

REORGANIZATION MEETING, JANUARY 4, 2010

A Reorganization Meeting of Mayor and Council was convened at 7:00 p.m., in Council Chambers of Borough Hall with Mayor Dempsey presiding.

Mayor Dempsey welcomed the audience and invited them to join in a moment of silent prayer and a salute to the Flag.

The Mayor 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 22, 2009.

ROLL CALL: Present: Council Members Bossone, Donovan,, Lee, Lucas along with Council Member Elect Connolly and Council Member Elect Grasso.

Absent: None.

Also present were Municipal Administrator John Trengrove and Municipal Attorney James Kinneally.

SWEARING IN CEREMONIES

COUNCIL: Patricia Connolly - Council Member - Three Year Term. Council Member Connolly was sworn into office by Freeholder Lillian Burry.

COUNCIL: Donald Grasso - Council Member - Three Year Term. Council Member Grasso was sworn into office by Monmouth County Clerk Claire French.

VOLUNTEER OF THE YEAR 2010 - Peter Mayer III

Mayor Dempsey read the following proclamation.

WHEREAS, on January 4, 2010, Peter Mayer III will be recognized as "VOLUNTEER OF THE YEAR"; and

WHEREAS, he has been a volunteer Firefighter for the past 23 years; and

WHEREAS, he served on the Bay Head Fire Company for 6 years as an Engineer; and served on the Manasquan Engine Company #2 since 1994 as an Engineer, Assistant Foreman, Foreman, Assistant Chief, Chief as well as every line officer position; and

WHEREAS, he has served for 23 years in the New Jersey National Guard serving in Operation Desert Storm from 1990-1991, Guarded the Lincoln Tunnel after 9/11 during Operation Noble Eagle, and from 2008-2009 served in Operation Iraqi Freedom. He also went to New Orleans after Hurricane Katrina with Task Force Garden State and was activated for many storm related missions in New Jersey; and

WHEREAS, he is a former Member of the Manasquan Boy Scouts Troop 59; and

NOW, THEREFORE, BE IT RESOLVED, that I, George R. Dempsey, Jr., Mayor of the Borough of Manasquan, by the power vested in me, do hereby proclaim January 4, 2010 as Peter Mayer III "VOLUNTEER OF THE YEAR RECOGNITION DAY" in recognition of his valuable service to the Borough of Manasquan and to our Country. Let true and official copies of this Proclamation be spread upon the minutes of the Borough Council meeting held on the 4th day of January, 2010.

A copy of the proclamation and a plaque were presented to Mr. Mayer by Mayor Dempsey.

Mr. Mayer related that he came home safe from Iraq but that there are still many Manasquan residents over there. He asked that the audience pray for them.

A brief recess was held.

REORGANIZATION

Council's Action regarding the 2010 Council President.

Council Member Bossone made a motion to nominate Council Member Donovan to the position of 2010 Council President.

REORGANIZATION MEETING, JANUARY 4, 2010

Council Member Connolly made a motion to nominate Council Member Lucas to the position of 2010 Council President.

Council Member Lee seconded Council Member Bossone's motion.

Council Member Grasso seconded Council Member Connolly's motion.

The Municipal Clerk stated that the first motion was made by Council Member Bossone to nominate Council Member Donovan and it was seconded by Council Member Lee. Roll Call was taken and Council Members Bossone, Donovan and Lee voted in favor of the motion and Council Members Connolly, Grasso and Lucas voted against the motion.

The Municipal Clerk stated that the second motion was made by Council Member Connolly to nominate Council Member Lucas and it was seconded by Council Member Grasso. Roll Call was taken and Council Members Bossone, Donovan and Lee voted against the motion and Council Members Connolly, Grasso and Lucas voted in favor of the motion.

Mayor Dempsey voted in favor of Council Member Donovan serving as the 2010 Council President.

The Mayor announced the following appointments.

COMMITTEES FOR 2010

The Borough Attorney presented the following appointments for approval:

Appointment of the Council Committees. The first Council Member's name called will be the Committee Chairperson.

Administration & Finance	Connolly	Grasso	Donovan
Public Safety & Recycling	Lucas	Bossone	Grasso
Public Works	Donovan	Lee	Lucas
Public Property & Parks	Lee	Connolly	Bossone
Beach	Bossone	Donovan	Lee
Law and Code	Grasso	Lucas	Connolly

Council Member Bossone made a motion to approve the committee assignments, seconded by Council Member Donovan. Motion carried by the following vote: "yes" Council Members Bossone, Connolly, Donovan, Grasso, Lee, Lucas. "No" none.

SUBCOMMITTEES & COMMISSIONS

The Borough Attorney presented the following appointments for approval:

1. Board of Education Liaison – Lee
2. Chamber of Commerce – Bossone
3. M.C. Water Resources – Donovan
4. Shore Community Alliance- Donovan
5. Personnel Committee- Connolly, Lucas, Chairperson of affected Committee
6. Manasquan Library Liaison- Lucas
7. Shared Services – Donovan, Grasso, Lee

Council Member Donovan made a motion to approve the appointments, seconded by Council Member Lucas. Motion carried by the following vote: "yes" Council Members Bossone, Connolly, Donovan, Grasso, Lee, Lucas. "No" none.

APPOINTMENTS

<u>POSITION</u>	<u>TERM</u>	<u>NAME</u>
-----------------	-------------	-------------

The Borough Attorney presented the following appointments for approval:

Board of Appeals:

Chairperson/Council Rep:	1 yr	Joseph Bossone
Council Representative:	1 yr	Donald Grasso
Attorney:	1 yr	James Carton IV
Member:	2 yr	Steve DelGuercio
Member:	2 yr	Gordon Twadell

Council Member Bossone made a motion to approve the appointments, seconded by Council Member Donovan. Motion carried by the following vote: "yes" Council Members Bossone, Connolly, Donovan, Grasso, Lee, Lucas. "No" none.

The Borough Attorney presented the following appointments for approval:

Board of Health:

Member:	1 yr	Jane Donovan
Member:	3 yr	Susan Thompson
Member:	1 yr	Barbara Ilaria
Member:	4 yr	Penny Hamilton
Liaison:	1 yr	Colleen Scimeca

Council Member Bossone made a motion to approve the appointments, seconded by Council Member Lucas. Motion carried by the following vote: "yes" Council Members Bossone, Connolly, Donovan, Grasso, Lee, Lucas. "No" none.

The Borough Attorney presented the following appointments for approval:

Cable Advisory:

Member:	3 yr	Robert Miles
Member:	3 yr	John Tischio
Council Liaison:	1 yr	Pat Connolly

Council Member Lee made a motion to approve the appointments, seconded by Council Member Donovan. Motion carried by the following vote: "yes" Council Members Bossone, Connolly, Donovan, Grasso, Lee, Lucas. "No" none.

The Borough Attorney presented the following appointment for approval.

Construction Official:	1 yr	Albert Ratz
-------------------------------	------	-------------

Council Member Lucas made a motion to approve the appointments, seconded by Council Member Bossone. Motion carried by the following vote: "yes" Council Members Bossone, Connolly, Donovan, Grasso, Lee, Lucas. "No" none.

The Mayor announced the following appointments:

Emergency Management Council:

Secretary:	1 yr	Chris White
Mayor:	1 yr	George Dempsey
Chair DPW Committee	1 yr	Edward Donovan
Police Chief:	1 yr	Daniel Scimeca
Municipal Clerk:	1 yr	Colleen Scimeca
Fire Dept. Liaison:	1 yr	Jeffrey Ely
DPW Superintendent:	1 yr	Thomas Nicastro
First Aid Capitan:	1 yr	Mike Lauber

REORGANIZATION MEETING, JANUARY 4, 2010

Shelter Care Coordinator:	1 yr	Rev. Reggie Albert
Construction Official:	1 yr	Albert Ratz
Borough Engineer	1 yr	T & M Associates
Community Representative:	1 yr	David Armstrong
Community Representative:	1 yr	Jerry Hall
Community Representative:	1 yr	Richard Read
Mayor's Representative:	1 yr	Michael Mangan
Council Liaison:	1 yr	Lee

The mayor announced the following appointments:

Environmental Commission:

Chairperson:	3 yr	Michael Sinneck
Member:	3 yr	Michael Mangan (exp. 12/31/10)
Member:	3 yr	Richard Miller
Council Liaison:	1 yr	Joseph Lucas

The Mayor announced the following appointment:

Historian:	1 yr	Mary Ware
-------------------	------	-----------

The Mayor announced the following appointment for approval.

Official Tax Searcher:	1 yr	Valerie Bills
-------------------------------	------	---------------

Council Member Bossone made a motion to approve the appointments, seconded by Council Member Donovan. Motion carried by the following vote: "yes" Council Members Bossone, Connolly, Donovan, Grasso, Lee, Lucas. "No" none.

The Mayor announced the following appointments:

Open Space Committee:

Member/Council Representative:	3 yr	Joseph Bossone
--------------------------------	------	----------------

Planning Board:

CL IV Vice Chairman:	4 yr	Thomas Carroll
CL IV Member:	4 yr	James Coakley
CL IV Environ. Comm Liaison:	3 yr	Michael Mangan
CL I:	1 yr	George Dempsey
CL II:	1 yr	Neil Hamilton
Alternate #4:	2 yr	David Armstrong
Mayor's Des. C1	1 yr	Michael Sinneck
Secretary:	1 yr	Mary Salerno
Engineer:	1 yr	T & M Associates

The Mayor asked for approval of the following **Planning Board** appointment:

CL III Council Liaison:	1 yr	Donald Grasso
-------------------------	------	---------------

Council Member Lucas made a motion to approve the appointment, seconded by Council Member Lee. See below following for the vote following the Fire Police appointments.

The Mayor announced the following appointments:

Recreation Commission:

Mayor's Representative:	1 yr	Patty Brown
Council Liaison	1 yr	Edward Donovan

Shade Tree Commission:

REORGANIZATION MEETING, JANUARY 4, 2010

Member:	5 yr	Claire Chrystal
Secretary:	1 yr	Sharon Bogie
Council Liaison	1 yr	Jeff Lee

Tourism Commission:

Member/Secretary:	3 yr	Penny Hamilton
Council Liaison:	1 yr	Joseph Bossone

The Mayor asked for approval of the following appointments:

Water/Sewer Collector:	1 yr	Valerie Bills
-------------------------------	------	---------------

Council Member Bossone made a motion to approve the appointments, seconded by Council Member Donovan. Motion carried by the following vote: "yes" Council Members Bossone, Connolly, Donovan, Grasso, Lee, Lucas. "No" none.

The Mayor asked for approval of the following appointments:

Class II & Class I Special Officers & Crossing Guards – List on file in the Clerk's Office.

Council Member Lucas made a motion to approve the appointments, seconded by Council Member Grasso. Motion carried by the following vote: "yes" Council Members Bossone, Connolly, Donovan, Grasso, Lee, Lucas. "No" none.

The Mayor asked for approval of the following appointments:

Fire-Police – List on file in the Clerk's Office.

Council Member Lucas made a motion to approve the appointments, seconded by Council Member Lee. Motion carried by the following vote: "yes" Council Members Bossone, Connolly, Donovan, Grasso, Lee, Lucas. "No" none.

The Municipal Clerk related that no roll call was taken for the Planning Board Class III Council Liaison, Donald Grasso.

Council Member Connolly related that the Governing Body did not vote for the various committees and that the Open Space Committee appointment was announced but that a vote was not taken.

The Municipal Clerk asked to dispose of the Planning Board Class III Council Liaison motion before moving on to other business.

Roll call was taken and the motion was unanimously approved.

Council Member Connolly related that the Governing Body decided to appoint her to the position of Open Space Council Liaison at the last meeting and that Council Member Bossone was listed on the agenda for approval instead.

Mayor Dempsey disagreed that Council Member Connolly was selected to serve as the Open Space Council Liaison at the last meeting.

Council Member Connolly produced a document that indicated that she was selected.

Mayor Dempsey produced a document indicating that Council Member Bossone was the choice.

Council Member Connolly related that the Open Space Committee is near and dear to her heart because she was one of the founders of the open space movement in the Borough of Manasquan. She also related that during the committee selection process she noted that Council Member Bossone is on several other committees.

Mayor Dempsey noted that Council Member Connolly is also on several other committees.

There was continued discussion regarding this matter.

REORGANIZATION MEETING, JANUARY 4, 2010

Council Member Grasso made a motion to appoint Council Member Connolly to serve as the Council Liaison to the Open Space Committee, seconded by Council Member Lucas.

Mayor Dempsey asked if any member of the Governing Body would like to make a motion to appoint Council Member Bossone to the position of Council Liaison to the Open Space Committee.

The Municipal Clerk related that there should only be one motion on the table at a time.

The motion failed by the following vote: "yes" Council Member Connolly, Grasso, Lucas. "No" Council Member Bossone, Donovan, Lee. Mayor Dempsey voted "no" to break the tie.

Council Member Donovan made a motion to appoint Council Member Bossone to the position of Council Liaison to the Open Space Committee, seconded by Council Member Lee. Motion carried by the following vote: "yes" Council Members Bossone, Donovan, Lee. "No" Council Members Connolly, Grasso, Lucas. Mayor Dempsey voted in favor of the motion.

BID AWARD: Squan Beach Life Saving Station.

Mayor Dempsey asked if there is any discussion on this matter prior to the vote.

Council Member Lee related that there was a split recommendation on the passage of this resolution and he noted that he had the dissenting vote. He explained that to go forward with a \$2,000,000.00 project is not appropriate in the this economic climate and that now is not the right time. He related that the bid award will complete the expenditure of \$1,050,000.00 which completes the first phase of this project. He related that he struggles with the timing of spending money on this project considering the economic climate, the increase in delinquent taxes in Manasquan, the increase of home foreclosures, the delinquency of water and sewer rent payments and the overall economic strain on the community. He related that the Borough should be driving down expenditures and reign in our spending. He related that the Borough is still waiting for funding for the Brielle Road Bridge and if that fails it could be detrimental for emergency response to the beachfront residents. He also related that reduced State aid will also have an impact on the Borough. He related that the Governing Body is asking the Borough's collective bargaining units to do with less and to focus on necessities. He related that he just doesn't feel that the lifesaving station is a necessity. He related that out of the \$835,000 bond ordinance another \$300,000 will be paid out of the taxpayers pockets for the project. He related that some of his fellow constituents have recommended as much as a 15 percent across the board tax reduction which will affect jobs and services. He related that he would love to see the Borough get extensions on the grants and if not reapply at a later date. He related that the timing is not appropriate to add \$300,000 of taxpayer's money to the budget to add two 15 ft. by 15 ft. meeting rooms when the current meeting rooms are underutilized by the civic organizations. He related that he believes it sends the wrong message. He related that he would be remiss by not congratulating the hard work of the Squan Beach Lifesaving Station Committee and that their work is noble.

Council Member Connolly related that she doesn't know how Council Member Lee did his arithmetic but we have a National Historical Site in our presence and that not many towns can say that. She related that when we looked at the arithmetic, we looked at the grants, we looked at the promises of money, there was probably over \$800,000. She related that it would be foolish of the Borough not to do something with this site. She related that it is next to the beach and people want to see it improved. She related that she is very surprised that a National Historic Site is being avoided by Council Member Lee.

Council Member Lucas related that what we fail to realize is that for one dollar the Borough of Manasquan got over an acre of property and a large storage building that is being used. He related that if the Borough didn't get that site, the Borough would have had to build another building to store its equipment. He related that not only did the Borough get a National Historic Site, it also received an acre of land with a large storage building to store safety equipment for the past 10 years. He related that the building is something to be proud of and that it is a part of our small town.

Council Member Grasso related that he hopes that Council Member Lee has this passion and commitment when it comes to sitting down and reviewing the municipal budget for tax and salary reductions.

Council Member Donovan related that during the committee meeting he reluctantly agreed to support this bid award but that he also agrees with Council Member Lee's sentiment that these are not good economic times and now is not the time to spend \$300,000 of taxpayer's money for the little return that the Borough is going to get. However, he related that he doesn't want to see the building fall apart and unless something is done with the building, using the \$450,000 grant now, there is a likelihood that kind of money will ever be available again. He related that he also thinks that the Borough needs to get out from under that grant because some of the

REORGANIZATION MEETING, JANUARY 4, 2010

requirements are onerous and caused the price of the project to go way up. He also related that there is a possibility that the Borough will receive some private financing.

Council Member Connolly made a motion to award the bid, seconded by Council Member Lucas. Motion carried by the following vote: "yes" Council Member Connolly, Donovan, Grasso, Lucas. "No" Council Member Bossone, Lee.

CONSENT AGENDA:

The Borough Attorney presented the following resolutions for approval.

RESOLUTION #1-2010

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, that the following newspapers shall be designated the official newspapers of the Borough of Manasquan, New Jersey, for the year 2010.

The Coast Star	Manasquan, New Jersey
The Asbury Park Press	Neptune, New Jersey
The Newark Star Ledger	Newark, New Jersey

RESOLUTION #2-2010

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, that Municipal Administrator John Trengrove be appointed as the representative to the Monmouth County Community Block Grant Development Program effective January 1, 2010 through December 31, 2010.

BE IT FURTHER RESOLVED that Mayor George Dempsey be appointed as the deputy representative to the Monmouth County Community Block Grant Development Program effective January 1, 2010 through December 31, 2010.

RESOLUTION #3-2010.

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, that the Municipal Clerk be authorized to sign the Community Service Program, Working Agreement with Work Site for 2010.

RESOLUTION #4-2010

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that Neil B. Hamilton be appointed Community Rating System Coordinator for a one year term from January 1, 2010 through December 31, 2010.

RESOLUTION #5-2010

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey, that for the year 2010 the following shall serve as the cash management plan of the Borough of Manasquan.

The Chief Financial Officer is directed to use this cash management plan as the guide in depositing and investing the Borough of Manasquan's funds.

The following are suitable and authorized investments.

Interest-bearing bank accounts and certificates of deposit in authorized banks, listed below, for deposit of local unit funds.

Government money market mutual funds as comply with N.J.S.A. 40A:5-15.1 (e)

Local government investment pools which comply with N.J.S.A. 40A:5-15.1 (e) and conditions set by the Division of Local Government Services.

New Jersey State Cash Management Fund.

REORGANIZATION MEETING, JANUARY 4, 2010

Repurchase agreements (repos) of fully collateralized securities which comply with N.J.S.A. 40A:5-15.1 (a)

The following Government Unit Depository Protection Act approved banks are authorized depositories for the deposit of funds:

Central Jersey Bank	2200 State Highway 35 Wall, New Jersey 08750
Manasquan Savings Bank	185 Main Street Manasquan, New Jersey 08736
Provident Savings Bank	Highway 71 and 205 Main Street Manasquan, New Jersey 08736
Sovereign Bank	2500 Belmar Blvd. Wall, New Jersey 07719
TD Bank	6000 Atrium Way Mount Laurel, New Jersey 08054
North Fork Bank	1314 Sea Girt Avenue Wall, New Jersey 07719

The CFO shall report to the governing body any account that does not earn interest.

RESOLUTION #6-2010

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey, that the Chief Financial Officer shall administer the cash management plan adopted on January 5, 2010 through compliance with 40A:5-1 et seq. prudent application of these cash management policies, which shall not conflict the plan in any way.

I. **Objectives:** the priority of investing practices shall be, in order of descending importance, **security, liquidity, and yield.**

A. **Security:** The safety of principal is the foremost objective of the cash management plan. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective is to mitigate credit risk and interest rate risk.

1. **Credit Risk:** Credit risk is the risk of loss due to failure of the security issuer or backer. Credit risk may be mitigated by:

- a. Limiting investments to the safest types of securities.
- b. Pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisors with which an entity will do business.

2. **Interest Rate Risk:** Interest rate risk is the risk that the market value of the securities in the portfolio will fall due to changes in general interest rates. Interest rate risk may be mitigated by:

- a. Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity, and
- b. By investing operating funds primarily in shorter-term securities.

B. **Liquidity:** The portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. Investments of various funds should be structured so that they match the potential need. Thus, investments of operating funds should be kept in investments with a maturity of not more than one year. Investments of a capital, or long term trust fund nature should match the expected use of the funds, but not to exceed five years. Investments should consist of securities with

REORGANIZATION MEETING, JANUARY 4, 2010

active secondary markets or in mutual funds that permit liquidation at net asset value. Securities shall not be sold prior to maturity with the following exceptions:

1. a declining credit security could be sold early to minimize the loss of principal.
2. a security swap would improve the quality, yield, or target duration in the portfolio.
3. liquidity needs of the local unit require that the security be sold.

C. **Yield:** The investment portfolio must be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of least importance compared to the safety and liquidity objectives described above. The core of investments are limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. The chief financial officer shall carefully evaluate the legality, security, and yield attributes of any investment offering above market yields.

II. Standards of Care

A. Prudence

The standard of prudence to be used by investment officials shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio in accordance with State law and this policy. Chief financial officers acting in accordance with the cash management plan and policy shall be relieved of any liability for loss of such moneys due to the insolvency or closing of any depository designated by, or the decrease in value of any investment authorized by, the cash management plan.

Investment shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

B. Ethics and Conflicts of Interest

Officers and employees involved in the investment process shall not have personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material investment in financial institutions with which they conduct business. They shall disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of their entity. Personnel involved in investment activities shall comply with the Local Government Ethics Law.

C. Delegation of Responsibility and Authority

Responsibility and authority to manage the cash management plan and policy is granted to the chief financial officer pursuant to N.J.S.A. 40A:5-14. No person may engage in an investment transaction except as provided under the terms of the policy and the written procedures established by the chief financial officer. The chief financial officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

III. Safekeeping and Custody

A. **Authorized Banks for Deposit of Governmental Funds:** The cash management plan shall list all authorized banks for deposit of governmental funds. Only banks approved by the Department of Banking and Insurance under the Government Unit Depository Protection Act (GUDPA) can be approved depositories.

B. Internal Controls

1. The governing body shall act to provide that the agency has an internal control structure that is established, defined and maintained to ensure that the assets of the entity are protected from loss, theft or misuse. The chief financial officer shall develop written internal controls and submit them

REORGANIZATION MEETING, JANUARY 4, 2010

to the governing body for approval. The internal control structure shall be designed to provide reasonable assurance that the assets of the entity are protected from loss, theft or misuse. The concept of reasonable assurance recognizes that:

- a. the cost of a control should not exceed the benefits likely to be derived.
- b. the valuation of costs and benefits of internal controls requires estimates and judgments by management.

C. Delivery vs Payment: All trades where applicable will be executed by delivery vs payment (DVP). This ensures that securities are deposited in the eligible financial institution prior to the release of funds. Securities will be held by a third party custodian as evidenced by safekeeping receipts.

IV. Policy

The cash management plan must be approved by the governing body, by resolution, on an annual basis, and may be amended at any time during the year to reflect changes due to changes in laws, depositories, funds or investments.

RESOLUTION #7-2010

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that John Trengrove be appointed JIF Fund Commissioner and CJHIF Health Fund Commissioner for a one year term commencing on January 1, 2010 through December 31, 2010.

BE IT FURTHER RESOLVED that Superintendent of DPW Thomas Nicastro, be appointed as the Alternate JIF Fund Commissioner and Alternate CJHIF Health Fund Commissioner for a one year term commencing January 1, 2010 through December 31, 2010.

**RESOLUTION
8-2010**

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 2010 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, that the following appropriations constitute the 2010 budget:

2010 TEMPORARY BUDGET

CURRENT FUND:	Salaries & Wages	Other Expense
Administrator	5,800.00	500.00
Governing Body	2,631.00	2,300.00
Municipal Clerk	23,100.00	11,900.00
Financial Administration	7,200.00	2,000.00
Audit Service		5,000.00
Collection of Taxes	10,200.00	2,350.00
Assessment of Taxes	7,100.00	570.00
Legal Services		11,900.00
Engineering Services		5,035.00
Planning Board	4,245.00	4,900.00
Code Enforcement	24,900.00	1,140.00
Zoning Office	5,400.00	
Construction Official	26,281.00	1,460.00
Electrical Inspection	2,650.00	
Plumbing Inspection	2,650.00	
Fire Inspection	1,000.00	
Insurance		239,500.00
Police	647,400.00	27,254.00
Emergency Management	1,855.00	1,311.00
Streets & Roads Maintenance	75,000.00	13,223.00
Maintenance of Borough Vehicles		11,130.00
Solid Waste-Recycling/Disposal	1,200.00	90,125.00

REORGANIZATION MEETING, JANUARY 4, 2010

Public Buildings & Grounds		11,310.00
Shade Tree Commission		7,552.00
Traffic Lights		7,552.00
Board of Health	1,000.00	
Animal Control		3,537.00
Environmental Commission		861.00
Recreational Commission	7,155.00	1,325.00
Landfill/Solid Waste Disposal		91,292.00
Parks & Playgrounds	24,906.00	10,858.00
Anniversary & Holidays		530.00
Waterways		1,830.00
Utilities		48,000.00
Contingent		1,325.00
Social Security & Medicare		35,300.00
Safe & Secure	35,747.00	
Drug Alliance	17,095.00	
Interlocal - Brielle Gasoline		17,225.00
Snow Removal		2,650.00
Municipal Court	57,476.00	26,996.00
	995,991.00	693,480.00
TOTAL 2010 CURRENT FUND TEMPORARY BUDGET		1,689,471.00

2010 TEMPORARY BUDGET

WATER/SEWER UTILITY FUND	Salaries & Wages	Other Expense
Salaries and Wages	128,377.00	
Other Expense		135,986.00
SMRSA		202,348.00
Social Security & Medicare		9,871.00
	128,377.00	348,205.00
TOTAL 2010 WATER/SEWER TEMP. BUDGET		476,582.00

BEACH UTILITY BUDGET

Salaries & Wages	224,330.00	
Other Expense		141,310.00
Social Security & Medicare		17,182.00
	224,330.00	158,492.00
TOTAL 2010 BEACH FUND TEMP. BUDGET		382,822.00

RESOLUTION #9-2010

BE IT RESOLVED that the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, has authorized that the following employees shall receive the stipends listed below for the calendar year 2010, effective January 1, 2010 through December 31, 2010 as follows:

EMPLOYEES:

Mary Salerno, Planning Board Secretary \$ 100.00 per meeting

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

RESOLUTION #10-2010

WHEREAS, N.J.S.A. 40A:11-5 (1) (a) (1) permits the governing body to award a professional services

REORGANIZATION MEETING, JANUARY 4, 2010

contract without publicly advertising for bids and bidding therefor; and

WHEREAS, the borough council has determined that there is a need for professional services during the 2010 calendar year; and

WHEREAS, the borough council has determined to provide the need to acquire these professional services as a non-fair and open contract pursuant to the provisions of N. J. S. A. 19:44A-20.5; and

WHEREAS, the chief financial officer of the municipality has determined and certified in writing that the value of these professional services will exceed \$21,000; and

WHEREAS, the anticipated term of these contracts are one year (January 1, 2010 to December 31, 2010); and

WHEREAS, the following professional services providers have submitted proposals indicating that they will provide their services for the agreed upon rate (s) that are contained in their proposals/contracts that are on file in the Clerk's Office.

Allen Shechter, CPA, Borough Auditor
Charles Rooney, T & M Associates, Borough Engineer
McManimon & Scotland, LLC, Borough Bond Counsel
Kenneth Fortier, Borough Public Defender
Ronald Sage, Borough Prosecutor
James Carton IV, Alternate Borough Prosecutors
Jeffrey R. Surenian – Special Counsel (COAH)
Dennis Cantoli - Conflict Counsel
James Hozapfel - Labor Counsel
James J. Kinneally III - Borough Attorney

These appointments are made pursuant to N. J. S. 2B:12-1 et seq.

WHEREAS, a certification as to the availability of funds executed by the chief financial officer is attached to this resolution pursuant to the provisions of N. J. A. C. 5:30-5-4;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 4th day of January, 2010 as follows:

1. The Business Disclosure Entity Certification of these professionals and the Determination of Value Certification of the chief financial officer shall be filed in the office of the municipal clerk, and shall be available for public inspection.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute a contract with these professionals to provide professional services to the municipality for the 2010 contract year at the agreed upon rate that is contained in the contract/proposal on file in the Clerk's Office.
3. A notice stating the nature, duration, service and the amount of this contract shall be published in the Coast Star and this resolution shall be maintained on file and available for the public inspection in the office of the municipal clerk.
4. A certified copy of this resolution shall be sent to the professionals included in this resolution.

RESOLUTION #11-2010

WHEREAS, R. S. 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for nonpayment of taxes or assessments; and

WHEREAS, R. S. 54:4-67 has been amended to permit the fixing of said rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00; and

WHEREAS, R. S. 54:4-65 provides for a 6% year end penalty to be charged on delinquencies over

REORGANIZATION MEETING, JANUARY 4, 2010

\$10,000 in any one year on any one property; and

WHEREAS, C99, P.L. 1997 requires the governing body to pass a resolution to hold a tax sale;

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Manasquan, County of Monmouth, State of New Jersey, as follows:

1. The Tax Collector is hereby authorized and directed to charge 8% per annum on the first \$1,500.00 of taxes or assessments becoming delinquent after the due date and 18% per annum on any amount of taxes or assessments in excess of \$1,500.00 becoming delinquent after the due date.

2. Quarterly tax payments shall have a ten (10) day grace period, with the due date counted as being day one (1).

3. The Tax Collector is hereby authorized to charge a 6% year end penalty for all unpaid delinquencies over \$10,000 on any one property at the end of any one year.

4. The Tax Collector is hereby authorized to cancel any tax credit balances up to \$10.00 and tax debit balances up to \$5.00.

5. The Tax Collector must hold a tax sale on current or prior year delinquencies each year and may sell any properties delinquent after the 11th day of the 11th month of each year.

RESOLUTION #12-2010

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.

RESOLUTION #13-2010

BE IT RESOLVED, by the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Chief Financial Officer and Municipal Clerk be authorized to sign the N.J.E.I.T. financing document for the Water Treatment Plant Project.

RESOLUTION NO. 15-2010

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF
MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, ADOPTING
AN AFFORDABLE HOUSING TRUST FUND SPENDING PLAN**

WHEREAS, the Borough of Manasquan aims to provide affordable housing opportunities to the residents of New Jersey; and

WHEREAS, the Borough of Manasquan has attempted to provide affordable housing opportunities by enacting a Housing Element and Fair Share Plan pursuant to the Council on Affordable Housing; and

WHEREAS, the Borough of Manasquan has enacted a development fee ordinance and collected fees to be used for creating opportunities for affordable housing, and;

WHEREAS, the Borough of Manasquan is required to adopt an Affordable Housing Trust Fund Spending Plan that specifies how these funds will be expended, and

WHEREAS, T & M Engineering, at the Borough of Manasquan's Request, has prepared an Affordable Housing Trust Fund Spending Plan, dated December, 2008 and amended December 21, 2009,

NOW, THEREFORE BE IT RESOLVED on the 4th day of January, 2010, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey that the Affordable Housing Trust Fund Spending Plan prepared by T & M Engineering dated December 2008 and amended December 21, 2009 is hereby approved and adopted.

Council Member Lee made a motion to approve the Consent Agenda, seconded by Council Member Donovan. Motion carried by the following vote: "yes" Council Member Bossone, Connolly, Donovan, Grasso, Lee, Lucas. "No" none.

REORGANIZATION MEETING, JANUARY 4, 2010

STATEMENTS BY COUNCIL MEMBERS

Council Member Donovan wished everyone a Happy and Healthy 2010 and welcomed Council Members Connolly and Grasso to Council. He related that he looks forward to an exciting experience working on Council in 2010.

Council Member Bossone echoed Council Member Donovan's sentiments and also wondered if the Council that accepted the Squan Beach Lifesaving Station for one dollar knew that it would cost \$2,000,000.00 to restore it.

Council Member Lee welcomed Council Members Grasso and Connolly and wished them luck. He related that he looks forward to working with each and every member of the Governing Body in 2010. He gave special thanks to Manasquan's volunteers who contribute to this great community. He related that he pledges to tell all how he feels going forward.

Council Member Lucas wished everyone a Happy New Year and congratulated the incoming Council Members. He also congratulated Council Member Donovan on his nomination to the position of Council President.

Council Member Connolly thanked everyone for their warm welcome and she congratulated Council Member Donovan on being appointed to the position of Council President. She also thanked the people of Manasquan for the confidence that they showed her in November and that she promises to work hard to fulfill their expectations. She wished everyone a Happy, Healthy and Productive New Year.

Council Member Grasso thanked everyone for attending the meeting this evening and that he hopes for a better 2010. He related that he looks forward to working with his counterparts and congratulated Council Member Donovan for his appointment to the position of Council President. He related that there are tough times ahead but that he plans to work very hard for the residents of Manasquan.

AUDIENCE PARTICIPATION

Lia Trench, 444 East Main Street related that the Governing Body will not regret awarding the bid for the Squan Beach Lifesaving Station. She related that if the Council nipped this project in the bud ten years ago the cost may not be so huge.

Mayor Dempsey related that the Council did nip it in the bud but someone had the building put on the National Historic Register, thus increasing the project costs. He related that the Council had planned to spend \$300,000 for the project ten years ago.

Mrs. Trench related that ten years of inflations also contributed to the high project costs. She related that the committee will work hard and that private money has been pledged. She related that there is \$800,000 from the pledges and the promises. She related that more fund-raising activities are planned. She thanked the members of the Governing Body for awarding the bid.

Fran Drew, 23 Virginia Ave related that she knows that governing is hard to do but she urged each member of the Governing Body to carefully consider each issue and to vote for what is best for the residents in Manasquan. She urged each of the members of the Governing Body to set a good example of congeniality and cooperation. She related that she hopes that together, we the citizens and council alike, can be good role models. She thanked the Governing Body for their effort and work.

Rich Dunne, 458 Long Avenue related that agrees with Fran Drew's comments on building a consensus and doing things right. He thanked the Governing Body for moving forward on the Squan Beach Life Saving Station Project. He related that all of the comments made by the various members of the Governing Body were correct. He related that when the building was taken over, the stipulation in the deed was that it be treated that as though it were on the National Historic Registry which is something that we cannot forget. He related that the first set of plans had to be submitted to SHPO who proceeded to tear them apart because they didn't meet the intent of the agreement in their eyes. He related that the restrictions are there but the Borough has benefitted from owning the property. He stated that all the comments were correct and that the final decision was the right one.

Geraldine Margin, Superintendent of Manasquan Schools thanked the Manasquan Recreation Commission for sponsoring "Friends Helping Friends Teen Night" on December 28th, 2009. She related that 70 students showed up and had a wonderful evening. She related that this proves that high school students can come together and have a good time without the additions of substances other than friendship and music. She related that she and Mayor Dempsey agree that a School Resources Officer (SRO) is needed in the school. She asked each member of the Governing Body for their opinion about the necessity of this position excluding how it is funded.

REORGANIZATION MEETING, JANUARY 4, 2010

Council Member Bossone related that he would support putting a SRO in the school and that many people don't understand their role. He related that many believe an SRO is there to get students in trouble but that the SRO does a lot more.

Council Member Donovan related that people do not understand the role of an SRO. He related that it is not an enforcement arm of the education system or the administration of the high school. He related that a SRO is there to provide support and help the students along their path in school, to be a confidant and make sure that things don't happen, like the story in the news where a SRO thwarted a Columbine-like attack on a high school. He related that he supports putting a SRO in the school.

Council Member Lee related that he likes the concept and that he is fuzzy on the difference between an SRO and hiring a retired law enforcement officer for the position. He noted that money could be saved by hiring a retired officer instead of a SRO.

Council Member Lucas related that some school districts utilize security guards in conjunction with police officers and that others hire retired State Police Troopers. He related that a police officer has certain guidelines that are mandated by the Attorney General's office and they are restricted from doing certain things in the school that a school hired SRO could do. For example, a police officer cannot conduct a search without probable cause. He related that a school hired SRO would only need reasonable suspicion. He related that he supports the addition of an SRO but that it should be a school hired SRO. He noted that a school hired SRO would cost less.

Council Member Connolly related that this is new to her and that she needs time to research it.

Council Member Grasso related that this is new to him and offered to meet with Ms. Margin to discuss the matter further. He related that there is 14.9 students per teacher in the Manasquan school which is a pretty good ratio. He asked for more details on this position.

Ms. Margin related that SROs have been in the New Jersey Schools for close to 20 years and were first used in schools that have community issues in the school. She related that in 1998 a document was created by the then Governor Whitman which outlined how to develop a SRO Program. She related that the program indicated that the SRO would develop a rapport with the students, teachers and faculty to create a network to obtain and track offenses endangering students in the school and community, to work with community groups such as the PTO, Community Alliance, Neighborhood Watch Associations and the State/County Juvenile officers, to provide immediate action in handling unlawful trespassers, handling minor offenses in an informal manner, to track cases involving court and counseling agencies, collaborate with administration in addressing student issues, access to law enforcement information which is a key difference to hiring a private security officer, to educate the students and staff to improve the understandings of the legal system, reduce risk factors within the school, assist during emergency management issues and to deal with truancy cases. She related that she has also prepared a document of what a SRO does. She related that police officers do walk throughs in their building regularly and they have a DARE officer who works with the middle school students. She related that police would not have to respond to the school with the frequency that they do if an officer was present there. She related that an employee of the Board only has to have a certain amount of suspicion and do not have to prove probable cause but a police officer can do things that they cannot do. She related that having both individuals can alleviate a lot of situations. She related that an officer would also be available to work some hours in the community where it can gather information in the community that might impact the students. She related that in the last two years, our community in general, has suffered a great deal of tragedies that may have been avoided if the school had an SRO. She related that it is another avenue for a child to reach out to for help and it is very important for the district. She related that she feels that the funding for the position should be shared by the sending districts and that it is not the responsibility of the community of Manasquan. She related that the Mayor has suggested putting it in the Manasquan Schools budget then charging it out per pupil. She suggested that an interlocal agreement be developed with the cost being distributed based on student population. She related that since it will be an employee of the Borough the funding should come from that end. She noted that only the municipality can apply for the grants.

Mayor Dempsey related that there is no grant funding available.

Ms. Margin asked Council Member Connolly if she had something to say.

Council Member Connolly related that she did not.

Mayor Dempsey related that two of the five sending district's Mayors that he contacted do not want this in their budget and they feel it should go in the school budget and be part of the tuition. He also related that he personally met with two of the Mayors who gave the same feedback. He related that on November 18, 2008 he

REORGANIZATION MEETING, JANUARY 4, 2010

was informed that Ms. Margin had planned to include the cost in the school budget so the cost could be spread across the sending districts on a pupil basis. He related that was in the 2009 budget but was then removed. He related that Ms. Margin saw that the SRO was needed and that it should be in the school budget.

Ms. Margin related that there is definitely a need and it was removed from the budget because of the 4 percent budget CAP. She related that she realizes that the Borough has a 4 percent CAP also. She related that they felt that they couldn't sacrifice a teacher for the SRO position. She related that she hopes that a resolution can be found.

There was continued discussion on this matter.

Mayor Dempsey pointed out that Ms. Margin rejected the Mayors offer of using a security officer or to hire an officer from a municipality other than Manasquan. He stated that Ms. Margin would like a Manasquan officer but that she wants the Borough to pay for it.

Ms. Margin related that regardless of where the officer is from, the school is asking that the municipalities take responsibility for it. She related that this is the norm in most communities.

Mayor Dempsey pointed out that most communities don't have sending districts.

Ms. Margin related that can be solved with an interlocal agreement.

Council Member Donovan asked what happens if the program doesn't work out. He related that the municipality is stuck with an officer.

Mayor Dempsey related that the plan was to fund the position with overtime then the Borough would have the option to use a special officer.

Peter Kenney, 38 North Main Street and member of the Manasquan Board of Education related that he personally cares that the SRO is a Manasquan police officer because the school is physically located in Manasquan. He related that in the same light that we take responsibility and pride in a Life Saving Station that is costing approximately \$300,000, it should look at this as an investment in Manasquan. He related that there has been tragedies in Manasquan that he personally believes could have been headed off at the pass. He related that the SRO would be beneficial to kids that don't have an outlet or don't connect with other children. He related that a SRO is a vital transition piece to that puzzle. He related that the five or six Mayors and five or six Superintendents should be able to figure out how to fund this. He offered his assistance with this process.

Rich Bartholomew, 121 Lake Avenue related that he is convinced that a SRO is worthwhile. He related that it is going to come out of the taxpayers pocket regardless of who pays for it. He related that he is concerned that it won't get funded this year because of the on going discussions. He also asked that the Governing Body work hard on the budget to keep taxes flat. He thanked the Governing Body for working hard on the budget last year and keeping taxes flat by using surplus. He related that he is seriously hoping that the Council won't have the need to have the Mayor vote because of politics but vote for what is good for Manasquan.

Mayor Dempsey pointed out that the 2009 budget was kept flat by using surplus plus staffing reductions along with other reductions. He related that the Council was very conservative and didn't just raid the surplus. He related that the Borough's auditor, who is very conservative, agreed with the amount of surplus that was being used.

A brief recess was held.

CLOSED SESSION MINUTES ON THE NEXT PAGE

Respectfully submitted,


Colleen Scimeca
Municipal Clerk

DATE APPROVED 1-25-2010