

MARCH 23, 2013

A Special Meeting of the Manasquan Mayor and Council was held on March 23, 2013 at 9:33 a.m., in Council Chambers of Borough Hall with Mayor George 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 and posted on the website on March 20, 2013.

ROLL CALL: Present: Council Members Bossone, Sinneck, Donovan, and Mangan

Absent: Council Members Olivera and McCarthy

Also present was Borough Administrator Joseph Delorio

**DISCUSSION:**

**Post Construction Surveyor's Building Height Certification**

Mayor Dempsey recommended that if a house is raised that the homeowner would have to produce a certified certificate from a surveyor with a seal on it.

There was discussion on which department this would fall under and why it is being recommended.

Council Member Mangan recommended changing the application to inform the contractor.

There was discussion on where the height starts from curb or roadway and issues that have occurred in the past.

**Beach Emergency Access Roadway – follow up**

Mr. Delorio stated that the committee is recommending that there be a time limit for moving a house onto borough property and there should not be moving of a house onto borough property after May 1.

There was discussion on the use of beach access and the date that vehicles will not be allowed on the ramps for access. There was also discussion on what would happen if a house was moved onto borough property and it was not moved off borough property by the time frame allowed.

**RESOLUTION:**

**RESOLUTION  
91-2013**

**RESOLUTION DETERMINING TEMPORARY DATE  
RESTRICTION FOR THE ACCESS AND USE OF THE  
EMERGENCY ACCESS ROADWAY ALONG  
BEACHFRONT IN THE BOROUGH OF MANASQUAN,  
COUNTY OF MONMOUTH STATE OF NEW JERSEY**

**WHEREAS**, as a result of Superstorm Sandy, the need for immediate and decisive response for resident and property owners is paramount; and

**WHEREAS**, the code and construction department is experiencing a significant increase in construction permits and planning board applications; and

**WHEREAS** Borough Code 12-9.6 - Beach Emergency Access Roadway sets the hours of use of emergency access roadway from 8:00am to 4:30pm Monday through Friday up to the Saturday before Memorial Day with property permission from the Borough; and

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WHEREAS, the Mayor and Council of the Borough of Manasquan wishes to temporarily amend these provisions and set guidelines for property owners along beachfront for the safety and welfare of the Borough residents, property owners and visitors.

NOW, THEREFORE BE IT RESOLVED on the 23<sup>rd</sup> day of March 2013, by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey, as follows:

1. All temporary relocation of houses along the beachfront as a result of approved elevation request shall be returned back to their properties no later than May 1, 2013
2. Access to the emergency access roadway along beachfront for construction vehicles assigned by private property owners shall cease on Wednesday May 22, 2013.
3. A certified copy of this resolution shall be sent to the applicable Borough Departments.

**RESOLUTION  
92-2013**

**RESOLUTION AWARDDING A CONTRACT FOR THE  
PURCHASE OF A 2013 FORD ESCAPE SUV FOR THE  
ADMINISTRATION AND CODE DEPARTMENTS IN  
THE BOROUGH OF MANASQUAN, COUNTY OF  
MONMOUTH STATE OF NEW JERSEY**

WHEREAS, quotes were requested and received pursuant to the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) for the purchase of a 2013 Ford Escape SUV; and

WHEREAS, quotes for this project were received as follows:

Malouf Ford	\$ 21,726.00
Sea breeze Ford	\$ 25,841.00
Weisleder Ford & Mazda	Not available

WHEREAS, Malouf Ford of North Brunswick New Jersey submitted a monetary quote in the amount of \$21,726.00; and

WHEREAS, the quote by Malouf Ford with the quote specifications is an extension of a recently low bid awarded by the County of Monmouth; and

WHEREAS, the State of New Jersey does not offer the Ford Escape under State Contract; and,

WHEREAS, the quote amount is less than the required state and municipal bid threshold of \$36,000; and

WHEREAS, the Borough Council is desirous of awarding a contract to

Malouf Ford in the amount of \$21,726 for the purchase of a 2013 Ford Escape SUV.

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**NOW, THEREFORE BE IT RESOLVED** on the 23<sup>rd</sup> day of March 2013, by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey, as follows:

1. This award is subject to the review and approval of the Manasquan Borough attorney.
2. Subject to the above conditions, a contract in the amount of \$21,726.00 is awarded to Malouf Ford for this purchase.
3. The Mayor, Municipal Clerk, and Chief Financial Officer are authorized and directed to execute all necessary documents to effectuate a contract with Malouf Ford.
4. A certified copy of this resolution shall be sent to:

Malouf Ford  
2210 US HWY 1 North  
North Brunswick, NJ, 08902

**RESOLUTION  
93-2013**

**RESOLUTION DIRECTING THE CODE AND  
CONSTRUCTION DEPARTMENT TO REQUIRE A  
POST CONSTRUCTION SURVEYOR'S BUILDING  
HEIGHT CERTIFICATION IN THE BOROUGH OF  
MANASQUAN, COUNTY OF MONMOUTH STATE OF  
NEW JERSEY**

**WHEREAS**, as a result of Super Storm Sandy, the need for immediate and decisive response for resident and property owners is paramount; and

**WHEREAS**, the code and construction department is experiencing a significant increase in construction permits and planning board applications; and

**WHEREAS**, the need to verify the building height of residential and commercial to existing zoning requirements or planning board approved applications is necessary.

**NOW, THEREFORE BE IT RESOLVED** on the 23<sup>rd</sup> day of March 2013, by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey, as follows:

1. The Code and Construction Departments are directed to require a Post Construction Surveyor's Building Height Certification upon the completion of a construction project where height is in question.
2. The Surveyor's Certification includes, but not limited to, the height of the completed structure and certification that the height meets all local zoning and/or planning board requirements.
3. The Code and Construction Departments shall withhold the issuance of a Certificate of Occupancy until the Certification is submitted by the property owner to the Department and approved by Borough Officials.

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4. Should the certification be determined to be fraudulent, the Mayor and Council shall file necessary criminal and civil charges against all necessary parties.
5. A certified copy of this resolution shall be sent to all employees of the Code and Construction Departments.

**RESOLUTION  
94-2013**

**WHEREAS**, it shall become necessary to expend for some of the purposes specified in the budget, an excess of the respective sums appropriated, and

**WHEREAS**, there is an excess in one or more appropriation reserve over and above the amount deemed necessary to fulfill the purposes of such appropriations, and

**WHEREAS**, N.J.S.A. 40A:4-59 provides for the transfer of such amounts deemed in excess, to appropriations the amount of which are deemed to be insufficient to fulfill the purpose of such appropriations, and

**WHEREAS**, the transfers about to be authorized do not affect any appropriation reserves to which or from which transfers are prohibited under the statutes.

**NOW, THEREFORE BE IT RESOLVED** that the following transfers between appropriation reserves are to be authorized pursuant to N.J.S.A. 40A:4-59:

**BE IT FURTHER RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the following 2012 Appropriation Reserve transfer be authorized:

**CURRENT FUND**

TO:	Buildings and Grounds	1,000.00
	Vehicle Repairs and Maintenance	2,000.00
	Utilities	10,000.00
	Gasoline Interlocal with Brielle O/C	<u>17,000.00</u>
	Total	\$30,000.00

FROM:

Legal OE	2,000.00
Engineering OE	6,000.00
Streets and Roads SW	3,000.00
Street and Roads OE	2,000.00
Snow Removal – Brielle/Sea Girt O/C	<u>\$17,000.00</u>
Total	\$30,000.00

**BEACH FUND**

TO:	Other Expenses	<u>\$ 2,200.00</u>
	Total	\$ 2,200.00

FROM:

Salary and Wages	<u>\$ 2,200.00</u>
Total	\$ 2,200.00

**BE IT FURTHER RESOLVED**, that a copy of this resolution be filed forthwith with the Chief Financial Officer.

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

**ORDINANCE:**

The Borough Administrator read the title of ordinance 2133-13 for introduction.

**ORDINANCE AMENDING CHAPTER 13 (PROPERTY MAINTENANCE) SECTION 13-5 (BRUSH, WEEDS, DEAD TREES; TRASH AND GARBAGE PROHIBITED ON LANDS) OF THE BOROUGH OF MANASQUAN CODE IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

Council Member Sinneck made a motion to introduce ordinance 2133-13, seconded by Council Member Mangan. Motion carried by the following vote: "yes" Council Member Bossone, Sinneck, Donovan, and Mangan. "No" none.

**AUDIENCE PARTICIPATION**

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

Mary Ryan, 113 Beachfront voiced her opinion on the \$75 fee for debris removal and that she doesn't think that it is enough. She asked if homeowners have to get a special permit to elevate their home.

Mayor Dempsey stated that they would have to talk to the zoning officer first.

Ms Ryan wanted to know if zoning would check out what the final height will be.

Mayor Dempsey stated that the homeowner would need to get a certificate from a surveyor stating the height of the building.

Ms. Ryan inquired about a daily fee for having a house on borough property.

Council Member Mangan stated that the council is considering that option.

Council Member Sinneck made a motion to adjourn the public portion, seconded by Council Member Mangan. Motion carried unanimously.

Council Member Donovan made a motion to close the special meeting at 10:10 a.m. seconded by Council Member Bossone. Motion carried unanimously.

Respectfully submitted,



Barbara Ilaria  
Municipal Clerk

**DATE APPROVED** 7-1-13