

FEBRUARY 17, 2015

Regular Meeting of Mayor and Council was convened at 8:16 p.m. on February 17, 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

CONSENT AGENDA

RESOLUTION 56-2015

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A LICENSE AGREEMENT BETWEEN THE MUNICIPALITY AND GEE GEE'S LLC. FOR PROPERTY IDENTIFIED ON THE MUNICIPAL TAX MAP AS BLOCK 170, LOT 1.04

WHEREAS, the Borough of Manasquan ("Manasquan") and Gee Gee's LLC. have agreed to enter a license agreement relating to property identified on the municipal tax map as Block 170, Lot 1.4 and designated in the license agreement as the "Site"; and

WHEREAS, the license agreement permits the Property Owners to an encroachment of 754 square feet on Borough of Manasquan property; and

WHEREAS, the license agreement is for one (1) year, commencing January, 2015 in the amount of \$2,268.00 and renewable at the sole discretion of the Borough of Manasquan; and

NOW, THEREFORE BE IT RESOLVED on the 17th 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 Mayor and Municipal Clerk are authorized and directed to execute the license agreement with Gee Gee's LLC. for the period commencing January 1, 2015 through December 31, 2015. A copy of the license agreement is attached to this resolution.
2. A certified copy of this resolution shall be sent to:

Gee Gee's LLC
Fred Bryant
94 McLean Avenue
Manasquan, NJ 08736

RESOLUTION 58-2015

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 providing preparation of

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bid documents, Construction Administration Services and inspection services for the Liquid Lime System Installation Project at the Borough of Manasquan Water Treatment Plant..

- Phase 1.0 Design Phase \$6,000.00
- Phase 2.0 Bidding Phase \$2,000.00
- Phase 3.0 Construction Phase \$10,000.00

for a total amount not to exceed \$18,000.00 for the service outlined in a proposal dated January 28, 2015.

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 Maser Consulting to proceed with the above proposal for the Liquid Lime System Installation Project.

RESOLUTION

59-2015

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: Mr. Robert Gallagher
247 – 93rd Street
Brooklyn, NY 11209-6805

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #17-2014

468 Euclid Avenue

BLOCK: 146 – LOT: 2

AMOUNT OF REFUND DUE: \$815.50

NAME: Dr. Maryanna Winston
258 Greenridge Road
Franklin Lakes, NJ 07417

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #02-2014

22 First Avenue

BLOCK: 165 – LOT: 4.01

AMOUNT OF REFUND DUE: \$499.64

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

60-2015

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey, that Manasquan Volunteer Engine Company No. 2 has submitted the attached members that qualify under Ordinance 2005-07 Section 7 for "Exemption from the Payment of Permit Fees" these

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Members responded to 20% or more of the calls of the Unit or are Life Members of Manasquan Volunteer Engine Company No.2.

**RESOLUTION
61-2015**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough of Manasquan authorize Paul Rabenda to have additional hours "as needed" for Plumbing Sub Code Official Inspection at a rate of \$35.00 with retroactive pay as of November 7, 2014.

**RESOLUTION
63-2015**

WHEREAS, Atlantic Resource Group, LLC, T/A Edgar's Pub secured preliminary and final site plan approval from the Borough of Manasquan Planning Board on June 17, 2014 for the construction of a new two story rear addition on the existing building footprint at 153 Sea Girt Avenue; and

WHEREAS, the Borough of Sea Girt has filed a Complaint in Lieu of Prerogative Writ with the Superior Court of New Jersey Law Division-Monmouth County naming the Borough of Manasquan Planning Board and Atlantic Resource Group, LLC as defendants and thus appealing the preliminary and final site plan approval; and

WHEREAS, Borough of Manasquan Code Chapter 6-3.3 requires all holders of a liquor license to receive consent of the Governing Body prior to any changes, modifications or alterations are made to the premises; and

WHEREAS, Atlantic Resource Group, LLC is a holder of a liquor license for the premises known as Edgar's Pub located at 153 Sea Girt Avenue; and

WHEREAS, the Governing Body grants Atlantic Resource Group, LLC conditional approval to make changes, modifications or alterations to the premises known as Edgar's Pub located at 153 Sea Girt Avenue; and

WHEREAS, Atlantic Resource Group, LLC and its principles as well as any and all contractors shall execute a hold harmless agreement prior to any construction/building permits being issued to those principles or contractors.

NOW THEREFORE BE IT RESOLVED Atlantic Resource Group, LLC and any of its representatives shall appear before the Mayor and Council at its regular meeting of March 16, 2015 at 8 p.m. and report to the Governing Body as to the status of the litigation and the ongoing construction.

BE IT FURTHER RESOLVED failure to appear by Atlantic Resource Group, LLC and any of its representatives to report to the Governing Body on March 16, 2015 will revoke this resolution.

BE IT FURTHER RESOLVED that a certified copy shall be sent to the following:

- Atlantic Resource Group, LLC
153 Sea Grit Avenue
Manasquan, NJ 08736
- James Kinneally, Esq.
Marriott, Callahan & Blair
Post Office Box 200

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Spring Lake Heights, NJ 07762

**RESOLUTION
64-2015**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey, that Manasquan First Aid Squad, INC. 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 First Aid Squad.

**RESOLUTION
65-2015**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey, that Manasquan First Aid Squad, INC. has submitted the attached members that qualify under Ordinance 2005-07 "Free Season Beach Badge and Parking Permit for Certain Members of the Manasquan First Aid Squad." These members responded to 20% or more of the calls of the Unit or are Life Members of the Manasquan First Aid Squad.

**RESOLUTION
66-2015**

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:

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	31,807.43
Water/Sewer Fund	11,055.57
Beach Fund	1,173.76
Recreation Bldg Trust	
Recreation Commission Trust	
General Capital Fund	3,560.00
Water/Sewer Capital Fund	826.50
Beach Capital Fund	

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

APPROVAL OF MINUTES

Work Session and Regular Meeting Minutes – January 20, 2015 (absent Mangan)

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

Work Session and Regular Meeting Minutes – February 2, 2015 (absent None)

The Municipal Clerk requested that the February 2, 2015 minutes be held until the next meeting to give council time to review.

COMMITTEE REPORTS

Public Safety Committee – Council Member McCarthy thanked the residents for staying off the roads during the inclement weather on Saturday into Sunday as well as last night and into this morning. He reported that there were no significant accidents and that if the prediction is for snow please try and stay off the roads. He reported that there has been discussion on no parking in the business district over night from Route 71 to South Street which would make it easier on snow plowing and street cleaning. He stated that he received a report from Lt. Kleinknecht advising that dispatchers Paul McMahon and Eileen Pressey have entered all the data regarding the new flood notification program and he wanted to thank them for their efforts. He reported that the ALS plunge over the weekend was a success as they have raised over \$300,000 and he thanked everyone for participating in the plunge.

Mayor Dempsey stated that there is an ordinance in affect now that allows the Borough to remove the cars from the street during a snow emergency if so desired. He stated that he does not really want to tow the cars but he would like a copy of the ordinance put on the website so residents are aware of the penalty for leaving a car in the street during a snow emergency.

Recreation & Environment Committee– Council Member Olivera reported that Jim Priolo already covered the Open Space in his monthly report. He stated that he notified the Shade Tree that he will be the new liaison. He stated that the Borough received a substantial amount of e-mails regarding balloon release portion of the ALS Plunge over the weekend. He stated that he researched this issue 2 years ago and came to the point that most of the issues involving a lot of the balloon releases were milar balloons and strings attached to the balloon and he advised that this balloon release was not milar balloons and there were no strings attached. He advised that most of the ordinances that were on the books regarding balloon releases were being repealed because of the fact that they were unenforceable. He stated that based on the large volume of e-mails and some of the comments by council the committee will look at this issue again for the future.

Council Member Sinneck stated his opinion and his knowledge of the balloons and how they affect sealife.

There was discussion on the balloon release and the possibility of putting the statement “no balloon releases” on the application for use of borough property.

Administration & Finance Committee – Council Member Mangan reported that the Borough is in budget season on the finance end and the 21st is a very important budget meeting where capital projects will be discussed. He stated that he met with the clerk’s office and advised that they are working on new website, fee schedule, clerk’s annual report, and the personnel policy. He went over the fee schedule process and the timeline. He also stated that if there are any fees that need to be changed before the process is completed then they would need a separate ordinance before the completion of the fee schedule.

Public Works & Grounds Committee – Council Member Donovan reported that the last day for Christmas tree pick up is February 27, 2015 and all decorations and stands need to be removed. He stated that in order to help Public Works with efficiency and safety during snow removal to advise residents to park off the street which is an ordinance and to remove all sports equipment from the street. He also stated that there is a borough ordinance that states that snow or ice is not permitted to be thrown back into the street. He stated that if the ice at Mac’s Pond becomes thick enough for skating the green flag will go up. He advised that the Borough has received notice from Assemblyman Rible’s office that the Borough has received a \$225,000 Safe Route to School Grant which will help fix sidewalks within a mile of the schools.

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Building, Planning & Zoning Committee – Council Member Sinneck reported that the work load in the code/construction department is steady and the turnaround time for permits is within the guidelines.

Beach Committee – Council Member Lee reported that the committee is working on finalizing their opinion on beach fees for 2015, discussing the Third Avenue Parking Lot overnight parking, dune mitigation project, Sea Watch Property reconstruction, request from Verizon to use beach building, and dogs on the beach enforcement.


AUDIENCE PARTICIPATION

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

Council Member Olivera made a motion to close the regular meeting at 9:23: p.m. seconded by Council Member Sinneck. Motion carried unanimously.

Respectfully submitted,



Barbara J. Ilaria
Municipal Clerk

DATE APPROVED 3-16-15