

SEPTEMBER 5, 2017

Regular Meeting of Mayor and Council was convened at 7:00 p.m. on September 5, 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.

Council Member Mangan made a motion to add Item #5 Personnel to the closed session agenda, seconded by Council Member Read. Motion carried unanimously.

Council Member Mangan made a motion to table the first reading of ordinances 2226-2238 until the next scheduled meeting, seconded by Council Member Walsh. Motion carried unanimously.

Council Member Walsh made a motion to move the discussion of Extending timeframe for dogs on the beach up on the agenda, seconded by Council Member Bossone. Motion carried unanimously.

Extending Timeframe for Dogs Allowed on the Beach - Discussion

Mayor Donovan stated that this item is on the agenda as a result of a petition that was submitted requesting that dogs be allowed on the beach for an extended period of time beyond what is allowed by current ordinance. He advised that the time requested is from October 1 until April 30 and that the request was submitted to the Beach Committee for review.

Council Member Lee advised that the committee has reviewed the petition and the additional e-mails sent prior to the meeting and would like to get additional comments tonight. He went over the concerns regarding the request and advised that the April 30 date would be a challenge with the beach area getting ready for the season. He suggested that April 15 would be the date that would work for the beach crew getting the beach ready for the season. He went over the possibility of dog mitt stations and he advised that the Boardrider surfers have offered to fund the purchase of mutt mitt stations. He went over the mitt mutts, signage, borough ordinances regarding dogs, and the timeframe requested. He stated that the committee is looking into the budget for an education component to be added so people are informed.

Council Member Walsh made a motion to open the meeting up to the public for discussion on any agenda item, seconded by Council Member Mangan. Motion carried unanimously.

John Winterstella, 436 Cedar Avenue commented on Mallard Park and wanted to make sure that he will have an opportunity to voice his concerns and views.

Mayor Donovan stated that there will be a public hearing after the presentation of the Open Space Trust Grant tonight where Mr. Winterstella would have an opportunity to speak.

Robin Cefalo, 44 McLean Avenue voiced her concerns and opinion on the extension of dogs being allowed on the beach. She is not in favor of extending the time.

Daniel Kerry, 52 Second Avenue voiced his concerns and opinion on the extension of dogs being allowed on the beach. He is not in favor of extending the time. He also voiced his concern that this subject is being rushed into and it should be discussed at a future meeting.

Tom Sims, 151 Second Avenue thanked the Mayor and Council for giving him a chance to speak. He voiced his concerns and opinion on the extension of dogs being allowed on the beach. He went over the ordinances that the Borough already has and he believes that they are not being enforced. He believes there needs to be responsible dog owners and enforcement of current ordinances.

Arlene Donegan, 101 Ocean Avenue voiced her concerns and opinion on the extension of the dogs on the beach and the cleaning up after dogs currently. She also commented on the signage and the dog beach at the cove. She advised that she is not in favor of the change.

Steve Crawford, 66 Central Avenue voiced his opinion on the request and advised that he is in favor of it.

John Ketner, 111 Beachfront voiced his concern and opinion on the request and that he believes there is not enough enforcement of the current ordinances.

Pat Paulovich, 113 First Avenue voiced her concerns and opinion on the request and advised that she is very afraid of dogs and would like to make sure that the leash law and picking up after a dog is enforced.

Mary Beth Glaccum, Global Risk Management Advisors, resident of Brielle advised that she has a facebook for dog owners and she would be happy to help get the word out about the ordinances to be followed.

Mary Ryan, 113 Beachfront voiced her concerns and opinion on this request and suggested a certain area of the beach be designated for the dogs.

Tom Paulovich, 113 First Avenue voiced his concerns and opinion on this request and advised that he has observed dogs on the beach with no leash and owners not picking up after the dog. He suggested that enforcement of the current rules and demonstrate that before the extension is granted.

Stephanie Crawford, 66 Central Avenue voiced her opinion on the request and advised that she is in favor of working the details through to allow the extension of dogs on the beach.

Eric Kuper, 169 South Street voiced his opinion on the request to extend the dogs on the beach and he advised that he is in favor of sharing the beach by the separation of the beach area for dogs. He stated that there needs to be better enforcement

Kathy Weston, 40 Parker Avenue stated that she agrees with everyone and believes all residents can work together.

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

Council Member Lee stated that after hearing all the input on this subject that this will have to go back to the committee for review and discuss what has been brought forward at this meeting by the residents.

Proclamation – Squan Village Historical Society 30th Anniversary

Whereas, in March of 1986, 63 persons organized a local historical society to serve as the administrative base for the Manasquan Borough Centennial festivities; and

Whereas, the name for the group, the Squan Village Historical Society, was accepted and by-laws were written at that meeting, and

Whereas, the group served as the Manasquan Centennial Committee for the remainder of 1986 into 1987; and

Whereas, the first regular meeting of the Squan Village Historical Society was held at Manasquan Borough Hall on December 9, 1987; and

Whereas, the group's mission is to develop and preserve the history of Manasquan and its environs; and

Whereas, around 1984-1986 a group called "Save Our Station" helped to raise the funds to restore the Manasquan Train Station. The station was rebuilt, and the Squan Village Historical Society as well as other groups used it for meetings beginning in 1987; and

Whereas, the train station was destroyed by fire in 1996, and many artifacts were destroyed. However, the Squan Village Historical Society was able to salvage many items from the building; and

Whereas, the Historical Society was able to purchase The Bailey-Reed House Museum at 105 South Street, Manasquan in 1997. The property is one of the oldest in southern Monmouth County. The SVHS restored the house as well as the 1813 barn on the rear of the property. Individual rooms in the Museum are designed and furnished in a manner similar to that of the years the house has been in use. The earliest section was built in the late 1700s and may now be viewed much as it would have been in that time period. Other rooms depict the house as it was in early, mid, and late 1800s; and

Whereas, The Bailey-Reed House Museum is open the second Sunday of each month from 1:00 to 4:00 pm. People may tour the Museum as well as receive assistance in researching local family genealogy and viewing copies of The Coast Star from 1910-2000. Appointments should be made for assistance in researching local genealogy; and

Whereas, in addition to the second Sunday of each month, the Bailey-Reed House also opens by appointment for special tours for groups, organizations or students; and

Whereas, the Squan Village Historical Society has its regular monthly meeting the second Wednesday of each month at 7:30 pm excluding January, February, July and August. Meetings include a speaker on a subject of historical interest, light refreshments and a short business meeting. All are welcome to visit Manasquan's Museum and take a step back into the past.

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 September 5, 2017, as Squan Village Historical Society Day on the occasion of their 30th anniversary and in recognition of the organization's valuable service to the Borough of Manasquan.

Approval of Minutes

Regular Meeting Minutes – August 7, 2017

Regular Meeting Minutes – August 21, 2017

Council Member Walsh made a motion to approve the minutes, seconded by Council Member Mangan. Motion carried unanimously with Council Member Olivera abstaining from the August 21, 2017 minutes.

Monmouth County Open Space Trust Fund Grant Public Hearing Mallard Park Improvement Phase 3

Robert Mannix from Maser Consulting PA presented the Monmouth County Municipal Open Space project which would include a Phase III for the Mallard Park Project which would include the two (2) side fields. He went over the scope which included irrigation, equipment shed, drinking fountains, and multi-purpose field improvements. He also went over the process for the grant and budget amounts.

Council Member Olivera went over how these improvements came about from a Parks Day where residents brought their ideas forward regarding the use of the parks. He stated that Mallard Park was one of the biggest issues for improvements. He stated that there are 3 grants and 3 phases but the work will be done all in one phase.

Council Member Lee stated that Tom Flarity, Administrator was able to secure an extension for the grant funding and that Phase 1 and 2 will run out at the end of 2018.

Council Member Olivera commented on the ongoing maintenance of Mallard Park with the firemen for their fair. He stated that the borough needs to make sure that they are building something that is sustainable.

Council Member Lee stated that Mallard Park is a partnership with the school, recreation, firemen, and residents and they will be responsible for the upkeep of the park.

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

John Winterstella, 436 Cedar Avenue commented on his knowledge and geology of Mallard Park. He stated that about 2 feet down is an impervious clay barrier where water will not go through it. He stated

that when the curbs were put in there was a major flooding problem with water coming over the curbs. He stated that in 1987 the Borough dug a whole about 8 x 8 in the middle of Mallard Park and went below the clay barrier which was about 7 feet and filled it with trap rock and covered it with grass. He stated that it has worked very well over the years as it relates to draining the park. He stated that this is important because if the park is going to be raised in anyway the neighbors will be complaining as they will get more flooding on their property. He commented on the irrigation system and the type of material that will be used as it will need to be conducive to salt water as the park floods 3 times a year without it being storm related. He commented on the trees and sidewalks and that the trees that are they have shallow roots and will be affected if they get cut. He voiced his concerns on the irrigation system as he believes it is not needed and he is not sure what benefits of an irrigation system there against the difficulties the Borough will have maintaining with the salt water issues. He went over an agreement back in 1987 with the school to put in the baseball field where the Borough would construct the backstop and they would maintain the fields.

Mr. Mannix stated that sidewalks are not included in this project and the irrigation system is included.

Mr. Winterstella asked if the Fireman's Fair would still be at Mallard Park.

Mr. Mannix stated that it would and they are working the project around the fair.

Mr. Winterstella asked if there was going to be permanent bathrooms at the park.

Council Member Lee stated that there will not be a permanent structure for bathrooms.

Mr. Winterstella stated that he believes that Green Acres would have an issue with a permanent structure.

Council Member Mangan stated that Green Acres wanted the Borough to have more structures put into the current plan. He stated that the Borough had to fight really hard to get approval since there are not permanent structures in the project.

Mr. Winterstella stated that his concern is the maintenance of the area and that at some point the Borough has to look at its No Dogs in Park ordinance. He stated that he believes dogs should be allowed in Mallard Park but not the kiddie park across the street. He stated that the Fireman's Fair is a great community event and the project should be worked out for it to stay.

Mayor Donovan stated that for the past 2 years the council has passed a resolution allowing dogs in certain parks.

Council Member Lee stated that there is no intent to eliminate the fair from Mallard Park.

Bob Grunder, 417 Perrine Blvd. inquired about the proposed plan and what the yellow dots on the plans represent.

Mr. Mannix stated that the yellow dots represent landscaping and that this is just a concept plan for the borough.

Mr. Grunder stated that since the boat docks have been completed, in May, he reported that there was a light out on the dock and it has not been fixed yet. He stated that there are an additional 6 or 7 lights out or flickering.

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

**RESOLUTION
227-2017**

**RESOLUTION AUTHORIZING THE BOROUGH OF
MANASQUAN TO APPLY FOR A 2017 MONMOUTH
COUNTY MUNICIPAL OPEN SPACE GRANT FOR
MALLARD PARK IMPROVEMENTS PHASE 3 PROJECT**

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS, the Governing Body of the Borough of Manasquan desires to obtain County Open Space Trust Funds in the amount of \$138,000.00 to fund the Mallard Park Improvements – Phase 3 project, located at S Potter Ave and Cedar Ave, Block 133, Lot 21; Block 137, Lot 13; Block 138, Lot 1; Block 140, Lot 13; Block 141, Lot 13; and Block 142, Lot 10; and

WHEREAS, the total cost of the project including all matching funds is \$276,000.00; and

WHEREAS, the Borough of Manasquan is the owner of and controls the project site.

NOW, THEREFORE, BE IT RESOLVED BY the Mayor and Council of the Borough of Manasquan that:

1. Thomas Flarity, Borough Administrator or his/her successor is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the municipal contact person and correspondent of the above named municipality; and
2. The Borough of Manasquan is committed to this project and will provide the balance of funding necessary to complete the project as described in the grant application in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations and statutes thereto; and
4. Thomas Flarity, Borough Administrator or his/her successor is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and
5. This resolution shall take effect immediately.

Council Member Lee made a motion to approve this resolution, seconded by Council Member Walsh. Motion carried by the following vote: “yes” Council Member Lee, Walsh, Mangan, Olivera, Read, and Bossone. “No” none.

Appointment of Citizen Advisory Committee Members (Carried from previous meeting)

Council Member Mangan stated that there were a few residents appointed at the last meeting but he is going to read the names of all the members of the committee for approval. He stated that the members are as follows: Jay Bryant, Lauren Lake, Robert Ferrante, Mark Herrmann, Eric Oldmixon, Sheila Vidario, Devon Thompson, Cara Shreck, John Lamaccia, Mark Mead, Mike Brown, and Chrissy Rice.

Council Member Bossone made a motion to accept the nominations for the Citizen Advisory Committee, seconded by Council Member Olivera. Motion carried unanimously.

Council Member Mangan stated that the first meeting is scheduled for September 20.

Use of Borough Property

- Manasquan Fire Dept. 9/11 Ceremony – Plaza 6 pm.

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

Request from Brielle Fire Co. Use of Beach Tractors – October 27 & 28

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

Engineer's Monthly Report

Mr. Robert Mannix went over the engineer's August report.

Council Member Lee went over the TAP grant and advised that the Borough secured \$1,000,000 for this grant.

CONSENT AGENDA

**RESOLUTION
223-2017**

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, Monmouth County, New Jersey, the contract for Improvements to South Street Sanitary Pumping Station by Electro Maintenance Inc., 5133 W. Hurley Pond Road Farmingdale, NJ 07727 in accordance with the Plans and Specifications, as directed by Maser Consulting, 331 Newman Springs Road, Suite 203, Red Bank New Jersey 07701. Said construction is hereby accepted; and

WHEREAS, the Contractor having supplied a Maintenance Bond (Number 14055064) in the amount of Six Thousand Six Hundred Eighty Dollars and 00/100 (\$6,680.00 .00) for a period of Two (2) years from March 9, 2015; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the following:

Maser Consulting
331 Newman Springs Road, Suite 203
Red Bank, NJ 07701

Electro Maintenance Inc.
5133 W. Hurley Pond Road
Farmingdale, NJ 07727

**RESOLUTION
224-2017**

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, Monmouth County, New Jersey, the contract for the Third Avenue Parking Lot and Miscellaneous Beachfront Improvements by All Surface Asphalt Paving, Inc. 528 Hardenberg Avenue, Point Pleasant, New Jersey 08742, in accordance with the Plans and Specifications, as directed by T&M Associates, 11 Tindall Road, Middletown, NJ 07748. Said construction is hereby accepted; and

WHEREAS, the Contractor having supplied a Maintenance Bond (Number B10022132) in the amount of Seventy-Four Thousand, Three Hundred Ninety-three and 69/100 (\$74,393.69) for a period of Two (2) years from August 1, 2014; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the following:

T&M Associates
9 Grande Avenue
Toms River, NJ 08753

All Surface Asphalt Paving, Inc.
528 Hardenberg Avenue

SEPTEMBER 5, 2017

Point Pleasant, NJ 08742

**RESOLUTION
225-2017**

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, Monmouth County, New Jersey, the contract for the Ridge Avenue Water Main Replacement by Mark Woszczak Mechanical Contractors, Inc. 1700 W. Atlantic Avenue Manasquan, New Jersey 08736 in accordance with the Plans and Specifications, as directed by T&M Associates, 11 Tindall Road, Middletown, NJ 07748. Said construction is hereby accepted; and

WHEREAS, the Contractor having supplied a Maintenance Bond (Number B1137594) in the amount of Forty Three Thousand, Three Hundred Seventy Six Dollars and 00/100 (\$43,376.00) for a period of Two (2) years from August 1, 2015; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the following:

T&M Associates
9 Grande Avenue
Toms River, NJ 08753

Mark Woszczak Mechanical Contractors, Inc.
1700 W. Atlantic Avenue
Manasquan, NJ 08736

**RESOLUTION
226-2017**

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, Monmouth County, New Jersey, the contract for the Old Squan Road Water Main Replacement by Mark Woszczak Mechanical Contractors, Inc. 1700 W. Atlantic Avenue Manasquan, New Jersey 08736 in accordance with the Plans and Specifications, as directed by T&M Associates, 11 Tindall Road, Middletown, NJ 07748. Said construction is hereby accepted; and

WHEREAS, the Contractor having supplied a Maintenance Bond (Number B1135606) in the amount of Seventy Two Thousand One Hundred Twenty Three Dollars and 39/100 (\$72,123.39) for a period of Two (2) years from August 1, 2015; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the following:

T&M Associates
9 Grande Avenue
Toms River, NJ 08753

Mark Woszczak Mechanical Contractors, Inc.
1700 W. Atlantic Avenue
Manasquan, NJ 08736

**RESOLUTION
228-2017**

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	1,637,850.61 (Includes 1,526,426.28 County Taxes)
Water/Sewer Fund	13,225.57
Beach Fund	9,411.31
Recreation Bldg Trust	11,139.90
Tourism Trust	2,354.10
Junior Lifeguard	1,510.00
Miscellaneous Trust	557.50
Affordable Housing Trust	36.25
COAH Trust	150.00
Developer's Escrow Trust	312.50
General Capital Fund	297.25
Water/Sewer Capital Fund	4,860.70
Beach Capital Fund	

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

ORDINANCES

The Borough Attorney read the title of ordinance 2225-17 for second reading and final hearing.

ORDINANCE AMENDING CHAPTER 4 (GENERAL LICENSING) SECTION 4-14.5 TOWING AND STORAGE FEES AND CHARGES; CHAPTER 16 (FEES) SECTION 16-1 FEE SCHEDULE ESTABLISHED OF THE BOROUGH OF MANASQUAN CODE IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

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

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

Council Member Read made a motion to pass and publish ordinance 2225-17 according to law, seconded by Council Member Walsh. Motion carried by the following vote: "yes" Council Member Lee, Walsh, Mangan, Olivera, Read, and Bossone. "No" none.

COMMITTEE REPORTS

Public Works Committee – Council Member Bossone reported on event dates coming up. He stated that Sunday, September 10 there will be a shredding event, special bulk pick up will be the week of September 11, fall leaf collection will start October 16; and fall hydrant flushing will start October 2.

SEPTEMBER 5, 2017

Street & Buildings Committee – Council Member Read reported that school opens tomorrow and there will be a lot of activity in that area of town along with fall sports starting. He reported on a mural taking place at the inlet by school students and he advised that there was a meeting to go over the use agreement of the SBLSS.

Public Safety Committee – Council Member Olivera went over the police department report for the summer with total of arrests and summonses issued.

Administration & Finance Committee – Council Member Mangan advised that he does not have anything to report and went over the items on the agenda for closed session.

Building, Planning & Zoning Committee – Council Member Walsh went over the code/construction/zoning permits issued to date compared to last year.

Beach & Recreation Committee – Council Member Lee thanked the Tourism Commission for all the programs that the commission continues to provide the Borough. He reported that the preliminary revenues for the beach have surpassed last year and are close to \$1.9 million. He advised that it was a great year and that the Asbury Park Press voted Manasquan #1 Best Beach. He advised that the Squan Soccer Program starts next week.

Audience Participation

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

Daniel Carey, 52 Second Avenue voiced his concern with the North End Beach Walkway and stated the walkway is getting narrow and he believes the resident on the north side of the walkway is encroaching on Borough Property.

Council Member Walsh advised that the wall is the property of the Borough and that the owner will be required to move the 2x4 that sits on the rail to his property and that the owner will be required to move the storm fencing going out to the beach.

Pat Pellegrini, 394 Euclid Avenue inquired about the zoning and master plan and she is concerned about the flooding and lot coverage. She inquired as to how she can obtain a copy of the ordinances.

Council Member Mangan stated that the ordinances were posted with the agenda.

Mr. Kitrick went over the process of the master plan report and the ordinances.

Mary Ryan, 113 Beachfront thanked everyone involved regarding the discussion tonight regarding the extension of the dogs on the beach.

Bob Grunder, Perrine Blvd. suggested that everyone drop their subscription to NJ Magazine because they dropped the borough from their list of 100 best towns to live in.

Council Member Walsh made a motion to close the public portion, 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 close the regular meeting at 7:28 p.m., seconded by Council Member Read. Motion carried unanimously.