

JULY 12, 2010

A Regular Meeting of Mayor and Council was convened at 8:19 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, Connolly, Donovan, Grasso, Lee, Lucas.

Absent: None.

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

PROCLAMATION

The Mayor related that it is with great pleasure that he issue the following Proclamation. He related that he has know Mr. Hamilton since he was a house painter, when he was a Council Member and a Borough Employee.

WHEREAS, Neil Hamilton retired on June 18, 2010 from the Borough of Manasquan. He served as a Council Member from 1986 through 1996; and

WHEREAS, Mr. Hamilton served as the Code Enforcement Officer from 1996 through 1997; and

WHEREAS, Mr. Hamilton was the department head overseeing the Code Enforcement, Construction and Zoning Departments, and Planning Board secretary from 1998 until his retirement; and

WHEREAS, during his tenure he served as Class II member of the Planning Board, Community Rating Systems Coordinator to reduce flood insurance costs, and assisted the borough's Shade Tree Commission.

WHEREAS, he has been instrumental in the day to day operation of the Borough; and

NOW, THEREFORE, BE IT RESOLVED, that I, George R. Dempsey, Jr., Mayor of the Borough of Manasquan, on behalf of the Borough Council and the good people of Manasquan, do hereby recognize and congratulate Neil Hamilton for his outstanding service to the Borough of Manasquan and do hereby proclaim July 12, 2010 as "NEIL HAMILTON RECOGNITION DAY" in the Borough of Manasquan.

NOW, THEREFORE, BE IT RESOLVED, that true and official copies of this proclamation be spread upon the minutes of the Borough Council meeting held on July 12, 2010 and that our profound gratitude be conveyed to Neil Hamilton for his commitment to the Borough of Manasquan.

Mr. Hamilton accepted the Proclamation and related that it has been a pleasure to serve the Borough for 25 years.

BOROUGH ENGINEER'S REPORT

Mr. Charles Rooney presented the July 12, 2010 Engineer's Report.

APPOINTMENTS

- Victor Kubu, Full Time Laborer Base Salary of \$30,720.85 effective July 13, 2010

Council Member Donovan made a motion to approve the appointment, seconded by Council Member Bossone. Roll Call was taken and the motion was carried unanimously.

Patrick Callahan, Provisional Code-Zoning Officer/ Supervisor, Base Salary of \$48,000, Electrical Inspector Base Salary of \$9,000 effective July 13, 2010 & member of the Planning Board.

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Council Member Bossone made a motion to approve the appointment, seconded by Council Member Lucas. Roll Call was taken and the motion was carried unanimously.

- Beach Department Appointments – list attached (email dated July 8th, 2010 from Beach Manager Wally Wall)

Council Member Bossone made a motion to approve the appointments, seconded by Council Member Lee. Roll Call was taken and the motion was unanimously approved.

CONSENT AGENDA

The Borough Attorney presented the following resolutions for approval.

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 Law and Finance Committee and as set forth in the 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:	\$	386,259.53
WATER/SEWER FUND:		40,779.34
BEACH FUND:		8,648.31
GENERAL CAPITAL FUND:		139,013.26
WATER/SEWER CAPITAL FUND:		13,178.40
BEACH IMPROVEMENT FUND:		

**BOROUGH OF MANASQUAN
RESOLUTION 87-2010**

TAX REIMBURSEMENT CERTIFICATION

WHEREAS, The Recycling Enhancement Act, P.L.2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, There is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

WHEREAS, Whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

NOW THEREFORE BE IT RESOLVED by the Borough of Manasquan that Borough of Manasquan hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, chapter 311, in 2009 in the amount of \$10,007.18. Documentation supporting this submission is available at 201 East Main Street, Manasquan, NJ 08736 and shall be maintained for no less than five years from this date.

**BOROUGH OF MANASQUAN
RESOLUTION
88-2010**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey, that the Municipal Administrator John Trengrove be authorized to sign the Employee Assistance Program between the Borough of Manasquan and Mark White, Ph.D. at the contractual retainer of

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\$1,800.00 for EAP services and the fee-for-service charge of \$125.00 per hour for Supervisor-Imposed referrals for the term July 15, 2010 through July 14, 2011.

BOROUGH OF MANASQUAN
RESOLUTION NO. 89-2010

RESOLUTION OF THE BOROUGH COUNCIL OF THE
BOROUGH OF MANASQUAN, MONMOUTH COUNTY,
NEW JERSEY, AUTHORIZING THE MAYOR AND
MUNICIPAL CLERK TO EXECUTE A MORTGAGE MODIFICATION
AGREEMENT UNDER THE HOUSING IMPROVEMENT
PROGRAM

WHEREAS, [REDACTED] executed a mortgage to the Borough of Manasquan in the amount of \$18,500.00, and, recorded in the Monmouth County Clerk's Office under the Housing Improvement Program; and

WHEREAS, [REDACTED] has requested that the Borough of Manasquan, as lender, increase the amount of the mortgage to \$19,950.00 through a Mortgage Modification Agreement; and

WHEREAS, it is necessary for the Mayor and Municipal Clerk to execute a Mortgage Modification Agreement, as Lender, to complete the transaction.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 12th day of July, 2010, as follows:

1. The Borough Council authorizes and directs the Mayor and Municipal Clerk to execute the Mortgage Modification Agreement to complete this transaction. The Mortgage Modification Agreement shall be in a form approved by the Municipal Attorney.
2. A certified copy of this Resolution shall be sent to:

Debbie Dovedytis, Program Analyst
Housing Improvement Program
County of Monmouth
One East Main Street
Freehold NJ 07728

BOROUGH OF MANASQUAN
RESOLUTION NO. 91-2010

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN,
COUNTY OF MONMOUTH, NEW JERSEY, AUTHORIZING THE MAYOR TO
PROCLAIM A TEMPORARY WATER EMERGENCY AND PRESCRIBE USAGE
RESTRICTIONS AS PERMITTED BY BOROUGH ORDINANCE 22-38 ET SEQ.

WHEREAS, the Borough Council of the Borough of Manasquan is entrusted with ensuring the continued water supply to the residents for their health, safety and welfare; and

WHEREAS, the Borough of Manasquan Ordinances currently authorize the Borough Council to proclaim the existence of a water emergency under certain conditions; and

WHEREAS, the Borough Council recognizes that in times of drought and increased water usage, such water emergencies may arise quickly and without notice allowing the Borough Council to convene for the purposes of proclaiming a water emergency; and

WHEREAS, the Borough Council recognizes that such a delay may threaten the health, safety and general welfare of the public; and

WHEREAS, the Borough Council is desirous of authorizing the Mayor to temporarily proclaim a water emergency and order usage restrictions until the Borough Council can act at a Borough Council meeting

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NOW, THEREFORE BE IT RESOLVED on the 12th day of July, 2010, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey that the Mayor of the Borough of Manasquan is hereby authorized to temporarily proclaim a water emergency pursuant to Borough Ordinance 22-38 et seq. under the following conditions:

1. The Superintendent of Public Works recommends that a water Emergency be declared and usage restrictions be adopted.
2. The Public Works Committee of the Borough Council recommends that a water emergency be declared and usage restrictions be adopted.
3. The temporary declaration of a water emergency, and any usage restrictions imposed under the emergency, shall remain in effect until the next meeting of the Borough Council. If, at the next meeting, the Borough Council fails to proclaim a water emergency pursuant to Borough Ordinance 22-38 et seq., then the temporary declaration of a water emergency and any usage restrictions imposed under the emergency, shall expire and cease to be enforceable.
4. Once the Borough Council proclaims a water emergency under Borough Ordinance 22-38, the temporary authority granted by this Resolution shall expire.

Council Member Lee made a motion to approve the Consent Agenda, seconded by Council Member Bossone. Roll Call was taken and the motion was unanimously approved.

APPROVAL OF MINUTES

Council Member Donovan made a motion to approve the work session meeting minutes of June 7th, 2010 and June 21st, 2010 and the regular meeting Minutes of June 7th, 2010 and June 21st, 2010, seconded by Council Member Lucas. Roll call was taken and the motion was unanimously approved.

COMMITTEE REPORTS

Public Works Committee – Council Member Donovan made a motion to authorize the Borough Attorney to prepare a bond ordinance in the amount of \$350,000 for the Central Ave Project, seconded by Council Member Lee. Roll Call was taken and the motion was unanimously approved.

Mr. Trengrove pointed out that this ordinance is going to be an assessment ordinance.

Beach Committee – Council Member Bossone related that when the Beach Manager, Chief Lifeguard and Lifeguard Captain were appointed for the 2010 season it was done so at their 2009 salary rate. He made a motion to authorize that they receive the 2010 salary for their positions, seconded by Council Member Donovan. Roll Call was taken and the motion was carried unanimously. He related that there has been a lot of picture taking in the Borough in the past half year and that people bring pictures to Council so a situation will be made clear. He related that last week pictures were being taken of an employee in the Fourth Ave Garage. He related that not only is this illegal but he cautioned that many beach department employees are under the age of 18 and he is concerned about this practice. He related that he has no objections to taking pictures of projects as they progress but that he does have a problem with taking pictures of Borough employees.

Public Property and Parks Committee – Council Member Lee related that the Squan Beach Lifesaving Station Committee is requesting permission to apply for a grant and would like to discuss it with the Governing Body at their next meeting.

There were no objections from the members of the Governing Body.

Mr. Trengrove related that the Borough Historian Mary Ware is also requesting to speak to the Governing Body about a different grant.

Public Safety and Recycling Committee – Council Member Lucas made a motion to renew the solid waste and recycling contracts for a one year period in 2011 in accordance with the current contracts, seconded by Council Member Donovan. Roll Call was taken and the motion was unanimously approved.

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Administration and Finance Committee – Council Member Connolly had no report.

Law and Code Committee – Council Member Grasso welcomed Patrick Callahan and related that he looks forward to working with him.

AUDIENCE PARTICIPATION

Betsy Tallon Waltman, 413 Beachfront expressed concern that the surfers are going to try to take over the Whiting South beach. She related that she is aware that the Borough constructed a ramp to stop the surfers from sneaking onto the beach.

Mayor Dempsey related that he is unaware that this will occur.

Mayor Dempsey related that the ramp was reconstructed to help the elderly patrons with getting onto the beach.

Ms. Tallon Waltman related that she represents the homeowners from the Inlet to Whiting Beach who are concerned that the surfers are going to try to take our swimming and body surfing beach. She related that we don't want them on our swimming beach. She related that there were a lot of surfers there this past weekend on Whiting Beach and asked if something can be done to supervise this.

Council Member Bossone related that he will talk to the Beach Manager.

Council Member Bossone made a motion to adjourn the regular meeting at 8:43 p.m., seconded by Council Member Donovan. Motion carried unanimously.

Respectfully submitted,


Colleen Scimeca
Municipal Clerk

DATE APPROVED 8/2/10