

MARCH 7, 2016

Regular Meeting of Mayor and Council was convened at 7:00 p.m. on March 7, 2016 in Council Chambers of Borough Hall with Mayor Donovan presiding.

Mayor Donovan read the statement re: Open Public Meetings Act of 1975 and that adequate notice has been provided by transmitting the Resolution of Annual Meetings to the Asbury Park Press and the Coast Star, by posting it in the Borough Hall on a bulletin board reserved for such announcements, and by posting it on the official website of the borough.

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, Read, and Mangan.

Absent: None

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

Audience Participation – Agenda Items

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

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

Appointment:

Mayor Donovan made the following appointment.

Lynn Sauer – Tourism Commission Member – unexpired term 01/01/2015 to 12/31/2017.

Approval of Meeting Minutes:

Regular Meeting Minutes – February 1, 2016

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

Budget Meeting Minutes – February 6, 2016

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

Regular Meeting Minutes – February 16, 2016

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

Workshop Discussion

Item #1: Use of Borough Property

- Clean Ocean Action Beach Sweeps – April 30 and October 22, 2016

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

- Beach Wedding – May 14, 2016

Council Member Olivera made a motion to approve this request with the approval of 6 chairs, seconded by Council Member McCarthy. Motion carried unanimously.

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- Walk/Run – American Foundation for Suicide Prevention – September 17, 2016

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

- Easter Sunrise Service – Inlet Gazebo – March 27, 2016

Council Member Olivera made a motion to approve this request, seconded by Council Member Mangan. Motion carried unanimously.

- Gee Gee's Beach Volleyball – June to August – Tuesday and Wednesday

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

- Palm Sunday Worship – Squan Plaza Gazebo- March 20, 2016

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

- Recreation Easter Egg Hunt – Squan Plaza – March 24, 2016, 5:00 to 6:00 pm

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

- PBA Fishing Contest – Mac's Pond – May 7, 2016, 9:00 am to 12:00 pm

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

Item #2: Engineer's Monthly Report

Mr. James Priolo read the highlights of the February 2016 engineer's report.

There was discussion on the bulkhead project and the timeline.

It was recommended that a letter go out to the slip renters to let them know what is going on with the project and the new timeline.

There was discussion on the tide valves and the timeline.

Mr. Priolo stated that the plan is to have the contractor in this month to construct the two structures on Main Street and then right after that they would insert the valves. He stated that he believes it would be early April.

There was discussion on the start of the Mallard Park project after the bulkhead project is completed.

Council Member Mangan stated that he would like to get some road improvements to the engineer for them to price for the capital budget and discussion.

Item #3: Ad Hoc Committee – Discussion

Council Member Mangan went over the background regarding the Ad Hoc Committees. He stated that the two committees, Grants Committee and Negotiations Committee which had expired at the end of the year need to be filled for the current year.

It was recommended that Council Members Olivera, Lee, and McCarthy be on the Grants Committee and Council Members Olivera, Read, and Walsh be on the Negotiations Committee and a resolution will be on the next agenda for approval.

CONSENT AGENDA

MARCH 7, 2016

**RESOLUTION
48-2016**

BE IT RESOLVED, that the Hon. Edward G. Donovan, Jr., Mayor of the Borough of Manasquan, be and is hereby authorized to sign the agreement between Cross River Fiber and the Borough of Manasquan for the installation of fiber optic cable in the municipal right of way.

**RESOLUTION
63-2016**

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. BRIAN HIGGINS
493 Long Avenue
Manasquan, NJ 08736

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #14-2015
493 LONG AVENUE
BLOCK: 175 - LOT: 66. 67 – Zone: R-3

AMOUNT OF REFUND DUE: \$700.00

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
64-2016**

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. MATTHEW BROCK
929 GARDEN STREET #2
HOBOKEN, NJ 07030

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #12-2014
63 ROGERS AVENUE
BLOCK: 153 - LOT: 2 – Zone: R-3

AMOUNT OF REFUND DUE: \$849.47

NAME: MR. DONALD CRESITELLO
361 BEACHFRONT
MANASQUAN, NJ 08736

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND

MARCH 7, 2016

APPLICATION #45-2014
362 FIRST AVENUE
BLOCK: 185 – LOT: 25 – ZONE: R-4

AMOUNT OF REFUND DUE: \$912.50

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
65-2016**

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: SUSAN FEDERICO
78 ROLLING MEADOWS BLVD
OCEAN, NJ 07712-8534

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #17-2015
295 BEACHFRONT
BLOCK: 181 - LOT: 3 – Zone: R-4

AMOUNT OF REFUND DUE: \$631.25

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
66-2016**

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: JOHN CARBONE
PO BOX 497
ALLENWOOD, NJ 08720-0497

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #47-2013
321 BEACHFRONT
BLOCK: 185 - LOT: 7 – Zone: R-4

AMOUNT OF REFUND DUE: \$444.22

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.

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**RESOLUTION
67-2016**

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: EDWARD HENDERSON
228 OLD MILL ROAD
FREEHOLD, NJ 07728-7744

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #39-2013
323 BEACHFRONT
BLOCK: 185 - LOT: 8 - Zone: R-4

AMOUNT OF REFUND DUE: \$608.92

NAME: TERRANCE HEGEL (HOFFMAN)
ATLANTIC MODULAR
75 TAYLOR AVENUE
MANASQUAN, NJ 08736

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #38-2014
445 E MAIN STREET
BLOCK: 147 - LOT: 14.02 - ZONE: R-2

AMOUNT OF REFUND DUE: \$512.50

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
68-2016**

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, that the resignation of Kevin M. Thompson as a Commissioner of the South Monmouth Regional Sewerage Authority effective February 20, 2016 be and is hereby accepted.

**RESOLUTION
70-2016**

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: LIAM CARR
155 THIRD AVENUE
MANASQUAN, NJ 08736

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REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #18-2015
155 THIRD AVENUE
BLOCK: 169.01 - LOT: 50.01 – Zone: R-3

AMOUNT OF REFUND DUE: \$637.50

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
71-2016**

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

WHEREAS, refunds for an overpayment is due below in the amount designated as follows:

REFUND CHECK TO BE MADE PAYABLE TO:

**LUBECK SHORE PROPERTIES FAMILY LP
2 KENNETH PL
HAMPTON, NJ 08827-4217**

AMOUNT: \$572.66

REASON FOR REFUND: 2015 Overpayment of W/S Account #311650

WHEREAS, the Tax Collector has certified that the current property owner 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
72-2016**

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: 2014 Miscellaneous Roadway Improvements
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: | (-\$11,097.46) |
| TOTAL AMOUNT OF CHANGE: | (-\$11,097.46) |
| TOTAL ORIGINAL CONTRACT PRICE | \$295,013.13 |

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REVISED CONTRACT PRICE

\$283,915.67

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
73-2016**

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

WHEREAS, a refund for the Tax Title Lien Redemption for the following property is due on the below described property in the amount designated as follows:

BLOCK: 35 / LOT: 21 NAME: Aimee & Joseph Paccione

PROPERTY LOCATION: 35 Broad St

AMOUNT: \$748.18

REASON FOR REFUND: REDEMPTION OF TTL #14-00002

REFUND CHECK TO BE MADE PAYABLE TO:

**TOWER FUND SVC-CUST EBURY FUND
1 NJ, LLC
PO BOX 37695
BALTIMORE, MD 21297-3695**

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
74-2016**

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

WHEREAS, a refund for a Tax Title Lien Redemption for the following property is due on the below described property in the amount designated as follows:

BLOCK: 35 / LOT: 21 NAME: Aimee & Joseph Paccione

PROPERTY LOCATION: 35 Broad St

AMOUNT: \$1,700.00

**REASON FOR REFUND: Return of Premium Paid at Tax Sale
Redemption of TTL #14-00002**

REFUND CHECK TO BE MADE PAYABLE TO:

**TOWER FUND SVC-CUST EBURY FUND
1 NJ, LLC
PO BOX 37695
BALTIMORE, MD 21297-3695**

WHEREAS, the Tax Collector has certified that the current lien holder is entitled to the refund.

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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
75-2016**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey, that Manasquan Volunteer Engine Company #2 has submitted the attached members that qualify under Ordinance 2005- 07 "Free Season Beach Badge and Parking Permit for Certain Members of the Volunteer Fire Companies". These Members responded to 30% or more of the calls of the Unit or are Life Members of Manasquan Volunteer Engine Company No. 2.

**RESOLUTION
76-2016**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey, that Manasquan Volunteer Engine Company No. 2 has submitted the attached members that qualify under Ordinance 2005-07 Section 7 for "Exemption from the Payment of Permit Fees" these Members responded to 30% or more of the calls of the Unit or are Life Members of Manasquan Volunteer Engine Company No.2.

**RESOLUTION
77-2016**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF
MANASQUAN, MONMOUTH COUNTY, NEW JERSEY AUTHORIZING
THE RELEASE OF A BOND POSTED BY JOHN & MICHELLE
HALLAK PURSUANT TO SECTION 15-2 OF CHAPTER 15 (RENTAL
PROPERTY) OF THE MUNICIPAL CODE**

WHEREAS, the Borough of Manasquan has enacted an Animal House Ordinance (the "Ordinance"), Section 15-2 of Chapter 15 (Rental Property) of the Municipal Code, for the purpose of incentivizing landlords to maintain peace and quiet on their rental premises, especially during the summer season; and

WHEREAS, any landlord found in violation of the Ordinance shall be required to post a bond against the consequences of future incidents of the same character on or near their rental premises that shall remain in force for a period of four years; and

WHEREAS, the Ordinance provides for the bond to be discharged after the four year period if no additional violations occur on the rental premises; and

WHEREAS, John and Michelle Hallak, owners of 150 First Avenue, Manasquan, had been found in violation of the Ordinance and posted a \$1,500.00 bond on June 2, 2011; and

WHEREAS, the four year period has now lapsed without incident since the posting of the bond; and

NOW, THEREFORE, BE IT RESOLVED on the 7th day of March 2016 by the Borough Council of the Borough of Manasquan, in the County of Monmouth, State of New Jersey as follows:

1. The Chief Financial Officer is hereby authorized to return the bond proceeds in the amount of \$1,500 to John & Michelle Hallak.
2. The check shall be sent to:

John & Michelle Hallak
12 Franklin Drive

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Basking Ridge, NJ 07920

**RESOLUTION
78-2016**

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: LADACIN NETWORK
1703 KNEELEY BLVD
WANAMASSA, NJ 07712-7622

AMOUNT OF REFUND DUE: \$400.00

REASON FOR REFUND: Beach Security-ALS Plunge

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
79-2016**

WHEREAS, the Borough of Manasquan Council of the Borough of Manasquan, County of Monmouth entered into the Municipal Shared Services Defense Agreement ("MSSDA") for the purpose as set forth therein, which included retaining a common expert in the Declaratory Judgment action ("Litigation") that was filed in accordance with In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) ("Decision"); and

WHEREAS, the MSSDA identified Dr. Robert Burchell, a distinguished professor at Rutgers University, as the expert to be retained to prepare an expert report (the "Burchell Report"); and

WHEREAS, the Borough of Manasquan contributed \$2,000 to become a member of a consortium of municipalities (hereinafter "Municipal Group") so that the Municipal Group could enter into an agreement with Rutgers University (hereinafter "Research Agreement") for the purpose of having Dr. Burchell prepare a fair share report (hereinafter "Burchell Report"); and

WHEREAS, Dr. Burchell became ill and was unable to complete the obligations under the Research Agreement as set forth in the MSSDA; and

WHEREAS, as a result, Rutgers University exercised its right to terminate the Research Agreement as permitted under its terms; and

WHEREAS, the MSSDA required a modification to allow the Municipal Group to retain one or more alternative experts, consultants and/or other professionals for the Litigation; and

WHEREAS, an Amendment to the MSSDA ("Amendment") was prepared to effectuate the modification, and said Amendment was entered into by the Borough of Manasquan; and

WHEREAS, the Amendment authorized the execution of an agreement with Econsult Solutions, Inc. ("ESI") to replace Dr. Burchell and Rutgers, and to prepared its own revised report; and

WHEREAS, ESI prepared a revised report entitled "New Jersey Affordable Housing Need and Obligations", dated December 30, 2015 (the "Solutions Report"), for the Municipal Group; and

WHEREAS, the MSSDA as amended, entitled Members of the Municipal Group to retain ESI to testify about the Solutions Report and for related issues; and

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WHEREAS, any Member of the Municipal Group could retain ESI (i) individually, (ii) as part of a local consortium consisting of other municipalities under the vicinage of any particular judge presiding over Mount Laurel matters or (iii) both individually and as part of a local consortium; and

WHEREAS, the purpose of this resolution is to retain ESI individually; and

WHEREAS, the proposed individual agreement, attached hereto, envisions that ESI will split its work if it prepares a report that benefits multiple municipalities; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, as follows:

1. The Borough of Manasquan hereby authorizes its attorney to sign the agreement, attached hereto, on its behalf.
2. This Resolution shall take effect immediately.

**RESOLUTION
80-2016**

**RESOLUTION AWARDING A CONTRACT FOR THE ADVANCED
METERING INFRASTRUCTURE PROJECT 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 Advanced Metering Infrastructure Project; and

WHEREAS, the bids submitted for this project were:

| | <u>Base Bid</u> | <u>Alt. A</u> | <u>Total Bid</u> |
|---------------------------|-----------------|---------------|------------------|
| HD Supply Waterworks, Ltd | \$1,316,300.00 | \$16,000.00 | \$1,332,300.00 |

WHEREAS, HD Supply Waterworks, Ltd submitted a total bid in the amount of \$1,332,300.00; and

WHEREAS, the Borough Engineer has determined the bid by HD Supply Waterworks, Ltd 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 HD Supply Waterworks, Ltd is a responsive and responsible bid; and

WHEREAS, the Borough Council is desirous of awarding a contract to HD Supply Waterworks, Ltd for the total bid in the amount of \$1,332,300.00 for the project;

NOW, THEREFORE BE IT RESOLVED on the 7th day of March, 2016, 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. This Bid award is subject to the approval of the Department of Environmental Protection.
2. Subject to the above condition, a contract in the amount of \$1,332,300.00 is awarded to HD Supply Waterworks, Ltd for this project.
3. The Mayor and Municipal Clerk are authorized and directed to execute all necessary documents to effectuate a contract with HD Supply Waterworks, Ltd
4. A certified copy of this resolution shall be sent to:

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HD Supply Waterworks, Ltd
61 Gross Avenue
Edison, NJ 08837

**RESOLUTION
81-2016**

BE IT RESOLVED that the Provident Bank shall be the depository for the following accounts of the Borough of Manasquan and the custodian shall be Joseph DeIorio, Chief Financial Officer:

| | |
|----------------------------|--------------------------------|
| Animal Control Trust Fund | Special Law Enforcement Fund |
| Community Alliance Account | Misc. Trust Fund |
| Current Account | Misc. Trust Fund II |
| Recreation Trust Fund | Open Space Account |
| Beach Fund Account | Water/Sewer Account |
| Disbursement Fund | Development Bond Trust |
| Affordable Housing | Development Escrow Trsut |
| Street Opening Trust Fund | Public Defenders Trust Fund |
| Traffic Trust Fund | Junior Lifeguards |
| Municipal Tree Escrow | Accumulated Leave Compensation |
| Tourism Account | Tax Map Maintenance |
| Beach Dept. – Credit Cards | Unemployment Trust Fund |
| COAH Trust Escrow | |

All disbursements shall be made by checks signed by Joseph DeIorio, Chief Financial Officer (or Courtney Hogan, Assistant CFO in his absence), and Barbara Ilaria, Borough Clerk (or Nancy Acciavatti, Deputy Borough Clerk, in her absence). All checks shall include 2 signatures. If for any reason one of the above signatures cannot be obtained then Edward G. Donovan, Mayor shall sign in their place; and

BE IT FURTHER RESOLVED that the Provident Bank shall be the depository for the Payroll Account and Payroll Agency Account of the Borough of Manasquan and the custodians shall be Joseph DeIorio, Chief Financial Officer or Courtney Hogan, Assistant CFO and Barbara Ilaria, Municipal Clerk. All disbursements shall be made by checks signed by Joseph DeIorio, Chief Financial Officer and Barbara Ilaria, Municipal Clerk. All checks shall include 2 signatures. If for any reason one of the above signatures cannot be obtained then Edward G. Donovan, Mayor shall sign in their place; and

BE IT FURTHER RESOLVED that the Provident Bank shall be the depository for the Special Law Enforcement Trust Fund of the Borough of Manasquan and the custodians shall be Joseph DeIorio, Chief Financial Officer or Courtney Hogan, Assistant CFO and Barbara Ilaria, Municipal Clerk. All disbursements shall be made by checks signed by Joseph DeIorio, Chief Financial Officer (or Courtney Hogan, Assistant CFO in his absence), and Barbara Ilaria, Borough Clerk (or Nancy Acciavatti, Deputy Borough Clerk, in her absence) and Nicholas Tumminelli, Detective. All checks shall include 3 signatures. If for any reason one of the above signatures cannot be obtained then Edward G. Donovan, Mayor shall sign in their place.

**RESOLUTION
82-2016**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,
APPOINTING WENDY PEARCE AS SEASONAL PART TIME
KEYBOARDING CLERK 1 IN THE MANASQUAN
CODE/CONSTRUCTION DEPARTMENT**

WHEREAS, due to a vacancy, the Borough of Manasquan ("Manasquan") Code/Construction Department is in need of a seasonal part-time Keyboarding Clerk I; and

WHEREAS, Supervising Code Enforcement Officer Frank DiRoma has reviewed the candidates for the position of part-time Keyboarding Clerk 1; and

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WHEREAS, the Supervising Code Enforcement Officer has recommended that the Borough of Manasquan appoint Wendy Pearce as seasonal part-time Keyboarding Clerk 1.

NOW, THEREFORE BE IT RESOLVED on the 7th day of March, 2016, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. Wendy Pearce is appointed to seasonal part-time Keyboarding Clerk 1.
2. The rate for this position is \$15.00 per hour with the hours not exceeding 19.5 per week.
3. The effective date of this appointment is March 21, 2016.
4. A certified copy of this resolution shall be sent to:

Ms. Wendy G. Pearce
2396 Linden Place
Manasquan, NJ 08736

**RESOLUTION
83-2016**

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

WHEREAS, a refund for the Tax Title Lien Redemption for the following property is due on the below described property in the amount designated as follows:

BLOCK: 19 / LOT: 12 NAME: George Illmensee

PROPERTY LOCATION: 539 Brielle Rd

AMOUNT: \$785.70

REASON FOR REFUND: REDEMPTION OF TTL #14-00005

REFUND CHECK TO BE MADE PAYABLE TO:

**TOWER FUND SVC-CUST EBURY FUND
1 NJ, LLC
PO BOX 37695
BALTIMORE, MD 21297-3695**

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
84-2016**

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

WHEREAS, a refund for a Tax Title Lien Redemption for the following property is due on the below described property in the amount designated as follows:

BLOCK: 191 / LOT: 12 NAME: George Illmensee

PROPERTY LOCATION: 539 Brielle Rd

AMOUNT: \$1,800.00

REASON FOR REFUND: Return of Premium Paid at Tax Sale

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Redemption of TTL #14-00005

REFUND CHECK TO BE MADE PAYABLE TO:

**TOWER FUND SVC-CUST EBURY FUND
1 NJ, LLC
PO BOX 37695
BALTIMORE, MD 21297-3695**

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
85-2016**

WHEREAS, the Local Finance Board of the State of New Jersey has promulgated a regulation requiring that a Corrective Action Plan be prepared as part of the annual audit process; and

WHEREAS, Local Finance Notice 92-15 required that this plan be prepared by the Chief Financial Officer and approved by the Governing Body.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, County of Monmouth and State of New Jersey that they hereby approve the Corrective Action Plan for the year 2014, a requirement of the annual audit, prepared by the Chief Financial Officer and which is attached hereto and made part of this resolution.

**CORRECTIVE ACTION PLAN
2014 AUDIT**

| | |
|--------------------|---|
| Finding #1 | Intefunds existed at year end. |
| Analysis: | Interfunds exist as a means of reducing bank accounts. Interfunds exist between our three major funds (Current, Beach and Water & Sewer) and their respective Capital Funds. |
| Corrective Action: | None |
| Finding # 2 | The bank accounts were not being reconciled monthly on a timely basis. |
| Analysis: | In 2014 the senior tax collector's illness returned resulting in an extended absence. As a result, work assignments shifted to other duties and accounts were reconciled but not monthly. |
| Corrective Action: | In 2015 the tax collector passed away and a new tax collector was promoted. The Borough will be adding personnel to address the loss in staffing. |
| Finding #3 | That not all receipts and disbursements were being posted in the general ledger on a timely basis |
| Analysis: | Fund accounts normally posted to the General Ledger by the tax collector were not posted on a timely basis due to her long term absence and eventual passing. |

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- Corrective Action: While the Borough promoted an existing employee to the position of Tax Collector after the passing of the former tax collector, the staffing issues mentioned above were not yet satisfied. It is expected that targeted staffing levels will return to full complement in 2016 which would allow for the timely postings of certain fund accounts.
- Finding # 4 That some of the monthly dog reports were not filled out correctly.
- Analysis: The same problem existed in prior years as a result of the software program, Muniaccess. The Borough has made several attempts to permit the software provider to remedy the problem.
- Corrective Action: In 2014 the Borough retained the services and new software of Sunrise Systems to be implemented in January 2015. As a result, we anticipate the problem to be resolved.

**RESOLUTION
86-2016**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2014 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R. S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations," and,

WHEREAS, the members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations," as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Manasquan, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

**RESOLUTION
87-2016**

MARCH 7, 2016

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 | 248,475.23 |
| Water/Sewer Fund | 30,062.63 |
| Beach Fund | 45,076.96 |
| Recreation Building Trust | 15,365.63 |
| Recreation Commission Trust | 9,035.39 |
| General Capital Fund | 156,773.19 |
| Water/Sewer Capital Fund | 43,354.60 |
| Beach Capital Fund | 270.74 |

Council Member Mangan made a motion to remove resolution 69-2016 to find out the proper procedure for appointment of a commissioner, seconded by Council Member McCarthy. Motion carried unanimously.

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

ORDINANCES

The Borough Attorney read the title of ordinance 2204-16 for first reading and introduction

ORDINANCE TO AMEND SECTION 7-25.3 (HANDICAPPED PARKING IN MUNICIIPAL PARKING LOTS AND BOARD OF EDUCATION PROPERTY) OF CHAPTER 7 (TRAFFIC) OF THE BOROUGH OF MANASQUAN TO DESIGNATE HANDICAP SPACES IN THE SOUTH STREET LOT AND TO AMEND SECTION 7-31.1 (SOUTH STREET {CR #20} MUNICIPAL LOT) TO ESTABLISH PARKING SPACES SERVING AS CHARGING STATIONS IN THE SOUTH STREET LOT IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY.

Council Member McCarthy made a motion to introduce ordinance 2204-16, seconded by Council Member Read. Motion carried by the following vote: "yes" Council Member Lee, Walsh, McCarthy, Olivera, Read, and Mangan. "No" none.

The Borough Attorney read the title of ordinance 2205-16 for first reading and introduction.

AN ORDINANCE SETTING CONNECTION FEES FOR USE OF BOROUGH-OWNED OR OPERATED ELECTRIC VEHICLE CHARGING STATIONS

Council Member Lee made a motion to introduce ordinance 2205-16, seconded by Council Member Mangan. Motion carried by the following vote: "yes" Council Member Lee, Walsh, McCarthy, Olivera, Read, and Mangan. "No" none.

MARCH 7, 2016

The Borough Attorney read the title of ordinance 2206-16 for first reading and introduction.

AN ORDINANCE TO AMEND SECTION 2-65 (FEES CHARGED FOR MUNICIPAL SERVICES) OF CHAPTER 16 (SCHEDULE OF FEES) OF THE BOROUGH OF MANASQUAN SETTING CONNECTION FEES FOR USE OF BOROUGH-OWNED OR OPERATED ELECTRIC VEHICLE CHARGING STATIONS

Council Member Read made a motion to introduce ordinance 2206-16, seconded by Council Member Olivera. Motion carried by the following vote: "yes" Council Member Lee, Walsh, McCarthy, Olivera, Read, and Mangan. "No" none.

COMMITTEE REPORTS

Public Works & Grounds – Council Member Lee thanked council for approving the water meter project and he thanked Public Works for a shared services agreement with Brielle where brine was put on the streets and in exchange Manasquan would help Brielle drill some holes for them. He also stated that Spring Lake lent us their sewer jet while the borough sewer jet was getting repaired. He voiced his support of the hazard mitigation master plan.

Building, Planning & Zoning – Council Member Walsh reported that he met with the code/construction department head Frank DiRoma and he has been advised that the State will be terminating the inspector that has been helping the Borough after Sandy. He reported that building permits are steady and elevation permits have dropped off. He went over some software that is being looked into for the department.

Beach Committee – Council Member McCarthy offered condolences on behalf of the Borough to Joan Harriman former planning board member on the passing of her husband. He reported that the beach committee has been busy with meetings and the implementation of a new program called VIPLY where badges can be purchased through an app online.

Public Safety Committee – Council Member Olivera reported on an accident on Route 71 near Dunkin Donuts where a telephone pole needed to be replaced. He reported that Officer Norcia completed a 6 day training class which would allow him to teach as an instructor, Officer Kevin Kleinknecht completed a 5 day training class in DWI detection and enforcement, and in February the police department had 4 drug arrests and 8 defiant trespass.

Special Services Committee – Council Member Read stated that he does not have a report at this time.

Administration and Finance Committee – Council Member Mangan reported that the committee is focused on the budget and he went over the upcoming budget dates.

AUDIENCE PARTICIPATION

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

Marilyn Jacobson, 59 McLean Avenue inquired about the bulkhead and the boat renters submitting their rental fees for the year.

Mayor Donovan stated that all boat slip renters have been advised that the docks will not be ready and offered the opportunity to rent or not rent as soon as they become available and it would be prorated and they will be able to retain their slips in 2017.

Ms. Jacobson inquired about payment for the Water Treatment Plant lime system.

Mayor Donovan stated that the Borough is in litigation right now and it cannot be discussed.

Ms. Jacobson advised that at a Board of Education meeting there was a police officer who spoke about safe sidewalks for the kids walking to school and she voiced her concerns on the sidewalks not being cleared properly after a snow fall and the corners being plowed up at the corners.

MARCH 7, 2016

Council Member Olivera made a motion to close the public portion, seconded by Council Member Walsh. 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 8:33 p.m., seconded by Council Member Olivera. Motion carried unanimously.