

DECEMBER 2, 2013

Regular Meeting of Mayor and Council was convened at 8:00 p.m. on December 2, 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, Olivera and McCarthy

Absent: Council Members Donovan and Mangan

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

CONSENT AGENDA

**RESOLUTION
339-2013**

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: ATLANTIC MODULAR
75 TAYLOR AVE
MANASQUAN, NJ 08736

AMOUNT OF REFUND DUE: \$500.00

NAME: PARIS CONSTRUCTION, LLC
1209 CHURCH STREET
MANASQUAN, NJ 08736

AMOUNT OF REFUND DUE: \$500.00

REASON FOR REFUND: Commercial Trailer Storage

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
340-2013**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, that regular meetings of the Borough Council are to be held on the dates listed below and will begin at 8:00 p.m.

BE IT RESOLVED that work session meetings will be held on the dates listed below and will begin at 7:00 p.m.

BE IT FURTHER RESOLVED that the work session and regular meetings will be conducted in Council Chambers, Borough Hall, 201 East Main Street, Manasquan, New Jersey and will not be conducted on a legal holiday observed by the Borough of Manasquan.

SCHEDULE OF MEETINGS FOR THE YEAR 2014

Reorganization Meeting will be held on Monday, January 6th, 2014 at 7:00 p.m.

DECEMBER 2, 2013

Regular Meetings - 8:00 p.m.

January 21st (TUESDAY)
February 3rd, 18th (TUESDAY)
March 3rd, 17th
April 7th, 21st
May 5th, 19th
June 2nd, 16th
July 7th, 21st
August 4th, 18th
September 2nd (TUESDAY), 15th
October 6th, 20th
November 17th
December 15th

Work Session Meetings - 7:00 p.m.

January 21st (TUESDAY)
February 3rd, 18th (TUESDAY)
March 3rd, 17th
April 7th, 21st
May 5th, 19th
June 2nd, 16th
July 7th, 21st
August 4th, 18th
September 2nd (TUESDAY), 15th
October 6th, 20th
November 17th
December 15th

December 30th – Special Meeting – End of Year – Including Financial

Work Session/Budget Meetings - 9:00 a.m.

January 11th, 25th and February 1st, 22nd and March 1st, 15th

**RESOLUTION
341-2013**

BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan that a motion was introduced, seconded and unanimously approved at a regular meeting of Mayor and Council on November 18, 2103 authorizing Barbara Ilaria, Municipal Clerk of the Borough of Manasquan to advertise a Request for Proposal for Engineering Services.

**RESOLUTION
342-2013**

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, that the resignation of Debra Mansfield, from the position of Class II Special Police Officer effective November 5, 2013 be and is hereby accepted.

**RESOLUTION
343-2013**

WHEREAS, the Borough of Manasquan (“Manasquan”) is in need of a Municipal Registrar; and **WHEREAS**, the Municipal Registrar appointment runs simultaneously with the appointment of Municipal Clerk, and

NOW, THEREFORE BE IT RESOLVED on the 2nd day of December, 2013, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. Ms. Barbara Ilaria is appointed as Municipal Registrar of the Borough of Manasquan.

DECEMBER 2, 2013

2. The effective date of this appointment is December 2, 2013 and will run simultaneously with the appointment of Municipal Clerk.

A certified copy of this resolution shall be sent to:

Ms. Barbara Ilaria
201 East Main Street,
Manasquan NJ

**RESOLUTION
344-2013**

WHEREAS, Barbara Ilaria was duly appointed and confirmed to the position of Municipal Clerk on November 1, 2010 for a (3) year term in accordance with N.J.S. 40A:9-133 et seq; and

WHEREAS, Barbara Ilaria is and has been certified as Registered Municipal Clerk since October 14, 2009 and has satisfied the continuing education requirements for said certification; and

WHEREAS, the Borough of Manasquan is desirous of reappointing Barbara Ilaria, RMC as Municipal Clerk of the Borough of Manasquan; and

WHEREAS, this reappointment has occurred with the sixty (6) days of the expiration of the three year term identified above; and

NOW, THEREFORE BE IT RESOLVED that Borough Council of the Borough of Manasquan, as follows:

1. Barbara Ilaria, RMC is hereby reappointed to the position of Municipal Clerk in the Borough of Manasquan.
2. Barbara Ilaria, RMC is and has upon this reappointment attained tenure pursuant to N.J.S.A. 40A:9-133 et seq.

**RESOLUTION
345-2013**

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 2014.

**RESOLUTION
346-2013**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE
BOROUGH OF MANASQUAN, MONMOUTH COUNTY,
NEW JERSEY, AUTHORIZING THE APPLICATION TO THE NJ DEPARTMENT OF
COMMUNITY AFFAIRS FOR A POST-SANDY PLANNING ASSISTANCE GRANT**

WHEREAS, the Governing Body of the Borough of Manasquan, County of Monmouth desires to apply for and obtain a Post-Sandy Planning Assistance grant from the New Jersey Department of Community Affairs (DCA); and

WHEREAS, the Governing Body of the Borough of Manasquan, County of Monmouth has attended an orientation session held by DCA explaining the grant application process; and

WHEREAS, the Governing Body of the Borough of Manasquan, County of Monmouth intends to apply for Post-Sandy Planning Assistance grant money for the following planning activities and in the following amounts:

Strategic Recovery Planning Report – Not to exceed the maximum amount of \$30,000

DECEMBER 2, 2013

Preparation of Requests for Proposals – Not to exceed the maximum amount of \$5,000

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Manasquan, County of Monmouth does hereby authorize the application for the above grants; and

BE IT FURTHER RESOLVED that the Borough of Manasquan, County of Monmouth has sustained a ratable loss attributable to Super Storm Sandy of at least 1 percent or \$1 million dollars, as indicated by the attached documentation from the tax assessor; and

BE IT FURTHER RESOLVED that the Borough of Manasquan, County of Monmouth recognizes and accepts that DCA may offer a lesser or greater amount of grant funding than that requested; and

BE IT FURTHER RESOLVED that the Borough of Manasquan, County of Monmouth authorizes the execution of the grant agreement in the amount offered and approved by DCA and further authorizes the expenditure of funds pursuant to the terms of the grant agreement entered into by the Borough of Manasquan, County of Monmouth and DCA; and

BE IT FURTHER RESOLVED that the Borough of Manasquan, County of Monmouth agrees to comply with all DCBG-DR regulations, Post Sandy Planning Assistance Guidelines and also accepts that the proposed uses(s) of DCBG-DR funds are not reimbursable by FEMA, SBA or other federal agencies; and

BE IT FURTHER RESOLVED the persons whose names appear below (or any successor or assign) are authorized to sign the grant agreement or any other document in connection therewith:

George R. Dempsey, Jr.
Mayor

Joseph Delorio
Administrator/CFO

RESOLUTION **347-2013**

WHEREAS, the Borough of Manasquan is desirous of appointing beach employees for the month of December during the sale of pre-season beach badges/parking passes; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 2nd day of December, 2013 appoint the following beach season employees to work during the month of December 2013:

Supervisors:

- Tracy Sullivan, 149 Curtis Place, Manasquan \$15.00 hr.
- Eileen McFadden, 117 Marcellus Avenue, Manasquan \$15.00 hr
- Mike Hurden, 2559 Collier Road, Manasquan \$15.00 hr
- Frank Cavalieri, 16 Rosewood Ct. Spring Lake Heights \$15.00 hr

Sales Clerk:

- Kayla White, 2013 Tangier Drive, Allenwood \$12.50 hr.
- Heather Saake, 61 Colby Ave, Manasquan \$12.50 hr.
- Laurie Brandon, 37 Howe Street, Bayhead \$12.50 hr.

DECEMBER 2, 2013

- Christella Fischer, 2503 Algonquin Trail, Manasquan \$12.50 hr
- Joanne Zappicchi, 239-C Beachfront, Manasquan \$12.50 hr
- Jim Sullivan, 149 Curtis Place, Manasquan \$12.50 hr

**BOROUGH OF MANASQUAN
RESOLUTION
348-2013**

CHANGE ORDER NO. 2

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

TITLE OF JOB: Warren Avenue & Perrine Boulevard Improvements

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

CONSTRUCTION CONTRACTOR:

Mixalia Enterprises, LLC
402 Sycamore Avenue
Shrewsbury, NJ 07702

CONTRACT MODIFICATION NO. 2

Increase in Contract amount to cover additional work requested by Borough primarily due to installation of an additional new hydrant and construction of additional concrete curb and gutter in several locations.

AMOUNT OF CHANGE THIS RESOLUTION: +\$13,501.54

TOTAL AMOUNT OF CHANGE; +\$13,501.54

**RESOLUTION
350-2013**

**RESOLUTION REJECTING ALL BIDS AND AUTHORIZING RE-
ADVERTISEMENT FOR SQUAN LIFE SAVING STATION #9
BUILDING IMPROVEMENTS 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 Squan Beach Life Saving Station #9 Improvements for the Borough of Manasquan; and

WHEREAS, the bid was received in response to the advertised public bid:

	Base Bid	Alternate #1	Alternate #2
Trinity Construction	\$98,478.00	\$2,310.00	\$9,900.00
Straight Edge	\$127,988.00	\$2,400.00	\$11,000.00
McCauley Construction	\$150,000.00	\$2,400.00	\$10,000.00
Jamali Developers	\$187,000.00	\$1,500.00	\$13,000.00
Precision Building	\$191,879	\$3,000.00	\$11,900.00
Geocom Industries	\$223,000.00	\$500.00	\$1,000.00
Rocon Contracting	\$259,431.00	\$3,000.00	\$12,605.00

WHEREAS, the bid included a proposal submission checklist pursuant to N.J.S.A. 40A:11-23.2, and

DECEMBER 2, 2013

WHEREAS, the proposal submission checklist did not include a listing of subcontractors pursuant to NJSA 40A:11-16, and

WHEREAS, NJSA 40A:11-16 requires a listing of subcontractors and therefore the proposal submission checklist did not comply with the requirements of NJSA 40A:23.2, and

WHEREAS, the bid specifications advertised by the Borough of Manasquan stated: "The Borough of Manasquan reserves the right to reject any and all bids..." and

WHEREAS, the Borough Council is desirous of rejecting all bids pursuant to NJSA 40A:11-13.2 for the project "Squan Beach Life Saving Station #9 Improvements."

NOW, THEREFORE BE IT RESOLVED on the 2nd day of December 2013, by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey, as follows:

1. The Borough Council rejects all bids for the project "Squan Beach Life Saving Station #9 Improvements" as per NJSA 40A:11-21(e).
2. The Municipal Clerk is authorized to re-advertise the bid for the project "Squan Beach Life Saving Station #9 Improvements."

RESOLUTION
349-2013

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.
3. Related bills associated with Super Storm Sandy included in this bill list are approved subject to the award of an Emergency Note previously authorized through 2012 resolutions 364-2012, 355-2012, 354-2012 and 341-2012,

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

Current Fund	362,572.24
Water/Sewer Fund	16,883.35
Beach Fund	12,673.70
General Capital Fund	7,289.80
Water/Sewer Capital Fund	10,310.76
Beach Capital Fund	7,978.54

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

ORDINANCES

The Borough Attorney read the title of ordinance 2144-13 for second reading and final hearing.

**ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE MANASQUAN
BOROUGH CODE DEPARTMENT LOCATED AT 201 EAST MAIN STREET
MANASQUAN AND OTHER RELATED IMPROVEMENTS IN THE**

DECEMBER 2, 2013

**BOROUGH OF MANASQUAN, MONMOUTH COUNTY, NEW JERSEY,
APPROPRIATING \$22,000.00 THEREFORE AND AUTHORIZING THE USE
OF CAPITAL IMPROVEMENT FUNDS OF THE BOROUGH FOR
FINANCING SUCH APPROPRIATION**

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

There being none Council Member Sinneck made a motion to close the public portion, seconded by Council Member Bossone. Motion carried unanimously.

Council Member Sinneck made a motion to pass and publish ordinance 2144-13 according to law, seconded by Council Member Bossone. Motion carried by the following vote; "yes" Council Member Bossone, Sinneck, Olivera, and McCarthy, "no" none.

APPROVAL OF MINUTES

August 5, 2013 Work Session and Regular Meeting Minutes (absent Donovan, Mangano)

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

COMMITTEE REPORTS

Public Safety and Recycling Committee – Council Member McCarthy reported that the Borough was informed that it has been awarded a grant of \$3,730.54 from the Division of Criminal Justice for the replacement of body armor for the police department. He also reported that the new consoles have been installed in the police dispatch which was damaged by lightning.

Public Property & Parks Committee – Council Member Olivera reported that the generator work that was scheduled for the 29th was not accomplished do to the fact that JCP&L was a no show. He voiced his displeasure with JCP&L as this is the third time that the Borough has been on the receiving end of no shows. He reported that a letter will be going out to JCP&L stating what has happened. He advised that the new date is December 14 and any overtime fees will be pushed off to JCP&L for payment by them. He reported on the resolution that was on the consent agenda regarding the Life Saving Station Bids and that the discrepancy in the bid package made it seem to be unfair bidding for the seven (7) bidders and it will be rebid with a new date of the bid opening of December 19 and with a goal to award on the 30th.

Law and Code Committee – Council Member Sinneck reported that the Edmunds software is up and running which will speed up the work flow and be more responsive to the homeowners. He advised that there has been some feedback from residents about homes that are being elevated with the site line being a concrete wall and an ordinance is being worked on to require those homes to cover the concrete walls to beautify the properties. He reported that with the passing of the ordinance tonight the code department will be able to complete the reconfiguring of the department. He advised that there has been some misunderstanding of escrows and how they are used through the planning board and they can not be used for permit fees.

Beach Committee – Council Member Bossone reported that the Brielle Bathrooms are now closed for the season. He reported that pre-season badge sales will begin next Monday the 9th and continue through Saturday the 21st from 10 to 2 every day at the DCI Recreation Annex on Atlantic Avenue. He advised that he is working on getting a second quote on the beach camera system and once this is received it will be on the agenda for approval. He reported that he has requested to be included in the weekly update reports regarding the beach replenishment project and that he advised that the dredge is fully operational and there has been no incidents in the past week, the estimated sand placed to date is 106,000 cubic yards out of the 1.4 million, and the estimated project completion to date is 7% which represents the whole project from Manasquan to Belmar. He reported that the Chamber annual tree lighting is this Friday along with the Candy Cane Hunt and all events will be on Main Street this year with a rain date of Friday the 13th at 6 p.m. He reported that Christmas in Manasquan will be held on Sunday the 15th at noon on Main Street.

AUDIENCE PARTICIPATION

DECEMBER 2, 2013

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

Bob Duerr, 614 Cedar Crest Drive, Brielle stated that he has been monitoring the beach replenishment project and he highly recommends that the dune system be considered. He went over what Belmar has done with their dune system.

Mayor Dempsey stated that the Borough has been in contact with the Army Corp of Engineers for an engineered dune. He advised that if it is an engineered dune it can be maintained by the Borough.

There was discussion on the dune system and the different types of systems that are available.

Mr. Duerr extended his participation in any way to help with the replacement of the dunes.

Mr. Delorio stated that the Borough has been in constant communication with DEP who initially presented one thought of a dune plan and now has changed it so it is no longer maintaining a dune but maintaining an entire beach system that would determine the height of the dune and it can be maintained to its template.

Mr. Duerr voiced his concerns for inexperienced surfers as the Inlet will be getting busier as it is a great surfing beach and they are looking into a second beach for surfing.

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

Council Member Sinneck made a motion to adjourn the meeting at 8:20 p.m., seconded by Council Member McCarthy. Motion carried unanimously.

Respectfully submitted,

B. Clavie

Barbara J. Ilaria
Municipal Clerk

DATE APPROVED 1-6-14