

OCTOBER 17, 2016

Regular Meeting of Mayor and Council was convened at 7:02 p.m. on October 17, 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, and Read.

Absent: Council Member Mangan

Also present was Borough Attorney Mark Kitrick and Interim Administrator John Trengrove.

**Audience Participation – Agenda Items**

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

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

**PROCLAMATION – Catholic Daughters of the Americas**

**WHEREAS**, Catholic Daughters of the Americas seek to fulfil their mission by developing “their God-given talents in meaningful ways that positively influence the welfare of the Church and all people throughout the world,” and

**WHEREAS**, Catholic Daughters across the United States and in Mexico, Puerto Rico, Guam, the Virgin Islands, Kenya, and Peru are striving to live the Spiritual and Corporal Works of Mercy in response to Pope Francis’ designation of 2016 as an Extraordinary Jubilee of Mercy; and

**WHEREAS**, Catholic Daughters of Americas care for God’s people within their communities and offer their physical, spiritual, and monetary support in many areas of the world where God’s people live without the most basic necessities; and

**WHEREAS**, The National Regent of the Catholic Daughters of the Americas has selected “Serve the Lord with Gladness” (Psalm 100:2) as the organization’s theme for 2016-18, and the National Board has designated Sunday, October 16, 2016, as

*Catholic Daughters of Americas Sunday.*

**NOW, THEREFORE, BE IT RESOLVED**, that true and official copies of this proclamation be spread upon the minutes of the Borough Council meeting held on October 17, 2016.

**Use of Borough Property**

- Mom’s Day 5K – MESPTO – May 13, 2017 – 9 to 11:30 am

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

- Parker Avenue Halloween Decorating – October 30, 2016 – 6 to 9 pm

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

**CONSENT AGENDA**

OCTOBER 17, 2016

**RESOLUTION  
287-2016**

**RESOLUTION REJECTING ALL BIDS SUBMITTED FOR A WATER  
TREATMENT PLANT LIME SLURRY CHEMICAL FEED SYSTEM 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 a Water Treatment Plant Lime Slurry Chemical Feed System; and

**WHEREAS**, the one bid for this project was:

Allied Construction Group, Inc. \$484,000.00

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

**WHEREAS**, on September 28, 2016 the borough engineer provided a report to the Borough of Manasquan regarding the above referenced bid and set forth their recommendation; and

**WHEREAS**, the lone bidder Allied Construction Group, Inc. is qualified, but the bid price exceeded the funds available for the project; and

**WHEREAS**, the Borough Engineer has recommended that this bid be rejected and the governing body consider re-bidding the project; 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 17<sup>th</sup> day of October, 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 this bid be rejected and the project be re-bid.
2. A certified copy of this resolution shall be sent to:

Allied Construction Group, Inc.  
499 Washington Road  
Parlin, NJ 08859

**RESOLUTION  
288-2016**

**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. ROBERT DERING  
123 UNION AVENUE  
MANASQUAN, NEW JERSEY 08736

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND  
APPLICATION #14-2016  
123 UNION AVENUE  
BLOCK: 70 – LOT: 46.03 – Zone: O

OCTOBER 17, 2016

AMOUNT OF REFUND DUE: \$637.50

**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  
289-2016**

**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. ROGER SCHMITZ  
4 STONEYCREST ROAD  
RYE, NEW YORK 10580-4133

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND  
APPLICATION #29-2014  
338 FIRST AVENUE 339 BEACHFRONT  
BLOCK: 185 – LOT: 15 – Zone: R-4

AMOUNT OF REFUND DUE: \$345.22

**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  
290-2016**

**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. AND MRS. JEFFREY KLINE  
71 WYCKOFF AVENUE  
MANASQUAN, NEW JERSEY 08736

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND  
APPLICATION #09-2011  
71 WYCKOFF AVENUE  
BLOCK: 94 – LOT: 7.01 – Zone: R-2

AMOUNT OF REFUND DUE: \$223.75

**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  
291-2016**

OCTOBER 17, 2016

**WHEREAS**, the Borough Council of the Borough of Manasquan approved Resolution 247-2016 on August 15, 2016 retaining the services of Studio 200 Architecture/Design for the purposes of Design Development, Design Meeting and Presentation for Sea Watch Pavilion; and

**WHEREAS**, at the time of the resolution being approved the Borough of Manasquan's Chief Financial Officer was Joseph DeLorio; and

**WHEREAS**, on September 9, 2016 Amy Spera was appointed Chief Financial Officer with the effective date of September 12, 2016;

**WHEREAS**, there is a need for a Certification of the Chief Municipal Financial Officer certifying that funds are available.

**THEREFORE BE IT RESOLVED** on the 17<sup>th</sup>, day of October, 2016, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey hereby authorize Amy Spera, Chief Financial Officer to certify that adequate funds are available for the proposed contract.

**RESOLUTION  
292-2016**

**AUTHORIZING THE BOROUGH OF MANASQUAN  
TRANSPORTATION ALTERNATIVES PROJECT AND THE  
APPLICATION FOR TRANSPORTATION ALTERNATIVES  
FUNDING TO MAKE INFRASTRUCTURE IMPROVEMENTS THAT  
WILL ENHANCE THE SAFETY AND AESTHETIC QUALITIES  
OF THE MANASQUAN CENTRAL BUSINESS DISTRICT**

**WHEREAS**, the New Jersey Department of Transportation (NJDOT) is accepting applications through November 10, 2016 for the 2016 Transportation Alternatives Program, which is being funded with federal funds;

**WHEREAS**, funds under the Transportation Alternatives Program are to be used for "non-traditional" projects designed to strengthen the cultural, aesthetic and environmental aspects of the nation's intermodal system;

**WHEREAS**, projects must fall into one or more of the seven (7) eligible Transportation Alternatives Program categories that are described in a brochure developed by the NJDOT on the program;

**WHEREAS**, two (2) of the categories eligible for funding under the Transportation Alternatives Program are entitled "Facilities for pedestrians and bicycles" and "Community improvement activities";

**WHEREAS**, the Borough of Manasquan desires to improve the aesthetics, safety, and comfort for pedestrians and business/property owners within the Central Business District by constructing further improvements to the streetscape, intersections and sidewalks in accordance with the 2016 Transportation Alternatives Program;

**WHEREAS**, the proposed Business District Streetscape Improvements project will complement and be consistent with existing streetscape features within the Borough, including that along Main Street, East Main Street, and within Squan Plaza;

**WHEREAS**, the Borough of Manasquan is applying for funding to construct new streetscape improvements along New Jersey State Highway Route 71 (Union Avenue and Taylor Avenue) in proximity to the intersection with East Main Street and along East Main Street from the intersection with Route 71 to Warren Avenue, connecting to the NJ Transit Train Station; and

**WHEREAS**, the Borough of Manasquan's application for funding may also include enhancement, repair and replacement of existing streetscape features, as necessary, along Main Street and East Main Street; and

OCTOBER 17, 2016

**WHEREAS**, the Borough of Manasquan proposes to install streetscape features and pedestrian safety improvements, which may include concrete and decorative paver sidewalk, concrete curb, ADA curb ramps, crosswalks, pedestrian street lights, street trees, signage, street furniture, landscaping, decorative intersection signal improvements, traffic calming bumpouts, bike racks and other appropriate streetscape improvements within the proposed project area; and

**WHEREAS**, the grant application is identified as TA-2016-Manasquan Borough-00087; and

**WHEREAS**, maintenance of the improvements, once constructed, will be assumed by the Borough of Manasquan with the exception of (1) local ordinances that places maintenance responsibility with each individual property owner, and (2) those improvements on State or County Highways that are not subject to a jurisdictional or interlocal maintenance agreement;

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Manasquan that it hereby supports the submission of a grant application for the Transportation Alternatives Program within the State of New Jersey Department of Transportation and authorizes the Mayor, Administrator and the Municipal Clerk to execute any and all documents necessary and related to the submission of said grant application or grant agreement.

**RESOLUTION  
293-2016**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH  
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,  
AUTHORIZING ADVERTISEMENT FOR MUNICIPAL  
ADMINISTRATOR**

**WHEREAS**, the Borough of Manasquan ("Manasquan") is desirous in hiring a Municipal Administrator; and

**NOW, THEREFORE BE IT RESOLVED** on the 17<sup>th</sup> day of October, 2016, by the Borough Council of the Borough of Manasquan, hereby authorize the Clerk to advertise for a Municipal Administrator.

**RESOLUTION  
294-2016**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH  
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,  
RELEASING A PERFORMANCE BOND POSTED FOR 177 MAIN  
STREET, LLC**

**WHEREAS**, 177 Main Street LLC. posted a Performance Surety Bond in the amount of \$11,421.00 with the Borough of Manasquan as a guarantee for site work for a project located at 177 Main Street, also known as Block 65.02, Lot 21.01 in the Borough of Manasquan; and

**WHEREAS**, all conditions of the Engineering report dated October 7, 2016, shows that all bond requirements have been met and remain in a satisfactory condition; and

**WHEREAS**, the governing body of the Borough of Manasquan is desirous of releasing the performance surety bond in the amount of \$11,421.00 in accordance with the Municipal Land Use Law.

**NOW, THEREFORE BE IT RESOLVED** on the 17<sup>th</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:

OCTOBER 17, 2016

1. The performance surety in the amount of \$11,421.00 posted by 177 Main Street LLC. be released.
2. A certified copy of this resolution shall be sent to:

177 Main Street, LLC  
206 Philadelphia Blvd.  
Sea Girt, NJ 08750

**RESOLUTION**  
**295-2016**

**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	2,601,877.02 (Includes 2,358,936.00 BOE Taxes)
Water/Sewer Fund	12,727.31
Beach Fund	4,915.56
Recreation Bldg Trust	
Recreation Commission Trust	29,089.06
Junior Lifeguard	2,482.00
Affordable Housing Trust	72.50
General Capital Fund	387,892.76
Water/Sewer Capital Fund	750.51
Beach Capital Fund	

Council Member McCarthy 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, and Read. "No" none.

The Borough Attorney read the title of ordinance 2216-16 for first reading and introduction.

**AN ORDINANCE AMENDING AND  
SUPPLEMENTING CHAPTER 22 (WATER AND  
SEWER UTILITY), SECTION 22-53 (TIME LIMITS  
FOR INSTALLATION), AMENDING SECTION 22-57.1  
(METER READING), AMENDING SECTION 22-58  
(TESTS) AND CREATING SECTION 16-1 (TEST FEES)  
OF THE BOROUGH OF MANASQUAN, COUNTY OF  
MONMOUTH, STATE OF NEW JERSEY**

OCTOBER 17, 2016

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

## **COMMITTEE REPORTS**

Public Works & Grounds – Council Member Lee advised that there will be a breakfast with the candidates this Saturday. He reported that the DPW is active with the leaf pickup schedule and he reported on road work going on with Pine, Cowart, Lake, Minnesink, Lockwood, Sims and various intersections. He advised that the basketball and shuffleboard courts are just about done and should be completed within the next few weeks.

Building, Planning & Zoning – Council Member Walsh congratulated the high school surf team for winning the state championship. He reported on the zoning, building and code permits and fees collected as compared to last year and he advised the fees are down from last year. He also reported that violations are up compared to last year.

Beach Committee – Council Member McCarthy reported that the administration and finance committee did authorize the advertisement of the borough administrator position. He reported that the beach committee will be meeting shortly to discuss the overview of how the season went and start planning for next year.

Public Safety Committee – Council Member Olivera reported that the police department will be participating in Operation Take Back where any interested resident can turn in expired or unwanted medications on Saturday, October 22, 2016 from 10 am to 2 pm at police headquarters. He also reported on recent car burglaries in the overnight hours and if anyone sees anything suspicious please contact the police department. He advised that the police department would like to remind everyone that leashed dogs are allowed on the beach starting November 1 and owners must pick up after their dog and at no time during the year are dogs allowed on the beach walk.

Special Services Committee – Council Member Read reported on the recreation programs that are underway and the high school endowment fund held their first annual alumni day which was very well attended.

## **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 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 7:29 p.m., seconded by Council Member McCarthy. Motion carried unanimously.