

MARCH 5 2012

Regular Meeting of Mayor and Council was convened at 8:08 p.m. on March 5, 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.

Boy Scouts lead the meeting in the salute to the Flag.

ROLL CALL: Present: Council Members Bossone, Connolly, Donovan, Mangan, and McCarthy

Absent: Council Member Grasso

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

## **CONSENT AGENDA**

### **RESOLUTION 72-2012**

#### **RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, MONMOUTH COUNTY, NEW JERSEY, AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE A MORTGAGE MODIFICATION AGREEMENT UNDER THE HOUSING IMPROVEMENT PROGRAM**

WHEREAS, Bernadette Pastore executed a mortgage to the Borough of Manasquan in the amount of \$22,800.00, and, recorded in the Monmouth County Clerk's Office under the Housing Improvement Program; and

WHEREAS, Bernadette Pastore has requested that the Borough of Manasquan, as lender, increase the amount of the mortgage to \$27,100.00 through a Mortgage Modification Agreement; and

WHEREAS, it is necessary for the Mayor and Municipal Clerk to execute a Mortgage Modification Agreement, as Lender, to complete the transaction.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 5<sup>th</sup> day of March, 2012, as follows:

1. The Borough Council authorizes and directs the Mayor and Municipal Clerk to execute the Mortgage Modification Agreement to complete this transaction. The Mortgage Modification Agreement shall be in a form approved by the Municipal Attorney.
2. A certified copy of this Resolution shall be sent to:

Debbie Dovedytis, Program Analyst  
Housing Improvement Program  
County of Monmouth  
One East Main Street  
Freehold NJ 07728

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**RESOLUTION  
73-2012**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE  
BOROUGH OF MANASQUAN, MONMOUTH COUNTY,  
NEW JERSEY, AUTHORIZING THE MAYOR AND  
MUNICIPAL CLERK TO EXECUTE A MORTGAGE MODIFICATION  
AGREEMENT UNDER THE HOUSING IMPROVEMENT  
PROGRAM**

WHEREAS, Vivian C. Anthony executed a mortgage to the Borough of Manasquan in the amount of \$27,405.00, and, recorded in the Monmouth County Clerk's Office under the Housing Improvement Program; and

WHEREAS, Bernadette Pastore has requested that the Borough of Manasquan, as lender, increase the amount of the mortgage to \$29,385.00 through a Mortgage Modification Agreement; and

WHEREAS, it is necessary for the Mayor and Municipal Clerk to execute a Mortgage Modification Agreement, as Lender, to complete the transaction.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 5<sup>th</sup> day of March, 2012, as follows:

3. The Borough Council authorizes and directs the Mayor and Municipal Clerk to execute the Mortgage Modification Agreement to complete this transaction. The Mortgage Modification Agreement shall be in a form approved by the Municipal Attorney.
4. A certified copy of this Resolution shall be sent to:

Debbie Dovedytis, Program Analyst  
Housing Improvement Program  
County of Monmouth  
One East Main Street  
Freehold NJ 07728

**RESOLUTION  
74-2011**

WHEREAS, the Borough of Manasquan is desirous of appointing members to the Community Development Citizen Participation Group: and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 5th day of March, 2012 appoint the following members:

- Jane Donovan 61 South Street
- Donna Trengrove 88 Parker Avenue
- Richard Acciavatti 73 Marcellus Avenue

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**RESOLUTION  
75-2012**

**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 "Free Season Beach Badge and Parking Permit for Certain Members of the First Aid Squad" and "Exemption from the Payment of Permits". These Members responded to 20% or more of the calls of the Unit or are Life Members of The Manasquan First Aid Squad.

**RESOLUTION  
76--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 2012 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 \$1,762,488 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 AMMENDMENT**

	Other Expense
Current Budget	
Telecommunications	\$ 1,000
Environmental Commission Other Expense	500
Tactical Teams Fee	\$1,000
Total Temporary Budget Amendment – Current	<u>\$ 2,500</u>

**RESOLUTION  
78-2012**

**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, THERFORE 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

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Monmouth, State of New Jersey, that the following transfer be authorized:

**CURRENT FUND**

TO:

Municipal Prosecutor	250.00
Total	\$ 2,500.00

FROM:

Borough Clerk-Other Expense	\$ 250.00
Total	\$ 2,500.00

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

**RESOLUTION  
79-12**

**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	\$ 1,646.74
Water/Sewer Fund	\$ 7,697.30
Beach Fund	\$ 1,581.00
General Capital Fund	\$ 121,375.80
Water/Sewer Capital Fund	\$ 11,861.50
Beach Capital Fund	\$ 8,916.02

Also presented by the Borough Attorney was a Temporary Capital Budget Amendment Resolution for the Blakey Avenue Street Improvements (Ordinance 2104-12) and Squan Plaza (Ordinance 2105-12).

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

**ORDINANCES**

The Borough Attorney read the title of Ordinance 2104-12 for first reading and introduction.

**AN ORDINANCE AMMENDING BOND ORDINANCE 2084-11  
PROVIDING FOR THE CONSTRUCTION AND/OR  
RECONSTRUCTION OF THE ROADWAY, CONCRETE CURBS,  
SIDEWALKS AND DRIVEWAY APRONS ON BLAKEY AVENUE**

**FROM PARKER AVENUE TO BROAD STREET, TO INCLUDE THE STREETS FISK, CLARK AND CHURCH AND TO INCLUDE SAID STREETS TO DETERMINE THAT SPECIAL ASSESSMENTS BE LEVIED FOR THE CONSTRUCTION AND/OR RECONSTRUCTION OF THE ROADWAY, CONCRETE CURBS, SIDEWALKS AND DRIVEWAY APRONS TO PAY FOR THE COST OF SUCH IMPROVEMENTS IN AND BY THE BOROUGH OF MANASQUAN, MONMOUTH COUNTY, NEW JERSEY**

Council Member Donovan made a motion to introduce ordinance 2104-12, seconded by Council Member McCarthy. Motion carried by the following vote: "yes" Council Member Bossone, Connolly, Donovan, Mangan, and McCarthy. "No" none.

Mr. DeLorio presented the Council with a power point presentation with regards to the Squan Plaza Project and just repaving it.

Points that Mr. DeLorio and Mr. Rooney touched on are the width of the one way lanes, current traffic pattern, signage and confusion of the drivers, pedestrian and bike use in the Plaza, how many parking spaces there are, and storm water runoff.

Mr. Rooney stated that to replace the pavement and to upgrade the drainage would be \$761,000. He went over the drainage pipe problems and advised that it is probably 50 to 60 years old and stated that he inquired about a company to come and clean and video tape it and was advised that it would cost \$50,000. He believes the re-configured plan is much safer for pedestrians, bikes and vehicles then the existing layout. He stated that parking spaces will be increased by 28 without a bike path. He stated that the plan eliminates 12,000 square feet of pavement which would become green space. He went over the use of the plaza for flea markets and craft fairs and safety. He stated that the cost estimate that was developed included re-configuring the whole plaza, replacing the culvert, new curbing and sidewalks which would be a little over \$1 million and this estimate does not include landscaping and lighting. He went over the plan and stated that the goal is to provide better clarity to drivers, limit the speeding, and provide a safe parking arrangement that is not in conflict with the main travel lanes. He stated that he has current landscaping and lighting estimates but are not included in the plan. He stated that he believes that there will be no trees removed with this plan and the monuments will stay where they are.

Mr. DeLorio stated that the purpose of tonight was to answer questions that were proposed at the last meeting which was why not just repaved. He stated the council will be presented with an ordinance for introduction and in order to move forward with the project this or any re-design there needs to be an ordinance in place. He stated that in order for the Borough to move ahead the ordinance would need to be introduced. He advised that Mr. Rooney and he will be meeting with the business community next week.

Council Member Connolly asked if the business community will have the ability if they wanted some changes to the plan.

Mr. DeLorio recommended that whatever suggestions they have will be taken under consideration and then bring it back to committee if there is a change that needs to be made.

Council Member Donovan stated that the bond ordinance is not locked into this plan, it is for a plan for the Reconstruction of Squan Plaza and a number is being put on it based on a plan similar to this but not necessarily this specific plan.

Mr. DeLorio stated that this is just a concept plan.

Council Member Connolly wanted to know where the additional cost would come from for the landscaping.

There was discussion on where the cost for landscaping would come from and modifying the ordinance to add an additional \$100,000 more or when the project is ready and put out for bid can list it as add alternate and if the amount comes in high the Council would amend the ordinance at that time prior to the award of the contract.

Mr. Rooney stated that he is estimating \$100,000 for lighting and another \$100,000 for landscaping. He stated that 20 lights should be used to properly light the plaza and he does not have a count on the number of trees but the plan can be scaled back.

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There was discussion on the lights, using solar, and possibly renting the lights from the utility company.

Council Member Connolly stated that lighting is an essential part of this project.

Council Member Donovan stated that is why you would have the add alternate for the lighting.

The Borough Attorney read the title of Ordinance 2105-12 for first reading and introduction.

**BOND ORDINANCE PROVIDING FOR THE RECONSTRUCTION OF  
SQUAN PLAZA LOCATED AT ABE VOORHEES DRIVE IN THE  
BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH,  
NEW JERSEY APPROPRIATING \$1,300,000 THEREFORE AND  
AUTHORIZING THE ISSUANCE OF \$1,235,000 BONDS OR NOTES  
FOR THE BOROUGH FOR FINANCING SUCH APPROPRIATION**

Council Member Donovan made a motion to introduce ordinance 2104-12, seconded by Council Member Mangan. Motion carried by the following vote: "yes" Council Member Bossone, Connolly, Donovan, Mangan, and McCarthy. "No" none.

**APPROVAL OF MINUTES**

Work Session Minutes -- December 19 & 28, 2011

Regular Session Minutes -- December 19 & 28, 2011

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

Reorganization Meeting Minutes -- January 3, 2012

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

Budget Meeting Minutes -- January 7, 2012

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

**COMMITTEE REPORTS**

Public Safety & Recycling -- Council Member McCarthy reported that Officer Wagner started at the Mercer County Police Academy and the Chief was advised by the Police Training Commission that Officer Wagner will only have to attend 9 more days at the academy being that he is a Special Officer. He reported he met with representatives of the NJ Superior Court concerning the safety of the Municipal Court. He advised that the major concern that the State has is the security in the Municipal Courts and the committee is looking at various alternatives. He advised that it is anticipated that by May there will be an officer stationed outside the court room who will be using a metal detector wand.

Public Property and Parks Committee -- Council Member Mangan stated that the government reorganization meeting will take place and he will report at the next meeting.

Public Works Committee -- Council Member Ed Donovan reported that there has been discussion of some problem areas in town, one is the intersection of Newark Ave and Atlantic Ave (County Road) with a ponding issue and a depression. He stated that the other problem is on Beams Terrace and Broad Street (County Road). He reported that in order to take care of these problems the County needs to cooperate with the Borough. He reported that the DPW has placed recycling cans next to all trash cans in town to encourage residents to recycle. He also reported that the DPW is starting the videoing of the sanitary sewer in Squan Plaza to see what the infrastructure of the sewer system looks like. He thanked the Manasquan High School Band for participating in the Belmar-Lake Como Saint Patrick's Day parade.

Administration and Finance Committee -- Council Member Connolly stated that she will forgo her report tonight to save time.

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Beach Committee – Council Member Bossone wanted to recognize Paul Battaglia and Pat McKenzie, Manasquan Teachers and their Squan-A-Thon Committee for hosting a fundraiser and raising \$48,000 for pediatric cancer.

## AUDIENCE PARTICIPATION

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

Lou Coccozza, 45 N. Potter Avenue stated that he has some concerns about the T&M Associates proposal for the Squan Plaza. He stated that he fully supports re-doing Squan Plaza and wanted to know if the public will have another opportunity to comment on the proposal that is decided on. He has some concerns with the safety by moving the East/West traffic to a 24' corridor on the North side of the Plaza with a lot of cross traffic and that there is no direct route to get to the front of the post office.

Boy Scout Liam Shaugnessy, 299 E. Main Street, wanted to know how many times the run off water is tested that flows into the Glimmer Glass since it is an old system to see if there are any contaminants.

Mayor Dempsey stated that the run off to the Glimmer Glass does not get tested by the Municipality but the State or County might.

Boy Scout Ben Wick, 6 Gardners Lane, wanted to know if the law for bike helmets for minors can be changed to where it is their own choice and not enforced by police.

Council Member Donovan stated that the bike helmet law is a State Law.

Council Member McCarthy stated a few years ago there was a campaign by the Police Department where kids were not given tickets they were given warnings and that this is a matter of safety.

Boy Scout Ethan Thompson, 52 McLean Avenue asked Council Member Mangan when the old Little League shack will be knocked down.

Council Member Mangan stated that the issue with the old shack is that it costs money to tear it down and he advised that his committee met and that was one of things that was discussed. He stated that a solution has not been worked out yet.

Boy Scout Shawn Jost, 292 Perrine Blvd. asked Council Member Bossone if the beach badge price will increase this year.

Council Member Bossone stated that there will not be any increases this year.

Jack Drew, 111 Third Avenue congratulated the Council for moving ahead with the Squan Plaza renovation and is much needed. He stated that he believes the T&M plan does a good job of traffic flow control and the design of parking according to standard methods. He stated that he believes that there is a lot more to it then that. He stated that there has been a committee working on 6 alternate plans for the Plaza for over 6 years. He stated that part of the committee's work was to establish 11 goals for the renovation of the Plaza and touched on 2 of them. Ensure that downtown Manasquan remains the center of the community's government, commerce, and cultural activities there by continuing its economic vitality and promote the Plaza as a gathering place for Borough and Community organization sponsored events and would increase property values to adjacent properties by increasing the green space. He went over what the committee has done in the past for the opening of the stream in the Plaza. He went over storm water control and storm water best management practices. He went over his vision for the Plaza and the people he has spoken to about the Plaza.

Mary Ryan, 113 Beachfront thanked the Boy Scouts for coming to the meeting and asking questions. She thanked the Council and the Administrator for the excellent job of responding to the people who came to the meeting concerned about the library budget. She voiced her opinion of the bench policy. She wanted to know if the lights on the boardwalk are owned or leased.

Mayor Dempsey stated that the poles are JCP&L's and they replace the bulbs when needed.

Ms. Ryan agreed that the lights are necessary for the Plaza.

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Ron Jacobson, 59 McLean Ave., stated the PSE&G is the lighting company. He stated that the bike path is essential because if you ride your bike on Main Street it is very dangerous. Design document didn't seem to have a lot of parking in front of the Post Office.

Council Member Mangan stated that it is actually increased.

Mr. Jacobson stated that he doesn't understand how the Plaza could not be designed without lights.

Fran Drew stated that she was at a meeting and she read a newspaper article where Council Member Lee was quoted. She thinks that in fairness both plans should be shown to the business community. She went over the plan from Gilda & Associates. She stated that she has reports from experts that are available for any one to review.

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

Mr. DeIorio stated that all plans were reviewed and considerable hours were spent reviewing and looking at all ideas. He stated that parking spaces and green space was all looked into and taken into consideration. He stated that it is imperative that this project move forward.

Council Member Donovan made a motion to go back into closed session at 9:45, seconded by Council Member Bossone.

Council Member Donovan made a motion to adjourn the regular meeting at 10:26 p.m., seconded by Council Member Mangan. Motion carried unanimously.

Respectfully submitted,



Barbara J. Ilaria  
Municipal Clerk

**DATE APPROVED** 7-2-12