

JULY 18, 2016

Regular Meeting of Mayor and Council was convened at 7:00 p.m. on July 18, 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, and Olivera.

Absent: Council Member Read and Mangan

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

Audience Participation – Agenda Items

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

Mary Ryan, 113 Beachfront inquired about resolution 222-2016 which is on the Consent Agenda. She went over some background for the Lifesaving Station use that she researched. She wants to know why the MBIA cannot use the building.

Council Member Lee stated that he believed that any organization that wanted to use the building could go through the Squan Beach Life Saving Group.

There was discussion on the use of the building and the recommendation of the committee for use of the building not be used by the MBIA or any other organization.

Ms. Ryan voiced her concerns on the resolution that will have restrictions on the Life Saving Station and asked that the resolution be taken off the agenda until there is an opportunity to discuss it.

Mayor Donovan stated that the resolution cannot be taken off the agenda as it is an agreement with the county in order for the Borough to get \$108,000 that is due the Borough and that agreements are not published before they are approved and signed.

There was a brief discussion on the agreement that will be signed tonight and the money that the County has.

Marilyn Jacobson, 59 McLean Avenue inquired about how much has been spent on the Water Treatment Plant so far.

Mr. DeIorio stated that he does not have that information with him tonight but he will get the information to her. He also stated that the Lime System is the last major item at the Water Treatment Plant.

Ms. Jacobson inquired about the Stormwater Conveyance and wanted to know what it is.

Mayor Donovan stated that this is the Bulkhead Project.

Ms. Jacobson inquired as to what streets are being re-paved.

Mayor Donovan stated that there are various intersection improvements that are going to be made and various streets but he does not have a list of them right now.

There was a discussion on where some of the improvements are and NJNG work being done in the Borough and them repaving various streets throughout the Borough.

Mr. Kitrick went over the restrictions in the agreement for the Life Saving Station.

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Mary Ryan, 113 Beachfront requested guidelines for the use of the Life Saving Station and that some effort be made to write out some clear guidelines on the use of the building.

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

Approval of Minutes:

Regular Meeting Minutes – June 20, 2016

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

Use of Borough Property

- Booktowne Book Tour -7/23/16 - Amending Time 9:30 am to 1 pm to 9:30 am to 2 pm

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

- Kids Yoga – Thursday - Amending Time 9:30-10:30 am to 8:30-9:30 am.

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

- Manasquan Savings Community Fair – Oct. 21 –Squan Plaza – 9 am to 5 pm (rain date 10/22)

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

- First Aid Picnic – August 14 - Mallard Park – Noon to 6 pm

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

- Pike Avenue Block Party – September 3

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

- Fletcher Avenue Block Party – September 4

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

Verizon's Request for Consent to Use Facilities in Public Right of Way – Discussion

Mayor Donovan advised that Verizon is allowed to use telephone poles without obtaining permission from the Borough but the Borough can impose conditions upon the use of the poles. He advised that Verizon wants to install nodes on the poles to assist in the transmission of cellular calls.

There was discussion on this request and the right of Verizon to use the telephone poles.

It was requested that a Verizon rep be present at the next meeting to discuss this request and give a presentation.

CONSENT AGENDA

**RESOLUTION
216-2016**

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BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan that Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, be and is hereby authorized to sign the following Service Agreements:

HVAC Service Agreement

Four Point Refrigeration Co. Inc
3140 Route 88
Point Pleasant, NJ 08799

Commencing June 1, 2016 – May 31, 2017

System Sales Service Agreement

System Sales Corporation
1345 Campus Parkway
Wall, NJ 07753

Commencing August 1, 2016-July 31, 2017

**RESOLUTION
217-2016**

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 Maser Consulting, 331 Newman Springs Roads Suite 203, Red Bank, New Jersey 07701, for purposes of providing for various modifications to the Borough's existing Water Treatment Plant building that are needed to facilitate the installation of the Liquid Lime Slurry System.

- Phase I – Bidding, Construction Administration & Operations \$29,750.00

for a total amount not to exceed \$29,750.00 .00 for the service outlined in a proposal dated July 5, 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 Maser Consulting to proceed with the above proposal for the WTP Building modifications for the purpose of installation of the Cal-Flow Liquid Lime Slurry System.

**RESOLUTION
218-2016**

**RESOLUTION FOR RENEWAL OF
MEMBERSHIP IN THE MONMOUTH MUNICIPAL
JOINT INSURANCE FUND**

WHEREAS, the Borough of Manasquan is a member of the Monmouth Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2016 unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership; and

NOW THEREFORE, be it resolved as follows:

1. The Borough of Manasquan agrees to renew its membership in the Monmouth Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.

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2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Monmouth Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

**RESOLUTION
219-2016**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,
APPOINTING JOHN PADGETT AS FULL TIME LABORER IN THE
DEPARTMENT OF PUBLIC WORKS IN THE BOROUGH OF
MANASQUAN**

WHEREAS, the Borough of Manasquan ("Manasquan") is in need of a Full-Time Laborer in the Department of Public Works; and

NOW, THEREFORE BE IT RESOLVED on the 18th day of July, 2016, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. John Padgett is appointed Full Time Laborer in the Department of Public Works.
2. Salary rate shall be Full Time Laborer Base Salary of \$35,380.56 per contract in affect at time of appointment.
3. The effective date of this appointment is July 19, 2016.
4. A certified copy of this resolution shall be sent to:

John Padgett
605 South Street
Brielle, NJ 08730

**RESOLUTION
220-2016**

BE IT RESOLVED, that the Mayor and Council of the Borough of Manasquan, be and is hereby authorizes a one year extension for The Borough of Manasquan and The Church of St. Denis for the use of a portion of the facility as outlined in the Lease Agreement for the term of September 1, 2016 through August 31, 2017.

**RESOLUTION
221-2016**

BE IT RESOLVED, that the Hon. Edward G. Donovan, Mayor of the Borough of Manasquan, be and is hereby authorized to sign the Agreement Between The Borough of Manasquan and Mark White, Ph.D. at the contractual retainer of \$1800.00 for EAP services and the fee-for-service charge of \$150.00 per hour for Supervisor-Imposed referrals and Fee-for-service of \$525.00, plus computer scoring fees for pre-employment, or pre-promotional evaluations for the term July 15, 2016 through July 14, 2017.

**RESOLUTION
222-2016**

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BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan that the Municipal Clerk and the Mayor of the Borough of Manasquan, be and are hereby authorized to sign the Squan Beach Life Saving Station #9 Historic Preservation Restriction Agreement.

**RESOLUTION
223-2016**

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: David & Hilary Seitz
48 Marcellus Av
Manasquan, NJ 08736

REASON FOR REFUND: COAH OVER PAYMENT

AMOUNT \$11.00

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
224-2016**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,
APPOINTING McCAY MENCER AND DAMON TITO AS
TEMPORARY FULL TIME FINANCE OFFICE CLERKS**

WHEREAS, the Borough of Manasquan is desirous of appointing a Temporary Finance Clerks until August 31, 2016; and

NOW, THEREFORE BE IT RESOLVED on the 18th day of July, 2016, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

5. McCay Mencer and Damon Tito are appointed Temporary Full-Time Finance Clerks
6. Salary rate shall be \$10.00 per hour.
7. The effective date of this appointment is July 19, 2016.
8. Hours for the Temporary Finance Clerk shall be determined by the Borough as permitted by law.
9. A certified copy of this resolution shall be sent to:

McCay Mencer
555 Sea Girt Avenue
Sea Girt, NJ

Damon Tito
62 North Main Street
Manasquan, NJ

**RESOLUTION
225-2016**

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**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,
APPOINTING A TEMPORARY PART-TIME MUNICIPAL
ADMINISTRATOR**

WHEREAS, the Borough of Manasquan ("Manasquan") is in need of a Temporary Part-Time Municipal Administrator; and

WHEREAS, the Administration Committee has recommended that the Borough of Manasquan hire John Trengrove as Temporary Part-Time Municipal Administrator effective July 19, 2016; and

WHEREAS, pursuant Borough of Manasquan Resolution 204-2016 Steve Pfefer has the designation of Certified Municipal Finance Officer, Certification #N-0026 and will be authorized to certify funds are available.

WHEREAS, in the absence of Steven Pfeffer, John Trengrove shall be authorized to certify funds available; and

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

1. John Trengrove is appointed to the position of Temporary Part-Time Administrator in the Borough of Manasquan.
2. The effective date of this appointment is July 19, 2016.
3. The salary for this position is \$1.00.
4. A certified copy of this resolution shall be sent to:

John Trengrove
88 Parker Avenue
Manasquan, NJ 07728

**RESOLUTION
226-2016**

**RESOLUTION OF THE BOROUGH OF MANASQUAN,
RATIFYING THE EMERGENCY PURCHASE REMOVAL SERVICE
OF SAILBOAT FROM MANASQUAN BEACH**

WHEREAS, an emergency existed due to a 30' sailing vessel striking the end of the Riddle Way Jetty on July 6, 2016 at 2:20pm; and

WHEREAS, pursuant to N.J.S.A.40A:11-6 a contract may be negotiated or awarded for a contracting unit without public advertising or solicitation of quotes therefor, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, immediate action was required for the removal of 30' Sailboat which struck the jetty on Manasquan Beach; and

WHEREAS, the Office of Emergency Management Coordinator Chris Tucker submitted a certification of request for emergency purchase to the Chief Financial Officer and requests the Borough Council ratify said purchase in an amount not to exceed \$20,000.00 to Budget Towing; and

WHEREAS, contracts over the amount of \$17,500 are subject to the New Jersey State "Pay to Play" act requiring contracts over said amount be approved by resolution of the governing body; and

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WHEREAS, the Borough of Manasquan, pursuant to N.J.S.A. 40A:11-6 permits the authorization of an emergency purchase without prior consent by the governing body and

NOW, THEREFORE, BE IT RESOLVED, the Borough of Manasquan, in compliance with all Local Public Contract Laws, emergency purchase provisions, does hereby ratify and approve the payment in the amount of \$20,000.00 to Budget Towing for removal of the 30' Sailboat from Manasquan Beach.

**RESOLUTION
227-2016**

RESOLUTION AUTHORIZING A CHANGE ORDER EXCEEDING 20 PERCENT FOR INFRASTRUCTURE PROTECTION AND STORMWATER CONVEYANCE PROJECT IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH STATE OF NEW JERSEY

WHEREAS, on October 15, 2016 the Borough of Manasquan awarded a contract through a sealed public bid to the lowest responsible and responsive bidder, J.E. Hannon, Inc T/A Bird Construction in the amount of \$3,379,297.48 for the Infrastructure Protection and Stormwater Conveyance Project by the approval of Resolution 260-2015 and pursuant to the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.), and

WHEREAS, the Borough of Manasquan has secured the approval of financing for the Stormwater Conveyance Project through the New Jersey Environmental Infrastructure Trust and

WHEREAS, J.E. Hannon, Inc T/A Bird Construction has certified that factual and unforeseen circumstances exists which require additional work and,

WHEREAS, the situation renders the execution of a new contract an unreasonable interference with the efficient completion of the work and,

WHEREAS, the two issues combined require the execution of a change order which exceeds the 20 percent limitation on this contract, and

WHEREAS, the total amount of change orders prior to this resolution is -\$13,703.46 via Resolution 49-2016, and

WHEREAS, the contractor has requested the amount of this change order to be \$1,105,168.36 which will cause the total amount of change orders executed for the particular contract to exceed the originally awarded contract price by more than 20 percent, and

WHEREAS the Borough Engineer has certified the necessity for the issuance of the proposed change order and,

WHEREAS the New Jersey Department of Environmental Protection has approved the issuance of the change order, and

WHEREAS, the Mayor, in his capacity as chief executive officer has filed a request for the change order with the governing body, and

NOW THEREFORE BE IT RESOLVED that the Governing Body authorizes:

1. The Borough Attorney to prepare a written amendatory contract to be entered into covering the changes stated above.
2. The Borough Clerk and Chief Financial Officer to execute the change order pursuant to 5:30-11.9.
3. The Chief Financial Officer to certify the availability of funds subject to the adoption of Ordinance 2215-16, a bond ordinance providing supplemental appropriation of \$1,250,000 for an Infrastructure Protection and Stormwater Conveyance Project.

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4. Copies of this resolution to be transmitted to the Director of the Division of Local Government Services, the New Jersey Environmental Infrastructure Trust (NJEIT) and the New Jersey Department of Environmental Protection (NJDEP).
5. A certified copy of this resolution be sent to:

J.E. Hannon, Inc
T/A Bird Construction
105 Harbor Inn Road
Bayville, NJ 07016

**RESOLUTION
229-2016**

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 advertise Bid Notice for the rental of 205 East Main Street.

Borough of Manasquan will be accepting bids to lease a portion of the first floor of the Municipal Building located at 201 East Main Street, Manasquan NJ, 08736, as office space pursuant to NJSA 40A:12-14 entitled "Leasing of Municipal Real Property". Principal users shall only be permitted to bid. Said Statute further provides no subletting will be permitted and therefore investors and/or absentee tenants shall be prohibited from bidding. The lease will commence on March 1, 2016 for five (5) years with the option of two (2) five (5) year renewals. The subject property is identified on the official tax map of the Borough of Manasquan as a portion of, specifically a part of the first floor, 201 East Main Street, Manasquan, New Jersey and also known as the 'Borough Hall Municipal Building'. Minimum bid amount is thirty (\$30.00) dollars square foot. Available space is 1,863 square feet on the first floor, currently leased as bank space. The tenant will be responsible for all taxes and all utilities. The Borough of Manasquan may provide upon completion of the bidding, the highest bid may be accepted or all of the bids may be rejected.

**RESOLUTION
230-2016**

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	106,229.45
Water/Sewer Fund	14,403.02
Beach Fund	30,771.37
Recreation Bldg Trust	7,580.00

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Recreation Commission Trust	2,679.00
General Capital Fund	453,058.36
Water/Sewer Capital Fund	3,528.75
Beach Capital Fund	690.00

Also presented by the Borough Attorney was Temporary Capital Budget Resolution.

Council Member Walsh 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, and Olivera. "No" none.

ORDINANCES – First Reading and Introduction

The Borough Attorney read the title of ordinance 2214-16 for first reading and introduction.

BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION, RECONSTRUCTION AND/OR RESURFACING OF 5,000 LINEAR FEET OF VARIOUS MUNICIPAL STREETS AND INTERSECTIONS IN THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$500,000 THEREFORE, AND AUTHORIZING THE ISSUANCE OF \$475,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.

Council Member McCarthy made a motion to introduce ordinance 2214-16, seconded by Council Member Olivera. Motion carried by the following vote: "yes" Council Member Lee, Walsh, McCarthy, and Olivera. "No" none.

The Borough Attorney read the title of ordinance 2215-16 for first reading and introduction

BOND ORDINANCE AMENDING SECTION 3 OF BOND ORDINANCE #2189-15 AND PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$1,250,000 FOR AN INFRASTRUCTURE PROTECTION AND STORMWATER CONVEYANCE PROJECT IN AND BY THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$1,250,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

Council Member Walsh made a motion to introduce ordinance 2215-16, seconded by Council Member McCarthy. Motion carried by the following vote: "yes" Council Member Lee, Walsh, McCarthy, and Olivera. "No" none.

COMMITTEE REPORTS

Public Safety Committee – Council Member Olivera reported on the police reports for the week of July 11, 2016 and the police department is encouraging pedestrians to use crosswalks when cross the streets and wait for the crossing single when crossing at an intersection that is controlled by a traffic light. He stated that the committee is not commenting on Sergeant Pharo's arrest and the Chief has made a statement and future communications will come from the Chief when the investigation is complete or at an appropriate time.

Beach Committee – Council Member McCarthy reported that the season has been great and he went over the sale of beach badges and revenues collected which is above last year at this time. He went over the sailboat which crashed into the jetty and thanked all the emergency personnel that assisted in the accident. He thanked the beach personnel for getting all the beachgoers off the beach during a quick moving storm on Saturday. He went over the Canoe/Kayak/Paddleboard Race which will be held on Saturday morning. He also went over the Inlet Celebration which is scheduled for July 19 at the Inlet.

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Building, Planning & Zoning – Council Member Walsh advised that there is a recommendation for the municipal management software and the Supervising Code Enforcement Officer needs to see if it was put into the budget for this year or not. He went over a discrepancy with the current vendor for scanning.

Mr. DeIorio advised that he gave Frank DiRoma a report which outlines issues with the current vendor.

Public Works & Grounds – Council Member Lee reported that there will be some improvements in the parks, inline hockey, basketball courts, and shuffle board which will be done mostly through August. He reported on the Mallard Park Project which will start in the fall and finish in the spring. He went over the bulkhead change order that was approved earlier and is looking at a completion in the spring so the boaters can get back into the slips.

Mayor Donovan went over resolution 224-2016 to explain the hiring of the interns from the Manasquan High School Academy of Finance.

AUDIENCE PARTICIPATION

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

Mary Ryan, 113 Beachfront stated that she thinks it is a great opportunity to give the young people an opportunity to get experience. She stated that the police department needs to be recognized with all the bad things going on in the world as they do an excellent job for the Borough and they should know that they are supported by the town. She suggested that the Mayor and Council as the governing body make a public statement in support of the police force expressing gratitude and encouraging them to exercise discretion and good judgement while they perform their duties.

Marilyn Jacobson, 59 McLean Avenue asked if the docks will be ready next year.

Council Member Lee stated that he knows they will be ready.

Ms. Jacobson inquired about permits for dredging.

Council Member Lee stated that he believes from June 30 through December 31 are the times that dredging can take place. He stated that they are working closely with DEP and NJ Environmental Infrastructure Trust with permits and approvals all along the way.

Ms. Jacobson wanted to know if the Borough has the permits.

Council Member Lee stated that he doesn't believe the Borough has the permits for dredging yet as it was just approved tonight. He advised that there is a verbal approval from DEP for the dredging permit

There was discussion on the process for DEP approval.

Ms. Jacobson inquired about the new tax rate.

Mr. DeIorio stated that the new tax bills went out yesterday and the tax rate has been set as an estimate. He advised that the municipal tax rate will be .329.

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

Council Member McCarthy made a motion to close the regular meeting at 7:49 p.m., seconded by Council Member Olivera. Motion carried unanimously.

Respectfully Submitted,



Barbara Ilaria
Municipal Clerk

DATE APPROVED 8-15-16