

JANUARY 16, 2018

Regular Meeting of Mayor and Council was convened at 7:00 p.m. on January 16, 2018 in Council Chambers of Borough Hall with Mayor Donovan presiding.

Mayor Edward 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 Jeffrey Lee, James Walsh, Michael Mangan, Gregg Olivera, and Richard Read.

Absent: Council Member Joseph Bossone

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

Council Member Mangan made a motion to amend the agenda to include ordinance 2249-18 Amending and Designating Standing Committees and ordinance 2250-18 Establishing STOP Intersections at Various Areas for first reading, seconded by Council Member Walsh. Motion carried unanimously.

Audience Participation

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

Bob Duerr, 614 Cedarcrest Drive, Brielle read a statement in favor of resolution 40-2018 opposing offshore drilling. He stated that there is only one public hearing in New Jersey on February 14, 2018 in Hamilton, New Jersey.

Mary Ryan, 113 Beachfront read a prepared statement on behalf of the Manasquan Beach Improvement Association in favor of resolution 40-2018 opposing offshore drilling.

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

Approval of Minutes

Regular Meeting Minutes – December 18, 2017

Regular Meeting Minutes – December 29, 2017

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

Proclamation – Borough of Manasquan School Choice Week

Mayor Donovan read the following proclamation.

WHEREAS, all children in Borough of Manasquan should have access to the highest-quality education possible; and

WHEREAS, Borough of Manasquan recognizes the important role that an effective education plays in preparing all students in the Borough of Manasquan to be successful adults; and

WHEREAS, quality education is critically important to the economic vitality of the Borough of Manasquan; and

WHEREAS, the Borough of Manasquan is home to a multitude of excellent education options from which parents can choose for their children; and

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WHEREAS, educational variety not only helps to diversify our economy, but also enhances the vibrancy of our community; and

WHEREAS, our area has many high quality professionals who are committed to educating our children; and

WHEREAS, School Choice Week is celebrated across the country by millions of students, parents, educators, schools and organizations to raise awareness of the need for effective educational options;

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 21 – 27th, 2018 as “Borough of Manasquan School Choice Week” in the Borough of Manasquan.

Code/Construction Department - Update

Council Member Walsh stated that Frank DiRoma, Manager of zoning, code and construction department is present to highlight some aspects of the department.

Council Member Mangan stated that at every council meeting this year there will be a department head attending on a rotating basis.

Mr. Frank DiRoma went over statistics regarding the Community Rating Service (CRS) and the discounts it brings to the homeowners of the Borough for flood insurance. He stated that there is still an upload of new homes being built and otherwise construction has leveled off.

There was discussion on summer activities in this department.

Engineer's Monthly Report

Mr. Robert Mannix, Maser Consulting went over the December 2017 monthly report.

CONSENT AGENDA

RESOLUTION 10-2018

WHEREAS, the Mayor and Council of the Borough of Manasquan reimburse officials, officers and employees for automobile business usage, and

WHEREAS, the Mayor and Council are desirous of setting a rate for automobile business usage, and

WHEREAS, the State of New Jersey reimbursement rate for standard mileage expense rate for automobile business usage for Fiscal Year 2016-2017 will be 31.0 cents per mile.

RESOLUTION 30-2018

WHEREAS, N.J.S.A. 40:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2018 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the attached appropriations constitute the 2018 budget:

2018 TEMPORARY BUDGET – SEE ATTACHED SCHEDULE

RESOLUTION 32-2018

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BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, that the resignation of John Ryan as a Member of the Manasquan Shade Tree Commission effective December 31, 2018 be and is hereby accepted.

**RESOLUTION
33-2018**

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: Mr. and Mrs. Mark Neuwirth
606 Oceanview Road
Brielle, New Jersey 08730

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #26-2016
SUSAN AND MARK NEUWIRTH
66 CHURCH STREET
BLOCK: 22 – LOT: 32.03 –ZONE: R-2
AMOUNT OF REFUND DUE: \$1687.50

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
34-2018**

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 Heads have the following 2017 vacation days and are requesting to carry them over to 2018 as permitted by policy and approval by the Mayor and Council:

	2018
Tom Flarity	8 Days
Barbara Ilaria	15 Days
Marie Higgins	28 Days
Frank DiRoma	12 Days
Amy Spera	1 Day
Kevin Thompson	10 Days
Erik Ertle	7.5 Days
Michael Bauer	21 Days

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan authorize the carry over of the unused 2017 vacation days to 2018 as per Borough Policy.

**RESOLUTION
35-2018**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,
APPOINTING ROBBIN KIRK AS A QUALIFIED PURCHASING
AGENT**

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WHEREAS, the Borough of Manasquan ("Manasquan") is desirous of appointing a Qualified Purchasing Agent; and

WHEREAS, Robbin Kirk meets the statutory qualifications to hold the position.

WHEREAS, Robbin Kirk has agreed to accept such appointment; and

NOW THEREFORE BE IT RESOLVED on the 16th day of January, 2018, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. Robbin Kirk is appointed as Qualified Purchasing Agent
2. The effective date of this appointment is January 16th, 2018.
3. A certified copy of this resolution shall be sent to :

Robbin Kirk
1866 Carol Court
Wall, NJ 07719

**RESOLUTION
36-2018**

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: Mrs. Maryrose Devincens
522 Long Avenue
Brielle, New Jersey 08730

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #49-2004
EUCLID AT MANASQUAN
JOHN DEVINCENS ESTATE
EUCLID & S JACKSON AVENUES
BLOCK: 115 – LOT: 9.06 –ZONE: R-1
AMOUNT OF REFUND DUE: \$4321.75

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
37-2018**

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: Dr. Michael Rose
96 S Jackson Avenue
Manasquan, New Jersey 08736

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #16-2017
MICHAEL ROSE

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360 RIVER ROAD
BLOCK: 127 – LOT: 3, 4 –ZONE: R-2
AMOUNT OF REFUND DUE: \$918.75

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
38-2018**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that the Borough of Manasquan authorizes the following inspectors on a temporary “as needed” basis at a rate of \$35.00 per hours.

- Steve Winters to fill in for the Fire, Plumbing, Elevator, Electric & Building Sub Code Inspector.
- John Quigley to fill in for the Plumbing Sub Code Inspector.
- Glen Brown will be the fill in Electric Sub Code Inspector

**RESOLUTION
39-2018**

ESTABLISHING A NEW PETTY CASH FUND

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund in any county of municipality by application and resolution, and,

WHEREAS, it is the desire of the Borough Council, of the Borough of Manasquan, County of Monmouth to establish such a fund for the Municipal Clerk in the amount of \$100.00; and

WHEREAS, the custodian for this fund is Barbara Ilaria, who is bonded for the amount of \$1,000,000.00; such custodian shall maintain records for this fund in a manner conducive to proper accounting and auditing procedures;

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

**RESOLUTION
40-2018**

WHEREAS, the United States Federal Government has expressed interest in opening the Atlantic Ocean to offshore oil and gas development and exploration, including risky methods such as seismic air gun blasting; and

WHEREAS, seismic air guns fire intense blasts of compressed air, one of the loudest manmade sounds in the ocean, every ten to twelve seconds for days, weeks, or months on end; and

WHEREAS, seismic air gun noise has been shown to harm and injure dolphins, whales, endangered sea turtles, fish, and other marine life; and

WHEREAS, exploratory and commercial drilling, extraction, and transportation of offshore oil and gas resources pose a significant risk of oil spills and chronic leakage which would adversely effect the Borough of Manasquan; and

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WHEREAS, eventual offshore drilling may require significant onshore infrastructure, such as pipelines and/or refineries, which would harm the character of the New Jersey Coast; and

WHEREAS, offshore drilling activities pose threats to treasured vacation destinations along the entire New Jersey Coast including the Borough of Manasquan, which are an intrinsic economic value for numerous industries, provide important essential habitats for recreational and commercial fisheries, and

WHEREAS, the Borough of Manasquan recognizes that the tourism and fishing industries, which depend on a healthy and vibrant coastal environment, both serve as major economic drivers benefiting current and future residents, property owners, and visitors to the Jersey Shore; and

WHEREAS, the Borough of Manasquan endeavors to be a good steward of the state and region's environment and its resources; and

WHEREAS, exploration and development of oil and gas resources off the east coast of New Jersey will not effectively address the long-term energy needs of the United States; and

WHEREAS, offshore oil and gas drilling and exploration, including seismic air gun blasting in the Atlantic Ocean in close proximity to New Jersey's shoreline would put New Jersey's environment, beaches, marine resources, and local economies at risk;

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

1. The Mayor and Council of the Borough of Manasquan oppose offshore oil and gas drilling, exploration, and development, including seismic air gun blasting, in the Atlantic Ocean off the East Coast of New Jersey.
2. The Mayor and Council of the Borough of Manasquan urge the United States government not to pursue or allow offshore oil and gas drilling, exploration, and development, including seismic air gun blasting, in the Atlantic Ocean off the East Coast of New Jersey.
3. The Mayor and Council of the Borough of Manasquan recommends the government of the United States forego and forbid offshore oil and gas drilling, exploration, and development in the Atlantic Ocean off the East Coast of New Jersey.
4. The Mayor and Council of the Borough of Manasquan recommends the use of non-polluting sources of renewable energy, such as solar and wind, that pose less risk to the sensitive coastal environment and economic health of the area before using the uncertain method of seismic air gun blasting in the pursuit of offshore oil and gas deposits.
5. The Borough Clerk is directed to send copies of this Resolution to members of the Monmouth County Board of Chosen Freeholders, our New Jersey State Legislators, and our United States Congressional Delegation.

**RESOLUTION
41-2018**

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	94,845.28
Water/Sewer Fund	279,540.80
Beach Fund	259.56
Recreation Bldg Trust	7,214.69
Recreation Comm	8,225.13
Developer's Escrow Trust	700.00
Reserve for Animal Control	100.00
General Capital Fund	
Water/Sewer Capital Fund	
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, and Read. "No" none.

ORDINANCES – First Reading

The Borough Attorney read the title of ordinance 2249-18 for introduction.

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2 (ADMINISTRATION) SECTION 2-5.20 STANDING COMMITTEES DESIGNATED AND SECTIONS 2-5.26 ADMINISTRATION COMMITTEE, SECTION 2-5.27 FINANCE COMMITTEE, SECTION 2-5.28 RECREATION COMMITTEE, 2-5.29 CODE COMMITTEE, 2-5.30 PUBLIC SAFETY COMMITTEE, AND 2-5.31 PUBLIC WORKS COMMITTEE IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

Council Member Mangan made a motion to introduce ordinance 2249-18, seconded by Council Member Read. Motion carried by the following vote: "yes" Council Member Lee, Walsh, Mangan, Olivera, and Read. "No" none.

The Borough Attorney read the title of ordinance 2250-18 for introduction.

ORDINANCE TO AMEND SECTION 7-11 (STOP INTERSECTIONS) OF CHAPTER 7 (TRAFFIC) OF THE BOROUGH OF MANASQUAN TO ESTABLISH STOP INTERSECTIONS AT VARIOUS LOCATIONS IN THE BOROUGH OF MANASQUAN, MONMOUTH COUNTY, NEW JERSEY

Council Member Olivera made a motion to introduce ordinance 2250-18, seconded by Council Member Walsh. Motion carried by the following vote: "yes" Council Member Lee, Walsh, Mangan, Olivera, and Read. "No" none

COMMITTEE REPORTS

Finance Committee – Council Member Read went over the budget schedule for 2018.

Public Safety Committee – Council Member Olivera went over his yearend report which included programs that the police department implemented or continued in 2017 and the total number of summonses issued.

Administration and Finance Committee – Council Member Mangan thanked everyone for their involvement in the launching of the new website. He advised that the people should also contact Congressman Smith's office and Senators Booker and Menendez to voice their opposition to the offshore drilling. He stated that he personally thinks that it is in Manasquan's interest, New Jersey's interest and the Nation's interest to look at different ways to get energy.

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Code Committee – Council Member Walsh echoed Council Member's words. He advised that the committee is working on the budget.

Recreation Committee – Council Member Lee thanked everyone for their concerns and voices for the opposition of the offshore drilling. He thanked everyone that was involved in the past snow storm for their due diligence to get the roads cleared and that pot holes will be addressed.

Audience Participation

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

Joann Korb, 465 Euclid Avenue voiced her concerns and disappointment with an issue with drainage and standing water on the street and sidewalk.

There was discussion on what has been discovered at this site and the issues concerning the repair of the area.

Council Member Walsh made a motion to close the public portion, seconded by Council Member Olivera. 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 minutes.

Council Member Olivera made a motion to close the regular meeting at 9:04 p.m., seconded by Council Member Mangan. Motion carried unanimously.