DECEMBER 28, 2011

A Special Regular Meeting of the Manasquan Mayor and Council was held on December 28, 2011 at 3:00 p.m., in the Council Chambers of Borough Hall.

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 on December 20, 2011 and the Asbury Park Press on December 23, 2011.

ROLL CALL: Present: Council Members Connolly, Donovan, Grasso, Lee, Lucas, and McCarthy

Absent: None

Also present was Mark Kitrick the Borough Attorney and Joseph DeIorio the Borough Administrator.

**Item #1 Use of Borough Property**

*Amendment to For Pete's Sake Run – May 5, 2012

Mayor Dempsey stated that the amendment includes the use of Mallard Park and Tents.

There was discussion on the organizations that use Borough property and there financial background.

Council Member Grasso made a motion to approve the amendment, seconded by Council Member McCarthy. Motion carried unanimously.

*Recreation Commission Annual Fool's Run – March 31, 2012

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

**Item #2 Snow Emergency Street**

Mr. DeIorio stated that Council Member Donovan suggested a discussion at the last meeting and that information was forwarded to Mr. Kitrick to put into resolution form.

Mr. Kitrick stated that the resolution specifically identifies certain streets that are of critical need of being cleared.

It was stated that Public Works, OEM, Police and Fire Departments compiled the list.

There was discussion on the streets that are listed on the resolution.

**Item #3 Beach Office/Headquarters Pavilion Modification**

Mr. DeIorio stated that there was a meeting with the residents adjacent to the Beach Headquarters to discuss other designs of the building. He advised that one of the suggestions that came out of a Beach Committee meeting was to move the door to the ladies room from the south side to the north side of the building. He advised that if this suggested plan doesn't work then it would revert back to the original plan.

Council Member Lee made a motion to proceed with specific options of the re-design, seconded by Council Member Lucas. Council Member Connolly abstained from the vote. Motion carried unanimously.

**Item #4 Police Chief Pro Tem**

Council Member Lucas read a letter to Mayor and Council recommending that Captain Correia be appointed as Chief Pro Tem.

Council Member Lucas made a motion to appoint Captain Elliott Correia as Police Chief Pro Tem, seconded by Council Member McCarthy. Motion carried by the following vote, "yes" Council Member Connolly, Donovan, Grasso, Lee, Lucas, and McCarthy.

**CONSENT AGENDA**

**RESOLUTION**
**304-2011**

**BE IT RESOLVED** by the Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that:

**WHEREAS**, refunds for State Court Judgements for 2009 and 2010 are due on the below described property in the amount designated as follows:

BLOCK: 52 LOT: 38.01 NAME: Michael Vespasiano, Attorney of Trust

PROPERTY LOCATION: 224 Parker Avenue

AMOUNT OF REFUND: $25,088.71

REASON FOR REFUND: Settlement of 2009 and 2010 State Tax Appeals

REFUND CHECK TO BE MADE PAYABLE TO:

Michael Vespasiano, Attorney Trust Account
331 Main Street
Chatham, NJ 07928

**WHEREAS**, the Tax Collector has certified that the current property owner is entitled to the refund.

**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 property with said warrant to be charged against the General Ledger.

**RESOLUTION**
**305-2011**

**WHEREAS**, the Borough of Manasquan is desirous of appointing SLEO's, Class I and Class II and Crossing Guards for 2012; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 28th day of December, 2011 appoint the following for 2012:

**Class I & II**

1) Albanese, James
2) Austin, Nichols
3) Bennett, Brooke
4) Brewer, Breton
5) Eisenman, Donald
6) Farina, Nicolle
7) Fernandez, Roger
8) Gajewski, Matthew
9) Jones, Michael
10) Mansfield, Deborah
11) McGowan, Mark
12) McMahon, Paul
13) Norek, Sean
14) Pappalardo, Felicia
15) Parker, Richard
16) Remig, Mitchell
17) Savastano, Joseph
18) Spadaro, Matthew (Class 1)
19) Teller, Douglas
20) Terracciano, Michael
21) Wagner, Robert
22) Waterson, Jesse

**Part-Time Communication Operators**

1) Palmer, Robert
2) Terracciano, Michael
3) White, Christine

**Full-Time Crossing Guards**

1) Boden, Judith
2) Brown, Anne
3) Drury, Marietta
4) Hodkinson, Ralph
5) Margulies, Norman
6) VanSickle, Patricia

**Substitute Crossing Guards**

1) Farina, Nicolle
2) Frey, Kathryn
3) Gonzalez, Lisbeth
4) Waterson, Jesse

**RESOLUTION**
**306-2011**

**BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, that the Mayor, Chief Financial Officer and Municipal Clerk be authorized to sign a Bond Anticipation Note in the amount of $2,506,887.00 with a maturity date of December 28, 2012.

**RESOLUTION**
**307-2011**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, DECLARING SNOW EMERGENCY STREETS FOR THE WINTER OF 2011/2012.**

**WHEREAS**, the Department of Public Works, Police Department, Fire Departments, and Office of Emergency Management is desirous of temporarily designating certain streets as "Snow Emergency Streets" in order to allow for immediate snow plowing and snow removal following snow storms;

**NOW, THEREFORE, BE IT RESOLVED** on this 28th day of December, 2011, 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 temporarily declare that specific streets will be considered "snow emergency streets" in order to allow for snow plowing and removal during and following snow storms;
2. "Snow Emergency Streets" shall be defined as those specific streets on which no parking shall be permitted during a snowfall where accumulation is such that it covers the street(s) or following the snowfall until the street(s) has been plowed and cleared.
3. The following streets are temporarily designated as "Snow Emergency Streets" for the winter of 2011/2012.
   - Forrest Avenue;
   - Gardeners Lane;
   - Allen Avenue;
   - Central Avenue;
   - Blakey Avenue;
   - Curtis Place;
   - North Broad Street;
   - Woodland Avenue;
   - Pearce Avenue;

- Parker Avenue;
- Ocean Avenue;
- Main Street;
- Brielle Road

4. Notice of the designated "Snow Emergency Streets" shall be published in The Coast Star following adoption of this Resolution.
5. The "Snow Emergency Streets" designation for the above-listed Streets will begin upon publication of this Resolution and continue until March 20, 2012. Following the winter of 2011/2012, the Borough Council will amend the Borough Ordinance to provide for permanent "Snow Emergency Streets" designations and regulations.

**RESOLUTION**
**308-2011**

**BE IT RESOLVED** by the Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that:

**WHEREAS**, a refund for **2011 Taxes** is due on the below described property in the amount designated as follows:

BLOCK: **167** LOT: **4.01**

NAME: **Hendrix, Loretta**

PROPERTY LOCATION: **110 First Ave**

AMOUNT OF REFUND: **$250.00**

REASON FOR REFUND:

**The property owner applied and qualified for a 2011 Widow of Veteran Deduction after all 4 quarters were paid.**

REFUND CHECK TO BE MADE PAYABLE TO:

**Loretta Hendrix**
**110 First Ave**
**Manasquan NJ 08736-3313**

**WHEREAS**, the Tax Collector has certified that the current property owner is entitled to the refund.

**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 property with said warrant to be charged against the General Ledger.

**RESOLUTION**
**309-2011**

**WHEREAS,** the Borough of Manasquan's Personnel Policy #33 "Leave Policy" requires approval from the Mayor and Council for vacation carry over for Department Heads, and:

**WHEREAS,** the Department Heads have the following 2011 vacation days and are requesting to carry them over to 2012 as permitted by policy.

| | |
|---|---|
| Thomas Nicastro | 28 Days |
| Patrick Callahan | 10 Days |
| Marie Higgins | 27 Days |
| Dan Scimeca | 28 Days |
| Barbara Ilaria | 21 Days |
| Joseph DeIorio | 13 Days |

**NOW, THEREFORE BE IT RESOLVED,** by the Mayor and Council of the Borough of Manasquan authorize the carry over of the unused 2011 vacation days to 2012 as per Borough Policy.

**RESOLUTION**
**310-2011**

**BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the following transfer in the 2011 Budget be authorized:

**CURRENT FUND**

TO:

| | |
|---|---|
| Anniversary and Holiday OE | $ 200.00 |
| Accumulated Sick Leave | 32,000.00 |
| Clerk S/W | 1,000.00 |
| Tax Collector S/W | 300.00 |
| Tax Assessor | 500.00 |
| Parks and Playgrounds S/W | 12,000.00 |
| Code Enforcement S/W | 1,200.00 |
| Social Security | 11,000.00 |
| Zoning Official S/W | 2,000.00 |
| Legal | 4,000.00 |
| Planning Board S/W | 400.00 |
| Unemployment Insurance | 10,000.00 |
| Electrical Subcode | 600.00 |
| Streets and Roads S/W | 3,000.00 |
| Interlocal Brielle – Gas | 8,000.00 |
| Liability Insurance | 5.00 |
| | $86,205.00 |

FROM:

| | |
|---|---|
| Police S/W | $ 35,000.00 |
| Police O/E | 10,000.00 |
| Utilities | 20,000.00 |
| Construction Code S/W | 2,100.00 |
| Plumbing Code S/W | 600.00 |
| Municipal Court O/E-SS | 8,900.00 |
| Planning Board O/E | 1,500.00 |
| Admin/CFO S/W | 100.00 |
| Workman's Compensation Insurance | 5.00 |
| Interlocal Brielle – Snow Salt | 8,000.00 |
| | $86,205.00 |

**RESOLUTION**
**311-2011**

**WHEREAS,** the following appropriations balances remain in the 2011 Budget unexpended,

**THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the following appropriations be cancelled.

**CURRENT:**

| | |
|---|---|
| Utlilities | $10,000.00 |
| Employee Group Health | 5,000.00 |
| Mayor and Council S/W | 1,300.00 |
| Board of Health S/W | 2,000.00 |
| Engineering OE | 2,000.00 |
| Emergency Management S/W | 300.00 |
| | $20,600.00 |

**WATER/SEWER**

| | |
|---|---|
| S&W | $10,000.00 |
| Operating Expenses | 45,000.00 |
| | $55,000.00 |

**BEACH**

| | |
|---|---|
| S&W | $50,000.00 |
| Operating Expenses | 10,000.00 |
| Social Security | 4,000.00 |
| | $64,000.00 |

**RESOLUTION**
**312 -2011**

**RESOLUTION REQUESTING**
**APPROVAL OF ITEMS OF REVENUE**
**AND APPROPROPRIATION NJS 40A:4-87**

**WHEREAS**, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount,

**NOW, THEREFORE, BE IT RESOLVED**, that the *Mayor and Council* of the Borough of Manasquan in the County of Monmouth, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of $1,863.32, which is now available from Division of Criminal Justice – 2011 Body Armor Grant in the amount of $ 1,863.32.

**BE IT FURTHER RESOLVED**, that the like sum of $ 1,863.32 is hereby appropriated under the caption Body Armor Fund; and

**BE IT FUTRTHER RESOLVED**, that the above is the result of funds from Division of Criminal Justice – 2011 Body Armor Grant in the amount of $1,863.32.

**RESOLUTION**
**313-2011**

**BE IT RESOLVED** by the Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that:

**WHEREAS**, a return of 25% of Building Permit Fees are do for:

| | | | |
|---|---|---|---|
| Electric | $75.00 | -25% | $56.25 |
| Fire | 60.00 | -25% | 45.00 |
| DCA | 1.00 | -1.00 | -0- |

Re: Klosek, 82 Mc Lean Ave, Manasquan

Payable to ADT Security Services
21 Northfield Ave
Edison, NJ 08837

**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 event with said warrant to be charged against the Misc. Trust II Account.

## RESOLUTION
## 314 -2011

### RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPROPRIATION NJS 40A:4-87

**WHEREAS**, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount,

**NOW, THEREFORE, BE IT RESOLVED**, that the *Mayor and Council* of the Borough of Manasquan in the County of Monmouth, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of $1,863.32, which is now available from U.S. Department of Justice Bulletproof Vest Partnership FY 2011 grant in the amount of $ 1,218.64.

**BE IT FURTHER RESOLVED**, that the like sum of $ 1,218.64 is hereby appropriated under the caption Body Armor Fund; and

**BE IT FUTRTHER RESOLVED**, that the above is the result of funds from .S. Department of Justice Bulletproof Vest Partnership FY 2011 grant in the amount of $1,218.64.

## RESOLUTION
## 315-2011

**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 | 45,999.75 |
| Water/Sewer Fund | 6,946.89 |
| Beach Fund | 16,564.03 |
| General Capital Fund | 3,168.50 |
| Water/Sewer Capital Fund | 7,503.80 |
| Beach Capital Fund | 1,092.44 |

Council Member Donovan made a motion to approve the consent agenda, seconded by Council Member Lee. Motion carried by the following vote "yes" Council Member Connolly, Donovan, Grasso, Lee, Lucas and McCarthy, "no" none.

**Approval of Minutes**

Work Session Minutes – August 15, 2011
Regular Session Minutes – August 15, 2011

Council Member Lee made a motion to approve the minutes, seconded by Council Member McCarthy. Motion carried by voice vote with Council Member Donovan abstaining.

**AUDIENCE PARTICIPATION**

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

There being none Council Member Connolly made a motion to close the public portion, seconded by Council Member Lee. 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 Donovan made a motion to close the public portion, seconded by Council Member McCarthy. Motion carried unanimously.

Council Member Connolly made a motion to adjourn the regular meeting at 3:38 p.m., seconded by Council Member Lucas. Motion carried unanimously.

CLOSED SESSION

The Borough Attorney presented a resolution authorizing the governing body to meet in closed session at 3:21 p.m.

Council Member Donovan made a motion to approve the resolution, seconded by Council Member McCarthy. Motion carried unanimously.

**ITEM #1 Professional Services – Contract Negotiations – Labor**

Mr. DeIorio advised that the contracts end on December 31, 2012 and he would like to get a jump on the contract negotiations.

Mr. Kitrick advised that he would like to have a labor attorney hired to take care of the Police Department negotiations so that the borough attorney's relationship with the Police is not affected.

There was discussion on the need for a labor attorney and who Mr. Kitrick would be recommending.

Council Member McCarthy made a motion to adjourn the closed session at 3:37 p.m., seconded by Council Member Lee. Motion carried unanimously

Respectfully submitted,

B. Ilaria

Barbara J. Ilaria
Deputy Municipal Clerk

DATE APPROVED 3-5-12

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