

AUGUST 19, 2013

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

Absent: None

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

PROCLAMATION: CHILDHOOD CANCER AWARENESS MONTH

**THE MONTH OF SEPTEMBER
“CHILDHOOD CANCER AWARENESS MONTH”**

WHEREAS, 36 children in the United States will be diagnosed with cancer each day and at an average of six-years old;

WHEREAS, one out of five children diagnosed with cancer will not survive the disease; and

WHEREAS, the types of cancers that affect children are most often very different from those that affect adults; and

WHEREAS, childhood cancer is not just one disease but is made up of a dozen types and countless subtypes of cancer; and

WHEREAS, childhood cancer spares no socioeconomic, ethnic, racial, or geographic class; and

WHEREAS, pediatric cancer is the leading cause of death by disease in at US children under 15 years of age;

WHEREAS, the causes of most pediatric cancers are largely unknown and not strongly linked to lifestyle, unlike adults cancers; and

WHEREAS, two thirds of childhood cancers patients will develop long-lasting chronic conditions resulting from treatment; and

WHEREAS, the childhood cancer rates have been rising for the past few decades, and approximately 11,630 children in the US under the age of 15 will be diagnosed with cancer in 2013; and

WHEREAS, cancer kills more kids than AIDS, asthma, cystic fibrosis, diabetes, and muscular dystrophy combined; and

WHEREAS, in the last 25 years, only 2 drugs have been specifically developed for children's cancer; and

WHEREAS, less than 5% of the federal government's total funding for cancer research is dedicated to childhood cancers, and only about 3% of funds raised for the National Cancer Institute go directly to pediatric cancer research; and

WHEREAS, the funding for pediatric cancer research has gone down steadily since 2003; and

WHEREAS, despite the facts, childhood cancer research is vastly and consistently underfunded; and

WHEREAS, despite the major advances in treatment, it is still critically important to conduct research and increase awareness regarding pediatric cancer;

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NOW THEREFORE, BE IT RESOLVED that, I, George R. Dempsey, Jr., Mayor of the Borough of Manasquan, on behalf of the Borough Council and the good people of Manasquan, do hereby designate the month of September 2013 as "Childhood Cancer Awareness Month" in the Borough of Manasquan.

NOW, THEREFORE, BE IT RESOLVED, that true and official copies of this Proclamation be spread upon the minutes of the Borough Council meeting of August 19, 2013.

CONSENT AGENDA

**RESOLUTION
258-2013**

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: HOLLAND MACK
672 EAST 30TH STREET
PATERSON, NJ 07513

AMOUNT OF REFUND DUE: \$400.00

REASON FOR REFUND: Beach Use Security- Video Taping

**RESOLUTION
259--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: MANASQUAN ELKS LODGE #2534
17 STOCKTON LAKE LVD
MANASQUAN, NJ 08736

AMOUNT OF REFUND DUE: \$400.00

REASON FOR REFUND: Beach Use Security-Teen Fun Run

**RESOLUTION
260-2013**

**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

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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. Operators:

- 1) Bryan Harrison – Jersey Shore Car Service
- 2) Thoma Mitre – New Manasquan Taxi
- 3) Ahmed Zaghloul – Beer Cab
- 4) Aiman K. Mohamed – Royal One Transportation
- 5) Frank DeFilippo – New Manasquan Taxi
- 6) Walter Whartnaby – New Manasquan Taxi

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 19th of August, 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
261-2013**

WHEREAS, the Borough of Manasquan is desirous of appointing Special Law Enforcement Officers Class II for the year 2013; and

WHEREAS, the Police Chief has submitted the following individuals for appointment as Special Law Enforcement Officers Class II for the Borough of Manasquan 2013 at the current contractual rate of \$17.07 per hour:

Kevin J. Duerkes, Point Pleasant
Matthew I. Kole, Manalapan
Michael J. Krol, Howell

**RESOLUTION
262-2013**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,
APPOINTING VICKI MORIARTY AS FULL TIME KEYBOARDING
CLERK I IN THE MANASQUAN CODE DEPARTMENT**

WHEREAS, due to an added job, the Borough of Manasquan ("Manasquan") Code Department is in need of a full-time Keyboarding Clerk I; and

WHEREAS, Municipal Administrator Joseph Delorio has reviewed the candidates for the position of full-time Keyboarding Clerk I; and

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WHEREAS, the Municipal Administrator has recommended that the Borough of Manasquan appoint Vicki Moriarty full-time Keyboarding Clerk 1.

NOW, THEREFORE BE IT RESOLVED on the 19th day of August, 2013, by the Borough

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

1. Ms. Vicki Moriarty is appointed to full-time Keyboarding Clerk 1.
2. The salary for this position is \$25,000 annually.
3. The effective date of this appointment is September 3, 2013
4. A certified copy of this resolution shall be sent to:

Ms. Vicki Moriarty
110 Manito Road
Manasquan, NJ 08736

**RESOLUTION
263-2013**

CHANGE ORDER NO. 1

Be it resolved by the Mayor and Council of the Borough of Manasquan of Monmouth County, New Jersey upon recommendation of the Borough Engineer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: Beachfront Buildings and Beach Department Improvements

CONTRACTOR: McCauley Construction, Co., Inc.

ENGINEER: T&M Associates
11 Tindall Road
Middletown, NJ 07748

AGREEMENT MODIFICATION NO. 1

Additional extra's 12 items as listed on Change Order.

AMOUNT OF CHANGE THIS RESOLUTION: \$21,672.00

TOTAL AMOUNT OF CHANGE: \$21,672.00

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

**RESOLUTION
265-2013**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,
GRANTING A SALARY AMENDMENT TO MR. FRANK DIROMA
SUPERVISING CODE ENFORCEMENT OFFICER**

WHEREAS, the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey appointed Frank DiRoma on August 5, 2013 as Supervising Code Enforcement Officer; and

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WHEREAS, the Mayor & Borough Council have reviewed the past work experience of Mr. DiRoma and have determined that it is appropriate to award a salary amendment for the Supervising Code Enforcement Officer; and

NOW, THEREFORE BE IT RESOLVED on the 19th day of August 2013, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey that the Council hereby recognizes the following:

The Borough Council does hereby authorize a salary amendment for Mr. DiRoma to \$63,000.00, effective as of August 19, 2013.

**RESOLUTION
266-2013**

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 Hold Harmless Agreement with the Monmouth County Mosquito Control in regards to Judah Creek and Watson Creek for the period of one year effective August 19, 2013.

**RESOLUTION
267-2013**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that Michael Sinneck be appointed as the deputy representative for the Monmouth County Community Block Grant Development Program effective August 19, 2013 through December 31, 2013.

**RESOLUTION
269-2013**

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 Ridge Avenue Water Main Improvement Project.

**RESOLUTION
268-2013**

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.

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The computer print-out of the list of checks will be on file in the Clerk's Office.

Current Fund	2,609,257.44 (Includes 2,005,757.00 Board of Ed Tax)
Water/Sewer Fund	11,940.18
Beach Fund	17,330.69
General Capital Fund	28,285.00
Water/Sewer Capital Fund	11,600.00
Beach Capital Fund	145,850.55

Council Member Donovan 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 2138-13 for second reading and final hearing.

BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF VARIOUS WATER MAINS FOR THE WATER/SEWER UTILITY THROUGHOUT THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$645,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$645,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE COST THEREOF

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

Carl Straub, 27 Willow Way thanked council for passing the ordinance and he is looking forward to a big improvement down the road.

Council Member Donovan stated that there will be a meeting with the residents to go over the timeline of the project.

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 pass and publish ordinance 2138-13 according to law, seconded by Council Member Olivera. Motion carried by the following vote; "yes" Council Member Bossone, Sinneck, Donovan, Mangan, Olivera, and McCarthy, "no" none.

RESOLUTIONS:

RESOLUTION 270-2013

**RESOLUTION FOR EMERGENCY PURCHASE FOR MAIN DISPATCH
RADIO CONSOLES FOR THE POLICE DEPARTMENT IN THE
BOROUGH OF MANASQUAN**

WHEREAS, the Borough of Manasquan has determined that an emergency exists to address the issues regarding police dispatch radio response service, and

WHEREAS, this condition constitutes an emergency affecting the immediate health, safety or welfare of the public, and

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WHEREAS, the State of New Jersey Local Public Contracts Law 40A:11-6 allows municipalities to approve emergency contracts, and

WHEREAS, the bid threshold for the Borough of Manasquan is \$36,000 and

WHEREAS, the section states "*Any contract may be negotiated or awarded for a contracting unit without public advertising for bids and bidding therefor, notwithstanding that the contract price will exceed the bid threshold, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services,*" and

WHEREAS, the Local Public Contracts Law also requires quotes for an amount of 15% of the bid threshold, and

WHEREAS, the Purchasing Agent has been notified by the Police Chief that an emergency exists for the purpose of dispatching public safety calls and services and that notice has satisfied the Purchasing Agent, and

WHEREAS, the Police Chief has recommended and requested the purchase of said equipment, and

WHEREAS, the Police Chief has requested a purchase order to be issued without public advertisement for bids should any unknown additional costs result in the aggregate amounting to higher than the bid threshold, and

WHEREAS, the work in the area commenced on or about August 10, 2013 by Communications Specialist Inc. in the amount of \$34,756.00,

NOW THEREFORE BE IT RESOLVED, that the Borough of Manasquan authorizes the Mayor or his designee to sign and execute an agreement with Communications Specialist Inc. in the amount of \$34,756.00 based on the Certification of Request for Emergency Purchase submitted by the Chief of Police with proposals received from the vendor and on file in the Police Department.

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

**RESOLUTION
271-2013**

**RESOLUTION FOR EMERGENCY PURCHASE FOR ANTENNA
AND SUPPORTING DISPATCH EQUIPMENT FOR THE POLICE
DEPARTMENT IN THE BOROUGH OF MANASQUAN**

WHEREAS, the Borough of Manasquan has determined that an emergency exists to address the issues regarding police dispatch service as a result of lightning striking at and nearby Borough Hall on August 13, 2013, and

WHEREAS, this condition constitutes an emergency affecting the immediate health, safety or welfare of the public, and

WHEREAS, the State of New Jersey Local Public Contracts Law 40A:11-6 allows municipalities to approve emergency contracts, and

WHEREAS, the bid threshold for the Borough of Manasquan is \$36,000 and

WHEREAS, the section states "*Any contract may be negotiated or awarded for a contracting unit without public advertising for bids and bidding therefor, notwithstanding that the contract price will exceed the bid threshold, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services,*" and

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WHEREAS, the Local Public Contracts Law also requires quotes for an amount of 15% of the bid threshold, and

WHEREAS, the Purchasing Agent has been notified by the Police Chief that an emergency exists for the purpose of dispatching public safety calls and services and that notice has satisfied the Purchasing Agent, and

WHEREAS, the Police Chief has recommended and requested the purchase of said equipment, and

WHEREAS, the Police Chief has requested a purchase order to be issued without public advertisement for bids should any unknown additional costs result in the aggregate amounting to higher than the bid threshold, and

WHEREAS, the commenced on or about August 13, 2013 by Communications Specialist Inc. in the amount of \$11,494.00,

NOW THEREFORE BE IT RESOLVED, that the Borough of Manasquan authorizes the Mayor or his designee to sign and execute an agreement with Communications Specialist Inc. 11C Harts Lane, East Brunswick, NJ 08816 in the amount of \$11,494.00 based on the Certification of Request for Emergency Purchase submitted by the Chief of Police with a proposal received from the vendor and on file in the Police Department.

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

RESOLUTION 264-2013

RESOLUTION AWARDDING A CONTRACT FOR OLD SQUAN ROAD WATER MAIN REPLACEMENT IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH STATE OF NEW JERSEY

WHEREAS, public bids were advertised for and received pursuant to the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) for the Old Squan Road Replacement project; and

WHEREAS, four bids for this project were received:

Mark Woszczak Mechanical Contractors, Inc.	\$302,850.00
Sanitary Construction Co.	\$348,209.00
Lucas Construction Group	\$448,396.50
Montana Construction	\$491,753.50

WHEREAS, the Mark Woszczak Contractors, Inc. submitted a monetary bid in the amount of \$302,850.00; and

WHEREAS, the bid by Mark Woszczak Contractors complies with the bid specifications and includes all required documentation; and

WHEREAS, the Borough Council has determined, for the reasons set forth below, that the bid of Mark Woszczak Contractors is a responsive and responsible bid; and

WHEREAS, the Borough Council is desirous of awarding a contract to Mark Woszczak Contractors in the amount of \$302,850.00 for the project;

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NOW, THEREFORE BE IT RESOLVED on the 19th day of August, 2012, by the Mayor and

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

1. This Bid award is subject to the review and approval of the Bid Documents by both the Manasquan Borough attorney and the New Jersey Department of Transportation Bureau of Local Aid.
2. Subject to the above condition, a contract in the amount of \$302,850.00 is awarded to Mark Woszczak Contractors for this project.
3. The Mayor and Municipal Clerk are authorized and directed to execute all necessary documents to effectuate a contract with Mark Woszczak.
4. A certified copy of this resolution shall be sent to:

Mark Woszczak Contractors
1700 W. Atlantic Avenue
Manasquan, NJ 08736

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

COMMITTEE REPORTS

Public Safety and Recycling Committee – Council Member McCarthy reported that during the lightning storm on Tuesday there was communication equipment damaged in the police department. He thanked all that were involved to keep Manasquan safe during this time and for stepping up in a time of need for safety. He reported that there was a contractor arrested in the Borough for theft by deception by taking a deposit from a resident and trying to use a different type of flooring then what the resident had ordered. He thanked the detectives involved in leading to the arrest of this individual.

Public Property & Parks Committee – Council Member Olivera reported on the Life Saving Station and that a second report has been submitted and will be discussed early next week with committee. He reported that the roof replacement for the Life Saving Station has been completed and two sump pumps have been installed to replace the one that was damaged. He reported that a large sink hole occurred after a recent rain storm at the Fourth Avenue Docks and he thanked the DPW employees that did an outstanding job getting the sink hole secured and repaired in a timely manner. He reported that he has received some complaints about Mac's pond and the stagnant water and that the water does not seem to be flowing very well and make the water flow a little better. He reported that there has been vandalism at the beach buildings and it is incomprehensible that we as a community put the time, energy, effort and money into restoring the beach and then have it wrecked by vandals. He reported that two (2) water fountains have been vandalism, spindles being kicked out, doors and windows being kicked in and he advised that this will not be tolerated and if the vandals are caught restitution will be sought.

Administration & Finance – Council Member Mangan reported on the new software that the Clerk's office is looking into for permits and licensing for the clerk's office. He reported that the beach bond has been discussed and he explained the Sandy funding and the emergency note. He reported that the beach bond ordinance will be the first one to be closed out and the timeframe would be the second meeting in September to cancel out the remaining funds of that ordinance that will not be needed. He reported that the second ordinance will be at a later date and that the costs were over estimated to make sure that enough money has been put in place to cover the costs that were unknown at the time of the introduction of the ordinances. He reported that Courtney Hogan in the Finance Department received the Certified Tax Collector's Certification. He reported that tomorrow is the End of Summer celebration for Tourism at the Inlet starting at 5:30 p.m.

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Public Works Committee – Council Member Donovan reported that Public Works installed warning signs for the railroad crossings at Stockton Lake Blvd. and East Main Street which is a State DOT mandate. He reported that the storm drains and the open stream around St. Denis and Dunkin Donuts has been cleaned, storm drains on Main Street from First Avenue to the bridge have been cleaned, and the culvert on Morris Avenue will be cleaned out tomorrow. He also reported on the progress of the water plant office, a meeting that was held to discuss the options of raising the lift stations at Brielle Road and E. Virginia Avenue, a fire hydrant was removed from the back of Pompano Parking Lot as it was non-functioning. He advised that the Seniors Group is sponsoring a CPR course which is open to all Manasquan residents and he congratulated the Chamber of Commerce on its successful Art and Music Festival held recently.

Law and Code Committee – Council Member Sinneck reported on the permits issued and demolition permits issued and he believes that there will be an influx of permit requests in the fall. He reported on the reorganization of the code department. He reported on the tennis courts and that BOE will take the lead on the repair quotes. He requested that an ordinance be prepared for first reading on September 3, 2013 with second reading and final hearing on September 16, 2013 for the Borough's share of the repair of the tennis courts. He advised that the Borough's share would be half of the cost which is around \$11,000.

Beach Committee – Council Member Bossone reported on the beach sales revenues which are down about 22% from last year at this time. He reported on the work being done at the Beach Headquarters building, Third Avenue parking lot improvement preliminary report and he reported on the vandalism at the beach buildings and water fountains. He congratulated Harry Neil and the lifeguards for winning another tournament this summer.

AUDIENCE PARTICIPATION

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

Ed Hyer, 56 Second Avenue inquired about the three (3) Bond Ordinances for emergency beach fund and current fund and what the dollar amounts are.

Council Member Mangan advised that he believes the amount for all three (3) ordinances is approximately \$13 million. He reported that it is anticipated that half of the beach ordinance is going to be cancelled. He advised that the exact amount will be in a resolution that will be presented at a future meeting.

Marty McHugh, 96 Manito Road inquired about having the beach sales updated into the new permitting program.

He was advised that the new program is just for the construction department right now.

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

Council Member Donovan made a motion to close the meeting at 8:39 p.m., seconded by Council Member Olivera. Motion carried unanimously.

Respectfully submitted,

B. Blawie

Barbara J. Blawie
Municipal Clerk

DATE APPROVED 12-16-13