

February 21, 2017

Regular Meeting of Mayor and Council was convened at 7:01 p.m. on February 21, 2017 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.

The Boy Scouts lead the meeting in a salute to the Flag.

**ROLL CALL:** Present: Council Members Mangan, Olivera, Read, and Bossone

Absent: Council Members Lee and Walsh

Council Member Olivera arrived at 7:11 p.m.

Also present was Borough Administrator Tom Flarity and 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 Mangan made a motion to close the public portion, seconded by Council Member Read. Motion carried unanimously.

**Approval of Meeting Minutes:**

Regular Meeting Minutes – January 17, 2017

Regular Meeting Minutes – February 6, 2017

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

Mayor Donovan presented the following Proclamation for Volunteer of the Year and presented Judy Mangan with a plaque.

**VOLUNTEER OF THE YEAR**

**WHEREAS**, on January 3, 2017, Judy DiGirolamo Mangan will be recognized as the “VOLUNTEER OF THE YEAR”; and

**WHEREAS**, Judy was a teacher in the Manasquan School System for many years and has continued to help students to prepare for college entrance exams since her retirement. She continues to participate on the Manasquan High School Athletic Hall of Fame Committee. Judy currently teaches at Brookdale Community College; and

**WHEREAS**, as a member of the Manasquan Environmental Commission, Judy has been instrumental in two program, Stream Monitoring where she works with students from the Manasquan High School Environments Club to assess the health of our waterways, and Thermal Imaging Assessment, where Judy works with the Manasquan Fire District to conduct thermal evaluations of residents’ homes to help conserve energy; and

**WHEREAS**, through the years, Judy has been the consummate volunteer giving her time to many Environmental Commission projects such as town clean ups, beach sweeps, home composting workshops, paper shredding events, rain barrel workshops and recycling; and

**WHEREAS**, Judy is also an active member of the Manasquan Women’s Club, whose goal is to enhance the quality of life in our community and to serve as a grass roots volunteer resource; and

**WHEREAS**, in addition to the activities listed above, Judy gives her time to the Manasquan Hook & Ladder #1 Ladies Auxiliary. Judy and the other members volunteer their time and help raise money for our firemen and take part in other community events to benefit Manasquan.

**NOW, THEREFORE, BE IT RESOLVED**, that I, Edward G. Donovan, Mayor of the Borough of Manasquan, by the power vested in me, do hereby proclaim January 3, 2017 as Judy Mangan "VOLUNTEER OF THE YEAR RECOGNITION DAY" in recognition of his valuable service to the Borough of Manasquan. Let true and official copies of this Proclamation be spread upon the minutes of the Borough Council meeting held on the 21<sup>st</sup> day of February, 2017.

**Use of Borough Property**

- Manasquan Turkey Run – November 18, 2017 10 a.m.

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

- Stomp The Monster – October 21, 2017 11 a.m.

Council Member Mangan made a motion to hold over this request until the next meeting, seconded by Council Member Read. Motion carried unanimously.

- Superhero Fun Run/Walk – Boardwalk/ Sea Watch Lot - April 22 or 29, 2017 9 a.m.

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

- SBLSS Harvest Celebration – September 9, 2017 7 to 9:30 p.m.

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

**Request from Monmouth County to Start Work at 6 a.m. for the Bulkhead Project.**

There was discussion on the process to remove the dirt from the dredging of the marina.

Council Member Bossone made a motion to approve the request, seconded by Council Member Mangan. 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 Bossone made a motion to revise the payment of bills, seconded by Council Member Mangan. Motion carried unanimously.

**CONSENT AGENDA**

**RESOLUTION  
63-2017**

**WHEREAS**, the Borough of Manasquan's Personnel Policy #33 "Leave Policy" requires approval from the Mayor and Council for vacation carry over for Department Heads, and

**WHEREAS**, the Department Head has the following 2016 vacation days and are requesting to carry them over to 2017 as permitted by policy and approval by the Mayor and Council:

	2016
Michael Bauer	8 Days

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Manasquan authorize the carry over of the unused 2016 vacation days to 2017 as per Borough Policy.

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**RESOLUTION  
64-2017**

**WHEREAS**, the Borough of Manasquan is desirous of amending its policy for the Use of Professionals which was adopted on February 18, 2014, Resolution 74-2014; 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 February, 2017 amend the Borough of Manasquan Use of Professionals Policy.

**RESOLUTION  
65-2017**

**WHEREAS**, the Borough of Manasquan is desirous to secure services for Mobile Concession Truck at the Sea Watch property located at 95 Beachfront.

**NOW THEREFORE BE IT RESOLVED**, that the Borough of Manasquan authorizes the Municipal Clerk to advertise a Request for Proposal for Mobile Concession Truck at the Sea Watch property.

**RESOLUTION  
66-2017**

**WHEREAS**, on December 5, 2016 resolution 323-2016 was passed by Mayor and Council approving the 2017 meeting dates; and

**WHEREAS**, there is a need to change the March 25, 2017, 9:00 a.m. Budget Meeting to March 18, 2017 at 9:00 a.m.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Manasquan authorize the March 25, 2017 Budget Meeting be changed to March 18, 2017.

**RESOLUTION  
67-2017**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH  
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,  
RELEASING A MAINTENANCE BOND POSTED BY 3- NORTH  
MAIN, LLC**

**WHEREAS**, 30 North Main, LLC posted a two-year maintenance bod in the form of a Maintenance Surety Bond in the amount of \$12,526.31 with the Borough of Manasquan as a guarantee for site work for a project located at 30 North Main Street, Block 32. Lot 1.01, 7 (the "Project"); and

**WHEREAS**, the two-year period covering the maintenance bond has expired and it has been determined that the site work at the Project is acceptable; and

**WHEREAS**, the Governing Body of the Borough of Manasquan is desirous of releasing the cash maintenance guarantee in the amount of \$12,526.31 in accordance with the Municipal Land Use Law.

**NOW, THEREFORE BE IT RESOLVED**, on the 6<sup>th</sup> day of March, 2017 by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. The maintenance bond in the amount of \$12,526.00 posted by 30 North Main, LLC may be released.
2. A certified copy of this resolution shall be sent to:

30 North Main, LLC

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427 Essex Avenue  
Spring Lake, NJ 07762

**RESOLUTION  
68-2017**

**RESOLUTION CANCELING UNEXPENDED BALANCES  
OF THE GENERAL CAPITAL FUND**

**WHEREAS**, certain General Capital Improvement appropriation balances remain dedicated to projects now completed; and

**WHEREAS**, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective Capital Improvement Fund or credited to Surplus, and unused debt authorizations or grant awards may be canceled.

**NOW THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan that the following unexpended and dedicated balances of the General Capital Appropriations be canceled:

ORDINANCE #	PROJECT DESCRIPTION	FUNDED CAPITAL SURPLUS	UNFUNDED
2036	Virginia Ave., Phase III		\$57,230.54
2046	Public Works & Police Equipment		\$ 3,070.96
2113	Improvements to Stockton Park LL Field		\$ 1,837.72
2140	Tennis Courts	\$2,791.80	
2144	Improvements-code Enforcement	\$2,161.88	
2154	Various Storm Related Improvements	\$3,634.16	
2162	Public Works Riding Lawnmower	\$ 500.46	
		\$9,088.30	\$62,139.22

**RESOLUTION  
69-2017**

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

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

**BLOCK: 154 / LOT: 6    NAME: ARCE', RODERICK J**

**PROPERTY LOCATION: 12 MEADOW AVE**

**AMOUNT:                      \$4,517.83**

**REASON FOR REFUND: REDEMPTION OF TTL #13-00179**

**REFUND CHECK TO BE MADE PAYABLE TO:**

FNA JERSEY BOI, LLC  
PO BOX 1030  
BRICK, NJ 08723

**BLOCK: 154 / LOT: 6    NAME: ARCE', RODERICK J**

**PROPERTY LOCATION: 12 MEADOW AVE**

**AMOUNT:                      \$1,500.00**

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**REASON FOR REFUND: RETURN OF PREMIUM PAID AT TAX SALE**

**REFUND CHECK TO BE MADE PAYABLE TO:**

FNA JERSEY BOI, LLC  
PO BOX 1030  
BRICK, NJ 08723

**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  
70-2017**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF  
MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY,  
TERMINATING EMPLOYMENT OF ROBERTA PICARELLO-BERDEL AS  
PROVISIONAL CLERK 3 IN THE CODE/CONSTRUCTION DEPARTMENT**

**WHEREAS**, Roberta Picarello-Berdel began her employment with the Borough of Manasquan as Clerk 3 in the Code/Construction Department on June 27, 2016; and

**WHEREAS**, the Borough of Manasquan requested through the New Jersey Civil Service Commission an announcement for the Clerk 3 position; and

**WHEREAS**, the Clerk 3 announcement was posted on September 6, 2016 and closed on September 27, 2016; and

**WHEREAS**, the Borough of Manasquan has been provided a Certification of Eligibles for Appointment for the position of Clerk 3 by the New Jersey Civil Service Commission; and

**WHEREAS**, New Jersey Civil Service Commission sent out notices to all eligibles with instructions to notify the appointing authority of the Borough of Manasquan with their interest in the position within 10 days of the notice date of January 10, 2017; and

**WHEREAS**, Roberta-Picarello-Berdel responded on January 26, 2017 after the 10 day notice date of January 10, 2017; and

**WHEREAS**, per New Jersey Civil Service Commission a provisional employee cannot be considered for an appointment when they have either failed to respond to the certification notice or have failed to respond by the certification notice's deadline.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Manasquan that Roberta Picarello-Berdel's employment with the Borough of Manasquan is hereby terminated effective February 10, 2017; and

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be sent to:

Roberta Picarello-Berdel  
9 Holland Lane  
Colts Neck, NJ 07722

**RESOLUTION  
71-2017**

**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: ATLANTIC MODULAR  
75 TAYLOR AVE  
MANASQUAN, NJ 08736

AMOUNT OF REFUND DUE: \$500.00

REASON FOR REFUND: Modular Security Return

**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  
72-2017**

**RESOLUTION OF THE BOROUGH COUNCIL OF  
THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH,  
STATE OF NEW JERSEY, DISSOLVING THE POSITION OF  
CLERK 3 IN THE CODE/CONSTRUCTION DEPARTMENT**

**WHEREAS**, the Borough of Manasquan has determined that the position of Clerk 3 in the Code/Construction Department is not needed and therefore should be dissolved for budgetary purposes.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Manasquan that the position of Clerk 3 in the Code/Construction Department be dissolved effective upon passage of this resolution.

**RESOLUTION  
73-2017**

**RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES  
AGREEMENT FOR THE REMOVAL OF DREDGE MATERIALS FROM THE BOROUGH  
OF MANASQUAN WITH THE COUNTY OF MONMOUTH**

**WHEREAS**, the New Jersey Uniform Shared Services and Consolidation Act (C.40A:65-1, et seq.) authorizes local units such as this Municipality to enter into shared service agreements with other local units; and

**WHEREAS**, the County of Monmouth, a local unit, has offered to provide municipal assistance / shared services to the Borough of Manasquan; and

**WHEREAS**, it is in the best interest of the Borough of Manasquan to enter into a Municipal Assistance / Shared Services Agreement with the County of Monmouth.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Manasquan that the Mayor and Municipal Clerk be and they are hereby authorized to execute the Municipal Assistance / Shared Services Agreement with the County of Monmouth for the removal of dredge materials from the Borough of Manasquan.

**BE IT FURTHER RESOLVED** that the Municipal Clerk forward a certified copy of this resolution along with the executed Municipal Assistance / Shared Services Agreement to the Clerk of the Board of Chosen Freeholders, County of Monmouth, Hall of Records, 1 E. Main Street, Freehold, New Jersey 07728.

**RESOLUTION  
74-2017**

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**WHEREAS**, there is a need for temporary as needed training in the Code/Construction Department for pricing of permits; and

**WHEREAS**, the Borough of Manasquan has solicited the assistance of April Claudio, Code/Construction Department of Belmar.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Manasquan the following:

1. April Claudio is appointed temporary as needed training for the Code/Construction Department at the rate of \$35.00 per hour effective February 15, 2017
2. A certified copy of this resolution shall be forwarded to:

April Claudio  
29 Kathy Court  
Brick, NJ

**RESOLUTION**  
**75-2017**

**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	1,641,452.98 1,513,490.35 County Taxes
Water/Sewer Fund	22,806.93
Beach Fund	16,017.71
Recreation Bldg Trust	9,578.00
Recreation Commission Trust	2,753.25
Reserve for Unemployment	4,440.69
Reserve Public Defender	250.00
Reserve – Tourism	341.00
Miscellaneous Trust I	500.00
COAH Trust	195.75
Dev Escrow Trust	1,906.25
General Capital Fund	1,532.62
Water/Sewer Capital Fund	357.50
Beach Capital Fund	

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

## **COMMITTEE REPORTS**

Administration and Finance Committee – Council Member Mangan reported on the upcoming budget meetings which will be held on February 25, 2017, March 11 and March 18 and there will be a committee meeting coming up where open items in the Clerk's office will be discussed and will report on them at the next meeting.

Public Safety – Council Member Olivera reported on OEM and advised that the trucks have been replaced with newer trucks which were picked up in Kansas and were free from government surplus.

Streets & Buildings Committee – Council Member Read advised that he had nothing to report at this time.

Public Works Committee – Council Member Bossone reported that the DPW has been sifting the dirt from the bulkhead project in Fourth Avenue Parking lot to get it ready to be removed by the County to the landfill. He also reported that DPW has been continuing the hot patch repairs throughout town and cleanup of the sand on the west side of the fence at the beach has been completed. He reported on the training of the Water Plant staff with the new hire of Bob Koches. He reported on a geese problem at the little league field and an idea brought to the committee by Little League. He recommends that the Little League move forward to try and alleviate the geese problem at the fields. He inquired about a resolution from last year where dogs were allowed in certain parks to help with the geese problem and he would like the same resolution for this year.

## **Audience Participation**

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

Bob Duerr, 614 Cedar Crest Drive, Brielle as President of Boardriders Club thanked the town for allowing them to implement and launch "Leave Only Your Foot Print" program. He requested that Council consider adding three more cans at the main entrances to the beach. He went over the upcoming surfing events that will be held this year at the Inlet Beach.

Mary Ryan, 113 Beachfront inquired about the budget dates and the wires for the geese problem and if there were going to be posts put up.

Council Member Bossone stated that the strings will be attached to the backstop and the outfield fencing. A few post might be needed for the area that does not have an outfield fence.

Ms. Ryan inquired about the Harvest Celebration that was approved and if it includes alcohol and if they are allowed to serve alcohol.

Mayor Donovan stated that they have to apply for a Social Permit Affair and be approved by the State to serve alcohol.

Ms. Ryan inquired about a fee being charged for the use of the building.

Council Member Mangan went over the current lease that the Preservation Committee has with the Borough. He stated that the Borough is in the process of going over the current lease for the use of the building.

Ms. Ryan inquired about having dog decals on the boardwalk to help deter dogs on the walkway.

Boy Scout Steven Schmieder, 285 Cedar Avenue inquired about the bulkhead project and wanted to know when the projected time is that it will be finished.

Council Member Mangan went over the project starting with last year and how they got to the current plans and why there were changes.



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Boy Scout Jake Palmieri, 295 East Virginia Avenue inquired about shared services with nearby towns and if Manasquan does this.

Council Member Mangan stated that the Borough does have shared services with other towns and with the county. He stated that he believes there are about 26 shared service arrangements with other towns and that one of the big shared services is that the room they are in is shared with Brielle Court, there is a shared service for gas and salt with Brielle.

Mayor Donovan stated that the town also has shared services with the county.

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

Council Member Mangan made a motion to close the regular meeting at 8:16 p.m., seconded by Council Member Read. Motion carried unanimously.