



MARCH 19, 2025 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
✓	✓	✓	✓	✓

Meeting Minutes:

Meeting Minutes February 19, 2025

Mr. Cusick asked for a roll call vote to accept the minutes and to place same on file:

Roll Call

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

Ordinances:

Second Reading:

Ordinance #1739 – Parking Violations Amendments

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII (TRAFFIC), SECTION 7-15 (PENALTY) AND CHAPTER VIII (PARKING METER ZONES AND PARKING LOTS), SECTION 8-2.9 (VIOLATION; PENALTIES) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG.

BE IT ORDAINED by the Mayor and Council of the Borough of Keansburg that Section 7-15 (Penalty) of Chapter VII (Traffic) be amended as follows:

- a. The following penalties are hereby established for these designated offenses:

No parking 3 a.m. to 6 a.m.

\$55.00



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No parking 1 ½ ton from 12:01 a.m. to 5:00 a.m. \$55.00

BE IT FURTHER ORDAINED that Section 8-2.9 (Violation; Penalties) of Chapter VIII (Parking Meter Zones and Parking Lots) be amended as follows:

a. The following penalties are hereby established for these designates offenses:

Parking meter only:	Not to exceed	\$55.00
Overtime meter only:	Not to exceed	\$55.00
No parking 3:00 a.m. – 6:00 a.m.:	Not to exceed	\$55.00
Violation of head-in parking only:	Not to exceed	\$55.00
No parking 1 ½ ton vehicle from 12:01 a.m. to 5:00 a.m.:	Not to exceed	\$55.00

ADD:

Raritan Parking Pass Only	\$55.00
Residential Parking Only	\$55.00

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 All Ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.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 and approval by the Department of Transportation.



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

Roll Call

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

NO MEMBER OF THE PUBLIC SPOKE AT THIS TIME

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

Roll Call

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

Mr. Cusick asked for a roll call vote to ADOPT Ordinance #1739:

Roll Call

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



MARCH 19, 2025 MEETING MINUTES

First Reading:

Ordinance #1740– Index Rate Ordinance CY2025

CALENDAR YEAR 2025 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

CALENDAR YEAR 2025

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 2025 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 \$171,871.11 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

NOW THEREFORE BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Keansburg, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY2025 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 \$601,548.88, and that the CY 2025 municipal budget for the Borough of Keansburg be approved and adopted in accordance with this ordinance; and,



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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 INTRODUCE Ordinance #1740 and set for public hearing on Wednesday, April 16, 2025 at 7pm.

Roll Call

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

Ordinance #1741– Cannabis Licensing

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER IV (GENERAL LICENSING AND BUSINESS REGULATIONS) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG CREATING SECTION 4-21 (Cannabis Business Licenses)

SECTION II. AMENDMENT AND SUPPLEMENT TO CHAPTER 4 – GENERAL LICENSING AND BUSINESS REGULATIONS – OF THE REVISED GENERAL ORDINANCES

Chapter 4 “General Licensing and Business Regulations” of the Code of the Borough of Keansburg shall be amended and supplemented as follows:

Section 4-21 – Cannabis Business Licenses.

- a. **Purpose.** This section is enacted to regulate the sale of cannabis in the Borough in accordance with the provisions of the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” comprising *N.J.S.A. 24:6I-31 et seq.*, and in accordance with the rules and regulations of the Cannabis Regulatory Commission.



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b. Definitions. As used in this Chapter, words and phrases shall have the same meanings they have in *N.J.S.A. 24:6I-31 et seq.*, and in accordance with the rules and regulations of the Cannabis Regulatory Commission.

c. Cannabis Business Licenses and Fees.

1. Laws Applicable. All applications for licenses, all licenses issued, and all proceedings under this Chapter shall be in accordance with the Act, rules and regulations referred to in Section 22-15 of this Ordinance and all other applicable laws of the State of New Jersey or Borough of Keansburg.

2. Issuing Authority. All licenses required by this Chapter, including renewal licenses, shall be issued by the governing body of the Borough, which shall also administer the provisions of this Chapter. The granting of any license permitted by this Chapter shall be at the sole and absolute discretion of the governing body of the Borough. All applicants for a Cannabis Business License shall obtain all applicable land use approvals from the Keansburg Planning Board prior to applying for a license pursuant to this Chapter. All applicants shall demonstrate adherence to all State cannabis standards.

3. Cannabis Business License Required. No person shall cultivate, sell, or distribute cannabis within the Borough without having obtained a license in accordance with the Act referred to in Section 4-21(a) of this Ordinance and the provisions of this Chapter. Applicant shall furnish proof of State license or renewal of said license to the Municipal Clerk annually.

4. Cannabis Business License Fees—Maximum Number. The annual license fee and maximum number of licenses for the Cannabis Businesses permitted in the Borough shall be as follows:

Class of License	Annual	No.
Class 5 Cannabis Retailer	\$5,000	1

The governing body of the Borough shall not be required to issue the maximum number of licenses. The grant of a license to any Cannabis Microbusiness shall be considered as counting towards the maximum number of licenses.

d. Cannabis Business License Conditions. In order to be granted a business license for the operation of a Cannabis Retailer business the following conditions must be satisfied:

1. Completion of all forms, checklists, and other submissions as may be required by the Borough Clerk's Office;



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2. Payment of all applicable local fees, including inspection and licensing fees;
 3. Demonstration that all applicable State licenses have been obtained;
 4. Passage of all applicable State and local inspections required to be completed prior to the beginning of operations and/or renewal of any State and/or local license;
 5. Submission of emergency contact information to be utilized by police, fire, and EMT personnel in the event of an on-site emergency;
 6. Submission of a full copy of the Application for State Licensure, via hard copy or digitally, with pages prominently marked "CONFIDENTIAL" as appropriate for purposes of compliance with New Jersey's Open Public Records Act (NOTE: pages not marked as confidential will be disclosed in response to an applicable OPRA request); and
 7. Submission of application fee of Five Thousand (\$5,000.00) Dollars.
 8. If the Borough is named as a party to litigation involving the businesses for whom are issued a Cannabis Business License pursuant to this Section, the licensee agrees and acknowledges that it shall indemnify and hold harmless the Borough for any and all liabilities and/or costs associated with that litigation, which shall include, but not be limited to, defense costs, expenses and attorney's fees.
 9. All applicants who seek to transfer their licenses shall provide notice to the Borough, in accordance with State law and regulations, and shall be subject to any State laws and regulations in addition to any Borough rules and regulations including, but not limited to, Section 22-15-d.13 of this Ordinance.
- e. Cannabis Subcommittee.** There shall be standing Cannabis Subcommittee, which shall review all completed submissions for any Cannabis license and submit a recommendation to the entire governing body regarding the grant or denial of a license. The members of the subcommittee shall be as follows: (i) Two (2) members of Borough Council to be chosen by it; (ii) the Keansburg Chief of Police; and (iii) the Borough Manager. The terms of the councilmembers shall be for one (1) year. It is recommended that at least one council member remain from the previous year's subcommittee.
- f. Regulation of Cannabis Business Licenses.** Any license issued under this Chapter shall conform to the requirements of the Development Regulations of the Borough of Keansburg (Chapter XXII).



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g. Revocation of Cannabis Business Licenses.

1. Any license issued under this Chapter may be suspended or revoked for violation of any of the provisions of this Chapter or this Ordinance or any provision of any applicable statute or any of the rules and regulations of the Cannabis Regulatory Commission.

2. Notice of a hearing for the suspension or revocation of a license shall be given in writing by the Borough Clerk. The notice shall specifically set forth the grounds upon which the proposed revocation is based and the time and place of the hearing. It shall be served by mailing a copy to the licensee at his or her last known address by certified mail, return receipt requested, at least five (5) days prior to the date set for the hearing.

3. At the hearing, the licensee shall have the right to appear and be heard, to be represented by an attorney, to present witnesses in his or her own behalf, to cross-examine opposing witnesses and to have a permanent record made of the proceedings at his or her own expense. The Borough Council shall revoke or suspend the license if they are satisfied by a preponderance of the evidence that the licensee is guilty of the acts charged.

4. Suspension or revocation of a license shall be in addition to any other penalty which may be imposed for a violation of this Chapter

h. Penalties.

In the absence of State specified penalties, the Borough may issue fines to any person violating any provision of this Section, upon conviction, up to \$2,500 for a first offense, \$5,000 for a second offense, and \$10,000 for a third offense.

SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such decision shall not affect the validity of the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

EFFECTIVE DATE. This Ordinance shall take immediately upon passage and publication in accordance with law.



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Mr. Cusick asked for a roll call vote to INTRODUCE Ordinance #1741 and set for public hearing on Wednesday, April 16, 2025 at 7pm.

Roll Call

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

Ordinance #1742– Cannabis Tax

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER II (ADMINISTRATION) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEANSBURG CREATING SECTION 2-40 (Cannabis Business Sales Tax)

Chapter II “Administration” of the Code of the Borough of Keansburg shall be amended and supplemented as follows:

Section 2-40 – Cannabis Business Sales Tax.

a. A tax is hereby imposed upon all persons engaged in the business of selling cannabis as Cannabis Retailer in the Borough of Keansburg, at the rate of two percent (2%) of the gross receipts from such sales made in the course of that business. Retailers may reimburse themselves for their tax liability hereunder by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with any State tax that retailers are required to collect.

Each person required to collect the tax herein imposed shall be personally liable for the tax imposed, collected, or required to be collected hereunder.

b. The imposition of the tax imposed by this Chapter is in accordance with the provisions of State law and is in addition to any and all other taxes and charges.

1. A user tax shall be levied on any Cannabis Business operating more than one business, regardless of whether the second business location is in a different municipality. Such user tax rate shall be equivalent to the sales tax rate set forth in subsection (a) of this Section 2-40 (as applicable) and imposed on the value of each transfer or use of cannabis between one business location and another business location.



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c. The tax imposed by this Section, and all civil penalties that may be assessed as an incident thereto, shall be remitted to, collected by and enforced by the Borough's Chief Financial Officer, who shall have the full power to administer and enforce the provisions of this Chapter.

d. The failure to timely collect or remit all taxes due pursuant to this Chapter is a violation of this Code and may be subject to the penalties hereunder.

e. **Penalties.**

Any person violating any provision of this Section shall, upon conviction be subject to the penalties stated in Chapter 1, Section 1-5, General Penalty, of the Borough of Keansburg Municipal Code, except that the minimum penalty shall not be less than \$500 for a first offense, \$1,000 for a second offense, and \$1,500 for a third offense.

SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such decision shall not affect the validity of the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

EFFECTIVE DATE. This Ordinance shall take immediately upon passage and publication in accordance with law.

Mr. Cusick asked for a roll call vote to INTRODUCE Ordinance #1742 and set for public hearing on Wednesday, April 16, 2025 at 7pm.

Roll Call

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



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Public Hearing: Plenary License Transfers

POSTPONED BY APPLICANTS – MOVED TO APRIL COUNCIL MEETING

20 Main Street: Person to Person/Place to Place (Pocket)

77 Highway 36: Person to Person/Place to Place (Pocket)

Resolutions:

INTRODUCTION: CY2025 Municipal Budget

RESOLUTION # 25-024 Introduction of the CY 2025 Keansburg Municipal Budget

NOTE: A copy of the municipal budget will be available on March 20, 2025, in the Municipal Clerk's Office for review and also on the Municipal website, www.keansburgnj.gov under the Government tab.

Mr. Cusick asked for a roll call vote to INTRODUCE the CY2025 Municipal Budget

Roll Call

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

RESOLUTION # 25-025 Payment of Bills (03.19.25)

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.



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Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION # 25-026 Plenary Person to Person, Place to Place Transfer (1 Carr Avenue)

WITHDRAWN

RESOLUTION # 25-027 Plenary Person to Person, Place to Place Transfer (2 Carr Avenue)

WITHDRAWN

RESOLUTION # 25-028 Appointment to the Housing Authority (C. Beattie)

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

Colleen Beattie

To the Housing Authority

for the Borough of Keansburg

for a term commencing on April 2, 2025 and expiring on April 1, 2030.

Mr. Cusick asked for a roll call vote:

Roll Call

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



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RESOLUTION # 25-029

Firework Permit 2025 – Keansburg Recreation

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

June 28, 2025,

August 30, 2025, and

October 4, 2025

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

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

Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION # 25-030

Firework Permit 2025 – Keansburg Amusement Park

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

July 3, 2025

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

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



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Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION # 25-031

Authorize Change Order – Reduction – Water Treatment Plant Filter Upgrades

RESOLUTION AUTHORIZING A CHANGE ORDER DECREASING THE CONTRACT PRICE

WHEREAS, Derstine Company, LLC of Souderton, PA the contractor for the Water Treatment Plant Filter Upgrades project which was awarded by the Borough of Keansburg; and

WHEREAS, during the construction unanticipated conditions were not identified and thereby did not require changes in the scope of the work which had been contemplated by the relevant bid specifications; and

WHEREAS, Derstine Company, LLC, Inc submitted a proposed change order of the necessary changes in the scope of the project along with corresponding cost decreases, that has resulted in a total proposed net cost decrease of \$50,000.00, thereby reducing the original contract amount of \$553,000.00 to a final contract amount of \$503,000.00; and

WHEREAS, the Municipal Engineer recommends Council approval of the change order which would decrease the original contract price by \$50,000.00; 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 Water Treatment Plant Filter Upgrades project, which was awarded to Derstine Company, LLC, of Souderton, PA for a decrease of Fifty Thousand dollars and Zero Cents (\$50,000.00) is hereby approved,
2. A certified copy of this resolution shall be forwarded to the Chief Financial Officer.



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Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION # 25-032

Authorize Settlement Agreement – Wellington (Planning Board Matter)

RESOLUTION AUTHORIZING SETTLEMENT

(THE BOROUGH OF KEANSBURG)

WHEREAS, The Borough of Keansburg is a duly organized Municipal Corporation of the State of New Jersey; and

WHEREAS, David Wellington and Martha Baquero (collectively “Wellington”) filed a Complaint, with the Department of Housing and Urban Development, against the Borough of Keansburg, the Borough Council of the Borough of Keansburg, the Keansburg Planning Board of Adjustment, George Hoff, Mayor of the Borough of Keansburg, Edward Striedl, Construction Official / Zoning Officer of the Borough of Keansburg (now retired), and Chris Hoff, Code Enforcement Officer of the Borough of Keansburg; and

WHEREAS, the said HUD Complaint essentially alleged violations of the following:

- a. The Fair Housing Act;
- b. The Civil Rights Act of 1964;
- c. The Housing and Community Development Act of 1974;
- d. Other regulations; and



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WHEREAS, the Municipality, the individual Municipal Defendants, and the Planning Board of Adjustment denied all allegations, as being completely without merit; and

WHEREAS, there is an opportunity to globally settle all aspects of the litigation cases, in accordance with the parameters set forth in the attached Settlement Agreement; and

WHEREAS, the execution of such a Settlement Agreement will advance a number of Municipal interests, including, but not limited to, the following:

- a. A global resolution of all outstanding Wellington-related issues;
- b. Withdrawal/dismissal, with prejudice, of an ongoing litigation case involving the Keansburg Planning Board of Adjustment;
- c. Cessation of continuing legal fees associated with the matters;
- d. Preservation of scarce municipal resources;
- e. Recognition that the 2 adjacent Wellington lots have, in fact, merged under the Doctrine of Merger;
- f. Recognition of the continuing validity of the prior Land Use Board decision on the matter (relative to the Doctrine of Merger);
- g. Execution of Mutual Releases, against all parties and/or agents thereof.

WHEREAS, the aforesaid settlement option will not award, or otherwise authorize the payment of any fees to the Complainants/Plaintiffs; and

WHEREAS, the aforesaid settlement option will not contain any admission of liability or wrongdoing by the Municipality, the Land Use Board, or any individual Members/Representatives thereof; and

WHEREAS, it is believed that a settlement of all global issues, as aforesaid, will be in the best interests of the Municipality; and



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WHEREAS, it is believed that the terms and conditions of the settlement are reasonable under the circumstances;

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

1. That the Borough of Keansburg, on behalf of the Municipal entity, the Borough Council of the Borough of Keansburg, the Mayor of the Borough of Keansburg, the former Zoning Officer/Construction Official of the Borough of Keansburg, and the Code Enforcement Officer of the Borough of Keansburg are hereby authorized to sign the attached Settlement Agreement, or a document substantially similar thereto.
2. That the Borough Manager, Mayor, Clerk, Borough Attorney, Land Use Board Attorney, and other designated officials are hereby authorized to sign any and all documents necessary to effectuate the intentions of the within resolution.
3. That the within Resolution shall be contingent upon the attached Settlement Agreement (or a document substantially similar thereto) being adopted/authorized/signed by the following:
 - a. The Keansburg Planning Board of Adjustment;
 - b. George Hoff, Mayor of the Borough of Keansburg, in his official and individual capacity;
 - c. Edward Striedl, Zoning Officer / Construction Official of the Borough of Keansburg (now retired), in his official and individual capacity;
 - d. Chris Hoff, Code Enforcement Officer of the Borough of Keansburg, in his official and individual capacity;
 - e. David Wellington and Martha Baquero
4. That the within Resolution shall take effect immediately.

Mr. Cusick asked for a roll call vote:

Roll Call

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



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RESOLUTION # 25-033

Resolution Accepting Auction Results – 139 Shore Blvd – Block 33 Lot 12

RESOLUTION ACCEPTING AUCTION RESULTS FOR

SALE OF 139 SHORE BOULEVARD (BLOCK 33, LOT 12)

WHEREAS, the Keansburg Borough Council adopted Ordinance # 1716 authorizing the sale of Borough-owned property at 139 Shore Boulevard (Block 33, Lot 12) by public auction; and

WHEREAS, a minimum bid amount was placed on the property of \$ 200,000.00 as determined by an independent appraisal of the lot; and

WHEREAS, the public auction of said property was advertised in the Asbury Park Press and the sale was subsequently conducted by the Municipal Clerk on November 14, 2024 in the Council Chambers of Keansburg Borough Hall, 29 Church Street, Keansburg, NJ; and

WHEREAS, said Public Auction was competitive and the final bid was offered by Sandy Beaches, LLC in the amount of \$ 212,000.00; and

WHEREAS, at the conclusion of the auction Sandy Beaches, LLC did remit to the Borough a check in the amount of \$ 27,000.00 thereby satisfying the ten percent (10%) deposit as required by ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that the governing body does hereby accept the bid of Sandy Beaches, LLC in the amount of \$ 212,000.00 for the purchase of property at 139 Shore Boulevard (Block 33, Lot 12); and

BE IT FURTHER RESOLVED that the Borough Council authorizes the Mayor, Borough Manager and Municipal Clerk and their designees to execute any and all documents necessary to effectuate the sale as provided by Borough legal counsel.

Mr. Cusick asked for a roll call vote:

Roll Call

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



MARCH 19, 2025 MEETING MINUTES

RESOLUTION # 25-034

Approval of LOSAP CY2024 Annual Certification List

RESOLUTION APPROVING THE CERTIFICATION LIST OF VOLUNTEER MEMBERS OF THE BOROUGH OF KEANSBURG FIRE DEPARTMENT AND EMERGENCY SERVICES QUALIFYING FOR CREDIT UNDER THE LENGTH OF SERVICE AWARDS PROGRAM (LOSAP) FOR 2024

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that the Municipal Council hereby approves the list of the volunteer members of the Borough of Keansburg Fire Department and Emergency Services certified by the Borough of Keansburg Board of Fire Commissioners for the year CY2024

Mr. Cusick asked for a roll call vote:

Roll Call

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



MARCH 19, 2025 MEETING MINUTES

RESOLUTION # 25-035

Resolution of Self-Examination of Municipal Budget CY2025

SELF-EXAMINATION OF BUDGET RESOLUTION

[as required by DCA]

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 2025 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 certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.



MARCH 19, 2025 MEETING MINUTES

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION # 25-036

Appointment of Special Officer Class III

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Keansburg that it does hereby appoint for 2025,

Frank Saunter

As a Special Law Enforcement Police Officer Class III; and,

BE IT FURTHER RESOLVED that the Borough Council that a certified copy of this Resolution be forwarded to the Keansburg Police Department.

Mr. Cusick asked for a roll call vote:

Roll Call

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

RESOLUTION # 25-037

Payment of Bills (03.19.25) 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



MARCH 19, 2025 MEETING MINUTES

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

Mr. Cusick asked for a roll call vote:

Roll Call

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

NOTE: RESOLUTION # 25-038 *Appointment to the Planning Board – moved and voted on later in the meeting*

Communications:

- **Keansburg Fire Department**
New Members

Gabriella Rayo

EMS

Heather Maye

EMS

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			✓			



MARCH 19, 2025 MEETING MINUTES

Discussion:

- *Planning Board Vacancy*

RESOLUTION # 25-038 Appointment to the Planning Board

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that

Board Member	Membership Class	for the term of
Jennifer Perkel	Be a Class IV Member	Unexpired term ending June 30, 2026

Be and is hereby appointed to the Keansburg Planning Board of Adjustment Be and are hereby appointed to the Keansburg Planning Board of Adjustment

Mr. Cusick asked for a roll call vote:

Roll Call

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

- *Affordable Housing:*
 - *Housing Planner*
 - *Housing Liaison*
 - *Housing Plan*

There was a brief discussion about the Borough's obligations under the new Phase 4 of Affordable Housing regulations.

Robert Yuro has a proposal which will be discussed with the Borough Manager for review.



MARCH 19, 2025 MEETING MINUTES

Department Reports:

*Steve Ussmann
Water and Sewer Department*

No report at this time

*James Della Pietro
Department of Public Works*

*Stated that the DPW Crew has been working to have the
Parade route ready*

*Cliff Moore
Economic Community
Development Coordinator*

*Reported on a new possible business to be located at 61
Main Street*

*Effective May 1st – the short-term rental fees will be
collected by the Borough*

*The Peruvian Café and grocery store are projecting to open
after Memorial Day*

*Robert Yuro
Borough Engineer*

Reported that:

- *Beachway drainage repair has begun on Laurel Avenue*
- *19 Carr Avenue has 17 leases in place*
- *1 Carr Avenue is on schedule for framing in June*
- *2 Carr Avenue has a closing scheduled from Pier 260,
expecting a Fall start*
- *Grandview Apartments – anticipating a Redevelopment
Plan in April for presentation*

Mayor Hoff

Asked about the Beaconlight project.

*Mr. Yuro stated it was under CDBG review and should be
out to bid in 30 days.*

Deputy Mayor Foley

Asked about the Collins Field Pickleball Court project.

Mr. Yuro stated the project should begin in 2 weeks.

Mayor Hoff

*Announced the 18th Annual St. Patrick's Parade and the
new route stating on Main Street*

Wished all a Happy Easter and Passover



MARCH 19, 2025 MEETING MINUTES

Open to the Public:

Mr. Cusick asked for a roll call 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			✓			

Danielle Woolley
218 Walling Place
North Middletown, NJ

Spoke about cats not being covered under the new Monmouth County SCPA contract. Stated that younger cats in the area are affected and dying.

Asked if the SPCA Contract could be amended.

Jennifer Perkel
91 Maple Avenue

Spoke with Council as a follow-up to previous concerns raised about Cottage Bakers.

Deputy Mayor Foley stated that the consensus of the Council is supportive of the industry and will follow the State's guidelines

She also thanked Council and stated she was happy with her appointment to the Planning Board as a regular member.

Mr. Cusick asked for a roll call 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	✓		✓			



MARCH 19, 2025 MEETING MINUTES

Adjournment

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

Roll Call

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



I, Jo-Ann O'Brien, Municipal Clerk of the
Borough of Keansburg, in the County of Monmouth, New Jersey, do hereby certify that the
foregoing is a true copy of meeting minutes of a regularly scheduled public meeting
held on **March 19, 2025**

Attest:

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