

AUGUST 6, 2012

A Work Session Meeting of Mayor and Council was convened at 7:00 p.m. on August 6, 2012 in Council Chambers of Borough Hall with Mayor Dempsey presiding.

Mayor Dempsey related 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.

ROLL CALL: Present: Council Members Bossone, Connolly, Donovan, Jacobson, Mangan and McCarthy

Absent: None

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

APPOINTMENT: Mr. Charles Rooney – Borough Engineer's Report

Mr. Charles Rooney read the Engineer's report dated August 6, 2012.

Council Member Mangan asked Mr. Rooney what the status is going to be for the Fisherman's Cover Bulkhead as it pertains to the 125th Celebration taking place in August.

Mr. Rooney stated that there is no change at this time and if anything is going to start it would be mid September.

Council Member Mangan asked Mr. Rooney about the Interconnect projects. Mr. Rooney stated that all the interconnections in town were looked at and Brielle-Manasquan was one that was looked at to enhance or improve it. He stated that this is being held up do to contaminated soil and he advised that the interconnection with Wall has low pressure and that one is being looked into.

Council Member Jacobson asked Mr. Rooney about the underground storage tank and why it was not discovered prior to the design of the Water Treatment Plant.

Mr. Rooney stated that he relied on the existing mapping and knowledge of the area and there were no indications of an underground storage tank on the property.

There was discussion about the underground storage tank and the soil contamination.

Mr. DeIorio advised the council that the Glimmer Glass Drainage proposal will be discussed in more detail with the Public Works Committee, however the firm is asking for a request to advertise for the project. He advised that the money has already been budgeted for last year and the allocation is there. He asked the Council to authorize the advertisement of the project if they wish to proceed and allow the committee to review and then on the 20th they will indicate which streets and which areas to proceed with.

There was discussion on how the bid would be worded as far as three (3) different options are available.

Council Member Donovan made a motion to advertise the Glimmer Glass Drainage and Road Improvements Project using (a) Perrine Boulevard from Main Street to Holly Place and (c) Warren Avenue from Euclid Avenue to Perrine Boulevard, seconded by Council Member Mangan. Motion carried by the following vote; "yes" Council Members Bossone, Connolly, Donovan, Jacobson, Mangan, and McCarthy, "no" none.

ITEM #1: Use of Borough Property

- Block Party – Curtis Avenue – Sept. 2, 2012

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

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- Use of SBLSS by Borough Historian – Sept. 8, 2012

Mr. DeIorio stated that the Historian is acting on behalf of the SBLSS Committee and the money being collected will be going to the SBLSS Committee.

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

- Block Party – Fletcher Avenue – Sept. 2, 2012

Council Member Bossone made a motion to approve the request with an end time of 9:00 p.m., seconded by Council Member Connolly. Motion carried unanimously.

- 1st Birthday Party Amendment – Rain Date of August 24, 2012
(Original request approved on July 16, 2012)

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

ITEM #2: On-line Auction – Govdeals.com

Mr. DeIorio advised the council that he would like to move ahead with securing govdeals.com, an online auction service that is approved by the State of New Jersey. He advised that this is new for the Borough and the surplus items will be collected and auction them on line. He advised that gov.deals has a state contract for this service and whatever is sold by the Borough gov.deals would earn 7.5% of the sales.

There was discussion on the auction and how it would work and having an on-line auction as well as the normal auction at the DPW for the bikes.

ITEM #3: Cable Advisory - Scheduler Discussion

Mr. DeIorio stated that Council Member Connolly asked that this item be placed on the agenda. He advised that the school responded to the Borough's request to split the cost of the scheduler and he was advised that budget monies are not available. He stated that the Councilwomen would like to move forward independent of the school board.

There was discussion on the scheduler and the use of it and where the money might come from.

Mr. DeIorio stated that he would like the council to consider the purchase of microphones in order to make the system work properly the Borough Clerk had a meeting with a vendor to get a quote for replacing the existing microphones and getting a new mixer.

Mayor Dempsey stated that he would rather take care of the microphone problem first and put the scheduler on hold until next year.

Council Member McCarthy stated that he would be in favor of new microphones at this point.

Michelle LaSalla, Board of Education Member stated that she believes that there is some misinformation. She stated that at a Board Meeting the Superintendent was asked if there was an educational value to the District and that answer was no. She stated that the reason for the BOE denying the request was because it was not in their budget and there is no benefit to the students.

There was discussion on the scheduler and the benefit to the District and/or the Borough and the existing microphones and the purchase of new ones.

Mr. DeIorio stated that the microphone purchase would be taken out of the technology bond that the Borough has in place already.

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Council Member Donovan made a motion to table the scheduler for a future meeting, seconded by Council Member McCarthy. Motion carried by the following vote; "yes" Council Members Bossone, Donovan, Jacobson, Mangan, and McCarthy, "no" Council Member Connolly.

ITEM #4: Water Treatment Plant - Update

Mr. DeIorio updated the Council on the Water Treatment Plant and the water quality issues in the areas of Willow Way which includes Spruce, Cherry, Old Squan, and the surrounding area and Ridge Avenue. He advised that there have been requests to adjust recently issued water bills and the adjustments are under consideration as well as other alternatives. He stated that should the Council consider any adjustments, those adjustments would have to be applied to a future quarter. He stated that any current bill issued now would need to be paid in full by the 17th to avoid interest and penalties. He asked that when the residents of the affected area arrive at the Water Treatment Plant for bottled water that they see a staff member to sign out the water. He stated that T&M does not recommend using an auto flush system at this time.

Mayor Dempsey asked if the Borough could get a letter from T&M advising not to use the auto flush at this time.

Mr. Keith Henderson, water/sewer expert from T&M Associates went over the auto flush.

There was discussion on the flushing of the pipes and what is the plan of action and the time frame to correct problem.

ITEM #5: Review of Resolutions for Consideration at the Regular Meeting

Mayor Dempsey asked if council had any questions on the resolutions that are on the agenda for consideration at the regular meeting.

Council Member Bossone asked for the council's support on Ordinance 2120-12 Prohibiting Pet Sales in the Borough.

AUDIENCE PARTICIPATION

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

Jack Drew, 111 Third Avenue went over the Squan Plaza projects and asked how much work has T&M done, not related to survey or general work, which would be done anyway but specifically on the design of the T&M Council plan itself.

Mayor Dempsey stated that he would have to have T&M go back and look at their records other than the survey the design work has been reported as being 80 to 85% done for the total design work and the bid package.

Council Member Bossone stated that the survey that was sent around in the mail regarding which plan should council choose did not come from Council. He stated that he has been approached and is being asked how the survey should come back that the council sent out and taxpayer money was spent on a mailer that went out. He stated that he does not know who sent it out but on the flyer it was stated that it was "sent out by friends of Squan Plaza" and he considers himself a friend of Squan Plaza also, but his opinion might defer on which plan he wants to endorse. He wanted to make it clear that this flyer did not come from Council and there was no taxpayer money spent on it and the council is not asking for surveys to come back and he believes a lot of people felt obligated that they had to send it back to make a decision. He advised that as far as he is concerned the plan has already been approved.

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Mr. Drew stated that he was approached and was asked who was sending the flyer out and he was told that there is other efforts to find out who is sending it out and he was disappointed to realize that the council had been primarily concerned of who sent it out rather than being grateful for people having done something without using taxpayers money to survey the public which he thinks the council had failed to do up to this point.

Council Member Mangan stated that he disagreed with Mr. Drew with his last statement and he had stated that he has interest in knowing who sent it out.

There was discussion on the flyer and the plans that have been endorsed by council.

Fran Drew, 111 Third Avenue, wanted to know if anyone on council knew the current results of the survey.

Council Member Bossone stated that he does not think so because some came back in the mail, some were e-mailed, and some were verbal.

There was discussion on the survey and the data that has been collected and the plans that have been endorsed by council.

Ms. Drew continued with her view of the council and the plans that she would like the council to change to green space. She read a portion of a letter that was in the Coast Star voicing someone's opinion on the plans. She stated that maybe Mr. Levitsky's name is the problem "but maybe if it was Peter O'Toole it would get further, it is a shame." She stated that she is saying that because "that is one of the things that she thinks, but maybe I am wrong about that." She stated that she believes that a lot of people have come forward and said they like the other plan and she wanted to know if somebody is looking at the response from the anonymous mailer that showed both plans.

Council Member Donovan stated that "no because it is not an official Borough survey."

Council Member Mangan stated that he "continues to be insulted by Ms. Drew's characterization of this process." He stated that every member of the council has listened to the different ideas for the Squan Plaza project and the Committee has received all aspects to come up with the plan that was already approved.

There was discussion on the Levitsky plan and the Committee Plan and the presentation by Mr. Levitsky.

Ms. Drew stated that when she was at a meeting that Mr. Weisert attended and he made his presentation she thought that he said that Cablevision had given him \$10,000 to use for some element of his operation and she thought he said that at that time Council took that \$10,000 to use for fixing of computers.

Council Member Connolly stated that Mr. Weisert has repeated that story to her as well.

There was discussion on the scheduler and what has transpired over the year with the purchase of the equipment and the airing of council meetings.

Ms. Drew stated that "maybe you don't want the public to see what's going on.:

Council Member McCarthy stated "that is an unfair accusation to make."

Ms. Drew stated "that is what I think."

Council Member McCarthy stated that the council sat every Saturday from January through March/April going over budget meetings and there were a lot of cuts made and \$12,000 is a substantial amount after making all the cuts to the different departments.

There was discussion on the scheduler and where the money should come from.

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Council Member Jacobson stated that out of respect for Ms. Drew's enthusiasm for her beliefs she has looked at the responses and it is an unofficial survey and she does not know anything about the survey except that she has looked at the responses and it is overwhelmingly in favor of the green plan. She stated that her problem with this is that she thinks that should be considered in the plan that the council has voted for and figure out ways to pay for it other than through tax payer money.

Council Member Connolly stated as chair of the Administration and Finance committee she would like to look at all the responses and do a detailed study of them.

Council Member Bossone stated that should be done on personal time because this is not something that was endorsed by the Borough.

Bill Place, 102 Iroquois Road, stated that "he does not know how elected officials can seriously look at a survey that is made up." He stated that those results could have come from anyone. He stated that there is no authorization by the Borough for this flyer to have been sent out.

Council Member Jacobson stated that most of the ones that were not signed were the ones that favor the T&M plan.

Mary Ryan, Beachfront stated that she can not believe that this discussion is still going on and she has attended almost every council meeting this past year and she heard about the Levitsky plan all year long. She went over what she remembers throughout the year about the Squan Plaza Project. She stated that she finds it incredible that people can state that this was never presented to the public. She stated that residents have come to the meetings and addressed the issues of the plaza development and while it is true many people have spoken in favor of the Levitsky plan. There were a lot of people in the audience who did not say anything who were not in favor of the Levitsky plan. She stated that the fact that there wasn't another voice heard about that that doesn't mean that is the only voice is being spoken. She voiced her opinion of the survey that was sent out and that there are residents that are so sick and tired of this thing going on and on that they are happy with the decision and plan that the council voted on. She stated that she believes the accusation by Ms. Drew that the council not being willing to listening is totally off base. She voiced her opinion on the purchase of the scheduler.

Julie Coccozza, 45 N. Potter Avenue stated that she believes at the last meeting Mr. DeIorio advised that the money for the scheduler was a line item in this year's budget.

Mr. DeIorio stated that it is a line item listed in the Borough's capital plan and in order for that capital plan to move ahead a Bond Ordinance would have to be adopted.

Rich Bartholomew, 121 Lake Avenue stated that Ms. Drew's comment on the Levitsky – O'Toole accusation was uncalled for and offensive. He stated that he believes that council would look at any plan with any name attached to it. He stated that he attended the meeting where a resident stated that there weren't any folks supporting anything but the Levitsky Plan and he spoke out about spending \$2 million that does not by default mean that he supported the Levitsky Plan. He advised that there were some other people at the meeting and he does not remember the residents that spoke out about the money are for the Levitsky Plan.

Marty McHugh, 96 Manito Road, stated that he is aware that the council has made a decision and he commends them for taking on something that should have been done a long time ago. He stated that if there is an opportunity at this point with the design that has been approved by council to maximize the amount of green space towards Hancock Park and keep parking and asphalt and infrastructure out of that area, he thinks it would be well worth it. He stated that in the long run that is where the flooding problems will occur. He handed the Mayor pictures of Hancock Park from July 28 after a heavy rain storm. He went over the pictures and the flooding in Hancock Park. He thanked the council for their time for a long over due project.

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Carl Straub, 27 Willow Way thanked everyone that is involved and has continued to investigate the problem with the water in the Willow Way area. He wanted to know the follow up with the power surge problem with the lime feed, auto backflush, tonka filters, and will there be an update for the effected area residents.

Mr. DeIorio stated that he will include a detailed update in his next e-mail.

Ms. Straub wanted to know if the auto flush will be in the plant or out at the hydrants.

Mr. DeIorio stated that it is out at the hydrants.

Ms. Straub advised how the back flush pushed out an unbelievable amount of rusty water and flakes and big pieces of stuff. He wanted to know how to know if it was all taken care of in one flush.

Keith Henderson of T&M Associates explained the reason for the tuberculation in the pipes and the auto flushing.

There was discussion about replacing the pipes so this does not happen and the possibility of pigging the lines.

Mr. Straub stated that the water in the backyards was 80 feet of rapidly rushing water with a depth of 4 or 5 feet during a storm the other day and maybe this should be looked at some time.

Dick Meincke, 36 N. McClellan asked if there are any current systems to top off ph control for the last 50 years.

Mr. Henderson stated that the technology that is being used is 4 years old. He went over the system and the issues with the ph and lime feed.

There was discussion on the lime system and the coustic soda system.

Mr. Meincke asked if T&M is charging the Borough for these lapses.

Mr. DeIorio stated that they are not charging the Borough.

There was discussion on the coustic soda system and why it should or should not be used in this particular plant.

Janice Fisher, 58 Morris Avenue thanked the council members for considering the pet ordinance to ban the retail sale of puppies and kittens in pet stores. She stated her beliefs on animal advocacy and the protection of animals and pet owners.

Fran Drew, 111 Third Avenue apologized for bringing up Dimitry Levitsky's name, it was unkind and thoughtless and she made a mistake and she was sorry.

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

Council Member Donovan made a motion to suspend the work session meeting at 8:50 p.m. with a 10 minute recess, seconded by Council Member Connolly. Motion carried unanimously.

The closed session portion of the minutes begins on the next page. The signature and approval date are located on the last page following the closed session meeting minutes.

Council Member Connolly made a motion to close the work session meeting at 9:00p.m., seconded by Council Member Bossone. Motion carried unanimously.