

AUGUST 7, 2017

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

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

Absent: None

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

Audience Participation – Agenda Items

Council Member Mangan made a motion to open the meeting to audience participation, seconded by Council Member Walsh. 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 – July 17, 2017

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

Appointment of Citizen Advisory Committee Members

Council Member Mangan made a motion to table the Appointment of Citizen Advisory Committee Members, seconded by Council Member Olivera. Motion carried unanimously.

Use of Borough Property

- Big Hearts to Little Hearts – Inlet Yoga Fundraiser – August 26, 2017, 6 am

Council Member Lee made a motion to approve this request provided there is no music, seconded by Council Member Mangan. Motion carried unanimously.

- Ladacin Plunge – Main Beach - January 13, 2018 – 12 pm

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

- Msq. Savings Fun Day – Squan Plaza, October 21, 2017 - 9 am to 5 pm

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

- Squanathon Walk/Run – Various Streets – December 9, 2017, 8:45 to 11 am

Council Member Bossone stated that the organization is looking to use the bike path as an alternate route, from the high school down the bike path and back. He stated that this request is just locking up the date with the route and any road closures to be discussed.

There was discussion on the route and where help from the police department is needed for crossing the streets.

AUGUST 7, 2017

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

- Veteran Suicide Awareness–First Ave & Main Street–August 13, 2017; 10 am to noon

There was discussion on this request and the possibility of moving it to Big Sea Day.

Council Member Walsh made a motion to approve this request with the understanding that the location be worked out with the Beach Superintendent, seconded by Council Member Read. Motion carried unanimously.

- Run for Autism – Boardwalk – November 5, 2017 11 am to 2 pm

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

MBIA Request to Withdraw Use of Sea Watch Area

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

Engineer's Monthly Report

Mr. Robert Mannix went over the Engineer's monthly report. He stated that the TAP Grant is for the pedestrian improvements on Main Street and Route 71 which is streetscape improvements which is a federally funded program.

Mayor Donovan stated that this is a one million dollar grant to improve the intersection of Main Street and Route 71.

CONSENT AGENDA

RESOLUTION 208-2017

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, RELEASING THE PERFORMANCE BOND/GUARANTEE TO LUCAS CONSTRUCTION GROUP, INC.

WHEREAS, Lucas Construction Group, Inc. Posted a performance guarantee in the amount of \$297,792.00 for 2016 CDBG 1st Avenue Intersection Improvements; and

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

WHEREAS, the Governing Body of the Borough of Manasquan is desirous of releasing the performance guarantee in the amount of \$297,792.00; and

WHEREAS, the release of this performance guarantee is specifically conditioned upon Lucas Construction Group, Inc. posting two (2) year maintenance bond in the amount of \$43,541.95 in accordance with the Municipal Land Use Law.

NOW, THEREFORE BE IT RESOLVED, on the 7th day of August, 2017, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. The performance guarantee in the amount of \$297,792.00 posted by Lucas Construction Group, Inc. may be released.
2. The Chief Financial Officer is authorized to return the bond in the sum of \$297,792.00 to Lucas Construction Group Inc.
3. A certified copy of this Resolution shall be sent to:

AUGUST 7, 2017

Lucas Construction Group, Inc.
2 Hance Avenue
Tinton Falls, NJ 07724

**RESOLUTION
209-2017**

**RESOLUTION MEMORIALIZING THE EXTENSION OF
THE GRACE PERIOD TO AUGUST 25, 2017 FOR THE
AUGUST 1, 2017 TAX QUARTER DUE TO THE DELAY
IN PASSING THE STATE BUDGET.**

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

WHEREAS, the mailing of the Borough's tax bills was slightly delayed due the later passing of the State budget and State Aid figures and were not mailed until 8/1/17; and

WHEREAS, State statute provides that the Grace Period must be extended to allow for 25 days from the date of mailing of the tax bills for payments of the August 1, 2017 tax quarter to be made without interest; and

WHEREAS, the Tax Collector has set the last day to pay the August 1, 2017 tax quarter at August 25, 2017, being the next business day after the 25 calendar days from the date the tax bills were mailed, and;

WHEREAS, the extension only applies to the August 1, 2017 tax quarters. The normal Borough grace period will apply to all other tax quarters on the bill.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Manasquan, County of Monmouth, Sate of New Jersey, hereby authorizes that:

The Governing Body of the Borough of Manasquan memorializes the extension of the grace period to August 25, 2017 for the August 1, 2017 tax quarter and recognizes that the normal Borough grace period will apply to all other quarters on the tax bill.

**RESOLUTION
210-2017**

BE IT RESOLVED, that Amy Spera, Chief Financial Officer, be and is hereby named the Public Agency Compliance Officer (P.A.C.O.) for Affirmative Action in the Borough of Manasquan.

**RESOLUTION
211 -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: KENDRA KILLEEN
221 BEACHFRONT #2
MANASQUAN, NJ 08736

AMOUNT OF REFUND DUE: \$210.00

NAME: KELLY COSGROVE
632 SUSAN LANE
BRIELLE, NJ 08730

AUGUST 7, 2017

AMOUNT OF REFUND DUE: \$90.00

REASON FOR REFUNDS: JUNIOR GUARD REGISTRATION REFUND

Unexpected scheduling conflicts

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
212-2017**

BE IT RESOLVED, that the Hon. Edward Donovan, Mayor of the Borough of Manasquan, be and is hereby authorized to sign Fay's Cleaning Service Agreement, 1212 Minnehaha Trail, Manasquan, New Jersey, for a term of September 1, 2017 to December 31, 2017

**RESOLUTION
213-2017**

WHEREAS, the Borough of Manasquan is desirous of appointing Seasonal Beach Employees for the Pre-Season Badge Sales; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 7th day of August , 2017 appoint the following Seasonal Beach Employees to work during the 2017 Season.

Beach Patrol:

Jeffery Kammer	901 Wall Road, Spring Lake Heights	\$10.00
Patrick Scannell	1604 Maple Street, Wall Township	\$11.50

Badge Checker:

Natalie Finn	603 Cardeza Avenue, Brielle	\$8.00
Joseph Khammar	306 Pine Avenue, Manasquan	\$10.00
Cindy Powers	1863 New Bedford Road, Wall	\$9.00

Lifeguards:

Nick Carter	51 Pearce Ave, Manasquan	\$13.00
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The following employees have already been approved for other beach positions, but will be filling in for other beach positions on an "as needed basis":

Parking Lot Attendants:

Thomas Hall	2433 Sycamore Street, Wall	\$10.00/11.00
Joseph Khammar	306 Pine Avenue, Manasquan	\$10.00/11.00
Samantha Sullivan	149 Curtis Place, Manasquan	\$10.00/11.00
Kevin Wall	643 Rankin Road, Brielle	\$10.00/11.00

Badge Checker:

Robert Fischer	2503 Algonkin Trail, Manasquan	\$10.00
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Crew:

Joseph Waldeyer	69 Marcellus Avenue, Manasquan	\$10.00
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Rake/Equipment Operator:

Joseph Waldeyer	69 Marcellus Avenue, Manasquan	\$13.50
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**RESOLUTION
214-2017**

AUGUST 7, 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: 96 / LOT: 3 NAME: KIRK & PATRICIA VANSICKLE

PROPERTY LOCATION: 14 WYCKOFF AVE

AMOUNT: \$25,385.73

REASON FOR REFUND: REDEMPTION OF TTL #15-00107

REFUND CHECK TO BE MADE PAYABLE TO:

72 OAK ST HOLDINGS, LLC
PO BOX 653
MONTVALE, NJ 07645

BLOCK: 96 / LOT: 3 NAME: KIRK & PATRICIA VANSICKLE

PROPERTY LOCATION: 14 WYCKOFF AVE

AMOUNT: \$32,300.00

REASON FOR REFUND: REFUND PREMIUM PAID AT TAX SALE

REFUND CHECK TO BE MADE PAYABLE TO:

72 OAK ST HOLDINGS, LLC
PO BOX 653
MONTVALE, NJ 07645

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

215-2017

A RESOLUTION AUTHORIZING THE BOROUGH OF MANASQUAN TO ENTER INTO A JOINT PURCHASING AGREEMENT

WHEREAS *N.J.S.A. 40A:11-11(10)* authorizes contracting units to establish a Joint Purchasing System and to enter into a Joint Purchasing Agreement for its administration; and

WHEREAS the Borough of Neptune City, hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Joint Purchasing System for the provision and performance of goods and services; and

WHEREAS, on October 15, 2013 the governing body of the Borough of Neptune City, County of Monmouth, State of New Jersey duly considered participation in a Joint Purchasing System for the provision and performance of goods for Police Department Equipment for Training Purposes, including but not limited to Simunitions Equipment.

NOW, THEREFORE BE IT RESOLVED, as follows:

AUGUST 7, 2017

TITLE

This Resolution shall be known and may be cited as the Joint Purchasing Resolution of the Borough of Manasquan.

AUTHORITY

Pursuant to the provisions of *N.J.S.A. 40A:11-10* the Manasquan Mayor Edward Donovan is hereby authorized to enter into a Joint Purchasing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (*N.J.S.A. 40A:11-1 et seq.*) and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

**RESOLUTION
216-2017**

**RESOLUTION AUTHORIZING SCOPE OF WORK
FOR THE MALLARD PARK IMPROVEMENTS PHASE 3 GRANT APPLICATION**

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 the completion of application and submittal of the 2017 County Open Space Grant Application for the Mallard Park Improvements Phase 3 to as follows:

- Phase 1.0 Grant Application, \$2,000.00

for a total amount not to exceed \$2,000.00 for the service outlined in a proposal dated August 7, 2017.

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 2017 County Open Space Grant Application for the Mallard Park Improvements Phase 3.

**RESOLUTION
217-2017**

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	406,601.79
Water/Sewer Fund	334,816.50
Beach Fund	27,932.25
Recreation Bldg Trust	17,492.80
Recreation Commission Trust	583.43

Open Space Trust	48,210.92
Tourism Trust	1,434.74
Junior Lifeguards	2,663.00
Miscellaneous Trust II	400.00
Affordable Housing Trust	319.50
Animal Control Reserve	22.80
General Capital Fund	381.35
Water/Sewer Capital Fund	
Beach Capital Fund	

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

Resolutions:

RESOLUTION 176-2017

WHEREAS, application has been made to the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey by G.B.M., Inc., t/a Maria's Colonial Inn, for the renewal of Plenary Retail Consumption Liquor License No. 1327-33-006-003 to cover premises at 165 Main Street in the Borough of Manasquan, New Jersey; and

WHEREAS, the Governing Body makes the following findings with respect to Plenary Retail Consumption Liquor Licenses issued by it;

1. The submitted application form is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A. B. C. Laws and Regulations.
3. The applicant has disclosed and the issuing authority has reviewed the source of all funds used in the purchase of the license and the licensed business and/or the additional financing obtained in the previous license term for use in the licensed business.

WHEREAS, the said G.B.M., Inc., t/a as Maria's Colonial Inn, is adjudged to be entitled to a Plenary Retail Consumption Liquor License;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that the Borough Clerk is hereby designated, authorized and instructed to issue and deliver to G.B.M., Inc., a Plenary Retail Consumption Liquor License to sell any alcoholic beverages at 165 Main Street in the Borough of Manasquan and also include the outdoor walk in box to be used for storage purposes until midnight, June 30, 2018, subject, however, to the following condition:

1. At any time the licensed premises offers live entertainment or amplified music, all doors shall remain closed except for access to and from the licensed premises and all windows shall be closed. Exterior doors shall not be left open continuously.

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

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

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

COMMITTEE REPORTS

Public Works Committee – Council Member Bossone reported that DPW has helped set up and break down the Fireman's Fair, work is ongoing with remote reading of water meters, state mandated water samples have been gathered and submitted, and parks are being worked on with the anticipation of school opening in a few weeks. He reported that there will be leaf pick up the next 2 days only and he advised that leaves can always be dropped off in the public works yard year round.

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

Public Safety Committee – Council Member Olivera applauded the first responders for their excellent work for the fire at Mueller's last night. He reported that the police department has established an Internet Purchase Exchange Zone in the parking lot here at Borough Hall. He advised that this will be memorialized by resolution at the next scheduled council meeting. This zone has a green sign and under video surveillance, but the police also want to remind people that it is important to remember that when doing business over the internet you are doing business with strangers. Some helpful hints are to make all transactions during daylight hours, bring a cell phone, notify friends or family about the details of the exchange beforehand, and never invite strangers to your home or a stranger's home.

Administration & Finance Committee – Council Member Mangan pointed out two items on the agenda tonight. One is the grace period for quarterly tax bills and he thanked the CFO in doing a great job in continuing to raise the standards in the office to make sure that all applicable state and federal laws are being followed which coincides with her being appointed to the Public Compliance Officer. He also mentioned that the committee is working on a newsletter and a new website. He thanked the Clerk's office for putting together a newsletter so far and he is looking to have something out within the month. He reported that the website is being worked on and it should be launched at the end of the year. He reported that the Welcome to Manasquan packets have been completed and finalized and should be received in 3 to 4 weeks.

Building, Planning & Zoning Committee – Council Member Walsh reported on the zoning applications submitted year to date compared to last year and this year is down by about 60, construction permits are up about 20, rental/transfer applications are up about 50, and summonses are up about 50 this year.

Beach & Recreation Committee – Council Member Lee reported on the Mallard Park project which also included the pickleball court and the northwest corner and the council is looking into a phase 3 project which will add drainage and work on the smaller fields. He stated that the public presentation will be September 5, 2017 for the residents. He went over a request from the High School to use the DCI recreation building for temporary use for potential extra classrooms. He reported on the beach revenue and advised that this year is very comparable with only being about \$6,000 behind last year. He went over Big Sea Day events which will be held next Saturday.

Audience Participation

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

MaryAnn Duffy, 3 McGreevey Drive inquired about the curbs on Sea Girt Avenue along their property and how do they get the curbs replaced.

Mayor Donovan stated that the code states that the curbs and sidewalks are the responsibility of the homeowner.

Ms. Duffy stated that her husband was told that if it is looked at in a certain way that the town would either pick up all the cost or it would be a 50/50 situation.

Council Member Mangan stated only if it is a part of a larger project.

AUGUST 7, 2017

Mayor Donovan stated that if it was part of a larger project the resident would get the economy of scale and the contractor would most likely come in with a lower rate for residents. He stated that there is an ongoing list of streets to be repaired throughout town.

There was a discussion on the process and the possibility of doing just curbs and sidewalks.

Mary Ryan, 113 Beachfront thanked everyone for the opportunity for the MBIA to request the use of borough property.

Craig Dellegrippo, 251 Cedar Avenue thanked everyone for their service and voiced his concern over the woods near the NJ Transit property being used as a bathroom and the trash that has accumulated near the tracks.

Council Member Mangan stated that the Borough has asked NJ Transit before and it takes a while for them to clear out the brush.

Council Member Lee stated that last year it was on the other side of the tracks.

Mr. Dellegrippo requested that a police officer take a look every day to make sure that everything is ok in the area.

Paul Samuels, 138 Marcellus Avenue thanked council for recognizing the first responders at yesterday's fire. He stated that in addition to Manasquan there was South Wall, Brielle, Sea Girt, as well as Asbury Park and they should also be recognized. He thanked the DPW for covering the pot holes on Mount Lane.

Terri Samuels, 138 Marcellus Avenue stated that she is representing the residents of Mount Lane and Marcellus Avenue and they are requesting that Mount Lane and Marcellus east of Route 71 be paved because of safety reasons. She read the petition that was submitted to the Municipal Clerk.

Council Member Read stated that Mount Lane is on the top of the list of streets to be repaired and that this is not just a paving project but an infrastructure project which will be a significant investment. He stated that they are looking into a short term solution to this problem.

Lori Centrella, 5 North Main Street voiced her concerns on the speed that vehicles move on the curve and inquired about better signage. She also voiced her concern with pedestrian safety throughout town and lowering the speed limit on the curve to 15 mph.

Mayor Donovan stated that the signage could probably be done immediately and there used to be a sign for the suggested speed of 10 mph.

Ms. Centrella disagreed with Mayor Donovan.

Council Member Bossone stated that he has a committee meeting coming up and they can discuss it at that time.

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

Council Member Walsh made a motion to close the regular meeting at 7:51 p.m., seconded by Council Member Mangan. Motion carried unanimously.

Respectfully Submitted,



Barbara Ilaria
Municipal Clerk

DATE APPROVED 9/5/17