

FEBRUARY 18, 2014

Regular Meeting of Mayor and Council was convened at 8:02 p.m. on February 18, 2014 in Council Chambers of Borough Hall with Mayor George Dempsey presiding.

Mayor Dempsey's statement re: Open Public Meetings Act of 1975 and that notice was given to the Coast Star and the Asbury Park Press on December 30, 2013.

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 DeIorio

PRESENTATION: Assemblyman David Rible – Update on State Matters

Assemblyman Rible addressed the Mayor and Council and advised that he is looking forward to working with the members along with Senator Sean Kean and is excited to be representing Manasquan. He thanked the Mayor and Council for all the hard work they have done to recover from Sandy. He asked if there were any questions for him.

Council Member McCarthy jokingly stated that there are a couple of pot holes on Route 71.

Assemblyman Rible stated that one of the big issues is getting the money for snow recovery and there are some big issues ahead of him.

Mayor Dempsey inquired about the salt that the Borough is running low on. He stated that the supplier is out and the Borough was dealing with the County and Tobia was going down to talk to the State to see if the State, with shared services, would have any relief to get another load. He stated that the Borough has enough for one more storm.

Assemblyman Rible stated that there is an emergency barge coming in with 10,000 tons of salt and it should be here by the weekend which is strictly for New Jersey. He stated that a letter was written by himself, Sean Kean, Bob Singer to Chris Smith urging him to address homeland security to get the barge sitting off Maine with all the salt to be here shortly.

Council Member Mangan asked if Assemblyman Rible could put on his list for this year is the idea of a road improvement fund that just fixes roads that don't need major improvements.

APPOINTMENTS - Planning Board Members

Mayor Dempsey made the following appointments.

Peter Ragan, Jr. – Alternate #1 Member – unexpired term
Mark Apostolou – Alternate #2 Member – unexpired term
Kevin Thompson – Alternate #3 Member – unexpired term

CONSENT AGENDA

**RESOLUTION
61-2014**

BE IT RESOLVED, that the Honorable George R. Dempsey, Jr., Mayor of the Borough of Manasquan, be and is hereby authorized to sign the Agreement between The Borough of Manasquan and the Monmouth Municipal Joint Insurance Fund for Membership Renewal for January 1, 2014 and ending December 31, 2016.

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**RESOLUTION
62-2014**

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: George & Mary Forshay
36 Ocean Ave
Manasquan, NJ 08736

AMOUNT OF REFUND DUE: 553.25

REASON FOR REFUND: Developer's Escrow Refund #07-2012

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
63-2014**

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: Dean Carmen
13 Gates Road
Branchburg, NJ 08876

AMOUNT OF REFUND DUE: \$690.64

REASON FOR REFUND: Developer's Escrow Refund #12-2013
490 Perrine Blvd, Manasquan, NJ 08736

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer is hereby authorized and directed to draw a warrant in the said amount to the above listed refunds with said warrant to be charged against the General Ledger.

**RESOLUTION
64-2014**

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 Municipal Clerk and Administrator that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: Manasquan Beach Headquarters

COMPANY: Rice & Brown Architects
544 Washington Blvd.
Sea Girt, NJ 08750

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AGREEMENT MODIFICATION NO. 1

Additional \$1,500.00 needed for additional Mechanical, Electrical and Plumbing design.

AMOUNT OF CHANGE THIS RESOLUTION: \$1,500.00

TOTAL AMOUNT OF CHANGE: +\$1,500.00

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

**RESOLUTION
65-2014**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,
GRANTING A SALARY INCREASE TO MS. MICHELLE ABBOTT**

WHEREAS, the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey decided to grant a salary increase to Ms. Michelle Abbott; and

WHEREAS, Article 8, Section 2 of the agreement between the Borough of Manasquan and the Office and Professional Employees International Union, AFL-CIO, Local 32 permits the Borough of Manasquan, at its sole discretion, to award a salary increase; and

WHEREAS, the Mayor & Borough Council have reviewed the work performance of Ms. Abbott and have determined that it is appropriate to award a salary increase pursuant to Article 8, Section 2 of the aforementioned agreement; and

NOW, THEREFORE BE IT RESOLVED on the 18th day of February, 2014, 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:

1. The Borough Council does hereby authorize a salary increase for Ms. Michele Abbott of \$5,000.00, as of February 18th, 2014.

**RESOLUTION
66-2014**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey, that Manasquan Hook and Ladder Company #1 has submitted the attached members that qualify under Ordinance 2005- 07 "Free Season Beach Badge and Parking Permit for Certain Members of the Volunteer Fire Companies". These Members responded to 20% or more of the calls of the Unit or are Life Members of Manasquan Hook and Ladder Company No. 1.

**RESOLUTION
67-2014**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey, that Manasquan Hook & Ladder, Company No.1 has submitted the attached members that

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qualify under Ordinance 2005-07 Section 7 for "Exemption from the Payment of Permit Fees" these Members responded to 20% or more of the calls of the Unit or are Life Members of the Manasquan Hook & Ladder Company #1 Manasquan First Aid.

**RESOLUTION
68-2014**

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, that the resignation of Julian C. Price from the position of Planning Board Alternate #1 effective February 18, 2014 be and is hereby accepted.

**RESOLUTION
70-2014**

**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 & Operator:

- 1) Greg Hall - Sandy's Manasquan Taxi
- 2) Deepinder Singh - JJ Taxi
- 3) Gurpreet Saggu - A-One Cab
- 4) Roger Fernandez - TJSM Beach Services
- 5) Eugene Capoano - Johnny Babes South

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 18th day of February, 2014, 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
71-2014**

BE IT RESOLVED, that Thomas Nicastro, Superintendent of Public Works, be and is hereby named the Safety Coordinator for the Borough of Manasquan for 2014.

**RESOLUTION
72-2014**

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**RESOLUTION ACCEPTING AND ADOPTING
THE MONMOUTH COUNTY MUNICIPAL JOINT
INSURANCE FUND'S 2014 SAFETY AND
COMPLIANCE PROGRAM**

WHEREAS, the Borough of Manasquan is a member of the Monmouth Municipal Joint Insurance Fund; and

WHEREAS, it is policy of the Monmouth JIF to achieve the best and most practical degree of freedom from accidents and/or injuries; and

WHEREAS, the Monmouth JIF endeavors to ensure that all of their members, employees, volunteers and public are provided with a safe and healthy environment, free from any recognized hazards; and

WHEREAS, the Monmouth JIF endeavors to ensure that all of their members are in compliance with applicable safety and health requirements; and

WHEREAS, the Monmouth JIF's Safety Committee is made up of volunteers representing many of the Fund's Municipalities, along with the professionals employed by the Fund; and

WHEREAS, over the past year, the Monmouth JIF's Safety Committee has worked hard to develop a new safety and Compliance program like none other in the State that will better represent the members of the Fund's needs; and

WHEREAS, the new program will assist all the Monmouth JIF's members in becoming or maintaining compliance with all Public Employees Occupational Safety and Health (PEOSH) Requirements; and

WHEREAS, the Monmouth JIF has adopted the new 2014 Safety and Compliance Program which should succeed in providing a safe, healthful and pleasant environment; and

WHEREAS, the Administrator of the Borough of Manasquan has reviewed this SAFETY AND COMPLIANCE PROGRAM and has recommended adoption by the Governing Body; and

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of Manasquan, County of Monmouth, State of New Jersey that the Monmouth County Municipal Joint Insurance Fund SAFETY AND COMPLIANCE PROGRAM be adopted by the Borough of Manasquan.

**RESOLUTION
73-2014**

BE IT RESOLVED that the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, has authorized that the pensionable base salaries of the below listed employees as a result of an executed agreement between the Borough of Manasquan and the Manasquan PBA Local 284 for the years 2013-2016;

Borough of Manasquan PBA Local 284 Members Annual Pensionable Base Salaries

	2013	2014	2015	2016
<u>Lieutenant</u>				
Mike Bauer	\$127,102.64	\$129,598.05	\$132,143.64	\$134,740.14
<u>Sergeant</u>				
Jacob Kleinknecht	\$121,693.97	\$124,100.87	\$126,555.91	\$129,060.05
Michael Stoia	\$120,455.24	\$122,818.08	\$125,228.08	\$127,686.27
Jeremiah Murphy	\$119,485.80	\$121,848.54	\$124,258.54	\$126,716.73

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Nick Tumminelli	\$117,759.95	\$120,100.61	\$122,488.08	\$124,923.30
Gregory Restivo	\$118,247.18	\$120,565.75	\$122,930.70	\$125,342.94
<u>Patrol</u>				
William Sutton	\$110,716.84	\$113,785.70	\$116,208.23	\$118,505.42
Adam Pharo	\$109,367.42	\$111,554.76	\$113,785.86	\$116,061.58
Keith Smith	\$108,335.65	\$110,502.36	\$112,712.41	\$114,966.66
Mike Tischio	\$111,348.65	\$113,536.00	\$115,767.09	\$118,042.81
Keith Stopera	\$110,084.20	\$112,820.82	\$115,030.87	\$117,285.12
Thomas Morton	\$108,335.65	\$110,502.36	\$112,712.41	\$114,966.66
John Mahoney (resigned 4/3/2013)	\$27,052.82			
Nicholas Norcia	\$79,286.30	\$84,834.99	\$95,854.49	\$107,308.93
Ken Hamill	\$62,735.42	\$72,902.60	\$82,911.63	\$93,700.30
Robert Wagner	\$60,853.29	\$71,372.40	\$81,412.29	\$92,076.46
Shannon Brown (hired 8/5/2013)	\$15,375.29	\$55,474.61	\$66,591.49	\$76,982.95

WHEREAS, the schedule above reflects an increase on the base salary effective January 1 of each year as follows: for the calendar years of 2013 – 2%, 2014 – 2%, 2015 – 2%, and 2016 – 2%, and;

WHEREAS, pensionable base salaries are defined as those regulated by the Police and Firemen Retirement System (PERS) of New Jersey and;

WHEREAS, the pensionable base salaries above includes any additional stipends, longevity payments, holiday pay, professional education and education incentive pay, supervisors pay or other benefits are as stated in the Manasquan Local 284 Agreement for years 2013 to 2016, Borough Ordinance, Resolutions or additional contracts, and;

WHEREAS, additional salary items, such as overtime pay, extra duty pay, which are not part of pensionable base salaries stated in this resolution, are authorized as listed in the Manasquan Local 284 Agreement cited in this resolution, and;

BE IT FURTHER RESOLVED that the Borough Clerk is authorized to notify the employees upon passage of this resolution.

**RESOLUTION
74-2014**

WHEREAS, the Borough of Manasquan is desirous of adopting a policy for the Use of Professionals; and

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NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 18th day of February, 2014 adopt the Borough of Manasquan Use of Professionals Policy.

**RESOLUTION
75-2014**

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, that the resignation of Kenneth J. Fortier, from the position of Public Defender for the Borough of Manasquan Court as of February 11, 2014 is hereby accepted.

**RESOLUTION
76-2014**

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	1,565,778.54 (Includes 1,475,003.36 County Taxes)
Water/Sewer Fund	27,378.85
Beach Fund	5,945.28
General Capital Fund	22,130.74
Water/Sewer Capital Fund	28,724.55
Beach Capital Fund	669.60

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

ORDINANCES

Council Member McCarthy asked that the ordinance be amended to reflect the hourly rate as \$30.00, starting salary as \$30,000 to \$56,000 and the part-time dispatcher will be \$16.00.

The Borough Attorney read the title of ordinance 2149-14 for introduction as amended.

**AN ORDINANCE FIXING THE SALARY RANGE AND
COMPENSATION FOR DISPATCH EMPLOYEES OF
THE POLICE DEPARTMENT**

Council Member Sinneck made a motion to introduce ordinance 2149-14, 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 1, 2014 – Budget Meeting

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

February 3, 2014 – Work and Regular Meeting

Council Member Bossone made a motion to approve the minutes, seconded by Council Member McCarthy. Motion carried unanimously with Council Member Mangan abstaining.

February 4, 2014 – Special Meeting

Council Member Donovan made a motion to approve the minutes, seconded by Council Member Bossone. Motion carried unanimously with Council Members Sinneck, Mangan, and McCarthy abstaining.

COMMITTEE REPORTS

Public Safety & Recycling – Council Member McCarthy reported that Officer Shannon Brown has completed her shadow program and she is no longer riding around with any other officer and is working the midnight shift.

Public Property & Parks Committee – Council Member Olivera reported that the committee has started looking at the Borough buildings and a long term strategy for the DCI Building. He stated that the remediation at the Life Saving Station is continuing and the mold remediation has been completed and the painting should start shortly. He reported on the preparation of the ADA doors at Borough Hall. He reported on the parks and stated that there will be Manasquan Parks Day on April 12, 2014 where the entire committee will be visiting 6 of the 17 parks that the Borough has and the residents are welcome to join the committee.

Administration and Finance Committee – Council Member Mangan reported that there is a budget meeting this weekend which will include the Police Department Budget and then a discussion on debt, FEMA and the capital budget. He reported that the Beach budget will be heard on March 1, 2014. He reported that the committee has been discussing the road improvement fund and trying to figure out a way to find more money in the budget. He reported that the website RFP is being worked on and should be for review at the next meeting. He reported that FEMA is looking for their exit briefing form which means that the Borough has received the big wire transfer and all the project worksheets have been completed and the committee is asking all department heads to look to make sure that the project worksheets capture the expenses for each department.

Public Works Committee – Council Member Donovan reported that Public Works has been very busy salting and plowing the streets, picking up Christmas Trees and chipping them and the chips are free to residents to be picked up in Brielle. He reported that Public Works will be filling pot holes as soon as weather permits and snow fencing will be put up at the beach when the weather permits. He reported that the Public Works has received ownership of their new unit 18 truck.

Law and Code Committee – Council Member Sinneck reported that the volume of work in Law and Code continues but the responsiveness has improved. He reported on the day to day operations in the Code/Construction department and how they have improved over the last months.

Beach Committee – Council Member Bossone reported that the committee continues to meet to keep things moving and he reported the updated dates for the Sea Watch parking and lockers application renewals. He reported that two projects will be submitted to Wall Cares for the Manasquan Beach Restoration Fund for payment of them for the siding at Sea Watch locker building and to replace some fencing at the Pompano Avenue lot that was damaged. He reported that the Third Avenue Parking Lot Project bid package went out and the opening will be February 21 and the committee is looking to award this project at the Special Meeting scheduled for February 22. He also reported that the plans and specs have been submitted to the NJDOT for approval to close off the small section of Riddle Way. He reported that the beach replenishment has been completed in Manasquan and that the committee has received three proposals to fix and/or finish work at the Beach Headquarters. He reported that he is looking into getting quotes to have the sand that is piled at the Beach Garage parking lot sifted and put back on the beach and the RFP has been put out for the camera system for the beach and the deadline for this proposal is February 25.

AUDIENCE PARTICIPATION

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

Richard Leonard, 193 Third Avenue thanked everyone that was involved in bringing back the town post Sandy. He stated that the website is outstanding and is a great tool for the residents to stay informed and to pay certain bills on-line. He stated that one of the things that concerns him this year is a clear list of requirements for a certificate of occupancy. He wants to make sure that the existing non-conforming uses, whether it be ceiling height in terms of an entrance into a bedroom, interpretation of dune grass and high grass, and bed room sizes for existing non-conforming.

Mayor Dempsey stated that the Borough did not adopt the UCC the Borough adopted their own code. He stated that it is 60 square feet for one, 80 square feet for two, and 100 square feet for three.

Mary Ryan, 113 Beachfront reiterated what Mr. Leonard said and thanked the council for everything and it has been a pleasure working with them. She stated that she is upset over the closure of Riddle Way and there are still many people that are not in town at this time and she believes that it was not published to the people in the area that the road was going to be closed. She stated that she feels that it was unfair to present the project as a done deal, not give people a chance to talk about or even be aware that it was going on. She stated that she has sent the council e-mails for the last two weeks with her feelings about the project. She stated that she has encouraged people to send their e-mails and she has had calls from Florida, Arizona, and people stop her in the grocery store but she has not be able to get people revved up enough in terms of sending e-mails, calling or coming to the meeting. She stated that the e-mail that she sent was to inform the council to please reconsider this situation. She inquired about the e-mails that come to Borough Hall and who gets the e-mails.

Mr. DeLorio stated that the e-mails are sent to Mr. Rooney for review and Mr. DeLorio compiles a list and as of today there were 11 e-mails received some included opposed, needing more trees, and one way on Pickell Alley. He stated that 1500 e-mails were sent out through the Borough website e-mail blasts and on facebook there were 2,072 views and there are 600 followers on twitter. He stated that as far as social media goes everything has been done to get the word out to residents.

Ms. Ryan asked if the e-mails that are sent to the Administrator go directly to council or does he just share the information with them.

Mr. DeLorio stated that he does both. He went over the process that he uses to share information with the council.

Ms. Ryan wanted to know if the Borough heard from the NJDOT regarding closing the street.

Mr. Rooney, Special Projects Engineer stated that there has been no word but all paperwork has been formally submitted to them.

Ms. Ryan wanted to know when the council will decide whether the street will be closed or leave it open.

Mr. Rooney stated that since NJDOT approval is a requirement the Borough will yield to the DOT in terms of their response.

Ms. Ryan voiced her concerns of turning around on Riddle Way.

Resident, 128 First Avenue stated that he is concerned like Ms. Ryan. He stated that he thinks the flow of traffic at the beach area works well as it is right now. He voiced his concerns of the change of the traffic flow in the area. He also voiced his opinion on the possible one-way on Pickell Alley.

Ed Hyer, 56 Second Avenue voiced his concern about the tower wall not being fixed on First and Ocean.

Mayor Dempsey stated that this issue is for the Federal Government as that tower and area is their responsibility.

Council Member Bossone stated that he will have the beach department look and see if they can try and fix it.

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Mary Ryan, 113 Beachfront inquired about overnight parking at the Third Avenue Lot.

Mayor Dempsey stated that previously the Third Avenue Parking Lot was not allowed for 24 hours. He stated this might change depending on what the committee wants to do.

Ms. Ryan also inquired about church parking.

Mayor Dempsey stated that he believes it will be the same as it was previously.

Council Member Olivera 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 8:44 p.m. seconded by Council Member Mangan. Motion carried unanimously.

Respectfully submitted,



Barbara J. Ilaria
Municipal Clerk

DATE APPROVED 3-3-14