

SEPTEMBER 19, 2016

Regular Meeting of Mayor and Council was convened at 7:00 p.m. on September 19, 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 Temporary Borough Administrator John Trengrove.

Audience Participation – Agenda Items

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

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

Approval of Minutes:

Regular Meeting Minutes – September 9, 2016

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

Request from Brielle Fire Company for Use of Two (2) Beach Tractors

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

CONSENT AGENDA

**RESOLUTION
263-2016**

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. DANIEL HOLLANDER
473 BROADWAY – APT 5E
NEW YORK, NY 10013

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #03-2014
349 BEACHFRONT
BLOCK: 187 – LOT: 19.01 – Zone: R-4

AMOUNT OF REFUND DUE: \$622.64

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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
264-2016**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that Sean Price be appointed as Community Representative to the Office of Emergency Managements, Emergency Management Council until December 31, 2016.

**RESOLUTION
265-2016**

BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan that Christopher Tucker, Office of Emergency Management Coordinator of the Borough of Manasquan, be and is hereby authorized to sign the Supplement Agreement to Emergency Facility Access Agreement between the Borough of Manasquan and Manasquan Board of Education.

**RESOLUTION
266-2016**

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 the School Traffic Guards effective January 1, 2013 through December 31, 2016

**RESOLUTION
267-2016**

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, Monmouth County, New Jersey, the contract for the Warren Avenue and Perrine Boulevard Improvements by Mixailia Enterprises, 420 Sycamore Avenue, Shrewsbury, NJ 07702, in accordance with the Plans and Specifications, as directed by T&M Associates, 9 Grande Avenue, Toms River, NJ 08753. Said construction is hereby accepted; and

WHEREAS, the Contractor having supplied a Maintenance Bond (Number B 1122556) in the amount of One Hundred Forty Two Thousand Eight Hundred Twenty Seven Dollars and 00/100 (\$142,827.00) for a period of Two (2) years from September 1, 2013 and extended an additional year to September 1, 2016 ; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the following:

T&M Associates
9 Grande Avenue
Toms River, NJ 08753

Mixailia Enterprises
420 Sycamore Avenue
Shrewsbury, NJ 07702

**RESOLUTION
268-2016**

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**RESOLUTION REJECTING ALL BIDS SUBMITTED FOR
THE MALLARD BALLFIELD & RECREATION
IMPROVMENTS PROJECT PHASE I & PHASE II 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 Mallard Park Ballfield and Recreation Improvements project; and

WHEREAS, the two bids for this project were:

Down To Earth, Inc.	Base Bid	\$236,720.00
Earthworks, Inc.	Base Bid	\$280,960.00

WHEREAS, the Borough of Manasquan reserved the right to reject all bids for any reason; and

WHEREAS, on September 13, 2016 the borough engineer provided a report to the Borough of Manasquan regarding the above referenced bids and set forth their recommendation; and

WHEREAS, the low bidder was Down To Earth, Inc., it was found that the options that could be awarded exceeded the funds that the Borough appropriated for this project; and

WHEREAS, Borough Council of the Borough of Manasquan wishes to perform all improvements at the same time and the Borough Engineer has recommended that all bids be rejected; and

WHEREAS, the Borough Council is desirous of rejecting all bids pursuant to N.J.S.A. 40A11-13.2 et seq.

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

1. In the best interest of the Borough of Manasquan all bids be rejected and the project be re-bid after modifications are made to the contract documents and Bond Ordinance.
2. A certified copy of this resolution shall be sent to:

Down to Earth, Inc
705 Wright Debow Road
Jackson, NJ 08527

Earthworks, Inc.
13 Morello Court
Farmingdale, NJ 07727
Edison, NJ 08837

**RESOLUTION
269-2016**

WHEREAS, the Borough of Manasquan has determined that certain personal property as described on the attached schedule is no longer needed for public purposes; and

WHEREAS, N.J.S.A. 40A:11-36 requires that all such personal property be sold at public sale to the highest bidder.

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

1. The attached schedule of Borough property is hereby declared to be surplus, no longer needed

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for public purposes; and

2. The Clerk is hereby authorized and directed to advertise a public sale of said property to be held on Saturday, October 1, 2016 commencing at 11:00 a.m. prevailing time, said sale to be held at the Public Works Garage, Iroquois Road, Manasquan, New Jersey.

3. The Borough reserves the right to reject any and all bids if it determines such rejection to be in the public interest.

4. Said sale shall be in the manner of a public auction in accordance with procedures to be announced and upon close of bidding, the highest bidder as designated by the Auctioneer shall submit the full bid price in cash.

5. The procedure for the purchase of a vehicle will be announced at the start of the auction.

THE BOROUGH OF MANASQUAN PUBLIC AUCTION

Notice is given that a public auction will be held by the Borough of Manasquan, Saturday, October 1, 2016 at 11:00 a.m. in the Public Works Borough Garage, Iroquois Road, Manasquan, New Jersey. **RAIN OR SHINE**

No warranties shall be attached, implied and/or expressed to the items auctioned on this date. All items will be sold in "AS IS CONDITION." All sales will be final.

Successful bidders shall be required to pay the total bid price in cash at the time of sale and immediately remove the property from the Borough's Garage. For inquiries, please call 732-223-0544, ext. 235.

The procedure for the purchase of a vehicle will be announced prior to the start of the auction.

The items to be auctioned include the following:

1998 Dodge Ram 3500 Mason Dump VIN# 3B6MF3659WM255330

1998 GMC 3500 VIN#GTGK24R5WE532532

1980 Chevrolet Cheyenne C30 VIN# CKX33AJ142566

2009 Ford Crown Victoria VIN# 2FAHP71V79X142593

American Signal - Solar Trailer/Message Board VIN #GA1TC61A1YFGT1023

1993 Kelly Creswell Line Paint Machine Model HDCT Serial #7341

48" Grass Hopper Snow Thrower Attachment Model 533413/412

#2 Grass Hopper Vacuum Grass Catcher Model #50358

Snow Blower - Toro Power Throw 824 XL - Model 38083 Serial #7910498

Snow Blower - Toro Power Shift 824 - Model 38540 Serial #5906052

"Stow" Vibrating Tamp - Model VPC 90 w/tank Seral #9500395

Various Computer Equipment

Miscellaneous items

RESOLUTION 270-2016

WHEREAS, the Borough of Manasquan is desirous of appointing a part-time Laborer in the Department of Public Works; and

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WHEREAS, the Superintendent of Public Works has submitted the following individual for appointment as part-time Laborer for the Department of Public Works at the rate of \$10.50 per hour with the effective date of September 24, 2016 .

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 19th day of September, 2016 appoint the following individual;

Frank Servidio, 100 Ocean Road, Manasquan

**RESOLUTION
271-2016**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,
APPOINTING ROBBIN KIRK AS QUALIFIED PURCHASING
AGENT**

WHEREAS, the Borough of Manasquan ("Manasquan") is desirous of appointing a Qualified Purchasing Agent; and

WHEREAS, Robbin Kirk meets the statutory qualifications to hold the position.

WHEREAS, Robbin Kirk has agreed to accept such appointment; and

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

1. Robbin Kirk is appointed as Qualified Purchasing Agent
2. The effective date of this appointment is October 1, 2016.
3. A certified copy of this resolution shall be sent to :

Robbin Kirk
1866 Carol Court
Wall, NJ 07719

**RESOLUTION
272-2016**

**RESOLUTION AWARDING A CONTRACT FOR THE 2016 VARIOUS
ROADWAY IMPROVMENTS 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 2016 Various Roadway Improvements Project; and

WHEREAS, the bids submitted for this project were:

<u>Contractor</u>	<u>Base Bid</u>	<u>Total Bid</u>
Fiore Paving Co. Inc.	\$404,676.00	\$516,277.00
All Surface Asphalt Paving, Inc.	\$404,781.80	\$488,738.80
Earle Asphalt Company	\$418,313.13	\$522,713.13
Black Rock Enterprises LLC	\$418,868.00	\$532,972.00
Lucas Construction Group, Inc.	\$626,235.00	\$749,532.00

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WHEREAS, upon review of the funding available for said project, the Borough Engineer has recommended awarding a contract for the Base Bid, Alternate A and Alternate B.

WHEREAS, All Surface Asphalt Paving Inc. submitted a total bid with Alternate A and B in the amount of \$446,815.30; and

WHEREAS, the Borough Engineer has determined the bid by All Surface Asphalt Paving Inc. 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 All Surface Asphalt Paving Inc. is a responsive and responsible bid; and

WHEREAS, the Borough Council is desirous of awarding a contract to **All Surface Asphalt Paving Inc.** for the total bid in the amount of \$446,815.30 for the project;

NOW, THEREFORE BE IT RESOLVED on the 19th day of September, 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. Subject to the above condition, a contract in the amount of \$446,815.30 is awarded to All Surface Asphalt Paving Inc. for this project.
3. The Mayor and Municipal Clerk are authorized and directed to execute all necessary documents to effectuate a contract with All Surface Asphalt Paving, Inc.
4. A certified copy of this resolution shall be sent to:

All Surface Asphalt Paving, Inc.
528 Hardenburg Avenue
Point Pleasant, NJ 08742

**RESOLUTION
273-2016**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,
AUTHORIZING ADVERTISEMENT FOR A SUPERINTENDENT OF
RECREATION**

WHEREAS, the Borough of Manasquan ("Manasquan") is in need of a Superintendent of Recreation which duties would include supervision of recreational programs and activities and oversight of activities at Manasquan Beach; and

NOW, THEREFORE BE IT RESOLVED on the 19th day of September, 2016, by the Borough Council of the Borough of Manasquan, hereby authorize the Municipal Clerk to advertise for the position of Superintendent of Recreation.

**RESOLUTION
274-2016**

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

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

SEPTEMBER 19, 2016

BLOCK: 186.03 / LOT: 9 NAME: Virginia L Griffin

PROPERTY LOCATION: 552 Perch Ave

AMOUNT: \$14,496.41

REASON FOR REFUND: REDEMPTION OF TTL #12-00173

REFUND CHECK TO BE MADE PAYABLE TO:

**STUART LASHER
PO BOX 83
MILLTOWN, NJ 08850-0083**

BLOCK: 171 / LOT: 41 NAME: Thomas & Karen Leddy

PROPERTY LOCATION: 145 First Ave

AMOUNT: \$4,141.14

REASON FOR REFUND: REDEMPTION OF TTL #14-00009

REFUND CHECK TO BE MADE PAYABLE TO:

**K.C.C. PROMISED LAND, LLC
2560 RT 22 EAST #175
SCOTCH PLAINS, NJ 07076**

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
275-2016**

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

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

BLOCK: 186.03 / LOT: 9 NAME: Virginia L. Griffin

PROPERTY LOCATION: 552 Perch Ave

AMOUNT: \$300.00

**REASON FOR REFUND: Return of Premium Paid at Tax Sale
Redemption of TTL #12-00173**

REFUND CHECK TO BE MADE PAYABLE TO:

**STUART LASHER
PO BOX 83
MILLTOWN, NJ 08850-0083**

BLOCK: 171 / LOT: 41 NAME: Thomas & Karen Leddy

PROPERTY LOCATION: 145 First Ave

AMOUNT: \$18,100.00

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**REASON FOR REFUND: Return of Premium Paid at Tax Sale
Redemption of TTL #14-00009**

REFUND CHECK TO BE MADE PAYABLE TO:

**K.C.C. PROMISED LAND, LLC
2560 RT 22 EAST #175
SCOTCH PLAINS, NJ 07076**

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
276-2016**

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	55,416.71
Water/Sewer Fund	9,980.42
Beach Fund	15,194.37
Recreation Bldg Trust	100.00
Recreation Commission Trust	
Open Space Trust	1,982.50
Reserve for Unemployment	1,062.64
General Capital Fund	657,008.79
Water/Sewer Capital Fund	829,088.66
Beach Capital Fund	3,395.00

Council Member Lee made a motion to approve the Consent Agenda, seconded by Council Member Walsh. 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 2216-16 for first reading and introduction.

ORDINANCE AMENDING CHAPTER 5 (ANIMAL CONTROL) SECTION 5-9 (VACCINATIONS & LICENSING) SUBSECTION 5-9.2 (LICENSE REQUIRED) 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 2216-16, 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 reported that All Surface Asphalt Paving was the low bidder for 2016 Various Roadway Improvements Project. He reported on the installation of the new water meters and stated that there is about 800 homeowners that need to schedule for the new meter installation. He reported that the Mallard Park Phase 1 and II Project has been rejected as the funding was not put in place but will be sent out to bid again in the Spring. He advised that the basketball courts and inline hockey have been completed and the demo has been completed for the shuffle board.

Building, Planning & Zoning – Council Member Walsh reported on the building permits and advised that in August 2015 there were 30 and August 2016 there were 14, September 2015 there were 25 and September 2016 has only had 7 so far. He reported that 2015 through September 19 there were 1105 and 2016 through September 19 the number is down 38 from the previous year. He also reported on the rental CO's and advised that they are about the same.

Beach Committee – Council Member McCarthy offered the council and his condolences and sympathy to the family of Daniel McCann, a Manasquan firefighter who passed away on Friday and who has served the fire department for 25 years. He reported that the beach is officially closed and the lifeguards are no longer on duty. He advised that council has authorized to advertise for a Superintendent of Recreation which is something that the council has discussed for several years now which would be a combination of the recreation and beach departments to help and oversee the administration in these departments.

Public Safety Committee – Council Member Olivera echoed the sentiments of Council Member McCarthy and voiced his condolences on behalf of the committee to the McCann family. He advised that Mr. McCann passed away Friday after a training exercise Thursday evening. He advised that he had nothing to report with regards to the Police Department.

Special Services Committee – Council Member Read reported that the Cable TV Advisory Committee will be meeting Thursday at the High School at 7 pm.

Administration and Finance – Council Member Mangan reported that Amy Spera is on board as the Chief Financial Officer and is working with the Borough to get everything up to speed. He reported on the Supreme Court Decision and the gap hearing for COAH and that they will be hearing oral argument at the end of November on the appeals process and a decision is not expected until early next year. He reported that the Borough's temporary immunity is extended until these proceedings are complete. He reported that the committee will be discussing the process of replacing the Administrator's position.

Council Member McCarthy thanked Manasquan police and fire departments for their response with respects to the recent attack in Seaside Heights and the heightened awareness in the borough.

AUDIENCE PARTICIPATION

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

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

Council Member Walsh made a motion to close the regular meeting at 7:16 p.m., seconded by Council Member McCarthy. Motion carried unanimously.

Respectfully submitted,



Barbara Ilaria
Municipal Clerk

DATE APPROVED 10-3-16