendments to the Planning Board in accordance with *N.J.S.A.* 40A:12A-7(e) for its review and recommendation concerning the Proposed Amendments; and,

**WHEREAS**, on April 10, 2023, the Planning Board conducted a review of the Proposed Amendments and recommended adoption by the Borough Council; and

**WHEREAS**, upon review of the Planning Board’s recommendation of the Proposed Amendments, the Borough Council hereby adopts those Proposed Amendments, as more fully set forth and attached hereto as Exhibit A, to ensure the success of redevelopment within the Redevelopment Area in conformity with the Borough’s redevelopment objectives.

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

**Section 1.** The aforementioned recitals are incorporated herein as though fully set forth at length.

**Section 2.** The Proposed Amendments to the Redevelopment Plan, attached hereto as Exhibit A, are hereby adopted pursuant to the terms of *N.J.S.A.* 40A:12A-7.

**Section 3.** A copy of this Ordinance and the Redevelopment Plan, as amended, shall be available for public inspection at the office of the Borough Clerk during regular business hours.

**Section 4.** This Ordinance shall take effect in accordance with all applicable laws.

### EXHIBIT A

Proposed Amendments to the Redevelopment Plan are available in the Municipal Clerk’s Office

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	✓		✓			





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*NO MEMBER OF THE PUBLIC SPOKE AT THIS TIME*

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

**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 #1708:

**Roll Call**

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

Ordinance #1709 – Amendment to the Carr Avenue Redevelopment Plan Block 11, Lots 4-9

ORDINANCE OF THE BOROUGH OF KEANSBURG, COUNTY OF MONMOUTH, NEW JERSEY APPROVING AMENDMENTS TO THE CARR AVENUE REDEVELOPMENT PLAN FOR BLOCK 11, LOTS 4 THROUGH 9

**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/or rehabilitation; and

**WHEREAS**, to realize the development of the Redevelopment Area, the Borough has determined to exercise the powers of redevelopment and serve as the redevelopment entity responsible for carrying out the redevelopment projects in the Redevelopment Area in accordance with the Redevelopment Plan pursuant to *N.J.S.A. 40A:12A-4(c)*; and

**WHEREAS**, pursuant to *N.J.S.A. 40A:12A-4(c)*, the municipal council of the Borough (“**Borough Council**”), on July 17, 2019, directed the Borough planning board (“**Planning**”





## MAY 17, 2023 MEETING MINUTES

**Board**) to investigate whether that certain area of the Borough, specifically, all properties located at Blocks 7, 8, 10, 11, 12, 13, 14 and 52 (the “**Study Area**”) constitutes as an “area in need of redevelopment” as defined in the Redevelopment Law; and

**WHEREAS**, T&M Associates prepared a Redevelopment Study & Preliminary Investigation Report, dated January 22, 2020 (the “**Study Report**”), related to the Study Area, and on March 9, 2020, the Planning Board held a hearing on the findings of the Study Report and recommended the Borough Council designate the Study Area as an area in need of redevelopment pursuant to the Redevelopment Law; and

**WHEREAS**, on April 22, 2020, the Borough Council, by way of Resolution No. 20-038, accepted the recommendations of the Planning Board and designated the Study Area (hereinafter referred to as the “**Redevelopment Area**”) as an area in need of redevelopment; and

**WHEREAS**, in accordance with the Redevelopment Law, a redevelopment plan was prepared, entitled “Carr Avenue Redevelopment Plan,” to govern the redevelopment of Block 11, Lots 4, 5, 6 and 7 within the Redevelopment Area, and was adopted by the Borough Council via Ordinance on August 19, 2020 (the “**Redevelopment Plan**”); and

**WHEREAS**, Carr Enterprises, LLC (the “**Redeveloper**”), sought to be considered by the Borough as redeveloper of Block 11, Lots 4, 5, 6, and 7 within the Redevelopment Area (the “**Property**”), and in furtherance thereof, the Borough and the Redeveloper entered into a redevelopment agreement, dated September 22, 2021 (the “**Redevelopment Agreement**”) to effectuate the redevelopment of the aforementioned properties within the Redevelopment Area; and

**WHEREAS**, at the request of Redeveloper, the Borough Council has determined it to be in the Borough’s best interests to further amend the Redevelopment Plan in order to effectuate the redevelopment on Block 11, Lots 4, 5, 6, 7, 8 and 9 within the Redevelopment Area (“**Proposed Amendments**”), as more specifically described in Exhibit A, attached hereto and made a part hereof; and

**WHEREAS**, on February 15, 2023, by way of Resolution No. 23-020, the Borough Council referred the Proposed Amendments to the Planning Board in accordance with *N.J.S.A. 40A:12A-7(e)* for its review and recommendation concerning the Proposed Amendments; and,

**WHEREAS**, on April 10, 2023, the Planning Board conducted a review of the Proposed Amendments and recommended adoption by the Borough Council; and

**WHEREAS**, upon review of the Planning Board’s recommendation of the Proposed Amendments, the Borough Council hereby adopts those Proposed Amendments, as more fully set forth and attached hereto as Exhibit A, to ensure the success of redevelopment within the Redevelopment Area in conformity with the Borough’s redevelopment objectives.

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

**Section 1.** The aforementioned recitals are incorporated herein as though fully set forth at length.



## MAY 17, 2023 MEETING MINUTES

**Section 2.** The Proposed Amendments to the Redevelopment Plan, attached hereto as Exhibit A, are hereby adopted pursuant to the terms of *N.J.S.A. 40A:12A-7*.

**Section 3.** A copy of this Ordinance and the Redevelopment Plan, as amended, shall be available for public inspection at the office of the Borough Clerk during regular business hours.

**Section 4.** This Ordinance shall take effect in accordance with all applicable laws.

### EXHIBIT A

Proposed Amendments to the Redevelopment Plan are available in the Municipal Clerk’s Office

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**



## MAY 17, 2023 MEETING MINUTES

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 #1709:

### Roll Call

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

### Ordinance #1710 – Extra Duty Pay Police – Amending Ord 1639

AN ORDINANCE AMENDING ORDINANCE # 1542 ENTITLED “AN ORDINANCE REVISING ORDINANCE #1291 ENTITLED “AN ORDINANCE REGARDING EXTRA DUTY ASSIGNMENTS FOR POLICE TRAFFIC SAFETY AND/OR SECURITY”

#### Section 1

Be it ordained by the Mayor and Council of the Borough of Keansburg that Ordinance #1639 be revised as follows:

The rates for such service shall be as follows:

- \$95.00 per hour for wages
- \$15.00 per hour for administrative costs

#### 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.



## MAY 17, 2023 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 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	✓		✓			

Mr. Cusick asked for a roll call vote to ADOPT Ordinance #1710:

#### Roll Call

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



## MAY 17, 2023 MEETING MINUTES

### Ordinance #1711 – Ordinance Amending ABC Sunday Plenary Hours 4.24.23

AN ORDINANCE AMENDING CHAPTER VI (ALCOHOLIC BEVERAGE CONTROL), SECTION 6-4 (REGULATIONS OF LICENSES) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG.

BE IT ORDAINED by the Mayor and Council of the Borough of Keansburg that Section 4. (Regulation of Licenses) be amended as follows:

**SHALL READ:**

Section 1: Section 6-4.2 SUNDAYS shall be amended to read as follows:

a) Provisions of subsection 6-4.1 shall not apply on Sundays. On Sundays, no alcoholic beverages may be served, consumed or delivered in the licensed premises between the hours of 2:00 a.m. and 9:00 a.m.

**SHALL BE DELETED:**

*b) In addition to the above provision alcoholic beverages may be sold or delivered by licensees holding a distribution (44) licenses between the hours of 9:00 a.m. and 12:00 noon. Alcoholic beverages may be sold or delivered by licensees holding a consumption with broad package privilege (32) license between the hours of 9:00 a.m. and 12:00 noon provided sales shall be conducted within the designated sales area that is on record with the Borough of Keansburg and the New Jersey Department of Alcoholic Beverage Control.*

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.



## MAY 17, 2023 MEETING MINUTES

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 #1711:

**Roll Call**

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



## MAY 17, 2023 MEETING MINUTES

### Presentation:

Redevelopment Presentation – Tom Critelli for Beachway Avenue Realty LLC  
Block 184 – Lot 1

Rob Larson, Architect – Mid Atlantic spoke about the proposed redevelopment plan for Block 184 Lot 1 on Beachway between Laurel Avenue and Oakwood Place. Condominiums will be built on the site.

Timeline is valid, CAFRA permit is current through end of 2024.

### Resolutions:

**RESOLUTION # 23-043**                      Payment of Bills (05/17/23)

**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	✓		✓			





## MAY 17, 2023 MEETING MINUTES

**RESOLUTION # 22-044**

Firework Permit – various

**BE IT RESOLVED** by the Mayor and Council of the Borough of Keansburg that the governing body does hereby approve the application for fireworks display as submitted by the Borough of Keansburg. for public celebrations to be held on:

**June 24, 2023**

**September 30, 2023**

**BE IT FURTHER RESOLVED** that the Bureau of Fire Safety has reported that the application has been properly completed and submitted to the Borough of Keansburg Fire Official; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the Bureau of Fire Safety.

**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 # 22-045**

Firework Permit –July 3, 2023 – Amusement Park

**BE IT RESOLVED** by the Mayor and Council of the Borough of Keansburg that the governing body does hereby approve the application for fireworks display as submitted by the Keansburg Amusement Park to be held on:

**July 3, 2023**

**BE IT FURTHER RESOLVED** that the Bureau of Fire Safety has reported that the application has been properly completed and submitted to the Borough of Keansburg Fire Official; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the Bureau of Fire Safety.



## MAY 17, 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 # 22-046** Adoption Fair and Open 2023

**RESOLUTION AUTHORIZING “FAIR AND OPEN PROCESS” UNDER N.J.S.A. 19:44A-20.1 ET. SEQ. AS THE METHOD THAT THE BOROUGH OF KEANSBURG WILL USE TO CONTRACT FOR ALL PROFESSIONAL SERVICES AND EXTRAORDINARY AND UNSPECIFIED SERVICES**

**WHEREAS**, as of January 1, 2006, N.J.S.A. 19:44A-20.1 et seq., commonly known as the “State Pay to Play” law, enacted by the New Jersey State Legislature shall become effective; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.1 et seq., a public entity may not award contracts with a value in excess of \$17,500.00 to a business entity which has made reportable contributions in excess of \$300.00, in the aggregate, to the said public entity’s political parties or to any candidate’s committee of any person serving in an elective public office of said public entity when such contract was awarded, unless said business entity is awarded a contract under a “fair and open process” pursuant to N.J.S.A. 19:44A-20.1 et seq.; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.7 “fair and open process” is defined to mean, at a minimum, that a contract be publicly advertised in newspapers or on the internet website maintained by a public entity in sufficient time to give notice in advance of the contract; be awarded under a process that provides for public solicitation of proposals or qualifications; be awarded and disclosed under criteria established in writing by the public entity prior to the solicitation of proposals or qualifications; and be publicly opened and announced when awarded. The decision of a public entity as to what constitutes a fair and open process shall be final; and

**WHEREAS**, in accordance with N.J.S.A. 19:44A-20.1 et seq. the Borough of Keansburg hereby adopts criteria establishing a “fair and open process” as set forth in Exhibit A attached hereto; and

**WHEREAS**, it is necessary for the Borough of Keansburg to engage the services for various legal, engineering and consulting professional services; and

**WHEREAS**, the Borough of Keansburg desires to contract for such professionals and services by a “fair and open process” pursuant to N.J.S.A. 19:44A-20.1 et seq.; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Keansburg, County of Monmouth and State of New Jersey that it hereby adopts the “fair and open process” set forth in Exhibit A attached hereto as the method that the Borough of Keansburg will use to contract for all professional services and extraordinary and unspecified services (“EUS”) in excess of \$17,500.00 per year, including but not limited to the following services:



## MAY 17, 2023 MEETING MINUTES

1. Bond Counsel
2. Borough Attorney - Non-Retainer Hourly Work
3. Borough Attorney – Special Counsel – *Foreclosure*
4. Borough Attorney – Special Counsel – *Labor*
5. Borough Attorney – Special Counsel – *Non-Retainer Hourly Work*
6. Borough Attorney – Special Counsel – *Redevelopment*
7. Borough Auditor
8. Borough Engineer
9. Municipal Prosecutors – Hourly Work (To Include Substitute Prosecutor)
10. Municipal Planner
11. Planning Board Attorney
12. Planning Board Engineer
13. Public Defender
14. Financial Advisor
15. Borough Attorney – Special Counsel – *Grandview Redevelopment*

**BE IT FURTHER RESOLVED**, that all contracts awarded for the above professional services shall be made in accordance with the Borough of Keansburg “Fair and Open Process” as set forth in Exhibit A attached hereto.

**Mr. Cusick asked for a roll call vote:**

**Roll Call**

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



## MAY 17, 2023 MEETING MINUTES

**RESOLUTION # 22-047**

Award of Bid – Forest Avenue Improvement

**WHEREAS**, the Borough of Keansburg advertised and received five (5) bids for 2023 Forest Avenue Improvement Program on Thursday, May 11, 2023; and

**WHEREAS**, five (5) bids were received and opened in public by the Borough Clerk; and

**WHEREAS**, the following bids were received:

Company Name	Base Bid
Black Rock Enterprises, LLC	\$1,482,964.75
Fiore Paving Co., LLC	\$1,688,374.25
Underground Utilities Corp.	\$1,817,165.25* (corrected amount)
Berto Construction, Inc.	\$1,849,870.00
Seacoast Construction, Inc.	\$2,102,485.46

**WHEREAS**, the Borough Attorney has reviewed the bids and has determined that Black Rock Enterprises, LLC is the lowest and responsible bidder for this Project.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Keansburg that based upon the recommendation of the Borough Attorney that it does hereby award the bid for the 2023 Forest Avenue Improvement Program to Black Rock Enterprises, LLC in the total amount of \$1,482,964.75.; and

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

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

Patrick DeBlasio

Patrick DeBlasio, Chief Financial Officer

**BE IT FURTHER RESOLVED** that the Mayor and Municipal Clerk are authorized to execute the contract with Black Rock Enterprises, LLC after the review by the Borough Attorney and Chief Financial Officer’s certification.

**Mr. Cusick asked for a roll call vote:**

**Roll Call**

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



## MAY 17, 2023 MEETING MINUTES

**RESOLUTION # 22-048**

Payment of Bills 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 # 22-049**

Authorize Beachway Avenue Realty Redevelopment Agreement 5.17.23

**RESOLUTION OF THE BOROUGH OF KEANSBURG, COUNTY OF MONMOUTH, NEW JERSEY AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH BEACHWAY AVENUE REALTY, LLC FOR THE REDEVELOPMENT OF A CERTAIN PARCEL IDENTIFIED ON THE TAX MAPS OF THE BOROUGH AS BLOCK 184, LOT 1**

**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/or rehabilitation; 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



## MAY 17, 2023 MEETING MINUTES

**WHEREAS**, to realize the development of the Property (defined herein below), the Borough has determined to exercise the powers of redevelopment and serve as the redevelopment entity responsible for carrying out the redevelopment projects in the Redevelopment Area in accordance with the Redevelopment Plan pursuant to *N.J.S.A. 40A:12A-4(c)*; and

**WHEREAS**, pursuant to Resolution #171-A, dated July 27, 2005, the Borough Council determined to designate the area within the Borough's boundaries as an area in need of rehabilitation pursuant to the Redevelopment Law; and

**WHEREAS**, pursuant to Ordinance No. 1403, adopted on February 22, 2006, and *N.J.S.A. 40A:12A-4(a)(3)* and -7 of the Redevelopment Law, the Borough adopted a Redevelopment Plan subject to a rehabilitation designation for the Beachway Avenue Waterfront Redevelopment Area (the "**Redevelopment Plan**") encompassing Lots 1, 2 and 3 in Block 184; and

**WHEREAS**, after review by the Borough Planning Board, on April 15, 2015, the Borough adopted Resolution #107 designating Block 184, Lot 1 (among other parcels) (the "**Property**") as an area in need of redevelopment pursuant to the Redevelopment Law; and

**WHEREAS**, on June 21, 2017, the Borough adopted Ordinance #1600 amending the Redevelopment Plan to among other things recognize the designation of the Property as an area in need of redevelopment and to establish certain requirement for redevelopment of the Property pursuant to the Redevelopment Law; and

**WHEREAS**, on February 17, 2021, the Borough adopted Ordinance #1667 further amending the Redevelopment Plan (the "**Amended Plan**"); and

**WHEREAS**, in fulfillment of the Borough's objectives set forth in the Amended Plan, Redeveloper proposes to develop ninety-six (96) condominium units in three separate buildings of 4-story over surface parking (as more fully defined herein, the "**Project**"); and

**WHEREAS**, Beachway Avenue Realty, LLC (the "**Redeveloper**") has provided information consisting of documentation evidencing financial responsibility and capability with respect to the Project, estimated total project costs, and estimated time schedule for commencement and completion of construction; and

**WHEREAS**, in order to further the construction of the Project, the Borough has determined to enter into a redevelopment agreement with the Redeveloper, which shall establish the Redeveloper as the redeveloper of the Property, and the terms and conditions for the development of the Project (the "**Redevelopment Agreement**").

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



## MAY 17, 2023 MEETING MINUTES

1. The Borough hereby confirms the designation of Beachway Avenue Realty, LLC as Redeveloper of the Project.
  
2. The Mayor is hereby authorized to execute the Redevelopment Agreement, in substantially the form on file with the Borough Clerk, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion in consultation with counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Redevelopment Agreement.
  
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			✓			

**RESOLUTION # 22-050**                      Authorize Beachway Avenue Realty Redevelopment Agreement 5.17.23

**Recommendation to the Keansburg Planning Board of Adjustment**

**Beachway Avenue Realty**

**WHEREAS**, the Borough Council in its capacity as the Redevelopment Agency has reviewed plans submitted by **Beachway Avenue Realty, Block 184, Lot 1 (Beachway)** which is located in the Borough’s Redevelopment and Rehabilitation Zone; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council acting as the Redevelopment Agency recommends the application of **Beachway Avenue Realty, Block 184, Lot 1 (Beachway)** to the Planning Board of Adjustment; and,





## MAY 17, 2023 MEETING MINUTES

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

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

**Mr. Cusick asked for a roll call vote:**

### Roll Call

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

### Communications:

### Discussion:

*Steve Ussmann  
Water and Sewer Department*

*No report at this time*

*James DellaPietro  
Department of Public Works*

*Reported on street cleaning, readiness for Parade*

*Cliff Moore  
Economic Development*

*Applied for grant from Division of Tourism sponsoring Food Truck Festival*

*39-41 Carr Avenue – Café in front – event spaces and existing apartments*

*Podiatrist has inquired about office space at 199 Main Street (vacant Valley Bank space)*

*Ribbon Cuttings:*

*Thursday, May 25<sup>th</sup> - Shell Station*

*Saturday, May 27<sup>th</sup>: - US #1 Wine and Liquor, Delfi's Grandma's Cooking, Gifted Stylz Braiding, Jamrock, Lozano Group USA and Grin Brewing*



## MAY 17, 2023 MEETING MINUTES

*Robert Yuro  
Borough Engineer*

*Spoke about Forest Avenue Improvements – expected to start in June and be completed by end of Summer*

*September to end of year for Phase II on Roadway Improvements*

*Announced \$83,000 Recreation Grant Award for Hill Street Park*

*Spoke about \$1,000,000 grant from DCA for the Beach Pavilion and \$25,000 Stormwater Grant*

*Spoke about pending notification from Congressman Pallone for \$1,500,000 grant for Bayview Avenue. Notification expected January 2024.*

*Reported on submission of D.O.T. Application and CDBG application to be submitted in July.*

*There was a discussion about the Army Corp of Engineers reevaluation of the 1960's Study including floodgate and berm.*

*There will be a presentation and meeting on May 23<sup>rd</sup> at the Middletown Municipal Building.*

*Mayor Hoff*

*Announced the Food Truck Festival will take place on Saturday, May 20<sup>th</sup>*

*Announced the Memorial Day Parade will begin at 1pm on Sunday, May 21<sup>st</sup> and will travel down Carr Avenue*

*Wished all a happy Memorial Day Weekend. Thanks to all.*



## MAY 17, 2023 MEETING MINUTES

**Open to the Public:**

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	✓		✓			

Phil Matthews  
1 Greenwood Place

Asked about the extension of Greenwood Place. Said he was interested in buying a portion of the roadway

Eric Einholz  
98 Beachway

Stated the building is not be maintained. There are fire code violations. Building is falling apart.

Mayor Hoff said that matter would be forwarded to Ed Striedl, Code and Construction Official

Angus Munson  
12 Berry Street

Acknowledged local police with juveniles. Spoke about drugs, robberies and theft of bicycles

Problem at 11 Berry Street, tent in rear of yard, kids congregating.

Mayor said the matter would be forwarded to Neighborhood Watch.

House on Seawood (#10) is tilted. New Owner to submit plans. Mayor Hoff there should be on update on that property in next few weeks.



## MAY 17, 2023 MEETING MINUTES

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	✓		✓			

### Adjournment

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

### Roll Call

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



I, Jo-Ann O'Brien, Municipal Clerk of the Borough of Keansburg, in the County of Monmouth, New Jersey, do hereby certify that the foregoing is a true copy of meeting minutes of a regularly scheduled public meeting held on **May 17, 2023**

**Attest:**

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