

APRIL 16, 2018

Regular Meeting of Mayor and Council was convened at 7:01 p.m. on April 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 Auditor Allen Shechter, Borough Administrator Tom Flarity and Borough Attorney Mark Kitrick.

### **Audience Participation**

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

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

### **Proclamation**

#### ***ARBOR DAY 2018***

**WHEREAS**, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees and; and

**WHEREAS**, the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

**WHEREAS**, Arbor Day is now observed throughout the nation and the world; and

**WHEREAS**, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

**WHEREAS**, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

**WHEREAS**, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

**WHEREAS**, trees, wherever they are planted, are a source of joy and spiritual renewal; and

**NOW, THEREFORE**, I, Edward G. Donovan, Mayor of the Borough of Manasquan, do hereby proclaim April 26, 2018 as

#### ***Arbor Day***

in the Borough of Manasquan, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

**FURTHER**, I urge all citizens to plant and care for trees to gladden the heart and promote the well-being of this and future generations.

### **Recognition of Girls Basketball Team and Coaches**

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Mayor Donovan presented each player and the coaches with a Certificate of Recognition for New Jersey State Interscholastic Athletic Associations 2018 Basketball Tournament of Champions. He also presented the head coach with a Certificate of Recognition for being named the Asbury Park Press 2018 Coach of the Season.

**Approval of Minutes:**

Regular Meeting Minutes – March 19, 2018  
Regular Meeting Minutes – April 2, 2018

Council Member Lee made a motion to approve the minutes, seconded by Council Member Walsh. Motion carried unanimously with Council Member Olivera abstaining from the April 2, 2018 minutes.

**Second Reading and Final Hearing**

The Borough Attorney read the title of ordinance 2257-18 for second reading and final hearing.

**CALENDAR YEAR 2018 ORDINANCE TO EXCEED THE  
MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO  
ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

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

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

Council Member Olivera made a motion to pass and publish ordinance 2257-18 according to law, seconded by Council Member Read. Motion carried by the following vote: “yes” Council Member Lee, Walsh, Mangan, Olivera, and Read. “No” none.

**RESOLUTION  
119-2018**

**WHEREAS**, the 2018 approved budget of the Borough of Manasquan, as advertised, has been posted in the Municipal Building at least one week prior to the date of this hearing, and

**WHEREAS**, a copy of the same has been made available to each person requesting it during said week and during public hearing.

**THEREFORE, BE IT RESOLVED**, that having conformed with the conditions set forth in N.J.S. 40A:4-8. The 2017 budget be read by its title.

Council Member Lee made a motion to approve this resolution, seconded by Council Member Read. Motion Carried Unanimously.

**2018 MUNICIPAL BUDGET**

Mr. Shechter went over the budget to be adopted.

Council Member Mangan briefly went over the process that was used to come up with the budget and thanked all involved.

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

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

Council Member Walsh made a motion to adopt the 2018 budget, seconded by Council Member Lee. Motion carried by the following vote: “yes” Council Member Lee, Walsh, Mangan, Olivera, and Read. “No” none.

### **Use of Borough Property**

- MHS Swim Team – One Mile Swim – 7/14/18 – 8 am

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

- Recreation Inter-Coastal Tug –O-War over Inlet – 9/29/18

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

- Recreation Surf Lessons – Sat & Sun – June 30 to July 29

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

- Garden Club Mother's Day Plant Sale – May 12 – Curtis Park – 6 am to 2 pm

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

- SBLSS Comm. Sunrise Tours – Sat & Sun – Aug. 11 to Sept. 23 – 5:45 to 8 am

There was discussion on this event and where the tour would be held.

Council Member Mangan made a motion to carry this request to the next scheduled meeting, seconded by Council Member Lee. Motion carried unanimously.

- MBLL Parade – May 5 – 11 am – Various Streets

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

- SBLSS Comm. Docent Training – May 24 – 6:30 to 8 pm

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

- Gee Gees Beach Volleyball – Tues & Wed – June 5 to Aug. 14

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

### **Finance Department – Update**

Amy Spera, CFO thanked everyone for the work and time that was put into the budget. She updated the council on a new payroll system that the Borough is switching over to and she went over the new system at the beach for employees to check in for work. She stated that she will be starting to look into a financial management company to come in for debt restructuring.

Municipal Clerk Barbara Ilaria advised council that the Swim Team is also requesting to waive the security deposit for their event.

Council Member Read made a motion to waive the security fee, seconded by Council Member Mangan. Motion carried unanimously.

### **CONSENT AGENDA**

Council Member Lee made a motion to amend resolution 127-2018 to change the hourly rate to \$9.50, seconded by Council Member Walsh. Motion carried unanimously.

Council Member Walsh made a motion to add resolution 130-2018 to the Consent Agenda, seconded by Council Member Olivera. Motion carried unanimously.

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**RESOLUTION  
118-2018**

**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: SICA INDUSTRIES, INC.  
1938 ROUTE 37 E  
TOMS RIVER, NJ 08753

AMOUNT OF REFUND DUE: \$500.00

REASON FOR RETURN: TRAILER STORAGE SECURITY  
POMPANO 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  
120-2018**

**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:** 186.02 / **LOT:** 2 **NAME:** KATHLEEN MCKNEE

**PROPERTY LOCATION:** 573 ½ PERCH AVE

**AMOUNT:** \$13,785.27

**REASON FOR REFUND:** REDEMPTION OF TTL #16-00002

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

US BANK CUST BV002 TRST & CRDT  
50 SOUTH 16<sup>TH</sup> ST, SUITE 2050  
PHILADELPHIA, PA 19102

**BLOCK:** 186.02 / **LOT:** 2 **NAME:** KATHLEEN MCKNEE

**PROPERTY LOCATION:** 573 ½ PERCH AVE

**AMOUNT:** \$54,600.00

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

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

US BANK CUST BV002 TRST & CRDT  
50 SOUTH 16<sup>TH</sup> ST, SUITE 2050  
PHILADELPHIA, PA 19102

**WHEREAS**, the Tax Collector has certified that the current lien holder is entitled to the refund.

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**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  
121-2018**

**BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough of Manasquan retains the services of Maser Consulting, 331 Newman Springs Roads Suite 203, Red Bank, New Jersey 07701, for purposes of coordinating the preparation of, and submittal of, the 2017 MSRP Annual Report (Tier A stormwater report) through NJDEP online.

For a total amount not to exceed \$2,500.00 for the services outlined in the proposal dated April 4, 2018.

**RESOLUTION  
122-2018**

**WHEREAS**, the Borough of Manasquan wishes to donate two (2) M35A2 Military Cargo Trucks to the First Aid and Rescue Squad of Somerville, Inc. Department; and,

**WHEREAS**, the Borough of Manasquan wishes to help support the First Aid and Rescue Squad of Somerville, Inc. with the development of their rescue program and the Borough of Manasquan has no need for the old military vehicles as they have been replaced; and,

**WHEREAS**, the Mayor and Council of the Borough of Manasquan is committed to keep costs down and help meet the needs of the First Aid and Rescue Squad of Somerville, Inc. with minimal impact to their taxpayers and our own.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, as follows:

1. That the Borough of Manasquan hereby authorizes the donation of a 1996 M35A2 Military Cargo Truck VIN # 500750NK0G33 with 8,515 miles to the First Aid and Rescue Squad of Somerville, Inc. Department.
2. That the Borough of Manasquan hereby authorizes the donation of a 1996 M35A2 Military Cargo Truck VIN # 505481 with 8,845 miles to the First Aid and Rescue Squad of Somerville, Inc. Department.
3. That the municipal Clerk shall forward a certified copy of this resolution to all parties in interest.
  1. Mayor
  2. Chief Financial Officer
  3. OEM Coordinator
  4. Chief, Frederick Picchiello,  
First Aid and Rescue Squad of Somerville, Inc.

**RESOLUTION  
123-2018**

**BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough of Manasquan retains the services of Maser Consulting, 331 Newman Springs Roads Suite 203, Red Bank, New Jersey 07701, for Mallard Park Phase I, II, & III redesign and rebid services, 2014/2016 Monmouth County Open Space Grant Project:

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- |   |             |
|---|-------------|
| • Phase 1.0 Engineering Design            | \$49,775.00 |
| • Phase 2.0 Public Bidding Services       | \$ 4,500.00 |
| • Phase 3.0 Grant Administration Services | \$ 2,200.00 |
| • Phase 4.0 Construction Administration   | \$91,500.00 |

For a total amount not to exceed \$147,975.00 for the services outlined in the proposal dated Revised March 5, 2018.

**RESOLUTION  
124-2018**

**WHEREAS**, N.J.S.A. 40A:11-5 (1) (a) (1) permits the governing body to award a professional services contract without publicly advertising for bids and bidding therefor; and

**WHEREAS**, the borough council has determined that there is a need for professional services during the 2018 calendar year; and

**WHEREAS**, the borough council has determined to provide the need to acquire these professional services as a non-fair and open contract pursuant to the provisions of N. J. S. A. 19:44A-20.5; and

**WHEREAS**, the chief financial officer of the municipality has determined and certified in writing that the value of these professional services will not exceed \$17,500; and

**WHEREAS**, the anticipated term of these contracts are one year starting April 17, 2018 to May 31, 2019; and

**WHEREAS**, the following professional services provider has or will submit contracts to be reviewed for completeness and approval by the borough attorney indicating that they will provide their services for the agreed upon rate(s) that are contained in their contracts that are on file in the Clerk's Office.

Tri-State Safety Solutions  
1044 Lacey Road, Suite 8  
Forked River, NJ 08731

This appointment is made pursuant to N. J. S. 2B:12-1 et seq.

**WHEREAS**, a certification as to the availability of funds executed by the chief financial officer is attached to this resolution pursuant to the provisions of N. J. A. C. 5:30-5-4;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 16<sup>th</sup> day of April, 2018 as follows:

1. The Business Disclosure Entity Certification of these professionals and the Determination of Value Certification of the chief financial officer shall be filed in the office of the municipal clerk, and shall be available for public inspection.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute a contract with this professional to provide professional service to the municipality for the period of April 17, 2018 to May 31, 2019 year at the agreed upon rate that is contained in the contract/proposal on file in the Clerk's Office.
3. A notice stating the nature, duration, service and the amount of this contract shall be published in the Coast Star and this resolution shall be maintained on file and available for the public inspection in the office of the municipal clerk.
4. A certified copy of this resolution shall be sent to the professional included in this resolution.

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**RESOLUTION  
125-2018**

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

**WHEREAS**, on March 3, 2015 the Borough received a grant award letter in the amount of \$225,000.00 from the New Jersey Department of Transportation (NJDOT) to fund the program;

**WHEREAS**, after careful consideration, the Mayor and Council have decided to decline the 2014 grant from the New Jersey Department of Transportation Safe Routes to School Program to improve certain pedestrian areas within the Borough;

**NOW THEREFORE BE IT RESOLVED**, the borough is desirous of declining the 2014 Grant Award from the New Jersey Department of Transportation (NJDOT) in the amount of \$225,000.00.

**RESOLUTION  
126-2018**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, that the resignation of Rita Coleman as a Member of the Manasquan Shade Tree Commission effective May 1, 2018 be and is hereby accepted.

**RESOLUTION  
127-2018**

**WHEREAS**, the Borough of Manasquan is desirous of appointing Seasonal Laborers for the Department of Public Works; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 16<sup>th</sup> day of April, 2018 appoint the following Department of Public Works employees to Seasonal Laborers:

- Jerry Maher, 26 Beams Terrace, Manasquan hourly rate of \$9.50
- Adam Shreck, 58 N. Main Street, Manasquan hourly rate of \$9.50

**RESOLUTION  
128-2018**

**WHEREAS**, the Borough of Manasquan is desirous of appointing a Special Law Enforcement Officers Class I for the year 2018; and

**WHEREAS**, the Police Captain has submitted the following individual for appointment as Special Law Enforcement Officers Class I for the Borough of Manasquan effective April 17, 2018 at the current contractual rate of \$13.89 per hour:

Timothy Lackner, Hazlet, NJ

**RESOLUTION  
130-2018**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF  
MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,  
APPOINTING DIANE DELLEGRIPPO AS SEASONAL PART TIME**

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**KEYBOARDING CLERK 1 IN THE CODE/CONSTRUCTION DEPARTMENT.**

**WHEREAS**, due to a vacancy, the Borough of Manasquan ("Manasquan") is in need of a seasonal 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 Diane DelleGrippo as seasonal part time Keyboarding Clerk 1.

**NOW, THEREFORE BE IT RESOLVED** on the 16<sup>th</sup> day of April, 2018, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. Diane DelleGrippo is appointed to seasonal part-time Keyboarding Clerk I.
2. The rate for this position is \$15.00 per hour.
3. The effective date of this appointment is April 23, 2018.
4. A certified copy of this resolution shall be sent to :

Ms. Diane Dellegrippo  
251 Cedar Avenue  
Manasquan, NJ 08736

**RESOLUTION  
129-2018**

**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	709,895.48
Water/Sewer Fund	358,943.28
Beach Fund	16,801.51
Recreation Bldg Trust	578.21
Recreation Comm	10,461.24
Law Enforcement Trust	875.00
Street Opening Trust	500.00



Affordable Housing	1,330.00
Developer's Trust	687.50
Animal Reserve	18.60
General Capital Fund	7,724.00
Water/Sewer Capital Fund	
Beach Capital Fund	

Council Member Olivera 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 – Second Reading**

The Borough Attorney read the title of ordinance 2259-18 for second reading and final hearing.

**AN ORDINANCE AMENDING CHAPTER 6 (ALCOHOLIC BEVERAGE CONTROL), SECTION 6-4.2 (SUNDAYS), SECTION 6-4.4 (HOURS FOR SALE OR DELIVERY OF ALCOHOLIC BEVERAGES FOR OFF-PREMISES CONSUMPTION), AND SECTION 6-4.6 (CLOSING PROVISIONS) FOR THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

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

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

Council Member Walsh made a motion to pass and publish ordinance 2259-18 according to law, seconded by Council Member Olivera. Motion carried by the following vote: "yes" Council Member Lee, Walsh, Mangan, Olivera, and Read. "No" none.

### **COMMITTEE REPORTS**

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

Code Committee – Council Member Walsh reported on the March 2018 permits and summonses issued compared to last year.

Administration Committee – Council Member Mangan stated that he has nothing to report at this time. He reported for Council Member Bossone and reported that there are 6 Sea Watch parking spaces available this year and will be offered to Manasquan residents first and then non-residents if there are any still available.

Public Safety Committee – Council Member Olivera reported that the Police Department is participating in Operation Take Back Program with regards to prescription drug turn in program. He also reported that there will be an active shooter drill this Friday at St. Denis which will be multi-jurisdictional and multiple municipality and county with all levels of First Responders participating. He reported on the officers that have recently taken the DWI detection and field sobriety testing.

Finance Committee – Council Member Read thanked the CFO and Auditor for their work on the budget and getting it done on a timely basis.

Council Member Lee reported that next week will be Spring Leaf and Brush cleanup.

### **Audience Participation**

APRIL 16, 2018

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

Dan McCarthy, 87 Parker Avenue inquired about help with the trucks traveling on Parker Avenue.

Council Member McCarthy stated that they will follow up with this next week at a public safety meeting.

Mary Ryan, 113 Beachfront inquired about the Tug of War.

Council Member Mangan went over the details that he is aware of as far as the tug of war is involved.

Ms. Ryan inquired about the surfing lessons and the tours at the SBLSS. She also inquired about the Sea Watch Parking lottery.

Robert Freeman, Taxi Driver in Manasquan from Wall voiced his opinion and concerns with the Uber drivers on First Avenue.

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 meeting minutes.

Council Member Mangan made a motion to close the regular meeting at 8:23 p.m., seconded by Council Member Walsh. Motion carried unanimously.