

MARCH 5, 2018

Regular Meeting of Mayor and Council was convened at 7:01 p.m. on March 5, 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, Michael Mangan, James Walsh, Gregg Olivera, Richard Read, and Joseph Bossone

Absent: None

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

### **Audience Participation**

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

Mary Ryan, 113 Beachfront inquired about the request from the Boardriders club fee exemption.

Mayor Donovan advised that the organization is asking to have the fee waived for a specific event.

Erica Infonte Neil, 107 Colby Avenue read a statement regarding her husband Harry Neil's employment at the Beach which went over his qualifications, background, and accomplishments.

Brady Shea, 2121 Manasquan Road, Wall read a statement from his brother requesting that the resolution to advertise for Chief Lifeguard be removed and appoint Mr. Neil to the job of Chief Lifeguard.

Doug Anderson, 617 Woodland Avenue, Brielle advised that he along with most of the audience is present to support Harry Neil.

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

### **Use of Borough Property**

- Mud Run for Fun – Sea Watch Beach Area – 9/16/18 – 10 am

A representative from the organization was present to explain the event and answer any questions of the council.

Council Member Bossone made a motion to have the organization work with Recreation, seconded by Council Member Mangan. Motion carried unanimously.

- Beach Wedding – Inlet Beach – 6/30/18 – 10 am

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

- Sea Lavender Club Ticket Sales – Squan Plaza Gazebo – 6/29/18 – 9 am to 3 pm

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

- Hook & Ladder Coin Toss – 5/28/18, 7/7/18, 8/18/18 – 8 am to 1:30 pm

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

- Environmental Comm. –S. Street Plaza – Electric Car Show – 6/3/18 - 12 -3 pm

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

- Beach Wedding – Inlet Gazebo – 6/1/18 – 6 pm

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

- Easter Sunrise Service – Inlet Gazebo – 6 am

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

- Tourism Events – Various Places and Dates

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

#### **Request from Boardriders Club to Waive Fees for Use of Beach**

Council Member Bossone made a motion to approve the request for the current requested event, seconded by Council Member Read. Motion carried unanimously.

#### **Beach Department/ Recreation – Update**

Superintendent of Beach/Recreation Erik Ertle updated council and the audience on the pre-sale dates and places where purchases can be made. He also had an update on equipment upgrades, new guard stands, repairs and purchases of equipment and vehicles. He also had updates on repair of beach buildings and sand replacement operations. He went over other events that will be happening at the beach this year.

Council Member Mangan went over the finance part of the beach utility and bond ordinances.

Mr. Ertle had an update on the Recreation Commission and events that are ongoing and coming up.

#### **Request to Extend Sunday Liquor Sales**

There was discuss on a request from Spirit of '76 to extend Sunday liquor sales.

Council Member Mangan stated that he believes that this has reached the limit to accept it this way and recommended that this be referred to the Public Safety Committee for an Ordinance Change.

Council Member Olivera stated that he has looked at the surrounding towns' ordinance and he believes it is time to revise the ordinance.

#### **Engineer's Monthly Report**

Mr. Robert Mannix went over the Engineer's report for February.

There was discussion on the request to extend the Stockton Lake Boulevard Project grant and discussion on the upcoming East Main Street Project and the area to be affected.

Council Member Bossone requested a 5 minute recess.

Council Member Bossone requested that resolution 91-2018 be removed, seconded by Council Member Walsh. Motion carried by the following vote: "yes" Council Member Lee, Walsh, Mangan, Olivera, Read and Bossone, "No" none.

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Council Member Olivera made a motion to add resolution 93-2018 Amending Temporary Capital Budget to the consent agenda, seconded by Council Member Read. Motion carried unanimously.

**CONSENT AGENDA**

**RESOLUTION  
82-2018**

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

**WHEREAS**, a refund of monies are due to the following:

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

AMOUNT OF REFUND DUE: \$500.00

REASON FOR REFUND: TRAILER STORAGE POMPA  
LOT

**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  
83-2018**

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

**WHEREAS**, a refund of monies are due to the following:

NAME: JACOB KLEINKNECHT  
6-8 MAIN STREET  
MANASQUAN, NJ 08736

AMOUNT OF RETURN DUE: \$500.00

REASON FOR RETURN: STREET OPENING 2ND  
SO#16/2017 6-8 MAIN ST

NAME: HERRMANN CONSTRUCTION INC.  
52 TAYLOR AVE  
MANASQUAN, NJ 08736

AMOUNT OF RETURN DUE: \$500.00

REASON FOR RETURN: STREET OPENING 2<sup>ND</sup>  
SO#108/2016 369 E.MAIN ST

NAME: JEFFREY WOSZCZAK  
1316 JEFFERSON AVE  
MANASQUAN, NJ 08736

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AMOUNT OF RETURN DUE: \$500.00

REASON FOR RETURN: STREET OPENING 2<sup>ND</sup>  
SO#141/2016 109 FIRST AVE

NAME: AME PLUMBING LLC  
7 RODEO COURT  
HOWELL, NJ 07731

AMOUNT OF RETURN DUE: \$500.00

REASON FOR RETURN: STREET OPENING 2<sup>ND</sup>  
SO#87/2015 307 FIRST AVE

**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  
84-2018**

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

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

**BLOCK: 37 / LOT: 7 NAME: KARL & LOURDES LAUBER**

**PROPERTY LOCATION: 1 ATLANTIC AVE**

**AMOUNT: \$1,757.24**

**REASON FOR REFUND: REDEMPTION OF TTL #16-00006**

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

**US BANK CUST PC7 FIRST TRUST BANK  
1000 HADDONFIELD-BERLIN RD, STE 203  
VOORHEES, NJ 08043**

**BLOCK: 37 / LOT: 7 NAME: KARL & LOURDES LAUBER**

**PROPERTY LOCATION: 1 ATLANTIC AVE**

**AMOUNT: \$1,100.00**

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

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

**US BANK CUST PC7 FIRST TRUST BANK  
1000 HADDONFIELD-BERLIN RD, STE 203  
VOORHEES, NJ 08043**

**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**

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85-2018

**RESOLUTION OF THE BOROUGH COUNCIL OF THE  
BOROUGH OF MANASQUAN, COUNTY OF  
MONMOUTH, NEW JERSEY, AWARDED A  
CONTRACT FOR PROVIDING A HEALTH & FITNESS  
PROGRAM FOR ADULTS, SENIORS & CHILDREN TO  
THE TRAINING ROOM/TR2U, LLC.**

**WHEREAS**, the Borough of Manasquan solicited proposals and qualifications for contractors to provide a health and fitness program for adults, seniors and children to the Borough of Manasquan and such process was duly advertised and required proposals and qualifications to be submitted by 10:00 AM on February 15, 2018 in accordance with N.J.S.A. 40A: 11-4.1 et seq; and

**WHEREAS**, a proposal/qualification was received by one contractor; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-4.1, The Training Room/TR2U LLC. has fulfilled the requirements of the proposal/qualification process; and

**WHEREAS**, the proposal and qualifications by The Training Room/TR2U LLC included a term beginning February 1, 2018 and concluding December 31, 2018 or upon expiration of the current Recreation Department lease.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Manasquan that The Training Room/TR2U LLC has been selected to provide a health and fitness program for adults, seniors and children to the Borough of Manasquan for a term to commence on February 1, 2018 and will provide the Borough of Manasquan 20% of monthly gross revenue;

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

The Training Room/TR2U, LLC  
7 Beacon Blvd  
Sea Girt, NJ 08750

**BE IT FURTHER RESOLVED**, that the Mayor and Council authorizes the Borough Attorney to prepare a Contract for the health and fitness program for adults, seniors and children, with The Training Room/TR2U, LLC, and further authorizes the Mayor and Municipal Clerk to execute the agreement noted in this resolution.

**RESOLUTION  
86-2018**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE  
BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH,  
NEW JERSEY, APPOINTING MARGARET KENNEDY AS  
PART TIME KEYBOARDING CLERK 1 IN THE  
CODE/CONSTRUCTION DEPARTMENT**

**WHEREAS**, due to a vacancy, the Borough of Manasquan ("Manasquan") is in need of a part-time Keyboarding Clerk 1; and

**WHEREAS**, Supervising Code Enforcement Officer Frank DiRoma has reviewed the candidates for the position of part-time Keyboarding Clerk 1; and

Whereas, Supervising Code Enforcement Officer has recommended that the Borough of Manasquan appoint Margaret Kennedy as part time Keyboarding Clerk 1.

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**NOW, THEREFORE BE IT RESOLVED** on the 5<sup>th</sup> day of March, 2018, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. Margaret Kennedy is appointed to part-time Keyboarding Clerk I
2. The rate for this position is \$15.00 per hour.
3. The effective date of this appointment is March 19, 2018.
4. A certified copy of this resolution shall be sent to :

Ms. Margaret Kennedy  
1403 Dorsett Dock Road  
Point Pleasant, NJ 08742

**RESOLUTION  
87-2018**

**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: PATRICK KENNY & LAUREN GUARCELLO  
10 MURIEL PL  
MANASQUAN, NJ 08736

AMOUNT OF REFUND DUE: \$12,881.76

REASON FOR REFUND: REFUND TAX PREPAYMENT  
BLOCK 44.01 / LOT 5  
10 MURIEL PL

**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  
88-2018**

**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, 2018; 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  
89-2018**

**CHANGE ORDER NO. 2**

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Be it resolved by the Mayor and Council of the Borough of Manasquan of Monmouth County, New Jersey upon the recommendation of the Borough Engineer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: WTP Lime Slurry Chemical Feed System

CONTRACTOR: CFM Construction, Inc.

ENGINEER: Maser Consulting, PA  
331 Newman Springs Road  
Red Bank, NJ 07701

Change Order No. 2

AMOUNT OF CHANGE FOR THIS RESOLUTION: \$4,650.00

TOTAL AMOUNT OF CHANGE: \$6,710.00

TOTAL ORIGINAL CONTRACT PRICE \$482,850.00

REVISED CONTRACT PRICE \$489,560.00

All bills on file in the Finance Office. This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

**RESOLUTION  
90-2018**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Manasquan that Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, be and is hereby authorized to advertise large boat slips at the rate of a mid-size boat slip for the 2018-2019 season.

**RESOLUTION  
92-2018**

**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	2,548,680.83 (Includes 2,449,781.00 BOE Tax)
Water/Sewer Fund	7,523.85
Beach Fund	2,873.99
Recreation Bldg Trust	7,804.48
Recreation Comm	1,651.81

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Tourism Trust	20.00
Miscellaneous Trust II	400.00
Affordable Housing	37.50
Developer's Trust	4,321.75
Animal Reserve	361.80
General Capital Fund	
Water/Sewer Capital Fund	
Beach Capital Fund	

Also presented by the Borough Attorney was a Temporary Capital Budget Amendment Resolution for the Mallard Park Project (Ordinance 2256-18).

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

#### **ORDINANCES – First Reading**

The Borough Attorney read the title of ordinance 2251-18 for introduction.

**ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, MONMOUTH COUNTY, NEW JERSEY, GRANTING CONSENT TO NEW JERSEY NATURAL GAS COMPANY TO LAY, MAINTAIN, AND OPERATE NATURAL GAS FACILITIES IN THE MUNICIPALITY.**

Council Member Walsh made a motion to introduce ordinance 2251-18, seconded by Council Member Mangan. Motion carried by the following vote: "yes" Council Member Lee, Walsh, Mangan, Olivera, Read and Bossone. "No" none.

The Borough Attorney read the title of ordinance 2252-18 for introduction.

**AN ORDINANCE REGULATING THE STATUTORY AUTHORITY OF VERIZON NEW JERSEY INC., ITS SUCCESSORS AND ASSIGNS TO USE THE VARIOUS PUBLIC STREETS, ROADS, AVENUES, HIGHWAYS AND OTHER PUBLIC WAYS IN THE BOROUGH OF MANASQUAN, MONMOUTH COUNTY, NEW JERSEY, FOR ITS LOCAL AND THROUGH LINES AND OTHER COMMUNICATIONS FACILITIES AND PRESCRIBING THE CONDITIONS THEREOF**

Council Member Walsh made a motion to introduce ordinance 2252-18, seconded by Council Member Read. Motion carried by the following vote: "yes" Council Member Lee, Walsh, Mangan, Olivera, Read and Bossone. "No" none.

The Borough Attorney read the title of ordinance 2253-18 for introduction.

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 35 (ZONING) SECTION 35-5.9 (B-1 BUSINESS ZONE) 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 introduce ordinance 2253-18, seconded by Council Member Lee. Motion carried by the following vote: "yes" Council Member Lee, Walsh, Mangan, Olivera, Read and Bossone. "No" none.



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The Borough Attorney read the title of ordinance 2254-18 for introduction.

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 35 (ZONING) SECTION 35-5.11 (B-3 GENERAL BUSINESS ZONE) OF THE BOROUGH OF MANASQUAN CODE IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY.**

Council Member Read made a motion to introduce ordinance 2254-18, seconded by Council Member Walsh. Motion carried by the following vote: "yes" Council Member Lee, Walsh, Mangan, Olivera, Read and Bossone. "No" none.

The Borough Attorney read the title of ordinance 2255-18 for introduction.

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 35 (ZONING) SECTION 35-5.12 (O OFFICE ZONE) 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 introduce ordinance 2255-18, seconded by Council Member Read. Motion carried by the following vote: "yes" Council Member Lee, Walsh, Mangan, Olivera, Read and Bossone. "No" none.

The Borough Attorney read the title of ordinance 2256-18 for introduction.

**BOND ORDINANCE AMENDING IN ITS ENTIRETY BOND ORDINANCE #2196-15 OF THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, FINALLY ADOPTED SEPTEMBER 21, 2015, IN ORDER TO INCLUDE GRANTS, INCREASE THE APPROPRIATION AND AUTHORIZATION AMOUNTS, INCREASE THE DOWN PAYMENT AMOUNT, AMEND THE USEFUL LIFE AND AMEND THE SECTION 20 COSTS**

Council Member Walsh made a motion to introduce ordinance 2256-18, seconded by Council Member Bossone. 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 Lee thanked emergency management and DPW for the storm prep and all the work that went through the clean up today. He updated the audience on the new upgrade of the water meters and that if the water usage seems off the water department will notify the homeowner of a possible issue.

Code Committee – Council Member Walsh advised that he has nothing to report at this time.

Administration and Finance Committee – Council Member Mangan advised that he has nothing to report at this time.

Public Safety Committee – Council Member Olivera reported that Manasquan School District has reached out to the borough asking for assistance placing an armed officer at the elementary school for the remainder of the school year. He advised that as of today the police department will provide the school with an armed officer from 7 am to 4 pm for the remainder of the school year and that the borough and the school will address how 2018-2019 school year will be handled. He reported on scams that might be affecting residents regarding IRS and taxes.

Finance Committee – Council Member Read reported that the final budget meeting will be March 10, 2018 at 9 am and the water and sewer budget will be presented.

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Beach/Recreation Committee – Council Member Bossone advised that he has nothing to report at this time.

**Audience Participation**

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

There being no comment 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 Walsh made a motion to close the regular meeting at 9:41 p.m., seconded by Council Member Read. Motion carried unanimously.