

MARCH 19 2012

Regular Meeting of Mayor and Council was convened at 8:08 p.m. on March 19, 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, Donovan, Mangan, and McCarthy

Absent: Council Member Connolly and Grasso

Also present was Borough Attorney Mark Kitrick, Borough Auditor Alan Shechter, and Borough Administrator/CFO Joseph DeIorio

BUDGET INTRODUCTION & RELATED DOCUMENTS

The Borough Attorney read the title of Ordinance 2108-12 for first reading and introduction.

**CALENDAR YEAR 2012
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

Council Member Bossone made a motion to introduce ordinance 2108-12, seconded by Council Member McCarthy. Motion carried by the following vote: "yes" Council Member Bossone, Donovan, Mangan, and McCarthy, "no" none.

Mr. DeIorio stated that the public hearing for the Municipal Budget will be held on April 16, 2012.

Mr. Shechter read the Budget by Title for introduction.

Council Member Donovan made a motion to introduce the Budget, seconded by Council Member Mangan. Motion carried by the following vote: "yes" Council Member Bossone, Donovan, Mangan, and McCarthy, "no" none.

CONSENT AGENDA

**RESOLUTION
80-2012**

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

WHEREAS, refunds for **Tax Title Lien Redemption** for the following properties are due on the below described property in the amount designated as follows:

BLOCK: 9 LOT: 23.03 NAME: Jansson, Matthew P

PROPERTY LOCATION: 145 South Street

AMOUNT OF REFUND: \$13,687.55

REASON FOR REFUND: Redemption of TTL #10-00149

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REFUND CHECK TO BE MADE PAYABLE TO: Carol L. Baron
P.O. Box 2175
Hobe Sound, FL 33475-2175

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
81-2012**

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

WHEREAS, refunds for **Tax Title Lien Redemption** for the following properties are due on the below described property in the amount designated as follows:

BLOCK: 77 LOT: 65 NAME: DeJacomio, Diana

PROPERTY LOCATION: 134 Marcellus Avenue

AMOUNT OF REFUND: \$1,003.58

REASON FOR REFUND: Redemption of TTL #10-00161

REFUND CHECK TO BE MADE PAYABLE TO: Carol L. Baron
P.O. Box 2175
Hobe Sound, FL 33475-2175

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
82-2012**

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

WHEREAS, refunds for **Tax Title Lien Redemption** for the following properties are due on the below described property in the amount designated as follows:

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BLOCK: 69 LOT: 29 NAME: LaPorte, Nicolas & Susan

PROPERTY LOCATION: 68 Marcellus Avenue

AMOUNT OF REFUND: \$1,108.52

REASON FOR REFUND: Redemption of TTL #10-00154

REFUND CHECK TO BE MADE PAYABLE TO: US Bank-Cust/Sass Muni VI DTR
Tax Lien Services Group
2 Liberty Pl
50 S 16th St Ste #1950
Philadelphia, PA 19102-2517

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
83-2012**

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

WHEREAS, refunds for *Tax Title Lien Redemption* for the following properties are due on the below described property in the amount designated as follows:

BLOCK: 9 LOT: 23.03 NAME: Jansson, Matthew

PROPERTY LOCATION: 145 South Street

AMOUNT OF REFUND: \$7,200.00

REASON FOR REFUND: Redemption of TTL #10-00149, Return of Premium

REFUND CHECK TO BE MADE PAYABLE TO: Carol L. Baron
P.O. Box
Hobe Sound, FL 33475-2175

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

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above listed property with said warrant to be charged against the General Ledger.

**RESOLUTION
84-2012**

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

WHEREAS, refunds for **Tax Title Lien Redemption** for the following properties are due on the below described property in the amount designated as follows:

BLOCK: 77 LOT: 65 NAME: DeJacom, Diana

PROPERTY LOCATION: 134 Marcellus Avenue

AMOUNT OF REFUND: \$500.00

REASON FOR REFUND: Redemption of TTL #10-00161, Return of Premium

REFUND CHECK TO BE MADE PAYABLE TO: Carol L. Baron
P.O. Box 2175
Hobe Sound, FL 33475-2175

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
85-2012**

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

WHEREAS, refunds for **Tax Title Lien Redemption** for the following properties are due on the below described property in the amount designated as follows:

BLOCK: 69 LOT: 29 NAME: LaPorte, Nicolas & Susan

PROPERTY LOCATION: 68 Marcellus Avenue

AMOUNT OF REFUND: \$1,700.00

REASON FOR REFUND: Redemption of TTL #10-00154, Return of Premium

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REFUND CHECK TO BE MADE PAYABLE TO: US Bank-Cust/Sass Muni VI DTR
Tax Lien Services Group
2 Liberty Pl
50 S 16th St Ste #1950
Philadelphia, PA 19102-2517

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 NO.
86-2012**

WHEREAS, the Borough of Manasquan is desirous of appointing SLEO, Class II effective March 19, 2012; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 19th day of March, 2012 appoint the following Class II SLEO officer at a salary of \$24.91 per hour.

Randall B. Craig – 48 Allen Avenue, Manasquan, NJ

**RESOLUTION
87-2012**

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 Water/Sewer Budget Temporary Budget Appropriations, including amendments, is Water/Sewer Utility is \$718,211.16.

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
<u>Water Budget</u>	
SMRSA	\$ 188,416.16
Total Temporary Budget Amendment – Water	<u>\$ 188,416.16</u>

**RESOLUTION
89-2012**

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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: SHOGUN FITNESS, LLC
19 PARK AVE
HAWTHORNE, NJ 07506

AMOUNT OF REFUND DUE: \$400.00

REASON FOR REFUND: Beach Use Security

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 NO.
90-2012**

WHEREAS, the Borough of Manasquan is desirous of appointing Seasonal Beach Employees for the Summer Season of 2012; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 19th day of March 19, 2012 appoint the following Seasonal Beach Employees to work during the Summer Season, 2012:

Office Staff Supervisors:	Address	Hourly Rate
Laurie Brandon	204 Osprey Avenue, Bay Head	\$12.50
Ann Marie Fernandez	6 Branin Place, Manasquan	\$12.50
Christella Fisher	2503 Algonkin Trail, Manasquan	\$12.50
Eileen McFadden	117 Marcellus Avenue, Manasquan	\$15.00
Tracy Sullivan	149 Curtis Place, Manasquan	\$15.00
Lucille Wall	643 Rankin Road, Brielle	\$12.50
Kayla White	P.O. Box 180, Allenwood	\$12.50

Beach Crew:

Stephen Bugliero	82 Manito Road, Manasquan	\$9.50
Brian Dreher	509 Magnolia Avenue, Brielle	\$10.50
Ryan Dullea	115 Main Street, Manasquan	\$9.50
Kevin Keefe	1919 Atlantic Avenue, Manasquan	\$12.50
John Revel	23A Euclid Avenue, Manasquan	\$10.50

**RESOLUTION
91-2012**

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

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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	\$ 54,788.80
Water/Sewer Fund	\$ 228,710.60
Beach Fund	\$ 33,896.70
General Capital Fund	\$
Water/Sewer Capital Fund	\$ 12,113.94
Beach Capital Fund	\$

Council Member McCarthy made a motion to approve the Consent Agenda, seconded by Council Member Mangan. Motion carried by the following vote: "yes" Council Member Bossone, Donovan, Mangan, and McCarthy, "no" none.

T&M Associates Resolution

**RESOLUTION
92-2012**

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	\$ 150.00 (T&M Assoc)
Water/Sewer Fund	\$
Beach Fund	\$
General Capital Fund	\$
Water/Sewer Capital Fund	\$
Beach Capital Fund	\$

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Council Member Donovan made a motion to approve resolution 92-2012, seconded by Council Member Mangan. Motion carried by the following vote; "yes" Council Member Bossone, Donovan, and Mangan, "no" none. Council Member McCarthy abstained.

ORDINANCES

The Borough Attorney read the title of Ordinance 2104-12 for second reading and final hearing.

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 open the hearing to the public, seconded by Council Member Mangan. Motion carried unanimously.

There was no public comment.

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

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

The Borough Attorney read the title of Ordinance 2105-12 for second reading and final hearing.

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 open the hearing to the public, seconded by Council Member Mangan. Motion carried unanimously.

Jack Drew, 111 Third Avenue, stated that he is in favor of the bond ordinance but he wanted to make sure that there is going to be time for discussion of the plan.

Mayor Dempsey stated that there will be time at the public portion to talk about the plan.

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

Council Member Donovan made a motion to pass and publish according to law ordinance 2105-12, seconded by Council Member Mangan. Motion carried by the following vote: "yes" Council Member Bossone, Donovan, Mangan, and McCarthy. "No" none.

APPROVAL OF MINUTES

Work Session Minutes – January 17, 2012
Regular Session Minutes – January 17, 2012

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

COMMITTEE REPORTS

Beach Committee – Council Member Bossone reported that he met with the committee and discussed the pros and cons of the beach lockers. He reported that the committee has decided to hold a public presentation on the lockers on March 29 at 7 p.m. at Borough Hall. He advised that dogs are not allowed on the beach as of April 1. He reported on the beach office trailers and when they will be completed and ready for use. He also reported that the bathrooms are not open until May but there is a Porta John at the Inlet. He went over the schedule for beach sales.

Public Works Committee – Council Member Donovan reported that there is a problem with the E. Virginia Lift Station and it appears that someone is throwing a nylon type handy wipe in the toilet bowl and it is clogging the lift station and it is taking three (3) men three (3) hours a week to clean. He reported that between April 9 and April 13 public works will be picking up leaves and brush for Spring clean-up. He reported that DPW will be conducting fire hydrant flushing from April 16 to 27 and they will also be painting traffic lines and street markers. He advised that a resident approached him regarding a town wide garage sale some time before Labor Day and he would like to have it ready for the next meeting for action.

Public Property and Parks Committee – Council Member Mangan reported that the committee will be meeting tomorrow to follow up on some items, including meeting with the head of the Life Savings Station Preservation Committee to follow up on an agreement that council made in regards to the furniture purchase and executing the agreements. He advised that Recreation would like permission to finance and perform improvements to the in field at Mallard Park on the south west side. He advised that it would be re-grading of existing dirt.

Council Member Mangan made a motion to approve Recreation to improve the in field at Mallard Park and going through the CFO for procurement regulations, seconded by Council Member Donovan. Motion carried unanimously.

Council Member Mangan continued with his report with Eagles Scouts requesting to re-do Skokos Park. He reported that the portion of the Eagle Scouts project is to plant shrubs and bushes along the fence between the Park and the Borough Garage.

Council Member Mangan made a motion to approve the Eagle Scout project, seconded by Council Member Bossone. Motion carried unanimously.

Public Safety & Recycling – Council Member McCarthy reported that Robert Wagner will complete his field training on March 26, 2012 and that will bring the police department to 17 officers. He reported that with the new police officer in the rotation it will reduce the overtime costs. He reported that on the 71 side of the Plaza a traffic counter will be installed to monitor the traffic that is going in and out of the plaza in conjunction with the overall improvement. He also reported that the mobile speed detector will be placed throughout town and it will be rotated to different spots. He offered condolences on behalf of himself and his colleagues on the passing of Council Member Connolly's brother. He reported that it was discussed at a previous closed session meeting that there is a need for a seasonal beach finance person.

Council Member McCarthy made a motion allowing the CMFO to start seeking candidates for a seasonal beach finance person, seconded by Council Member Mangan. Motion carried unanimously.

AUDIENCE PARTICIPATION

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

Fran Drew, 111 Third Avenue showed her plan (Levinsky Plan) of Squan Plaza to the council and compared that plan to the T&M plan for traffic safety. She read a letter from a Traffic Safety Engineer and stated that she has a copy of this letter for each council member. She advised that Demetri Levinsky is here and would like to say a few words.

Demetri Levinsky, stated that he was asked to prepare a sketch for Squan Plaza and was to integrate the existing amenities and to integrate this area and create a center piece for the back lots of all the commercial area along Main Street. He stated that "the continuity of the green space that flows through that area is key to creating a visually beautiful space and inviting space and a space that then carried the shopper from the parking area to the commercial zones and the offices that are on the South side of this. The other thing that is key to this is that rather than creating a large expanse of parking in one area, to distribute the parking throughout that whole center core area and distribute it around the lawn areas and thereby allowing the lawn areas to serve as a water quality function from the paved areas, allowing the water to sheet flow either through gaps in curbing or in many cases we have eliminated curbing all together which is in keeping with the new DEP guidelines in terms of allowing the water to flow through, cleanse itself through the grass area before it gets to the drainage way and then ultimately to the intermittent stream that is formed once it comes into that small park area. And then as mention in the traffic report the clear indication of where the pedestrian's circulation should be. The crossing of the natural areas, the movement of the pedestrians across these areas in a safe manner and then into the commercial zone." He stated that it is all those things and he knows there has been some discussion with regards to what it s going to look like if the pipes are eliminated and this becomes a day lighted intermittent stream. He stated that there are many cases of this actually occurring all over the country and the world and there is no reason that it can't be done, even if it is an intermittent stream. He went over options for the day lighting that would help cleanse the water and also create an aesthetic corridor through the whole thing.

Mayor Dempsey asked Mr. Levinsky to point out the fire house on his plan. He stated that the truck that comes out of the firehouse is 52' long and wanted to know how the truck is going to make the turn to get to the east.

Mr. Levinsky showed how the truck could make the turn and advised that the circle would not be there and the road would be 2 way traffic. He stated that the approach is with turning radii that would be appropriate to a large truck. He stated that the T&M Plan totally ignores the turning radii of the truck.

Mayor Dempsey stated that the T&M Plan is scaled to take the turn.

Mr. Levinsky disagreed.

Jack Drew, 111 Third Avenue stated that he is firmly opposed to the T&M Plan and he went over his reasons for the opposition. He stated this plan does not meet the standards or the goals of the committee that has been working on this since 2003. He stated that Peter Brouge, who is the head of Brouge, Newman, Fisher and Shaefer law firm has authorized him to speak on his behalf and he is opposed to the T&M Plan because it eliminates his parking and also makes him on a dead end street. He stated that the councilmen should be given an alternative to the plan that is made part of your ordinance and be able to take advantage of the expertise that is available to you from this area and make good use of it. He stated that he has a letter from Manasquan River Watershed Association talking about the concepts of the Levinsky plan involving the day lighting. He read what was in the letter from different professionals regarding the Squan Plaza and the green space and day lighting the stream. He urged the council to look at different plans.

Martin McHugh, 96 Manito Road thanked the council for taking the initiative to really focus on this project this year because everyone is real passionate about it and it is all good. He stated that the T&M Plan is a really good start and he thinks that the other plan would be nice too. He stated that he thinks there is an opportunity to merge some of the characteristics of the plan with some of what T&M has put on the table. He advised that there is time to merge certain aspects of both plans and it should be done. He stated that this is an opportunity to make this an attractive place for everyone and also to increase parking and to make it more functional for when town events are held there. He stated that Hancock Park should be incorporated into the Plaza and it is a wetland and that should be incorporated into which ever plan the council decides on. He stated that the first phase should be the Plaza, and the down stream maybe something should be done for the stream corridor all the way out to the Glimmer Glass. He stated that he is

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willing to work with the council and bring his 25 years of experience at the DEP to the table. He thanked the council again for taking the initiative.

Kathy Lindemer, 321 Pine Avenue voiced her concerns about the safety and the bike path.

Scott Monaghan, 31 Virginia Ave., stated that the vision of this town is based on having some showcase scenarios for those that come and visit and for the residents. He spoke about the length of time he has been in town and the buildings he has built. He stated that he had to take into consideration when building, drainage and its impact on the watershed, aesthetics and landscaping plan. He stated that he hopes that the council will look at the plans and approve one that has all three aspects in it.

Erin Zinker, 34 Virginia Ave., added on to what Mr. Monaghan said and the plan with the water and taking into consideration something natural and that does become a problem when you live so close to it. She stated that it might be rushed to do the T&M Plan and not look at the other plan closer and there must be funding somewhere that this could possibly be paid for by taking care of water and flooding. She asked if that has been looked into.

Mayor Dempsey stated that this has been looked into and it continues to be looked into.

Mark Campagna, thanked the council for setting up a meeting on the 29th to talk about the beach lockers. He stated that it is good that there is a discussion because we want to make sure that the way the beach lockers are done is safe because they are heavy and can be lifted up by a storm. He stated that he understands the council's responsibility of revenues but he would appreciate the council keeping an open mind for new ideas in addition to the beach lockers.

Jack Drew, informed the council of his knowledge of the DOT and angle parking.

Kath Lindemer, 321 Pine Ave., read an article in the Coast Star about a new emergency generator for Borough Hall. She inquired about the Borough Hall being the emergency center.

Mayor Dempsey went over the reason for the study of Borough Hall for a generator.

There was discussion on OEM and where there offices are and where the command center is located.

Jacqueline Donadeo, 65 Parker Ave., voiced her concerns with regard to the bicycle safety with the bike path and safety concerns with the plaza plan.

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

Council Member Mangan made a motion to adjourn the regular meeting at 9:11 p.m., seconded by Council Member Bossone. Motion carried unanimously.

Respectfully submitted,



Barbara J. Ilaria
Municipal Clerk

DATE APPROVED 7-2-12