

SEPTEMBER 21, 2015

Regular Meeting of Mayor and Council was convened at 8:00 p.m. on September 21, 2015 in Council Chambers of Borough Hall with Council President Donovan presiding.

Council President Donovan 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.

Council President 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, Olivera, and McCarthy.

Absent: Council Member Mangan

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

## **CONSENT AGENDA**

### **RESOLUTION 228-2015**

#### **RESOLUTION AWARDING A CONTRACT FOR RECONSTRUCTION OF SECOND AVENUE PARKING LOT IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH STATE OF NEW JERSEY**

**WHEREAS**, public bids were advertised for and received pursuant to the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) for Reconstruction of Second Avenue Parking Lot; and

**WHEREAS**, the bids submitted for this project were:

	<u>Base Bid</u>	<u>Alt. Bid</u>	<u>Total Bid</u>
Fiore Paving Co., Inc.	\$167,628.00	\$5,458.80	\$173,086.80
DeFino Contracting Co.	\$229,000.00	\$6,268.60	\$235,268.60
All Surface Asphalt Paving Inc.	\$236,377.00	\$5,022.00	\$241,399.00
Earle Asphalt Company	\$288,613.13	\$7,000.00	\$295,613.13

**WHEREAS**, Fiore Paving Co., Inc. submitted a total bid in the amount of \$173,086.80; and

**WHEREAS**, the Borough Engineer has determined the bid by Fiore Paving Co., Inc. complies with the bid specifications and includes all required documentation and has recommended the award of the bid; and

**WHEREAS**, the Borough Council has determined, for the reasons set forth below, that the bid of Fiore Paving Co., Inc. is a responsive and responsible bid; and

**WHEREAS**, the Borough Council is desirous of awarding a contract to Fiore Paving Co., Inc. for the total bid in the amount of \$173,086.80 for the project;

**NOW, THEREFORE BE IT RESOLVED** on the 21<sup>st</sup> day of September, 2015, by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey, as follows:

1. This Bid award is subject to the review and approval of the Bid documents by the Manasquan Borough Attorney.
2. Subject to the above condition, a contract in the amount of \$173,086.80 is awarded to Fiore Paving Co., Inc. this project.
3. The Mayor and Municipal Clerk are authorized and directed to execute all necessary documents to effectuate a contract with Fiore Paving Co., Inc.
4. A certified copy of this resolution shall be sent to:

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Fiore Paving Co., Inc.  
4 Fiore Court  
Oceanport, NJ 07757

**RESOLUTION  
229-2015**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, that the resignation of Michael Sinneck from the position of Environmental Commission member and as a Member of Green Team effective September 9, 2015 be and is hereby accepted.

**RESOLUTION  
230-2015**

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

**WHEREAS**, the Borough of Manasquan is desirous of appointing a Temporary Part-Time Violations Clerk until September 30, 2015; and

**NOW, THEREFORE BE IT RESOLVED** on the 21<sup>st</sup> day of September, 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 Temporary Part-Time Violations Clerk.
2. Salary rate shall be \$15.00 per hour.
3. The effective date of this appointment is until September 30, 2015.
4. A certified copy of this resolution shall be sent to:

Lauren Russnak  
1054 Audubon Drive  
Toms River, NJ 08753

**RESOLUTION  
231-2015**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH  
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,  
APPOINTING ANNA KUNTZ AS TEMPORARY PART-TIME  
VIOLATIONS CLERK**

**WHEREAS**, the Borough of Manasquan is desirous of appointing a Temporary Part-Time Violations Clerk for September 22 & 23, 2015; and

**NOW, THEREFORE BE IT RESOLVED** on the 21<sup>st</sup> day of September, 2015, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. Anna Kuntz is appointed Temporary Part-Time Violations Clerk.
2. Salary rate shall be \$15.00 per hour.
3. The effective date of this appointment is for September 22 and 23, 2015.
4. A certified copy of this resolution shall be sent to:

Anna Kuntz  
2005 Parkview Terrace  
Spring Lake, NJ 07712

**RESOLUTION  
232-2015**

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**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH  
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,  
APPOINTING GLEN PURVES AS PART-TIME PLUMBING SUB  
CODE OFFICIAL**

**WHEREAS**, the Borough of Manasquan (“Manasquan”) is in need of a Part-Time Plumbing Sub Code Official; and

**NOW, THEREFORE BE IT RESOLVED** on the 21<sup>st</sup> day of September, 2015, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

5. Glen Purves is provisionally appointed Part-Time Plumbing Sub Code Official subject to Civil Service Certification.
6. Salary rate shall be \$9,000.00 annually.
7. Additional hours on an “as needed” basis at a rate of \$35 hour.
8. The effective date of this appointment is October 1, 2015.
9. A certified copy of this resolution shall be sent to:

Glen Purves  
9 Homestead Road  
Freehold, NJ 07728

**RESOLUTION  
233-2015**

**CHANGE ORDER NO. 1 & FINAL**

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 Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: Improvements to Willow Way, Spruce Avenue, Old Squan Road, and Chery Place

CONTRACTOR: Earle Asphalt Company

ENGINEER: Maser Consulting, PA  
331 Newman Springs Road  
Red Bank, NJ 07701

Change Order No. 1 & Final

AMOUNT OF CHANGE FOR THIS RESOLUTION: (-\$19,876.56)

TOTAL AMOUNT OF CHANGE: (-\$19,876.56)

TOTAL ORIGINAL CONTRACT PRICE \$202,213.13

REVISED CONTRACT PRICE \$182,336.57

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

**RESOLUTION  
234-2015**

**BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey confirms the appointment of Steven Antonucci, 7 Allen Avenue, Manasquan, New

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Jersey to the Civil Service Title of Director Recreation/Community Center. No salary change. The appointee has met all the necessary requirements and evaluations for the position.

**RESOLUTION  
235-2015**

**AUTHORIZING THE BOROUGH OF MANASQUAN  
TO PARTICIPATE IN THE MONMOUTH COUNTY  
HIGH WATER MARK (HWM) INITIATIVE**

**WHEREAS**, through the Division of Planning and the Office of Emergency Management, the Monmouth County Board of Chosen Freeholders and the Monmouth County Sheriff’s Office established the Community Rating System (CRS) Assistance Program to encourage municipal participation and advancement in the National Flood Insurance Program (NFIP) CRS program; and

**WHEREAS**, FEMA (Federal Emergency Management Agency) offers limited financial assistance to communities that want to raise flood risk awareness and conduct mitigation actions to protect the public from future flood events by posting high water mark signs that acknowledge the location of historic flood events; and

**WHEREAS**, the County of Monmouth in collaboration with Monmouth University’s Urban Cost Institute are coordinating efforts and providing additional assistance to those communities that wish to participate in FEMA’s national high water mark program; and

**WHEREAS**, coordination among municipalities in the County will provide a more cohesive message that improves community flood risk awareness and the need for mitigation both locally and throughout the region; and

**WHEREAS**, municipal participation in the Monmouth County High Water Mark Initiative is voluntary and is being offered at no cost to every municipality in the County, regardless of Community Rating System status; and

**WHEREAS**, municipal partners will identify the proper location for high water mark signs in their community as well as support public outreach and program launch events.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough of Manasquan wishes to participate in the Monmouth County High Water Mark (HWM) Initiative as partner community and agrees to place at least one commemorative sign within the municipality and further agrees to allow Monmouth University’s Urban Coast Institute to complete the appropriate surveying to establish the High Water Mark.

**RESOLUTION  
236-2015**

**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	160,290.19
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Water/Sewer Fund	229,977.27
Beach Fund	6,893.49
Recreation Bldg Trust	
Recreation Commission Trust	5,375.66
General Capital Fund	80,873.40
Water/Sewer Capital Fund	16,107.22
Beach Capital Fund	10,100.40

Council Member Olivera 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, Olivera, and McCarthy. “No” none.

## **ORDINANCES**

The Borough attorney read the title of ordinance 2191-15 for second reading and final hearing.

**BOND ORDINANCE PROVIDING FOR THE RECONSTRUCTION OF  
SIDEWALKS AND OTHER RELATED APPURTENANCES ALONG  
VARIOUS STREETS AND PROPERTIES IN THE BOROUGH OF  
MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY  
APPROPRIATING \$250,000 THEREFORE AND AUTHORIZING THE  
ISSUANCE OF \$237,500.00 BONDS OR NOTES OF THE BOROUGH  
FOR FINANCING SUCH APPROPRIATION**

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 Olivera. Motion carried unanimously.

Council Member McCarthy made a motion to pass and publish ordinance 2191-15 according to law, seconded by Council Member Olivera. Motion carried by the following vote: “yes” Council Member Lee, Sinneck, Donovan, Olivera, and McCarthy. “No” none.

The Borough attorney read the title of ordinance 2192-15 for second reading and final hearing.

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 15  
(RENTAL PROPERTY) SECTION 15-1.2 (INSPECTIONS;  
APPLICATION FEES) OF THE BOROUGH OF MANASQUAN CODE IN  
THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH,  
STATE OF NEW JERSEY.**

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

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

Council Member Sinneck made a motion to pass and publish ordinance 2192-15 according to law, seconded by Council Member Olivera. Motion carried by the following vote: “yes” Council Member Lee, Sinneck, Donovan, Olivera, and McCarthy. “No” none.

The Borough attorney read the title of ordinance 2193-15 for second reading and final hearing.

**BOND ORDINANCE PROVIDING FOR ADDITIONAL FINANCING FOR  
THE CONSTRUCTION, RECONSTRUCTION AND/OR RESURFACING  
OF THE SECOND AVENUE PARKING LOT FOR THE BEACH**

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**DEPARTMENT IN THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$92,500 THEREFORE, AND AUTHORIZING THE ISSUANCE OF \$92,500 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.**

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 Lee. Motion carried unanimously.

Council Member Lee made a motion to pass and publish ordinance 2193-15 according to law, seconded by Council Member McCarthy. Motion carried by the following vote: “yes” Council Member Lee, Sinneck, Donovan, Olivera, and McCarthy. “No” none.

The Borough attorney read the title of ordinance 2194-15 for second reading and final hearing.

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION, PURCHASE, RECONSTRUCTION AND REPLACEMENT OF BUILDING IMPROVEMENTS AT VARIOUS MUNICIPALLY OWNED BUILDINGS AND RELATED ACCESSORIES AND DEVICES IN THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$200,000 THEREFORE, AND AUTHORIZING THE ISSUANCE OF \$190,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.**

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

Council Member Sinneck made a motion to pass and publish ordinance 2194-15 according to law, seconded by Council Member McCarthy. Motion carried by the following vote: “yes” Council Member Lee, Sinneck, Donovan, Olivera, and McCarthy. “No” none.

The Borough attorney read the title of ordinance 2195-15 for second reading and final hearing.

**ORDINANCE TO AMEND SECTION 7-11 (STOP INTERSECTIONS) OF CHAPTER 7 (TRAFFIC) OF THE BOROUGH OF MANASQUAN TO ESTABLISH STOP INTERSECTIONS AT VARIOUS LOCATIONS IN THE BOROUGH OF MANASQUAN, MONMOUTH COUNTY, NEW JERSEY.**

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

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

Council Member McCarthy made a motion to pass and publish ordinance 2151-15 according to law, seconded by Council Member Lee. Motion carried by the following vote: “yes” Council Member Lee, Sinneck, Donovan, Olivera, and McCarthy. “No” none.

The Borough attorney read the title of ordinance 2196-15 for second reading and final hearing.

**BOND ORDINANCE PROVIDING FOR THE IMPROVEMENTS TO MALLARD PARK IN THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY APPROPRIATING \$350,00.00 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$332,500.00**

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**BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION**

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 Olivera. Motion carried unanimously.

Council Member Sinneck made a motion to pass and publish ordinance 2196-15 according to law, seconded by Council Member Olivera. Motion carried by the following vote: “yes” Council Member Lee, Sinneck, Donovan, Olivera, and McCarthy. “No” none.

The Borough attorney read the title of ordinance 2198-15 for second reading and final hearing.

**BOND ORDINANCE PROVIDING FOR THE AQUISITION OF A PICK UP TRUCK AND PLOW FOR THE DEPARTMENT OF PUBLIC WORKS IN THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY APPROPRIATING \$39,518.00 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$37,000.00 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION**

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 Olivera. Motion carried unanimously.

Council Member Lee made a motion to pass and publish ordinance 2198-15 according to law, seconded by Council Member Olivera. Motion carried by the following vote: “yes” Council Member Lee, Sinneck, Donovan, Olivera, and McCarthy. “No” none.

**APPROVAL OF MINUTES**

Work Session and Regular Meeting Minutes – August 17, 2015

Work Session and Regular Meeting Minutes – September 8, 2015

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

**COMMITTEE REPORTS**

Public Safety Committee – Council Member McCarthy reported that the committee is moving forward with implementing some of the capital purchases including vehicles, speed trailer, as well as speed signs. He went over the Attorney General’s standards for body cameras for police departments in New Jersey. He congratulated the police department for the apprehension of a shoplifter in town.

Recreation & Environment – Council Member Olivera reported that Little League Shed has been delivered and the committee is looking into possible alternative locations. He also reported that the Infrastructure Protection and Stormwater Conveyance Project has gone out to bid and the bid opening will be October 8, 2015 at 11 a.m. He advised that the committee met with the Shade Tree Commission at the Second Avenue Parking Lot to discuss the trees in the area as well as the Third Avenue Parking Lot, Borough right of way planting and trimming and planting along the Sea Girt Army Camp. He reported that the Shade Tree will be at the October 5, 2015 meeting to have a brief presentation on the Borough right of way tree program. He reported that as the liaison he received a formal request to attend the library board meeting which he will attend. He advised that there is a home composting workshop on October 8, 2015 at 7 pm at the DCI building. He thanked Council Member Sinneck for all his work on the Environmental Commission.

Building, Planning & Zoning Committee – Council Member Sinneck reported that 1,000 permits year to date have been issued, 21 demolitions, 40 new homes under construction, 2 new home permits issued this

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month and he went over the revenues for the year. He stated that the work load continues at the same pace as it has for the past three (3) years.

Beach Committee – Council Member Lee congratulated Council Member Sinneck and stated that it was a pleasure to serve on the Green Team with him. He thanked council for the passing of the Second Avenue Parking Lot Project and Bond. He reported on the process with a pre-construction meeting (internally) on Thursday which will be followed by a public meeting for the area shortly thereafter. He reported that the NJDOT Maritime Resources Division notified the Borough that they are still working on the permit process for dredging. He reported on the NJ DCA ROID Grants application for beach entrance mats.

Council Member McCarthy stated that with the starting of the school year there are parking restrictions around the school with timed parking and there is going to be work on the gas line throughout town.

Council President Donovan stated that there will be paving on Broad Street starting around Columbus Day.

Public Works & Grounds Committee – Council Member Donovan thanked Council Member Sinneck for being the liaison to the Environmental Commission and the chair before that. He reported that the elevation for the East Virginia Avenue and Brielle Road lift stations is substantially completed, 2 new trucks were order for the public works, and leaf season begins September 28 and starts east of the railroad tracks which is posted on the website. He reported that hydrant flushing will begin on October 12 and will be flushed at night.

### **AUDIENCE PARTICIPATION**

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

Barbara Cooper, 10 Second Avenue voiced her concerns about the Second Avenue Parking Lot Project and the removal of the existing trees.

Council President Donovan stated that there will be a public meeting with elected officials, Borough engineer, and contractor which the public will have a chance to voice their concerns or ideas. He reported on the concerns that have been voiced regarding the placement of the shed for Little League.

Patricia Merz, 26 Second Avenue voiced her concerns with the Second Avenue Parking Lot Project and wants the trees replanted near the sidewalk if possible.

Norman Merz, 26 Second Avenue voiced his concerns with the Second Avenue Parking Lot Project and the grassy area between the sidewalk and the parking lot. He also inquired as to the amount of cars that are in the parking lot and is it necessary to have a fourth row for parking.

Claire Morrison, 71 Second Avenue voiced her concerns about the new shed and cameras at the skate park.

There was a brief discussion on cameras and different types of cameras.

Barbara Cooper, 10 Second Avenue voiced her concerns about broken lights for the skate park and the misuse of the lights at the rink after hours.

There was a brief discussion on the use of the lights at the rink.

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

Council Member Sinneck made a motion to close the regular meeting at 8:44 p.m. seconded by Council Member McCarthy. Motion carried unanimously.

Respectfully submitted,

Barbara J. Ilaria  
Municipal Clerk