

APRIL 22, 2013

Regular Meeting of Mayor and Council was convened at 8:04 p.m. on April 22, 2013 in Council Chambers of Borough Hall with Mayor George 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 4, 2012.

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 Bossonne, Sinneck, Donovan, Mangan, Olivera and McCarthy

Absent: None

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

CONSENT AGENDA

RESOLUTION 114-2013

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:

BOAT SLIP REFUND:

TO: Matthew Berberich
833 timber Ridge
Neptune, NJ 07753

AMOUNT OF REFUND DUE: \$669.00

REASON: Boat Lessee paid for their Boat Slip by the deadline and then downsized to smaller boat slip at a lower cost.

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 with said warrant to be charged against the General Ledger.

RESOLUTION 115-2013

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, APPOINTING COURTNEY HOGAN SENIOR PAYROLL CLERK

WHEREAS, the Borough of Manasquan ("Manasquan") appointed Courtney Hogan to Senior

Payroll Clerk April 22, 2013; and

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

NOW, THEREFORE BE IT RESOLVED on the 22nd day of April, 2013, by the Borough

Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. Courtney Hogan is appointed Senior Payroll Clerk, no salary change.
2. The effective date of this appointment is April 22, 2013.

APRIL 22, 2013

3. A certified copy of this resolution shall be sent to :

Courtney Hogan
2308 Bennett Avenue
Point Pleasant, New Jersey 08742

**RESOLUTION
116-2013**

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

WHEREAS, a refund of monies are due to the following:

NAME: NANCY TURNBACH
67 PINELAND ROAD
BRICK, NJ 08724

AMOUNT OF REFUND DUE: \$500.00

REASON FOR REFUND: DUMSPETER REFUND-163 FIRST 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
117-2013**

**RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A
NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION DEED
OF DEDICATION AND PERPETUAL STORM DAMAGE REDUCTION
EASEMENT**

WHEREAS, the New Jersey Department of Environmental Protection has requested that shore coastal communities from the Barnegat Inlet to Sandy Hook participate with the United States Army Corp of Engineers and the New Jersey Department of Environmental Protection in a project to address beach erosion control; and

WHEREAS, in order to accomplish part of the beach erosion control project, the New Jersey Department of Environmental Protection requires a Perpetual Storm Damage Reduction Easement on portions of shore coastal properties; and

WHEREAS, the United States Army Corp of Engineers and/or the State of New Jersey, in order to participate in the beach erosion control project, requires the execution of a Deed of Dedication and Perpetual Storm Damage Reduction Easement; and

WHEREAS, the Borough of Manasquan recognizes that the beach within its Borough is subject to constant erosion and degradation, thereby destroying a natural resource and threatens the safety and property of the Borough of Manasquan and its residents; and

WHEREAS, the Borough of Manasquan wishes to participate in what is entitled "Section II-Asbury Park to Manasquan Beach Erosion Control Project" in order to protect its public beach from future erosion and storm damage; and

WHEREAS, the Borough of Manasquan desires to grant a Perpetual and Assignable Easement and Right-of-Way over certain tracts of land identified on the Borough of Manasquan Tax Map to the State of New Jersey Department of Environmental Protection in order to perform the work necessary to effectuate

APRIL 22, 2013

the beach erosion control project, as defined in the August 20, 1996 Project Cooperation Agreement between the Department of the Army and the State of New Jersey; and

NOW THEREFORE BE IT RESOLVED that the Mayor and Municipal Clerk of the Borough of Manasquan are hereby authorized to execute the Deed of Dedication and Perpetual Storm Damage Reduction Easement.

**RESOLUTION
118-2013**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,
RELEASING INTEREST ON MAINTENANCE BOND POSTED BY
ATUL PATEL T/A DUNKIN DONUTS**

WHEREAS, Atul Patel t/a Dunkin Donuts posted a two-year maintenance cash bond in the amount of \$13,352.66 with the Borough of Manasquan as a guarantee for site work for a project located at, Block 82, Lots 24.1, in the Borough of Manasquan; and

WHEREAS, the two-year period covering the maintenance bond has expired and it has been determined that the site work at the Project is acceptable; and

WHEREAS, the governing body of the Borough of Manasquan approved resolution 96-2013 authorizing the release of \$13,352.66 in accordance with the Municipal Land use Law; and

WHEREAS, interest of \$138.46 has been earned on the above amount and is due to Atul Patel t/a Dunkin Donuts.

NOW, THEREFORE BE IT RESOLVED on the 22nd day of April, 2013, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. The interest on the maintenance bond in the form of a Check in amount of \$138.46 be released.
2. A certified copy of this resolution shall be sent to:

Atul Patel t/a Dunkin Donuts
3201 Bridge Avenue
Units #8, 9
Point Pleasant, NJ 08742

**RESOLUTION
119-2013**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough of Manasquan would like to retain the services of T&M Associates, 9 Grande Avenue Toms River, New Jersey 08753 for purposes of Engineering Design, Plan Preparation, Bid Specifications, Contract Administration and Inspection in regards to remediation of the Squan Life Saving Station #9 as a result of damage caused by Super Storm Sandy.

**RESOLUTION
120-2013**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,**

APRIL 22, 2013

**AMENDING BLAKEY AVENUE ASSESSMENT SCHEDULE FOR
BLOCK 50 LOT 15**

WHEREAS, on March 18, 2013 Mayor and Council conducted a hearing on the assessment and confirmed a schedule for improvements of Blakey Avenue; and

WHEREAS, block 50 lot 15 was assessed for 64 SY for a driveway; and

WHEREAS, it has come to the attention of the borough that 64 SY is incorrect and should be 20 SY; and

WHEREAS, it was confirmed by the borough engineer, T&M Associates that the 20SY is correct and has recommended an adjustment be based on this correction.

NOW, THEREFORE BE IT RESOLVED on the 22nd day of April, 2013, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. The assessment for Block 50 lot 15 be amended for 20 SY to a corrected amount to be billed at \$300.

**RESOLUTION
121-2013**

WHEREAS, the Borough of Manasquan is desirous of appointing Special Law Enforcement Officers Class I for the summer season year 2013;

WHEREAS, the Police Chief has submitted the following individuals for appointment as Special Law Enforcement Officers Class I for the Borough of Manasquan summer season year 2013 at the current contractual rate of \$15.29 per hour:

Class I

- Kleinknecht, Kevin D., 6 Main Street, Manasquan, NJ
- Kole, Matthew I., 28 Knox Lane, Manalapan, NJ

**RESOLUTION
122-2013**

**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/Operators:

APRIL 22, 2013

1) HanyMoustafa – Shore Transportation

B. Operators;

1) Frederick Aker –EZ Livery

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 22nd day of April, 2013, 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
123-2013**

WHEREAS, N.J.S.A. 40:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2013 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, amend the Temporary Budget as approved through Resolution 8-2013 with the following additional appropriations:

2013 TEMPORARY BUDGET AMMENDMENT

CURRENT BUDGET	Other Expenses
Legal Other Expenses	8,000.00
Planning Board Other Expenses	3,000.00
UCC/Construction Code Expenses	2,000.00
Liability Insurance	16,513.30
Workers Compensation Insurance	16,292.77
Group Health Insurance	87,711.45
Maintenance of Vehicles	5,000.00
Anniversary and Holiday Other Expenses	225.00
Utilities	10,000.00
PERS Pension	71,538.01
PERS Pension	295,626.40
Community Alliance Grant	2,043.66
Snow Removal-Brielle/Sea Girt	4,919.17
Range Use - Howell	918.75
Total Additional Temporary Current Budget Appropriations	<u>523,788.51</u>
WATER/SEWER BUDGET	
Other Expenses – SMRSA Contractual	236,201.94
PERS - Pension	65,698.24
Total Temporary Budget Amendment – Water/Sewer	<u>301,900.18</u>
BEACH BUDGET	
Other Expenses – PERS	8,759.77
Total Temporary Budget Amendment – Beach	<u>8,759.77</u>

**RESOLUTION
124-2013**

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	213,049.19
Water/Sewer Fund	7,416.42
Beach Fund	44,278.61
General Capital Fund	3,079.39
Water/Sewer Capital Fund	
Beach Capital Fund	144,626.86

Council Member Mangan made a motion to approve the consent agenda, seconded by Council Member Bossone. Motion carried by the following vote; "yes" Council Member Bossone, Sinneck, Donovan, Mangan, Olivera, and McCarthy, "no" none.

ORDINANCES

The Borough Attorney read the title of ordinance 2134-13 for introduction

ORDINANCE SUPPLEMENTING CHAPTER 14 (BUILDING AND HOUSING) AND CREATING SECTION 14-3.3 ENTITLED "TEMPORARY RELOCATION OF BUILDING AND STRUCTURES ONTO BOROUGH PROPERTY" IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

Mayor Dempsey asked if there were any comments or questions from council.

There was discussion on fees to be charged.

It was recommended to incorporate the fees (number 11 under section a) of \$75 per day to this ordinance.

Council Member Donovan made a motion to approve the ordinance with the inclusion of the fees to be charged, seconded by Council Member McCarthy. Motion carried by the following vote; "yes" Council Member Bossone, Sinneck, Donovan, Mangan, Olivera, and McCarthy. "No" none.

APPROVAL OF MINUTES

February 9, 2013 – Budget & Special Meeting Minutes (absent none)

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

COMMITTEE REPORTS

Public Safety & Recycling – Council Member McCarthy reported that the committee met with the Chief to go over preparation for the summer. He also reported that the emergency siren will not be activated during certain hours for fire unless there is a confirmed structure fire within the borough. He reported that New Jersey's first lady was in town to assist with the rehabilitation of a home in conjunction with Coastal Habitat for Humanity.

Parks & Public Property – Council Member Olivera reported that there are 3 boat slips available for rent and that the water will be turned on this week on all the municipal docks. He reported that the storm had damaged all the electric at the docks and it needed to be repaired and that the repairs to the cat walk on 4th

APRIL 22, 2013

Avenue docks has been repaired. He reported on the Squan Beach Life Saving Station damage from the storm.

Administration and Finance Committee – Council Member Mangan reported that he, along with other council members, attended the science fair at the elementary school and he thanked the teachers, parents, and students of the 4th, 5th, and 6th grade that participated. He reported that the Community Disaster Loan Program has been completed and forwarded to the State and the Borough is waiting for their response. He reported that the scheduled budget meeting for Saturday did not take place as the State needs to respond before the budget can be completed. He went over the budget and certain meetings that he plans on having with the Board of Education and Fire Company to go over the impact to the tax payers. He reported that on May 23 will be the Manasquan Beach Re-Opening Ceremony with a cocktail party to follow at Leggetts.

Public Works Committee – Council Member Donovan reported that public works is flushing hydrants, spring side curb pick up of leaves and brush has been completed and if you have leaves they can be taken to the recycling center and brush needs to be bundled. He reported that the special bulk pick up is scheduled for the week of May 20 and he reported that the Brielle Lift Station has been repaired and is back on line and the East Virginia Lift Station is being worked on. He reported that there is a beach sweep this weekend April 27 with the Environmental Commission. He reported that Brielle has scheduled a shredding day for May 4. He went over the events that will be happening throughout town for the Chamber of Commerce. He reported that Lee Weisert should have his Super Storm Sandy documentary done around Memorial Day with a final cut shortly after that.

Law and Code Committee – Council Member Sinneck reported on the Code Department revenues and the permits issued and that as of March 28 the department started charging fees for permits. He reported on the function of the department and what changes have been or will be made to handle the work load in the code/construction department.

Beach Committee – Council Member Bossone reported on the Beach Headquarters, Inlet Comfort Station, and Ocean Avenue Comfort Station Projects, the curbing on the Emergency Access Way and the walkway in the beach area. He reported on the Sea Watch parking and lockers and the mobile food concessionaire to replace the Sea Watch restaurant that was destroyed by the storm. He reported on beach sale hours and times and the place they will be sold. He reported on dogs not being allowed on the beach or the beach walk until November 1.

Council Member Mangan stated that the Borough received a letter from Monmouth University's Polling Institute and he recognized Joseph Delorio and Barbara Ilaria for their work on the website. He read an excerpt from the letter advising that the borough Website has been recognized as the best municipal website for ease of use.

AUDIENCE PARTICIPATION

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

Julie Coccozza, 45 N. Potter Avenue inquired about 2 homes on Ocean Avenue and the time frame that the owners need to clean up the site.

Mr. Delorio advised went over the process that the Borough has implemented to make sure that homeowners take care of potential hazards.

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

Council Member Donovan made a motion to close the regular meeting at 8:34 p.m., seconded by Council Member McCarthy. Motion carried unanimously.

Respectfully submitted,

B. Ilaria

Barbara J. Ilaria
Municipal Clerk

DATE APPROVED 7-15-13