

JULY 6, 2015

Regular Meeting of Mayor and Council was convened at 8:00 p.m. on July 6, 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 Mangan made a motion to withdraw ordinance 2179-15 for second reading and final hearing, seconded by Council Member Lee. Motion carried by the following vote: “yes” Council Member Lee, Sinneck, Donovan, Mangan, Olivera, and McCarthy. “No” none.

CONSENT AGENDA

RESOLUTION 171-2015

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: AME PLUMBING LLC
7 RODEO COURT
HOWELL, NJ 07731

AMOUNT OF REFUND DUE: \$500.00

REASON FOR REFUND: SO#87/15-307 FIRST AVE 1ST SECURITY RETURN

NAME: REMM HEATING INC.
P.O.BOX 7554
NORTH BRUNSWICK, NJ 08902

AMOUNT OF REFUND DUE: \$500.00

REASON FOR REFUND: Street Opening
#64/15-22 S. FARRAGUT AVE 1ST SECURITY RETURN

NAME: ANTONIO PEREZ & LAURIE PEREZ
125 RETREAT RD
SOUTHAMPTON, NJ 08088

AMOUNT OF REFUND DUE: \$500.00

REASON FOR REFUND: Street Opening
#73/15-317 FIRST AVE 1ST SECURITY RETURN

NAME: JOSEPH M. CAPUTO AND DIANE CAPUTO
2455 FOREST CIR

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TOMS RIVER, NJ 08755

AMOUNT OF REFUND DUE: \$500.00

REASON FOR REFUND: Street Opening

#14/15-376 PINE AVE 1ST SECURITY RETURN

NAME: IRENE N CRESITELLO & DONALD CRESITELLO
361 BEACHFRONT
MANASQUAN, NJ 08736

AMOUNT OF REFUND DUE: \$500.00

REASON FOR REFUND: Street Opening

#77/13-361 BEACHFRONT 1ST SECURITY RETURN

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
172-2015**

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: FRANCIS AND EILEEN McMAHON
114 HIGHPOINT AVE, 2ND FLOOR
WEEHAWKEN, NJ 07086

AMOUNT OF REFUND DUE: \$500.00

REASON FOR REFUND: Street Opening

#94/14-57 ROGERS AVE

NAME: DEBORAH BRODERICK &
KEVIN BRODERICK JTWROS
13633 OLD CHATWOOD PL
CHANTILLY, VA 20151

AMOUNT OF REFUND DUE: \$500.00

REASON FOR REFUND: Street Opening

#44/14-569-571 E. MAIN ST

NAME: RICHARD TRENK
10 WEST ROAD
WEST ORANGE, NJ 07052

AMOUNT OF REFUND DUE: \$500.00

REASON FOR REFUND: Street Opening

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#133/13-10 SIMS AVE

NAME: ASH CONSTRUCTION LLC
201 THIRD AVE
BRADLEY BEACH, NJ 07720

AMOUNT OF REFUND: \$1000.00

REASON FOR REFUND: Street Opening
#62/12-51 CLARK ST

NAME: CMM CONSTUCTION, INC.
516 A LINCOLN AVE
AVON BY THE SEA, NJ 07717

AMOUNT OF REFUND: \$1000.00

REASON FOR REFUND: STREET OPENING #6/12- 95 NARRUMSON RD

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
173-2015**

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

WHEREAS, refunds for Overpayment of Taxes for the following properties are due on the below described property in the amount designated as follows:

BLOCK: 9999 / LOT: 2 NAME: VERIZON

PROPERTY LOCATION: TELEPHONE LINES

AMOUNT: \$8739.13

REASON FOR REFUND: Overpayment of 1st & 2nd Qtr 2013 taxes

REFUND CHECK TO BE MADE PAYABLE TO:

**VERIZON
PO BOX 521807
LONGWOOD, FL 32752**

WHEREAS, the Tax Collector has certified that the homeowner 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
174-2015**

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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 Agreement commencing from August 1, 2015 to July 31, 2016:

System Sales Service Agreement – Fire Alarm Service

**RESOLUTION
175-2015**

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: DONALD CRESITELLO
361 BEACHFRONT
MANASQUAN, NJ 08736

REASON FOR REFUND: DUPLICATE BLDG PERMIT FEE
362 FIRST AVE

AMOUNT \$ 423.00

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
176-2015**

WHEREAS, the Borough of Manasquan is desirous of appointing Seasonal Beach Employees for the Summer Season of 2015; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 6th day of July, 2015 appoint the following Seasonal Beach Employees to work during the Summer Season, 2015:

| <u>Position</u> | <u>Address</u> | <u>Hourly Rate</u> |
|---------------------------------|--|--------------------|
| <u>Parking On-Call:</u> | | |
| Richard Trimble | 76 Wyckoff Ave, Manasquan, NJ | 10.00/11.00 |
| <u>Badge Checker On-Call:</u> | | |
| Louis Detoro | 32 Jennifer Ave, Howell, NJ | 8.00 |
| Gabriella Farneti | 1301 West Union Lane Apt D3, Brielle, NJ | 8.00 |
| Miranda Gale | 2414 Willow St, Pt. Pleasant, NJ | 8.00 |
| Kendall Grogan | 4 Captains Ct, Manasquan, NJ | 8.00 |
| Caroline Studer | 7 Cherry Place, Manasquan, NJ | 8.00 |
| Jessica Waldeyer | 69 Marcellus Ave, Manasquan, NJ | 8.00 |
| Caroline Waller | 290 East Virginia Ave, Manasquan, NJ | 8.00 |
| <u>Beach Patrol On-Call:</u> | | |
| Jake Hartranft | 2 Brian Ave, Bricktown, NJ | 8.50 |
| <u>Junior Guard Instructor:</u> | | |
| Carolyn Banasiak | 1103 Aileen Rd, Brielle, NJ | 8.00 |
| Michael Cummins | 3703 Eastledge Dr., Austin, TX | 10.00 |
| Kathryn Degnan | 1010 Sunset Dr, Brielle, NJ | 8.00 |

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**RESOLUTION
177-2015**

WHEREAS, the Borough of Manasquan is desirous of appointing a Special Law Enforcement Officer Class I for the year 2015 and

WHEREAS, the Police Chief has submitted the following individual for appointment as Special Law Enforcement Officers Class I for the Borough of Manasquan effective July 6, 2015 at the current contractual rate of \$13.62 per hour;

Joshua P. Battaglia, Point Pleasant

**RESOLUTION
178-2015**

BE IT RESOLVED, that the Hon. George R. Dempsey, Jr., Mayor of the Borough of Manasquan, be and is hereby authorized to sign the Agreement Between The Borough of Manasquan and Mark White, Ph.D. at the contractual retainer of \$1800.00 for EAP services and the fee-for-service charge of \$125.00 per hour for Supervisor-Imposed referrals for the term July 15, 2015 through July 14, 2016.

**RESOLUTION
179-2015**

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 Public Works Committee that the Change Orders for the Contract listed below be and is hereby approved.

TITLE OF JOB: Squan Plaza Improvements

CONTRACTOR: Mark Woszczak Mechanical Contractors Inc.

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

MODIFICATION NO. 1

Additional work by contractor for concrete curb, sidewalk, apron and paving at 75 Abe Voorhees Drive

AMOUNT OF CHANGE FOR THIS RESOLUTION: \$9,100.00

TOTAL REVISED AND FINAL CONTRACT AMOUNT: \$1,414,325.48

MODIFICATION NO. 2

Additional Engineering Services during Construction of Squan Plaza project as outlined in T&M Associates' letter dated May 26, 2015

AMOUNT OF CHANGE FOR THIS RESOLUTION: \$5,000.00

TOTAL AMOUNT OF ALL CHANGE ORDERS: \$14,100.00

All bills on file in the Finance Office. This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

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**RESOLUTION
180-2015**

**RESOLUTION ACCEPTING THE BEACH COMMITTEE’S REPORT
REGARDING ENGINEERED DUNES IN MANASQUAN**

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) recently provided regulations by which Manasquan and other municipalities can install and maintain engineered dunes, and

WHEREAS, the Beach Committee of Council was tasked with reviewing the issue of reconstructing a engineered dune system for the Borough of Manasquan Beach and to provide a recommendation to the Mayor and Council, and

WHEREAS, as a result of their review, it is the recommendation of the Beach Committee that the Borough of Manasquan not reconstruct a dune system for the reasons set forth in their July 6, 2015 report presented and submitted to the Mayor and Council, and

NOW THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Manasquan concurs with the findings of the Beach Committee report and accepts its recommendations. A copy of the report will be kept on file in the Borough Clerk’s office.

**RESOLUTION
181-2015**

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 | 3,324,041.81 (Includes Bd of Ed Tax and Fire Levy) |
| Water/Sewer Fund | 290,662.11 |
| Beach Fund | 14,525.49 |
| Recreation Bldg Trust | |
| Recreation Commission Trust | 7,828.31 |
| General Capital Fund | 29,822.81 |
| Water/Sewer Capital Fund | 2,015.78 |
| Beach Capital Fund | |

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

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ORDINANCES

The Borough attorney read the title of ordinance 2184-15 for first reading and 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 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 Olivera made a motion to introduce ordinance 2184-15, seconded by Council Member Lee. 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 – June 18, 2015
Special Meeting – June 30, 2015

Council Member Lee made a motion to approve the minutes, seconded by Council Member Mangan. Motion carried unanimously.

COMMITTEE REPORTS

Public Safety Committee – Council Member McCarthy congratulated the entire US World Cup soccer team but importantly local resident Christy Rampone. He reported that the weekend was very busy throughout town and it was a safe weekend without any major incidents to report at this time. He thanked the police department for their efforts during the night of the fireworks. He reported that it has come to his attention that someone was charging \$10 to people that were entering the beachfront for the concert and fireworks and selling wrist bands. He reported that the committee is meeting to discuss the hire of a new officer in the police department. He also reported that the police department will be stationing 2 special officers between the hours of 8 – 10 pm on the South end during the Thursday night fireworks.

Recreation & Environment – Council Member Olivera stated that he was honored to be a part of the Independence Day Celebration on the 3rd from the bike contest to watching 3 mayors in a golf cart and ultimately the beach celebration recognizing the Tourism Commission’s 25 years. He reported that the committee met and discussed many things including Shade Tree Commission updates, Little League Building, Bulkhead Project and some things about Recreation. He reported on the boat docks and some issues that are being looked into and that any significant cost and effort would not be prudent at this point considering the council is close to finalizing the details for the bulkhead remediation project. He reported on an area that was fencing off for sea turtles near the Little League field and advised that there are no turtles in that area nesting. He reported that he recently received the resignation from Recreation for Eric Ertle who has served on Recreation for 10 plus years and chairman for 3 and thanked him for his service.

Administration & Finance Committee – Council Member Mangan reported that the revaluation process is under way and they are about 10% complete with residential property inspection and it is anticipated that they will be 1/3 complete with the community by the end of July which puts them on the track to finish sometime in the middle of September. He reported that the committee will be meeting to discuss options for the Borough’s new website, finance office and beach office finance related issues as well as to try and bring the beach finances into a more computerized system. He advised that the committee will be reviewing the capital items and discussing the debt impact and there will be an update for council at the closed session tonight and a path of action will be forthcoming in the next couple of months. He reported that there was a declaratory judgment filed with the court which basically says that the Borough intends to remain in COAH and put together a plan to insure that the Borough is still protected from Builders Remedy lawsuits. He stated that the Borough had a great Independence Day Celebration and thanked all the Tourism members and especially Ray Summers, Chairman for putting all the events together. He thanked the Beach Chairman for his leadership on the Dune issue.

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Public Works & Grounds Committee – Council Member Donovan reported that the Water Department has completed reading meters for the second quarter, new pump has been installed at the Brielle Lift Station and a spare pump was purchased, the new hot box is expected to be delivered next week and currently the DPW is using a loaner from the manufacturer, and he reported that the Public Works is in full compliance with a yearly Right to Know Evaluation.

Building, Planning & Zoning Committee – Council Member Sinneck thanked and congratulated the US Women's World Cup Champions and congratulated Tourism for 25 years of service and he thanked Ray Summers for 22 years in Tourism. He reported that 720 permits have been issued to date for the year which includes 30 new homes, 14 additional demolitions, 69 fire, 175 plumbing, 219 electrical and 257 building permits. He reported on the fees collected to date and certificate of occupancy that have been issued and zoning applications that have been processed.

Beach Committee – Council Member Lee congratulated Tourism and Ray Summers on 25 years of success. He reported that the beach revenues continue to be down for the beach and that Manasquan Beach was voted one of the top 10 beaches at number 7 and Manasquan Beach was number 8 in the category of day trip. He also stated that in the best family category Manasquan Beach was number 6. He congratulated the beach department as they work hard to provide a great product. He reported on the staffing of the guards at the beach. He also reported that the beach revenues are down from last year and the committee is endorsing a seasonal part time employee to promote and market the beach area.

Council Member Donovan stated that on July 10 there will be an offshore power boat race hosted by the Manasquan River Veterans Offshore Grand Prix and the entire race will be conducted in front of Manasquan Beach.

AUDIENCE PARTICIPATION

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

Fran Drew, 111 Third Avenue requested that council speak into the mics so they can hear what is being said by council.

Judy Richardson, 415 First Avenue voiced her concerns on issues that are happening at the Inlet during fireworks nights with a massive group of kids being rude and disrespectful and using bad language.

John Kelly, 427 Beachfront stated that there are a lot of fights going on at the Inlet and someone is going to get hurt. He stated that the town needs to get to a point where the residents and the Borough are protected. He reiterated what Ms. Richardson stated about safety in the area.

Jack Drew, 111 Third Avenue inquired about trees being located throughout the Third Avenue Parking area.

Council Member Lee advised that he is looking into this request and getting information about a design.

Sean Wohltman, 639 Agnes Avenue inquired about the lack of guards at the beach on Whiting 2.

Council Member Lee stated that he does not know the answer but he would like to get Mr. Wohltman's number and reach out to him and the Chief Lifeguard to discuss.

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

Council Member Donovan made a motion to close the regular meeting at 8:42 p.m. seconded by Council Member McCarthy. Motion carried unanimously.

Respectfully submitted,

Barbara J. Ilaria
Municipal Clerk