

DECEMBER 17, 2012

Regular Meeting of Mayor and Council was convened at 8:08 p.m. on December 17, 2012 in Council Chambers of Borough Hall with Mayor George Dempsey presiding.

Mayor Dempsey extended condolences on behalf of the council and residents to the victims and families of the Newtown elementary school shootings.

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 McCarthy

Absent: Mangan

Also present was Borough Attorney Mark Kitrick and Borough Administrator/CFO Joseph Delorio
Council Member Donovan made a motion to add resolution 359-12 Amending the Capital Budget, seconded by Council Member Bossone. Motion carried unanimously.

Council Member Donovan made a motion to remove resolution 357-12 from the Consent Agenda, seconded by Council Member Bossone. Motion carried unanimously.

CONSENT AGENDA

**RESOLUTION
264-2012**

BE IT RESOLVED, that the Hon. George R. Dempsey, Jr., Mayor of the Borough of Manasquan, and Borough Clerk Barbara Ilaria be and are hereby authorized to sign the Animal Control Contract with the Associated Humane Societies, Inc for the term commencing January 1, 2013 through December 21, 2013.

**RESOLUTION
310-2012**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,
APPOINTING JOHN KEYNTON SUPERVISOR OF PUBLIC WORKS**

WHEREAS, the Borough of Manasquan ("Manasquan") appointed John Keynton to Supervisor of Public Works effective April 19, 2010; and

WHEREAS, the NJ Civil Service Commission has requested that this position be filled through the Certification of Eligibles for Appointment which Mr. Keynton is the only one listed for this position.

NOW, THEREFORE BE IT RESOLVED on the 17th day of December, 2012, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. John Keynton is appointed Supervisor of Public Works, no salary change.
2. The effective date of this appointment is December 17, 2012.
3. A certified copy of this resolution shall be sent to :

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John Keynton
2424 Cedar Street
Wall, New Jersey 08736

RESOLUTION 345-2012

WHEREAS, N.J.S.A. 40A:11-5 (1) (a) (1) permits the governing body to award a professional services contract without publicly advertising for bids and bidding therefor; and

WHEREAS, the borough council has determined that there is a need for professional services during the 2013 calendar year; and

WHEREAS, the borough council has determined to provide the need to acquire these professional services as a non-fair and open contract pursuant to the provisions of N. J. S. A. 19:44A-20.5; and

WHEREAS, the chief financial officer of the municipality has determined and certified in writing that the value of these professional services will exceed \$21,000; and

WHEREAS, the anticipated term of these contracts are one year (January 1, 2013 to December 31, 2013); and

WHEREAS, the following professional services providers have or will submit contracts to be reviewed for completeness and approval by the borough attorney indicating that they will provide their services for the agreed upon rate (s) that are contained in their contracts that are on file in the Clerk's Office.

Allen Shechter, CPA - Borough Auditor

McManimon & Scotland, LLC - Borough Bond Counsel

Ronald Sage - Borough Prosecutor

James Carton IV - Alternate Borough Prosecutors

Jeffrey R. Surenian - Special Counsel (COAH)

Kenneth Fortier – Public Defender

Mark Kitrick – Borough Attorney

Kevin Starkey – Labor Counsel

John Ducey – Conflict Attorney

T & M Associates – Borough Engineer

These appointments are made pursuant to N. J. S. 2B:12-1 et seq.

WHEREAS, a certification as to the availability of funds executed by the chief financial officer is attached to this resolution pursuant to the provisions of N. J. A. C. 5:30-5-4;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 17th day of December 2012 as follows:

1. The Business Disclosure Entity Certification of these professionals and the Determination of Value Certification of the chief financial officer shall be filed in the office of the municipal clerk, and shall be available for public inspection.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute a contract with these professionals to provide professional services to the municipality for the 2013 contract year at the agreed upon

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rate that is contained in the contract/proposal on file in the Clerk's Office.

3. A notice stating the nature, duration, service and the amount of this contract shall be published in the Coast Star and this resolution shall be maintained on file and available for the public inspection in the office of the municipal clerk.
4. A certified copy of this resolution shall be sent to the professionals included in this resolution.

**RESOLUTION
346-2012**

BE IT RESOLVED that the Professional Service contracts will be awarded on a Non-Fair and

Open Basis in the Borough of Manasquan, County of Monmouth for 2013.

**RESOLUTION
347-2012**

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

WHEREAS, a refund for ***OVERPAYMENT OF COAH FEES***

is due on the below described property in the amount designated as follows:

BLOCK: 179 LOT: 1.01 C2091

NAME: The Flanders, LLC

PROPERTY LOCATION: 209-1 Beachfront

AMOUNT OF REFUND: \$219.01

REASON FOR REFUND: Overpayment of COAH Fees.

REFUND CHECK TO BE MADE PAYABLE TO: The Flanders, LLC

WHEREAS, the Tax Collector has certified that the *property developer* 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
348-2012**

**RESOLUTION AUTHORIZING EXTENTION OF THE
WAIVING OF FEES FOR PERMITS AND
INSPECTIONS RELATING TO DAMAGE
FROM HURRICANE SANDY**

WHEREAS, many property owners in the Borough of Manasquan have experienced substantial damage as a result of Hurricane Sandy; and

WHEREAS, many property owners will need to obtain permits and inspections to address the

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damage caused by Hurricane Sandy; and

WHEREAS, the State of New Jersey by letter of November 2, 2012 from the Director of Division of Codes and Standards has advised municipalities that if the municipal fees for permits and inspections to repair damage from Hurricane Sandy are waived that the State will also waive State permit surcharge fees; and

WHEREAS, the Borough of Manasquan wished to memorialize the waiver of Borough fees for permits and inspections of emergency repair damage from Hurricane Sandy upon proof from the property owner that the repair work is related to damage from Hurricane Sandy which will also permit the waiver of the State permit fees, and waiver of fees be effective from October 29, 2012 through February 28, 2013.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Manasquan that it does hereby authorize the Construction Official to waive the Borough fees for permits and inspections to repair damage from Hurricane Irene upon proof from the property owner that the repair is related to damage from Hurricane Irene and the waiver of fees be effective from October 29, 2012 the date of this Resolution through February 28, 2013.

**RESOLUTION
349-2012**

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: Mr. and Mrs. Ralph Panarello
32 Circle Road
Florham Park, NJ 07932

AMOUNT OF REFUND DUE: \$145.50

REASON FOR REFUND: DEVELOPER'S ESCROW FEES -
BLK 178 LOT 46

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
350-2012**

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:

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NAME: Mr. John Paulovich
113 First Ave
Manasquan, NJ 08736

AMOUNT OF REFUND DUE: \$593.75

REASON FOR REFUND: DEVELOPER'S ESCROW FEES -
BLK 168 LOT 4

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
351-2012**

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: Algonquin Arts
60 Abe Voorhees Drive
Manasquan, NJ 08736

AMOUNT OF REFUND DUE: \$493.00

REASON FOR REFUND: DEVELOPER'S ESCROW FEES -
BLK 65.02 LOT 19.03

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
352-2012**

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: Marlboro Montessori Academy
PO Box 272 Hwy 79
Wickatunk, NJ 07765

AMOUNT OF REFUND DUE: \$500.00

REASON FOR REFUND: DUMPSTER SECURITY-225 THIRD AVE

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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
353-2012**

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: ASH CONSTRUCTION
201 THIRD AVENUE
BRADLEY BEACH, NJ 07720

AMOUNT OF REFUND DUE: \$1,300.00

REASON FOR REFUND: PARTIAL REFUND-STREET OPENING
SO # 58/11 47 CLARK STREET

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
354-12**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF
MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY
AUTHORIZING THE ISSUANCE OF SPECIAL EMERGENCY NOTES
IN THE AMOUNT OF \$3,124,722.44 PURSUANT TO N.J.S.A. 40A:4-55**

WHEREAS, the Borough of Manasquan, in the County of Monmouth, New Jersey (the "Borough") adopted resolution 328-12 authorizing a special emergency appropriation pursuant to N.J.S.A. 40A:4-54 on November 19, 2012 appropriating \$900,977.40 to cover extraordinary expenses related to the Hurricane Sandy State of Emergency and indicated its intent to issue special emergency notes to fund such emergency costs; and

WHEREAS, the Borough adopted resolution 340-2012 authorizing a special emergency appropriation pursuant to N.J.S.A. 40A:4-54 on December 3, 2012 appropriating an additional \$2,223,745.44 to cover additional extraordinary expenses related to the Hurricane Sandy State of Emergency for total appropriations of \$3,124,722.44 and authorized the issuance of special emergency notes to fund such appropriations pursuant to N.J.S.A. 4-55; and

WHEREAS, in order to fund these special emergency appropriations the Borough wishes to restate the authorization of the issuance of the special emergency notes pursuant to N.J.S.A. 40A:4-55 and to make certain determinations and authorizations with respect thereto; now therefore,

**BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF
MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY** (with not less than two thirds of the full membership thereof affirmatively concurring) as follows:

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Section 1. The Borough is authorized to issue the special emergency notes in the amount of \$3,124,722.44 pursuant to N.J.S.A. 40A:4-55 to fund the emergency appropriations described above.

Section 2. The following matters in connection with the notes are hereby determined.

(a) All notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date;

(b) All notes issued hereunder shall bear interest at such rate or rates as may be determined by the Chief Financial Officer;

(c) The notes shall be in the form determined by the Chief Financial Officer and the Chief Financial Officer's signature upon the notes shall be conclusive as to such determination;

(d) Notes issued hereunder may be renewed from time to time, provided, however, that at least 1/5 of all such notes and renewals thereof shall mature and be paid in each year so that all notes and renewals shall have matured and shall have been paid not later than the last day of the fifth year following the date of the emergency resolution, and the provisions of the Local Budget Law governing tax anticipation notes shall apply to the special emergency notes.

Section 3. The Chief Financial Officer is hereby authorized and directed to determine all matters in connection with the notes not determined by this or a subsequent resolution, and the Chief Financial Officer's signature upon the notes shall be conclusive as to such determination.

Section 4. The Chief Financial Officer is hereby authorized to sell the notes from time to time at public or private sale in such amounts as the Chief Financial Officer may determine at not less than par and to deliver them from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefore.

Section 5. The Chief Financial Officer, in connection with other professionals of the Borough acting under the Chief Financial Officer's direction, is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document for the Borough, as it may be so updated from time to time, to be distributed in connection with the sale of obligations of the Borough. The Chief Financial Officer is hereby authorized to execute such disclosure document on behalf of the Borough.

Section 6. Any instrument issued pursuant to this resolution shall be a general obligation of the Borough. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations.

Section 7. The Borough hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the Notes, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Notes. The Borough does not intend to issue more than \$10,000,000 of tax-exempt obligations in calendar year 2012 that would count towards the limitation imposed by Section 265 of the Code and hereby designates the Notes as "bank-qualified" for purposes of Section 265 of the Code.

Section 8. Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission, as amended and interpreted from time to time (the "Rule"), and provided that the Bonds are not exempt from the Rule and provided that the Bonds are not exempt from the following requirements in accordance with paragraph (d) of the Rule, for so long as the Bonds remain outstanding (unless the Bonds have been wholly defeased), the Borough shall provide for the benefit of the holders of the Bonds and the beneficial owners thereof:

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(a) On or prior 270 days from the end of each fiscal year, beginning December 31, 2012, electronically to the Municipal Securities Rulemaking Board's Electronic Municipal Market Access ("EMMA") system or such other repository designated by the SEC to be an authorized repository for filing secondary market disclosure information, if any, annual financial information with respect to the Borough consisting of the audited financial statements (or unaudited financial statements if audited financial statements are not then available, which audited financial statements will be delivered when and if available) of the Borough and certain financial information and operating data consisting of (1) Borough and overlapping indebtedness including a schedule of outstanding debt issued by the Borough; (2) the Borough's most current adopted budget; (3) property valuation information; and (4) tax rate, levy and collection data. The audited financial statements will be prepared in accordance with modified cash accounting as mandated by the State of New Jersey statutory principles in effect from time to time or with generally accepted accounting principles as modified by governmental accounting standards as may be required by New Jersey law in effect from time to time;

(b) If any of the following material events occur regarding the Bonds, a timely notice not in excess of ten business days after the occurrence of the event sent to EMMA:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
- (7) Modifications to rights of security holders, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution, or sale of property securing repayment of the securities, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the obligated person;
- (13) The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

For the purposes of the event identified in subparagraph (12) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an obligated person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the obligated person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the obligated person.

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(c) Notice of failure of the Borough to provide required annual financial information on or before the date specified in this resolution shall be sent in a timely manner to EMMA.

Section 9. If all or any part of the Rule is not or ceases to be in effect for any reason, then the information required to be provided under this resolution, insofar as the provision of the Rule is not or is no longer in effect required the provision of such information, shall not or shall no longer be required to be provided.

Section 10. The Chief Financial Officer shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of obligations of the Borough prior to their offering. Such officer is hereby authorized to enter into additional written contracts or undertakings to implement the Rule and is further authorized to amend such contracts or undertakings or the undertakings set forth in this resolution, provided such amendment is, in the opinion of nationally recognized bond counsel, in compliance with the Rule.

Section 11. In the event that the Borough fails to comply with the Rule requirements or the written contracts or undertakings specified in this resolution, the Borough shall not be liable for monetary damages, remedy being hereby specifically limited to specific performance of the Rule requirements or the written contracts or undertakings therefore.

Section 12. The Chief Financial Officer is authorized and directed to report in writing to the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this resolution is made, such report to include the amount, the description, the interest rate and the maturity of the notes sold, the price obtained and the name of the purchaser.

Section 13. This resolution shall take effect immediately.

RESOLUTION 355-2012

FORM OF SPECIAL EMERGENCY RESOLUTION – NJS 4A:4-53, 54, 55.1 and 55.13

(5-year Special Emergencies)

WHEREAS, it has been found necessary to make an Emergency Appropriation to fund a down payment for a general improvement bond ordinance to fund emergency capital improvements resulting from extraordinary expenses from Super Storm Sandy for the protection and recovery of Borough property and equipment and,

WHEREAS, NJS40A: 4-54 provides that it shall be lawful to make such appropriation, which appropriation and/or the “special emergency notes” issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act.

NOW, THEREFORE BE IT RESOLVED, (by not less than two-thirds of all governing body members affirmatively concurring) that in accordance with the provisions of NJS 40A:4-55:

1. An emergency appropriation is hereby made to fund a down payment in the amount of \$ 264,500 for the emergency general improvement bond ordinance to be introduced on December 17, 2012 providing for capital improvements related to Super Storm Sandy.

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2. That the emergency appropriation shall be provided for in the budgets of the next succeeding years by the inclusion of not less than \$677,844.57. (must be at least one fifth of the total amount) for the total of all special emergency resolutions.
3. That any amounts received from the Federal Emergency Management Agency (FEMA), State of New Jersey, insurance proceeds and other sources may reduce the amount to be paid each year.
4. That an "emergency in an amount not exceeding the total amount of special emergency appropriations authorized in 2012", is authorized.
5. That such note shall be executed by Joseph Delorio, Chief Financial Officer.
6. That said note may be renewed from time to time provided that such note and any renewals shall mature and be paid in the amount of not less than one-fifth of the total amount appropriated by this resolution in each year after the authorization. Alternatively this emergency appropriation may be funded through surplus.
7. That the statement required by the Local Finance Board has been filed with the Clerk and a copy will be transmitted to the Director of the Division of Local Government Services.
8. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services; however, no approval is required from the Division.

RESOLUTION

356-2012

WHEREAS, on November 19, 2012, the Borough of Manasquan approved Resolution 327-2012 which authorized the Borough to apply for Hurricane Sandy National Emergency Grant; and

WHEREAS, the Monmouth County Division of Workforce Development has determined that the following candidates are eligible under the requirements set forth by the grant; and

WHEREAS, the County will reimburse such costs up to \$12,000 per individual plus fringe benefits for this temporary work;

NOW THEREFORE BE IT RESOLVED by the Borough of Manasquan hereby appoints the following individuals to the Department of Public Works as temporary laborers at the rate of pay of \$10/hour under the agreements set by the said grant:

Charles E. Gibson II
152 Three Brooks Road
Freehold NJ 07728

Christopher Renehan
2406 Dorset Drive
Point Pleasant NJ 08742

Thomas Isasi
114 4th Avenue
Belmar NJ 07719

Sam Rooney
2 Overbrook Drive
Freehold NJ 07728

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Charles Perry
415 ½ Myrtle Avenue
Neptune NJ 07753

**RESOLUTION
358-2011**

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	145,736.80
Water/Sewer Fund	28,898.40
Beach Fund	878.28
General Capital Fund	6,730.00
Water/Sewer Capital Fund	52,522.00

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

ORDINANCES

The Borough Attorney read the title of ordinance 2127-12 for First Reading and Introduction.

BOND ORDINANCE PROVIDING FOR THE EMERGENCY REPLACEMENT, CONSTRUCTION, RECONSTRUCTION AND IMPROVEMENT OF BEACH UTILITY FACILITIES FOR THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$7,400,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$7,400,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE COST THEREOF.

Council Member Donovan made a motion to introduce ordinance 2127-12, seconded by Council Member Bossone. Motion carried by the following vote: "yes" Council Member Bossone, Connolly, Donovan, Jacobson, and McCarthy; "no" none.

The Borough Attorney read the title of ordinance 2128-12 for First Reading and Introduction.

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS FOR THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$5,548,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,283,500 BONDS OR NOTES

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OF THE BOROUGH FOR FINANCING PART OF THE COST THEREOF

Council Member Bossone made a motion to introduce ordinance 2128-12, seconded by Council Member McCarthy. Motion carried by the following vote: "yes" Council Member Bossone, Connolly, Donovan, Jacobson, and McCarthy; "no" none.

The Borough Attorney read the title of ordinance 2129-12 for First Reading and Introduction.

BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE WATERSEWER UTILITY FACILITIES FOR THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$528,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$528,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE COST THEREOF

Council Member Donovan made a motion to introduce ordinance 2129-12, seconded by Council Member Bossone. Motion carried by the following vote: "yes" Council Member Bossone, Connolly, Donovan, Jacobson, and McCarthy; "no" none.

APPROVAL OF MINUTES

Work Session and Regular Meeting – September 17, 2012
(Absent – None)

Council Member Donovan made a motion to approve the minutes, seconded by Council Member McCarthy. Motion carried by the following vote: "yes" Council Member Bossone, Connolly, Donovan, Jacobson, and McCarthy; "no" none.

Special Meeting – September 27, 2012
(Absent – Connolly and McCarthy)

Council Member Bossone made a motion to approve the minutes, seconded by Council Member Donovan. Motion carried by the following vote: "yes" Council Member Bossone, Donovan, and Jacobson, "no" none. Council Members Connolly and McCarthy abstained.

COMMITTEE REPORTS

Public Safety and Recycling Committee – Council Member McCarthy reported that 2012 was a safe year for the law enforcement with no significant injuries. He reported on the violations for 2012 through November.

Law and Code Committee – Council Member Jacobson reported on the building permits for 2012 and the revenues from the code department for 2012. She also reported on the revenues that came in through the court and that a new fee schedule should be going forward next year. She read a thank you message and her observations over the last 6 months since this will be her last meeting in her position.

Public Works Committee – Council Member Donovan reported on the projects for 2012; Blakey Avenue Project, New Water Treatment Plant opening, Riverside Drive and Third Avenue Revetment Project, Glimmer Glass Drainage Project, and Squan Plaza Project. He reported on the Recreation Commission programs for 2012 and the Shore Community Alliance to Prevent Alcoholism and Drug Abuse. He reported that the Environmental Commission sponsored many events for 2012.

Administration and Finance Committee – Council Member Connolly reported on the 2012 administration and finance report and she reported on the percentage of property taxes and where and how much was distributed. She reported that the tax assessor reported that there was 1,700 properties affected by Super Storm Sandy and homeowners who sustained damaged and the repairs will not be completed before January 31, 2013 will receive a temporary assessment reduction but once the repairs are completed that adjustment will be removed and prorated through an added assessment in October. She advised that the adjustment is for material depreciation only and is consistent throughout the state. She reported that

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property taxes will only be adjusted for the municipal portion. She reported on the municipal clerk's revenues for 2012. She reported that the Cable Advisory Committee is looking to air the council meetings. She thanked the members on the committee and all volunteers throughout town. She stated that this will be her last meeting as a member of the governing body and thanked the public for giving her the opportunity to serve them.

Beach Committee – Council Member Bossone reported on the Beach and thanked the beach manager and his staff for a successful summer. He reported on the 2012 revenues and the amount of badges and parking passes sold for the season. He went over the improvements that were made over the summer which have been destroyed by the storm and he went over the damages in the beach area. He reported that the 2013 season beach badges will be on sale at the Recreation building until the 28th at 2012 prices and that the allotted 600 parking passes have been sold out. He stated that the beach will be ready for the 2013 season.

Borough Attorney Kitrick stated that there will be a Special Meeting for the end of the year financials on December 27, 2012 at 4 p.m.

AUDIENCE PARTICIPATION

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

Lou Cocozza, 45 N. Potter Avenue stated that since the hurricane he has experienced discolored water in his home. He stated that Joe Delorio and Tom Nicaastro have been very helpful with this situation.

Mr. Delorio stated that Superintendent Nicaastro is tracking the water main breaks as well as the use of hydrants in the town.

Carl Straub, 27 Willow Way thanked the borough for having gallon jugs of water available to the residents in that area and for the plumber that has started to clean out the lines in the homes. He stated that there has not been discoloration recently but there is an odor.

George Staggs, 337 Beachfront stated that after the storm there is a groin that is visible which is about 8 feet high which was not visible before the storm. He stated that the water had a chance to get momentum and destroy the walkway on the south end. He stated that there are 4 or 5 stone jetties outward from the beach which he believes took the legs out from underneath the water on the north end and that the groins are much closer at the north end. He went over what it looked like after the storm with the groins exposed and he voiced his opinion on the use of the groins and why he thinks they are flawed.

There was discussion on the groins and how the design would affect the erosion of the beach and damage to the homes.

Marty McHugh, 96 Manito Road thanked the Borough for the preparation for the storm and echoed the recommendation to put the Squan Plaza Project on hold for a little while. He informed the council that he is working with the Army Corp and DEP to look at ways that funding can be brought into the town to do some of the natural resource work around the town. He spoke about resiliency for the next storm and for the normal flooding events that the borough has. He proposed that the plaza project wait and before that plan is started that Judah Creek should be looked into for funding for resiliency. He went over his suggestion for lighting at the DPW building and the nearby park.

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

Council Member Donovan made a motion to close the regular meeting at 8:55 p.m., seconded by Council Member McCarthy. Motion carried unanimously.

Respectfully submitted,

B. Ilaria

Barbara J. Ilaria
Municipal Clerk

DATE APPROVED 2-19-13