

FEBRUARY 2, 2015

Regular Meeting of Mayor and Council was convened at 8:16 p.m. on February 2, 2015 in Council Chambers of Borough Hall with Mayor Dempsey presiding.

Mayor Dempsey read the statement re: Open Public Meetings Act of 1975 and that notice was given to the Coast Star and the Asbury Park Press on December 18, 2014 and January 5, 2015.

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 Lee, Sinneck, Donovan, Mangan, Olivera and McCarthy.

Absent: None

Also present was Borough Attorney Mark Kitrick and Borough Administrator/CFO Joseph DeIorio

Council Member McCarthy amended the Agenda to grant conditional approval to Coastal Restaurant, LLC t/a Edgar's Pub to make modifications to the premises per Borough ordinance 6-3.3 and requiring them to come before the Mayor and Council for further approval once the Prerogative Writ decision is rendered in the Superior Court, seconded by Council Member Olivera. Motion carried unanimously.

Mr. Kitrick advised that there will be a resolution at the next meeting memorializing this action.

Council Member McCarthy made a motion to pull resolution 56-2015 from the Consent Agenda, seconded by Council Member Mangan. Motion carried unanimously.

#### **CONSENT AGENDA**

#### **RESOLUTION 44-2015**

**BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, that the application of Coastal Restaurant Group, LLC, d/b/a Edgar's Pub, for an Amusement Game License to operate an Amusement Game at 153 Sea Girt Avenue, Manasquan, New Jersey for the year 2015 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 TO BE LICENSED</u>	<u>TYPE OF GAME AND LICENSE</u>
Edgar's Pub	153 Sea Girt Avenue Manasquan, NJ 08736	Golden Tee Golf

#### **RESOLUTION 45-2015**

#### **RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, RELEASING A PERFORMANCE BOND POSTED BY 30 NORTH MAIN, LLC**

**WHEREAS**, 30 North Main posted a performance guarantee cash bond in the amount of \$10,021.05 and performance surety bond in the amount of \$90,189.45 with the Borough of Manasquan as a guarantee for site work for a project located at 30 North Main Street, also known as Block 32, Lot 1.01 in the Borough of Manasquan; and

**WHEREAS**, all conditions of the Engineering report dated December 17, 2014, shows that all bond requirements have been met and remain in a satisfactory condition; and

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**WHEREAS**, the governing body of the Borough of Manasquan is desirous of releasing the performance guarantee cash bond in the amount of \$10,021.05, interest of \$2.33 and performance surety bond in the amount of \$90,189.45 in accordance with the Municipal Land Use Law.

**NOW, THEREFORE BE IT RESOLVED** on the 2<sup>nd</sup> day of February, 2015, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. The performance guarantee cash bond in the amount of \$10,021.05, with interest of \$2.33 and performance surety in the amount of \$90,189.45 posted by 30 North Main, LLC. be released.
2. The Chief Financial Officer is authorized to return performance guarantee cash bond in the amount of \$10,021.05, with interest of \$2.33 and performance surety in the amount of \$90,189.45 to 30 North Main LLC.
3. A certified copy of this resolution shall be sent to:

30 North Main, LLC  
427 Essex Avenue  
Spring Lake, NJ 07762

**RESOLUTION  
46-2015**

**BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey, that Manasquan Hook and Ladder Company #1 has submitted the attached members that qualify under Ordinance 2005- 07 "Free Season Beach Badge and Parking Permit for Certain Members of the Volunteer Fire Companies". These Members responded to 20% or more of the calls of the Unit or are Life Members of Manasquan Hook and Ladder Company No. 1.

**RESOLUTION  
47-2015**

**BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey, that Manasquan Hook & Ladder, Company No.1 has submitted the attached members that qualify under Ordinance 2005-07 Section 7 for "Exemption from the Payment of Permit Fees" these Members responded to 20% or more of the calls of the Unit or are Life Members of the Manasquan Hook & Ladder Company #1.

**RESOLUTION  
48-2015**

**BE IT RESOLVED**, that Thomas Nicastro, Superintendent of Public Works, be and is hereby named the Safety Coordinator for the Borough of Manasquan for 2015.

**RESOLUTION  
49-2015**

**BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, Monmouth County, State of New Jersey, that the Mayor be authorized to sign Manasquan Shade Tree Commissions Community Forestry Management Plan. This plan covers the time period from 2014 through 2018.

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at the February 2, 2015 meeting.

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**RESOLUTION  
50-2015**

**WHEREAS**, the Governing Body of the Borough of Manasquan is interested in proceeding with the New Jersey Environmental Trust application for the following:

- Clean Water, Infrastructure Protection & Stormwater Conveyance Project
- Perrine Blvd & Mallard Park Area Water Main Extension & Infrastructure Protection Project
- Advanced Metering Infrastructure Project

**WHEREAS**, Maser Consulting has submitted an estimate of engineering costs; and

**WHEREAS**, the Governing Body is desirous of proceeding with the projects; and

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Manasquan authorizes Maser Consulting to proceed with the necessary professional services to submit the New Jersey Environmental Infrastructure Trust (NJEIT) application, and

**BE IT FURTHER RESOLVED** that funding is subject to the availability of funds through ordinance to be adopted or through the municipal budget.

**RESOLUTION  
51-2015**

**WHEREAS**, as a result of the Monmouth County Demonstration Program, the range of assessed property value to market values have decreased significantly; and

**WHEREAS**, it is in the best interest of the Borough of Manasquan to secure services for a borough-wide revaluation to effectively and efficiently comply with the rules for the Monmouth County Demonstration Program,

**NOW THEREFORE BE IT RESOLVED**, that the Borough of Manasquan authorizes the Tax Assessor and the Qualified Purchasing Agent (QPA) to prepare and advertise the necessary Request for Proposals (RFP) for tax assessment revaluation service under the provisions of the New Jersey Local Public Contracts Law 40 A: 11.

**RESOLUTION  
52 - 2015**

**BE IT RESOLVED** that the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, resolution 235-2014 dated July 7, 2014 has authorized that the pensionable base salary of the below listed employee as a result of an executed agreements between Department Heads and the Borough of Manasquan for the years 2013-2016;

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

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	2013	2014	2015	2016
<u>Code Department</u>				
<b>Frank DiRoma</b>	<b>\$ 63,000.00</b> 8/19/13 TO 8/18/14	<b>\$ 64,260.00</b> 8/19/14 TO 12/31/14	<b>\$ 65,545.20</b>	<b>\$ 66,856.10</b>

**WHEREAS**, the schedule above reflects an increase on the base salary of each year as follows:  
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;

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

**RESOLUTION  
53-2015**

**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: 147 LOT: 4.01 NAME: Calabrese, Mark & Patti**

**PROPERTY LOCATION: 428 Euclid Ave.**

**AMOUNT: \$883.76**

**REASON FOR REFUND: Redemption of TTL #13-00178**

**REFUND CHECK TO BE MADE PAYABLE TO:**

**US BANK CUST/FNA JERSEY BOI, LL  
50 S.16<sup>TH</sup> ST, SUITE 2050  
PHILADELPHIA, PA 19102**

**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  
54-2015**

**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: 147 LOT: 4.01 NAME: Calabrese, Mark & Patti**

**PROPERTY LOCATION: 428 Euclid Ave.**

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**AMOUNT: \$1300.00**

**REASON FOR REFUND: Return of Premium Paid at Tax Sale  
Redemption of TTL #13-00178**

**REFUND CHECK TO BE MADE PAYABLE TO:**

**US BANK CUST/FNA JERSEY BOI, LLC  
50 S 16<sup>TH</sup> STE 2050  
PHILADELPHIA, PA 19102**

**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  
55-2015**

**Governor's Council on Alcoholism and Drug Abuse  
Fiscal Grant Cycle July 2014 to June 2019  
Form 1B**

**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 Shore 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  
57-2015**

**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:

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1. All bills or claims as reviewed and approved by the Administration & Finance 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	\$3,843,452.52 (Includes \$1,384,669.15 County Taxes, \$2,095,838.66 School Taxes)
Water/Sewer Fund	\$ 15,652.19
Beach Fund	\$ 5,190.37
Recreation Commission Trust	\$ 1,373.00
Recreation Building Trust	\$ 430.44
General Capital Fund	\$ 46,456.00
Water/Sewer Capital Fund	\$ 435.00
Beach Capital Fund	\$ 0

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

Council Member Donovan made a motion to hold resolution 56-2015 for the next meeting, seconded by Council Member Lee. Motion carried unanimously.

#### **APPROVAL OF MINUTES**

Special Meeting Minutes – December 30, 2014 (absent Sinneck)

Council Member Donovan made a motion to approve the minutes, seconded by Council Member Mangan. Motion carried unanimously with Council Member Lee and Sinneck abstaining.

Reorganization Meeting Minutes – January 5, 2015 (absent Olivera)

Council Member Mangan made a motion to amend the minutes to show that OEM member for the First Aid should be Eric McLaughlin and Community Representative should be Peter Mayer and for Shade Tree Commission the liaison should be Council Member Olivera, seconded by Council Sinneck. Motion carried unanimously.

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

#### **COMMITTEE REPORTS**

Public Safety Committee – Council Member McCarthy stated that on behalf of the entire council their condolences go out to the Scimeca family on the passing of former Chief of Police Daniel Scimeca.

Recreation & Environment Committee– Council Member Olivera reported that he met with the new committee and the Borough Engineer to go over the Perrine Blvd. water main extension and the surrounding infrastructure project which the committee approved to bring forward to Council at a public meeting.

Administration & Finance Committee – Council Member Mangan stated that there are a few more budget dates and that some of the capital items were discussed at last Saturday's budget meeting and they will be following up on those items. He advised that the next meeting to discuss capital will be February 21, 2015 at the budget meeting. He reported on the finance office staffing issues and he thanked the staff for working through the staff shortage. He reported that the committee will be meeting to discuss some items

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regarding the Clerk's office which includes the updated fee schedule, personnel policy, new website, quarterly e-newsletter, and follow up on other items that the Clerk's office will be tackling in the spring.

Public Works & Grounds Committee – Council Member Donovan echoed Council Member McCarthy's sentiments about former Chief Scimeca. He also extended condolences to Jack Malone's family and stated that he was also a long time Borough employee and member of the police department for more than 20 years. He reported that public works is still picking up Christmas trees and the last day for pick up will be February 27. He thanked Manasquan residents for keeping their cars off the streets and removing all sports equipment during the last storm which allowed public works to complete snow removal safely and efficiently and in the event of further storms that are predicted in the future he is asking that the residents cooperate in the same manner. He also thanked Brielle public works for support efforts in removing the snow from Main Street business area.

Building, Planning & Zoning Committee – Council Member Sinneck reported that the zoning department issued a total of 21 permits this month and 7 of the permits were for house elevations, 6 property transfers in the month of January, 7 permits issued in the construction department and the work load trend seems to be heading down and thanked the staff for a job well done.

Beach Committee – Council Member Lee also echoed condolences to the Scimeca and Malone families. He reported that the beach committee was quiet and he thanked Council Member Donovan for serving on the Chamber as the liaison and Council Member Mangan for serving on Tourism as the liaison.

#### AUDIENCE PARTICIPATION

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

There being no comments from the audience Council Member Donovan made a motion to close the public portion, seconded by Council Member Sinneck. Motion carried unanimously.

Council Member Mangan made a motion to close the regular meeting at 8:30 p.m. seconded by Council Member Olivera. Motion carried unanimously.

Respectfully submitted,



Barbara J. Ilaria  
Municipal Clerk

DATE APPROVED 3-2-15