

MAY 21, 2012

Regular Meeting of Mayor and Council was convened at 8:21 p.m. on May 21, 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.

The Boy Scouts lead the Salute to the Flag.

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

Absent: Council Member Bossone

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

APPOINTMENT: Mr. Charles Rooney – Borough Engineer's Report

Mr. Rooney read his report dated May 18, 2012.

Joe Gemmell of T&M Associates went over change orders for the council regarding the Water Treatment Plant and advised the final schedule for the completion of site restoration work which is scheduled to be completed on June 14 with the provision that if the bollards are approved by council then it would add another week. He also went over Well #5 and the length of time it would take for redevelopment of the well, high pressure jetting and swabbing of the well which would take approximately 14 days to do that work which was not included in the contract and can be considered as a change order to the contract provided council would like to move in that direction. He advised council that they can do this now and not have the well ready for Memorial Day, it can be deferred until after Labor Day and have it done then or to remove it from the contract, not do it by change order and have the Borough contract with a well driller separately after Labor Day. He stated that he believes that it should not be included in the contract and the Borough should contract with a well driller at a later date. He stated that to add it on to the existing contractor through a change order would be \$24,000. If it was to be done after Labor Day it would be \$29,000 add on because the well pump would have to be installed now and removed again after Labor Day and re-installed. He went over the mark ups by the contractor. He stated that his recommendation would be to defer it outside of the contract after Labor Day.

Council Member Donovan recommended waiting to after Labor Day to rehab the well and go outside the contract with a well driller.

There was discussion on the different scenarios and the cost of the change orders.

Mr. DeLorio went over the three (3) options for council.

Council Member Donovan made a motion to accept option C to wait until after Labor Day and go with a well driller contractor, seconded by Council Member Connolly. Motion carried by the following vote: "yes" Council Member Connolly, Donovan, Mangan, and McCarthy; "no" none.

There was discussion on change order #8 which contains additional asbestos removal in the old water treatment plant.

Mayor Dempsey asked why this was not discovered when the initial inspection was done.

Mr. Rooney stated that this was T&M Associates' mistake and they understated the quantity in the bid proposal but the contractor is honoring his unit price on what was bid and he feels that it is a fair price and should be approved.

Mr. Gemmell stated that the Borough removed the fencing from the project site and he advised that there are two (2) security items that should be added on in addition to the operating staff which would be bollards at the entranceway to prevent unauthorized vehicular access.

There was discussion on why this was removed from the contractor.

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Mr. DeLorio stated the governing body in the bid process wanted the fence so the bollards served two purposes, one it meets the will of the residence in that neighborhood that do not want a fence around the facility and two the bollards meet the needs of the borough in that it prevents vehicular traffic from getting in which is with a net savings. He stated that the amount requested now is still less then the cost for the fence.

Mr. Gemmell went over the decant tank and a gate which is listed on the changed order and push button locks in lieu of the keyed locks for two of the access doors into the water treatment plant. He stated that the last item is a change to the lime system.

There was discussion on the amount of money in the change orders and what it is for.

Mr. Rooney continued with his status report.

Council Member Donovan asked if there was going to be additional streets added on to the Blakey Avenue Project.

Mr. Rooney stated that the additional streets are in the bid and they are intersection improvements; Clark and Church and Fisk and Church.

There was discussion when the additional streets would be done during the project.

CONSENT AGENDA

RESOLUTION 150-12

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 :

Web Page Development	City Connections, LLC 5 Ebbitide Court Barnegat, NJ 08005
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RESOLUTION 151-2012

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: RONALD LANGELL
JOSEPH SCELFO
177 FIRST AVE
MANASQUAN, NJ 08736

AMOUNT OF REFUND DUE: \$1,000

REASON FOR REFUND: ST OPENING REFUND SO#20/11
175 FIRST AVE

RESOLUTION 152-2012

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

WHEREAS, refunds for Installment Interest on Special Assessments are due on the below described property in the amount designated as follows:

BLOCK: 127 LOT: 9 NAME: Manthey, Richard & Lorraine

PROPERTY LOCATION: 372 River Pl, Manasquan, NJ 08736-3720

AMOUNT OF REFUND: \$18.58

REASON FOR REFUND: Homeowner was overcharged for installment interest for Special Assessment #332, due to computer error.

REFUND CHECK TO BE MADE PAYABLE TO: Richard & Lorraine Manthey

WHEREAS, the Tax Collector has certified that the current property owner 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
153-2012**

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, that the resignation of Joseph A. Savastano, from the position of Class II Special Police Officer effective April 27, 2012 be and is hereby accepted.

**RESOLUTION
154-12**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE
BOROUGH OF MANASQUAN, MONMOUTH COUNTY,
NEW JERSEY, AUTHORIZING THE MAYOR AND
MUNICIPAL ADMINISTRATOR TO EXECUTE A MORTGAGE SUBORDINATION
AGREEMENT UNDER THE BOROUGH OF
MANASQUAN INDIGENOUS NEED HOUSING REHAB**

WHEREAS, Nathan Loveland and Tracy Loveland executed a mortgage to the Mount Laurel Indigenous Need Housing Rehab Program in the amount of \$16,000.00, and, recorded in the Monmouth County Clerk's Office on May 16, 2008 under the Housing Improvement Program; and

WHEREAS, Nathan Loveland and Tracy Loveland are securing a first mortgage through Federated Mortgage Corp. for the principal amount of \$242,000.00; and

WHEREAS, Federated Mortgage Corp. requires the aforementioned mortgage to the Borough of Manasquan be subordinate to the Federated Mortgage Corp. mortgage; and

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WHEREAS, it is necessary for the Mayor and Municipal Administrator to execute a Postponement of Mortgage with Federated Mortgage Corp. to complete the transaction.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 21st day of May, 2012, as follows:

1. The Borough Council authorizes and directs the Mayor and Municipal Administrator to execute the Postponement of Mortgage Agreement to complete this transaction. The Postponement of Mortgage Agreement shall be in a form approved by the Municipal Attorney.

**RESOLUTION
155-2012**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF
MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, AUTHORIZING
THE MAYOR AND BOROUGH CLERK TO EXECUTE A LICENSE
AGREEMENT BETWEEN THE MUNICIPALITY AND JOELLA MALICK FOR
PROPERTY IDENTIFIED ON THE MUNICIPAL TAX MAP AS BLOCK 165,
LOT 3**

WHEREAS, the Borough of Manasquan ("Manasquan") and Joella Malick ("Property Owner") have agreed to enter a license agreement relating to property identified on the municipal tax map as Block 165, Lot 3 and designated in the license agreement as the "Site"; and

WHEREAS, the license agreement permits the Property Owner to encroachment of 12.784 square feet on Borough of Manasquan property; and

WHEREAS, the license agreement is for one (1) year, commencing January, 2012 and renewable at the sole discretion of the Borough of Manasquan; and

NOW, THEREFORE BE IT RESOLVED on the 21st day of May, 2012, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. The Mayor and Municipal Clerk are authorized and directed to execute the license agreement with Joella Malick for the period commencing January 1, 2012 through December 31, 2012. A copy of the license agreement is attached to this resolution.
2. A certified copy of this resolution shall be sent to:

Joella Malick
P.O. Box 157
Allenwood, NJ 08720-0157

**RESOLUTION
156-2012**

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

WHEREAS, refunds for 2012 REAL ESTATE TAXES are due on the below described property in the amount designated as follows:

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BLOCK: 124 LOT: 27 NAME: LOVE, SUSAN

PROPERTY LOCATION: 293 PINE AVE MANASQUAN NJ 08736

AMOUNT OF REFUND: \$1,637.56

REASON FOR REFUND: BOTH TITLE COMPANY AND OLD MORTGAGE COMPANY PAID 2ND QUARTER 2012 TAXES. PROPERTY OWNER IS ENTITLED TO A REFUND.

REFUND CHECK TO BE MADE PAYABLE TO: SUSAN LOVE

WHEREAS, the Tax Collector has certified that the current property owner 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
157-2012**

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: HENRY STOUT
31 CURTIS AVE
MANASQUAN, NJ 08736

AMOUNT OF REFUND DUE: \$1000.00

REASON FOR REFUND: STREET OPENING #05/11

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
158-2012**

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: COFFEY BROS., INC.
2559 RT 9
HOWELL, NJ 07731

AMOUNT OF REFUND DUE: \$500.00

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REASON FOR REFUND: DUMPSTER SECURITY-225 THIRD 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
159-2012**

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: ARYLAN, LLC
1860 HWY 35
WALL, NJ 07719

AMOUNT OF REFUND DUE: \$500.00

REASON FOR REFUND: DUMPSTER SECURITY-530 BRIELLE RD

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
160-2012**

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 21st day of May, 2012 appoint the following Seasonal Beach Employees to work during the Summer Season, 2012:

Parking Attendants:	Address	day/night
Jerry Clohosey	388 Pine Ave., Manasquan	\$9.00/\$10.00
Sean Devine	805 Pine Road, Brielle	\$9.00/\$10.00
Robert M. Fischer	2503 Algonquin Trail, Manasquan	\$9.00/\$10.00
Rob P. Fischer	2503 Algonquin Trail, Manasquan	\$9.00/\$10.00
Steve Hannaway	95 Fletcher Ave, Manasquan	\$9.00/\$10.00
John Lingerfelter	64 Manito Rd., Manasquan	\$9.00/\$10.00
Tom Redman	1107 Manito Rd, Manasquan	\$9.00/\$10.00
Bill Smith	462 Drum Point Rd, Brick	\$9.00/\$10.00
Barry Sullivan	149 Curtis Pl, Manasquan	\$9.00/\$10.00

Badge Clerks:

Stephanie Bills	118 18 th Ave., Wall	\$9.50
Alyssa Bokay	733 Bluff View Lane, Brick	\$8.00
Kim Ciser	3431 #8 Bridge Ave, Pt Pleasant	\$9.50
Kendra DeSomma	372 Euclid Ave., Manasquan	\$8.00

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Katie Fastnacht	99 Minerva Ave, Manasquan	\$9.50
Christella Fischer	2503 Algonquin Trail, Manasquan	\$9.50
Meredith Fleming	2015 Hillview Ave, Manasquan	\$9.50
Devon Gannon	344 Euclid Ave., Manasquan	\$8.00
Brielle Gilly	927 Birch Dr, Brielle	\$9.00
Nicholas Gilly	927 Birch Dr, Brielle	\$8.00
Caitlin Goetz	1920 Vincent Ct, Wall	\$8.50
Brier Hawkins	501 Lenape Trail, Brielle	\$8.00
Patricia Heisler	117 Tenth Ave, Spring Lake Hghts	\$9.50
Laura Hinton	9 Royal Court Dr, Spring Lake	\$9.50
Casey Huth	220 Broad St., Manasquan	\$8.00
Michelle Huth	220 Broad St., Manasquan	\$8.00
Joseph Khammar	306 Pine Ave, Manasquan	\$8.50
Lindsey Kleinknecht	501 Main St, Avon	\$8.00
Timothy Krajewski	64 Morris Ave. Manasquan	\$8.00
Lauren Lemig	40 Minerva Ave, Manasquan	\$9.00
Grace Lempka	127 Asbury Rd, Farmingdale	\$9.00
Jane Lorenzo	834 Birch Dr., Brielle	\$8.00
Kira Mabil	85 Curtis Pl, Manasquan	\$9.50
Melissa Mabil	85 Curtis Pl, Manasquan	\$8.50
Allison Maher	380 Euclid Ave., Manasquan	\$7.50
Amanda Matyas	101 Fletcher Ave., Manasquan	\$8.00
Maggie McNair	957 Columbus Dr, Brick	\$9.00
Samantha McWilliams	529 Harris Ave, Brielle	\$9.50
Kathleen Mele	502 Baltimore Blvd, Sea Girt	\$9.00
Denis Moran	195 Broad St. Manasquan	\$8.00
Michael Morris	PO Box 367, Allenwood	\$9.50
Kelly Mullaney	1006 Shenandoah Dr, Sprng Lke Ht	\$8.00
Morgan Neill	107 Colby Ave, Manasquan	\$9.50
Tessa O'Boyle	60 Ocean Ave., Manasquan	\$8.00
Emily Padula	2418 Riverside Terr. Manasquan	\$8.00
Madeline Pryor	9 Colleen Way, Neptune	\$9.50
Linda Redman	1107 Manito Rd, Manasquan	\$9.50
Megan Ritchie	1119 Minnehaha Trail, Manasquan	\$9.50
Mary Romando	247 Joe Parker Rd, Lakewood	\$9.50
Heather Saake	61 Colby Ave, Manasquan	\$9.50
Kelly Scimeca	1305 West Magnolia Ave, Sea Girt	\$9.50
Alexis Shaak	512 Borrie Ave, Brielle	\$9.50
Danielle Simko	2338 Orchard Crest Blvd, Wall	\$9.00
Zachary Scimeca	123 South St., Manasquan	\$8.00
Sarah Wagner	2553 Summit Rd, Manasquan	\$9.50
Johanna Walker	611 Valley Rd, Brielle	\$9.50
Alexa Zapicchi	239-2 Beachfront Ave, Manasquan	\$8.50
Joanne Zapicchi	239-2 Beachfront Ave, Manasquan	\$8.50

Beach Patrol:

Anthony Cinelli	1015 Shore Dr. Brielle	\$8.50
Dale DeGraw	603 Newark Ave., Bradley Beach	\$8.50
Tyler Fittin	54 Narrumson Rd, Manasquan	\$11.00
Tom Hall	2433 Sycamore St., Wall	\$11.00
John Lingenfelter	64 Manito Rd., Manasquan	\$9.50
Norm Margulies	39 Trenton Ave, Manasquan	\$11.00
Jeffrey Matteson	2391 Ramshorn Dr., Manasquan	\$8.50
Douglas Matteson	2391 Ramshorn Dr., Manasquan	\$8.50
George Pepe	55 Marcelluys Ave., Manasquan	\$9.50
Madeline Pryor	9 Colleen Way, Neptune	\$11.00
Danielle Simko	2338 Orchard Crest Blvd. Wall	\$9.50
Dan Sullivan	149 Curtis Pl, Manasquan	\$11.00
Michael Tobin	1483 Samuel Drive, Wall	\$8.50
Robert Trenk	9 Pershing Ave., Manasquan	\$8.50
Dominic Trimarchi	65 Marc Drive, Dayton, NJ	\$11.00

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Kevin Wall	643 Rankin Rd, Brielle	\$11.00
Lifeguards:		
Doug Anderson	617 Woodland Ave, Brielle	\$9,000 Salary
Denise Blair	11 Des Moines Ct, Tinton Falls	\$12.00
Jeff Bower	1131 Church St, Manasquan	\$12.00
Steve Bower	1131 Church St, Manasquan	\$12.00
Taylor Brink	719 Gail Chambers Rd, Jackson	\$12.00
Ryan Campbell	135 Mohegan Rd, Manasquan	\$12.00
Bridget Carlson	638 Valley Rd, Brielle	\$12.00
David Carlson	638 Valley Rd, Brielle	\$12.00
Nicholas Carter	51 Pearce Ave, Manasquan	\$12.00
Clinton Crawford	66 Central Ave., Manasquan	\$11.00
Craig Curran	1605 Apple St, Manasquan	\$12.00
Michael Curran	1605 Apple St, Manasquan	\$12.00
Chris Dettlinger	21 Curtis Ave	\$12.00
Matt Doyle	1132 Bayberry Rd, Manasquan	\$12.00
Tim Farrell	1218 Manito Rd, Manasquan	\$12.00
Megan Foran	101 Lehigh Dr, Lincroft	\$12.00
Ken Fortier	440 East Main St, Manasquan	\$12.00
Amanda Gilsey	14 Rozlyn Ct, Eatontown	\$12.00
DJ Grogan	4 Captains Court., Manasquan	\$11.00
Douglas Hehner	440 East. Main St., Manasquan	\$12.00
Dan Hersh	440 East. Main St., Manasquan	\$12.00
Michael Jordan	324 Sudbury Ave, Point Pleasant	\$12.00
Karley Kamaris	807 Pine Rd, Brielle	\$12.00
Pete Kane	19 Richmond Ct, Tinton Falls	\$12.00
Cory Kisiel	30 Ashford Ave, Jackson	\$12.00
Sean Levinson	13 Fiddlers Elbow Ct, Howell	\$13.00
John Luick	2533 Chalet Dr, Manasquan	\$12.00
James Lynch	15 Oak Knoll Rd, Ocean	\$12.00
Ryan McGrath	63 Sea Girt Ave, Manasquan	\$12.00
Andrew Mills	84 Morris Ave, Manasquan	\$12.00
Charlie Mills	84 Morris Ave, Manasquan	\$11.00
Megan Neill	107 Colby Ave, Manasquan	\$12.00
Matt Nolan	2389 Apple Ridge Circle, Wall	\$11.00
Gage O'Connell	15 Clark St, Manasquan	\$12.00
Stephen O'Neill	6 Pine Rd, Howell	\$12.00
Chris Ofeldt	2383 Apple Ridge Circle, Wall	\$12.00
James Ofeldt	2383 Apple Ridge Circle, Wall	\$12.00
Anthony Oliver	74 Morris Ave, Manasquan	\$12.00
Anna Pelligra	296 Perrine Blvd., Manasquan	\$11.00
Julian Price	14 Allen Ave, Manasquan	\$13.00
Chris Rahn	1208 Ivanhoe Path, Manasquan	\$12.00
Caitlin Rixon	51 Fletcher Ave, Manasquan	\$12.00
Eric Roberts	2144 Redwood Dr, Sea Girt	\$12.00
Andrew Robinson	22 Mill Rd, Manalapan	\$12.00
Mike Samuel	802 Pine Rd, Brielle	\$12.00
Ed Savoth	524 Magnolia Ave, Brielle	\$12.00
James Seidel	1300 West Union Lane, Manasquan	\$12.00
Brent Shibla	2550 Ramshorn Dr, Manasquan	\$12.00
George Steiner	1510 Laurel Ct, Manasquan	\$12.00
Matt Trengrove	88 Parker Ave, Manasquan	\$12.00
Cheryl Tucker	2403 Lenape Trail, Manasquan	\$12.00
Nick Vandermolen	1550 Oakshire Lane, Manasquan	\$12.00
Nick Wall	643 Rankin Rd, Brielle	\$12.00
Emmett Walling	351 East Virginia Ave, Manasquan	\$13.00
Elizabeth Walling	351 East Virginia Ave, Manasquan	\$12.00
Charles Wu	21 Falcon Ridge Circle, Holmdel	\$12.00
Harry Neill -Head Lifeguard	107 Colby Ave, Manasquan	\$14,000 Salary

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Beach First Aid Staff-EMT's

Matthew Giachetti	5 Roe Lane, Howell	\$12.00
Tom Hartman	PO Box 471, Colts Neck	\$12.00
Tom Hudson	2406 Cedar St, Manasquan	\$12.00
Mike Lauber	1838 Highway 35 F87, Wall	\$12.00
Eric McLaughlin	10 James Pl, Manasquan	\$12.00
Mike Pirtle	3120 Atlantic Ave, Allenwood	\$12.00
Jonathan Syby	2395 Beech St, Manasquan	\$12.00

**RESOLUTION
161-2012**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF
MANASQUAN, MONMOUTH COUNTY, NEW JERSEY, AMENDING
PERSONNEL POLICES AND PROCEDURES**

WHEREAS, the Borough of Manasquan has previously adopted Personnel Policies and Procedures to ensure that employees and prospective employees are treated in a manner consistent with all applicable employment laws and regulations; and

WHEREAS, Policy #43 "Educational Assistance and Training Policy" in the Borough of Manasquan Personnel Policy sets forth the Governing Body's support of Borough employees seeking to attend educational courses and the Governing Body's willingness to pay for said courses; and

WHEREAS, the Borough of Manasquan is seeking some assurance that Borough employees will maintain their employment with the Borough of Manasquan following payment by the Borough of course tuition.

NOW, THEREFORE , BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 21st day of May, 2012, as follows:

1. Personnel Policy #43 will be amended to include paragraph "2" which shall read as follows:

The Borough of Manasquan agrees to pay tuition for Employees only for New Jersey Certificate or License Courses, if approved by the Borough. Employees will reimburse the Borough for the costs of all Borough-paid education or training if the Employee voluntarily leaves the Borough employment (excluding retirement) within two (2) years of the Borough having paid for such training/education, Or, if the Employee fails to enroll or take the test/examination upon course completion within a reasonable period of time.

2. A copy of this Resolution shall be sent to each current employee of the Borough of Manasquan and shall be provided to all future municipal employees

**RESOLUTION
162-2012**

BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan that the bid for Shade Tree Elevations and Emergent Work was rejected in 2011 do to Budget restraints and that the Municipal Clerk of the Borough of Manasquan, be and is hereby authorized to advertise a Bid Notice for Tree Elevations and Emergent Work.

**RESOLUTION
165-2012**

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WHEREAS, the Borough of Manasquan is desirous of appointing a Seasonal Part-Time Employee for the Court; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 21st day of May, 2012 appoint the following Seasonal Part-Time Employee:

Patricia Iannacone, 346 Eastham Road, Pt. Pleasant, NJ 08742 at a rate of \$12.50 per hour.

BE IT FURTHER RESOLVED, that a copy of this resolution be forward to:

Patricia Iannacone
346 Eastham Road
Point Pleasant, NJ 08742

RESOLUTION
167-12

**RESOLUTION OF THE BOROUGH COUNCIL OF THE
BOROUGH OF MANASQUAN, MONMOUTH COUNTY,
NEW JERSEY, APPROVING TAXI / AUTOCAB OWNERS LICENSES AND TAXI / AUTOCAB
OPERATORS LICENSES PURSUANT TO MANASQUAN BOROUGH ORDINANCE 4-16**

WHEREAS, pursuant to Manasquan Borough Ordinance 4-16 entitled "An ordinance providing for the registration and regulation of taxis, autocabs and other vehicles engaged in the business of carrying passengers for hire, and the owners and drivers thereof and the business of operating taxis, fixing license fees and providing for penalties for the violation thereof"; and

WHEREAS, Section 5 of said ordinance allows for the issuance of these licenses by the Mayor and Council upon notification from the Borough Clerk of the satisfactory fulfillment of the licensing requirements; and

WHEREAS, the Borough Clerk has notified the Mayor and Council that the licensing requirements have been satisfactorily fulfilled by a number of applicants; and

WHEREAS, the Mayor and Council hereby approve the issuance of licenses for the following:

A. Owners:

1. New Mantoloking
2. EZ Livery
3. Mr. Taxi
4. Shoreway Taxi
5. Beer Cab LLC
6. Sandy's Taxi
7. Squan Taxi
8. 13-5 Transportation
9. Devolada LLC
10. Coats City Taxi
11. New Manasquan
12. Leon's

13. New Ocean Transport

B. Operators:

1. John Doherty
2. Todd Wrth
3. Joanne Frazee
4. Craig Neary
5. Eric Saltzman
6. James Fisher
7. Allen B. Shalfi
8. Jerry C. Moore
9. Wendy Fisher
10. Alexander Eberling
11. Joseph Barrone
12. Michael Beer
13. Richard Costa
14. Craig Walzer
15. Donald Woit
16. Alfred Essner
17. Hany Moustafa
18. Mary Casey
19. John Case
20. John Smith
21. Rodolfo Castro Alveradd
22. Greg Hall
23. Selfik Demir
24. James Schollmeyer
25. Kenneth Leppard
26. Jayne Hartnett
27. Joe Battista
28. Stephen Peterson
29. Keith Grace
30. Keith Collins
31. Karen Jansen
32. Richard Martin
33. Elton Simaku
34. James Murphy
35. Walter Whartnaby
36. Timothy Kellers
37. Nicholas Coyle
38. Ronald Miller

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 21st day of May, 2012, as follows:

2. The Borough Clerk has notified the Mayor and Council that all licensing requirements have been satisfactorily fulfilled pursuant to Section 5 of Borough Ordinance 4-16.

**RESOLUTION
166-12**

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

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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	\$	109,954.56
Water/Sewer Fund	\$	28,795.81
Beach Fund	\$	40,475.45
General Capital Fund	\$	20,772.23
Water/Sewer Capital Fund	\$	95.00
Beach Capital Fund	\$	

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

T&M RESOLUTIONS

RESOLUTION 163-2012

BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan that T&M Associates be and is hereby authorized to advertise a Bid Notice for the Beach Pavilion.

RESOLUTION 168-12

CHANGE ORDER NO. 8

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: Manasquan Water Treatment Plant

CONTRACTOR: Patock Construction, 43 Gilbert Street North, Tinton Falls, NJ 07701

CHANGE ORDER NO. 8. For the abatement and removal of 381 additional s.f. of asbestos containing floor tiles, and to furnish and install 10 new removable bollards, a lockable ladder gate for the decant tank, 2 push button door locks, and solenoid valves for the lime feed system's flushing system to improve automatic operation.

AMOUNT OF CHANGE THIS RESOLUTION: \$22,478.31 (0.6196% above original contract

TOTAL AMOUNT OF CHANGE: +\$596,579.89 (+16.445% above original contract amount)

This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

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Council Member Donovan made a motion to approve the T&M Associates resolutions, seconded by Council Member Connolly. Motion carried by the following vote; "yes" Council Member Connolly, Donovan, and Mangan, "no" none. Council Member McCarthy abstained.

ORDINANCES

The Borough Attorney read the title of Ordinance 2116-12 for introduction.

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 4 (GENERAL LICENSING) SECTION 4-7 (MASSAGE PARLORS) OF THE BOROUGH OF MANASQUAN CODE IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

Council Member Donovan made a motion to introduce ordinance 2116-12, seconded by Council Member McCarthy. Motion carried by the following vote, "yes" Council Member Connolly, Donovan, Mangan, and McCarthy, "no" none.

The Borough Attorney read the title of Ordinance 2107-12 for second reading and final adoption.

BOND ORDINANCE PROVIDING FOR THE PURCHASE OF THREE (3) SPORTS UTILITY VEHICLES FOR THE MANASQUAN POLICE DEPARTMENT IN THE BOROUGH OF MANASQUAN, MONMOUTH COUNTY, NEW JERSEY, APPROPRIATING \$67,500.00 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$64,125.00 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION

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

There was no comment from the audience.

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

Council Member Donovan made a motion to pass and publish according to law ordinance 2107-12, seconded by Council Member Mangan. Motion failed by the following vote, "yes" Council Member Donovan, Mangan, and McCarthy, "no" Council Member Connolly. This ordinance did not pass since there was not the full membership of the council due to the resignation of a Council Member.

The Borough Attorney read the title of Ordinance 2111-12 for second reading and final adoption.

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 3 (POLICE REGULATIONS) SECTION 3-2.1 (CONSUMPTION IN CERTAIN PLACES RESTRICTED) AND SECTION 3-19.6 (NUDITY, INDECENT EXPOSURE AND URINATING IN PUBLIC PROHIBITED) AND CHAPTER 12 (BEACHES AND BEACHFRONT) SUBSECTION 12- 4.14 (ALCOHOLIC BEVERAGES PROHIBITED) OF THE BOROUGH OF MANASQUAN CODE IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

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

There was no comment from the audience.

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

Council Member McCarthy made a motion to pass and publish according to law ordinance 2111-12, seconded by Council Member Mangan. Motion carried by the following vote, "yes" Council Member Connolly, Donovan, Mangan, and McCarthy, "no" none.

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The Borough Attorney read the title of Ordinance 2112-12 for second reading and final adoption.

**BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE
MANASQUAN BOROUGH HALL LOCATED AT 201 EAST MAIN
STREET INCLUDING BUT NOT LIMITED TO A VENTILATION
SYSTEM, CARPETING, FURNITURE AND SECURITY GATE AND
OTHER RELATED IMPROVEMENTS IN THE BOROUGH OF
MANASQUAN, MONMOUTH COUNTY, NEW JERSEY,
APPROPRIATING \$30,000.00 THEREFORE AND AUTHORIZING THE
ISSUANCE OF \$28,500.00 BONDS OR NOTES OF THE BOROUGH FOR
FINANCING SUCH APPROPRIATION**

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

Richard Meincke, 12 McClellan Ave., inquired about the 2% CAP and the expenditures.

Mr. DeLorio advised that the State of New Jersey allows through Statute 40A:2-22 makes it permissible for certain capital items with a 5 year or more life expectancy to be purchased through a bond ordinance. He stated that the municipality took the option of taking these items, which are acceptable by state statute, and finance them. He advised that they are financed through three (3) different types of means. He went over each type of means.

Mr. Meincke stated that when you do that those payments are outside the 2% CAP and wanted to know why the Borough is doing these small things and bonding them and wanted to know if it is because of the 2% CAP.

Mayor Dempsey stated that one of the items is going to be handicapped doors for Borough Hall. He stated that once the work is done the Borough will be reimbursed from the County for a portion of that amount.

Council Member Mangan went over the policy that the Borough has with bond ordinances and the Technology Bond that is in effect now.

Mr. Meincke stated that with the doing the \$10,000 bond it seems that the Borough is doing it to stay within the 2% CAP and he wanted to know why not include it in the regular budget so it falls within the 2% CAP. He stated that he believes that by bonding the taxes are actually increasing.

Mr. DeLorio went over the ordinance and the details that are in it and how a bond ordinance shows what the money is being used for so the public can see what it is going to be used for. He stated that he believes that this is the better approach for the financing of these items.

Mr. Meincke stated that he believes that what is not transparent to the public is that the Borough is not trying to abide by the 2% CAP and the Borough is finding ways to go around the 2% CAP.

Mr. DeLorio stated that he respectfully disagrees with Mr. Lankee and that he believes Manasquan is very unique in a positive way with its finances because through its deferred charged appropriation the Borough actually pays down items in hard dollars rather than financing them and incurring the interest costs. He stated that \$140,000 each year goes towards bonded items. He stated that the total debt service was reported as going up which is in total.

There was discussion on the bonding and the debt service.

Mr. Meincke stated that he disagrees to bond items of \$10,000.

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

Council Member Donovan made a motion to pass and publish according to law ordinance 2112-12, seconded by Council Member Mangan. Motion carried by the following vote, "yes" Council Member Connolly, Donovan, Mangan, and McCarthy, "no" none.

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The Borough Attorney read the title of Ordinance 2113-12 for second reading and final adoption.

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO STOCKTON LAKE PARK, INCLUDING BUT NOT LIMITED TO, THE FORMER MANASQUAN/BRIELLE LITTLE LEAGUE BUILDING LOCATED AT SECOND AVENUE IN THE BOROUGH OF MANASQUAN, MONMOUTH COUNTY, NEW JERSEY, APPROPRIATING \$10,000.00 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$9,500.00 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION

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

Rich Bartholomew, 121 Lake Avenue stated that he sent a letter regarding the previous ordinance and this one and that he disagrees with the Borough. He stated that it is his perception that these things are done to try and get around the 2% CAP. He stated that he thought there was something in the past for the building to be demolished when the new building was built.

Mayor Dempsey stated that the new building is up and functioning. He advised that the MBLL still uses the Borough's part of the old building for storage of equipment and once the old building comes down MBLL will put up another new building that will store the equipment.

Mr. Bartholomew asked about the bonding of this item.

Mr. DeLorio explained how Bond Anticipation Notes works.

There was discussion on the 2% CAP and Bond Anticipation Notes.

Mr. Bartholomew asked if these items were discussed and anticipated during the budget process.

Mr. DeLorio stated that the items that are being discussed were discussed in March and there were prior discussions through each department's requests and then it was finally discussed in March during the Capital Budget discussion.

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

Council Member Mangan made a motion to pass and publish according to law ordinance 2113-12, seconded by Council Member Donovan. Motion carried by the following vote, "yes" Council Member Connolly, Donovan, Mangan, and McCarthy, "no" none.

The Borough Attorney read the title of Ordinance 2114-12 for second reading and final adoption.

ORDINANCE AMENDING CHAPTER 26 (PERSONNEL) TO CREATE SECTIONS 26-9 AND 26-10 OF THE BOROUGH OF MANASQUAN CODE IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

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

There was no comment from the audience.

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

Council Member Connolly made a motion to pass and publish according to law ordinance 2114-12, seconded by Council Member Mangan. Motion carried by the following vote, "yes" Council Member Connolly, Donovan, Mangan, and McCarthy, "no" none.

The Borough Attorney read the title of Ordinance 2115-12 for second reading and final adoption.

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**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7
(TRAFFIC) SECTION 7-7.5 (PARKING TIME LIMITED ON CERTAIN
STREETS) OF THE BOROUGH OF MANASQUAN CODE IN THE
BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF
NEW JERSEY**

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

Mario Gentile, 65 Ocean Avenue asked which streets will this ordinance effect.

Mr. Kitrick advised that the street that this ordinance will affect is Riverside Drive.

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

Council Member Donovan made a motion to pass and publish according to law ordinance 2115-12, seconded by Council Member Mangan. Motion carried by the following vote, "yes" Council Member Connolly, Donovan, Mangan, and McCarthy, "no" none.

APPROVAL OF MINUTES

Work Session Minutes – February 6, 2012 and February 21, 2012
Regular Session Minutes – February 6, 2012 and February 21, 2012

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

COMMITTEE REPORTS

Administration and Finance – Council Member Connolly thanked Lee Weisert for filming the first portion of the meeting and the quality of the taping will be looked into and possibly in the future the meetings might be taped to transmit over the local television stations 77 and 28. She reported that the committee approved the bills totaling \$200,093.05 and the summary statement and the bills are on the front table for the public review. She reported that there have been inquiries about the proposed property revaluation and she advised that Manasquan is currently in litigation with the State and once it is settled the public will be notified.

Public Works Committee – Council Member Donovan reported that bulk pick up is this week and all the information is posted on the website. He reported that the town wide garage sale was a success with 174 people signed up. He reported that the Environmental Commission conducted a town clean up on Sunday and thanked the volunteers, Environmental Commission, Manasquan Fire Company #1 and #2, Monmouth County Clean Communities, Boy Scouts, Key Club, Environmental Club, and the Beach Department for all their help. He stated that 109 pounds of food was collected for the Monmouth/Ocean Foodbank.

Public Property and Parks Committee – Council Member Mangan reported that the Tourism is sponsoring the 125th Anniversary Lighted Boat Parade to take place on August 21 with a rain date of August 22 and application will be available at Borough Hall on Memorial Day weekend from 9 to 12. He advised that the application will be available after that at Coast Star, Ocean Star, and the Corner Bagelry and boats 22 feet and over are invited to participated and the entrance fee is \$20. He reported that the Use of Borough Property Committee will be meeting again to discuss follow up from the previous meetings report about the use of for profit organizations of Borough Property.

Public Safety & Recycling – Council Member McCarthy reported that Lt. Bauer has assumed more administrative responsibilities and Sergeant Murphy will be handling the community affairs element associated with the beach. He congratulated Officer Ken Hamill for his soon to graduate from the police academy. He reported that on June 5, 2012 the presiding judge from Monmouth County Criminal Division was to be present at Manasquan Court to observe the changes that will be implemented concerning the metal detector outside the court room. He advised that this date will be revised as that is the Primary Election day and the court will not be in session on that date. He advised that the Administrator has received a notice from the National Guard concerning dogs on the beach and it seems that individuals from

Manasquan are entering the beachfront and walking north on the beach to Sea Girt. He reported that there are several migratory birds including the piping plover that are nesting in the area and he asked that people to refrain from bringing dogs onto the beach in that area. He advised that some people have received e-mail notification concerning a mail scam that has been sent to several residents alerting residents that they were the winner of \$125,000 however a check would need to be sent to cover the taxes.

COUNCIL VACANCY - Discussion

Council Member Connolly made a motion to have Marilyn Jacobson fill the vacant council seat, seconded by Council Member Mangan. Motion tied by the following vote, "yes" Council Member Connolly and Mangan, "no" Council Member Donovan and McCarthy. Mayor Dempsey broke the tie by voting yes to approve Marilyn Jacobson to fill the council seat.

Borough Attorney Mark Kitrick swore Marilyn Jacobson in as Council Member.

Council Member Connolly made a motion to approve Resolution 168-2012 approving Marilyn Jacobson to fill the vacant council seat, seconded by Council Member Mangan. Motion carried unanimously.

Council Member Jacobson thanked the council for having confidence in her to do a job that she hopes will suit the public.

AUDIENCE PARTICIPATION

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

Richard Dee, 37 First Avenue stated that he was before the council previously with regards to encroachments on borough property and he understands that nothing has been done to collect money from these encroachments. He went over an issue he had with a homeowner telling him that he was trespassing when the chair that he was sitting in was on borough property and the homeowner believed it was on their property.

Mr. DeLorio stated that some of the properties at the north end were looked at.

Mr. Dee went over the beach badge issue also where he believes that hundreds of thousands of dollars are being lost. He wanted to know if there was a study done on the police vehicles when it comes to need, did you look at the 2 payroll people that you are hiring to decide whether or not other people presently employed might be able to do those duties. He asked how many employees the town has.

Mr. DeLorio stated that the analysis was brought before the council regarding the police vehicles.

There was discussion on the police vehicles and how, when, and why the vehicles will be replaced.

Mr. DeLorio stated that the payroll position already has someone working in that area and the ordinance is not to hire someone it is to identify the person through the borough codes so the person handling payroll will also handle account clerk duties, as well as tax information.

Richard Meincke -36 N. McClellan inquired about the dispatch being an interlocal with the County. He went over salaries that were posted in the Coast Star in 2011. He wanted to know what is being done to try and get into the county system.

Council Member McCarthy stated that different options are being looked into and he spoke to Under Sheriff Dawson who is handling this for the Sheriff's Department as well as Freeholder Arnone, who is supervising the shared services from the county level. He stated that he attended a meeting where Sea Girt agreed to switch to go into the County Dispatch Program where there were a lot of questions that were not answered at the Sea Girt meeting. He stated that one of the concerns that the Borough had was that it is an ongoing process right now for the County using the Neptune Station. He stated that one of the major concerns that he sees is that during the summer there is a significant increase in the quality of life offenses. He stated that his concern is with the Neptune Facilities still coming on line, where is the Borough going to fall in the high archery of that. He stated that this is being looked into and he believes that this should be looked into after the summer season. He advised that the dispatchers are the ones that monitor the holding

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cells when someone has been arrested. He went over the changing of the radio system that county has implemented for next year.

Mr. Meincke asked what the cost savings would be to the Borough if they went with the County system.

Council Member McCarthy stated that it would be hard to put a number on this right now as there are other factors that need to be looked into.

Council Member Donovan stated that Sea Girt would be closing their police department and the building would not be manned.

Mary Ryan, 113 Beachfront stated that living in the beach area in the summer it is critical to have police officers that can respond immediately and we have worked so hard with the local police department to put some protocols in place so that the residents can be assured that if there issues that come up in their homes, on their property or in the neighborhoods they know what they are supposed to do. She stated that the police presence in town is comforting to the residents that someone is close by to handle a situation.

Council Member McCarthy stated that there has been no decision made yet for an interlocal with the County for dispatch services, but it has been looked into by the committee.

Rich Bartholomew, Lake Avenue stated that he believes the Beach should not be letting go people who have been really good employees and he also agrees that Council should not get involved in the details of hiring. He also agrees with Council Member Connolly that Manasquan people should be looked at first. He suggested that this topic be put into policy form for the Beach Manager to follow so this discussion does not come up every year and that the policy should state that Manasquan people are first.

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

Council Member Donovan made a motion to adjourn the regular meeting at 9:35 p.m., seconded by Council Member Mangan. Motion carried unanimously.

Respectfully submitted,

B. Ilaria

Barbara J. Ilaria
Municipal Clerk

DATE APPROVED 8-6-12