

JANAURY 19, 2016

Regular Meeting of Mayor and Council was convened at 8:00 p.m. on January 19, 2016 in Council Chambers of Borough Hall with Mayor Donovan presiding.

Mayor Donovan related that this meeting is being held in accordance with the Open Public Meetings Act of 1975 and that notice was given to the Coast Star and the Asbury Park Press and forwarded to the website on January 25, 2016.

Mayor Donovan 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, Walsh, McCarthy, Olivera, and Mangan.

Absent: None

Council Member McCarthy arrived at 7:14 p.m.

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

Presentation: ALS Valentine Plunge Committee

The ALS Valentine Plunge Committee presented a plaque to the Borough of Manasquan for their support of the plunge for the past 10 years.

The Manasquan PBA presented the ALS Plunge with a donation for all they do and in memory of late Chief Dan Scimeca.

Presentation: John Meehan, JCP&L – Lock Out Zones/Tree Maintenance

Mr. DeIorio stated that as a result of information that was received from the County the Borough was informed that tree maintenance work was being done on municipal trees and the work being done more specifically was in an area described as a lock out zone. He went over the steps that were taken after the Borough was notified of the lock out zone to reach out to JCP&L, BPU, State representatives, and other interested parties. He stated that the Borough was concerned about potential outcome that this type of elevation tree maintenance would do irreparable harm to the Borough's esthetics and environment. He went over the meetings that were held and the request for the utility company to come and update the council and residents on the work to be performed.

JCP&L Representative John Meehan stated that there were a few meetings and thought it was appropriate along with the Mayor to have this presentation to answer questions that might arise. He stated that also present is Ray Vender and Bob Lee from the Forestry team that can answer any specifics of the trimming process along with the lock out zone requirement and regulations that are mandated by the BPU.

Mayor Donovan asked Mr. Meehan to explain the lock out zone and the new BPU regulations and when they came into effect.

Mr. Meehan stated that as of January 1, 2016 the BPU has regulated that utility companies do a more extensive and aggressive tree trimming program which is called a lock out zone. He stated that the lock out zone is specifically the area from the substations to the first protected device and this is the area where the trees will be trimmed more aggressively than 10 to 12 feet from the line and 75 feet above on an overhang. He also went over the mature tree exception which would allow JCP&L as a vegetation management to have a little room in which trees are being trimmed and to what extent.

Mr. DeIorio stated that one of the discussions was having an overall presentation tonight but also in the future sending out notices to those areas that specifically are affected in the lock out zone.

Mr. Meehan stated that JCP&L just started their 2 month notification and residents will be re-notified before the contractors come in. He stated that he will make himself and forestry available to answer any questions as they come in. He advised that JCP&L is here to answer questions and he does not want this to be perceived as the work being done "in the shadow of dark or undercover". He stated that JCP&L is mandated by the BPU to do this work.

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Mr. DeIorio asked Mr. Meehan to discuss the extent of the excavation of a tree in the lock out zone, the 10 foot to 75 foot.

Mr. Meehan stated that excavation is not the correct word to use as it sends the wrong message.

Bob Lee, Manager for Forestry for JCP&L went over the mandate from BPU for lock out zones which would be to remove limbs that overhanging conductors to a height of 75' above the ground. He went over the process, the miles of trees that will be trimmed, and how the trees will be trimmed.

Council Member Lee inquired about the different colored cards that residents received.

JCP&L Representative Mr. Lee stated that every property owner is notified before they trim at least seven days in advance. He stated that the difference between the orange card and the green card is that the green card is a notification that the regular maintenance will be taking place which is re-trimming and the orange card is a notification that is used for anything beyond the normal maintenance and a signature is required by the property owner.

Mayor Donovan stated that the tree discussion will be held until the promotional ceremonies have taken place.

RESOLUTIONS:

**RESOLUTION
32-2016**

WHEREAS, Jacob Kleinknecht is a Lieutenant with the Borough of Manasquan Police Department;
and

WHEREAS, the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, has agreed to promote Lieutenant Jacob Kleinknecht to the position of Captain in the Manasquan Police Department; and

WHEREAS, the salary for said position is consistent with the base salary for the position of Captain as reflected in the most recent collective bargaining agreement; and

WHEREAS, the promotion and requisite salary will become effective immediately; and

WHEREAS, Jacob Kleinknecht is hereby promoted to the position of Captain of the Borough of Manasquan Police Department.

NOW, THEREFORE, BE IT RESOLVED on this 19th day of January 2016, 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 following:

1. The Borough Council does hereby authorize the promotion of Lieutenant Jacob Kleinknecht to the position of Captain with a salary consistent with the base salary of Captain as reflected in the most recent collective bargaining agreement.
2. A certified copy of this resolution shall be sent :

Jacob Kleinknecht
6 Main Street
Manasquan. NJ 08736

**RESOLUTION
33-2016**

WHEREAS, Nicholas Tumminelli is a Sergeant with the Borough of Manasquan Police Department;
and

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WHEREAS, the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, has agreed to promote Sergeant Nicholas Tumminelli to the position of Lieutenant in the Manasquan Police Department; and

WHEREAS, the salary for said position is consistent with the base salary for the position of Police Lieutenant as reflected in the most recent collective bargaining agreement; and

WHEREAS, the promotion and requisite salary will become effective immediately; and

WHEREAS, Nicholas Tumminelli is hereby promoted to the position of Lieutenant of the Borough of Manasquan Police Department.

NOW, THEREFORE, BE IT RESOLVED on this 19th day of January 2016, 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 following:

1. The Borough Council does hereby authorize the promotion of Sergeant Tumminelli to the position of Police Lieutenant with a salary consistent with the base salary of Sergeant as reflected in the most recent collective bargaining agreement.
2. A certified copy of this resolution shall be sent :

Nicholas Tumminelli
6 Hickory Circle
Barneget, NJ 08005

**RESOLUTION
34-2016**

WHEREAS, William Sutton is a Patrolman with the Borough of Manasquan Police Department; and

WHEREAS, the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, has agreed to promote Patrolman William Sutton to the position of Sergeant in the Manasquan Police Department; and

WHEREAS, the salary for said position is consistent with the base salary for the position of Police Sergeant as reflected in the most recent collective bargaining agreement; and

WHEREAS, the promotion and requisite salary will become effective immediately; and

WHEREAS, William Sutton is hereby promoted to the position of Sergeant of the Borough of Manasquan Police Department.

NOW, THEREFORE, BE IT RESOLVED on this 19th day of January 2016, 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 following:

1. The Borough Council does hereby authorize the promotion of Patrolman Adam Pharo to the position of Police Sergeant with a salary consistent with the base salary of Sergeant as reflected in the most recent collective bargaining agreement.
2. A certified copy of this resolution shall be sent :

William Sutton
23 Trenton Avenue
Manasquan, NJ 08736

**RESOLUTION
35-2016**

WHEREAS, Adam Pharo is a Patrolman with the Borough of Manasquan Police Department; and

WHEREAS, the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, has agreed to promote Patrolman Adam Pharo to the position of Sergeant in the Manasquan Police Department; and

WHEREAS, the salary for said position is consistent with the base salary for the position of Police Sergeant as reflected in the most recent collective bargaining agreement; and

WHEREAS, the promotion and requisite salary will become effective immediately; and

WHEREAS, Adam Pharo is hereby promoted to the position of Sergeant of the Borough of Manasquan Police Department.

NOW, THEREFORE, BE IT RESOLVED on this 19th day of January 2016, 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 following:

1. The Borough Council does hereby authorize the promotion of Patrolman Adam Pharo to the position of Police Sergeant with a salary consistent with the base salary of Sergeant as reflected in the most recent collective bargaining agreement.
2. A certified copy of this resolution shall be sent :

Adam Pharo
1108 Oakland Street
Point Pleasant NJ 08742

Council Member McCarthy made a motion to approve the resolutions, seconded by Council Member Lee. Motion carried by the following votes: "yes" Council Members Lee, Walsh, McCarthy, Olivera, and Mangan. "No" none.

Swearing In Ceremony:

Mayor Donovan swore in Jacob Kleinknecht as Police Captain

Mayor Donovan swore in Nicholas Tumminelli as Police Lieutenant

Mayor Donovan swore in William Sutton as Police Sergeant

Mayor Donovan swore in Adam Pharo as Police Sergeant

Appointments:

Mayor Donovan made the following appointments:

Environmental Commission

Chip Dzenis – Member	3 Year
Doug Caum – Alternate #1	2 Year

Audience Participation – Agenda Items

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

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Jack Drew, 111 Third Avenue voiced his concerns and opinion on the BPU regulations and transmission lines, distribution lines and the lock out zone.

JCP&L representative over where the substation is and the first protected device and that each circuit is different.

Mr. Drew inquired about the protective line to the beach.

There was discussion between Mr. Drew and the representatives of JCP&L regarding Main Street lines and protective devices and the BPU regulations.

Fran Drew, 111 Third Avenue voiced her concerns and opinion about the BPU regulations and the harm to the town trees with aesthetics and the environment. She advised the different departments that she tried to contact regarding the BPU regulations. She also voiced her opinion on wires underground and inquired about a 10 year study by JCP&L. She inquired on how much JCP&L spends on maintenance over 10 years and 20 years. She voiced her concerns on the trees being trimmed back 75' and that BPU has said that utility companies can eliminate certified tree experts and arborists and put in vegetation managers.

JCP&L representative went over why Manasquan was chosen to undergo the current trimming and he advised that there is certain information that cannot be given out as it is a security issue.

Brian Mallin, 272 Pine Avenue, Manasquan Shade Tree Commissioner stated that the power company is in the business of protecting their lines and are not in the business of protecting the trees. He went over the process of the lock out zones.

JCP&L representative advised that some residents want to be proactive with tree trimming.

There was discussion with Mr. Mallin and JCP&L representatives regarding the sign off by the homeowners and if the homeowner realizes what they signed off on.

Mr. Mallin stated that the Shade Tree Commission will be working with the power company on a case by case basis to make sure that everyone is happy. He also stated that the Shade Tree will make sure that every resident who has a tree that might be affected is aware and he will help them.

Mr. Meehan stated that JCP&L will be working with the residents directly and the Shade Tree can work with the residents.

Mr. DeIorio stated that the Borough Council and the Shade Tree will be working together with the residents regarding the tree trimming and the lock out zones.

Mr. Mallin went over some of the programs that the Shade Tree is providing regarding tree plantings.

Sean Woltzman, 639 Agnes Avenue, Brielle inquired about a map that would more clearly outline the area to be trimmed and the security concerns.

JCP&L representative went over the reasons for the security concerns with a map showing the power lines.

Mr. Meehan stated that JCP&L cannot provide a circuit map as there are security issues attached to it.

Council Member McCarthy stated that he does not think the circuit map is being requested a map of Manasquan identifying the streets and the trees that may possibly be removed is what is being requested.

Mr. Meehan stated that all the addresses have been given to the Borough and the Borough can mark up a map for the residents.

Mayor Donovan stated that a map can be created with the information that was given to the Borough to show where the proposed work is about to take place.

There was discussion on the map of the Borough and the circuit map.

Barbara Crook, 131 Lake Avenue inquired about the percentage of residents that have been notified with the different cards.

JCP&L Representative stated that about 70% have been notified.

Ms. Crook inquired about signing or not signing the card.

JCP&L Representative advised the process of the card signing and the tree trimming being done.

Ms. Connelly, McClean Avenue inquired as to how many trees will be removed as a result of this trimming.

There was discussion on the possible tree removal of two trees and the tree trimming process.

Mary Ryan, 113 Beachfront thanked JCP&L for their time and she voiced her concerns and opinions on the tree trimming and the process.

JCP&L Representative went over the process of the tree trimming and the regulations by BPU.

There was discussion on the tree trimming and maintenance of the trees and notification to residents.

Joyce Marazitti, 18 Fisk Street voiced her concerns and opinion on the trees in town and the trimming of the mature trees.

JCP&L Representative went over the tree trimming process of mature trees and he advised that trees are not trimmed back so far that they would die. He stated that wires and trees do not mix and JCP&L's job is to trim the trees away from the wires.

There was discussion on the tree trimming process and what constitutes a mature tree.

Bob Ferrante, 80 Ocean Avenue inquired about when the other residents will be notified and receive cards. He also stated that the contractor should be available to respond to residents' concerns and questions also.

JCP&L Representative advised that it will be within the next few weeks and that the contractor is Davie Tree Trimming

Pat Pellegrini, 394 Euclid Avenue voiced her concerns and opinion on the tree trimming process and some of the tree trimming that has already been completed. She also stated that JCP&L should fix some of the telephone poles that are leaning and are in danger of falling over.

JCP&L Representative stated that they are constantly changing poles and they can tolerate a lot of leaning and this is an ongoing process.

Ms. Pellegrini inquired about the Manasquan Shade Tree elevations and if that would be sufficient to protect the lines.

JCP&L Representative advised that he does not believe so and that it is their responsibility and not the Shade Tree or the homeowner's responsibility.

Sal Marazitti, 18 Fisk Street voiced his concerns and opinion on the tree trimming and the length of the line on Main Street and instead of cutting the trees alter the lines.

Mayor Donovan stated that the length of the line and the possibility of changing that is a question for the JCP&L engineer and they are not here tonight. He also stated that the protective device is placed based on load not on distance.

Mary Kotsopoulos, 30 Ocean Avenue inquired about the green tag which she received and she inquired about new homes having to put their wires underground. She inquired about JCP&L doing underground wiring.

Scott Swiggett, 377 Pine Avenue inquired about the door tag and does the homeowner have the opportunity to say "no" the tree cannot be trimmed.

JCP&L Representative stated that they have to get certain clearances and that they have the discretion to trim or not in order to protect the wires within the 15 feet.

Mr. Meehan stated that it is JCP&L's right and responsibility to maintain within the 15 feet and the homeowner stating that they did not want it done would only prevent JCP&L from doing the overhang and the 75 feet up. He stated that the cut out would still need to be done to maintain the 15 feet.

There was discussion on the cut out area and the 75' height of the trimming.

Elaine Noone, 544 Brielle Road stated that where she lives there are no trees and she appreciates the trees in town. She voiced her concerns and opinion on the trimming of the trees.

Elaine Provost, 11-15 Wyckoff Avenue inquired as to where she could get the map of the trees.

Mayor Donovan advised that something will be put together and it will be posted on the Borough website.

Jack Drew, 111 Third Avenue voiced his concerns and opinion on the BPU regulations and the vegetation plan and the environmental impact as mentioned in the regulations. He also voiced his concerns regarding the mature trees.

There was discussion on the sign off by residents and what will happen if they do not sign off.

Kelly Connelly, resident inquired about putting information on the website regarding the properties affected with a before and after pictures.

Mayor Donovan stated that the Borough can try to do that. He stated that the Borough will get a map of the Borough which will be color coded with the lock out zones.

Fran Drew, 111 Third Avenue voiced her concerns and opinion on the trees on Main Street going towards the beach and the canopy over the street. She inquired as to how many linear miles where trees have to be cut 75' high so she can figure out how much it costs to put those wires underground. She also inquired about names of representatives that participated in the BPU's new amendment process and who she could contact at the BPU.

Mr. Meehan advised that there is a Board and not an individual that participates in the process.

Ms. Drew inquired as to how much JCP&L in the state of New Jersey pays for 10 years to deal with outages, put new poles in, trimming, and general maintenance.

There was discussion about the information being requested.

Joyce Marazitti, 18 Fisk inquired as to how many trees are municipal trees.

Mr. DeLorio stated that what JCP&L presented to the Borough was about 20 trees which were mainly along Main Street.

Mayor Donovan stated that the Shade Tree Commissioner has done a survey of some of the trees that the Borough had questioned and he stated that we continue to work to identify all the trees that are Borough owned.

Ms. Marazitti inquired whether or not the Borough was going to authorize the municipal trees to be trimmed.

Mr. DeLorio stated that this cannot be answered at this time as they do not know exactly which trees need trimming or a more aggressive trimming needs to be done.

Council Member McCarthy stated that it should be on a case by case basis. He advised that once the list is received Mr. DeLorio and Mr. Mallin will discuss and bring it to the council and the council will make a decision.

Ms. Marazitti voiced her opinion on what should be posted to the website to keep the residents informed and she voiced her concerns and opinion on the tree trimming.

Barbara Crook, 131 Lake Avenue inquired as to how many of the trees on East Main Street are privately

owned and have all the residents been notified.

Mr. DeIorio stated that the majority of the residents have been notified with an orange card and the follow up is to determine who owns the tree.

Ms. Crook inquired if the resident that has already signed can they change their mind.

Mr. DeIorio stated that the residents will be re-notified and JCP&L is willing to do this.

Mary Ryan, 113 Beachfront stated that Manasquan was designated as "Tree City" by the Arbor Foundation 18 years ago and she is very proud of that. She inquired about pictures of the trees in bloom to share with JCP&L.

Mary Kostolopus, 30 Ocean Avenue reiterated what Mr. Drew stated and the responsibility of the council to get the information out to the residents. She also voiced her concerns on the water table and the trees.

JCP&L Representative stated that they will not destroy the health of the tree.

There was discussion on cutting 33% of a tree and the affect it would have on the tree's health.

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

Approval of Minutes

Re-Organization Meeting Minutes – January 4, 2016

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

Workshop Discussion

Item #1: Use of Borough Property

- River to Sea Relay – August 6, 2016 – Ending at Inlet

There was discussion on the event and Council Member McCarthy made a motion to hold this event until the next meeting, seconded by Council Member Olivera. Motion carried unanimously.

- Beach Wedding – April 9, 2016 – Inlet Beach/Gazebo

Council Member Lee made a motion to approve this event, seconded by Council Member McCarthy. Motion carried unanimously.

Item #2: COAH Update

Mr. DeIorio updated the council on the COAH activities that have been taking place and that will be taking place shortly. He stated that there is a closed session item to discussion the particulars as it pertains to any contractual or litigation issues.

CONSENT AGENDA

RESOLUTION 36-2016

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

WHEREAS, the Borough of Manasquan's most recent Personnel Policies and Procedures were revised on April 20, 2015 by the Borough Governing Body via Resolution 101-15 and,

WHEREAS, the Borough Council has determined that there is a need to amend personnel policies and procedures related to the use of vacation and conferences to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations, and,

WHEREAS, Page 25 of Section Three: Paid and Unpaid Time Off Policies, under Vacation Leave Policy, point 7 is amended to read

- Vacation requests in excess of two weeks will be considered for approval by the Department Head based upon staffing and other operational needs. Approval of the Municipal Administrator if the request is made by the Department Head and approval of the Governing Body if the request is made by the Municipal Administrator. In all cases, the requestor shall demonstrate in his/her request that time in excess of two week is an extenuating circumstance that does not reoccur annually. When calculating the excess of a two week vacation, the department head, administrator or Mayor and Council will take into account the relative time out of the office for conferences that are scheduled near the requested two weeks.

WHEREAS, Page 41 of Section 4: Compensation & Employee Benefits Policy under Conference and Seminar Policy, shall add paragraph number 3 to read

- Payment for the attendance by staff at conferences which are two days or more, if granted, are under the condition that the employee be required to show proof of attendance at sessions. In addition, a written summary of lessons learned or updates on issues will be provided to the department head and administrator

NOW, THEREFORE, BE IT RESOLVED, on this 19th day of January, 2016, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follow:

1. The amended Personnel Policies and Procedures Manual is adopted and is on filed at the Municipal Clerk's office.
2. These amended 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. Any inconsistencies between the amended policy and other sections of the current policy shall be reflected to coincide with the adopted amended policy.
4. This amended 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.
5. To the maximum extent permitted by law, employment practices for Manasquan shall operate under the legal doctrine known as "employment at will."
6. 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 NO
37-2016**

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**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,
RELEASING THE MAINTENANCE GUARANTEE POSTED BY
MC CAULEY CONSTRUCTION CO. INC. AND NGM INSURANCE
COMPANY.**

WHEREAS, McCauley Construction Co., Inc. and NGM Insurance Company posted a maintenance guarantee in the form of a maintenance bond in the amount of \$82,793.15 for the Beachfront Buildings and Beach Department Building Improvements Project ; and

WHEREAS, a review of the bonded items shows that all project requirements are complete and are acceptable; in addition, all fees have been paid and conditions satisfied; and

WHEREAS, the governing body of the Borough of Manasquan is desirous of releasing the maintenance guarantee in the amount of \$82,793.15; and

NOW, THEREFORE BE IT RESOLVED on the 19^h day of January, 2016, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. The maintenance guarantee posted by, McCauley Construction Co., Inc. and NGM Insurance Company may be released.

2. A certified copy of this Resolution shall be sent to:

McCauley Construction Co. Inc.
48 Community Place, Unit C
Long Branch, NJ 07740

NGM Insurance Company
4601 Touchton Road East
Jacksonville, FL 32246

**RESOLUTION
38-2016**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the application of Manasquan Beach House for an Amusement Game License to operate two amusement games at 390 E. Main Street, Manasquan, New Jersey for the year 2016 is hereby approved and accepted.

BE IT FURTHER RESOLVED that the Borough Clerk is instructed and authorized to issue a license, that is,

<u>NAME OF APPLICANT</u>	<u>ADDRESS OF PREMISE TO BE LICENSED</u>	<u>TYPE OF GAME AND LICENSE</u>
Manasquan Beach House	390 E. Main Street Manasquan, New Jersey 08736	Video Mega Touch/0002
Manasquan Beach House	390 E. Main Street Manasquan, New Jersey 08736	Video Golden Tee/0023
Manasquan Beach House	390 E. Main Street Manasquan, New Jersey 08736	Video Bowling Rama/0075

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**RESOLUTION
39-2016**

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 2016 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 will not exceed \$17,500; and

WHEREAS, the anticipated term of these contracts are one year (January 1, 2016 to December 31, 2016); 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.

Donald K. Greer – Public Defender

This appointment is 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 19th day of January, 2016 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 2016 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.

**RESOLUTION
40-2016**

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 2016 Agreement:

Ellicott Network Consultants, LLC – Hardware and System Software Support

**RESOLUTION
41-2015**

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	2,906,551.43 Includes 2,652,876.50 BOE Tax
Water/Sewer Fund	363,651.02
Beach Fund	98,134.48
Recreation Bldg Trust	6,495.52
Recreation Commission Trust	200.00
General Capital Fund	5,125.00
Water/Sewer Capital Fund	1,346.00
Beach Capital Fund	72.50

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

ORDINANCES

The Borough Attorney read the title of ordinance 2201-16 for introduction.

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER
10 (PARKS AND RECREATION AREAS) SECTION 10-3
(PERMITS FOR SPECIAL EVENTS) AND AMENDING
SUBSECTION 10-3.1 (APPLICATION) OF THE BOROUGH OF
MANASQUAN CODE IN THE BOROUGH OF MANASQUAN,
COUNTY OF MONMOUTH, STATE OF NEW JERSEY.**

Council Member McCarthy made a motion to introduce ordinance 2201-16, seconded by Council Member Olivera. Motion carried by the following vote: "yes" Council Member Lee, Walsh, McCarthy, Olivera, and Mangan. "No" none.

COMMITTEE REPORTS

Public Works & Property Committee – Council Member Lee reported on the leaf pick up, skatepark shut down, Christmas tree pick up, repairs at DCI building, street sweeper, and he recognized Ed Hill on his retirement at the end of the month. He congratulated the Chief on his new staff and team.

Building, Planning & Zoning Committee – Council Member Walsh reported that he met with the Code/Construction Department Supervisor to get up to speed on the department's needs and issues that the supervisor feels are important and he looks forward to working with the committee members.

Beach Committee – Council Member McCarthy reported that the beach committee met with the Beach Manager to review the budget and he met with Viply which is a program that will streamline online sales of

beach badges. He also reported that the organization that provided a wiffle ball tournament on the beach last year has reached out to see about them returning this year. He congratulated the Chief and all the other officers for their promotions.

Public Safety Committee – Council Member Olivera thanked Council Member McCarthy for his 3 years of chairmanship that he served with him and he is very thankful that Council Member McCarthy is staying on the committee to work with him on public safety. He congratulated the officers that were promoted tonight as well as Chief Bauer and he looks forward to working with all of them moving forward. He reported that the first winter storm is coming and he reported on the preliminary report from OEM and that the website will be updated as the information comes in.

Administration and Finance Committee – Council Member Mangan reported that the budget process is officially underway. He stated that the committee will be meeting on the Wednesday or Thursday preceding every Saturday budget meeting to review the documents.

AUDIENCE PARTICIPATION

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

Joanne Corb, 465 Euclid Avenue voiced her concerns with sidewalk/street and the water constantly flooding the area. She advised that she has dealt with previous council members and Ed Donovan and Joe DeLorio regarding this problem. She stated that she will not pay for new curbs as she had curbs and they were sunken by the town. She put the town on notice that she will not be responsible for any issues with the area.

Mayor Donovan apologized for not getting back to her but he did make arrangements with the borough engineer to give her a call and to go and take a look at the problem. He will follow up with that.

Ms. Corb stated that she spoke to Mr. DiRoma from the Code Department about the problem and he walked the area and the water does not drain properly. She also stated that Mr. DiRoma took pictures.

Mayor Donovan stated that he will make sure that he gets there with the borough engineer and they will take a look at the problem.

Elaine Noone, 544 Brielle Road stated that she rebuilt her house after Sandy and she voiced her concerns on the new pitch of the road and that water is coming up the apron of the driveway. She asked that this issue be looked at to see what can be done as this did not use to happen.

Mary Ryan, 113 Beachfront inquired about a budget meeting this Saturday and if the Beach budget will be include.

Mayor Donovan stated that there is a scheduled meeting this Saturday and the Beach budget will not be included in this meeting.

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

The closed session portion of the minutes begins on the next page. The signature and approval date are located on the last page following the closed session meeting minutes.

Council Member McCarthy made a motion to close the regular meeting at 9:59 p.m., seconded by Council Member Mangan. Motion carried unanimously.