

OCTOBER 3, 2016

Regular Meeting of Mayor and Council was convened at 7:00 p.m. on October 3, 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.

**Audience Participation – Agenda Items**

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

Pat Connolly, 65 Ocean Avenue inquired about Nassau Capital Advisors Contract which is on the Consent Agenda.

Council Member McCarthy advised that this is a contract for an expert regarding COAH litigation and they were chosen with the advice of Surenian's office.

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

**PROCLAMATION – The TEARS Foundation National Pregnancy & Infant Loss Awareness**

**THE TEARS FOUNDATION  
NATIONAL PREGNANCY & INFANT LOSS AWARENESS  
OCTOBER 2016**

*WHEREAS*, one in four families will experience a pregnancy or infant loss in their lifetime; and

*WHEREAS*, in 1988, President Reagan designated October as National Pregnancy and Infant Loss Awareness Month; and

*WHEREAS*, The TEARS Foundation was established in 2002 by Founder, Sarah Slack and her husband, after experiencing this significant family loss and as a 501(c)(3) non-profit was created to help families who suffer this same heartbreak: and

*WHEREAS*, to pursue this mission to bring support for hurting families, The New Jersey Chapter of the TEARS Foundation has announced the *#BreakTheSilence* campaign to attain this important goal.

*NOW, THEREFORE*, I, Edward G. Donovan, Mayor of the Borough of Manasquan, do hereby acknowledge The TEARS Foundation for invaluable service to those suffering this extraordinary grief and recognize October as National Pregnancy and Infant Loss Month within the Borough of Manasquan.

**Approval of Minutes:**

Regular Meeting Minutes – September 19, 2016

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

**Use of Borough Property**

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- New Year's Eve Twilight Run/Walk – 12/31/16 4:30 pm

Dan Napolitan and Gio from Dr. T-Shirt, Jersey Shore Running Club representatives went over the event to be held and answered questions from the council.

There was discussion on the time of the event and the route of the race.

Council Member Lee made a motion to approve this request with a start time of 4 pm and only on the boardwalk, seconded by Council Member McCarthy. Motion carried unanimously.

- MES Halloween Parade – October 31, 2016 1:30 – 2:30 pm.

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

- Block Party – Morris Avenue – October 29, 2016

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

- Turkey Run Request for Small Pod to House Shirts – November 19, 2016

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

#### **Advanced Metering Infrastructure Project – Update**

Council Member Lee reported that 75-80% of the meters have been installed and the installation has slowed down due to homeowners not contacting the company to set up an appointment. He advised that the committee is recommending a \$500 per quarter fee for reading the old meter.

Council Member Mangan went over the different notifications that have gone out to get the homeowner to comply with the installation of the new meters.

There was discussion on a letter going out and the recommendation of a fee to be charged for old meter readings.

#### **Request from All Surface Asphalt Paving, Inc. to start work at 7 am**

Mayor Donovan stated that All Surface Asphalt Paving, Inc. is doing intersection work for the borough and they are requesting to start at 7 am to make sure the work gets completed in a timely manner.

There was discussion on the request and the mobilization at 7 am.

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

#### **Engineer's Monthly Report**

Mr. James Priolo went over the Engineer's September 2016 report. He went over the lime slurry bid rejection, possible change in boat slip sizes, and tide control valve effectiveness.

#### **CONSENT AGENDA**

#### **RESOLUTION 277-2016**

**BE IT RESOLVED**, that the Hon. Edward G. Donovan , Mayor of the Borough of Manasquan, and Borough Clerk Barbara Ilaria be and are hereby authorized to sign the Animal Control Contract with the Associated Humane Societies, Inc for the term commencing January 1, 2017 through December 31, 2017.

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**RESOLUTION  
278-2016**

**BE IT RESOLVED** by the Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that:

**WHEREAS**, a return of monies are due to the following:

NAME: EASTMOND BROTHERS LLC  
DBA EXTERIOR VISIONS LLC  
215 BARTON AVE  
POINT PLEASANT, NJ 08742

AMOUNT OF RETURN DUE: \$500.00

REASON FOR RETURN: Dumpster Security - 34 Pearce

**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  
279-2016**

**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

**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  
280 -2016**

**BE IT RESOLVED**, that the Hon. Edward G. Donovan, Jr., Mayor of the Borough of Manasquan, be and is hereby authorized to sign the Agreement with Nassau Capital Advisors for assistance in the Affordable Housing Report Process.

**RESOLUTION  
281-2016**

OCTOBER 3, 2016

**WHEREAS**, the Borough of Manasquan and Brielle have entered into a Interlocal Agreement for the provision of gasoline and diesel fuel, and

**WHEREAS**, the last formal agreement expired on December 31, 2010 and continued informally through December 31, 2015.

**NOW THEREFORE BE IT RESOLVED** that the Boroughs enter into an Interlocal Agreement under the provisions of N.J.S.A. 40:8A-1 in order to provide for the joint provisions of gasoline and diesel from January 1, 2016 to December 31, 2016.

**BE IT RESOLVED**, by the Governing Body of the Borough of Manasquan, Monmouth County, New Jersey that the Mayor and Municipal Clerk be authorized to sign the Interlocal Agreement for the provision of gasoline and diesel fuel.

**RESOLUTION  
282-2016**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH  
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,  
RELEASING MORTGAGE MODIFICATION  
AGREEMENT**

**WHEREAS**, Annette Illmensee executed a mortgage modification to the Borough of Manasquan in the initial amount of \$16,800.00 increasing to \$17,200.00 and recorded in the Monmouth County Clerk's office under the Housing Improvement Program; and

**WHEREAS**, the Borough of Manasquan has received a check in the amount of \$17,200.00 representing all fees have been paid and conditions satisfied; and

**WHEREAS**, the governing body of the Borough of Manasquan is desirous of releasing the Mortgage Modification Agreement; and

**NOW, THEREFORE BE IT RESOLVED** on the 3<sup>rd</sup> day of October, 2016, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. Mortgage Modification Agreement for Annette Illmensee 43 Central Avenue is hereby paid in full.
2. A certified copy of this Resolution shall be sent to:

Starkey, Kelly, Kenneally, Cunningham & Turnbach  
1593 Route 88 West  
Brick, NJ 07724

Debbie Dovedytis, Program Analyst  
Housing Improvement Program  
County of Monmouth  
One East Main Street  
Freehold, NJ 07728

**RESOLUTION  
283-2016**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH  
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,  
RELEASING MORTGAGE MODIFICATION  
AGREEMENT**

OCTOBER 3, 2016

**WHEREAS**, Charles Patterson and Marilyn Patterson executed a mortgage modification to the Borough of Manasquan in the initial amount of \$15,070.00, increasing to \$15,385.00 and recorded in the Monmouth County Clerk's office under the Housing Improvement Program; and

**WHEREAS**, the Mortgage Modification will be satisfied as of October 16, 2016 representing that all conditions have been satisfied; and

**WHEREAS**, the governing body of the Borough of Manasquan is desirous of releasing the Mortgage Modification Agreement; and

**NOW, THEREFORE BE IT RESOLVED** on the 3<sup>rd</sup> day of October, 2016, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. Mortgage Modification Agreement for Charles Patterson and Marilyn Patterson is hereby satisfied to the terms as of October 16, 2016.
2. A certified copy of this Resolution shall be sent to:

Karen E. Shibla, Executrix  
Estate of Charles W. Patterson  
2550 Ramshorn Drive  
Manasquan, NJ 08736

Debbie Dovedytis, Program Analyst  
Housing Improvement Program  
County of Monmouth  
One East Main Street  
Freehold, NJ 07728

**RESOLUTION  
284-2016**

**GRANT AGREEMENT  
BETWEEN  
BOROUGH OF MANASQUAN  
AND  
THE STATE OF NEW JERSEY  
BY AND FOR  
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION  
GRANT IDENTIFIER: FS17-033**

The governing body of the Borough of  
Manasquan

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(print Grantee's name)

desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately **\$30,000.00** to fund the following project:

**Community Stewardship Incentive Program – Reforestation/Tree Planting Grant**

Therefore, the governing body resolves that **Edward G. Donovan** or the successor to the office of **Mayor** is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than **\$30,000.00** and not more than **\$30,000.00**, and (c) to execute any amendments thereto which do not increase the Grantee's obligations.

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The Grantee agrees to comply with all applicable federal, State, and municipal laws, rules, regulations in its performance pursuant to the agreement.

Introduced and passed October 3, 2016.

Ayes: 6  
Noes: 0  
Absent: 0

**RESOLUTION**  
**285 -2016**

**WHEREAS**, N. J. S. A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for an equal amount, and

**WHEREAS**, the Borough of Manasquan Police Department has received notice that the Drunk Driving Enforcement Fund, was approved for a grant by the State of New Jersey, Department of Law and Public Safety and wishes to amend its 2016 Current Fund Budget to include this additional amount as revenue.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Manasquan hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Current Fund budget for the year 2016 in the sum of \$8,541.32 which is now available as a revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written Consent  
of the Director of Local Government Services:

Public and Private Revenues Off-Set with the appropriations:  
Grant – Drunk Driving Enforcement Fund

**BE IT FURTHER RESOLVED** that a like sum of \$8,541.32 be and the same is hereby appropriated in the Current Fund budget under the caption of:

General Appropriations  
Operations excluded from “CAPS” – Public and Private Programs off Set by Revenues:  
Grant – Drunk Driving Enforcement Fund

**BE IT FURTHER RESOLVED** that the Municipal Clerk forward two copies of this resolution to the Director of Local Government Services

**RESOLUTION**  
**286-2016**

**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	143,858.33
Water/Sewer Fund	237,912.52
Beach Fund	10,672.18
Recreation Bldg Trust	533.48
Recreation Commission Trust	1,185.89
Public Defender Trust	250.00
General Capital Fund	29,057.75
Water/Sewer Capital Fund	171,549.00
Beach Capital Fund	

Council Member Walsh made a motion to approve the Consent Agenda, seconded by Council Member Mangan. 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 second reading and final hearing.

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

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

Council Member McCarthy made a motion to pass and publish ordinance 2216-16 according to law, seconded by Council Member Lee. Motion carried by the following vote: "yes" Council Member Lee, Walsh, McCarthy, Olivera, Read, and Mangan. "No" none.

## **COMMITTEE REPORTS**

Administration and Finance – Council Member Mangan reported that the new CFO Amy Spera is doing a fantastic job as well as the staff stepping up and making sure things get up to speed. He went over the staffing in the finance office with Amy and Steve and the interim administrator John Trengrove. He advised that the borough will be looking into building security upgrades. He reported that the CFO has prepared a review of the debt and revenues for 2017 which will be important when the discussions start in regards to repaying the community disaster loan.

Special Services Committee – Council Member Read reported that he met with the Cable TV advisory committee and the committee would like the opportunity to come before council at budget time to talk about funding. He advised that he will be following up on the Sustainable Jersey grant opportunity.

Public Safety Committee – Council Member Olivera thanked council for approving the Chapter 159 Drunk Driving Enforcement Fund. He reported that the money comes from the department of law and public safety as a grant and that 80% of the grant money goes to fund police officer's on Friday and Saturday during the summer time and the rest goes towards the maintenance and operation of the breathalyzer equipment. He read a statement from Chief Bauer reminding residents that if they see something suspicious say something in light of the recent incident in Seaside.

Beach Committee – Council Member McCarthy reported that the bathrooms at the beach will remain open during the warm weather and reported about the recent storm and the sand that has accumulated on the walkway. He advised that the area is being worked on in order for people to walk. He reported that the Shade Tree Commission is hopeful that the fall planting season will allow them to plant some trees east of the bridges. He reported on Hurricane Matthew storm that is in the Caribbean and advised that it is too early to determine any impact on the area at this time.

Building, Planning & Zoning – Council Member Walsh advised that he has nothing to report at this time.

Public Works & Grounds – Council Member Lee thanked DPW for their help in the beach area to clean up sand from the walkway. He reported on the leaf pickup schedule, bollards being removed from Third Avenue parking lot, hiring of new superintendent, and the cleanup of Alice Hemphill Park.

## **AUDIENCE PARTICIPATION**

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

Bob Grunder, Perrine Blvd. resident voiced his concerns on the bulkhead project and stated that there is nobody on town council that knows what they went through this past summer and the council does not understand the whole scope of the job. He wanted to know the schedule for the completion of the project and the completion date as well as how much the project costs, how much was in overruns and how is this being funded. He also wanted to know what year Manasquan will see any net return from this investment.

Mr. Priolo advised that the dredging, piles and dock work will be done by the end of December. He also advised that the remaining work to be done next would be the final paving on the road which would be early spring. He advised that the council approved a change order to add in all the replacing of the dock work. He stated that he could get the dollar amount of the project but does not know it right now.

Council Member Mangan went over the concept of the project and the process to get to the point where the Borough is now with the project.

Mr. Grunder stated that he disagreed with a lot of the projection of the project. He voiced his concerns on the project and the amount of people on the job. He wants to know when significant events for this project will be completed. He asked a bunch of questions regarding the project.

Mr. Priolo stated that there is a schedule from the contractor that itemizes everything.

Council Member Mangan advised when the project has been mentioned at meetings.

Council Member Lee advised that the committee meets every 2 weeks at the site with the contractor, Mayor Donovan and Interim Administrator John Trengrove.

Mary Ryan, 113 Beachfront inquired about the new water meters and requested how many homes are not in compliance.

Council Member Lee advised that as of two (2) weeks ago there was roughly 800 homes that have not had the new meter installed yet.

There was discussion on where the majority of the homes are in town and how they will be contacted.

Ms. Ryan inquired about First Avenue and Stockton Lake Blvd. being paved.

Mayor Donovan stated that First Avenue is definitely on the list but there is still a lot of work being done in the area and he advised of the moratorium that is placed on newly paved streets.

Council Member Mangan went over the roads project and how much certain streets would cost. He stated that we would be looking to the county for help with the cost of repaving First Avenue.

There was discussion on the Stockton Lake Blvd. project which was stopped due to the DOT freezing funding for road projects.



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Ms. Ryan inquired about the animal control contract and if this would include an officer that rides around.

The Municipal Clerk advised that the officer is not part of the contract with the Humane Society but a part of the county program.

Ms. Ryan inquired about the beach bathrooms being opened.

Council Member McCarthy advised that this would depend on the weather.

Marilyn Jacobson, 59 McClean Avenue inquired about the dredge spoils and if the change in location will trigger a change order.

Mr. Priolo advised that this would not trigger a change order and the intention is to recapture dredge spoils and use them as fill underneath Perrine and behind the bulkhead and if there is any excess it would be removed.

Ms. Jacobson inquired about the 20% overage from the original contract price and why was it put out to bid if all of the research wasn't done prior.

There was discussion on the project and the process that was taken to get to the contract execution and change order.

Thomas Abruzzo, 339 First Avenue advised he was before the council previously inquiring about raising the minimum flood elevations on new construction. He voiced his concerns and opinion on the reasoning for raising the minimum flood elevations. He went over his situation with FEMA and ICC money.

There was discussion on the current flood elevations.

Bob Grunder, Perrine Blvd. resident inquired if his street will be opened in December.

Mayor Donovan advised that the last conversation with the contractor was that the street will not be paved but it will be open.

Mr. Grunder inquired about return on investment for this project.

Council Member Mangan stated why he went with the current project.

Council Member Olivera stated why he went forward with the project approval.

Council Member Lee stated that this project will last much longer than the 17 years it will be funded and he believes this is a financially responsible project.

Marilyn Jacobson, 59 McClean Avenue inquired about the runs in town and is there any accounting for revenue for the runs.

Council Member Mangan advised that the borough is looking into the percentage that an organization should contribute for the use of borough property.

Ms. Jacobson voiced her opinion on the new position that will oversee recreation and the beach.

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

Council Member Mangan made a motion to close the regular meeting at 8:41 p.m., seconded by Council Member McCarthy. Motion carried unanimously.

Respectfully submitted,



Barbara Ilaria  
Municipal Clerk

**DATE APPROVED** 11-7-16