

REDEVELOPMENT AGENCY

SEPTEMBER 19, 2023 MEETING MINUTES

Mr. Cusick read:

ADEQUATE NOTICE HAS BEEN GIVEN OF THIS MEETING BY NOTIFICATION TO THE ASBURY PARK PRESS AND POSTED ON THE BULLETIN BOARD AND THE OFFICIAL WEBSITE OF THE BOROUGH OF KEANSBURG.

Mr. Cusick asked all to rise and recite: Salute to the Flag

Mr. Cusick took:

Roll Call

Mr. Donaldson	Mr. Tonne	Mr. Cocuzza	Mr. Foley	Mr. Hoff
\checkmark	\checkmark	Excused	\checkmark	Absent

Meeting Minutes:

Meeting Minutes August 16, 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			1			
Mr. Tonne	✓		✓			
Mr. Cocuzza					✓	
Mr. Foley		✓	√			
Mr. Hoff					✓	

Ordinances:

Second Reading:

Ordinance #1712 – Amending Ord. #1683 – Rehabilitation of Water Tower Water Plant Improvements

BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 1683 ADOPTED ON JANUARY 26, 2022, PROVIDING FOR THE REHABILITATION OF THE PINEWOOD PLACE WATER STORAGE TANK, IN ORDER TO EXPAND THE SCOPE OF IMPROVEMENTS TO INCLUDE VARIOUS IMPROVEMENTS TO THE WATER TREATMENT PLANT, AND TO INCREASE THE APPROPRIATION BY \$600,000 AND INCREASE AUTHORIZED BONDS AND NOTES TO BE ISSUED TO FINANCE A



SEPTEMBER 19, 2023 MEETING MINUTES

PORTION OF THE COSTS THEREOF BY \$400,000, FOR A TOTAL APPROPRIATION OF \$3,300,000 AND A TOTAL DEBT AUTHORIZATION OF \$1,260,000, AUTHORIZED IN AND BY THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, NEW JERSEY

WHEREAS, the Borough of Keansburg, in the County of Monmouth, New Jersey (the "Borough") finally adopted Bond Ordinance No. 1683 on January 26, 2022 (the "Prior Ordinance"), providing for the rehabilitation of the water storage tank located at Pinewood Place in the Borough; and

WHEREAS, the Borough has determined that the project description set forth in the Prior Ordinance needs to be amended to include various improvements to the Borough's water treatment plant; and

WHEREAS, the Borough has determined that the appropriation made by the Prior Ordinance in the amount of \$2,700,000.00 and the debt authorized by the Prior Ordinance in the amount of \$860,000.00 is insufficient and desires to increase the appropriation by \$600,000.00, said sum being inclusive of an additional \$200,000.00 now available in the Borough's Water/Sewer Capital Budget, and to increase the debt authorization by \$400,000.00.

NOW, THEREFORE, 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 Water/Sewer Utility 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 \$600,000.00 in addition to the \$2,700,000.00 appropriated by the Prior Ordinance, said sums being inclusive of all appropriations heretofore made therefor and including \$1,008,167.52 grant funds expected to be received from the American Rescue Plan (the "Grant") and the sum of \$1,031,832.48 as down payment, \$831,832.48 previously authorized by the Prior Ordinance and an additional down payment of \$200,000.00 authorized hereby and now available by virtue of provision for down payment or for capital improvement purposes in the Borough's Water/Sewer Capital Budget. No down payment is required in accordance with N.J.S.A. 40A:2-11c of the Local Bond Law, as this bond ordinance authorizes obligations solely for purposes which are self-liquidating and deductible from the gross debt of the Borough as set forth in N.J.S.A. 40A:2-7h.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment or Grant, \$400,000.00 negotiable bonds are hereby authorized to be issued in addition to the \$860,000.00 previously authorized by the



Prior Ordinance for a total principal amount not to exceed \$1,260,000.00 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 rehabilitation of the Borough's two million (2,000,000) gallon water storage tank located at Pinewood Place in the Borough, and various improvements to the Borough's water treatment plant, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Borough Chief Financial Officer, 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 \$1,260,000.00 including the \$400,000.00 authorized herein, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$3,300,000.00, which is equal to the amount of the \$600,000.00 supplemental appropriation herein made therefor and the \$2,700,000.00 appropriation made by the Prior Ordinance. The excess of the appropriation of \$3,300,000.00 over the estimated maximum amount of bonds or notes to be issued therefor being the sum of the \$1,031,832.48 down payment appropriated by this Ordinance and the Prior Ordinance, and the Grant in the amount of \$1,008,167.52.

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.



SEPTEMBER 19, 2023 MEETING MINUTES

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 Water/Sewer Utility 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 Municipal 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 not increased by the authorization of the \$400,000.00 bonds and notes provided in this bond ordinance because the purposes authorized herein are self-liquidating and are deductible from the Borough's gross debt in accordance with N.J.S.A. 40A:2-44c and the obligations authorized herein will be within all debt limitations prescribed by said Law.

(d) An aggregate amount not exceeding \$675,000.00 authorized by the Prior Ordinance 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. 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.

(f) This bond ordinance authorizes obligations of the Borough solely for purposes described in subparagraph (h) of §40A:2-7 of the Local Bond Law, and the obligations authorized herein are to be issued for purposes which are self-liquidating within the meaning and limitation of N.J.S.A. 40A:2-45 of said Law and are deductible from the gross debt of the Borough pursuant to N.J.S.A. 40A:2-44c and N.J.S.A. 40A:2-46 of said Law.



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 Municipal 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. All ordinances or parts of ordinances in conflict or inconsistent with any of the terms of this ordinance are hereby repealed to the extent that they are in such conflict or are inconsistent. In the event that any section, part or provision of this ordinance shall be held to be unconstitutional or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part hereof other than the part so held unconstitutional or invalid.

Section 10. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mr. Cusick asked for a roll call vote to OPEN the meeting to the Public: **Roll Call**

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Donaldson		1	✓			
Mr. Tonne	✓		✓			
Mr. Cocuzza					✓	
Mr. Foley			✓			
Mr. Hoff					1	



SEPTEMBER 19, 2023 MEETING MINUTES

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					✓	

ORDINANCE #1712 ADOPTION - VOTED ON LATER IN THE MEETING

Ordinance #1713 – Unclassified Position (08.16.23)

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

WHEREAS the Borough of Keansburg requires a mechanism through which specific salaries are set within those salary ranges;

NOW THEREFORE, BE IT by the Keansburg Borough Council:

A. The Following salary ranges are hereby established for certain
Unclassified offices and positions under the Municipal Government of the
Borough of Keansburg.

Unclassified Service	Salaries a	nd Wages
	Minimum	Maximum
Economic Development Representative	\$40,000.00	\$80,000.00

- B. The Borough Council shall annually, by resolution, set the salary of each person employed by the Borough of Keansburg.
- C. The Borough Manager shall hereby have the authority to set starting salaries for each new municipal employee and to increase existing salaries, remaining within



the preset range, at his or her discretion. However, the Borough Manager's salary can only be set and/or changed by resolution of the Borough Council.

- D. All Ordinances heretofore enacted by the Borough of Keansburg which are inconsistent with any part of this Ordinance are hereby repealed insofar as they are inconsistent.
- E. This Ordinance shall be effective upon its passage and publication according to law.

Mr. Cusick asked for a roll call vote to OPEN the meeting to the Public: **Roll Call**

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Donaldson		✓	~			
Mr. Tonne	✓		√			
Mr. Cocuzza					✓	
Mr. Foley			✓			
Mr. Hoff					1	

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			1			
Mr. Tonne		1	1		✓	
Mr. Cocuzza						
Mr. Foley	1		✓			
Mr. Hoff					✓	

Mr. Cusick asked for a roll call vote to ADOPT Ordinance #1713: Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Donaldson			1			
Mr. Tonne	✓		1			
Mr. Cocuzza					✓	
Mr. Foley		✓	1			
Mr. Hoff					✓	



Ordinance #1714 – Classified Position (08.16.23)

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

WHEREAS the Borough of Keansburg requires a mechanism through which specific salaries are set within those salary ranges;

NOW THEREFORE, BE IT by the Keansburg Borough Council:

A. The Following salary ranges are hereby established for certain Classified offices and positions under the Municipal Government of the Borough of Keansburg.

Classified Service	Salaries and	l Wages
	Minimum	Maximum
Special Police Officer Class III	\$30.00/hour	\$50.00/hour

- B. The Borough Council shall annually, by resolution, set the salary of each person employed by the Borough of Keansburg.
- C. The Borough Manager shall hereby have the authority to set starting salaries for each new municipal employee and to increase existing salaries, remaining within the preset range, at his or her discretion. However, the Borough Manager's salary can only be set and/or changed by resolution of the Borough Council.
- D. All Ordinances heretofore enacted by the Borough of Keansburg which are inconsistent with any part of this Ordinance are hereby repealed insofar as they are inconsistent.
- E. This Ordinance shall be effective upon its passage and publication according to law.

Mr. Cusick asked for a roll call vote to OPEN the meeting to the Public: **Roll Call**

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



SEPTEMBER 19, 2023 MEETING MINUTES

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 #1714: Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Donaldson			✓			
Mr. Tonne	✓		1			
Mr. Cocuzza					✓	
Mr. Foley		✓	✓			
Mr. Hoff					✓	

First Reading:	
----------------	--

Ordinance #1715 – Water / Sewer Public Utility Fees (09.20.23)

AN ORDINANCE AMENDING CHAPTER II (ADMINISTRATION), SECTION 30.11 (WATER/SEWER UTILITY) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG.

BE IT ORDAINED by the Mayor and Council of the Borough of Keansburg that pursuant to N.J.S.A. 40A:31-10 and N.J.S.A. 40A:26A-10, the Borough may alter rates charged to users of water and sewer supply services, provided that the rates are proper and equitable; and

BE IT FURTHER ORDAINED by the governing body that the rates contained in Section 30.11(Water/Sewer Utility) be amended as follows:

SECTION 1:



SEPTEMBER 19, 2023 MEETING MINUTES

Water - Sewer Utility:						
Final Reading of Water Meter	\$50.00					
Termination or Resumption of Service at Customer's Request:						
During Normal Business Hours of						
9 a.m. to 4 p.m. (Monday - Friday)	\$75.00					
After Business Hours	\$100.00					
Resumption of Service after Shut-Off for Non-Payment						
During Normal Business Hours of						
9 a.m. to 4 p.m. (Monday - Friday)	\$75.00					
After Business Hours	\$100.00					
CONNECTION FEES:						
SANITARY SEWER SYSTEM	\$2,500.00 *					
WATER DISTRIBUTION SYSTEM	\$1,500.00 *					

*Effective January 1, 2024

WATER & SEWER CUSTOMER RATES USAGE AND DEBT SERVICE RATES FOR SEWER (RESIDENTIAL)



SEPTEMBER 20, 2023 MEETING MINUTES WATER & SEWER RATES

WATER		SEWER			
GALLONS/UNIT	RATE PER 1,000 GALLONS		GALLONS/UNIT	RATE PER 1,0	000 GALLONS
	<u>2023</u>	<u>2024</u>		<u>2023</u>	<u>2024</u>
1,000 to 15,000	\$2.83	\$2.89	1,000 Gallons	\$59.42	\$60.61
15,001 to 25,000	\$3.04	\$3.10	2,000 to 15,000	\$0.62	\$0.63
25,001 to 35,000	\$3.27	\$3.34	15,001 to 25,000	\$0.72	\$0.73
35,001 to 45,000	\$3.47	\$3.54	25,001 to 35,000	\$0.83	\$0.85
45,001 to 55,000	\$3.81	\$3.89	35,001 to 45,000	\$0.98	\$1.00
55,001 to 65,000	\$4.01	\$4.09	45,001 to 55,000	\$1.16	\$1.18
65,001 to 75,000	\$4.24	\$4.32	55,001 to 65,000	\$1.31	\$1.34
75,001 to 85,000	\$4.45	\$4.54	65,001 to 75,000	\$1.47	\$1.50
85,001 to 95,000	\$4.78	\$4.88	75,001 to 85,000	\$1.64	\$1.67
95,001 and OVER	\$4.90	\$5.00			

WATER SERVICE CHARGE SEWER SERVICE		ICE CHARGE	
<u>2023</u>	<u>2024</u>	<u>2023</u>	<u>2024</u>
\$73.58	\$75.05	\$62.25	\$63.50

COMMERCIAL WATER & SEWER RATES	SEWER SERVICE CHARGE		
ONE AND ONE-HALF TIMES THE WATER USAGE CHARGE	2023 2024 \$62.25 \$63.5		
	WATER & SEWER SERVICE BASE CHARGE		
	<u>2023</u>	<u>2024</u>	
	\$135.83	\$138.55	

THEFT OF SERVICES/	\$500	\$1000	CHARGES FILED
UNMETERED USAGE	1 ST OFFENSE	2 ND OFFENSE	3 RD OFFENSE

WATER METER PRICES:

Г

5/8″ x ¾″	\$175.00	\$250.00
1″	N/A	\$350.00
1 ½ N/A	N/A	\$600.00
2″ N/A	N/A	\$700.00
3″ N/A	N/A	\$2,415.00



SEPTEMBER 20, 2023 MEETING MINUTES

4" N/A	N/A	\$3,570.00

- 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 to INTRODUCE Ordinance #1715 and set for public hearing on October 18, 2023 at 7pm.

Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Donaldson		1	~			
Mr. Tonne	✓		✓			
Mr. Cocuzza					✓	
Mr. Foley			✓			
Mr. Hoff					✓	

Ordinance #1716 – Authorize Sale of Municipal Property

AN ORDINANCE AUTHORING THE SALE OF PROPERTY BY AND IN THE BOROUGH OF KEANSBURG

WHEREAS, N.J.S.A. 40A:12-13(a) authorizes a governmental unit to sell any real property, not needed for public use, by open public sale at auction to the highest bidder after the required advertisements or, in the alternative, be sold separately at public sale to the highest bidder(s) subject to the following terms and conditions hereinafter set forth pursuant to N.J.S.A. 40A:12-13; and

WHEREAS, the Borough is the owner of real property identified as Block 33, Lot 12 ("the Property") on the Official Tax Map of the Borough of Keansburg; and



SEPTEMBER 20, 2023 MEETING MINUTES

WHEREAS, the Governing Body has determined that the property is not needed for public use;

and

WHEREAS, an appraisal report prepared for the property determined that the property's fair market value is **\$200,000.00**; and

NOW, THEREFORE, BE IT ORDAINED by the Borough of Keansburg, County of Monmouth, New Jersey, as follows:

SECTION I.

(a) The Governing Body hereby declares that the property is no longer needed for public use and shall be sold in accordance with N.J.S.A. 40A:12-13(a), et seq.

(b) There shall be an open public sale at auction on **Wednesday, December 13, 2023 at 6:00 p.m**., at the Borough of Keansburg Municipal Building, 29 Church Street, Keansburg, New Jersey 07734, where the property shall be offered to the highest bidder pursuant to N.J.S.A. 40A:12-13(a). The minimum price for all bids shall be **\$200,000.00.**

The Borough hereby designates the Borough Manager, or such other person the Borough Manager designates to conduct the sale of the parcel.

(c) The Borough of Keansburg reserves the right, in its sole discretion, to either accept or reject any bid it deems in the Borough's best interest. No bid shall be fully accepted until the passage of a Resolution by the Borough Council as set forth herein.

(d) The successful bidder shall be required to deposit ten (10%) percent of his or her bid with the Borough at the time of the auction. This deposit shall be made by a certified check, money order or cash in an amount equal to at least ten (10%) percent of the accepted bid by the Borough for the sale of the property. The combined form of deposit must equal ten (10%) percent of the total sale price. All monies so received will be credited to the total sale price, with the remaining monies due on delivery of the Deed.

(e) The Borough disclaims any and all implied warranties of habitability or usability with respect to the parcel. The highest bidder shall purchase the parcel in an "as is" condition, having had ample and sufficient opportunity to inspect said premises, examine its title, and review municipal ordinances and laws affecting the Parcel. No representations regarding, the character, value, quality, habitability or condition thereof, including any environmental conditions, prior to making the bid. The highest bidder, after closing, shall be responsible for all defects of any kind in the parcel. This agreement shall survive the closing of title.



Non-Refundable Deposit. The deposit made by the purchaser is non-(f) refundable. The purchaser is not entitled to a refund of this deposit in any case and the risk of loss is on the purchaser.

All bidders must appear in person at the auction and any person bidding on (g) behalf of a corporation or limited liability company must either submit a copy of a resolution of the corporation/company or a letter on corporate stationery, signed by an officer of the corporation, authorizing the bidder to bid on the property on the corporation's behalf. A person bidding on behalf of a partnership or using a trade name must submit a copy of the certificate of trade name and a letter of authorization from the other partners. No other bidder may submit a bid on behalf of another, except that a husband or wife may bid on behalf of both.

(h) The successful bidder, within two weeks of the conclusion of the bidding, shall execute an Agreement of Sale. The balance of the purchase price shall be paid at closing which shall occur not later than 45 days following the acceptance of the bid by the Borough. The purchaser shall be entitled to possession immediately following closing of title.

(i) The sale price, as may result from this auction sale, may not be used before anyCounty Board of Taxation, State Tax Court or in any other court of this State to challenge the assessment with respect to the subject property nor may same be used as a comparable sale to challenge the assessment with regard to other properties.

> (j) All conveyances by the Borough shall be made by quitclaim deed.

(k) The highest bid shall be accepted or rejected by resolution of the Governing Body no later than the second regular meeting of the Governing Body following the date of such auction sale.

> (I) The successful bidder agrees that:

(1)He or she shall indemnify and hold the Borough harmless from any claim whatsoever arising out of the Borough's ownership interest including but not limited to environmental cleanup costs.

closing.

Pay prorated real estate taxes on the parcel effective the date of (2)

(3) Abide by all appropriate zoning, subdivision, health and building regulations and codes and stipulations that this sale will not be used as grounds to support a challenge of the existing assessment of the subject property, nor shall the purchase price be used as a comparable sale to challenge assessments with regard to other properties.



(4) Failure to close title as agreed shall forfeit to the Borough of Keansburg any and all money deposited with the Borough.

(m) A failure by the purchaser to fully comply with the terms, conditions, requirements and regulations of sale as herein contained shall be considered, at the option of the Borough of Keansburg, as a material breach of the conditions of sale whereupon the Borough may declare said contract or purchase terminated and at an end. All monies paid on behalf of the purchase price, by way of deposit or otherwise, may be retained by the Borough as its liquidated damages and it may thereafter resell said property and/or pursue such other and further legal and/or equitable remedies as it may have and the defaulting purchaser shall continue to remain liable for all damages and losses sustained by the Borough of Keansburg by reason of any such default.

(n) The sale is made subject to all applicable laws and ordinances of the State of New Jersey and the Borough of Keansburg.

SECTION II.

NOTICE. The Borough Clerk shall advertise copies of this Resolution as required by N.J.S.A. 40A:12-13(a) and therefore shall advertise the open public sale at auction of the Property in a newspaper circulating in the municipality in which the Property is situated, by two insertions at least once a week during two consecutive weeks, the last publication to be not earlier than seven days prior to such sale.

SECTION III.

AUTHORIZATION. The Mayor, Clerk, Borough Attorney and such other officials as may be necessary are authorized to perform such ministerial actions as are necessary to effectuate the purposes of this Ordinance including, but not limited to, preparing and executing a deed and all other necessary documents to convey the Property to the successful bidder, subsequent to the Governing Body adopting a resolution awarding the bid.

SECTION IV:

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 V:

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



SECTION VI:

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 VII:

EFFECTIVE DATE. This ordinance shall take effect upon its passage and publication according to law.

Mr. Cusick asked for a roll call vote to INTRODUCE Ordinance #1716 and set for public hearing on November 8, 2023 at 7pm.

Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Donaldson		✓	✓			
Mr. Tonne	✓		✓			
Mr. Cocuzza					1	
Mr. Foley			1			
Mr. Hoff					✓	

Resolutions:	

RESOLUTION # 23-086 Payment of Bills (09/20/23)

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.



SEPTEMBER 20, 2023 MEETING MINUTES

Mr. Cusick asked for a roll call vote:

Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Donaldson	1		1			
Mr. Tonne			✓			
Mr. Cocuzza					✓	
Mr. Foley		✓	1			
Mr. Hoff					✓	

RESOLUTION # 23-087 Halloween Curfew 2023

Whereas, Halloween will be celebrated on Tuesday, October 31, 2023; and

Whereas, The Mayor and Council are concerned with the safety and well-being of our youth; and,

Whereas, it is in the best interests of the residents of the Borough of Keansburg that a curfew be imposed on October 30th and October 31st 2023; and,

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that a curfew of 7 pm be imposed within the Borough of Keansburg for all youth under the age of eighteen years on Monday, October 30th and Tuesday, October 31st, 2023 and,

BE IT FURTHER RESOLVED that Trick or Treating is allowed only between the hours of 12 pm (noon) through 7pm on Tuesday, October 31st.

BE IT FURTHER RESOLVED that a 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		✓	1			
Mr. Hoff					✓	



SEPTEMBER 20, 2023 MEETING MINUTES

RESOLUTION # 23-088

Cancellation of Taxes – Block 79 Lot 29

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

Block	Lot	AMOUNT
79	29	\$ 95.89

BE IT FURTHER RESOLVED that the amount to be canceled is due to the check sent by the taxpayer was confiscated and fraudently endorsed by a third party thereby causing a delinquency which was subject to interest charges which were subsequently collected by the Borough; and

BE IT FURTHER RESOLVED that the taxpayer and his financial institution have reported this transaction to the proper authorities and the Borough wishes to not penalize the taxpayer with any additional costs or interest in regard to this matter; and

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			1			
Mr. Cocuzza					1	
Mr. Foley		✓	✓			
Mr. Hoff					✓	

RESOLUTION # 23-089 Authorize Sale of Scrap Metal

Whereas, the Borough of Keansburg is the owner of certain surplus property which is no longer needed for public use; and

Whereas, It's recommended by the Borough to dispose of this vehicle for its scrap metal value; and,

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

Surplus Property to be scrapped:

1997 TOYATA CAMRY, VIN #JT2BG22K8V0069050, LAST RECORDED MILAGE = 205,224 MILES



BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Keansburg that a certified copy of this resolution be given 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		1	✓			
Mr. Hoff					✓	

Communications:

Keansburg Fire Department
New Members

Christopher Makowicz New Point Comfort Fire Company

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		✓	1			
Mr. Cocuzza					✓	
Mr. Foley	1		✓			
Mr. Hoff					✓	

• UPCOMING MEETINGS:

- October 18, 2023
- November 8, 2023 Second Wednesday
- December 13, 2023 Second Wednesday
- January 3, 2024 First Wednesday
- January 24, 2024 Fourth Wednesday



Discussion:

CRS Floodplain Management Progress Report: Ed Striedl, Floodplain Manager, Robert Yuro, Borough Engineer presented the following:

- *1.* The plan was originally prepared and implemented in March 2015 and is updated yearly.
- 2. The intent of the plan is to identify areas of the municipality susceptible to flooding and then create goals and recommendations to mitigate and or minimize the impacts of flooding.
- *3.* The Borough is required to update the report annually in order maintain a high ranking which in turn allows for 15% reduction in the residential flood insurance rates.
- 4. See report for 7 goals and 3 recommendations (listed in back of report)
 - a. Secure public's safety from flood, panic ...
 - b. Promote public awareness of hazard mitigation and resiliency issues,
 - c. Use planning tools to prepare for and respond to floods,
 - d. Maintain and protect dunes, wetlands and other natural areas,
 - e. Protect, update and ensure borough infrastructure able to withstand future events,
 - f. Encourage and support use of sustainable development techniques,
 - g. Promote regional coordination between local, state and federal entities,
- 5. A number of measures are ongoing with several items completed (which are listed in the back of the report)
 - a. Continued updating of the Model and Stormwater ordinances and floodplain requirements,
 - b. Blue Acres acquisition and demolition of four (4) properties along Creek Road, which has increased the Borough's open space inventory,
 - c. The continued elevation of existing properties that has reduced the number of repetitive losses to 35 from a previous high of 65 properties,
 - *d.* The continued investment by the Borough in drainage upgrades of up to \$1.0M over the past several years



- 6. Ed Striedl's continued efforts in managing the Borough's CRS program, has afforded the borough residents approximately \$300,000.00 in savings in their Flood Insurance Policy Premiums.
- 7. The report is kept on file in the Borough Hall and is available for all residents to review.

Department Reports:

Steve Ussmann Water and Sewer Department	Fourth Quarter Water/Sewer Bills will be mailed September 29 th
	Hydrant flushing to start on October 2 nd
	NJ American Winter purchase begins October 1 st (1/3 of water supply)
James Della Pietro	Beach Clean-Up ending
Streets and Roads Department	Leaf and Branch Collection started
	Keansburg Day preparations started
Edward Striedl Zoning Officer	Reported on Blue Acres removal of dilapidated buildings on Creek Road
Cliff Moore	Reported on a new tenant at 319 Main Street
Economic Development	194 Main Street – Podiatrist also bought house next door for parking
	Julio's Pizza expected to open mid-October
	Possible motorcycle repair shop
	Casa de Fez has closed
	Grin Brewing car show in October – closing of Church Street and Carr Avenue notification to County – notification to the County for Street closing
Robert Yuro	Reported on Forest Avenue ongoing water main
Borough Engineer	2023 Road Improvement rebid will take place October 11 th with a possible award at the October 18 th Council Meeting
	EMS Memorial project ongoing meetings, construction expected to start October 2nd



Open to the Public:

Ed Striedl

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		1	1			
Mr. Cocuzza					✓	
Mr. Foley	✓		√			
Mr. Hoff					✓	

Thanked Mayor and Council, the Borough Administration and Staff Shore Blvd for help with the CRS Floodplain Program.

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			1			
Mr. Cocuzza					✓	
Mr. Foley	✓		✓			
Mr. Hoff					✓	

Executive Session:

- Engineering Services
- **REDEVELOPMENT AGENCY: Grandview Apartments** •
- Aspire Program

Mr. Cusick asked for a roll call vote to CONVENE and EXECUTIVE SESSION: **Roll Call**

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



SEPTEMBER 20, 2023 MEETING MINUTES EXECUTIVE SESSION CONVENED

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

Roll Call

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

Mr. Hoff entered the meeting at this time

Ordinance #1712 – Amending Ord. #1683 – Rehabilitation of Water Tower Water Plant Improvements

BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 1683 ADOPTED ON JANUARY 26, 2022, PROVIDING FOR the REHABILITATION OF THE PINEWOOD PLACE WATER STORAGE TANK, IN ORDER TO EXPAND THE SCOPE OF IMPROVEMENTS TO INCLUDE VARIOUS IMPROVEMENTS TO THE WATER TREATMENT PLANT, AND TO INCREASE THE APPROPRIATION BY \$600,000 AND INCREASE AUTHORIZED BONDS AND NOTES TO BE ISSUED TO FINANCE A PORTION OF THE COSTS THEREOF BY \$400,000, FOR A TOTAL APPROPRIATION OF \$3,300,000 AND A TOTAL DEBT AUTHORIZATION OF \$1,260,000, AUTHORIZED IN AND BY THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, NEW JERSEY

WHEREAS, the Borough of Keansburg, in the County of Monmouth, New Jersey (the "Borough") finally adopted Bond Ordinance No. 1683 on January 26, 2022 (the "Prior Ordinance"), providing for the rehabilitation of the water storage tank located at Pinewood Place in the Borough; and

WHEREAS, the Borough has determined that the project description set forth in the Prior Ordinance needs to be amended to include various improvements to the Borough's water treatment plant; and

WHEREAS, the Borough has determined that the appropriation made by the Prior Ordinance in the amount of \$2,700,000.00 and the debt authorized by the Prior Ordinance in the amount of \$860,000.00 is insufficient and desires to increase the appropriation by \$600,000.00, said sum being inclusive of an additional \$200,000.00 now available in the Borough's Water/Sewer Capital Budget, and to increase the debt authorization by \$400,000.00.

NOW, THEREFORE, 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:



SEPTEMBER 20, 2023 MEETING MINUTES

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as Water/Sewer Utility 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 \$600,000.00 in addition to the \$2,700,000.00 appropriated by the Prior Ordinance, said sums being inclusive of all appropriations heretofore made therefor and including \$1,008,167.52 grant funds expected to be received from the American Rescue Plan (the "Grant") and the sum of \$1,031,832.48 as down payment, \$831,832.48 previously authorized by the Prior Ordinance and an additional down payment of \$200,000.00 authorized hereby and now available by virtue of provision for down payment or for capital improvement purposes in the Borough's Water/Sewer Capital Budget. No down payment is required in accordance with N.J.S.A. 40A:2-11c of the Local Bond Law, as this bond ordinance authorizes obligations solely for purposes which are self-liquidating and deductible from the gross debt of the Borough as set forth in N.J.S.A. 40A:2-7h.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment or Grant, \$400,000.00 negotiable bonds are hereby authorized to be issued in addition to the \$860,000.00 previously authorized by the Prior Ordinance for a total principal amount not to exceed \$1,260,000.00 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 rehabilitation of the Borough's two million (2,000,000) gallon water storage tank located at Pinewood Place in the Borough, and various improvements to the Borough's water treatment plant, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Borough Chief Financial Officer, 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 \$1,260,000.00 including the \$400,000.00 authorized herein, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$3,300,000.00, which is equal to the amount of the \$600,000.00 supplemental appropriation herein made therefor and the \$2,700,000.00 appropriation made by the Prior Ordinance. The excess of the appropriation of \$3,300,000.00 over the estimated maximum amount of bonds or notes to be issued therefor being the sum of the \$1,031,832.48 down payment appropriated by this Ordinance and the Prior Ordinance, and the Grant in the amount of \$1,008,167.52.



SEPTEMBER 20, 2023 MEETING MINUTES

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 Water/Sewer Utility 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 Municipal 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 not increased by the authorization of the \$400,000.00 bonds and notes provided in this bond ordinance because the purposes authorized herein are self-liquidating and are deductible from the Borough's gross debt in accordance with N.J.S.A. 40A:2-44c and the obligations authorized herein will be within all debt limitations prescribed by said Law.

(d) An aggregate amount not exceeding \$675,000.00 authorized by the Prior Ordinance 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. 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.

(f) This bond ordinance authorizes obligations of the Borough solely for purposes described in subparagraph (h) of §40A:2-7 of the Local Bond Law, and the obligations authorized herein are to be issued for purposes which are self-liquidating within the meaning and limitation of N.J.S.A. 40A:2-45 of said Law and are deductible from the gross debt of the Borough pursuant to N.J.S.A. 40A:2-44c and N.J.S.A. 40A:2-46 of said Law.

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 Municipal 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. All ordinances or parts of ordinances in conflict or inconsistent with any of the terms of this ordinance are hereby repealed to the extent that they are in such conflict or are inconsistent. In the event that any section, part or provision of this ordinance shall be held to be unconstitutional or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part hereof other than the part so held unconstitutional or invalid.

Section 10. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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



SEPTEMBER 20, 2023 MEETING MINUTES

Roll Call

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

NO MEMBER OF 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	1		~			

Mr. Cusick asked for a roll call vote to ADOPT Ordinance #1712: Roll Call

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Donaldson			✓			
Mr. Tonne		✓	✓			
Mr. Cocuzza					✓	
Mr. Foley			1			
Mr. Hoff	✓		✓			

Adjournment

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			1			
Mr. Tonne	✓		1			
Mr. Cocuzza						
Mr. Foley		✓	1		✓	
Mr. Hoff			1			



