

JANUARY 25, 2010

A Regular Meeting of Mayor and Council was convened at 8:02 p.m., in Council Chambers of Borough Hall with Mayor Dempsey presiding.

Mayor Dempsey welcomed the audience and invited them to join in a moment of silent prayer and a salute to the Flag. The salute to the flag was lead by Manasquan Boy Scouts Christian Thompson and Bryan Wall.

The Mayor stated that this meeting is being held in accordance with the Open Public Meetings Act of 1975 and that notice was given to the Coast Star and the Asbury Park Press on December 22, 2009.

ROLL CALL: Present: Council Members Bossone, Connolly, Donovan, Grasso, Lee, Lucas.

Absent: None.

Also present were Municipal Administrator John Trengrove and Municipal Attorney James Kinneally.

APPOINTMENTS: Council Member Donovan made a motion to appoint Pat VanSickle, to the position of Full-Time Crossing Guard from Part-Time Crossing Guard at the salary of \$17.80 per hour effective January 4<sup>th</sup>, 2010, seconded by Council Member Bossone. Motion carried by the following vote: "yes" Council Member Bossone, Connolly, Donovan, Grasso, Lee, Lucas. "No" none.

The Mayor announced that the next appointment will be to appoint William Schmeling to the South Monmouth Regional Sewerage Authority for a five year term.

Council Member Grasso asked for information on Mr. Schmeling.

Mayor Dempsey related that Mr. Schmeling is the executive director of the Township of Ocean Sewerage Authority for two years, served on the SMRSA Board for five years and brings a wealth of knowledge to the position. He related that his position of director of the Township of Ocean Sewerage Authority will benefit the Borough in that he will be able to exchange ideas with the SMRSA Board. He related that his board members serve on other sewerage authority boards which facilitates a great exchange of information.

Council Member Grasso related that the Governing Body complimented former Mayor Dunne for doing a great job on the SMRSA Board at a recent meeting of the Governing Body. He related that the Governing Body does not seem to keep people in place that have done a remarkable job. He related that they should be retained and rewarded for doing a good job.

Mayor Dempsey related that William Schmeling also did a remarkable job when he served on the SMRSA Board. He also noted that Mr. Schmeling has more to offer because he serves on another sewerage authority.

Council Member Grasso asked if Mr. Dunne saved the Borough about \$300,000 while serving on the Board.

Mayor Dempsey related that situation was due to Mr. Dunne and the entire Council.

Council Member Connolly related that traditionally the SMRSA representative has been a Borough Mayor or member of the Governing Body. She related that the reason for this was so that the information would get back to the Governing Body quickly. She related that the Borough should stick with that tradition.

Council Member Lucas related that the Borough Attorney informed him that the Borough cannot mandate whether or not the person who is appointed to the SMRSA Board accept health benefits from SMRSA. He related that he would appreciate that whoever is appointed to the SMRSA board refrain from accepting health benefits from SMRSA.

Council Member Lee related that he agrees that Mr. Dunne did a fine job as Bill Schmeling did in the past. He related that he does not believe the Borough can go wrong either way.

Council Member Lee made a motion to appoint William Schmeling to fill the position on the SMRAS Board for a five year term, seconded by Council Member Donovan. Motion carried by the following vote: "yes" Council Members Bossone, Donovan, Lee. "No" Council Members Connolly, Grasso, Lucas. Mayor Dempsey broke the tie by voting yes.

CONSENT AGENDA

JANUARY 25, 2010

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, in the County of Monmouth, New Jersey (not less than three (3) members thereof affirmatively concurring) as follows:

1. All bills or claims as reviewed and approved by the Law and Finance Committee and as set forth in the Resolution are hereby approved for payment.
2. The Mayor, Municipal Clerk and Chief Financial Officer are hereby authorized and directed to sign checks in payment of bills and claims which are hereby approved.

The computer print-out of the list of checks will be on file in the Clerk's office.

CURRENT FUND:	\$223,528.15
WATER/SEWER FUND:	345,896.10
BEACH FUND:	44,827.83
GENERAL CAPITAL FUND:	107,646.00
WATER/SEWER CAPITAL FUND:	
BEACH IMPROVEMENT FUND:	300.00

**BOROUGH OF MANASQUAN  
RESOLUTION NO. 17-2010**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN,  
COUNTY OF MONMOUTH, NEW JERSEY, APPOINTING BOARD MEMBERS TO  
THE SHORE COMMUNITY ALLIANCE COMMITTEE**

**WHEREAS**, the Boroughs of Brielle, Manasquan, Sea Girt and Spring Lake Heights participate in the shore Community Alliance to Prevent Alcoholism and Drug Abuse and;

**WHEREAS**, funding for the Shore Community Alliance comes, in part, from a grant provided by the County of Monmouth and the Governor's Council on Alcoholism and Drug Abuse and;

**WHEREAS**, in accordance with the grant requirements established by the Governor's Council on Alcoholism and Drug Abuse and the County of Monmouth, the Borough of Manasquan is required to appoint a Municipal Alliance Committee.

**NOW, THEREFORE BE IT RESOLVED** on the 25<sup>th</sup> day of January, 2010, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey that the following individuals be appointed to the Shore Community Alliance Committee for a term expiring December 31, 2010:

<b>Brielle:</b>	<b>Manasquan:</b>
Council Member Ann Scott	Council Member Edward Donovan
Ms. Marjorie Cho	David L. Roden
<b>Sea Girt:</b>	<b>Spring Lake Heights:</b>
Council Member Thomas Crawley	Eileen Eilenberger
Rosemary Poverman	

**BOROUGH OF MANASQUAN  
RESOLUTION NO. 18-2010**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN,  
COUNTY OF MONMOUTH, NEW JERSEY, SETTING THE COMPENSATION FOR  
THE SHORE COMMUNITY ALLIANCE INTERIM COORDINATOR AND  
CONSULTANTS**

**WHEREAS**, the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

**WHEREAS**, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

**WHEREAS**, the Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Monmouth; and

**WHEREAS**, the Shore Community Alliance has retained Kristen Meyler, Denise Wegeman, Bill Schroeter, Megan Winchester and Leah Morton; and

JANUARY 25, 2010

**NOW, THEREFORE BE IT RESOLVED** on the 25<sup>th</sup> day of January, 2010, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey that the Council does hereby authorize compensation for the period concluding December 31, 2010 as follows:

- |   |                  |
|---|------------------|
| 1. Interim Coordinator, Kristin Meyler                                    | \$70.00 per hour |
| 2. SHAPE and JCC Consultant,<br>Denise Wegeman                            | \$61.72 per hour |
| 3. BABES Consultants, Bill Schroeter,<br>Megan Winchester and Leah Morton | \$60.00 per hour |

**BOROUGH OF MANASQUAN  
RESOLUTION  
16-2010**

**BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the application of O'Neill's Bar-Grill & Guesthouse for an Amusement Game License to operate two amusement games at 390 E. Main Street, Manasquan, New Jersey for the year 2010 is hereby approved and accepted.

**BE IT FURTHER RESOLVED** that the Borough Clerk is instructed and authorized to issue a license, that is,

<u>NAME OF APPLICANT</u>	<u>ADDRESS OF PREMISE</u>	<u>TYPE OF GAMETO BE LICENSED</u>
O'Neill's Bar-Grill & Guesthouse	390 E. Main Street Manasquan, NJ 08736	Video Golden Tee
O'Neill's Bar-Grill & Guesthouse	390 E. Main Street Manasquan, NJ 08736	Two (2) Video Mega Touch

**BOROUGH OF MANASQUAN  
RESOLUTION NO. 19-2010**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN,  
COUNTY OF MONMOUTH, NEW JERSEY, APPOINTING TAX ASSESSOR AS AGENT  
IN TAX APPEALS**

**WHEREAS**, from time to time the Tax Assessor discovers an error in calculation, transposition, measurement or typographical errors in the tax assessments on the tax list after the time the County Board of Taxation has certified the rates for the tax year; and

**WHEREAS**, the Mayor and Council of the Taxing District of Manasquan is desirous that every taxpayer pays his fair share of taxes; and

**WHEREAS**, if the above discovered errors are not corrected, the taxpayers affected would not be paying their fair share of taxes; and

**WHEREAS**, the method for correcting such errors is to file a Petition of Appeal for the current tax year with the Monmouth County Board of Taxation.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Manasquan that Robyn Palughi, Tax Assessor, is hereby authorized to act as the Agent for the Taxing District and file a Petition of Appeal or Appeals for the year 2010 with the Monmouth County Board of taxation, to correct such assessments to the proper value and that a copy of any Petition of Appeal with the Monmouth County Board of Taxation under this Resolution is to be filed with the Borough Clerk.

**BE IT FURTHER RESOLVED**, that Robyn Palughi, Tax Assessor, is hereby authorized to execute stipulation of settlement of any tax appeal filed by the Taxing District or by a taxpayer for the tax year 2010; and

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution be forwarded to the Monmouth County Board of taxation with such Petition of Appeal.

Council Member Bossone made a motion to approve the consent agenda, seconded by Council Member Donovan. Motion carried by the following vote: "yes" Council Member Bossone, Connolly, Donovan, Grasso, Lee, Lucas. "No" none.

## APPROVAL OF MINUTES

Council Member Lee made a motion to approve the following minutes:

Work session meeting minutes of 12-21-09  
Regular meeting minutes of 12-21-09  
Special meeting minutes of 12-30-09  
Reorganization Meeting of 01-04-10

The motion was seconded by Council Member Lucas. Motion carried unanimously with the exception of Council Members Connolly and Grasso who abstained from voting on the December meeting minutes.

## COMMITTEE REPORTS

Law and Code Committee – Council Member Grasso related that following the recommendation of Mr. Neil Hamilton, Code and Building Department Supervisor the committee is reviewing the Borough's rentals, encroachments and construction fees. He related that Mr. Hamilton has found that Manasquan's fees are probably the lowest in the area. He related that a break down was done and is available for anyone to review.

Mayor Dempsey asked if Council Member Grasso noticed that many municipalities have a Tourism Tax.

Council Member Grasso related that they are recommending raising the fees a percentage this year then another percentage the following year. He related that the committee is recommending moving forward with the fees only and review the Tourism Tax the next time.

Mayor Dempsey related that the ordinance will be a two year ordinance; therefore, the consideration of a tourism tax will be in three years.

Council Member Grasso agreed unless another member of Council objects. He related that unless anyone objects, he believes the Borough should hold off for three years.

Administration and Finance Committee – Council Member Connolly announced that the Borough's budget meetings are held on Saturdays in January and that the public is invited to attend. She related that the public may make comments. She related that a budget meeting will be held on January 30<sup>th</sup> at 9:00 a.m. in Council Chambers.

Public Safety and Recycling Committee – Council Member Lucas had no report.

Public Property and Parks Committee – Council Member Lee thanked the Shade Tree Commission for attending the Squan Plaza Redesign meeting last week. He also thanked Council Member Donovan and Melillo & Bauer for their work on the project.

Beach Committee – Council Member Bossone had no report.

Public Works Committee – Council Member Donovan had no report.

## AUDIENCE PARTICIPATION

Lia Trench, 444 East Main Street asked what is a Tourism Tax.

Mayor Dempsey related that many municipalities charge an additional fee of \$75.00 in conjunction with a certificate of occupancy. He related that the Borough of Belmar and the Borough of Lake Como have a Tourism Tax. He related that he suggested charging a Tourism Tax but at a lower rate. He related that each landlord would pay a fee for each certificate of occupancy.

Mrs. Trench related that she is disappointed that the Mayor was not appointed to the SMRSA Board. She related that former Mayors Winterstella and Dunne both did an exceptional job serving on the Board and that she does not feel that an outsider will do as well. She related that she feels the Borough would be best represented by the Mayor or a member of the Governing Body if the Mayor were unable to.

JANUARY 25, 2010

Dick Meincke, 69 N. McClellan Ave related that according to his calculations a SMRSA Board member puts in less than 50 hours a year and they receive \$2,000 annually. He related that the idea of them receiving health care insurance is ludicrous to him. He related that several years ago, he asked you (the Mayor) to try to voice Manasquan's objection to providing health care insurance to part-time people, who make \$2,000 annually. He related that you (the Mayor) said that he would write a letter voicing that Manasquan's opinion is that those people should not get health care insurance. He related that he asked for this several times and was told, "I just didn't write the letter". He related that part-time workers should not receive health care insurance. He related that you (the Mayor) were the first one who stated in public that part-time workers should get health insurance coverage. He related that the Governing Body can inform the appointee that a condition of the appointment is that they don't take health insurance coverage because it is a part-time position.

Mayor Dempsey related that he doesn't recall Mr. Meincke asking him to write a letter and that it would have been Mayor Dunne.

Mr. Meincke related that he recalled that it was Mayor Dempsey and that his opinion was that they shouldn't be receiving health care insurance. He related that it should be a condition of the appointment since you people don't get health care insurance, they shouldn't either. He reiterated that a part-time worker who is getting paid \$2,000 shouldn't get health care insurance when it will cost between \$22,000 and \$25,000.

Mayor Dempsey related that SMRSA is a separate authority that the Governing Body does not have control of.

Mr. Meincke related that you are the people who appoint the person to the SMRSA and can make it a condition of the appointment.

Mayor Dempsey related that the Governing Body cannot dictate that.

Mr. Meincke said it could be a condition of the appointment.

The Borough Attorney related that the Governing Body cannot stop the appointee from accepting the health care insurance coverage.

Council Member Lucas related that it should be put on record that the Governing Body is concerned that the person appointed to the SRMSA Board will take the health care insurance coverage and that they should refrain from taking it.

Mr. Meincke reiterated his previous comments.

Christian Thompson, 68 Ocean Avenue and member of Boy Scout Troup #59 related that Main Street and Brielle Road have flooding issues during periods of rain and high tides. He asked what can be done about this problem.

Council Member Donovan related that the water table in that area is high and when there is an extreme high tide there is no where for the water to go. He related that the water sits on the road and the storm drains cannot clear it because they are full from the high tide. He related that it is a very difficult problem to solve. He related that the land is almost at sea level and when there is a high tide there is no where for the water to go.


Brian Wall, 69 Virginia Ave and member of Boy Scout Troop #59 related that as a 13 year old he would like to know why there is a need for him to pay for a beach badge if he cannot legally get a job. He related that my parents, who already pay taxes, have to buy a badge for him.

Council Member Bossone related that decision was made by a previous Council and that he also has to buy a badge for his 13 year old child. He related that it is included in the Borough ordinance.

Council Member Donovan made a motion to adjourn the regular meeting at 8:23 p.m., seconded by Council Member Lucas. Motion carried unanimously.

Respectfully submitted,

DATE APPROVED 2-8-10

  
Colleen Scimeca  
Municipal Clerk