

MARCH 6, 2017

Regular Meeting of Mayor and Council was convened at 7:01 p.m. on March 6, 2017 in Council Chambers of Borough Hall with Council President Mangan presiding.

Council President Mangan 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.

Council President Mangan 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, Mangan, Olivera, Read, and Bossone

Absent: Council Member Walsh

Also present was Borough Administrator Tom Flarity and Borough Attorney Mark Kitrick.

Council Member Lee made a motion to hold the budget meeting minutes of March 25, 2017 (February) until the next meeting, seconded by Council Member Olivera. Motion carried unanimously.

Council Member Olivera made a motion to remove resolution 82-2017, seconded by Council Member Lee. Motion carried unanimously.

Council Member Read made a motion to add to Use of Borough Property a request from Tourism for their annual Inlet Celebration, seconded by Council Member Lee. Motion carried unanimously.

Audience Participation – Agenda Items

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

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

Approval of Meeting Minutes:

Regular Meeting Minutes – February 21, 2017

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

Use of Borough Property

- Tourism Inlet Celebration – July 18, 2017, 5 to 9 pm.

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

- Stomp The Monster – October 21, 2017 11 a.m. (held over from last meeting)

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

- Beach Sweeps – April 22 and October 21, 9 am

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

- Big Brothers/Sisters Volleyball Tournament – Sept. 17, 10 am (rain 9/24/17)

Council Member Olivera made a motion to approve this request with the organization coming back with a different rain date, seconded by Council Member Read. Motion carried unanimously.

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- Big Hearts to Little Hearts Walk/Run – Boardwalk – September 24, 2017, 10 am

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

- MSQ Environmental Comm. Electric Car Show – April 23, 2017, 12 – 3 pm

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

Engineer's Report

Mr. James Priolo went over the Engineer's Report for February 2017.

There was discussion on the 193 homeowners that have not changed over their water meters.

CONSENT AGENDA

RESOLUTION 76-2017

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

WHEREAS, a return of a portion of Boat Slip fee is due to the below described Boat Slip Lessees for the year 2017:

NAME: Jason Lang
1111 W. Chicago Blvd.
Wall, NJ 08750
AMOUNT OF REFUND DUE: \$800.00

NAME: John Winterstella
436 Cedar Avenue
Manasquan, NJ 08736
AMOUNT OF REFUND DUE: \$700.00

NAME: Joseph Juska
1212 Mohegan Road
Manasquan, NJ 08730
AMOUNT OF REFUND DUE: \$700.00

NAME: John White
49 Pearce Avenue
Manasquan, NJ 08736
AMOUNT OF REFUND DUE: \$700.00

NAME: Daniel Cooke
43 Chimney Ash Farm Road
Basking Ridge, NJ 07920
AMOUNT OF REFUND DUE: \$700.00

REASON: Boat Lessees paid for their Boat Slips by the deadline and then downsized to smaller boat slip at a lower cost.

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 property with said warrant to be charged against the General Ledger.

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**RESOLUTION
77-2017**

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

WHEREAS, a refund of monies is due to the following:

NAME: SIGNATURE TITLE SERVICES
C/O MICHAEL & KELLY CONDON
187 BROAD ST
MANASQUAN, NJ 08736

AMOUNT OF REFUND DUE: \$1,891.07

REASON FOR REFUND: REFUND DUPLICATE 1ST QTR '16 TAXES
187 BROAD ST - BLOCK 45 / LOT 31

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
78-2017**

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

WHEREAS, a refund of monies is due to the following:

NAME: 223 SECOND AVE, LLC
PO BOX 574
ALLENWOOD, NJ 08720

AMOUNT OF REFUND DUE: \$1,662.47

REASON FOR REFUND: REFUND 1ST QTR '16 TAXES PAID IN ERROR
FOR 225 SECOND AVE
BLOCK 177 / LOT 52

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
79-2017**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,
RELEASING THE CASH MAINTENANCE BOND/GUARANTEE TO
VIRGINIA CROSSING**

WHEREAS, Virginia Crossing Condominium Association, Inc., posted a cash maintenance guarantee in the amount of \$17,051.34; and

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WHEREAS, a review of the bonded items, shows that all bonded items are complete and are acceptable; and

WHEREAS, the Governing Body of the Borough of Manasquan is desirous of releasing the cash maintenance guarantee in the amount of \$17,051.34;

NOW, THEREFORE BE IT RESOLVED, on the 6th 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 cash maintenance guarantee in the amount of \$17,051.34 posted by Virginia Crossing Condominium Association, Inc., may be released.
2. The Chief Financial Officer is authorized to return the bond in the sum of \$17,051.34 to Virginia Crossing Condominium Association, Inc.,
3. A certified copy of this resolution shall be sent to:

Virginia Crossing LLC.
1107 Somerset Avenue
Lakewood, NJ 08201

**RESOLUTION
80-2017**

WHEREAS, the Monmouth County Board of Chosen Freeholders, pursuant to N.J.S.A. 26:9-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitos within the county; and

WHEREAS, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control, and chemical control to exterminate the mosquito population within the county of Monmouth; and

WHEREAS, prior to conducting aerial dispensing operations over a designated "congested area," the County is required, pursuant to Federal Aviation Administration Regulations (FAR Part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

WHEREAS, the Borough of Manasquan is designated as a "congested area" by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat, or both with the understanding that:

- a) The County shall utilize pesticides, application equipment and aircraft that are approved for aerial applications by the applicable Federal (USEPA) and State (NJDEP) agencies, and
- b) Such operations will be performed in compliance with applicable Federal and State regulations, and
- c) The County will notify the Manasquan Police Department when aerial pesticides operations are planned prior to commencement of such operations.

**RESOLUTION
81-2017**

WHEREAS, Joseph DeIorio was custodian of the Borough of Manasquan Petty Cash Fund; and

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WHEREAS, in accordance with N.J.S.A 40:5-21, the Borough of Manasquan is changing custodians to Amy Spera; and

WHEREAS, Amy Spera is bonded in the amount of \$1,000,000 by virtue of a surety bond.

NOW THEREFORE BE IT RESOLVED that the Borough of Manasquan, County of Monmouth hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

**RESOLUTION
83-2017**

WHEREAS, the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, is desirous of implementing a pilot program for use by residents to walk their dogs in certain designated parks in the Borough of Manasquan; and

WHEREAS, Axel B. Carlson, Jr. Park and Stockton Beach Park have been designated as parks for such use; and

WHEREAS, it will be permissible for residents to bring leashed dogs to the park from dawn to dusk through December 31, 2017; and

WHEREAS, all residents must have the dogs leashed at all times and are required to clean up after the dogs; and

NOW, THEREFORE, BE IT RESOLVED the Borough is desirous of implementing a pilot program for residents to walk their leashed dogs in Axel B. Carlson, Jr Park and Stockton Beach Park from dawn to dusk for the remainder of the year.

**RESOLUTION
84 -2017**

**AUTHORIZING PROFESSIONAL SERVICE AGREEMENT
WITH CME ASSOCIATES TO PREPARE
MASTER PLAN RE-EXAMINATION**

WHEREAS, there exists a need to provide professional planning services in the Borough of Manasquan to prepare a re-examination of the Borough's Master Plan; and

WHEREAS, the Borough Council and Planning Board have recommended this work be completed for this project; and

WHEREAS, the Borough of Manasquan received a work service proposal from Jennifer C. Beahm, PP AICP of CME Associates not to exceed \$8,850; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised, and the contract itself, must be available for public inspection; and

WHEREAS, CME Associates has completed and submitted a New Jersey Business Registration Certification; and

WHEREAS, CME Associates has completed and submitted a Pay to Play exemption certification and has or will certify that the contractor has not during the last 12 months preceding the award of this contract nor during the succeeding 12 months contributed or will contribute campaign contributions in excess of reportable limits in accordance with the aforesaid legislation; and

WHEREAS, funds are available and have been certified by the local finance officer.

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NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Manasquan as follows:

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute an agreement with CME Associates for professional planning services in the Borough of Manasquan to prepare a re-examination of the Borough Master Plan for an amount not to exceed \$8,850.
2. That the aforesaid contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contract Law because N.J.S.A. 40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law.
3. The professional service agreement is awarded pursuant to and subject to the provisions of Pay to Play legislation, N.J.S.A. 19:44A-20.5, et seq., in that the contractor has agreed to execute the Pay to Play exemption certification and has or will certify that the contractor has not during the last 12 months preceding the award of this contract nor during the succeeding 12 months contributed or will contribute campaign contributions in excess of reportable limits in accordance with the aforesaid legislation.
4. A copy of the agreement has been filed with the Borough Clerk and is available for public inspection in the office of the Clerk during normal business hours.
5. That a copy of the specific items pertaining to the award of this contract shall be published in a Notice of Award in the Coast Star as required by law within ten (10) days of the resolution authorizing same.

**RESOLUTION
85-2017**

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 | 84,578.19 |
| Water/Sewer Fund | 7,704.62 |
| Beach Fund | 4,036.01 |
| Recreation Bldg Trust | 2,061.44 |
| Recreation Commission Trust | 2,676.84 |
| COAH Trust | 432.00 |
| Developer's Bond | 17,051.34 |
| Developer's Escrow Trust | 962.50 |
| Reserve for Animal Control | 1,632.00 |
| General Capital Fund | 150,057.58 |
| Water/Sewer Capital Fund | 175,282.33 |
| Beach Capital Fund | |

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

Council President Mangan went over the resolution for allowing dogs in certain parks to help with the geese and he went over the resolution for the planner to help get the Master Plan Re-Examination process underway.

COMMITTEE REPORTS

Beach & Recreation Committee – Council Member Lee stated that the Mallard Park Project will be held off for a year and the Borough is requesting an extension from the County of the grant money. He reported that the Borough is working on a renewal lease with St. Denis for recreation. He went over the beach badge and parking pass sales which will occur on April 17 through 23 and the committee is looking into pay stations in the parking lots for next year. He also reported that the summer beach employment application has been posted on the website.

Public Safety – Council Member Olivera congratulated Mayor Donovan for being the Grand Marshal at the Belmar St. Patrick's Day Parade yesterday and he advised that the council is very proud of that. He reported on the police activity for February which included 144 summonses for moving violations, 23 parking violations, 7 Borough ordinance violations, 282 motor vehicle stops, 3 criminal arrests, and 2 warrant arrests.

Streets & Buildings Committee – Council Member Read advised that the Board of Education has started the construction meetings and they have joined with a company out of Texas for energy deduction program. He stated that the Board of Education has reduced their energy use by 29% over a 2 year period.

Public Works Committee – Council Member Bossone stated that he has nothing to report at this time.

Audience Participation

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

Mary Ryan, 113 Beachfront inquired about the electric car show and where it will be held and is there a way to follow up on how much the charging stations are making.

Council President Mangan stated that he will follow up on this request.

Ms. Ryan inquired about the park program with dogs and is it still a pilot program.

Council President Mangan stated that it is still a pilot plan which will be reviewed and decided whether the council will approve every year or not.

Ms. Ryan inquired about the Master Plan Re-Examination and is there something specific driving it to get done.

Council President Mangan stated that the re-examination is required every 10 years and they wanted to get this process started as it takes time to do it and that there has been a lot of rebuilding in Manasquan.

Ms. Ryan inquired about the mosquito control and wanted to know if there will be public notification done.

Council President Mangan stated that this is done every year and public notification is given.

Ms. Ryan also inquired about the animal control line on the payment of bills.

Council President Mangan stated that it is a reimbursement to the County for services rendered for animal control.

Municipal Clerk Barbara Ilaria explained the contract with the Humane Society and that there is no contract with the officers that write tickets for dogs.

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Marilyn Jacobson, 59 McLean Avenue inquired about which parks dogs will be allowed in.

Council Member Olivera stated that it is Axel B. Carlson and Stockton Lake Beach Park.

Ms. Jacobson asked if there was public input on the Master Plan.

Council President Mangan stated that there will be public input on the re-examination of the Master Plan which will be a few months as it is a lengthy process.

Ms. Jacobson inquired about the boat slip refunds which was on the agenda.

Council Member Lee advised that the refunds were due to renters moving from a large slip to a smaller slip.

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

Council Member Olivera made a motion to close the regular meeting at 7:34 p.m., seconded by Council Member Read. Motion carried unanimously.

Respectfully submitted,



Barbara Ilaria
Municipal Clerk

DATE APPROVED 3/20/17