

NOVEMBER 21, 2016

Regular Meeting of Mayor and Council was convened at 7:00 p.m. on November 21, 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, Olivera, Read, and Mangan.

Absent: None

Also present was Borough Attorney Mark Kitrick.

#### **Audience Participation – Agenda Items**

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

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

#### **Approval of Minutes**

Regular Meeting Minutes – October 17, 2016

Council Member Lee made a motion to approve the minutes, seconded by Council Member Olivera. Motion carried unanimously with Council Member Mangan abstaining.

Regular Meeting Minutes – November 7, 2016

Council Member Mangan made a motion to approve the minutes, seconded by Council Member Olivera. Motion carried unanimously with Council Members Lee and Read abstaining.

#### **Use of Borough Property**

- Berry Festival – August 6, 2017 (rain date 8/13/17) 6:30 am – 3 pm

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

Mayor Donovan requested that resolution 310-2016 be pulled from the consent agenda and held until the next scheduled meeting. He also requested that the date on resolution 208-2016 be revised to reflect December 18.

#### **CONSENT AGENDA**

##### **RESOLUTION 304-2016**

Governor's Council on Alcoholism and Drug Abuse  
Fiscal Grant Cycle July 2014-June 2019

##### **FORM 1B**

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

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**WHEREAS**, The Borough of Manasquan Council of the Borough of Manasquan, County of Monmouth, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

**WHEREAS**, the Borough of Manasquan Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

**WHEREAS**, the Borough of Manasquan Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Monmouth;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Manasquan, County of Monmouth, State of New Jersey hereby recognizes the following:

1. The Borough of Manasquan Council does hereby authorize submission of a strategic plan for the Shore Alliance Municipal Alliance grant for fiscal year 2018 in the amount of:

DEDR	\$49,072.00
Cash Match	\$12,268.00
In-Kind	\$36,804.00

2. The Borough of Manasquan Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

**RESOLUTION  
305-2016**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, accepts the resignation of Thomas Nicastro from the position of Superintendent of the Department of Public Works effective January 1, 2017.

**RESOLUTION  
306-2016**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, accepts the resignation of Christopher Santos from the position of Special Law Enforcement Officer Class 1 effective as of November 5, 2016.

**RESOLUTION  
307-2016**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH  
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,  
APPOINTING KEVIN THOMPSON SUPERINTENDENT OF PUBLIC  
WORKS**

**WHEREAS**, due to the retirement of Thomas Nicastro, the Borough of Manasquan ("Manasquan") is in need of a Supervisor of Public Works; and

**WHEREAS**, the position of Superintendent of Public Works was advertised and applications for the position were received; and

**WHEREAS**, several prospective candidates were interviewed for this position.

**WHEREAS**, the Borough Council wishes to hire Kevin Thompson for the position of Superintendent of Public Works.

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**NOW, THEREFORE BE IT RESOLVED** on the 21<sup>st</sup> day of November, 2016, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. Mr. Kevin Thompson is appointed to the position of Superintendent of Public Works for the Borough of Manasquan.
2. The effective date of this appointment is December 12, 2016.
3. The annual salary for this position is \$110,000.00.
4. A certified copy of this resolution shall be sent to:

Mr. Kevin Thompson  
62 Atlantic Avenue  
Manasquan, NJ 08736

**RESOLUTION  
308-2016**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, that the resignation of Kevin Kleinknecht from the position of Police Officer effective December 18, 2016 be and is hereby accepted.

**RESOLUTION  
309-2016**

**RESOLUTION OF THE BOROUGH COUNCIL OF  
THE BOROUGH OF MANASQUAN, MONMOUTH  
COUNTY, NEW JERSEY, AUTHORIZING THE SALE  
OF SEASON BEACH BADGES AND SEASON  
PARKING PERMITS**

**WHEREAS**, fees for the sale of season beach badges are established under Section 12-2.4 (Fees) and fees for the sale of season parking permits are established under section 12-11 (Season Parking Permit) of Chapter 12 (Beaches and Beachfront) of the Code of the Borough of Manasquan; and

**WHEREAS**, the Borough Council is desirous of authorizing the sale of season beach badges and parking permits in the month of December starting Monday, December 12<sup>th</sup> through Sunday December 18<sup>th</sup> between the hours of 10:00 am and 2:00 pm at the Manasquan Beach Building, 205 Beachfront; and

**WHEREAS**, the Borough Council is desirous of establishing fees at the 2016 rate for the sale of season beach badges and parking permits; and

**WHEREAS**, the charge for these items may increase during the 2017 calendar year;

**NOW, THEREFORE, BE IT RESOLVED**, on this 21<sup>st</sup> day of November, 2016 by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey as follows:

1. Season beach badges and parking permits shall be available for purchase in the month of December, starting December 12<sup>th</sup> through December 18<sup>th</sup> between the hours of 10:00 a.m. and 2:00 p.m. at the Manasquan Beach Building, 205 Beachfront.
2. The Borough Council shall announce at each regular business meeting during the months of November and December that season beach badges and parking permits are available for purchase at the 2016 rate.
3. A maximum of up to 600 season parking permits will be sold during this Period.

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**RESOLUTION**

**311-2016**

**WHEREAS**, the Borough of Manasquan is desirous of appointing beach employees for the month of December during the sale of pre-season beach badges/parking passes; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 21<sup>st</sup> day of November, 2016 appoint the following beach season employees to work during the month of December 2016:

Supervisors:

- Tracy Sullivan, 149 Curtis Place, Manasquan \$17.00 hr.
- Eileen McFadden, 117 Marcellus Avenue, Manasquan \$17.00 hr
- Mike Hurden, 2559 Collier Road, Manasquan \$17.00 hr
- Frank Cavalieri 16 Rosewood Crt. Spring Lake Hts \$17.00

Sales Clerk:

- Heather Saake, 61 Colby Ave, Manasquan \$13.00 hr.
- Laurie Brandon, 600 Bradley Ave., Brielle \$13.00 hr.
- Christella Fischer, 2503 Algonquin Trail, Manasquan \$13.00 hr.
- Amanda Matyas, 28 North McClellan Ave., Manasquan \$13.00 hr.
- Joanne Zapicchi, 239-2 Beachfront, Manasquan \$13.00
- Elizabeth Krajewski, 64 Morris Ave., Manasquan \$13.00

**RESOLUTION**

**312-2016**

**AWARDING A CONTRACT FOR THE 2016 CDBG PROJECT FIRST AVENUE  
INTERSECTION IMPROVEMENTS 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 CDBG First Avenue Intersection Improvements; and

**WHEREAS**, the bids submitted for this project were:

<u>Contractor</u>	<u>Base Bid</u>	<u>Total Alternate Bids</u> <u>A thru G</u>	<u>Total Bid</u>
All Surface Asphalt	\$ 95,920.00	\$211,970.00	\$307,890.00
Fiore Paving	\$101,757.00	\$265,266.50	\$367,023.50
Earle Asphalt	\$103,113.13	\$267,500.00	\$370,613.13
Diamond Construction	\$108,120.00	\$270,554.00	\$378,674.00
Black Rock	\$111,530.00	\$322,354.50	\$433,884.50
Lucas Construction	\$116,357.0	\$181,435.00	\$297,792.00
S. Brothers	\$122,615.00	\$321,916.00	\$444,531.00

**WHEREAS**, upon review of the funding available for said project, the Borough Engineer has recommended awarding a contract for the Base Bid and Alternates A thru G.

**WHEREAS**, Lucas Construction submitted a total bid with Alternate A thru G in the amount of \$297,792.00; and

**WHEREAS**, the Borough Engineer has determined the bid by Lucas Construction complies with the bid specifications and includes all required documentation and has recommended the award of the bid; and

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**WHEREAS**, the Borough Council has determined, for the reasons set forth below, that the bid of Lucas Construction is a responsive and responsible bid; and

**WHEREAS**, the Borough Council is desirous of awarding a contract to Lucas Construction for the total bid in the amount of \$297,792.00 for the project;

**NOW, THEREFORE BE IT RESOLVED** on the 21<sup>st</sup> day of November, 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 \$297,792.00 is awarded to Lucas Construction for this project.
3. The Mayor and Municipal Clerk are authorized and directed to execute all necessary documents to effectuate a contract with Lucas Construction.
4. A certified copy of this resolution shall be sent to:

Lucas Construction  
2 Hance Avenue  
Tinton Falls, NJ 07724

**RESOLUTION  
313-2016**

**WHEREAS**, Raymond Shinn is a Laborer with the Borough of Manasquan Public Works Department; and

**WHEREAS**, the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, has agreed to promote Raymond Shinn from Laborer to Equipment Operator with the Manasquan Public Works Department; and

**WHEREAS**, the promotion and requisite salary will become effective immediately; and

**WHEREAS**, Raymond Shinn is hereby promoted to the position of Equipment Operator with the Borough of Manasquan Public Works Department.

**NOW, THEREFORE, BE IT RESOLVED** on this 21<sup>st</sup> day of November 2016, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey that the Council hereby recognizes the following:

1. The Borough Council does hereby authorize the promotion of Raymond Shinn to the position of Equipment Operator with a base salary of \$72,322.07.
2. A certified copy of this resolution shall be sent :

Raymond Shinn  
60 Central Avenue  
Manasquan. NJ 08736

**RESOLUTION  
314-2016**

**RESOLUTION AMENDING RESOLUTION 147-2016  
DECREASING THE SCOPE OF WORK AMOUNT  
NOT TO EXCEED \$23,500.00**

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**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 engineering design and preparation of bid documents for the FY 2016 CDBG Grant-1st Avenue Intersections Improvement Project, Amended fee as follows:

- Task 1.0 Construction Observations and Administration \$23,500.00

for a total amount not to exceed \$23,500.00 for the service outlined in a proposal dated November 15, 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 engineering design and preparation of bid documents for the 1st Avenue Intersections Improvement Project

**RESOLUTION  
315-2016**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, that the resignation of Owen C. McCarthy as Council Member of the Borough of Manasquan effective November 17, 2016 be and is hereby accepted.

**RESOLUTION  
316-2016**

**RESOLUTION CANCELING GRANT FUND RECEIVABLE  
AND RESERVE  
PRIOR YEARS - ALLIANCE GRANT**

**WHEREAS**, the above receivable and reserve balances remain on the balance sheet of the grant fund; and

**WHEREAS**, the Chief Financial Officer has investigated the receivable and reserve balances and has determined that these balances should be canceled;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Manasquan that the following grant receivable balance of \$1,985.69 and the reserve balance in the amount of \$2,610.77 be and the same are hereby canceled:

Prior Years:

Alliance Grant Receivable	\$1,985.69
Alliance Grant Reserves	\$2,610.77

**RESOLUTION  
318-2016**

**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	\$131,448.16
Water/Sewer Fund	\$43,658.65
Beach Fund	\$12,627.59
Recreation Bldg Trust	\$5,000.00
Recreation Commission Trust	\$1,491.39
Open Space Trust	\$4,374.86
Tourism Trust	\$ 222.98
Affordable Housing Trust	\$ 296.75
Junior Lifeguards	\$3,075.00
Grant Account	\$4,134.55
General Capital Fund	
Water/Sewer Capital Fund	
Beach Capital Fund	

Also presented by the Borough Attorney was a Capital Budget Amendment resolution for the Public Works Heavy Equipment (Ordinance 2221-16).

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

The Borough Attorney read the title of ordinance 2219-16 for first reading and introduction.

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2  
(ADMINISTRATION) SECTION 2-5.20 ENTITLED STANDING  
COMMITTEES DESIGNATED IN THE BOROUGH OF MANASQUAN,  
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

Council Member Lee made a motion to introduce ordinance 2219-16, seconded by Council Member Walsh. Motion carried by the following vote: "yes" Council Member Lee, Walsh, Olivera, Read, and Mangan. "No" none.

The Borough Attorney read the title of ordinance 2221-16 for first reading and introduction.

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF ONE  
LOADER, ONE DUMP TRUCK, ONE BACKHOE, AND ASSOCIATED  
EQUIPMENT FOR THE BOROUGH OF MANASQUAN PUBLIC WORKS  
DEPARTMENT IN THE BOROUGH OF MANASQUAN, IN THE  
COUNTY OF MONMOUTH, NEW JERSEY APPROPRIATING  
\$500,000.00 THEREFORE AND AUTHORIZING THE ISSUANCE OF  
\$475,000.00 BONDS OR NOTES OF THE BOROUGH FOR FINANCING  
SUCH APPROPRIATION**

Council Member Read made a motion to introduce ordinance 2221-16, seconded by Council Member Lee. Motion carried by the following vote: "yes" Council Member Lee, Walsh, Olivera, Read, and Mangan. "No" none.

The Borough Attorney read the title of ordinance 2217-16 for second reading and final hearing.

**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**

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**(TEST FEES) OF THE BOROUGH OF MANASQUAN, COUNTY OF  
MONMOUTH, STATE OF NEW JERSEY**

Council Member Read 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 Mangan. Motion carried unanimously.

Council Member Mangan made a motion to pass and publish ordinance 2217-16 according to law, seconded by Council Member Read. Motion carried by the following vote: "yes" Council Member Lee, Walsh, Olivera, Read, and Mangan. "No" none.

The Borough Attorney read the title of ordinance 2218-16 for second reading and final hearing.

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 11  
(DOCKS AND BULKHEADS) SECTION 11-1.2 (TERM OF LEASE),  
SECTION 11-1.3 (RENTAL FEES) AND AMENDING CHAPTER 16  
(FEES) OF THE BOROUGH OF MANASQUAN, COUNTY OF  
MONMOUTH, STATE OF NEW JERSEY**

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

Marilyn Jacobson 59 McLean Avenue, inquired about the terms of the lease, increase of fees, and what is included in the fee.

Council Member Lee stated that the ordinance has been finalized tonight so the fees will be increased next year with a lease date of March 1 through February 28.

There was discussion on what is included with the new fees.

Mayor Donovan stated that the docks will still have the same amenities that were there before the project.

Council Member Walsh made a motion to close the hearing, seconded by Council Member Mangan. Motion carried unanimously.

Council Member Mangan made a motion to pass and publish ordinance 2218-16 according to law, seconded by Council Member Lee. Motion carried by the following vote: "yes" Council Member Lee, Walsh, Olivera, Read, and Mangan. "No" none.

**COMMITTEE REPORTS**

Public Works & Grounds Committee – Council Member Lee thanked the public works department for staying on top of the leaf pickup. He reported on the beach sand replenishment and that the superintendent of public works will retire as of January 1, 2017 and there is a resolution on the agenda appointing Kevin Thompson as his replacement. He congratulated Ray Shinn who has been promoted to equipment operator. He went over some of the items discussed at a meeting with the boat slip renters and he thanked the council for supporting the ordinance. He also congratulated Carmen on the Turkey Run.

Building, Planning & Zoning – Council Member Walsh congratulated Carmen on the Turkey Run. He reported on gov pilot and advised that it is on the website and he believes that it will be a good asset for the Borough. He advised that it will probably be in the spring when the program and data is updated.

Public Safety Committee – Council Member Olivera reported that the Glimmer Glass Bridge will be closed tomorrow for routine maintenance. He thanked Council Member McCarthy for his service and advised that it was a pleasure to work with him and wishes him much success.

Special Services Committee – Council Member Read echoed Council Member Olivera's comments about Council Member McCarthy and he will miss working with him as he taught him a lot about local government and he wishes him well. He reported on the two 2 students that started the process of the blue line and the blue ribbons in town and they have collected over \$2,000 for their event.



Mayor Donovan stated that the money that is raised will go to a local fallen police officer's family.

Administration and Finance Committee – Council Member Mangan reported that the 2017 budget preparation is underway and the new CFO, Amy Spera will have a memo outlining the process for Mayor and Council as well as department heads going forward. He reported that there is ongoing reviews of workflow and workloads in the finance department and clerk's office in order to review the staffing needs and workflow process for 2017. He also reported that the Borough is reaching out to different vendors to get pricing for media and outreach in terms of a new website and other items to integrate with the existing software. He went over the CDBG project which will improve major intersections near the beach front for ADA access. He advised that the boat slip fees are below market rate and are designed to cover the entirety of the debt service so there will be no taxpayer dollars associated with the boat docks. He echoed the other council member's comments on Council Member McCarthy and wished him well in his new endeavor as a Superior Court Judge. He also reported that John Trengrove will be completing his service with the borough and stated that he has been a great source of knowledge and dedication and how special he thinks he is as a person and citizen of the town. He went over the applications that were received and that interviews will start shortly and the council will be scheduling second round interviews after that and he hopes to have a recommendation on the December 5, 2016 meeting. He thanked Owen and John for their service to the town.

Mr. Kitrick congratulated Owen McCarthy on his nomination and appointment to the Superior Court.

Mayor Donovan congratulated Owen McCarthy and wished him well in the future. He also thanked John Trengrove for helping out and getting the borough back on track with some issues and he appreciates all the help that was given.

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

Mary Ryan, 113 Beachfront thanked Owen McCarthy and wished him well. She inquired about who will be assigned to the beach/recreation committee.

Council Member Mangan stated that there is an advertisement for a position that will be a double department head position. He stated that this person will be a department head for the beach and the recreation and he went over the chain of command.

Ms. Ryan inquired about this hire affecting the beach budget.

Council Member Mangan stated that these discussions will take place during the budget but a portion of this person's salary will come from the beach and a portion from recreation. He advised that this determination will be made in the finance committee.

Ms. Ryan inquired about the recreation being a utility.

Council Member Mangan stated that recreation is not a utility and followed up as to how recreation receives its money.

Ms. Ryan stated that she does not doubt that it was a good meeting for the boat docks as she believes that is exactly how Council Member Lee operates working with people. She thanked everyone for allowing the blue ribbons and the painting of the blue line in the borough. She stated that she is very appreciative to the police department in the borough.

Council Member Walsh made a motion to close the public portion, seconded by Council Member Walsh. 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 Walsh made a motion to close the regular meeting at 7:53 p.m., seconded by Council Member Olivera. Motion carried unanimously.