



MAY 22, 2024 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

| | | | | |
|----------------------|------------------|--------------------|------------------|-----------------|
| Mr. Donaldson | Mr. Tonne | Mr. Cocuzza | Mr. Foley | Mr. Hoff |
| ✓ | ✓ | ✓ | Excused | ✓ |

Mr. Cusick read:

Municipal Election Results:

The results of the May 14, 2024 Municipal Election are as follows:

| | |
|--------------------|-----|
| Antonietta Carbone | 463 |
| Braden Salas | 427 |
| Cristina Onciu | 428 |
| George Hoff | 833 |
| Thomas Foley | 817 |
| Sean Tonne | 731 |



MAY 22, 2024 MEETING MINUTES

Meeting Minutes:

Meeting Minutes April 17, 2024

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 | ✓ | | ✓ | | | |

Mr. Foley entered the meeting at this time.

Ordinances:

Second Reading:

Ordinance #1720 – Traffic – Stop Intersection – Forest Avenue

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII (TRAFFIC), SECTION 6.2 (STOP INTERSECTIONS), SCHEDULE VIII (STOP INTERSECTIONS) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG.

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII (TRAFFIC), SECTION 6.2 (STOP INTERSECTIONS), SCHEDULE VIII (STOP INTERSECTIONS) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG.

Section 1:

BE IT ORDAINED by the Mayor and Council of the Borough of Keansburg that Schedule VIII (Stop Intersections) of Chapter VII (Traffic), Section 6.2 (Stop Intersections) be amended and supplemented as follows:

Stop Sign STOP sign shall be installed on:

Southbound Forest Avenue

At Park Avenue (West)

Northbound Forest Avenue

At Parkside Place



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Pursuant to the provisions of N.J.S.A. 39:4-140, the intersections described in Schedule VIII attached to and made a part of this Chapter are hereby designated as Stop Intersections. STOP signs shall be installed as provided therein. STOP signs to be placed along Forest Avenue.

Section 3: 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 4: INCONSISTENT ORDINANCES. All Ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

Section 5: 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 6: EFFECTIVE DATE. This ordinance shall take effect upon its passage and publication according to law and approval by the Department of Transportation.

Mr. Cusick asked for a roll call vote to OPEN the Meeting to the Public for Ordinance #1720:

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 for Ordinance #1720:

Roll Call

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



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Mr. Cusick asked for a roll call vote to ADOPT Ordinance #1720:

Roll Call

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

Ordinance #1721– Index Rate Ordinance CY2024

CALENDAR YEAR 2024 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

**CALENDAR YEAR 2024
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to

3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Borough Council of the Borough of Keansburg, in the County of Monmouth, finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Borough Council hereby determines that a 1% increase in the budget for said year, amounting to \$165,656.99 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Mayor and Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.



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NOW THEREFORE BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Keansburg, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY2024 budget year, the final appropriations of the Borough of Keansburg shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$579,799.47, and that the CY 2024 municipal budget for the Borough of Keansburg be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mr. Cusick asked for a roll call vote to OPEN the Meeting to the Public for Ordinance #1721:

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 for Ordinance #1721:

Roll Call

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



MAY 22, 2024 MEETING MINUTES

Mr. Cusick asked for a roll call vote to ADOPT Ordinance #1721:

Roll Call

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

First Reading:

Ordinance #1722– Salt Storage Ordinance (Stormwater)

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXVII (STORMWATER CONTROL), OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG.

Privately-Owned Salt Storage –

WHEREAS, in 2022, the New Jersey Department of Environmental Protection (NJDEP) revised the Tier A MS4 Municipal Stormwater General permit, which is applicable to all municipalities in New Jersey; and

WHEREAS, Pursuant to the revised Tier A MS 4 Municipal Stormwater General Permit, the NJDEP promulgated a model salt storage ordinance for mandatory adoption by municipalities; and

WHEREAS, the Borough of Keansburg seeks to prevent privately-stored salt and other solid de-icing materials from being exposed to stormwater; and

WHEREAS, the Borough of Keansburg seeks to adopt the NJDEP model ordinance as it relates to privately-owned salt storage.

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

SECTION I. Purpose:

The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater.

This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in **the Borough of Keansburg** to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the



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future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- A. “De-icing materials” means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.
- B. “Impervious surface” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.
- C. “Storm drain inlet” means the point of entry into the storm sewer system.
- D. “Permanent structure” means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

- 1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
 - 2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
 - 3. The structure shall be erected on an impermeable slab;
 - 4. The structure cannot be open sided; and
 - 5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.
- E. “Person” means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
 - F. “Resident” means a person who resides on a residential property where de-icing material is stored.

SECTION III. Deicing Material Storage Requirements:

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th:



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1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
 2. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
 3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;
 4. Loose materials shall be covered as follows:
 - a. The cover shall be waterproof, impermeable, and flexible;
 - b. The cover shall extend to the base of the pile(s);
 - c. The cover shall be free from holes or tears;
 - d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
 - e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
 - (1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;
 5. Containers must be sealed when not in use; and
 6. The site shall be free of all de-icing materials between April 16th and October 14th.
- B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 -April 15.
- C. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this



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ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.

1. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

SECTION IV. Exemptions:

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section III above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

SECTION V. Enforcement:

This ordinance shall be enforced by the Code Enforcement and/or Public Works Department during the course of ordinary enforcement duties.

SECTION VI. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall result in fines as follows: fine not to exceed \$1000 and responsible for reimbursement of all costs expended for clean-up and remediation of any pollution caused through this violation.

SECTION VII. Severability:

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

SECTION VIII. Effective Date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.



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Mr. Cusick asked for a roll call vote to INTRODUCE Ordinance #1722 and set for public hearing on Tuesday, June 18, 2024 at 7pm.

Roll Call

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

Resolutions:

RESOLUTION # 24-050 Payment of Bills (05/22/24)

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:

Roll Call

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



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RESOLUTION # 24-051

Emergency Purchase – Pump Station Repair – Raritan Avenue

RESOLUTION – EMERGENCY PURCHASE – Pumping Services Inc, 201 Lincoln Blvd. Middlesex, New Jersey 08846 – EMERGENCY PUMP STATION REPAIR AT RARITAN AVENUE – NOT TO EXCEED \$14,770.41

Whereas, NJSA 40A:11-6 provides that a purchase, contract or agreement may be made, negotiated or awarded without public advertising for bids and bidding therefore, notwithstanding that the cost of contract price will exceed the amount set in the prevailing bidding threshold, when an emergency affecting the public health, safety or welfare requires the immediate delivery of performance of services, provided:3

A written requisition for the performance of such work or labor, or the furnishing of materials, supplies or services is filed with the contracting agent or his deputy in charge describing the nature of the emergency, the time of its occurrence and the need for invoking this section, certified by the officer or director in charge of the department wherein the emergency occurred, or such other officer or employee as may be authorized to act in the place of said officer or director, and the contracting agent or his deputy in charge, being satisfied that the emergency exists, is hereby authorized to award a contract for said work or labor, materials, supplies or services; and

WHEREAS , an emergency situation meeting the criteria set forth above resulting from an **EMERGENCY PUMP STATION REPAIR AT RARITAN AVENUE.**

WHEREAS , an emergency purchase/repair was made by **PUMPING SERVICES INC, 201 Lincoln Blvd. Middlesex, New Jersey 08846** in the amount not to exceed of **\$ 14,770.41** for said pump station repairs.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Keansburg, does hereby authorize the payment of **\$14,770.41** to **Pumping Services Inc, 201 Lincoln Blvd. Middlesex, New Jersey 08846** for the emergency purchase described herein in accordance with NJSA 40A:11-6

Mr. Cusick asked for a roll call:

Roll Call

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



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RESOLUTION # 24-052

Amendment to Redeveloper Agreement – 19 Carr Avenue

RESOLUTION OF THE BOROUGH OF KEANSBURG, COUNTY OF MONMOUTH, NEW JERSEY AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE REDEVELOPMENT AGREEMENT WITH 19 CARR URBAN RENEWAL, LLC AND EAST WEST KEANSBURG URBAN RENEWAL, LLC, AN AFFILIATE THEREOF, FOR THE REDEVELOPMENT OF CERTAIN PARCELS IDENTIFIED ON THE TAX MAPS OF THE BOROUGH AS BLOCK 11, LOTS 4, 5, 6, 7, 8 AND 9

WHEREAS, the Borough of Keansburg (the “**Borough**”) and 19 Carr Urban Renewal, LLC (the “**Redeveloper**”) entered into a Redevelopment Agreement dated September 22, 2021 (the “**Redevelopment Agreement**”) in connection with the redevelopment of property in the Borough of Keansburg, Monmouth County, New Jersey identified in the Redevelopment Agreement as the “**Property**” for which Carr Enterprises, LLC was named Redeveloper; and

WHEREAS, at the time of the execution of the Redevelopment Agreement the Property was comprised of Block 11, Lots 4, 5, 6, and 7, which were situated in an area in need of redevelopment as designated by the Borough Council through adoption of Resolution No. 20-038 on April 22, 2020 (“**Original Redevelopment Area**”), and regulated by the provisions set forth in the “Redevelopment Plan for Block 11, Lots 7,” which was adopted by the Borough Council by way of adoption of Ordinance No. 1659 on August 19, 2020 (the “**Redevelopment Plan**”); and

WHEREAS, on October 19, 2020, the Borough of Keansburg Planning Board of Adjustment (“**Planning Board**”) granted Redeveloper’s predecessor in title preliminary and final major site plan approval with bulk (“c”) variances and deviations / waivers to demolish the existing improvements and construct a five-story mixed use building containing approximately 6,500 square feet of commercial space on the first floor and fifty (50) residential units on the second through fifth floors of the building together with forty-one (41) on-site parking spaces on the Original Redevelopment Area (the “**Original Approval**”); and

WHEREAS, at the request of Redeveloper, the Borough Council determined it to be in the Borough’s best interests to amend the Redevelopment Plan to effectuate the redevelopment of additional property within the Original Redevelopment Area, as more specifically set forth in the “Redevelopment Plan for Block 11, Lots 4 through 9,” which was reviewed by the Planning Board on April 10, 2023 in accordance with N.J.S.A. 40A:12A-7(e) and adopted by the Borough Council by the adoption of Ordinance No. 1709 on May 17, 2023 (the “**Amended Redevelopment Plan**”); and

WHEREAS, upon adoption of the Amended Redevelopment Plan, the Redevelopment Area has been expanded to include Block 11, Lots 8 and 9 (the “**Redevelopment Area**”), which were previously included in the “Carr Avenue Corridor Redevelopment Plan” area, and as a result the Property now consists of Block 11, Lots 4, 5, 6, 7, 8, and 9; and



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WHEREAS, upon adoption of the Amended Redevelopment Plan, the Redevelopment Area may now be developed with a maximum of fifty-five (55) residential dwelling units, where a maximum of fifty (50) residential dwelling units were previously permitted; and

WHEREAS, on June 12, 2023 the Planning Board granted 19 Carr Urban Renewal LLC and Carr Enterprises, LLC amended preliminary and final site plan approval with deviations from the Amended Redevelopment Plan, variances and/or waivers from the Borough’s Zoning Ordinance, and de minimis exceptions from the Residential Site Improvement Standards (RSIS) (the “**Amended Approval**”); and

WHEREAS, on July 10, 2023 the Planning Board conditionally adopted a resolution of approval setting forth certain conditions, which relate to the Amended Approval. One of those conditions requires the Parties to amend the Redevelopment Agreement to reflect the changes set forth herein; and

WHEREAS, as a result of the foregoing, the Borough desires to amend the Redevelopment Agreement to comport with the Amended Redevelopment Plan (the “**First Amendment**”); and

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

1. The Borough hereby approves the First Amendment to the Redevelopment Agreement.

2. The Mayor is hereby authorized to execute the First Amendment to 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:

Roll Call

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



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RESOLUTION # 24-053 Award of Bid – Solid Waste and Recycling – Suburban Disposal

WHEREAS, the Borough of Keansburg advertised and received one (1) bid for the Solid Waste and Recycling Collection on Tuesday, May 16, 2024; and

WHEREAS, one (1) bid was received and opened in public by the Municipal Clerk; and

WHEREAS, the following bid was received:

| Company Name | Solid Waste / Bulk Years 1-5 |
|---------------------------------------|---|
| Suburban Disposal Inc., Fairfield, NJ | \$3,143,000.00 Years 1-3 including options for years 4 and 5 |
| | Recyclables Years 1-5 |
| | \$1,589,000.00 Years 1-3 including options for years 4 and 5 |
| Total Years 1-5 | \$4,732,000.00 |

WHEREAS, the Borough Attorney has reviewed the bids and has determined that Suburban Disposal Inc, Fairfield, NJ 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 Solid Waste and Recycling Collection to Suburban Disposal Inc, Fairfield, NJ in the total amount of \$2,839,200.00. for years 1-3 and the option to renew and continue in years 4 and 5; 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 Derstine Company after the review by the Borough Attorney and Chief Financial Officer’s certification.

Mr. Cusick asked for a roll call:

Roll Call

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



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RESOLUTION # 24-054 Adoption Fair and Open 2024

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:

1. Bond Counsel
2. Borough Attorney - Non-Retainer Hourly Work
3. Borough Attorney – Special Counsel – *Property Tax Matters*
4. Borough Attorney – Special Counsel – *Labor*
5. Borough Attorney – Special Counsel – *Non-Retainer Hourly Work*
6. Borough Attorney – Special Counsel – *Redevelopment*
7. Borough Attorney – Special Counsel – *Grandview Redevelopment*
8. Borough Auditor
9. Borough Engineer



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10. Financial Advisor
11. Municipal Planner
12. Municipal Prosecutors – Hourly Work (To Include Substitute Prosecutor)
13. Planning Board Attorney
14. Planning Board Engineer
15. Public Defender

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:

Roll Call

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

RESOLUTION # 24-055 Authorize Execution – Municipal Open Space Grant – Friendship Park

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that the Mayor and Borough Clerk are hereby authorized to execute the Municipal Open Space Grant Program Application #22-33 Friendship Park Improvements

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Monmouth County Park System.

Mr. Cusick asked for a roll call:

Roll Call

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



MAY 22, 2024 MEETING MINUTES

RESOLUTION # 24-056

Authorize Change Order – Black Rock – Forest Avenue Improvements

RESOLUTION AUTHORIZING A CHANGE ORDER INCREASING THE CONTRACT PRICE

WHEREAS, Black Rock Enterprises, LLC, of Old Bridge, NJ for the Forest Avenue Roadway Improvements project which was awarded by the Borough of Keansburg, and

WHEREAS, during construction, unanticipated conditions associated with the installation of the watermain, and conditions associated with the reconstruction of the asphalt pavement and soil sub-base and replacement with a suitable sub-base, dense graded aggregate, and bituminous asphalt base course were identified, thereby requiring changes in the original scope of the work which had not been contemplated by the relevant bid specifications; and

WHEREAS, Black Rock Enterprises, LLC of Old Bridge, NJ submitted a proposed change order of the necessary changes in the scope of the project along with corresponding cost increases, has resulted in a total proposed net cost increase of \$71,238.16 (4.8%), thereby increasing the original contract amount of \$1,482,964.75, four point eight percent (4.8%) to a contract amount of \$1,554,202.91; and

WHEREAS, the Municipal Engineer recommends Council approval of the change order which would increase the original contract price by \$71,238.16; and

WHEREAS, N.J.A.C. 5:30-11.3 provides the Municipality with authority by way of change order to approve additional work when the cost of such work is less than 20% of the original total bid amount; and

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

1. The change order for the Forest Avenue Roadway Improvement project, which was awarded to Black Rock Enterprises, LLC of Old Bridge, NJ for an increase of Seventy-One Thousand, Two Hundred Thirty-Eight dollars and Sixteen Cents (\$71,238.16) is hereby approved,
2. A certified copy of this resolution shall be forwarded to the Chief Financial Officer.

Mr. Cusick asked for a roll call:

Roll Call

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



MAY 22, 2024 MEETING MINUTES

RESOLUTION # 24-057

Requesting Examination of the 2024 Municipal Budget by the Division of Local Government Services

**REQUESTING EXAMINATION OF THE
2024 MUNICIPAL BUDGET BY THE DIVISION OF LOCAL GOVERNMENT SERVICES**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the *Borough of Keansburg* has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2024 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the *Borough of Keansburg* that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's recommendation, the governing body is requesting to opt out of the self-examination for CY 2024 Municipal Budget and requesting to be examined by the Division of Local Government Services.

Mr. Cusick asked for a roll call:

Roll Call

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



MAY 22, 2024 MEETING MINUTES

RESOLUTION # 24-058

Refund of Fees – Raritan Lot Parking Permit Fee – A. Ahmadi

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

| | |
|-------------------|--|
| Amount: | \$200.00 |
| Reason: | Refund of Raritan Lot Parking Pass Fee |
| Reference: | Parking Pass Refund |

| | | |
|--------------------|--|-----------------------------------|
| Payable to: | Ahmad Ahmadi 250 Beachway Unit #701 Keansburg, NJ 07734 | <i>Total Payable:</i> \$200.00 |
|--------------------|--|-----------------------------------|

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

Mr. Cusick asked for a roll call:

Roll Call

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



MAY 22, 2024 MEETING MINUTES

RESOLUTION # 24-059

Payment of Bills (05/22/24) 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:

Roll Call

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

PUBLIC HEARING:

CY2024 Municipal Budget

Public Hearing CY 2024 Keansburg Municipal Budget

Mr. Cusick asked for a roll call vote to OPEN the Meeting to the Public for the CY2024 Municipal Budget:

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 22, 2024 MEETING MINUTES

Mr. Cusick asked for a roll call vote to CLOSE the Meeting to the Public for the CY2024 Municipal Budget:

Roll Call

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

Patrick DeBlasio, Chief Financial Officer explained the need for the Amendment to the Capital Budget.

RESOLUTION # 24-061 Amendment to the Capital Budget

RESOLUTION TO AMEND THE 2024 CAPITAL BUDGET

WHEREAS, the Borough of Keansburg introduced and approved the 2024 Capital Budget on April 17, 2024, and

WHEREAS, it is desired to amend said introduced and approved 2024 Capital Budget.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg, County of Monmouth, that the following amendments to the introduced and approved 2024 Capital Budget be made:

W/S Capital Budget

| | <u>From</u> | <u>To</u> |
|------------------------------|-------------|-------------|
| Various Sewer Improvements | \$1,500,000 | |
| Water Storage Tank Improv. | 650,000 | |
| | | |
| Service Line Replacement | | \$3,750,000 |
| Water Main, Hydrants, Valves | | 1,900,000 |
| General Treatment Plant | | 1,430,000 |
| Filter Upgrades | | 750,000 |
| Sludge Press Replacement | | 1,200,000 |

Be it further resolved, that two certified copies of this resolution be filed forthwith to the office of the Director of Local Government Services for certification of the introduced and approved 2024 Capital Budget so amended.



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Mr. Cusick asked for a roll call:

Roll Call

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

RESOLUTION # 24-060 CY2024 Municipal Budget Adoption Resolution

A copy of the CY2024 Municipal Budget and Resolution are available at the Municipal Clerk’s Office and posted on the municipal website, www.keansburgnj.gov, under the Government tab/Municipal Budgets.

Mr. Cusick asked for a roll call vote to ADOPT the CY2024 Municipal Budget:

Roll Call

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

REDEVELOPMENT AGENCY:

Presentations:

- Ameen Khosravian – Pirouzi Hookah Lounge – 310 Main Street

Mr.Khosravian presented a plan for 310 Main Street. His Hookah Lounge presentation would feature flavored tobacco. The sole use of the hookah equipment would be for tobacco smoking only. Plans include being open Tuesday to Sunday/4pm to midnight.

Resolutions:

RESOLUTION # 24-062 REDEVELOPMENT AGENCY – RECOMMENDATION TO THE ZONING OFFICER – 310 Main Street

Be It Resolved by the Borough Council acting as the Redevelopment Agency that it does hereby endorse the application of the Pirouzi Hookah Lounge to be located at 310 Main Street; and,



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Be It Further Resolved that the Agency expresses no conditions on the application; and,

Be It Further Resolved that a copy of this resolution be forwarded to the Keansburg Zoning Officer.

Mr. Cusick asked for a roll call:

Roll Call

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

- EMB Clinic – Embroidery Shop – 319 Main Street

Mr. Juan Rivera gave a presentation for the EMB Clinic, a embroidery/printing/repair shop to be located at the Keansburg Commons, 319 Main Street. He will be specializing in custom shirts and hats.

RESOLUTION # 24-063 REDEVELOPMENT AGENCY – RECOMMENDATION TO THE ZONING OFFICER – 319 Main Street

Be It Resolved by the Borough Council acting as the Redevelopment Agency that it does hereby endorse the application of the EMB Clinic to be located at 319 Main Street; and,

Be It Further Resolved that the Agency expresses no conditions on the application; and,

Be It Further Resolved that a copy of this resolution be forwarded to the Keansburg Zoning Officer.



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Mr. Cusick asked for a roll call:

Roll Call

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

- Smoke Depot – 320 Main Street – Signage Change
 - Representatives for this business were not able to attend the meeting. No action taken.

Communications:

- **Keansburg Fire Department**
New Members
William Boggs
New Point Comfort Fire Company

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

Roll Call

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



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Discussion:

Department Reports:

*Steve Rogan
DPW Supervisor*

Spoke about beach clean-up and mulching

Reported that 5 new parking meters and the parking app were being installed today.

Youth Work Program – Keansburg was receiving an award from Monmouth County for the Youth Work Program.

*Cliff Moore
Economic Development
Coordinator*

Reported that a distillery was inquiring about a location on Main Street.

A Supermarket has expressed an interest to locate at 201 Main Street.

The food truck interested in locating to the Shell Station has withdrawn their application.

Pier 260/Brunch Gallery has opened.

There will be a short-term rental/Air B&B meeting on May 29th

*Robert Yuro
Borough Engineer*

There will be a July 4th dedication of the EMS Memorial.

Road project is proceeding – completion should be by end of June.

Carr Avenue – repairs by County pending.

*Raymond O’Hare
Borough Manager*

Stated that a Developer in Brooklyn is looking to invest in the community. Stability in government.

Robert Yuro gave additional information on the highlights / redevelopment infrastructure improvement.

Councilman Donaldson

Congratulated his 3 fellow Council Members on their reelection.

Councilman Cocuzza

Expressed the same sentiment.



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Mayor Hoff

Thanked DPW, Police and Parade Committee for their efforts for the Parade.

Expressed his happiness that Keansburg is participating in the Youth Program.

Thanked everyone for their support during the recent election.

Expressed congratulations to his election competition and thanked them for stepping up.

Open to the Public:

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

Roll Call

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

Carla Burdrick
109 Forest Avenue

Spoke about problems with flooding.

Cornelia Hackett
105 Forest Avenue

Flood Insurance premiums keep going up.

No effect on insurance premiums.

Lost cars.

Heavy rains – signs to close street.

Rob Nardello
270 Carr Avenue

Asked about the Borough Wells and being “off” NJ American Water.

There was a brief discussion about the Borough Wells and the contract for winter water with NJ American Water.

Asked that something be done to fix JCP&L street lights.



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Steve Rogan

Thanked the Council for thanks to DPW, the department appreciates your respect.

Congratulated the Councilmen on their re-election.

Robert Scifo
136 Seabreeze Way

Spoke his son's death and how Mayor and Council and Borough Manager reached out to him and his family.

Stated that Council should not be verbally abused. This is a great town and thanked Council.

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



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 22, 2024**

Attest:

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