

FEBRUARY 6, 2012

Regular Meeting of Mayor and Council was convened at 8:00 p.m. on February 6, 2012 in Council Chambers of Borough Hall with Mayor Dempsey presiding.

Mayor Dempsey stated that this meeting is being held in accordance with the Open Public Meetings Act of 1975 and that notice was given to the Coast Star and the Asbury Park Press on December 7, 2011.

Mayor Dempsey 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 Bossone, Connolly, Donovan, Grasso, Mangan, and McCarthy

Absent: None

Also present was Borough Attorney Mark Kitrick and Borough Administrator/CFO Joseph Delorio

PROCLAMATION: Read Across America – NJ

Mayor Dempsey read the following Proclamation:

**READ ACROSS AMERICA-NJ
MARCH 2, 2012**

WHEREAS, the citizens of the Borough of Manasquan stand firmly committed to promoting reading as the catalyst for our students' future academic success, their preparation of America's jobs of the future, and their ability to compete in a global economy; and

WHEREAS, the Borough of Manasquan has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principle that educational investment is the key to the community's well-being and long-term quality of life; and

WHEREAS, *NEA's Read Across America*, a national celebration of reading, will be conducted on March 2, 2012, which would have been the 108th birthday of Theodor Seuss Geisel, better known as Dr. Seuss; and

WHEREAS, *Read Across America-NJ* is being conducted statewide by the New Jersey Education Association, in partnership with the New Jersey State League of Municipalities, the New Jersey Library Association, and their local affiliates across the state to promote reading and adult involvement in the education of our community's students;

NOW, THEREFORE, BE IT RESOLVED, that I, George R. Dempsey, Jr., Mayor of the Borough of Manasquan, on behalf of the Borough Council and the good people of Manasquan do hereby proclaim March 2, 2011 as **READ ACROSS AMERICA-NJ** and to assure that every child is in a safe place reading together with a caring adult on March 2, 2012. Let true and official copies of the Proclamation be spread upon the minutes of the Borough Council meeting held on the 6th day of February, 2012.

PRESENTATION: Tourism Commission Plaques to Sponsors

Mayor Dempsey and Council Members McCarthy and Mangan presented plaques to the sponsors of Tourism events.

APPOINTMENTS:

Mayor Dempsey made the following appointment:

Gregg Olivera – Tourism Commission Member
Unexpired term – 1/1/2011 – 12/31/2013

CONSENT AGENDA

Resolutions 41-2012, 43-2012 and 47-2012 regarding T&M Associates were pulled to be voted on separately.

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**RESOLUTION
34-12**

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 sign the following 2012 Agreement :

Ellicott Network Consultants, LLC -- Hardware and System Software Support

**RESOLUTION
35-2012**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey, that Manasquan Hook and Ladder Company #1 has submitted the attached members that qualify under Ordinance 2005- 07 "Free Season Beach Badge and Parking Permit for Certain Members of the Volunteer Fire Companies". These Members responded to 20% or more of the calls of the Unit or are Life Members of Manasquan Hook and Ladder Company No. 1.

**RESOLUTION
36-2012**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey, that Manasquan First Aid Squad, INC. has submitted the attached members that qualify under Ordinance 2005-07 Section 7 for "Exemption from the Payment of Permit Fees" these Members responded to 20% or more of the calls of the Unit or are Life Members of the Manasquan First Aid Squad.

**RESOLUTION
37-2012**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey confirms the appointment of Stephanie Miller, 35 Lakewood Road, Manasquan, New Jersey from provisional to permanent Keyboarding Clerk 2 as of January 2012. No salary change. The appointee has met all the necessary requirements and evaluations for the position.

**RESOLUTION
38-2012**

BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan that Joseph DeIorio, CFO of the Borough of Manasquan, be and is hereby authorized to sign the New Jersey Department of Environmental Protection Confirmed Discharge Notification and the Light Non-Aqueous Phase Liquid Free Product Reporting Form.

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**RESOLUTION
39-2012**

BE IT RESOLVED, that the Hon. George R. Dempsey, Jr., Mayor of the Borough of Manasquan, be and is hereby authorized to sign the Manasquan Water Treatment Plant Final Backwash Tank Discharge Permit.

**RESOLUTION
40-2012**

BE IT RESOLVED, that the Hon. George R. Dempsey, Jr., Mayor of the Borough of Manasquan, and Borough Clerk Barbara Ilaria be and are hereby authorized to sign the Monmouth County GIS Basemap License Agreement.

**RESOLUTION
42-2012**

BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan that Joseph Delorio, CFO of the Borough of Manasquan, be and is hereby authorized to sign the New Jersey Department of Environmental Protection LSRP Notice of Intention for the Borough of Manasquan Water Treatment Plant.

**RESOLUTION
44-2012**

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 2011 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the Total Current Budget Temporary Budget Appropriations, including amendments, is \$1,758,988 and Water/Sewer Utility is \$529,795.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, amend the Temporary Budget as approved through Resolution 8-2012 with the following appropriations:

2012 TEMPORARY BUDGET AMENDMENT

	Other Expense
Current Budget	
Workman's Compensation Insurance	\$37,000
Range Use	1,250
Contingent	1,225
Debt Service	
NJ Environmental Infrastructure Loan Agreement	<u>45,000</u>
Total Temporary Budget Amendment – Current	<u>\$84,475</u>
Water/Sewer Utility	
Debt Service	
SMSA Amortization Contractual	<u>\$14,000</u>

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Total Temporary Budget Amendment – Water/Sewer

\$14,000

**RESOLUTION
45-2012**

WHEREAS, it shall become necessary to expend for some of the purposes specified in the budget, an excess of the respective sums appropriated, and

WHEREAS, there is an excess in one or more appropriation reserve over and above the amount deemed necessary to fulfill the purposes of such appropriations, and

WHEREAS, N.J.S.A. 40A:4-59 provides for the transfer of such amounts deemed in excess, to appropriations the amount of which are deemed to be insufficient to fulfill the purpose of such appropriations, and

WHEREAS, the transfers about to be authorized do not affect any appropriation reserves to which or from which transfers are prohibited under the statutes, and

NOW, THEREFORE BE IT RESOLVED, that the following transfers between appropriation reserves to be authorized pursuant to N.J.S.A. 40A:4-59:

BE IT FURTHER RESOLVED, by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the following transfer be authorized:

CURRENT FUND

TO:

Utilities-Street Lighting	<u>2,500.00</u>
Total	\$ 2,500.00

FROM:

Borough Clerk-Other Expense	<u>\$ 2,500.00</u>
Total	\$ 2,500.00

BE IT FURTHER RESOLVED, that a copy of this resolution be filed with the Chief Financial Officer.

**RESOLUTION
46-2012**

WHEREAS, The Borough of Manasquan is desirous of opening a new bank account with Provident Savings for the purposes of creating a separate Tourism Trust Account and,

BE IT RESOLVED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, IN THE County of Monmouth, New Jersey as follows:

1. The Borough Administrator and Chief Financial Officer Joseph DeIorio has been authorized to do banking for the Borough of Manasquan,
2. The Municipal Clerk and Administrator/Chief Financial Officer are hereby authorized and directed to sign checks

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Council Member Donovan made a motion to approve the Consent Agenda, seconded by Council Member Mangan. Roll call was taken and the Motion carried unanimously.

T&M RESOLUTIONS

**RESOLUTION
41-2012**

WHEREAS, in 2011, it was recommended that the Borough review its emergency preparedness of the Borough Hall Building and its operation; and

WHEREAS, it was determined that during an electrical outage, only police operations would continue; and

WHEREAS, it is necessary to keep all municipal services at Borough Hall operable, during an emergency.

THEREFORE 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 T&M Associates, 8 Grande Avenue Toms River, New Jersey 08753 to investigate work at the Borough Hall Building regarding the sizing of an emergency generator with a fee not to exceed the said amount of \$4,785.00.

**RESOLUTION
43-2012**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough of Manasquan would like to retain the services of T&M Associates, 9 Grande Avenue Toms River, New Jersey 08753 for purposes of Survey, Engineering Design, Plan Preparation, Contract Administration and Inspection in regards to Glimmer Glass Drainage Improvements 2011-2012 in the amount not to exceed fee of \$92,500 for the services outlined in the proposal dated January 19, 2012.

Council Member Mangan made a motion to approve Resolutions 41-12 and 43-12, seconded by Council Member Donovan. Motion carried by the following vote: "yes" Council Members Bossone, Connolly, Donovan, Grasso and Mangan, "no" none. Council Member McCarthy abstained from voting.

**RESOLUTION
47-2012**

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	6,542,915.28
Water/Sewer Fund	416,621.44
Beach Fund	86,587.28
General Capital Fund	48,480.00
Water/Sewer Capital Fund	36,775.17
Beach Capital Fund	22,000.00

Council Member Bossone made a motion to approve Payment of Bills, seconded by Council Member Donovan. Motion carried by the following vote: "yes" Council Members Bossone, Connolly, Donovan, Grasso and Mangan, "no" none. Council Member McCarthy abstained from voting on the T&M Associates bills only.

ORDINANCES

The Borough Attorney read the title of ordinance 2103-12 for second and final hearing.

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 11 (DOCKS AND BULKHEADS) OF THE MUNICIPAL CODE TO ESTABLISH THE TERM OF LEASES AND RENTAL FEES FOR THE DOCKING AND MOORING OF BOATS, AND TO ESTABLISH DRY STORAGE FEES FOR BOATS, RECREATIONAL VEHICLES AND NONCOMMERCIAL TRAILERS IN THE BOROUGH OF MANASQUAN, MONMOUTH COUNTY, NEW JERSEY.

Mayor Dempsey asked if there were any questions or comments regarding ordinance 2103-12

Council Member Grasso expressed that he would like the fees to be reviewed for the future.

Council Member Mangan advised Council that the committee has already been discussing this matter.

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

Ed Hyer, 56 Second Avenue asked the council to address the acronyms that are on the agenda so they could be understood better by the public. He wanted to know if there could be more than 5% put aside for the repair of the docks.

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

Council Member Mangan made a motion to pass and publish according to law ordinance 2103-12, seconded by Council Member McCarthy. Motion carried by the following vote, "yes" Council Member Bossone, Connolly, Donovan, Grasso, Mangan, and McCarthy, "no" none.

APPROVAL OF MINUTES

Work Session Minutes – September 12th & 26th, 2011
Regular Session Minutes – September 12th & 26th, 2011

Council Member McCarthy made a motion to approve the minutes, seconded by Council Member Donovan. Motion carried with Council Member Bossone and Mangan abstaining.

COMMITTEE REPORTS

Public Safety & Recycling – Council Member McCarthy reported on the Police Department assisting the Prosecutor's office with an investigation where a County Prosecutor Officer discharged his firearm wounding a pit bull during the issuance of a warrant on Brielle Road. He advised that the committee and the administrator met with Chief Pro Tem Correia and that a decision will be made in the near future as to the hiring of a Police Chief.

Public Property and Parks Committee – Council Member Mangan reported that the Fish and Game Commission inspected Mac's Pond and issued a report that everything is ok and opening day for trout season is April 7, 2012. He advised that the geese wire will be removed on Thursday April 5, 2012. He thanked the Mayor for the new government reorganization committee and he looks forward to working with the other two members of council and the rest of council towards working and creating a more efficient government. He advised that the Life Saving Preservation Committee had its annual meeting on Saturday and many members of the council were in attendance and they nominated and elected new members of the Board and Trustees. He congratulated Lia Trench for being re-elected as President and he is looking forward to working with her and the other board members. He congratulated and welcomed Greg Olivera as the new member of the Tourism Commission. He stated that he met with an Eagle Scout candidate who is looking to re-do Manito Park and a plan was presented to the council members. He advised that there will be a meeting later in the week where the committee will discuss the plan for the park. He advised that Tourism and the 125th Anniversary Committee and OEM and all the State and Local agencies are working together to make this celebration one to remember.

Law and Code Committee – Council Member Grasso had nothing to report at this time.

Public Works Committee – Council Member Ed Donovan reported that last day for Christmas tree pickup at curbside is Friday, February 24th. He advised that new bypasses and valves have been installed at the E. Virginia lift station which was a safety issue. He reported that the Brielle Road Lift Station pumps have been re-built and there is an on going program where the enforcement signs will be replaced to meet DOT standards. He advised at the new water treatment plant that the old wells are being capped and the new plant is expected to be on line by the end of the month. He advised that the Borough is waiting on a letter from Environmental Protection on well #9 which is one of the two (2) new wells. He reported that the Environmental Commission members assisted the Certified Recycling Coordinator John Keynton in distributing a report that is the owners/operates responsibility to submit to the town for recycling tonnage.

Administration and Finance Committee – Council Member Connolly reported that the committee met and reviewed and approved bills totaling \$7.1 million dollars. She reported that \$4.5 million went to the Board of Education; \$1.5 million went to the County. She stated that the bills can be reviewed by the public and they are located on the front desk. She reported that the next budget meeting will be Saturday, February 11, 2012 at 9 a.m. here at Borough Hall and the council will be reviewing the Police and Court Budgets. She stated that the Borough has gone out to sell their Bond Anticipation Notes and the successful bidder was Provident Savings Bank, the principal amount of the notes was \$300,000, interest rate 1.15%, date of maturity February 5, 2013.

Beach Committee – Council Member Bossone reported that the office trailers are scheduled to arrive on or about March 5, 2012 to be used for the season as the previous building has been demolished. He reported that the initial sales for the beach badges will take place at Borough Hall in the Council Chambers the week of April 16, 2012. He also reported that the committee has looked into other options with regard to the Beach Plans due to concerns from residents. He advised that the plan that will be submitted for approval for the Beach Building will be the original plans that were approved by the council at a previous meeting. He went over some other improvements to the areas which are still being discussed.

AUDIENCE PARTICIPATION

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

Tom Corcoran, Boy Scout Troop #59, 15 Willow Way, asked Council Member Bossone what the new beach pavilion would improve on from the old one.

Council Member Bossone stated that most of the problems with the old building are structural.

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

Council Member Connolly made a motion to adjourn the regular meeting at 8:35 p.m., seconded by Council Member Mangan. Motion carried unanimously.

Respectfully submitted,

B. Ilaria

Barbara J. Ilaria
Municipal Clerk

DATE APPROVED 5-21-12