

MARCH 21, 2016

Regular Meeting of Mayor and Council was convened at 7:00 p.m. on March 21, 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, Read, and Mangan.

Absent: Council Member Olivera.

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

Council Member Read made a motion to remove resolution 98-2016 from the Consent Agenda and table until the next meeting, seconded by Council Member Walsh. Motion carried unanimously.

Audience Participation – Agenda Items

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

Catherine Hamara, 407 Euclid Avenue voiced her concerns and opinion on the placement of the pickleball court in Mallard Park and she believes the placement should be moved.

Sharon Aprilante, 404 Cedar Avenue voiced her concerns and opinion on the placement of the pickleball court and inquired about the petition she submitted and she believes the placement should be changed.

Carol Blume, 96 Wyckoff Avenue advised that she runs the pickleball program for recreation. She went over where they play now and her opinion on the placement of the pickleball court through the grant award. She thanked the Mayor and Council for having the tour of the parks and allowing the residents of Manasquan to voice their concerns.

John Burns, 407 Euclid Avenue voiced his concerns and opinion on the placement of the pickleball court and he believes the location should be changed.

Sharon Aprilante, 404 Cedar Avenue stated that volleyball is played in that area where the pickleball court is to be located.

Marilyn Jacobson, 59 McLean Avenue voiced her opinion on residents being located near a park and they should expect that it will be used and she voiced her opinion on other locations for the pickleball court and she advised that Mallard Park would be suitable.

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

Approval of Meeting Minutes:

Budget Meeting Minutes – February 20, 2016

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

Budget Meeting Minutes – February 27, 2016

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

MARCH 21, 2016

Regular Meeting Minutes – March 7, 2016

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

Proclamation – Alcohol Awareness Month

ALCOHOL AWARENESS MONTH

WHEREAS, Alcohol is the most commonly used addictive substance in the United States; and

WHEREAS, One in every 12 adults suffers from alcohol abuse or dependence and more than half of all adults have a family history of alcoholism or problem drinking; and

WHEREAS, 100,000 persons die each year from alcohol-related causes (drunk driving crashes, other accidents, falls, fires, alcohol-related homicides and suicides); and

WHEREAS, teens who start drinking before the age of 14 are 7 times more likely to develop alcohol problems by the time they are 21 (14-7-21); and

WHEREAS, the month of April has been recognized as Alcohol Awareness Month by NCADD (National Council on Alcoholism and Drug Dependence), the founder and sponsor of Alcohol Awareness Month; and

WHEREAS, the color that NCADD uses is in the purple/violet family – a color that is similar to the amethyst. Here is the reasoning behind the amethyst color: AMETHYST is the most beautiful and valuable form of Quartz. The word ‘amethyst’ stems from a Greek word meaning without drunkenness,” for in ancient times it was believed that anyone carrying or wearing this stone could not become intoxicated.” Anyone who displays the amethyst color announces that they know someone whose life has been improved through alcoholism treatment.

NOW, THEREFORE, BE IT RESOLVED THAT, the Borough of Manasquan and The New Jersey Association of County Alliance Coordinators has declared that Friday April 15th is “Wear Purple Day” in recognition of Alcohol Awareness Month and encourages all of the members, partners, contributors, and participants of the 544 Municipal Alliance Committees throughout the State of New Jersey to join in wearing purple.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that true and official copies of this proclamation be spread upon the minutes of the Borough Council meeting held on May 5, 2014.

Hazard Mitigation Grant Project – Public Hearing

Mr. DeLorio stated that the Borough Engineer has submitted a memo to all members regarding the public hearing. He stated it was originally believed that the grant the Borough was looking to apply for would be due in May. He stated that with the short timeframe to get it done in time it was recommended by the engineer to move forward with a planning grant that is being worked on with the OEM coordinator.

It was recommended that the engineer move forward with the OEM coordinator for the planning grant which would include certain streets with flood issues.

Mr. DeLorio advised that this is just to authorize the engineer to work with OEM to put the application together and the engineer will submit the cost estimates for councils review.

Workshop Discussion

Use of Borough Property

- Beach Wedding – Sea Watch Beach – September 24, 2016

MARCH 21, 2016

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

- SBLSPC – Use of Lifesaving Station – May 2, 2016 – 7 to 9 pm

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

- Beach Wedding – Inlet Gazebo area – May 20, 2016

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

- Wiffle Ball Tournament – Main Beach – July 9 & 10, 2016

Anthony Nuzzolo, 89 Minerva also one of the founders of beach wiffleball tournament. He presented the council with a \$500 check to Recreation to give back in good faith from the event held last year and he went over the additional money that was given out which would keep the kids in town.

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

- Plant Sale – Sea Lavendar Club

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

- MBLL Parade – April 23, 2016 - 9 to 10 am

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

Community Forestry Program Grant - Discussion

Mr. DeIorio stated that the Shade Tree Chairman Brian Mallin is asking for the governing body to consider a \$30,000 grant application through the State Forestry Program to purchase street trees in the amount of \$30,000.

Brian Mallin, 272 Pine Avenue went over the 5 year forestry plan and advised that once they receive the approval they would be eligible for a grants. He advised that the grant would need to implement one of the objectives that was stated in the forestry plan. He is recommending using the grant money to add to the tree canopy of Manasquan and to develop a list of trees that work with some of the harsher environments. He went over the plantings that they would like to do if the grant is received.

Council Member Walsh inquired about how many trees could be planted with this grant money.

Mr. Mallin stated that it should be around 150 trees.

There was discussion on the areas where trees will be planted and the possibility of reaching out to JCP&L for advice as to areas not to plant certain trees.

Mr. Mallin went over the list of areas where they believe the grant money should be used.

Mr. DeIorio advised that there will be a resolution on the April 4 meeting authorizing the submittal of the grant application.

Bond Anticipation Note Certificate of Determination- Update

Mr. DeIorio stated as required by Local Bond Laws for the State of New Jersey he is advising that the Certificate of Determination is required to be listed on the agenda so that the Governing Body and the public are aware that the Borough rolled over a \$457,000 Special Emergency Note which originated as a

MARCH 21, 2016

result of Super Storm Sandy. He stated that the Special Emergency Note was rolled over to Two Rivers Water Reclamation Authority for the amount of 1% for a period of 1 year.

Council Member Mangan went over the Special Emergency Note and why it was taken out after Super Storm Sandy.

Open Space Grant Program – Mallard Park Improvements – Phase 2 Update

Mr. DeIorio stated that the Borough engineer, James Priolo is present to update the Mallard Park Phase 2 grant project. He stated that the County needs a response from the governing body, contract in hand and all sign offs by the beginning of June. He also stated that the presentation being presented is another follow up to prior meetings.

Mr. Priolo went over the project and the updates which went along with the slide presentation. He updated council and the audience on the pickleball court placement and the process for filing the paper work with the state. He advised that he has taken into consideration all the changes that have been suggested for the area of the pickleball court. He also went over the grant amount and the amount the Borough would need for the improvements. He stated that the next step in order for the Borough to receive the \$39,000 grant is a preliminary assessment and he stated that if anything is changed to the scope the Borough would have to go back and notify the state. He also stated that any changes in location would only be permissible under this grant would be within Mallard Park and that the agreement needs to be signed by June 3 if the Borough would like to move forward with the grant. He went over the noise issues that were taken into consideration and the volleyball court which would be moved if the Borough wishes to keep the court in the area.

Council Member Lee inquired about the fencing and if it was requested or mandated with the grant.

Mr. Priolo stated that the fencing is not part of the grant but was put on to be similar to a tennis court to control the balls during play.

Council Member Walsh inquired about the court surface and if it is poured.

Mr. Priolo stated that it is similar to a tennis court.

Council Member McCarthy made a motion to open to public comment on the grant, seconded by Council Member Mangan. Motion carried unanimously.

Margaret Acciani, 555 Tarpon inquired as to what pickleball is and how it is played.

Mayor Donovan stated that it is a paddle game that is played with a hard wiffleball and paddles like tennis which can be one on one or two on two.

Carol Blume, 96 Wyckoff Avenue went over how the game is played and she invited everyone to St. Denis tomorrow where they will be playing and some other dates that they will be playing.

There was discussion on the game and who and how it is played.

Catherine Hamara, 407 Euclid Avenue inquired about the area that is currently being used at the basketball courts in Mallard Park. She voiced her concerns and opinion on the property tax values.

Council Member Lee voiced his concerns on the basketball court area and why he didn't like the basketball court area for the pickleball court.

Ms. Hamara voiced her concerns with wind and the area for the pickleball court. She wanted to know if any other locations are going to be considered.

Mayor Donovan stated that all other locations have been considered and that the court can only be in the Mallard Park Open Space area.

There was discussion on why the court couldn't be moved to a different area.

Ms. Hamara voiced her opinion on moving the court to a different park.

MARCH 21, 2016

Sharon Aprilante, 404 Cedar Avenue voiced her concerns and opinion on the pickleball and volleyball courts being located in the same area.

Mayor Donovan stated that the engineer has measured out the area for the two courts and there is enough room for both courts with a 25 foot buffer.

There was discussion on the trees in the area and what will be planted as a buffer for the pickleball court.

Marilyn Jacobson, 59 McLean Avenue agreed with Council Member Lee about the chain link fence and it not being appealing. She voiced her opinion on the sound a pickleball makes and the chain link fence.

Mayor Donovan stated that the fence idea was the thought that a sound protection could be included in the fence. He stated that the engineer was tasked with having a pickleball court with as little interruption to the neighborhood as possible and one of the ideas that was considered was a fence that would help deaden the noise. He stated that he believes that everyone on the dais is opposed to the fence.

Sharon Aprilante, 404 Cedar Avenue inquired about leagues and play in the Borough and if they would be Manasquan residents only.

Mayor Donovan stated that most of the players are Manasquan residents but out of town residents can participate as it is open space and that is in our inventory of Green Acres.

There was discussion on the use or lack of use of the volleyball court.

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

CONSENT AGENDA

RESOLUTION

88-2016

WHEREAS, the Borough of Manasquan is desirous of appointing Seasonal Beach Employees for the Summer Season of 2016; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 21th day of March , 2016 appoint the following Seasonal Beach Employees to work during the Summer Season, 2016:

Office Staff Supervisors:	Address	Hourly Rate
Tracey Sullivan	49 Curtis Place, Manasquan.	\$17.00
Frank Cavalieri	16 Rosewood Court, Spring Lake	\$17.00
Mike Hurden	2559 Collier Rd, Manasquan	\$17.00
Eileen McFaddon	117 Marcellus Ave, Manasquan	\$17.00
Heather Saake	61 Colby Avenue, Manasquan	\$13.00
Laurie Brandon	600 Bradley Avenue, Brielle	\$13.00
Chris Fischer	2503 Algonkin Trail, Manasquan	\$13.00
Amanda Matyas	28 North McClellan Ave, Manasquan	\$13.00

Beach Crew:

Jacob Forman	9B Beech Court, Brielle	\$10.00
Peter Forman	9B Beech Court, Brielle	\$8.50
Connor Goetz	56 South Street, Manasquan	\$8.50
John Revel	23 A Euclid Ave, Manasquan	\$11.00
Joe Waldeyer	69 Marcellus Ave, Manasquan	\$8.50
Brandon Wall	14 Roslyn Drive, Tinton Falls	\$11.00
Kieran Walsh	253 Euclid Avenue, Manasquan	\$10.00
Denver White	368 Pine Avenue, Manasquan	\$8.50
Kevin Keefe	1919 Atlantic Avenue, Manasquan	\$13.50

MARCH 21, 2016

Beach Rake Operator:

Brian Dreher	509 Magnolia Avenue, Brielle	\$13.50
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Beach EMT:

Tom Hartman	P.O. Box 471, Colts Neck	\$13.50
Gerry Hall	30 Marcellus Avenue, Manasquan	\$13.50

RESOLUTION

89-2016

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, that the resignation of Spencer Thomas Arnold, from the position of Class I Special Police Officer effective March 14, 2016 be and is hereby accepted.

RESOLUTION

90-2016

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. & MRS. MICHAEL STROFF
2 CONSTITUTION COURT – APT #710
HOBOKEN, NJ 07030-6728

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #46-2013
132 SECOND AVENUE
BLOCK: 168 - LOT: 19 – Zone: R-5

AMOUNT OF REFUND DUE: \$522.46

NAME: MR. GERALD YAEGER
27 FALLS ROAD
VERONA, NEW JERSEY 07044-1108

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #04-2014
345 BEACHFRONT – 344 FIRST AVENUE
BLOCK: 185 - LOT: 17 – Zone: R-4

AMOUNT OF REFUND DUE: \$403.75

NAME: MR. & MRS. JOHN LOETSCHER
51 EGGERTS CROSSING ROAD
LAWRENCEVILLE, NJ 08648-2803

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #40-2013
423 BEACHFRONT
BLOCK: 187 - LOT: 22 – Zone: R-4

MARCH 21, 2016

AMOUNT OF REFUND DUE: \$849.50

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
91-2016**

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING \$6,193,313 BONDS, OF THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY PURSUANT TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM.

WHEREAS, the Borough of Manasquan (the "Borough"), in the County of (i) the Borough's infrastructure protection and stormwater conveyance project and (ii) the Borough's advanced metering infrastructure project, both including all work and materials necessary therefor and incidental thereto (together, the "Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Borough and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Borough and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Borough has determined to finance the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Borough to authorize, execute, attest and deliver the Borough's Bonds in an aggregate principal amount not to exceed \$6,193,313, a portion of which will be to the Trust (the "Trust Loan Bond") and a portion of which will be to the State (the "Fund Loan Bond" and, together with the Trust Loan Bond, the "Borough Bonds") pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements;

WHEREAS, N.J.S.A. 40A:2-27(a) (2) of the Local Bond Law allows for the sale of the Trust Loan Bond and the Fund Loan Bond to the Trust and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the Trust Loan Bond to the Trust without any public offering, all under the terms and conditions set forth herein; and

WHEREAS, in connection with the issuance of the Borough Bonds to the Program, the governing body of the Borough wishes to authorize the execution of certain certificates and opinions as may be required by the Program or Bond Counsel to the Borough (collectively, the "Escrowed Documents") by the Mayor, Chief Financial Officer, Borough Clerk, Counsel to the Borough, Project Engineer or Appraiser and/or Bond Counsel to the Borough (collectively, the "Borough Representatives") on or before the date when the Borough is scheduled to close the loans in escrow with the Program (the "Escrow Closing Date"), such documents to be delivered to Bond Counsel and held by Bond Counsel until such time as the Borough authorizes release of the same.

NOW, THEREFORE, BE IT RESOLVED by a 2/3 vote of the full membership of the governing body of the Borough as follows:

Section 1. In accordance with N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Borough hereby sells and awards its Borough Bonds in an aggregate principal amount not to exceed \$6,193,313 in accordance with the provisions hereof. The Borough Bonds have been referred to and are described in various bond ordinance of the Borough, entitled, "Ordinance Providing for an Advanced Metering Infrastructure Project in and by the Borough of Manasquan, in the County of Monmouth, New Jersey, Appropriating \$1,743,313 and Authorizing the Issuance of \$1,743,313 Bonds or Notes of the Borough to Finance Part of the Cost Thereof", and "Ordinance Providing for an Infrastructure Protection and Stormwater Conveyance Project in and by the Borough of Manasquan, in the County of Monmouth, New Jersey, Appropriating \$4,450,000 and Authorizing the Issuance of \$4,450,000 Bonds or Notes of the Borough to Finance Part of the Cost Thereof" both finally adopted by the Borough at a meeting duly called and held on August 17, 2015 at which times a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

MARCH 21, 2016

Section 2. The Chief Financial Officer of the Borough (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the Trust and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the Trust Loan Bond and the Fund Loan Bond:

- (a) The aggregate principal amounts of the Trust Loan Bond and the Fund Loan Bond to be issued, which aggregate principal amount shall not exceed \$6,193,313;
- (b) The maturity and annual principal installments of the Borough Bonds, which maturity shall not exceed 30 years;
- (c) The date of the Borough Bonds;
- (d) The interest rates of the Borough Bonds;
- (e) The purchase price for the Borough Bonds; and
- (f) The terms and conditions under which the Borough Bonds shall be subject to redemption prior to their stated maturities.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Borough Bonds by the parties authorized under Section 4(c) hereof.

Section 4. The Borough hereby determines that certain terms of the Borough Bonds shall be as follows:

- (a) The Trust Loan Bond shall be issued in a single denomination and shall be numbered R-1. The Fund Loan Bond shall be issued in a single denomination and shall be numbered R-2;
- (b) The Borough Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and
- (c) The Borough Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Borough Clerk.

Section 5. The Trust Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the Trust Loan Agreement and the Fund Loan Agreement, respectively.

Section 6. The law firm of McManimon, Scotland & Baumann, LLC is hereby authorized to arrange for the printing of the Borough Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the Trust and the State for the Program, to arrange for same. The Borough auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Borough Bonds. The Mayor, the Chief Financial Officer and the Borough Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the financial and other information. Bond Counsel to the Borough is hereby authorized to accept and hold the Escrowed Documents on or before the Escrow Closing Date and to release same upon the direction of the Borough.

Section 7. The Borough hereby designates the Chief Financial Officer to award the Bonds in accordance with Section 2 hereof and such financial officer shall report in writing the results of the sale to this Council as required by law.

Section 8. The Mayor and the Chief Financial Officer are hereby severally authorized to execute any certificates or documents necessary or desirable in connection with the sale of the Borough Bonds, and are further authorized to deliver same to the Trust and the State upon delivery of the Borough Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

Section 9. This resolution shall take effect immediately.

Section 10. Upon the adoption hereof, the Borough Clerk shall forward certified copies of this resolution to McManimon, Scotland & Baumann, LLC, bond counsel to the Borough, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

**RESOLUTION
92-2016**

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN AGREEMENTS TO BE EXECUTED BY THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY AND EACH OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL PURSUANT TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM

WHEREAS, the Borough of Manasquan (the "Borough"), in the County of Monmouth, New Jersey, has determined that there exists a need within the Borough to provide for: (i) the Borough's infrastructure protection and stormwater conveyance project and (ii) the Borough's advanced metering infrastructure project, both including all work and materials necessary therefor and incidental thereto (together, the "Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Borough and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Borough and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Borough has determined to finance the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Borough to authorize, execute, attest and deliver the Borough's Utility Bonds in an aggregate principal amount not to exceed \$6,193,313, a portion of which will be to the Trust (the "Trust Loan Bond") and a portion of which will be to the State (the "Fund Loan Bond" and, together with the Trust Loan Bond, the "Borough Bonds") pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements; and

WHEREAS, the Trust and the State have expressed their desire to close in escrow the making of one or more of the Loans, the issuance of one or more of the Borough Bonds and the execution and delivery of one or more of the Loan Agreements, all pursuant to the terms of an Escrow Agreement (the "Escrow Agreement") to be entered into by and among the Trust, the State, the Borough and the escrow agent named therein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough as follows:

Section 1. The Trust Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the "Financing Documents") are hereby authorized to be executed and delivered on behalf of the Borough by either the Mayor or the Chief Financial Officer in substantially the form available upon request in the office of the Borough Clerk, with such changes as the Mayor or the Chief Financial Officer (each an "Authorized Officer"), in their respective sole discretion, after consultation with counsel and any advisors to the Borough (collectively, the "Borough Consultants") and after further consultation with the Trust, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants", and together with the Borough Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of such Financing Documents by an Authorized Officer as determined hereunder. The Borough Clerk is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Borough as determined hereunder and to affix the corporate seal of the Borough to such Financing Documents.

Section 2. The Authorized Officers of the Borough are hereby further severally authorized to (i) execute and deliver, and the Borough Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Borough to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Borough Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 3. This resolution shall take effect immediately.

Section 4. Upon the adoption hereof, the Borough Clerk shall forward certified copies of this resolution to McManimon, Scotland & Baumann, LLC, bond counsel to the Borough, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

MARCH 21, 2016

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough of Manasquan retains the services of T&M Associates, 11 Tindall Road, Middletown, New Jersey 07748, for purposes of providing for additional Remedial Services related to the former leaded gasoline Underground Storage Tank at the Borough of Manasquan Water Treatment Plant:

- Task 1.0 Abandon Five (5) Existing Water Monitoring Wells \$2,350.00
- Task 2.0 Preparation of Remedial Investigation Reports \$4,650.00

for a total amount not to exceed \$7,000.00 for the service outlined in a proposal dated March 8, 2016.

AND BE IT FURTHER RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the borough authorizes T&M Associates to proceed with the above proposal for the purpose of providing for additional Remedial Services related to the former leaded gasoline Underground Storage Tank at the Water Treatment Plant.

**RESOLUTION
94-2016**

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, that the resignation of Tammy Konsavich from the position of Part-time Crossing Guard in the Manasquan Police Department effective March 25, 2016 be and is hereby accepted.

**RESOLUTION
95-2016**

BE IT RESOLVED, that the Hon. Edward G. Donovan, Mayor of the Borough of Manasquan, be hereby authorized to sign the Municipal Open Space Grant Program Agreement for Mallard Park Improvements Phase 2 with the Monmouth County Park System.

**RESOLUTION
96-2016**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey is desirous of creating a Grants Committee to oversee grants that the Borough would be eligible for and creating a Negotiations Committee to oversee the union contract negotiations.

BE IT FURTHER RESOLVED that the following council members will form each committee:

Grants Committee- Council Members Lee, McCarthy and Olivera

Negotiations Committee – Council Members Olivera, Read, and Walsh

**RESOLUTION
97-2016**

WHEREAS, it shall become necessary to expend for some of the purposes specified in the budget, an excess of the respective sums appropriated, and

WHEREAS, there is an excess in one or more appropriation reserve over and above the amount deemed necessary to fulfill the purposes of such appropriations, and

WHEREAS, N.J.S.A. 40A:4-59 provides for the transfer of such amounts deemed in excess, to appropriations the amount of which are deemed to be insufficient to fulfill the purpose of such appropriations, and

MARCH 21, 2016

WHEREAS, the transfers about to be authorized do not affect any appropriation reserves to which or from which transfers are prohibited under the statutes, and

NOW, THEREFORE BE IT RESOLVED that the following transfers between appropriation reserves to be authorized pursuant to N.J.S.A. 40A:4-59:

BE IT FURTHER RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that the following 2015 Appropriation Reserve transfer be authorized:

CURRENT FUND		
TO:	Legal O/E	\$10,000.00
FROM:	Landfill Costs	\$10,000.00

BE IT FURTHER RESOLVED, that a copy of this resolution be filed forthwith with the Chief Financial Officer.

**RESOLUTION
99-2016**

WHEREAS, the Borough of Manasquan is desirous to secure services for credit card processing for online payments and at the window payments.

NOW THEREFORE BE IT RESOLVED, that the Borough of Manasquan authorizes the Qualified Purchasing Agent to advertise a Request for Proposal for Credit Card Processing.

**RESOLUTION
100-2016**

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, that the resignation of Anne Brown from the position of Crossing Guard in the Manasquan Police Department effective March 22, 2016 be and is hereby accepted.

**RESOLUTION
101-2016**

WHEREAS, the Borough of Manasquan is desirous of appointing a Regular School Traffic Guard; and

WHEREAS, the Police Chief has submitted the following individual for appointment from Substitute Crossing Guard to Regular Crossing Guard for the Borough of Manasquan, effective March 23, 2016 at the current contractual rate of \$18.89 per hour; and

WHEREAS, the following individual has completed necessary crossing guard training as required:

Lisbeth Gonzalez, 1922 Old Mill Road, Spring Lake Heights, NJ

**RESOLUTION
102-2016**

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

WHEREAS, refunds for 2015 NJ State Tax Court Appeals for the following properties are due on the below described properties in the amount designated as follows:

MARCH 21, 2016

BLOCK: 61 / LOT: 13.01 NAME: Sunrise TM of Manasquan

PROPERTY LOCATION: 109 Taylor Ave

AMOUNT: \$2,100.36

REASON FOR REFUND: 2015 Tax Appeal

REFUND CHECK TO BE MADE PAYABLE TO:

**Sunrise TM of Manasquan
6 Sherwood Dr
Brielle, NJ 08730**

BLOCK: 61 / LOT: 40.01 NAME: Tung Chang Golden East of Manasquan

PROPERTY LOCATION: 87-99 Taylor Ave

AMOUNT: \$5,890.92

REASON FOR REFUND: 2015 Tax Appeal

REFUND CHECK TO BE MADE PAYABLE TO:

**Tung Chang Golden East of Manasquan
6 Sherwood Dr
Brielle, NJ 08730**

BLOCK: 97 / LOT: 3 NAME: Daniel & Joan Celiano

PROPERTY LOCATION: 44 Wyckoff Ave

AMOUNT: \$1,054.92

REASON FOR REFUND: 2014 Tax Appeal

REFUND CHECK TO BE MADE PAYABLE TO:

**Daniel & Joan Celiano
44 Wyckoff Ave
Manasquan, NJ 08736**

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

NOW, THEREFORE, BE IT RESOLVED that the Borough Chief Financial Officer is hereby authorized and directed to draw a warrant in the said amount to the above listed property with said warrant to be charged against the General Ledger.

**RESOLUTION
103-2016**

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	87,483.83
Water/Sewer Fund	255,092.70
Beach Fund	6,677.67
Recreation Bldg Trust	189.31

MARCH 21, 2016

Recreation Commission Trust	1,964.45
General Capital Fund	15,949.00
Water/Sewer Capital Fund	9,099.89

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, Read and Mangan. "No" none.

ORDINANCES

The Borough Attorney read the title of ordinance 2204-16 for second reading and final hearing.

ORDINANCE TO AMEND SECTION 7-25.3 (HANDICAPPED PARKING IN MUNICIPAL 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 Mangan made a motion to open the hearing to the public, seconded by Council Member McCarthy. Motion carried unanimously.

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

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

The Borough Attorney read the title of ordinance 2205-16 for second reading and final hearing.

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

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

Marilyn Jacobson, 59 McLean Avenue inquired about the time limit a car can be in the parking space to charge and the enforcement of the parking.

Mr. Kitrick stated that it is for a period not to exceed 2 hours.

Council Member Mangan stated that this is a rapid charging station and should not exceed 2 hours.

There was discussion on the enforcement of the parking spaces and the charging of the vehicle.

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

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

The Borough Attorney read the title of ordinance 2206-16 for second reading and final hearing.

AN ORDINANCE TO AMEND SECTION 2-65 (FEES CHARGED FOR MUNICIPAL SERVICES) OF CHAPTER 16 (SCHEDULE OF FEES)

MARCH 21, 2016

**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 open the hearing to the public, seconded by Council Member McCarthy. Motion carried unanimously.

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

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

COMMITTEE REPORTS

Administration and Finance Committee – Council Member Mangan reported on the upcoming budget schedule which would include capital items.

Special Services Committee – Council Member Read reported on the school district and that spring sports have begun and he urges residents to watch for student athletes' running track practice or making their way to Mallard Park or the Sea Girt Army camp for practice. He reported that the school district has pushed out an app for iPhone and Android which would allow for interaction with the school. He reported that the girls' basketball team which captured their 3rd consecutive state championship is currently in double overtime at the TOC final.

Beach Committee – Council Member McCarthy reported that the beach appointments were approved for pre-season sales and starting March 28 through April 3 there will be pre-season sales at the Beach headquarters with season sales starting May 7. He reported that job applications for the beach are posted on the website. He reported that sometime in April the temporary berm will be removed in anticipation of the 2016 beach season and the walkway area will also be cleaned up and ready for summer. He reported that starting April 1 dogs will not be allowed on the beach and this has been an issue every year.

Building, Planning & Zoning – Council Member Walsh reported that a new hire started in the department today and he is looking forward to getting her up to speed to help in the office. He reported that there are 3 homes in the beach area that will be demolished under the DCA unsafe structures program which are 263 Beachfront, 145 First Avenue and 213 Second Avenue.

Public Works & Grounds – Council Member Lee reported that the recycling center will be closed on Friday for Good Friday, beach benches will be placed back before the season and the week of April 4 will be the Borough spring leaf and brush cleanup which will be posted on the website. He also reported on fire hydrant flushing and the use of hydrants by the fire companies. He stated that the committee is recommending a new hire for the road department to replace a retiree and the committee will be discussing staffing in the water plant operations. He reported on the skate park and the issues with breaking into the facility as it is closed for repairs.

Mr. DeLorio stated that the skate park will be discussed during the capital discussion of the budget meetings.

AUDIENCE PARTICIPATION

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

Margaret Acciani, 555 Tarpon Avenue requested that the mobi mats be put at the south end entrances.

Council Member McCarthy stated that there are mats for each entrance to the beach for the 2016 beach season.

Ms. Acciani inquired about the parking on Tarpon Avenue and how it can be enforced.

MARCH 21, 2016

Council Member McCarthy stated that the issue is that there is no place to put a sign up limiting the parking.

Chief Bauer went over the challenge for posting and enforcing the parking on Tarpon Avenue.

There was discussion on the signs and painting of the curbs.

Mayor Donovan stated that Council Member McCarthy or Olivera will contact the resident about the no parking issues and Council Member Lee will contact the resident about painting the curbs.

Mary Ryan, 113 Beachfront voiced her concerns on Tarpon Avenue and the parking issues and requested an update on the JCP&L trimming. She voiced her pleasure on how well government works in this town.

Mr. DeIorio updated the governing body and the audience on the tree trimming by JCP&L. He advised that there have been meetings to go over the plan for trimming the trees in the Borough.

Ms. Ryan inquired about the home at 347 Beachfront and the shape that it is in and the state plan to demolish 3 homes in the beach area.

Mr. Walsh stated that he will follow up on the 347 Beachfront property.

Mr. DeIorio stated that 347 Beachfront was not on the list as it has a lien on the property and the state will not demolish a house with a lien on the house.

Marilyn Jacobson, 59 McLean Avenue inquired about summonses being issued and what is the process to be followed for a violation of an ordinance.

Mayor Donovan stated that it depends on the offense and if the defendant pleads guilty or not.

There was discussion on the procedure when a ticket is placed on a vehicle or a ticket for a basketball hoop being in the street and how long it remains in violation.

Ms. Jacobson inquired about new construction and underground utilities and she voiced her concerns with the school board and taxes. She stated that it is unfair to the residents of Manasquan to fund the whole project and she will volunteer some time to reach out to the legislatures and whoever needs to be contacted.

Council Member McCarthy made a motion to close the public portion, seconded by Council Member Lee. 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 10:00 p.m., seconded by Council Member Mangan. Motion carried unanimously.