

AUGUST 20, 2012

Regular Meeting of Mayor and Council was convened at 8:26 p.m. on August 20, 2012 in Council Chambers of Borough Hall with Mayor Dempsey presiding.

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

Mayor Dempsey welcomed the audience and invited them to join in a moment of silent prayer and a salute to the Flag.

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

Absent: Council Member McCarthy

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

Council Member Mangan made a motion to add resolution 251-12 and 252-12 to the Consent Agenda, seconded by Council Member Bossone. Motion carried unanimously.

CONSENT AGENDA

RESOLUTION 247-2012

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

WHEREAS, refunds for **ERRONEOUS WATER/SEWER PAYMENTS** are due on the below described property in the amount designated as follows:

ACCOUNT # **116200-0** NAME: **SPINOSA, NICK, CHRIS, TONY & PAT**

PROPERTY LOCATION: **19 OSBORN AVE**

AMOUNT OF REFUND: **\$157.48**

REASON FOR REFUND: Refund of erroneous water/sewer payment.

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

WHEREAS, the Water/Sewer Collector has certified that the claimant 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 248-2012

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: **VNA Of Central Jersey**

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176 Riverside Avenue
Red Bank, NJ 07701

AMOUNT OF REFUND DUE: \$121.25

REASON FOR REFUND: Developer's Escrow
69 Main St., Manasquan, NJ 08736

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
249-2012**

**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. Drivers:

- 1) Mohammed A. Malik

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 6th day of August, 2012, as follows:

1. 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
251-2012**

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

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NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 20th day of August, 2012 appoint the following Seasonal Beach Employees to work during the Summer Season, 2012:

Lifeguard: 2012 Season

Mark Correia 566 Smith Drive, Point Pleasant \$12.00

**RESOLUITION
252-12**

**RESOLUTION AUTHORIZING A CHANGE FUND
INCREASE IN THE AMOUNT OF \$3000.00 FOR THE
BEACH DEPARTMENT**

WHEREAS, there is a need to establish a change fund in the Beach Department to begin its beach operations and provide change to those in need and;

WHEREAS, the change fund, properly recorded by the finance department in its General Ledger is returned at the conclusion of the beach season;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that it hereby authorizes the Chief Financial Officer to add additional funds in the amount \$3000.00 for an amount total of \$15,000.00 for the Beach Department Change Fund.

**RESOLUTION
250-2012**

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	\$	33,393.53
Water/Sewer Fund	\$	12,657.53
Beach Fund	\$	26,078.01
General Capital Fund	\$	274,828.98
Water/Sewer Capital Fund	\$	54,018.11
Beach Capital Fund	\$	1,250.00

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

ORDINANCES

The Borough Attorney read the title of Ordinance 2118-12 for second reading and final adoption.

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 35 (ZONING) SECTION 35-11 (LOT, HEIGHT AND YARD REQUIREMENTS) BY CREATING SECTION 35-11.4 PROHIBITING THE CREATION OF FLAG LOTS IN ALL ZONES IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY.

Mayor Dempsey asked if there were any questions or comments regarding ordinance 2118-12.

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

There being no comments, Council Member Mangan made a motion to close the public portion, seconded by Council Member Connolly. Motion carried unanimously.

Council Member Donovan made a motion to pass and publish ordinance 2118-12 according to law, seconded by Council Member Bossone. Motion carried by the following vote; "yes" Council Members Bossone, Connolly, Donovan, Jacobson, and Mangan, "no" none.

The Borough Attorney read the title of Ordinance 2120-12 for second reading and final adoption.

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 5 (ANIMAL CONTROL) BY CREATING SECTION 5-12 (SALE OF DOGS AND CATS) PROHIBITING THE RETAIL SALE OF DOGS AND CATS IN PET SHOPS IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY.

Mayor Dempsey asked if there were any questions or comments regarding ordinance 2120-12.

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

Gordon Dreher, 231 29th Ave., Brick, with his dog voiced his opinion on adopting an animal instead using a puppy mill.

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

Council Member Jacobson made a motion to defeat ordinance 2120-12 according to law, seconded by Council Member Bossone. Motion carried by the following vote; "yes" Council Members Bossone, Connolly, Donovan, Jacobson, and Mangan, "no" none.

APPROVAL OF MINUTES

Regular and Work Session Minutes – June 4, 2012

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

COMMITTEE REPORTS

Beach Committee – Council Member Bossone reported that revenues for the Beach are at \$1,594,000 and advised that this is the weekend that Hurricane Irene hit last year. He reported that the sinks at Ocean Ave bathrooms that were broke should be fixed and back up and running. He reported that the closing of the beach will be Labor Day, September 3, however lifeguards are scheduled to remain on duty on weekends for the following two weekends after Labor Day. He reported that the Tourism Commission has added a concert for August 30 which concert was rained out a few weeks ago. He advised that the clambake tickets are on sale now for the September 23 event. He reported where the tickets will be on sale.

Administration and Finance – Council Member Connolly reported that at the last meeting council neglected to approve a motion to purchase the microphones for the council chambers. She advised that the money would be used from the Technology Fund and that more bids will be requested.

Council Member Connolly made a motion to purchase microphones for the Council Chambers not to exceed \$5,000, seconded by Council Member Donovan. Motion carried by the following vote, “yes” Council Members Bossone, Connolly, Donovan, Jacobson, and Mangan, “no” none.

Council Member Connolly continued with her report that notices are being sent to all the union representatives for the Borough that the medical insurance carrier will be changed from QualCare to Aetna. She also reported that the employees are now paying 1.5% of salary for health care. She advised that a new law is going into affect in January where the payment will be a percentage of the premium cost not the salary and eventually the employees’ payments will be gradually increased to 30% of premiums over a 4 year span. She reported that at the last meeting there was discussion about the information that was sent to all the residents regarding the plaza from a group called “The Friends of the Plaza” and that this mailing was not sanctioned by the council and there is no idea how many were mailed. She reported that she did take the opportunity to review the responses and as of Friday, August 17, there were a total number of 391 individuals who responded. She reported that 63 for T&M Plan, 309 for Green Plan, and 19 others had no answer or wanted the Plaza to remain as it was.

Public Works Committee – Council Member Donovan reported that the outlets that were not working on the Boat Docks will be repaired tomorrow and bulk pick up week will be the week of September 10. He reported that the Blakey Avenue Project has been completed as well as the intersections of Clark and Fisk and that leaking valves were repaired on Potter Ave. near Fletcher and Main and Meadow. He also reported that there was a water main break today at the intersection of Perrine and Euclid which has been repaired.

Law and Code Committee – Council Member Jacobson had nothing further to report.

Public Property & Parks – Council Member Mangan reported that tomorrow is the 125th Anniversary Celebration Lighted Decorated Boat Parade and that additional bike racks will be placed near the inlet for use. He reported that Congressman Smith and Assemblyman Rible as well as local mayors and dignitary. He went over the events for the evening. He reported that the Parks and Public Property committee will be meeting to discuss the borough hall generators and the issue of bulk heading is still being looked into.

AUDIENCE PARTICIPATION

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

Fran Drew, 111 Third Avenue inquired about what the Mayor stated at the last meeting regarding the cost to the taxpayers if the Squan Plaza plan was changed from the T&M Plan to the Green Plan. She wanted to know if that information has been gathered for her.

Mayor Dempsey stated that he asked Mr. Rooney.

Mr. Rooney stated that T&M has spent approximately \$70,000.

There was discussion on the plan and the field measurements.

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Ms. Drew commented on the percentage of residents that responded to the survey that was sent out and the green plan not being signed. She commented on the dune lowering resolution and the beach lockers that were being looked into for the beach.

Jay Terzis, 409 Beachfront commended and thanked the committee for making a resolution to reduce the size of the dunes. He stated that there are three (3) things that are not on the resolution for lowering the dunes which are: is there a time frame; there is no mention of how low the dunes are being lowered or eliminate them; he thinks that there should be some discussion and something written about the maintenance of the dunes. He voiced his opinion of the dunes.

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

Council Member Donovan made a motion to adjourn the regular meeting at 8:50 p.m., seconded by Council Member Mangan. Motion carried unanimously.

Respectfully submitted,



Barbara J. Ilaria
Municipal Clerk

DATE APPROVED 10-1-12