

AUGUST 15, 2016

Regular Meeting of Mayor and Council was convened at 7:02 p.m. on August 15, 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, McCarthy, Olivera, and Mangan.

Absent: Council Members Walsh and Read

Also present was Borough Attorney Mark Kitrick, Borough Administrator Joe DeLorio, Temporary Borough Administrator John Trengrove, and Borough Auditor Allen Shechter.

Presentation – Little Free Library Project – Peter Ragan

Peter Ragan, 51 Morris Avenue and family presented to the council the idea of having a free little library in the pocket park near PNC Bank which would only be about the size of 2 mail boxes which would be available to the public.

There was discussion on this project and it was recommended that someone from the Borough reach out to Mr. Ragan to confirm the placement of the library.

Audience Participation – Agenda Items

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

Tucker Ronzetti, 4 Watson Place inquired about a water main repair cost and who should be paying for this and the process that took place for notification to the homeowners.

Nancy Ronzetti, 4 Watson Place voiced her concerns and opinion on the water main repair.

Janice O'Connor, 3 Watson Place voiced her concerns and opinion on the water main repair.

Kevin O'Connor, 3 Watson Place voiced his concerns and opinion on the water main repair and the cost of the repair.

Tom Nicastro, Superintendent of Public Works went over the process that was followed for the repair and payment of the water main repair and he answered questions from Mr. Kitrick and council members.

Kevin O'Connor, 3 Watson Place asked questions of Mr. Nicastro.

Mr. Nicastro answered the questions asked of him.

Tucker Ronzetti, 4 Watson Place asked questions of Mr. Nicastro.

Mr. Nicastro answered the questions asked of him.

Nancy Ronzetti, 4 Watson Place went over the pictures that were taken of the repair hole.

Mr. Kitrick stated that the homeowners presented their information and now it should go back to the committee for a recommendation to Mayor and Council.

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

Approval of Minutes:

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Special Meeting Minutes – July 11, 2016
Regular Meeting Minutes – July 18, 2016
Regular Meeting Minutes – August 1, 2016

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

Use of Borough Property

- Block Party – Virginia Avenue – 9/10/2016

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

- ALS Valentines Plunge – 2/4/2017 Rain Date 2/11/2017

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

- Independent Short Film Shoot – Inlet 8/17/2016

Council Member Olivera made a motion to approve this request with no noise or lights, seconded by Council Member McCarthy. Motion carried unanimously.

- Block Party – Curtis Avenue – 9/4/2016

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

Superintendent of Public Works – Discussion

Council Member Lee advised that Mr. Nicastro will be retiring at the end of the year and he is looking for authorization for the Clerk to advertise for the position.

Mr. Trengrove stated that he solicited input from Mr. Nicastro to shape the advertisement so the qualifications that are needed would be required.

There was discussion on the licenses required for this position.

RESOLUTION 246-2016

WHEREAS, the 2016 approved budget of the Borough of Manasquan, as advertised, has been posted in the Municipal Building at least one week prior to the date of this hearing, and

WHEREAS, a copy of the same has been made available to each person requesting it during said week and during public hearing.

THEREFORE, BE IT RESOLVED, that having conformed with the conditions set forth in N.J.S. 40A:4-8. The 2016 budget be read by its title.

Council Member McCarthy made a motion to approve this resolution, seconded by Council Member Lee. Motion carried by the following vote: “yes” Council Member Lee, McCarthy, Olivera, and Mangan. “No” none.

2016 MUNICIPAL BUDGET

Mr. Shechter went over the budget to be adopted.

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

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There being no comment Council Member Mangan made a motion to close the budget hearing, seconded by Council Member Olivera. Motion carried unanimously.

Mr. Shechter read the 2016 budget by title per resolution 246-2016.

Council Member Mangan thanked everyone for their work on the budget. He stated the increase in the budget is the same as last year less than \$5.00 a month per household.

Council Member Mangan made a motion to adopt 2016 Budget, seconded by Council Member McCarthy. Motion carried by the following vote: "yes" Council Member Lee, McCarthy, Olivera, and Mangan. "No" none.

CONSENT AGENDA

RESOLUTION 247-2016

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 Studio 200 Architecture/Design, 200 Union Avenue, Brielle, New Jersey 08730 for purposes of Design Development, Design Meeting and Presentation for Sea Watch Pavilion for a fixed fee for the service in an amount not to exceed \$6,800.00. Additional services if needed will be charged as outlined on the proposal dated August 4, 2016.

RESOLUTION 248-2016

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR MANASQUAN TOURISM TRUST FUND REQUIRED BY N.J.S.A.40A:4-39

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A: 5-29 provides for receipt of donations by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Tourism trust fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Manasquan, County of Monmouth, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Tourism Trust Fund and N.J.S.A. 40A: 5-29
2. The Clerk of the Borough of Manasquan, County of Monmouth is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

RESOLUTION 249-2016

BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan that Steven Antonucci, Recreation Director, be and is hereby authorized to sign the Use Agreement between

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Manasquan Recreation and the State of New Jersey Department of Military & Veteran Affairs, for the use of the Sea Girt Army Camp for the Manasquan Recreation Soccer Program.

**RESOLUTION
250-2016**

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: JOSEPH LOFFREDO JR
MATTINA LOFFREDO
4 BRANIN AVENUE
MANASQUAN, NJ 08736

AMOUNT OF REFUND DUE: \$400.00

REASON FOR RETURN: WIFFLE BALL BEACH USE

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
251-2016**

**RESOLUTION OF THE BOROUGH OF MANASQUAN,
RATIFYING THE EMERGENCY PURCHASE AND INSTALLATION OF NEW AIR
CONDITIONING FURNACE COOLING COIL IN THE FINANCE AREA OF BOROUGH HALL**

WHEREAS, an emergency existed due to air conditioning unit failing on August 5, 2016 at 2:00 pm in the Finance Department in Manasquan Borough Hall; 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 purchase and installation of the Air Conditioning Furnace Cooling Coil in the Finance Area of Borough Hall; and

WHEREAS, the Borough Clerk Barbara Ilaria 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 \$8,650 to Four Point Heating & Cooling; and

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 \$8,650.00 to Four Point Heating and Cooling for the purchase and installation of a new Air Conditioning Furnace Cooling Coil in Borough Hall.

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**RESOLUTION
252-2016**

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: A-GENERAL SEWER & PLUMBING OF MONMOUTH
OCEAN & ATLANTIC CO. INC
P.O. BOX 335
FARMINGDALE, NJ 07727

AMOUNT OF RETURN DUE: \$500.00

REASON FOR REFUND: Return Street Opening Deposit-SO#97/15

NAME: DOLPHIN HOMES LLC
426 HERBERTSVILLE ROAD
BRICK, NJ 08724

AMOUNT OF RETURN DUE: \$500.00

REASON FOR REFUND: Return Street Opening Deposit-SO#105/15

NAME: TRW HOMES LLC
125 PARKER AVE
MANASQUAN, NJ 08736

AMOUNT OF RETURN DUE: \$500.00

REASON FOR REFUND: Return Street Opening Deposit-SO#165/15

NAME: ASH CONSTRUCTION
450 WESTWOOD AVE
LONG BRANCH, NJ 07740

AMOUNT OF RETURN DUE: \$500.00

REASON FOR REFUND: Return Street Opening Deposit-SO#11/16

NAME: WILLIAM PAUL CULLEN
MARION WORTHY CULLEN
123 IVY HILL ROAD
RED BANK, NJ 07701

AMOUNT OF RETURN DUE: \$500.00

REASON FOR REFUND: Return Street Opening Deposit-SO#70/16

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
253-2016**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,
AUTHORIZING ADVERTISEMENT FOR A FULL-TIME
SUPERINTENDENT OF PUBLIC WORKS**

WHEREAS, the Borough of Manasquan ("Manasquan") is in need of a Superintendent of Public Works; and

NOW, THEREFORE BE IT RESOLVED on the 15th day of August, 2016, by the Borough Council of the Borough of Manasquan, hereby authorize the Municipal Clerk to advertise for the position of Supervisor of Public Works.

**RESOLUTION
255-2016**

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	2,421,339.10 (Includes 2,358,936.00 Manasquan BOE Tax Levy)
Water/Sewer Fund	16,850.95
Beach Fund	19,155.43
Recreation Bldg Trust	
Recreation Commission Trust	5,920.06
General Capital Fund	385,727.48
Water/Sewer Capital Fund	
Beach Capital Fund	

Also presented by the Borough Attorney was a Capital Budget Amendment Resolution for the CDBG ADA Intersections and Tide Valve Project (Ordinance 2212-16).

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

The Borough Attorney read the title of ordinance 2213-16 for second reading and final adoption.

CALENDAR YEAR 2016

AUGUST 15, 2016

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP
BANK (N.J.S.A. 40A: 4-45.14)**

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

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

Council Member Mangan made a motion to pass and publish ordinance 2213-16 according to law, seconded by Council Member Lee. Motion carried by the following vote: "yes" Council Member Lee, McCarthy, Olivera, and Mangan. "No" none.

The Borough Attorney read the title of ordinance 2208-16 for first reading and introduction.

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 20
STREETS AND SIDEWALKS SUBSECTION 20-4.1; CHAPTER 35
ZONING SUBSECTION 35-7.7 OF THE BOROUGH OF MANASQUAN
CODE IN THE BOROUGH OF MANASQUAN, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY.**

Council Member McCarthy made a motion to introduce ordinance 2208-16, seconded by Council Member Mangan. Motion carried by the following vote: "yes" Council Member Lee, McCarthy, Olivera, and Mangan. "No" none.

The Borough Attorney read the title of ordinance 2212-16 for first reading and introduction.

**BOND ORDINANCE PROVIDING FOR PEDESTRIAN SAFETY AND
INSTALLATION OF ADA ROADWAY AND INFRASTRUCTURE
IMPROVEMENTS FOR THE BOROUGH OF MANASQUAN, IN THE
COUNTY OF MONMOUTH, NEW JERSEY APPROPRIATING
\$350,000.00 THEREFORE AND AUTHORIZING THE ISSUANCE OF
\$332,500.00 BONDS OR NOTES OF THE BOROUGH FOR
FINANCING SUCH APPROPRIATION**

Council Member Lee made a motion to introduce ordinance 2212-16, seconded by Council Member McCarthy. Motion carried by the following vote: "yes" Council Member Lee, McCarthy, Olivera, and Mangan. "No" none.

COMMITTEE REPORTS

Public Works & Grounds – Council Member Lee thanked council for endorsing the CDBG Intersection Project and he advised that bids have been received the Mallard Park renovation project and the committee will be discussing the award of this project. He reported that there are 2 grants for the Mallard Park project, one for \$151,000 for Phase I and \$39,000 for Phase II which would include the pickleball court. He went over the mandatory water meter replacement project.

Beach Committee – Council Member McCarthy reported on the beach revenues to date of a little over \$1.7 million which is a strong beach season. He reported on the Elks Day at the Beach event and thanked everyone that helped with the event and he also went over the Lifeguard Tournament and thanked everyone that participated. He also reported on Manasquan Tourism's sand castle contest which was in conjunction with Big Sea Day. He went over briefly the rebuild of Sea Watch.

Public Safety Committee – Council Member Olivera reported on the police department's arrests and violations issued over the past week. He stated that a warning comes from the Police Department warning juveniles the danger of jumping off Ocean Avenue and East Main Street bridges and that it is prohibited by the town and that the police department will be taking corrective action in an attempt to stop anyone from jumping off the bridges.

Administration and Finance – Council Member Mangan thanked Mr. Trengrove for continuing to work with the department and his help with the transition to a new Administrator and CFO. He reported that the

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Borough is in the process of conducting interviews for the replacement of the CFO and he advised that there might be a recommendation at the next meeting.

AUDIENCE PARTICIPATION

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

Dick Meinke, 36 N. McClellan inquired about what is going on at 44 N. Main and the signs throughout town regarding the site.

Mr. Kitrick advised that the 44 N. Main Street is in litigation and the Borough is limited as to what they can talk about. He stated that there is someone in town that has filed a motion to intervene in the litigation in Monmouth County. He stated that until that litigation is resolved the Borough is not in a position to comment on it.

Mr. Meinke stated that he hopes that nothing happens at this address.

Mr. Kitrick stated that the only thing that he can say at this time is that the Borough is vigorously defending it.

Council Member McCarthy advised that the documents that have been filed with the courts are public documents and will be available on the Borough website. He went over the COAH gap year ruling.

Carol Wilkens Kirkman, 22 Willow Way inquired about a chemical smell to the water outside of her house.

Council Member Lee asked Ms. Kirkman to supply her contact information and someone will get back to her.

Mark Fendl, 32 Taylor Avenue voiced his concern with the increase chlorine smell at his residents.

Council Member Lee asked Mr. Fendl to supply his contact information and someone will get back to him.

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

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

Council Member Mangan made a motion to close the regular meeting at 8:21 p.m., seconded by Council Member Read. Motion carried unanimously.