

JULY 7, 2014

Regular Meeting of Mayor and Council was convened at 8:09 p.m. on July 7, 2014 in Council Chambers of Borough Hall with Mayor George Dempsey presiding.

Mayor Dempsey's statement re: Open Public Meetings Act of 1975 and that notice was given to the Coast Star and the Asbury Park Press on December 30, 2013.

Mayor Dempsey welcomed the audience and invited them to join in a moment of silent prayer and a salute to the Flag.

**ROLL CALL:** Present: Council Members Bossone, Sinneck, Donovan, Olivera, and McCarthy

Absent: Council Member Mangan

Also present was Borough Attorney Mark Kitrick, Borough Engineer James Priolo, and Borough Administrator/CFO Joseph DeIorio

## **PUBLIC HEARING**

### **NJ Dept. Environmental Protection Green Acres Program Hearing**

Mr. DeIorio stated that the Borough Engineer, Jim Priolo along with Kelsey Howard are present and they presented the Mallard Park Improvement Program to the governing body and to the public and as part of the financing of the project, besides grants, the Borough is also looking into the possibility to earn a low interest loan through Green Acres. He stated that the Borough submitted grant applications for this project under the Community Development Block Grant and the Borough will be submitting another one to Monmouth County in September for Open Space, FEMA through an alternate project work sheet process and will hopefully make the Borough available to approximately \$1 million for bulk heading improvements as it pertains to hazard mitigation. He stated that this is one piece of the puzzle that the Borough is trying to address in an attempt to fund this project with grants and with low interest financing if need be. He stated that tonight's purpose is to hold a public hearing for Green Acres purposes so that the Borough can proceed with the potential of securing funding from them.

Mr. Priolo stated that the reason for the hearing is for the Green Acres Application and that this is being put together seeking grant funds to do several projects. These projects would include fixing the bulkhead, fix Perrine Boulevard, ultimately upgrade the Marina and do various upgrades around Mallard Park. He stated that the green acres portion revolves around Mallard Park. He went over Mallard Park and how the project would upgrade and enhance the area.

Council Member Sinneck inquired about a section on Perrine Blvd. and what the symbols mean.

Mr. Priolo stated that the signs are used for an optional spray park, an optional gazebo, and the other shape is for seasonal or temporary restrooms if desired.

Council Member Donovan stated that the one pad would be for a facility similar to that at Brielle Road for the Comfort Station.

Council Member Donovan made motion to open the hearing to the public, seconded by Council Member McCarthy. Motion carried unanimously.

John Winterstella, 436 Cedar Avenue inquired about the gazebo being in the centerfield area and when the ball field was originally constructed, in cooperation with the High School, it was done on a joint bases so that they could use it and maintain the infield and use it for JV and Freshmen baseball. He stated that the kids can hit the ball into Perrine Blvd. and if there is a gazebo he is concerned that the ball could go right into it. He commented on the trees around Mallard Park and that they were planted within 5 to 6 feet of the curb not thinking there would ever be a sidewalk there and the trees on Cedar Avenue are surface roots. He stated that if a 3 foot sidewalk is put in that effectively 30% to 40% of the roots will be cut and he does not believe that they will live. He stated that the sidewalks should be eliminated and the nearest sidewalk to Mallard Park is about 2 ½ blocks away on Main Street. He also stated that most of the streets coming into Mallard Park do not have sidewalks and people would have to walk in the streets to get to Mallard Park. He stated that there are a couple of things that need to be looked at from an expenditure stand point. He showed a picture of the light pole on Perrine Blvd. which is directly behind his boat and it is starting to lean as a result of a very large sink hole that keeps occurring. He stated that if the pole falls he does not want to

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hear from our insurance carrier that it was an act of god because there are photos of the problem.

Gail Winterstella, 436 Cedar Avenue inquired about the holes along the docks and Perrine Blvd. and she voiced her concern of liability. She stated that if money is going to be spent on sidewalks, which no one is going to walk on, how about every high tide, every moon high tide when the dock boards come up and there are always two or three boards missing after every single full moon high tide. She stated that the proposed gazebo would be damaged in the first nor'easter during a full moon and will float away. She voiced her concerns on spending money on things that are not necessary until the things that are necessary are fixed.

Mayor Dempsey stated that the grant is going to be a combined grant for bulkhead and the park area.

Mr. DeLorio stated that what is being presented here is for consideration should funding become available. He stated that the improvement program is to address the immediate needs, the ball fields, drainage, accessibility, not only for handicapped individuals by their families.

Ms. Winterstella stated that the bulkhead is really important and she hopes that it is focused on.

Mr. DeLorio stated that the Borough submitted an alternate project through FEMA for the bulkhead.

Council Member Olivera stated that the concepts for this grant is tying the projects together and the driving force for this project is to try and get some money as quickly as possible for the bulkhead and the Mallard Park outfield. He stated that the number one discussion at the committee meetings is the bulkhead which would require a substantial amount of money to repair. He stated that the plan for the Borough is to get to the big capital project as quickly as possible.

Joanne VanStolk, 440 Cedar Avenue thanked the committee for coming out and doing all the parks and she hopes that when the time comes when the sidewalks are discussed again that the Borough talks to the neighbors and she believes that sidewalks in that area will not be used. She stated that a portion of the baseball field floods and she believes the gazebo will be vandalized. She thanked the council for looking into the bulkhead and it is a liability for the town.

Bob Grunder, 416 Perrine Blvd. asked if he could address Jim Priolo and wanted to know what his opinion is of the three parks that are directly across the street from it. The one that he is most particular about is the one that is on the west side of Perrine Blvd and South Potter. He wanted to know what Mr. Priolo's feeling is on the condition of the those parks and is he in favor of any upgrades.

Mayor Dempsey confirmed that this is the area that has the lift station on it.

There was discussion on Mr. Grunder's inquiry and if this area was to be included in the project.

Mr. DeLorio stated that this parcel is included as far as the accessibility through any type of path way or sidewalk or drainage.

Mayor Dempsey asked Mr. Grunder if all he is asking is if the area is going to be seeded.

Mr. Grunder stated that this is correct.

Mr. DeLorio stated that the plan was to keep it open.

Mr. Grunder agreed with other residents that the sidewalks are not necessary and that the parking is an issue on the weekends already and if this area is going to be made an inner city park then the Borough needs to look into parking in the area.

Marty McHugh, 96 Manito Road stated that he missed the presentation but he voiced his concerns with the infrastructure that can be damaged by storms and it is not a good idea.

Randi Quilici, 129 Glimmer Glass Circle stated she is not in favor of sidewalks and that there is no one there at night and the porta johns that were left there after a race knocked all of them down. She stated that she is concerned with all the kids coming at night vandalizing the area.

John Winterstella, 436 Cedar Avenue stated that a fund was created many years ago and the money from

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the dockage fees was put in it. He stated that in 1995 or 1996 the money was used to resurface the entire bulkhead, recap it, replace some dead heads, and do some other work. He stated that the current fees collected should be put into a fund to be used for the docks to cover the bond amounts. He also stated that the bulkhead cannot wait any longer and there needs to be a timeline for the project whether there is funding or not.

Council Member Donovan made a motion to close the public hearing, seconded by Council Member McCarthy. Motion carried unanimously.

Council Member Olivera made a motion to proceed with the application for this project, seconded by Council Member Donovan. Motion carried by the following vote: "yes" Council Member Bossone, Donovan, Olivera, and McCarthy. "No" Council Member Sinneck.

## **CONSENT AGENDA**

### **RESOLUTION 215-2014**

#### **Governor's Council on Alcoholism and Drug Abuse Fiscal Grant Extension July 2014 to June 2019**

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, 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 therefore has an established municipal Alliance Committee; 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

**NOW, THEREFORE, BE IT RESOLVED** that the Borough of Manasquan, County of Monmouth, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Manasquan Municipal Alliance grant for the fiscal year 2014 in the amount of:

DEDR	\$ 49,072
Cash Match	\$ 12,268
In-Kind	\$ 36,804

2. The Borough Council acknowledges the terms and conditions of administering the Municipal Alliance grant, including the administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

### **RESOLUTION 216 -2014**

**BE IT RESOLVED** by the Council of the Borough of Manasquan, County of Monmouth, State of New Jersey are desirous of canceling outdated refund checks from June 13, 2013, December 4, 2013 and December 18, 2013 totaling \$16.00.

**NOW THEREFORE**, be it resolved that the following amount is canceled and returned to the appropriate fund;

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**COURT FUND: Bail Account #196000584**

<u>DATE</u>	<u>CHECK</u>	<u>AMOUNT</u>
06/18/2013	#4029	\$4.00
12/04/2013	#4115	\$11.00
12/18/2013	#4126	\$1.00

TOTAL \$16.00

**RESOLUTION  
217-2014**

**BE IT RESOLVED** by the Council of the Borough of Manasquan, County of Monmouth, State of New Jersey are desirous of canceling two (2) outdated refund checks dated August 8, 2013 totaling \$10.00.

**NOW THEREFORE**, be it resolved that the following amounts are canceled and returned to the appropriate fund:

**COURT FUND: Regular Account #196000576**

<u>DATE</u>	<u>CHECK #</u>	<u>AMOUNT</u>
08/08/2013	#2693	\$9.00
08/08/2013	#2694	\$1.00

TOTAL \$10.00

**RESOLUTION  
218-2014**

**WHEREAS**, Senate Bill No. 2171/Assembly Bill No. 1596 would authorize any county of the fifth or sixth class (Atlantic, Cape May, Monmouth and Ocean Counties) to assume complete responsibility for the operation and control of the beaches that border the Atlantic Ocean within the county by ordinance or resolution; and

**WHEREAS**, shore communities have a long standing tradition of providing for the public health, safety and welfare of beach goers in their communities; and

**WHEREAS**, shore communities have the ability to provide a seashore experience in keeping with the lifestyle and character of its own design; and

**WHEREAS**, the communities have had ability to sell beach badges since the 1950s; and

**WHEREAS**, revenues from beach badges sales have been dedicated to the cleaning and maintaining of beaches and public restrooms along with the provision of seasonal lifeguards and law enforcement ; and

**WHEREAS**, seasonal beach operations provide jobs for high school and college students and senior citizens in the community; and

**WHEREAS**, beach badge fees are user fees created to offset the cost directly to the taxpayers and are enforced during seasonal beach-going hours only, all other times beaches are 100% free; and

**WHEREAS**, the Borough of Manasquan has been a leader in creating an handicap accessible beach for the disabled; and,

**WHEREAS**, Manasquan allows for free or reduced beach badges for active members of the Armed Forces and Senior Citizens and the Disabled; and

**WHEREAS**, Federal beach re-nourishment is primarily a means of protection through dune stabilization to local homes and businesses from storm surges; and

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**WHEREAS**, the proposed legislation does not consider the tax impact to shore communities if beach badge revenues are lost; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Manasquan strongly oppose any legislation that would regionalize the provision of beach management and operations while putting the burden of beach public health, safety and welfare onto the taxpayers of all the municipalities.

**BE IT FURTHER RESOLVED** that certified copies of this Resolution shall be forwarded to Governor Chris Christie, the President of the New Jersey State Senate, the Speaker of the New Jersey General Assembly, the members of the Monmouth County Legislative Delegation, the sponsors of the aforesaid bill, all County Board of Chosen Freeholders and the Mayors of all Monmouth County municipalities.

**RESOLUTION  
219-2014**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Manasquan that Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, be and is hereby authorized to sign the following Service Agreement commencing from June 1, 2014 through May 31, 2015:

HVAC Service Agreement	Four Point Refrigeration Co. Inc 3140 Route 88 Point Pleasant, NJ 08799
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**RESOLUTION  
220-2014**

**BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey confirms the appointment of Laura Engler, 80 S. Farragut Avenue, Manasquan, New Jersey from provisional to permanent Part Time Keyboarding Clerk 1 in the Department of Public Works as of July 8, 2014. No salary change. The appointee has met all the necessary requirements and evaluations for the position of Part Time Keyboarding Clerk 1.

**RESOLUTION  
221-2014**

**BE IT RESOLVED** by the Council of the Borough of Manasquan that:

**WHEREAS**, refunds for Tax Title Lien Redemptions for the following properties are due on the below described property in the amount designated as follows:

BLOCK: 35 LOT: 21 NAME: Paccione, Aimee & Joseph

PROPERTY LOCATION: 35-35 ½ Broad St

AMOUNT: \$3,542.13

REASON FOR REFUND: Redemption of TTL #11-00162

REFUND CHECK TO BE MADE PAYABLE TO:

FNA JERSEY LIEN SERVICES, LLC  
P.O. BOX 1030  
BRICK NJ 08723-1030

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**WHEREAS**, the Tax Collector has certified that the current lien holder is entitled to the refund.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Chief Financial Officer is hereby authorized and directed to draw a warrant in the said amount to the above listed property with said warrant to be charged against the General Ledger.

**RESOLUTION  
222-2014**

**BE IT RESOLVED** by the Council of the Borough of Manasquan that:

**WHEREAS**, refunds for Tax Title Lien Redemptions for the following properties are due on the below described property in the amount designated as follows:

BLOCK: 35 LOT: 21 NAME: Paccione, Aimee & Joseph

PROPERTY LOCATION: 35-35 ½ Broad St

AMOUNT: \$350.00

REASON FOR REFUND: Return of Premium Paid at Tax Sale  
Re: Redemption TTL #11-00162

REFUND CHECK TO BE MADE PAYABLE TO:

FNA JERSEY LIEN SERVICES, LLC  
P.O. BOX 1030  
BRICK NJ 08723-1030

**WHEREAS**, the Tax Collector has certified that the current lien holder is entitled to the refund.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Chief Financial Officer is hereby authorized and directed to draw a warrant in the said amount to the above listed property with said warrant to be charged against the General Ledger.

**RESOLUTION  
223-2014**

**BE IT RESOLVED** by the Council of the Borough of Manasquan that:

**WHEREAS**, refunds for Tax Title Lien Redemptions for the following properties are due on the below described property in the amount designated as follows:

BLOCK: 177 LOT: 11 NAME: Calabrese, Mark & Patti

PROPERTY LOCATION: 236-236 ½ Third Avenue

AMOUNT: \$10,626.44

REASON FOR REFUND: Redemption of TTL #12-00170

REFUND CHECK TO BE MADE PAYABLE TO:

STUART LASHER  
PO BOX 83  
MILLTOWN NJ 08723-0083

**WHEREAS**, the Tax Collector has certified that the current lien holder is entitled to the refund.

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**NOW, THEREFORE, BE IT RESOLVED** that the Borough Chief Financial Officer is hereby authorized and directed to draw a warrant in the said amount to the above listed property with said warrant to be charged against the General Ledger.

**RESOLUTION  
224-2014**

**BE IT RESOLVED** by the Council of the Borough of Manasquan that:

**WHEREAS**, refunds for Tax Title Lien Redemptions for the following properties are due on the below described property in the amount designated as follows:

BLOCK: 177 LOT: 11      NAME: Calabrese, Mark & Patti

PROPERTY LOCATION:    236-236 ½ Third Avenue

AMOUNT:                      \$1,200.00

REASON FOR REFUND:    Return of Premium Paid at Tax Sale Re:  
Redemption of TTL #12-00170

REFUND CHECK TO BE MADE PAYABLE TO:

STUART LASHER  
PO BOX 83  
MILLTOWN NJ 08723-0083

**WHEREAS**, the Tax Collector has certified that the current lien holder is entitled to the refund.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Chief Financial Officer is hereby authorized and directed to draw a warrant in the said amount to the above listed property with said warrant to be charged against the General Ledger.

**RESOLUTION  
225-2014**

**BE IT RESOLVED** by the Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that:

**WHEREAS**, a refund of monies is due to the following:

NAME: JOHN BOYLE  
260 PINE AVE  
MANASQUAN, NJ 08736

AMOUNT OF REFUND DUE:    \$280.00

REASON FOR REFUND:    REFUND OF BUILDING PERMIT FEES --  
EXEMPT VOLUNTEER

**NOW, THEREFORE, BE IT RESOLVED** that the Chief Financial Officer is hereby authorized and directed to draw a warrant in the said amount to the above listed refunds with said warrant to be charged against the General Ledger.

**RESOLUTION  
226-2014**

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**APPROVING TAXI / AUTOCAB OWNERS LICENSES AND TAXI /  
AUTOCAB OPERATORS LICENSES PURSUANT TO MANASQUAN  
BOROUGH ORDINANCE 4-16**

**WHEREAS**, pursuant to Manasquan Borough Ordinance 4-16 entitled "An ordinance providing for the registration and regulation of taxis, autocabs and other vehicles engaged in the business of carrying passengers for hire, and the owners and drivers thereof and the business of operating taxis, fixing license fees and providing for penalties for the violation thereof"; and

**WHEREAS**, Section 5 of said ordinance allows for the issuance of these licenses by the Mayor and Council upon notification from the Borough Clerk of the satisfactory fulfillment of the licensing requirements; and

**WHEREAS**, the Borough Clerk has notified the Mayor and Council that the licensing requirements have been satisfactorily fulfilled by a number of applicants; and

**WHEREAS**, the Mayor and Council hereby approve the issuance of licenses for the following:

**B) Operators:**

- 1) Brent Peterson - Leon's
- 2) Robert Freeman - Shoreway Taxi
- 3) Robert Freeman - Mr. Taxi
- 4) Leeann Pearce - Squan Taxi
- 5) Shahzad Ashraf - Kahn Transportation

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 7<sup>th</sup> day of July, 2014, as follows:

1. The Borough Clerk has notified the Mayor and Council that all licensing requirements have been satisfactorily fulfilled pursuant to Section 5 of Borough Ordinance 4-16.

**RESOLUTION  
227-2014**

**RESOLUTION OF THE BOROUGH OF MANASQUAN PETITIONING THE STATE  
LEGISLATURE TO ADOPT LEGISLATION BANNING THE SUBDIVISION OF UNDERSIZED  
LOTS BY THE CREATION OF A CONDOMINIUM FORM OF OWNERSHIP OF THE SAME**

**WHEREAS**, the Borough of Manasquan is primarily a single family zoning community; and

**WHEREAS**, while most lots in Manasquan contain one house, as permitted by traditional single family zoning, Borough of Manasquan also does have a number of lots with front and back houses on single lot, many of which are converted from rear garages; and

**WHEREAS**, the typical 2-house situation is grandfathered as pre-existing nonconforming use, remaining as a legal use until destroyed or abandoned; and

**WHEREAS**, the typical 2-dwelling lots are usually far undersized, and they cannot be subdivided into 2 separate lots under Municipal Land Use Law without formal subdivision approval by the municipal land use board; and

**WHEREAS**, the prohibition against subdivision has been subverted by the recent practice of converting ownership of the property into a "condominium," whereby exclusive use of the front house area (including land) is separated from the exclusive use of the rear house; area

**WHEREAS**, some of these "condominium-ized" homeowners believe that they own separate parcels, and have fences in their properties protecting it for their own exclusive use-some even going as far



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as a fence to the curb cuts and parking areas so that they do not have access to required off-street parking; and

**WHEREAS**, what results from a de facto subdivision by conversion to a condominium form of ownership of separate houses and land on a single lot is that unsuspecting purchases of part of the property are stuck with inability to expand or improve their share of the nonconforming dwelling under the Land Use Law, also leaving victimized homeowners bitter that the law does not permit them the same rights to improve as other single family homeowners have; and

**WHEREAS**, in particular in the Borough of Manasquan, which was badly damaged by Super Storm Sandy, the rear second homes have been extremely limited in their ability to reconstruct that the storm has taken away; and

**WHEREAS**, this problem is not unique to Manasquan, but it is evident across many residential shore towns, and other long-established residential communities with detached garages converted to second residences; and

**WHEREAS**, what is needed is some legislation to prevent a de facto subdivision by creating a condominium form of ownership, separating the ownership of 2 houses on 1 lot; either by banning the condominium form of ownership of 2 or more buildings on a single lot zoned for single family residences, or by amending the definition of "subdivision" under the Municipal Land Use Law to include the division of ownership of buildings and land on a single lot by creating condominium ownership; and

**NOW THEREFORE BE IT RESOLVED**, by the Borough of Manasquan, of the County of Monmouth, State of New Jersey, that the New Jersey State Legislature is hereby petitioned to adopt legislation to prevent virtual de facto subdivisions of non-conforming lots and uses by creating condominium form of ownership of the same, fixing this loophole in the law to protect municipalities and citizens of the State of New Jersey.

**BE IT FURTHER RESOLVED** that certified copies of this Resolution shall be forwarded to all District 30 Legislators, and all municipalities that are similarly situated.

**RESOLUTION  
228-2014**

**BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough of Manasquan retains the services of Maser Consulting, 331 Newman Springs Roads Suite 203, Red Bank, New Jersey 07701, for purposes of the Manasquan Pump Station Elevation Project as follows:

- Task 1.0 Construction Plans, Contract Documents, and Bid Support \$6,250.00
- Task 2.0 Construction Administration and Construction Observation \$6,950.00

for a total amount not to exceed \$13,200.00 for the service outlined in a proposal dated June 25, 2014.

**AND BE IT FURTHER RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the borough authorizes Task 1.0 with the provision that each subsequent task shall require additional authorization subject to the recommendation of the Governing Body.

**RESOLUTION  
229-2014**

**BE IT RESOLVED** by the Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that:

**WHEREAS**, a refund of monies is due to the following:

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NAME: GEORGE MC MANUS  
5 PICKELL ALLEY  
MANASQUAN, NJ 08736

AMOUNT OF REFUND DUE: \$720.00

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND  
169.05/55

**NOW, THEREFORE, BE IT RESOLVED** that the Chief Financial Officer is hereby authorized and directed to draw a warrant in the said amount to the above listed refunds with said warrant to be charged against the General Ledger.

**RESOLUTION  
230-2014**

**BE IT RESOLVED** by the Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that:

**WHEREAS**, a refund of monies is due to the following:

NAME: KATHLEEN KELLY  
163 MC LEAN AVE  
MANASQUAN, NJ 08736

AMOUNT OF REFUND DUE: \$1,287.32

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND  
BLK 158 LOT 11

**NOW, THEREFORE, BE IT RESOLVED** that the Chief Financial Officer is hereby authorized and directed to draw a warrant in the said amount to the above listed refunds with said warrant to be charged against the General Ledger.

**RESOLUTION  
231-2014**

**STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
GREEN ACRES ENABLING RESOLUTION**

**WHEREAS**, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

**WHEREAS**, the Borough of Manasquan desires to further the public interest by obtaining funding in the amount of \$897,333 from the State to fund the following project(s): improvement of recreational facilities at Mallard Park at a cost of \$897,333;

**NOW, THEREFORE**, the governing body/board resolves that Joseph DeIorio or the successor to the office of Borough Administrator is hereby authorized to:

- (a) make application for such a loan and/or such a grant,
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent of the above named applicant; and

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**WHEREAS**, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

**WHEREAS**, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

**NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE** Council of the Borough of Manasquan

1. That the Borough Administrator of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as Mallard Park Improvements;
2. N/A. Applicant is eligible for loan funding;
3. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
4. That this resolution shall take effect immediately.

**RESOLUTION**

**232-2014**

**WHEREAS**, the Borough of Manasquan is desirous of appointing Seasonal Beach Employees for the Summer Season of 2014; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 7<sup>th</sup> day of July, 2014 appoint the following Seasonal Beach Employees to work during the Summer Season, 2014:

Junior Guard Instructors:	Address	Hourly Rate
Robert Butler	355 E. Virginia Ave., Manasquan	\$12.00
Kelly Degnan	1010 Sunset Dr. Brielle	\$11.00
Daniel Hermo	30 Ocean Ave. Manasquan	\$9.00
Matthew Jordan	2114 Riviera Pkwy. P. Pleasant	\$12.00
Michael Jordan	324 Sudbury Rd. P. Pleasant	\$12.00
Andrew Robinson	22 Mill Rd. Manalapan	\$12.00

**RESOLUTION**

**233-2014**

**BE IT RESOLVED** by the Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that:

**WHEREAS**, a refund of monies are due to the following:

NAME: RICHARD D. TRENK  
10 WEST ROAD  
WEST ORANGE, NJ 07052  
SO#133/13-10 SIMS AVE

AMOUNT OF REFUND DUE: \$500.00

NAME: FREDERIC DAVIES  
20 DARIEN DR  
WEST LONG BRACH, NJ 07764-1217  
SO#115/13-20 NORTH POTTER AVE

AMOUNT OF REFUND DUE: \$500.00

NAME: NANCY A BRUBAKER  
44 TOTTEN DR  
BRIDEWATER, NJ 08807-2368

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SO#97/13-291 FIRST AVE

AMOUNT OF REFUND DUE: \$500.00

NAME: GEE LLC  
PO BOX 447  
BRIELLE, NJ 08730  
SO#78/13-201 BEACHFRONT-GEE GEE'S

AMOUNT OF REFUND DUE: \$500.00

NAME: CHRISTOPHER RICE  
CHRISTINE S RICE  
61 COWART AVE  
MANASQUAN, NJ 08736  
SO#66/14-26 FLETCHER AVE

AMOUNT OF REFUND DUE: \$500.00

NAME: GEE LLC  
PO BOX 447  
BRIELLE, NJ 08730  
SO#25/14-201 BEACHFRONT GEE GEE'S

AMOUNT OF REFUND DUE: \$500.00

REASON FOR REFUND: STREET OPENING SECURITY DEPOSIT

**NOW, THEREFORE, BE IT RESOLVED** that the Chief Financial Officer is hereby authorized and directed to draw a warrant in the said amount to the above listed refunds with said warrant to be charged against the General Ledger.

**RESOLUTION  
234-2014**

**BE IT RESOLVED** by the Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that:

**WHEREAS**, a refund of monies is due to the following:

BOAT SLIP REFUND:

TO: Jason Lang  
1111 W. Chicago Blvd  
Wall, New Jersey 08750

AMOUNT OF REFUND DUE: \$669.00

REASON: Boat Lessee paid for their Boat Slip by the deadline and then downsized to smaller boat slip at a lower cost.

**NOW, THEREFORE, BE IT RESOLVED** that the Chief Financial Officer is hereby authorized and directed to draw a warrant in the said amount to the above with said warrant to be charged against the General Ledger.

**RESOLUTION  
235-2014**

**BE IT RESOLVED** that the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, has authorized that the pensionable base salaries of the below listed

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employees as a result of an executed agreements between Department Heads and the Borough of Manasquan the Borough of Manasquan and the Manasquan Municipal Workers Association for the years 2013-2016;

**Borough of Manasquan Department Heads**  
**Annual Pensionable Base Salaries**

	2013	2014	2015	2016
<b><u>Tax Collector</u></b>				
Val Bills	\$ 70,808.39	\$ 73,505.82 Split	\$ 73,406.46	\$ 74,657.05
<b><u>Police Chief</u></b>				
Elliot Correia	\$ 142,417.50	\$145,265.85	\$148,171.17	\$ 151,134.59
<b><u>Administrator/C FO</u></b>				
Joe DeIorio	\$ 127,500.00	\$ 130,050.00	\$ 132,651.00	\$ 135,304.02
<b><u>Court Administrator</u></b>				
Marie Higgins	\$ 80,192.05	\$ 81,795.89	\$ 83,431.81	\$ 85,100.45
<b><u>Borough Clerk</u></b>				
Barbara Ilaria	\$ 73,900.00	\$ 75,328.00	\$ 76,784.56	\$ 78,270.25
<b><u>Public Works Super. /Water Operator</u></b>				
Tom Nicastro	\$ 128,324.50	\$ 130,890.99	\$ 133,508.81	\$ 136,178.98
	10/1/2013- 9/30/2014	10/1/2014- 9/30/2015	10/1/2015- 9/30/2016	10/1/2016- 9/30/2017
<b><u>Beach Manager</u></b>				
Wally Wall	\$ 27,909.24	\$ 28,467.42	\$ 29,036.77	\$ 29,617.51

**Borough of Manasquan Office and Professional Employees International Union**  
**AFL-CIO Local 32**  
**Annual Pensionable Salaries wherever applicable**

	2013	2014	2015	2016
Michelle Abbot	Split \$28,722.33	Split \$35,972.67	\$ 37,362.80	\$38,110.06
Nancy Accavatti	Split \$38,930.37	\$43,267.82	\$44,133.18	\$45,015.84
Sharon Bogie	\$43,963.30	\$44,842.57	\$45,739.42	\$46,654.21
Yvonne Calabro *hired 4/22/14	N/A	Split \$16,506.85	\$25,500	\$26,010.00

JULY 7, 2014

<b>Helen Fitzsimmons</b>		<b>\$49,518.55</b>	<b>\$50,478.92</b>	<b>\$51,488.50</b>	<b>\$52,518.27</b>
<b>Richard Furey</b> *based on 3 days/week 4 hours/day		<b>\$18,595.59</b>	<b>\$18,967.50</b>	<b>\$19,346.85</b>	<b>\$19,733.79</b>
<b>Courtney Hogan</b>	<b>Split</b> <b>\$33,398.30</b>		<b>\$34,836.24</b>	<b>\$35,532.96</b>	<b>\$36,243.62</b>
<b>Anne Longendyck</b>	<b>Split</b> <b>\$40,085.16</b>		<b>\$40,972.22</b>	<b>\$41,791.66</b>	<b>\$42,627.49</b>
<b>Susan Maniscalco</b>		<b>\$41,369.99</b>	<b>\$42,137.40</b>	<b>\$42,920.14</b>	<b>\$43,718.54</b>
<b>Stephanie Miller</b>		<b>\$29,740.87</b>	<b>\$31,549.12</b>	<b>\$32,180.10</b>	<b>\$32,823.70</b>
<b>Vicki Moriarty</b> *hired 9/3/13	<b>N/A</b>		<b>\$25,500</b>	<b>\$26,010.00</b>	<b>\$26,530.20</b>
<b>Mary Salerno</b>		<b>\$29,432.87</b>	<b>Split</b> <b>\$30,201.85</b>	<b>\$30,916.40</b>	<b>\$31,534.73</b>
<b>Christine White</b> *resigned 2/21/14	<b>Split</b> <b>\$37,845.67</b>		<b>Split</b> <b>\$5374.39</b>	<b>N/A</b>	<b>N/A</b>
<b><u>Part Time/Hour</u></b>					
<b>Laura Engler *</b> hired 4/7/14	<b>N/A</b>		<b>\$12.00</b>	<b>\$12.24</b>	<b>\$12.49</b>
<b>Lynn Hubbard</b> *hired 7/15/13	<b>\$12.50</b>		<b>\$12.75</b>	<b>\$13.05</b>	<b>\$13.31</b>
<b>Charlie Wills</b>		<b>\$25.00</b>	<b>\$25.50</b>	<b>\$26.01</b>	<b>\$26.53</b>

**WHEREAS**, the schedule above reflects an increase on the base salary effective January 1 of each year as follows: for the calendar years of 2013 – 2%,  
2014 – 2%, 2015 – 2%, and 2016 – 2%, and;

**WHEREAS**, pensionable base salaries are defined as those regulated by the Public Employees Retirement System (PERS) of New Jersey and the Defined Contribution Retirement Program (DCRP) when applicable and;

**WHEREAS**, the pensionable base salaries above includes any additional stipends, longevity payments, etc., wherever applicable and stated in the Borough of Manasquan Office and Professional Employees International Union AFL-CIO Local 32 agreement for the years 2013 to 2016, Borough Ordinance, Resolutions or additional contracts amendments, and;

**BE IT FURTHER RESOLVED** that the Borough Clerk is authorized to notify the employees upon passage of this resolution.

**RESOLUTION  
236-2014**

**RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN  
APPROVED STATE CONTRACT VENDORS FOR CONTRACTING  
UNITS PURSUANT TO N.J.S.A. 40A:11-12a**

JULY 7, 2014

**WHEREAS**, the Borough of Manasquan, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

**WHEREAS**, the Borough of Manasquan has the need on a timely basis to purchase goods or services utilizing State contracts for the purpose of the acquisition of a 2013 Ford Explorer Police Explorer and 2014 Police Interceptor Utility All Wheel Drive Vehicle; and

**WHEREAS**, the Borough of Manasquan intends to enter into contracts with: CHERRY HILL WINNER FORD, located at 250 Berlin Road, Cherry Hill, NJ 08034 through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

**NOW THEREFORE BE IT RESOLVED**, that the Borough of Manasquan authorizes the Purchasing Agent to purchase certain goods or services from said contractor by approved New Jersey State Contract #T-2776/82925 pursuant to all conditions of the individual State contracts, in the amount of \$31,718 and \$28,884 respectively; and

**BE IT FURTHER RESOLVED**, that the governing body of the Borough of Manasquan pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

**RESOLUTION  
237-2014**

**WHEREAS**, N.J.S.A. 40A:11-5 (1) (a) (1) permits the governing body to award a professional services contract without publicly advertising for bids and bidding therefore; and

**WHEREAS**, the Borough of Manasquan Water Operator has recommended the retention of professional services for the installation, update and maintenance of a SCADA system for the water plant operations; and

**WHEREAS**, the borough council has determined to provide the need to acquire these professional services as a non-fair and open contract pursuant to the provisions of N. J. S. A. 19:44A-20.5; and

**WHEREAS**, the anticipated term of this is for the calendar year 2014 on as needed basis; and

**WHEREAS**, the following consultant will provide professional service based on their 2014 man hour rate schedule for 2014 attached to this resolution:

Morehouse Engineering, Inc.  
43 Railroad Place  
P.O. Box 205  
Hopewell, NJ 08525

These appointments are made pursuant to N. J. S. 2B:12-1 et seq.

**WHEREAS**, a certification as to the availability of funds executed by the chief financial officer is attached to this resolution pursuant to the provisions of N. J. A. C. 5:30-5-4;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 7<sup>th</sup> day of July, 2014 as follows:

1. The Mayor and Council hereby appoint said professional service at the rate set

JULY 7, 2014

forth above.

2. The Council authorizes the Mayor to sign the contract for services with Morehouse Engineering Inc.
3. A certified copy of this resolution shall be sent to the professionals included in this resolution.

**RESOLUTION  
238-2014**

**WHEREAS**, N.J.S.A. 40A:11-5 (1) (a) (1) permits the governing body to award a professional services contract without publicly advertising for bids and bidding therefore; and

**WHEREAS**, the borough council has determined that there is a need for professional services in the aftermath of Super Storm Sandy to as it pertains to tax assessment on site field services and related activity to assure proper assessment of post storm recovery activity; and

**WHEREAS**, the borough council has determined to provide the need to acquire these professional services as a non-fair and open contract pursuant to the provisions of N. J. S. A. 19:44A-20.5; and

**WHEREAS**, the anticipated term of this is for the calendar year 2014 on as needed basis; and

**WHEREAS**, the following consultant will provide consulting service at a rate of \$25.00 per hour:

**JANE P. CASAGRANDE, CTA**  
2005 Wall Church Road  
Wall Township, NJ 07719

These appointments are made pursuant to N. J. S. 2B:12-1 et seq.

**WHEREAS**, a certification as to the availability of funds executed by the chief financial officer is attached to this resolution pursuant to the provisions of N. J. A. C. 5:30-5-4;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 7<sup>th</sup> day of July, 2014 as follows:

4. The Mayor and Council hereby appoint said professional service at the rate set forth above.
5. The Council authorizes the CFO to execute an agreement via purchase order or other means pursuant to the Local Public Contracts Law NJSA 40A:11
6. A certified copy of this resolution shall be sent to the professionals included in this resolution.



241-2014  
**RESOLUTION**

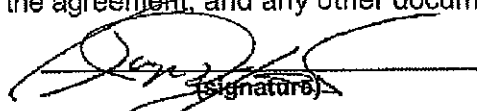
Whereas, the Borough of Manasquan  
(formal name of organization)  
desires to apply for and obtain a grant from the New Jersey Department of Community Affairs  
for approximately \$ 20,000 to carry out a project to \_\_\_\_\_  
(dollar amount of request)  
integrate individuals with disabilities into the youth soccer, basketball,  
(briefly describe the project)  
baseball/softball, swimming and surfing programs

**Be it therefore RESOLVED,**

- 1) that the Borough of Manasquan  
(formal name of organization)  
does hereby authorize the application for such a grant; and,  
2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore,  
upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does  
further authorize the execution of any such grant agreement; and also, upon receipt of the fully  
executed agreement from the Department, does further authorize the expenditure of funds pursuant  
to the terms of the agreement between

Borough of Manasquan  
(formal name of organization)  
and the New Jersey Department of Community Affairs.

**Be it further RESOLVED,** that the persons whose names, titles, and signatures appear below are  
authorized to sign the application, and that they or their successors in said titles are authorized to  
sign the agreement, and any other documents necessary in connection therewith:


  
(signature)  
Joseph DeIorio  
(type or print name)  
Borough Administrator  
(title)

\_\_\_\_\_  
(signature)  
\_\_\_\_\_  
(type or print name)  
\_\_\_\_\_  
(title)

**CERTIFICATION:**

I, Barbara Ilaria, the Municipal Clerk  
(name of Board Secretary / Government Clerk) (title of position - Board Secretary or Government Clerk)  
of Borough of Manasquan  
(formal name of organization)  
hereby certify that at a meeting of the Board of Directors / Governing Body held on July 7, 2014  
(meeting date)  
the above **RESOLUTION** was duly adopted.

AFFIX GOV'T,  
CORPORATE OR  
NOTARY SEAL  
(12/03)

  
(Signature of Secretary of the Board of Directors or Government Clerk)

**RESOLUTION**  
**242-2014**

**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 Administration & Finance

JULY 7, 2014

Committee and as set forth in this 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	518,276.33
Water/Sewer Fund	330,939.78
Beach Fund	20,930.76
Recreation Bldg Trust	311.78
Recreation Commission Trust	2,408.45
General Capital Fund	9,057.40
Water/Sewer Capital Fund	16,097.30
Beach Capital Fund	23,106.46

Also, present in the Consent Agenda was resolution 239-2014 Capital Budget Amendment.

Council Member Sinneck made a motion to approve the Consent Agenda, seconded by Council Member Bossone. Motion carried by the following vote "yes" Council Member Bossone, Sinneck, Donovan, Olivera, and McCarthy, "no" none.

**RESOLUTION**  
**240-2014**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH  
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,  
AUTHORIZING THE PERSON TO PERSON TRANSFER OF  
PLENARY RETAIL DISTRIBUTION LICENSE NO. 1327-44-002-006  
TO COVER PREMISES AT -139 MAIN STREET, MANASQUAN, NEW  
JERSEY**

**WHEREAS**, application has been made to the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey by C. Jung, LLC, Regina Li, Managing member, for the person to person transfer of plenary retail distribution license no. 1327-44-002-006, Macs Pond Associates. Inc. operating as Manasquan Liquors at 139 Main Street, Manasquan, New Jersey; and

**WHEREAS**, the governing body makes the following findings with respect to the plenary retail consumption liquor license:

1. The submitted application is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and governmental laws and regulations of the Division of Alcoholic Beverage Control.

JULY 7, 2014

3. The applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and/or any additional financing obtained in the previous license term for use in the licensed business.

**WHEREAS**, C. Jung , LLC is adjudged to be entitled to a person to person transfer for the plenary retail distribution liquor license covering premises at 139 Main Street, Manasquan, New Jersey.

**NOW, THEREFORE BE IT RESOLVED** on the 7th day of July, 2014, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey, that the person to person transfer application of C. Jung, LLC is approved.

Council Member Sinneck made a motion to approve this resolution, seconded by Council Member Donovan. Motion carried by the following votes: "yes" Council Member Sinneck, Donovan, Olivera, and McCarthy. "No" none. Council Member Bossone abstained.

#### **ORDINANCES**

The Borough Attorney read the title of ordinance 2160-14 for first reading and introduction.

#### **ORDINANCE DESIGNATING PICKELL ALLEY AS A ONE STREET PURSUANT TO N.J.S.A.39:4**

Council Member McCarthy made a motion to introduce ordinance 2160-14, seconded by Council Member Olivera. Motion carried by the following vote: "yes" Council Member Bossone, Sinneck, Donovan, Olivera and McCarthy. "No" none.

The Borough Attorney read the title of ordinance 2161-14 for first reading and introduction.

#### **BOND ORDINANCE PROVIDING FOR THE ACQUISITION BY PURCHASE OF PUBLIC WORKS VEHICLES INCLUDING A DUMP TRUCK AND STAKE BODY LIFTGATE TRUCK AND OTHER RELATED PUBLIC WORKS EQUIPMENT IN THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$82,000 THEREFORE, AND AUTHORIZING THE ISSUANCE OF \$77,900 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.**

Council Member Donovan made a motion to introduce ordinance 2161-14, seconded by Council Member McCarthy. Motion carried by the following vote: "yes" Council Member Bossone, Sinneck, Donovan, Oliver and McCarthy. "No" none.

The Borough Attorney read the title of ordinance 2162-14 for first reading and introduction.

#### **ORDINANCE PROVIDING FOR THE ACQUISITION THROUGH PURCHASE OF A PUBLIC WORKS RIDING LAWMOWER AND RELATED ACCESSORIES IN THE BOROUGH OF MANASQUAN, MONMOUTH COUNTY, NEW JERSEY, APPROPRIATING \$10,000.00 THEREFORE AND AUTHORIZING THE USE OF CAPITAL IMPROVEMENT FUNDS OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION**

Council Member Bossone made a motion to introduce ordinance 2162-14, seconded by Council Member Donovan. Motion carried by the following vote: "yes" Council Member Bossone, Sinneck, Donovan, Olivera and McCarthy. "No" none.

The Borough Attorney read the title of ordinance 2163-14 for first reading and introduction

#### **BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION, RECONSTRUCTION AND/OR RESURFACING OF 3,000 LINEAR FEET OF**

JULY 7, 2014

**VARIOUS MUNICIPAL STREETS IN THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$300,000 THEREFORE, AND AUTHORIZING THE ISSUANCE OF \$285,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.**

Council Member Donovan made a motion to introduce ordinance 2163-14, seconded by Council Member McCarthy. Motion carried by the following vote: "yes" Council Member Bossone, Sinneck, Donovan, Oliver and McCarthy. "No" none.

The Borough Attorney read the title of ordinance 2164-14 for first reading and introduction

**BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION, RECONSTRUCTION AND/OR RESURFACING OF MUNICIPAL STREETS IN THE AREA KNOWN AS OLD SQUAN VILLAGE IN THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$210,000 THEREFORE, AND AUTHORIZING THE ISSUANCE OF \$199,500 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.**

Council Member Donovan made a motion to introduce ordinance 2164-14, seconded by Council Member McCarthy. Motion carried by the following vote: "yes" Council Member Bossone, Sinneck, Donovan, Oliver and McCarthy. "No" none.

The Borough Attorney read the title of ordinance 2165-14 for first reading and introduction

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION BY PURCHASE OF TECHNOLOGY IMPROVEMENT DEVICES INCLUDING BUT NOT LIMITED TO COMPUTERS AND VARIOUS UPGRADES, INCLUDING HARDWARE AND SOFTWARE, COPIERS, READERS, SCANNING AND PRINTING EQUIPMENT AND COMPUTER RELATED TECHNOLOGY EQUIPMENT, PHONE AND PUBLIC NOTIFICATION UPGRADES AND EQUIPMENT, POLICE IN-VEHICLE CAMERAS, MOBILE DATA TERMINALS, RADIO AND DISPATCH EQUIPMENT, PUBLIC WORKS, ADMINISTRATION, CLERK, FINANCE AND RELATED DEPARTMENT ELECTRONIC EQUIPMENT AND RELATED ACCESSORIES AND DEVICES IN THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$150,000 THEREFORE, AND AUTHORIZING THE ISSUANCE OF \$142,500 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.**

Council Member Olivera made a motion to introduce ordinance 2165-14, seconded by Council Member McCarthy. Motion carried by the following vote: "yes" Council Member Bossone, Sinneck, Donovan, Oliver and McCarthy. "No" none.

The Borough Attorney read the title of ordinance 2166-14 for first reading and introduction

**BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION, RECONSTRUCTION AND ELEVATION OF VARIOUS SEWAGE LIFT STATION IMPROVEMENTS ON SOUTH STREET, EAST VIRGINIA AVENUE AND BRIELLE ROAD AND OTHER RELATED ACCESSORIES IN THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$300,000 THEREFORE, AND AUTHORIZING THE ISSUANCE OF 300,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.**

Council Member Donovan made a motion to introduce ordinance 2166-14, seconded by Council Member Bossone. Motion carried by the following vote: "yes" Council Member Bossone, Sinneck, Donovan, Olivera and McCarthy. "No" none.

**APPROVAL OF MINUTES**

June 2, 2014 Work Session and Regular Meeting

JULY 7, 2014

Council Member Bossone made a motion to approve the minutes, seconded by Council Member McCarthy. Motion carried unanimously with Council Member Olivera abstaining.

## COMMITTEE REPORTS

Public Safety & Recycling – Council Member McCarthy reported on the number of summonses issued to date and advised they are up 18% from last year. He also reported that Detective Adam Pharo completed a Top Gun Advanced Narcotics Training which was sponsored by the NJ State Narcotics Commanders Association, NJ State Prosecutor's Association and NJ Attorney General's office.

Public Property & Parks Committee – Council Member Olivera reported that the Life Saving Station is being finalized with the alarm system and that he reached out to the preservation committee to set up a meeting to go over the renewal of the contract for the use of the building. He stated that he has approached the Shade Tree Commission regarding trees in the parks and there have been discussions on Skokos Park and Mallard Park. He advised that two picnic benches will be placed in Axel Carlson Park. He reported that the Tourism bike decorating contest and the parade went well. He complemented the Bossone Family and the Raffeto Family for their years of service to the community and they were honorees at the Fourth of July celebration.

Public Works Committee – Council Member Donovan reported that someone tried to steal one of the new Welcome to Manasquan signs and asked that if anyone sees any suspicious activity to please contact the police department. He advised that the old generator that was replaced at Borough Hall has been installed at the recycling center and is now the emergency generator for the Public Works Department. He welcomed Laura Engler to the department of public works as a permanent part-time employee and he thanked Sea Girt for allowing the Borough to use their hot boxes for black top.

Law and Code Committee – Council Member Sinneck reported that year to date 39 new home permits and 31 demolition permits have been issued and that there is a tremendous amount of building activity going on and that it is going to continue throughout the year. He reported that this month there were 50 building permits issued and that there have been 153 permits issued this month. He stated that the turnaround time on inspections has decreased which has improved from this time last year. He also reported on a meeting which included discussion of permitted hours of musical entertainment at the Beach House versus the musical entertainment at Leggett's. He stated that he reviewed the files for Leggett's and found that resolution 10-2002 authorized the construction of the outside patio area at Leggett's and that no amplified music is allowed in the outside patio after 11 p.m. and that after an inspection he learned that the music is shut off at 10 p.m. He reported that there have not been any complaints filed against Leggett's and that each license is customized to the situation and he believes that no action needs to be taken at this time.

Beach Committee – Council Member Bossone reported that the Junior Guard program is now in its second week and running smoothly. He also reported that the plaques were installed on the two swing sets that were donated. He advised that the beach is in full swing after the Fourth of July weekend and he went over the badges that were sold over the weekend and the amount of money collected so far.

## AUDIENCE PARTICIPATION

Council Member Sinneck made a motion to open the meeting to the public, seconded by Council Member McCarthy. Motion carried unanimously.

Sean Waltman, 408 First Avenue asked about the resolution on the extension of the surfing beach and he wanted to know if the Chief Lifeguard Harry Neil has the authority and direction to use is discretion as how Whiting II is to be operating on a daily basis.

Council Member Bossone stated that he does but it is not something that anyone can go up to him and ask to make this a bathing beach right now.

Mr. Waltman wanted to know the method for them to petition that.

Council Member Bossone stated that it is not something that will change often and as far as he is concerned it is a surfing beach.

JULY 7, 2014

**VARIOUS MUNICIPAL STREETS IN THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$300,000 THEREFORE, AND AUTHORIZING THE ISSUANCE OF \$285,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.**

Council Member Donovan made a motion to introduce ordinance 2163-14, seconded by Council Member McCarthy. Motion carried by the following vote: "yes" Council Member Bossone, Sinneck, Donovan, Oliver and McCarthy. "No" none.

The Borough Attorney read the title of ordinance 2164-14 for first reading and introduction

**BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION, RECONSTRUCTION AND/OR RESURFACING OF MUNICIPAL STREETS IN THE AREA KNOWN AS OLD SQUAN VILLAGE IN THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$210,000 THEREFORE, AND AUTHORIZING THE ISSUANCE OF \$199,500 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.**

Council Member Donovan made a motion to introduce ordinance 2164-14, seconded by Council Member McCarthy. Motion carried by the following vote: "yes" Council Member Bossone, Sinneck, Donovan, Oliver and McCarthy. "No" none.

The Borough Attorney read the title of ordinance 2165-14 for first reading and introduction

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION BY PURCHASE OF TECHNOLOGY IMPROVEMENT DEVICES INCLUDING BUT NOT LIMITED TO COMPUTERS AND VARIOUS UPGRADES, INCLUDING HARDWARE AND SOFTWARE, COPIERS, READERS, SCANNING AND PRINTING EQUIPMENT AND COMPUTER RELATED TECHNOLOGY EQUIPMENT, PHONE AND PUBLIC NOTIFICATION UPGRADES AND EQUIPMENT, POLICE IN-VEHICLE CAMERAS, MOBILE DATA TERMINALS, RADIO AND DISPATCH EQUIPMENT, PUBLIC WORKS, ADMINISTRATION, CLERK, FINANCE AND RELATED DEPARTMENT ELECTRONIC EQUIPMENT AND RELATED ACCESSORIES AND DEVICES IN THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$150,000 THEREFORE, AND AUTHORIZING THE ISSUANCE OF \$142,500 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.**

Council Member Olivera made a motion to introduce ordinance 2165-14, seconded by Council Member McCarthy. Motion carried by the following vote: "yes" Council Member Bossone, Sinneck, Donovan, Oliver and McCarthy. "No" none.

The Borough Attorney read the title of ordinance 2166-14 for first reading and introduction

**BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION, RECONSTRUCTION AND ELEVATION OF VARIOUS SEWAGE LIFT STATION IMPROVEMENTS ON SOUTH STREET, EAST VIRGINIA AVENUE AND BRIELLE ROAD AND OTHER RELATED ACCESSORIES IN THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$300,000 THEREFORE, AND AUTHORIZING THE ISSUANCE OF 300,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.**

Council Member Donovan made a motion to introduce ordinance 2166-14, seconded by Council Member Bossone. Motion carried by the following vote: "yes" Council Member Bossone, Sinneck, Donovan, Olivera and McCarthy. "No" none.

**APPROVAL OF MINUTES**

June 2, 2014 Work Session and Regular Meeting

JULY 7, 2014

Council Member Bossone made a motion to approve the minutes, seconded by Council Member McCarthy. Motion carried unanimously with Council Member Olivera abstaining.

## **COMMITTEE REPORTS**

Public Safety & Recycling – Council Member McCarthy reported on the number of summonses issued to date and advised they are up 18% from last year. He also reported that Detective Adam Pharo completed a Top Gun Advanced Narcotics Training which was sponsored by the NJ State Narcotics Commanders Association, NJ State Prosecutor's Association and NJ Attorney General's office.

Public Property & Parks Committee – Council Member Olivera reported that the Life Saving Station is being finalized with the alarm system and that he reached out to the preservation committee to set up a meeting to go over the renewal of the contract for the use of the building. He stated that he has approached the Shade Tree Commission regarding trees in the parks and there have been discussions on Skokos Park and Mallard Park. He advised that two picnic benches will be placed in Axel Carlson Park. He reported that the Tourism bike decorating contest and the parade went well. He complemented the Bossone Family and the Raffeto Family for their years of service to the community and they were honorees at the Fourth of July celebration.

Public Works Committee – Council Member Donovan reported that someone tried to steal one of the new Welcome to Manasquan signs and asked that if anyone sees any suspicious activity to please contact the police department. He advised that the old generator that was replaced at Borough Hall has been installed at the recycling center and is now the emergency generator for the Public Works Department. He welcomed Laura Engler to the department of public works as a permanent part-time employee and he thanked Sea Girt for allowing the Borough to use their hot boxes for black top.

Law and Code Committee – Council Member Sinneck reported that year to date 39 new home permits and 31 demolition permits have been issued and that there is a tremendous amount of building activity going on and that it is going to continue throughout the year. He reported that this month there were 50 building permits issued and that there have been 153 permits issued this month. He stated that the turnaround time on inspections has decreased which has improved from this time last year. He also reported on a meeting which included discussion of permitted hours of musical entertainment at the Beach House versus the musical entertainment at Leggett's. He stated that he reviewed the files for Leggett's and found that resolution 10-2002 authorized the construction of the outside patio area at Leggett's and that no amplified music is allowed in the outside patio after 11 p.m. and that after an inspection he learned that the music is shut off at 10 p.m. He reported that there have not been any complaints filed against Leggett's and that each license is customized to the situation and he believes that no action needs to be taken at this time.

Beach Committee – Council Member Bossone reported that the Junior Guard program is now in its second week and running smoothly. He also reported that the plaques were installed on the two swing sets that were donated. He advised that the beach is in full swing after the Fourth of July weekend and he went over the badges that were sold over the weekend and the amount of money collected so far.

## **AUDIENCE PARTICIPATION**

Council Member Sinneck made a motion to open the meeting to the public, seconded by Council Member McCarthy. Motion carried unanimously.

Sean Waltman, 408 First Avenue asked about the resolution on the extension of the surfing beach and he wanted to know if the Chief Lifeguard Harry Neil has the authority and direction to use his discretion as how Whiting II is to be operating on a daily basis.

Council Member Bossone stated that he does but it is not something that anyone can go up to him and ask to make this a bathing beach right now.

Mr. Waltman wanted to know the method for them to petition that.

Council Member Bossone stated that it is not something that will change often and as far as he is concerned it is a surfing beach.

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Mr. Waltman wanted to know that if no one is using it as a surfing beach and the families are being asked to move 100 yards north to swim with 2 lifeguards sitting there with no one surfing. He stated that he wants to find a compromise here between the surfers and the bathers.

Betsy Waltman, 408 First Avenue stated that she was in front of the council and Mayor Dempsey last year and she said she came from a family that started the surfing beach and that her family has always welcomed the surfers from the very beginning. She stated that this has been a family beach since the surfing beach and the fishermen shared the Inlet beach. She stated that last year Mayor Dempsey looked at her with a big smile and told her not to worry about that it's not going to happen.

Mayor Dempsey stated that it did not happen last year.

Ms. Waltman stated that she took this information back to her neighbors and told them not to worry about it and the town will keep the south end a family swimming beach. She stated that no one is using that beach for surfing. She voiced her concerns about the surfing beach being extended. She wanted to know why the families at the south end can't use that beach.

Council Member Bossone stated that a quick response to that if a kid that does not need big waves to surf and if he comes to the beach and finds that it is not a surf beach any more where does he go.

Ms. Waltman wanted to know why it couldn't be 50 yards not 100 yards.

Mayor Dempsey asked if the chief lifeguard could move the surfing beach down to 50 yards if there are only one or two surfers in that area.

Ms. Waltman voiced her concerns regarding the surfing beach and what the life guards can do.

There was discussion on the intent of the resolution and what is allowed per the resolution.

John Kelly, 427 Beachfront stated that he came to the meeting to support opposing of Senate Bill which would have allowed the beaches to be taken over by the County. He voiced his concerns and opinions on the surfing beach extension. He stated that at the last meeting he was told that it would be discretionary as to whether they would open that beach or not. He went over the amount of people he believes is on the beach during the week and using the surfing beach. He went over what he saw over the weekend with boogie boards and surfers. He stated that over 100 residents have approached him asking him what can be done and he is turning around and asking the council what can be done. He asked the council to look into moving the surfing beach to the north to average out the traffic and prevent any safety problems. He asked what action can be taken by the residents or if a petition needs to be submitted.

Mayor Dempsey stated that this would be the residents' decision as to what action they want to take.

There was discussion on the interpretation of the resolution and the discretion of the chief lifeguard to make a decision on when the beach should be for surfers or swimmers.

Mayor Dempsey stated that this resolution is only in affect to September 15, 2014 and then this can be looked at by council for next year.

Mr. Kelly stated that the homeowners were not included in the private discussions that took place with the surfers and there was no reach out to the families that have been coming there for 50 years. He stated that he would like the families to be involved in any future decisions on the extension of the surfing beach.

Mayor Dempsey stated that Mr. Kelly should wait until the beginning of the year as the beach committee will be different then this year and Mr. Kelly should re-visit this in the beginning of the year.

Council Member McCarthy reiterated that this resolution is only until September and that the one thing is that wherever the surfing beach is put someone was bound to get displaced and that is a reality. He stated that he understands Mr. Kelly's concerns and that he has his number and whenever this is discussed next year he will call Mr. Kelly.

Mr. Kelly went over where he believes the surfing beach should be and the population is less. He stated that he does not believe it is needed at all.



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Bob Grunder, 416 Perrine Blvd directed his comment and questions to Council Member Olivera and stated that he is appreciative that Council Member Olivera came out for the Parks Day to talk to the residents. He stated that on the list that he gave the council member was to have the street sweeper on Mondays go around the park and Perrine Blvd. to make sure that it is cleaned up. He stated that this was done in the past and it has not been done recently.

Council Member Olivera stated that he spoke to Tom Nicastro, Superintendent of Public Works and the person who drives the street sweeper and he was advised that it is in the rotation.

Mary Ryan, 113 Beachfront stated that she received several inquiries and comments from people about the situation at the new surfing beach. She stated that she advised them to contact council or to speak to other people and get together and contact the council. She stated that she feels a decision was made and it was not changeable at all in this period of time. She voiced her concerns and opinion on the extension of the surfing beach. She wanted to know if there is any way that the people in the town can petition to have the ordinance changed or modified.

Mayor Dempsey corrected Ms. Ryan by stating that it is not an ordinance it is a resolution which is only good for a year. He stated that Ms. Ryan can petition anything she wants or come to any council meeting.

Ms. Ryan asked if it is possible to have a petition.

Mayor Dempsey stated that she could have a petition but he does not know how council will react.

Ms. Ryan asked if a resolution can be changed and if that is policy.

Mayor Dempsey stated that it could be changed if council decides.

Ms. Ryan stated that she does not believe that it is unreasonable to ask people along the beach front in other locations to also move a little bit. She stated that she believes it is unfair that one area is the area that continues to be addressed.

Joanne VanStolk, 440 Cedar Avenue stated that there is a one way on Perrine Blvd. and more and more people are going the wrong way. She asked if more signs can be posted as a one way.

Council Member Donovan stated that he will have DPW put signs up.

Carol Wilkins Kirkman, 22 Willow Way thanked the council for the new water mains in her area. She stated the water was great until the hydrants were flushed and then the water has started to deteriorate again with a metallic odor. She voiced her concerns on the water issues in her home.

Carol Hoblitzell, 403 Beachfront voiced her concerns and opinion on the surfing beach and she stated that the resolution should be looked at again as there are safety issues for all.

Marty McHugh, 96 Manito Road made a proposal to the council for volleyball courts at the beach and he would teach young kids, free of charge, possibly on Recreation Beach. He stated that he would purchase the materials and install them wherever the council approves.

Mayor Dempsey stated Mr. McHugh should contact Joe Bossone and Recreation to coordinate the possibility.

Mr. McHugh stated that anyone could use it and he would donate the hardware and even Gee Gees league could use them.

Mr. Bossone stated that he would like to talk to the residents where the courts will go before any decision is made.

John Kelly, 427 Beachfront advised the council of his observations at the beach and stated that he would like the council to look at the resolution for the extension of the surfing beach.

Council Member Olivera made a motion to close the public portion, seconded by Council Member McCarthy. Motion carried unanimously.

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Council Member Donovan made a motion to close the regular meeting at 9:34 p.m. seconded by Council Member Sinneck. Motion carried unanimously.

Respectfully submitted,



Barbara J. Ilaria  
Municipal Clerk

**DATE APPROVED** 8-4-14