

APRIL 20, 2015

Regular Meeting of Mayor and Council was convened at 8:00 p.m. on April 20, 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 Lee made a motion to add resolution 117-2015 to the agenda designating Gregory Doyle Special Counsel for litigation, seconded by Council Member McCarthy. Motion carried unanimously with Council Member Mangan abstaining.

**PROCLAMATION:**

***ARBOR DAY 2015***

**WHEREAS**, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees and; and

**WHEREAS**, the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

**WHEREAS**, 2015 is the 143<sup>rd</sup> Anniversary of the first Arbor Day, now observed throughout the nation and the world; and

**WHEREAS**, trees can reduce the erosion of our precious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

**WHEREAS**, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

**WHEREAS**, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

**WHEREAS**, trees, wherever they are planted, are a source of joy and spiritual renewal; and

**NOW, THEREFORE**, I, George R. Dempsey Jr., Mayor of the Borough of Manasquan, do hereby proclaim April 24, 2015 as

***Arbor Day***

in the Borough of Manasquan, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

**FURTHER**, I urge all citizens to plant and care for trees to gladden the heart and promote the well-being of this and future generations.

**MANASQUAN GIRLS BASKETBALL TEAM STATE CHAMPIONS**

**WHEREAS**, the 2014/2015 Manasquan Girls Basketball Team is the New Jersey State Interscholastic Athletic Association's Tournament Champions defeating their opponent St. Rose 59-55 in the final game on March 23, 2015 at the Sun National Bank Center in Trenton, New Jersey; and

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**WHEREAS**, throughout the season the team showed their resolve to win by being the WOBM Christmas Classic Champions, Shore Conference Class A Central Champions, Shore Conference Tournament Champions and the Central Jersey Group II State Champions; and

**WHEREAS**, The Manasquan Girls Varsity Basketball Team has brought a great sense of pride to Manasquan High School and the Community for bringing the State Championship trophy home.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Borough Council on behalf of the good people of Manasquan do officially congratulate the team, coaches and trainer on this championship and all their fine accomplishments.

Team Members:

Courtney Hagaman	Marina Mabrey	Molly Read	Gillian Black
Alex Kurtz	Stella Clark	Victoria Galvan	Addie Masonius
Carly Geissler	Maggie Kelly	Dara Mabrey	

Head Coach: Lisa Kukoda

Assistants: Luke Sinkhorn Ryan McGrath Brennan Gordon

Trainer: Kevin Hyland

**BE IT FURTHER RESOLVED**, that I, George R. Dempsey, Jr., Mayor of the Borough of Manasquan, do hereby recognize and congratulate the Manasquan Girls Varsity Basketball team and proclaim April 20, 2015 “New Jersey 2015 Tournament of Champions Day” to honor the 2015 Lady Warriors Varsity Basketball Team and that the full text of this Proclamation be spread upon the official minutes of the Borough Council meeting to be held on April 20, 2015.

## CONSENT AGENDA

### RESOLUTION 93-2015

#### RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, APPOINTING LAUREN RUSSNAK AS PART-TIME TEMPORARY VIOLATIONS CLERK

**WHEREAS**, the Borough of Manasquan is desirous of appointing a Seasonal Part-Time Violations Clerk for the Summer Season of 2015; and

**NOW, THEREFORE BE IT RESOLVED** on the 20<sup>th</sup> day of April, 2015, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. Lauren Russnak is appointed Seasonal Part Time Violations Clerk.
2. Salary rate shall be \$15.00 per hour.
3. The effective date of this appointment is May 18, 2015.
4. A certified copy of this resolution shall be sent to:  
Lauren Russnak  
1054 Audubon Drive  
Toms River, NJ 08753

### RESOLUTION 99-2015

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**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: Josh Sonnett  
22 Deerhill Drive  
Ho Ho Kus, NJ 07423

AMOUNT OF REFUND DUE: \$669.00

REASON: Boat Lessee paid for their Boat Slips by the deadline and then downsized to a 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  
100-2015**

**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: GLENN KRITCH  
2431 SYCAMORE AVE  
MANASQUAN, NJ 08736

REASON FOR REFUND: COAH REFUND  
142 MORRIS AVE

AMOUNT \$ 699.00

**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  
101-2015**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE  
BOROUGH OF MANASQUAN, MONMOUTH COUNTY,  
NEW JERSEY, ADOPTING PERSONNEL POLICIES AND  
PROCEDURES.**

**WHEREAS**, it is the policy of Borough of Manasquan to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964 as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the American with Disabilities Act, the Family and Medical Leave Act, the New Jersey Family Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, the New Jersey Civil Service Act, the New Jersey Attorney

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General's guidelines with respect to Police Department personnel matters, the New Jersey Worker's Compensation Act, the Federal Consolidated Omnibus Reconciliation Act (COBRA), The Uniformed Services Employment and Reemployment Rights Act ( and the Open Public Meeting Act: and

**WHEREAS**, the Borough Council has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

**NOW, THEREFORE, BE IT RESOLVED**, on this 20<sup>th</sup> day of April, 2015, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follow:

1. The Personnel Policies and Procedures Manual is adopted and is on filed at the Municipal Clerk's office.
2. These personnel policies and procedures shall apply to Manasquan officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.
3. This manual is intended to provide guidelines covering public service by Manasquan employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of Borough Council.
4. To the maximum extent permitted by law, employment practices for Manasquan shall operate under the legal doctrine known as "employment at will."
5. The Municipal Administrator and all managerial/supervisory personnel as responsible for these employment practices. The Municipal Clerk and the Municipal Attorney shall assist the Municipal Administrator in the implementation of the policies and procedures in this manual.

**RESOLUTION  
102-2015**

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

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

NAME: DOROTHY JENSEN  
201 ATLANTIC AVE  
MANASQUAN, NJ 08736  
SO#14/13-398 FIRST AVE- FINAL RETURN

AMOUNT OF REFUND DUE: \$500.00

NAME: GEE LLC  
PO BOX 447  
BRIELLE, NJ 08730  
SO# 78/13-201-202 BEACHFRONT-FINAL RETURN

AMOUNT OF REFUND DUE: \$500.00

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NAME: T.F.M. BUILDERS, LLC  
2390 RIVERSIDE TERRACE  
WALL, NJ 08736  
SO#79/13-14 MINNESINK AVE-FINAL RETURN

AMOUNT OF REFUND DUE: \$500.00

NAME: NANCY BRUBAKER  
44 TOTTEN DR  
BRIDGEWATER, NJ 08807-2368  
SO#97/13-291 FIRST AVE-FINAL RETURN

AMOUNT OF REFUND DUE: \$500.00

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

AMOUNT OF REFUND DUE: \$500.00

NAME: RICHARD & ELLEN DEBEL  
15 EUGENE CIRCLE  
LINCOLN PARK, NJ 07035-1502  
SO#131/13-361 FIRST AVE-FIRST RETURN

AMOUNT OF REFUND DUE: \$500.00

REASON FOR REFUND: STREET OPENING SECURITY DEPOSIT 2013

**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  
103-2015**

**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. & MRS. RYAN ABRAHAMSEN  
100 W 26<sup>TH</sup> STREET  
NEW YORK, NY 10001-6840

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND  
APPLICATION #11-2011  
288 FIRST AVE – 289 BEACHFRONT  
BLOCK: 181 – LOT: 6

AMOUNT OF REFUND DUE: \$45.75

**NOW, THEREFORE, BE IT RESOLVED** that the Chief Financial Officer is

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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  
104-2015**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF  
MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, TO  
TEMPORARILY RESCIND THE PROHIBITION AGAINST PARKING AT  
MUNICIPAL PARKING LOT ON THIRD AVENUE**

**WHEREAS**, pursuant to the Revised General Ordinances of the Manasquan Borough Code Section 12-11.1(k), parking is prohibited in the municipal parking lots at Second, Third, Fourth and Pompano Avenues between the hours of 2:00 a.m. to 6:00 a.m. from October 1 through April 30. No person shall park any motor vehicle in the municipal parking lot at Third Avenue between the hours of 3:00 a.m. to 8:00 a.m. from May 1 to September 30; and

**WHEREAS**, the Borough of Manasquan is desirous of temporarily removing the prohibition against the parking of motor vehicles in the municipal parking lot at Third Avenue between the hours of 3:00 a.m. to 8:00 a.m. from May 1 to September 30; and

**NOW, THEREFORE BE IT RESOLVED**, on this 20<sup>th</sup> day of April 2015 by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey that the Council hereby recognizes the:

1. The Borough Council does hereby temporarily rescind the prohibition against the parking of motor vehicles at the municipal parking lot at Third Avenue between the hours of 3:00 a.m. to 8:00 a.m. from May 1 to September 30.

**RESOLUTION  
105-2015**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH  
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,  
AUTHORIZING ADVERTISEMENT FOR SEASONAL PART-TIME  
CODE ENFORCEMENT OFFICER**

**WHEREAS**, the Borough of Manasquan ("Manasquan") is in need of a Seasonal Part-Time Code Enforcement Officer in the Code Department; and

**NOW, THEREFORE BE IT RESOLVED** on the 20<sup>th</sup> day of April, 2015, by the Borough Council of the Borough of Manasquan, hereby authorize the Clerk to advertise for a Seasonal Part-Time Code Enforcement Officer.

**RESOLUTION  
106-2015**

**CHANGE ORDER NO.1**

Be it resolved by the Mayor and Council of the Borough of Manasquan of Monmouth County, New Jersey upon recommendation of the Borough Municipal Clerk and Administrator that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: Brielle Road Flood Improvements

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COMPANY: Maser Consulting  
331 Newman Springs Road, Suite 203  
Red Bank, NJ 07701

AGREEMENT MODIFICATION NO. 1

Additional \$26,340.00 needed for additional design and additional time for the resident engineer during construction phase.

AMOUNT OF CHANGE THIS RESOLUTION: \$26,340.00

TOTAL AMOUNT OF CHANGE: +\$26,340.00

**RESOLUTION  
107-2015**

**WHEREAS**, the Monmouth County Board of Chosen Freeholders, pursuant to N.J.S.A. 26:9-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitos within the county; and

**WHEREAS**, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control, and chemical control to exterminate the mosquito population within the county of Monmouth; and

**WHEREAS**, prior to conducting aerial dispensing operations over a designated “congested area,” the County is required, pursuant to Federal Aviation Administration Regulations (FAR Part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

**WHEREAS**, THE Borough of Manasquan is designated as a “congested area” by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat, or both with the understanding that:

- a) The County shall utilize pesticides, application equipment and aircraft that are approved for aerial applications by the applicable Federal (USEPA) and State (NJDEP) agencies, and
- b) Such operations will be performed in compliance with applicable Federal and State regulations, and
- c) The County will notify the Manasquan Police Department when aerial pesticides operations are planned prior to commencement of such operations.

**RESOLUTION  
108-2015**

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

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

NAME: GEE LLC  
PO BOX 447  
BRIELLE, NJ 08730

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SO#25/14- 201 BEACHFRONT-FINAL RETURN

AMOUNT OF REFUND DUE: \$500.00

NAME: JEFFREY ROMAN  
256 FOREST AVE  
GLEN RIDGE, NJ 07028  
SO#100/14- 11 FIRST AVE- FIRST RETURN

AMOUNT OF REFUND DUE: \$500.00

NAME: JEFFREY YEAGER  
344 FIRST AVE  
MANASQUAN, NJ 08736  
SO# 124/14- 344 FIRST AVE- FIRST RETURN

AMOUNT OF REFUND DUE: \$500.00

NAME: CASTLECRAFT  
4 HOMESTEAD DRIVE  
COLTS NECK, NJ 07722-1672  
SO# 323 BEACHFRONT- FIRST RETURN

AMOUNT OF REFUND DUE: \$500.00

NAME: ALVIN & MARION WEIRMAN  
328 EUCLID AVE  
MANASQUAN, NJ 08736  
SO#159/14-328 EUCLIS AVE- FIRST RETURN

AMOUNT OF REFUND DUE: \$500.00

NAME: MARMO AND SONS  
GENERAL CONTRACTING, LLC  
12 CREEK LANE  
MULLICA HILL, NJ 08062  
SO# 162/14- 136 MORRIS AVE-FIRST RETURN

AMOUNT OF REFUND DUE: \$500.00

REASON FOR REFUND: STREET OPENING SECURITY DEPOSIT 2014

**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  
109-2015**

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

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

NAME: CANDACE GIFFORD



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2135 WEST COUNTY LINE ROAD APT. 18B  
JACKSON, NJ 08527

AMOUNT OF REFUND DUE: \$100.00

REASON FOR REFUND: Beach Use Application Refund-Beach Wedding

**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  
110-2015**

**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 therefor; and

**WHEREAS**, the borough council has determined that there is a need for professional services for a COAH Planner during the 2015 calendar year; 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 chief financial officer of the municipality has determined and certified in writing that the value of these professional services may exceed \$21,000; and

**WHEREAS**, the anticipated term of these contracts are from April 21, 2015 to December 31, 2015; and

**WHEREAS**, the following professional services providers have or will submit contracts to be reviewed for completeness and approval by the borough attorney indicating that they will provide their services for the agreed upon rate (s) that are contained in their contracts that are on file in the Clerk's Office.

Jennifer Beahm – COAH Planner – CME Associates

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 20<sup>th</sup> day of April 2015 as follows:

1. The Business Disclosure Entity Certification of these professionals and the Determination of Value Certification of the chief financial officer shall be filed in the office of the municipal clerk, and shall be available for public inspection.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute a contract with these professionals to provide professional services to the municipality for the 2015 contract year at the agreed upon rate that is contained in the contract/proposal on file in the Clerk's Office.
3. A notice stating the nature, duration, service and the amount of this contract shall be published in the Coast Star and this resolution shall be maintained on file and available for the public inspection in the office of the municipal clerk.

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4. A certified copy of this resolution shall be sent to the professionals included in this resolution.

**RESOLUTION  
111-20152**

**WHEREAS**, the Borough of Manasquan is the owner of certain surplus property which is no longer needed for public use; and

**WHEREAS**, the Mayor and Council are desirous of selling said bicycles in an “as is” condition without express or implied warranties.

**WHEREAS**, the Borough of Manasquan Police Department has determined that said bicycles/ items have come into the possession of the Manasquan Police Department by finding or being recovered from theft or robbery, and which have remained in possession of the Police Department for six (6) months or more and the owner or owners are unknown and cannot be found or refuse to receive same under the surplus items including but not limited to, various bicycles pursuant to the authority of N.J.S.A. 40A: 14-157 as listed on Schedule B attached to this resolution; and

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Manasquan’s Governing Body that the Borough of Manasquan is hereby authorized to conduct a public auction to sell the items listed on Schedule B as follows:

- (1) The Public Auction shall take place on Saturday, May 16, 2015 at 11:00 a.m. in the Public Works Borough Garage, Iroquois Road, Manasquan, New Jersey. **RAIN OR SHINE;**
- (2) No warranties shall be attached, implied and/or expressed to the items auctioned on this date. All items will be sold in “AS IS CONDITION.” All sales will be final.
- (3) Successful bidders shall be required to pay the total bid price in cash at the time of sale and immediately remove the property from the Borough’s Garage.
- (4) That a Representative of the Borough of Manasquan Public Works Department be authorized to sell at auction bicycles in the possession of the Manasquan Police in accordance with the Notice of Public Sale attached hereto which is to be published in The Coast Star.

**THE BOROUGH OF MANASQUAN  
PUBLIC AUCTION**

Notice is given that a public auction will be held by the Borough of Manasquan, Saturday, May 16, 2015 at 11:00 a.m. with a preview at 10:30 a.m. pursuant to the authority of N.J.S.A. 40A: 14-157 in the Public Works Borough Garage, Iroquois Road, Manasquan, New Jersey. **RAIN OR SHINE**

Said bicycles/ items have come into the possession of the Manasquan Police Department by finding or being recovered from theft or robbery, and which have remained in possession of the Police Department for six (6) months or more and the owner or owners are unknown and cannot be found or refuse to receive same.

The sale shall be made by public auction by a representative of the Department of Public Works Department of Manasquan. No warranties shall be attached, implied and/or expressed to the items auctioned on this date. All items will be sold in “AS IS CONDITION.” All sales will be final.

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Successful bidders shall be required to pay the total bid price in cash at the time of sale and immediately remove the property from the Borough's Garage. For inquiries, please call 732-223-0544, ext. 235.

The items to be auctioned include the following:

Miscellaneous Bicycles

**RESOLUTION  
112-2015**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Manasquan that the Municipal Clerk and the Mayor of the Borough of Manasquan, be and are hereby authorized to sign the following 2015 Agreements with the Squan Beach Life Saving Preservation Committee:

**AGREEMENT TO RESTORE & MAINTAIN THE SQUAN BEACH LIFE SAVING STATION**

**and**

**LIFE SAVING STATION USE AGREEMENT**

**RESOLUTION  
113-2015**

**CHANGE ORDER NO. 3**

Be it resolved by the Mayor and Council of the Borough of Manasquan of Monmouth County, New Jersey upon the recommendation of the Borough Engineer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: Manasquan Water Treatment Plant- Underground Storage Tank Remediation

ENGINEER: T&M Associates, 11 Tindall Road, Middletown, NJ 07748

CHANGE ORDER NO. 3. Conduct Quarterly Ground Water Monitoring and Sampling to move the project towards closure.

AMOUNT OF CHANGE THIS RESOLUTION: \$8,000

TOTAL AMOUNT OF CHANGE: +46,600

**RESOLUTION  
114-2015**

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

**WHEREAS**, refunds for 2014 Tax Appeals for the following properties are due on the below described property in the amount designated as follows:

BLOCK: 128 / LOT: 24.02 NAME: Clifford & Laura Height

PROPERTY LOCATION: 319 E Virginia Ave

AMOUNT: \$1788.94

REASON FOR REFUND: 2014 Tax Appeal

REFUND CHECK TO BE MADE PAYABLE TO:

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Clifford & Laura Height  
319 E Virginia Ave  
Manasquan, NJ 08736

BLOCK: 122 / LOT: 25      NAME: Joanne & Arthur Krozser

PROPERTY LOCATION:    321 Cedar Ave

AMOUNT:                    \$1372.43

REASON FOR REFUND:    2014 Tax Appeal

REFUND CHECK TO BE MADE PAYABLE TO:

Joanne & Arthur Krozser  
321 Cedar Ave  
Manasquan, NJ 08736

BLOCK: 148 / LOT: 5      NAME: Robert & Donna Laird

PROPERTY LOCATION:    400 Euclid Ave

AMOUNT:                    \$1242.70

REASON FOR REFUND:    2014 Tax Appeal

REFUND CHECK TO BE MADE PAYABLE TO:

Robert & Donna Laird  
400 Euclid Ave  
Manasquan, NJ 08736

BLOCK: 142 / LOT: 30.01   NAME: Jacqueline Klosek

PROPERTY LOCATION:    433 Euclid Ave

AMOUNT:                    \$1379.26

REASON FOR REFUND:    2014 Tax Appeal

REFUND CHECK TO BE MADE PAYABLE TO:

Jacqueline Klosek  
433 Euclid Ave  
Manasquan, NJ 08736

BLOCK: 164 / LOT: 6.01    NAME: James & Mary McKearney

PROPERTY LOCATION:    21 First Ave

AMOUNT:                    \$3711.02

REASON FOR REFUND:    2014 Tax Appeal

REFUND CHECK TO BE MADE PAYABLE TO:

James & Mary McKearney  
21 First Ave  
Manasquan, NJ 08736

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BLOCK: 140 / LOT: 30.01    NAME: John & Mary McCann

PROPERTY LOCATION:    387 Cedar Ave

AMOUNT:                    \$3711.02

REASON FOR REFUND:    2014 Tax Appeal

REFUND CHECK TO BE MADE PAYABLE TO:

John & Mary McCann  
46 Edgewood Dr  
West Orange, NJ 07052-3136

BLOCK: 177 / LOT: 30        NAME: Patrick Kane

PROPERTY LOCATION:    188 Third Ave

AMOUNT:                    \$924.60

REASON FOR REFUND:    2013 Tax Appeal

REFUND CHECK TO BE MADE PAYABLE TO:

Patrick Kane c/o Budd Larner  
150 John F Kennedy Pkwy  
Short Hills, NJ 07078-2703

BLOCK: 125 / LOT: 11.01    NAME: Paul & Cheryl Eichmann

PROPERTY LOCATION:    61 S McClellan Ave

AMOUNT:                    \$1607.99

REASON FOR REFUND:    2014 Tax Appeal

REFUND CHECK TO BE MADE PAYABLE TO:

Paul & Cheryl Eichmann  
61 S McClellan Ave  
Manasquan, NJ 08736

BLOCK: 132 / LOT: 13        NAME: John & Catherine Mulligan

PROPERTY LOCATION:    401 E Virginia Ave

AMOUNT:                    \$1053.22

REASON FOR REFUND:    2014 Tax Appeal

REFUND CHECK TO BE MADE PAYABLE TO:

John & Catherine Mulligan  
401 E Virginia Ave  
Manasquan, NJ 08736

BLOCK: 130 / LOT: 7         NAME: Robert & Teresa Sedgwick

PROPERTY LOCATION:    344 Perrine Blvd

AMOUNT:                    \$2582.69

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REASON FOR REFUND: 2014 Tax Appeal

REFUND CHECK TO BE MADE PAYABLE TO:

Robert & Teresa Sedgwick  
344 Perrine Blvd  
Manasquan, NJ 08736

BLOCK: 126 / LOT: 11.01 NAME: Brian & Deborah Rutkowski

PROPERTY LOCATION: 364 E Virginia Ave

AMOUNT: \$1258.06

REASON FOR REFUND: 2014 Tax Appeal

REFUND CHECK TO BE MADE PAYABLE TO:

Brian & Deborah Rutkowski  
364 E Virginia Ave  
Manasquan, NJ 08736

**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  
115-2015**

**WHEREAS**, due to resignations the Borough of Manasquan is desirous of appointing Special Law Enforcement Officers Class I for the year 2015 and

**WHEREAS**, the Police Chief has submitted the following individuals for appointment as Special Law Enforcement Officers Class I for the Borough of Manasquan effective April 20, 2015 at the current contractual rate of \$13.62 per hour;

Michael T. Jones, Bayville

Joseph DeAngelo III, Bricktown

Spencer T. Arnold, Manasquan

Matthew A. Marquis, Bricktown

**RESOLUTION  
116-2015**

**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.

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

Current Fund	79,026.34
Water/Sewer Fund	7,254.19
Beach Fund	941.52
Recreation Bldg Trust	
Recreation Commission Trust	5,208.38
General Capital Fund	92,269.25
Water/Sewer Capital Fund	16,579.33
Beach Capital Fund	

Council Member McCarthy 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.

## RESOLUTION

### RESOLUTION 117-2015

**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 therefor; and

**WHEREAS**, the borough council has determined that there is a need for professional services during the 2015 calendar year; 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 contract is for the balance of the year (April 20, 2015 to December 31, 2015); and

**WHEREAS**, the following professional services providers have or will submit contracts to be reviewed for completeness and approval by the borough attorney indicating that they will provide their services for the agreed upon rate (s) that are contained in their contracts that are on file in the Clerk's Office.

Gregory Boyle, Esquire – Special Litigation Counsel - Ronan, Tuzzio & Giannone

These appointments are made pursuant to N.J.S.A. 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 20th day of April 2015 as follows:

1. The Business Disclosure Entity Certification of these professionals and the Determination of Value Certification of the chief financial officer shall be filed in the office of the municipal clerk, and shall be available for public inspection.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute a contract with a contract with these professionals to provide professional services to the municipality for the

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2015 contract year at the agreed upon rate that is contained in the contract/proposal on file in the Clerk's Office.

3. A notice stating the nature, duration, service and the amount of this contract shall be published in the Coast Star and this resolution shall be maintained on file and available for the public inspection in the office of the municipal clerk.
4. A certified copy of this resolution shall be sent to the professionals included in this resolution.

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

## **ORDINANCES**

The Borough attorney read the title of ordinance 2174-15 for second reading and final hearing.

### **ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 13 PROPERTY MAINTENANCE SUBSECTION 13-1.3(m); CHAPTER 20 STREETS AND SIDEWALKS SUBSECTION 20-4.1; CHAPTER 35 ZONING SUBSECTION 35-7.7 OF THE BOROUGH OF MANASQUAN CODE IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY.**

Mr. Kitrick stated that this ordinance went to the Planning Board for review and recommendations. He stated that there is a minor change which is a typographical correction where it states planting which should be planning.

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

There being no public comment, Council Member Sinneck made a motion to close the public portion, seconded by Council Member Mangan. Motion carried unanimously.

Council Member Sinneck made a motion to pass and publish ordinance 2174-15 according to law, seconded by Council Member Mangan. Motion carried by the following vote: "yes" Council Member Lee, Sinneck, Donovan, Mangan, Olivera, and McCarthy. "No" none.

The Borough attorney read the title of ordinance 2178-15 for second reading and final hearing.

### **FIXING SALARIES AND COMPENSATION OF THE BEACH DEPARTMENT EMPLOYEES OF THE BOROUGH OF MANASQUAN**

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

There being no public comment, Council Member Donovan made a motion to close the public portion, seconded by Council Member Mangan. Motion carried unanimously.

Council Member Lee made a motion to pass and publish ordinance 2178-15 according to law, seconded by Council Member McCarthy. Motion carried by the following vote: "yes" Council Member Lee, Sinneck, Donovan, Mangan, Olivera, and McCarthy. "No" none.

The Borough attorney read the title of ordinance 2179-15 for introduction.

### **ORDINANCE SUPPLEMENTING CHAPTER 35 (ZONING) AND CREATING SECTION 35-38 ENTITLED TELECOMMUNICATIONS TOWERS AND ANTENNAS AND SECTION 35-38.1 ENTITLED PURPOSE AND SECTION 35-38.2 ENTITLED NONAPPLICABILITY TO AMATEUR RADIO STATIONS AND TO RECEIVE-ONLY**



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**ANTENNAS AND SECTION 35-38.3 ENTITLED  
TELECOMMUNICATIONS TOWERS AND ANTENNAS ON  
BOROUGH PROPERTY AND SECTION 35-38.4 ENTITLED  
TELECOMMUNICATIONS TOWERS AND ANTENNAS ON NON-  
BOROUGH PROPERTY IN THE BOROUGH OF MANASQUAN,  
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

Council Member McCarthy made a motion to introduce ordinance 2179-15, seconded by Council Member Lee. Motion carried by the following vote: “yes” Council Member Lee, Sinneck, Donovan, Mangan, Olivera, and McCarthy. “No” none.

The Borough attorney the title of ordinance 2180-15 for introduction.

**AN ORDINANCE ESTABLISHING CHAPTER, 16, FEES, FOR THE  
REVISED GENERAL ORDINANCES OF THE BOROUGH OF  
MANASQUAN, MONMOUTH COUNTY, NEW JERSEY**

Council Member Lee made a motion to introduce ordinance 2180-15, seconded by Council Member McCarthy. Motion carried by the following vote: “yes” Council Member Lee, Sinneck, Donovan, Mangan, Olivera, and McCarthy. “No” none.

**COMMITTEE REPORTS**

Public Safety Committee – Council Member McCarthy reported that there will be 4 officers attending Special Officer 1 training and 3 officers are currently in the academy to complete Special Officer 2 training. He also reported that effective April 1 dogs are not permitted on the beach and tickets will be issued to violators. He stated there are more children riding bikes in the warmer weather and he reminded that they need to wear helmets as well as having lights on the bike or they may be ticketed. He reported that the officers completed the in service training and this weekend all officers will be attending the firing range for qualifications.

Recreation & Environment Committee– Council Member Olivera reported that this week is Earth Week with Earth Day on Wednesday and Arbor Day is Friday. He also reported that Parks Day will be next Sunday, May 3 and will start at 9:30 at Axel Carlson and continue on from there to the other parks and finish up at Mac’s Pond at 12:30. He reported that the resident tree buying program ended Friday and there were 28 purchases and the Shade Tree received seedlings from the State Tree Recovery Program and gave them out at the school’s Earth Day celebration and other groups in town. He also reported on the Little League Parade, spring cleanup throughout town, and paper shredding event.

Administration & Finance Committee – Council Member Mangan reported on the Tourism events for the year and there will be a concert and celebration on Memorial Day weekend but no fireworks this year. He thanked council for supporting the fee ordinance and fee schedule. He reported on the update of the website, upcoming dates for revaluation public outreach program, and the interlocal with Wall for tax assistance.

Public Works & Grounds Committee – Council Member Donovan reported on the paper shredding event, spring curbside brush and leaf pickup, where residents can take brush and leaves after the scheduled dates, fire hydrant flushing , and the Parks Day.

Building, Planning & Zoning Committee – Council Member Sinneck reported on demolitions, elevations, OPRA requests, code violations and summer code inspections.

Beach Committee – Council Member Lee reported on the dog’s on the beach, Third Avenue overnight parking, beach badge revenues to date and the dates the beach office will be open. He thanked everyone involved with the dune special information meeting and the date will be Tuesday, May 19 in council chambers.

Council Member Mangan update the council on the school budget and the presentation that he attended.

Council Member McCarthy stated that the Board o Ed is addressing, tomorrow, the potential impact of the referendum to the average tax payer.

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## **AUDIENCE PARTICIPATION**

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

Mary Ryan, 113 Beachfront thanked everyone who is was involved in getting a date for the dune meeting and for the overnight parking at Third Avenue parking lot.

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

Council Member Donovan made a motion to close the regular meeting at 8:31 p.m. seconded by Council Member Mangan. Motion carried unanimously.

Respectfully submitted,

Barbara J. Ilaria  
Municipal Clerk