

DECEMBER 5, 2016

Regular Meeting of Mayor and Council was convened at 7:01 p.m. on December 5, 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, Read, and Mangan.

Absent: Council Member Olivera

Also present was Borough Attorney Mark Kitrick.

Audience Participation – Agenda Items

Mayor Donovan stated that council will have to take a closer look at any proposal to do away with the 2 hour time limit in the area of the school. He advised that there has been many comments on both sides of the issue and it might come down to a decision on a street by street basis.

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

Toni Sofia, 61 Pearce Avenue voiced his concerns and opinion with parking issues on Pearce between Woodland and Main. He suggested parking permits be issued to residents that live there.

Richard Hingston, 201 Broad Street voiced his concerns and opinion and he is against doing away with the 2 hour parking. He also advised that the speed limit on Broad Street is 30 mph and it is very dangerous to pull out of his driveway and cars speed down the road. He also suggested a parking permit be issued for the area.

Mayor Donovan advised that the issue with issuing parking permits is that it would be very difficult to pick and choose streets and that other residents would also want a parking space and permit issued for them.

Deb Shields, 80 Curtis Place voiced her concerns and opinion and she is against doing away with the 2 hour parking limits. She suggested signs be put up for no outlet going into the school parking lot.

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

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

Council Member Mangan thanked everyone for coming out on this issue and this was a resident driven issue.

Mary Asay, 16 Elizabeth Avenue voiced her concerns and opinion and she is against doing away with the 2 hour parking.

Jeanne Schwarz, 7 Blakey Avenue voiced her concerns and opinion and thanked the council for deciding to not lift the 2 hour restriction.

Mayor Donovan stated with all the comments tonight it is leading him to believe that this will need to be looked at closer and the purpose of the letter going out was to get public input and find out what residents were looking for.

Marilyn Jacobson, 59 McLean stated that she is in favor of the 2 hour limit but there should be one permit per household for a car.

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

Mayor Donovan went over the list of potential candidates to fill the vacant council seat.

Council Member Mangan went over the process and reasoning for the vacancy.

Council Member Mangan made a motion to nominate Joseph Bossone to the vacant seat, seconded by Council Member Walsh. Motion carried by the following vote: "yes" Council Member Lee, Walsh, Read, and Mangan. "No" none.

Mr. Kitrick went over the process and requirement for this nomination. He stated that all the legal time requirements have been satisfied.

Swearing In Ceremony

Mayor Donovan swore Joseph Bossone in as Council Member.

Use of Borough Property

- Flea Market – July 2, 2017 (rain 7/9) 8 am to 3 pm

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

Parking Restrictions – Area around the School – Discussion

Mayor Donovan stated this has already been discussed.

Blend on Main – Winery Outlet/Salesroom State-issued License – Update

Mr. Kitrick stated this is permissible under New Jersey statutes. He briefly went over the regulations for such an establishment.

Engineer's Monthly Report

Mr. James Priolo went over the Engineer's report for November.

Mayor Donovan inquired as to the amount of homeowners that have not responded to the installation of a new meter.

Council Member Mangan stated that if there is an issue with the new meter installation and the homeowner has contacted the Borough a fee will not be assessed.

Council Member Lee stated that certified return receipt letters were sent out to all the homeowners that have not had their meter replaced.

CONSENT AGENDA

RESOLUTION 310-2016

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, that the retirement of Sharon Bogie from the position of Technical Assistant Construction Official with the Manasquan Construction/Code Department effective December 31, 2016 be and is hereby accepted.

RESOLUTION 319-2016

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BE IT RESOLVED that the Professional Service contracts will be awarded on a Non-Fair and Open Basis in the Borough of Manasquan, County of Monmouth for 2017.

**RESOLUTION
320-2016**

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: Ms. Dina Sass
54 Allen Avenue
Manasquan, New Jersey 08736

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #04-2008
S JACKSON AVENUE

AMOUNT OF REFUND DUE: \$54.68

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
321-2016**

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, accepts the resignation of Cynthia Buckel from the position of Special Law Enforcement Officer Class 1 effective as of November 24, 2016.

**RESOLUTION
322 -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: STRUCTURAL SOLUTIONS OF NJ LLC
80 MAIN ST., STE 450
WEST ORANGE, NJ 07052

AMOUNT OF REFUND DUE: \$500.00

REASON FOR REFUND: Dumpster Security Return-18 Creek
Creek TRP#146

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

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323-2016

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, that regular meetings of the Borough Council are to be held on the dates listed below and will begin at 7:00 p.m.

BE IT FURTHER RESOLVED that the regular meetings will be conducted in Council Chambers, Borough Hall, 201 East Main Street, Manasquan, New Jersey and will not be conducted on a legal holiday observed by the Borough of Manasquan.

SCHEDULE OF MEETINGS FOR THE YEAR 2017

Reorganization Meeting will be held on Tuesday, January 3, 2017 at 6:00 p.m.

Regular Meetings - 7:00 p.m.

January 17th (Tuesday)
February 6th and 21st (Tuesday)
March 6th and 20th
April 3rd and 17th
May 1st and 15th
June 5th and 19th
July 5th (Wednesday) and 17th
August 7th and 21st
September 5th (Tuesday) and 18th
October 2nd and 16th
November 6th (6:00 p.m.), and 20th
December 4th and 18th
December 29th (5:00 p.m.)

Work Session/Budget Meetings - 9:00 a.m.

February 25th, March 11th, 25th

**RESOLUTION
324-2016**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE
BOROUGH OF MANASQUAN, MONMOUTH COUNTY,
NEW JERSEY, AUTHORIZING THE MAYOR AND
MUNICIPAL CLERK TO EXECUTE A SUBORDINATION
AGREEMENT UNDER THE HOUSING IMPROVEMENT
PROGRAM**

WHEREAS, Kimberly B.T. Mauro executed a mortgage to the Borough of Manasquan in the amount of \$20,900.00, dated January 17, 2013 and recorded in the Monmouth County Clerk's Office under the Housing Improvement Program; and

WHEREAS, a Mortgage Modification Agreement was entered and dated July 11, 2013 to increase the amount of the mortgage from \$20,900.00 to \$23,400 and recorded in the Monmouth County Clerk's Office; and

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WHEREAS, Kimberly B.T. Mauro has refinanced with a new lender, Finance of America Mortgage LLC. in an amount which will be secured by a mortgage covering the same property as the Modification Agreement

WHEREAS, it is necessary for the Mayor and Municipal Clerk to execute a Subordination Agreement, as Lender, to complete the transaction.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 5th day of December, 2016, as follows:

1. The Borough Council authorizes and directs the Mayor and Municipal Clerk to execute the Subordination Agreement to complete this transaction.
2. A certified copy of this Resolution shall be sent to:

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

Linda Barlow
Monarch Title Agency, Inc.
427 Whitehorse Avenue
Hamilton, NJ 08610

RESOLUTION
325-2016

WHEREAS, the Borough of Manasquan is desirous of appointing Winter Seasonal Staff for the Beach Department on a as needed basis; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 5th day of December, 2016 appoint the following work from December 1, 2016 thru April 1, 2017:

Pre-Season Beach Sales - Vipley:

- Kevin Wall, 643 Rankin Road, Brielle hourly rate of \$13.00

Supervisor:

- Brett Neilson, 287 Old Bridge Road, Brielle, hourly rate of \$20.00

Beach Rake Operator/Crew:

- Kevin Keefe, 1919 Atlantic Avenue, hourly rate of \$14.00
- Brandon Wall, 14 Roslyn Drive, hourly rate of \$13.50

Crew:

- John Revel, 23A Euclid Avenue, hourly rate of \$11.50
- Brandon Wall, 14 Roslyn Drive, hourly rate of \$11.50

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**RESOLUTION
326-2016**

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: JESSICA PELINSKI
4 STOCKTON AVENUE
Manasquan, New Jersey 08736

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #20-2013
4 STOCKTON AVENUE
BLOCK: 164 – LOT: 31.01 – ZONE: R-2
AMOUNT OF REFUND DUE: \$387.50

NAME: BRIAN FITZPATRICK
98 ATLANTIC AVENUE
MANASQUAN, NEW JERSEY 08736

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #18-2016
BLOCK: 40 – LOT: 5 – ZONE: R-2
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
328-2016**

**RESOLUTION AWARDING A CONTRACT FOR THE MANASQUAN WATER
TREATMENT PLANT LIME SLURRY CHEMICAL FEED SYSTEM
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 the Manasquan Water Treatment Plant Lime Slurry System Project; and

WHEREAS, the bids submitted for this project were:

<u>Contractor</u>	<u>Total Base Bid Amount</u>
CFM Construction	\$482,850.00
William Kohl Construction	\$535,716.00

WHEREAS, upon review of the funding available for said project, the Borough Engineer has recommended awarding a contract for the Total Base Bid Amount.

WHEREAS, CFM Construction Inc. submitted a total bid in the amount of \$482,850.00; and

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WHEREAS, the Borough Engineer has determined the bid by CFM Construction 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 CFM Construction Inc. is a responsive and responsible bid; and

WHEREAS, the Borough Council is desirous of awarding a contract to **CFM Construction Inc.** for the total bid in the amount of \$482,850.00 for the project;

NOW, THEREFORE BE IT RESOLVED on the 5th day of December, 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 \$482,850.00 is awarded to CFM Construction Inc. for this project.
3. The Mayor and Municipal Clerk are authorized and directed to execute all necessary documents to effectuate a contract with Cfm Construction Inc.
4. A certified copy of this resolution shall be sent to:

CFM Construction, Inc.
5 Bay Street
Stirling, NJ 07980

**RESOLUTION
329 -2016**

BE IT RESOLVED, that Amy Spera, Certified Financial Officer of the Borough of Manasquan, be and is hereby authorized to sign the Agreement between the Borough of Manasquan and The New Jersey Department of Community Affairs to fund The Non-Federal Cost Share Program Under the Superstorm Sandy Community Development Block Grant-Disaster Recovery Assistance.

**RESOLUTION
330-2016**

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	410,350.19
Water/Sewer Fund	25,502.64

Beach Fund	7,145.71
Recreation Bldg Trust	909.68
Recreation Commission Trust	2,096.47
Public Defender Trust	250.00
Tourism Trust	562.25
Tax Map Trust	150.00
Misc Trust I	22,500.00
Misc Trust II	1,600.00
Street Opening Trust	500.00
Affordable Housing Trust	762.25
COAH Trust	552.00
Developer's Bond	1,269.00
Developer's Escrow Tr	7,971.75
Animal Control Trust	24.00
DEDR Coordination	2,352.67
General Capital Fund	39,386.78
Water/Sewer Capital Fund	9,451.79
Beach Capital Fund	

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

The Borough Attorney read the title of ordinance 2220-16 for first reading and introduction.

ORDINANCE AMENDING SECTIONS 22-2 (BASE WATER AND SEWER SERVICE RATE) AND 22-3 (WATER AND SEWER USAGE CHARGE) OF CHAPTER 22, WATER AND SEWER UTILITY OF THE REVISED GENERAL ORDINANCES IN ORDER TO INCREASE WATER AND SEWER RATES AND USAGE CHARGES IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

Council Member Walsh made a motion to introduce ordinance 2220-16, seconded by Council Member Lee. Motion carried by the following vote: "yes" Council Member Lee, Bossone, Walsh, Read, and Mangan. "No" none.

The Borough Attorney read the title of ordinance 2219-16 for second reading and final hearing.

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 open the hearing to the public, 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 Mangan. Motion carried unanimously.

Council Member Mangan made a motion to pass and publish ordinance 2219-16 according to law, seconded by Council Member Read. Motion carried by the following vote: "yes" Council Member Lee, Walsh, Read, and Mangan. "No" none. Council Member Bossone abstained.

The Borough Attorney read the title of ordinance 2221-16 for second reading and final hearing.

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

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

Council Member Read made a motion to pass and publish ordinance 2221-16 according to law, seconded by Council Member Walsh. Motion carried by the following vote: "yes" Council Member Lee, Walsh, Read, and Mangan. "No" none. Council Member Bossone abstained.

COMMITTEE REPORTS

Public Works & Grounds Committee – Council Member Lee congratulated Council Member Bossone for being nominated and approved to fill the vacant council seat. He thanked and congratulated former Council Member McCarthy for his service and his appointment. He thanked the MBIA for re-posting of the water meter information. He congratulated the football team for winning the State Championship. He thanked the council for their support in awarding the Liquid Lime System. He updated the council and the audience on the beach cleanup and the progress on the beach replenishment project. He also went over the cubic yards of free sand that will be placed on the beach. He stated that Chris Tucker will be scheduled for the meeting on the 19th to speak on the beach replenishment.

Building, Planning & Zoning – Council Member Walsh welcomed Council Member Bossone back to the dais. He advised that the code department violation and summons for 2015 for October and November were 8 and the same months this year is 13, rental and transfer applications in 2015 were 99 for October and November and the same months this year is 97, zoning applications for 2015 for October and November were 48 and the same months this year is 38, garage sale applications in November 2015 were 3 and the same month this year is 5.

Beach Committee – Council Member Bossone congratulated former Council Member McCarthy on his new position. He thanked the Mayor and Council for appointing him and he is looking forward to getting started in the New Year and get things rolling again. He reported that the parking passes and beach badges will be on sale next week from Monday the 12th through Sunday the 18th from 10 am to 2 pm daily at the beach office. He reported on the Tourism event this weekend Christmas in Manasquan from 12 -2:30 pm on Main Street.

Special Services Committee – Council Member Read welcomed Council Member Bossone to the dais and he is looking forward to the opportunity to serve with him. He congratulated the Manasquan Football team on their State Championship win as well as the entire coaching team.

Administration and Finance Committee – Council Member Mangan congratulated the football team on a great game and he congratulated the town for showing how special we are and the team is with the parade through town after their win. He went over the candy cane hunt event which was a great success and the Chamber will be looking into some new ideas for next year. He updated the council and the audience on the scheduling for the budget meetings for January. He updated the council and audience for Council Member Olivera on Public Safety. He reported that the police department will be participating in the NJ Division of Highway Safety Holiday Campaign entitled drive sober or get pulled over 2016 year end crack down. He advised that the campaign is to have the police officers have more visible presence to motorists operating on the roadways during the holiday season. He advised that the second goal is to target and remove impaired drivers and remove them from the roadways. He reported that the overtime salary will be paid by a grant that the Manasquan Police Department received earlier in the year called Drunk Driving

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Enforcement Grant. He welcomed Council Member Bossone and stated that he looks forward to serving with him.

Mayor Donovan congratulated former Council Member McCarthy, Sharon Bogie on her retirement after 20 plus years with the Borough, Council Member Bossone, and the Manasquan High School Football team.

Audience Participation

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

Greg Walzer, 145 Curtis Place inquired about the decision the council has made regarding the 2 hour parking limits on certain streets.

Mayor Donovan stated that the council has not come to a decision yet and tonight was not to take action just a discussion.

Mr. Walzer voiced his concerns and opinion on the 2 hour parking limit on his road.

Council Member Mangan 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 9:10 p.m., seconded by Council Member Mangan. Motion carried unanimously.