

MAY 6, 2013

Regular Meeting of Mayor and Council was convened at 8:24 p.m. on May 6, 2013 in Council Chambers of Borough Hall with Mayor George Dempsey presiding.

Mayor Dempsey 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 4, 2012.

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

**ROLL CALL:** Present: Council Members Bossonne, Sinneck, Donovan, Mangan, Olivera and McCarthy

Absent: None

Also present was Borough Attorney Mark Kitrick Borough and Administrator/CFO Joseph Delorio Council Member Mangan made a motion to remove resolution 141-2013 from the Consent Agenda and hold it for the next meeting, seconded by Council Member Bossonne. Motion carried unanimously.

**CONSENT AGENDA**

**RESOLUTION  
127-2013**

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

**WHEREAS**, a refund of monies is due to the following:

**BOAT SLIP REFUND:**

TO: Stephen Govel  
171 Stockton Lake Blvd.  
Manasquan, NJ 08736

AMOUNT OF REFUND DUE: \$669.00

**REASON:** Boat Lessee paid for their Boat Slip by the deadline and then downsized to smaller boat slip at a lower cost.

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

**RESOLUTION  
128-2013**

**WHEREAS**, the Borough of Manasquan is desirous of appointing Seasonal Laborers for the Department of Public Works; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 6<sup>th</sup> day of May, 2013 appoint the following Department of Public Works employees to Seasonal Laborers including Mad Vac Operators:

- Ryan McCrone, 78 Curtis Avenue., at the hourly rate of \$9.00
- Sean Price, 48 Warren Ave, at the hourly rate of \$9.00

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- Frank Servidio, 100 Ocean Avenue at the hourly rate of \$10.50

**RESOLUTION  
129-2013**

**WHEREAS**, the Borough of Manasquan has the need for Redevelopment of Well #5 at the Manasquan Water Treatment Plant; and

**WHEREAS**, the four quotes requested were as follows:

Eagle Construction  
1624 Jacksonville Road  
Burlington, NJ 08016  
refused

Layne Christenson  
97 Chimney Rock Road  
Bridgewater, NJ 08807  
refused

P.C.S. Integrators  
41 Plymouth St.  
Fairfield, NJ 07004  
refused

A.C. Schultes  
664 S. Evergreen Ave.  
Woodbury Heights, NJ 08097  
\$25,400

**WHEREAS**, the Borough of Manasquan's bid threshold per resolution 56-2013 is \$36,000; and

**WHEREAS**, as a result the Borough of Manasquan intends to enter into contract with: A.C. Schultes through this resolution and properly executed contracts, which shall be subject to all the conditions applicable; and

**NOW THEREFORE BE IT RESOLVED**, that the Borough of Manasquan authorizes the Purchasing Agent to purchase certain goods or services from said contractor, pursuant to all conditions, in the amount of \$25,400.

**RESOLUTION  
130-2013**

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

**WHEREAS**, a refund of monies are due to the following:

NAME: BRILLO PRODUCTIONS INC  
DARREN BRILHART  
21292 SEASPRITE CIRCLE  
HUNTINGTON BEACH, CA 92646

AMOUNT OF REFUND DUE: \$400.00

REASON FOR REFUND: Beach Use Security - Surf Competition

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

**RESOLUTION  
131-2013**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE  
BOROUGH OF MANASQUAN, MONMOUTH COUNTY,  
NEW JERSEY, APPROVING TAXI / AUTOCAB OWNERS  
LICENSES AND TAXI / AUTOCAB OPERATORS LICENSES  
PURSUANT TO MANASQUAN BOROUGH ORDINANCE 4-16**

**WHEREAS**, pursuant to Manasquan Borough Ordinance 4-16 entitled "An ordinance providing for the registration and regulation of taxis, autocabs and other vehicles engaged in the business of carrying passengers for hire, and the owners and drivers thereof and the business of operating taxis, fixing license fees and providing for penalties for the violation thereof"; and

**WHEREAS**, Section 5 of said ordinance allows for the issuance of these licenses by the Mayor and Council upon notification from the Borough Clerk of the satisfactory fulfillment of the licensing requirements; and

**WHEREAS**, the Borough Clerk has notified the Mayor and Council that the licensing requirements have been satisfactorily fulfilled by a number of applicants; and

**WHEREAS**, the Mayor and Council hereby approve the issuance of licenses for the following:

**A. Operators:**

- 1) Steven Rich – Leon's Transportation
- 2) Keith Grace – Leon's Transportation
- 3) Keara Nieves – Road Cruisers
- 4) Teddy Solomon – Road Cruisers
- 5) Sultomurod Kayumou – Eastern Links
- 6) Kathleen Harnett - Squan
- 7) Ibrahim Abdo-Abdelwahed – Royle One

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 6th day of May, 2013, as follows:

1. The Borough Clerk has notified the Mayor and Council that all licensing requirements have been satisfactorily fulfilled pursuant to Section 5 of Borough Ordinance 4-16.

**RESOLUTION  
132-2013**

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

**WHEREAS**, a refund of monies are due to the following:

NAME: G.R.& J HUB HOME IMPROVEMENT CENTER  
8660 18<sup>TH</sup> AVENUE  
BROOKLYN, NEW YORK 11214

AMOUNT OF REFUND DUE: \$500.00

REASON FOR REFUND: DUMPSTER SECURITY DEPOSIT

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

**RESOLUTION  
133-2013**

**AUTHORIZING THE MAYOR TO EXECUTE A JOINT FUNDING AGREEMENT WITH US  
GEOLOGICAL SURVEY, UNITED STATES DEPARTMENT OF THE INTERIOR FOR WATER  
RESOURCES INVESTIGATIONS**

**WHEREAS**, the US Geological Survey (USGS) New Jersey Water Science Center and the Borough of Manasquan is desirous of installing a tide and weather station at the Glimmer Glass Bridge, Manasquan; and

**WHEREAS**, this gage will be part of the New Jersey Tide Telemetry System and is part of a Hazard Mitigation Project; and

**THEREFORE BE IT RESOLVED** that the Borough of Manasquan authorizes the shared service and cost agreement with the U.S. Department of the Interior in the amount of \$11,000.

**NOW THEREFORE BE IT RESOLVED** that the Mayor of the Borough of Manasquan is authorized to execute an Agreement for Water Resources Investigations with the U.S. Department of the Interior.

**RESOLUTION  
134-2013**

**WHEREAS**, the Borough of Manasquan has the need for the Installation of Chemical Analyzers at the Water Treatment Plant;

**WHEREAS**, the four (4) quotes were as follows:

refused  
Tom English Associates  
290 Barrow Street  
Jersey City, NJ 07302

refused  
P.C.S. Integrators, Inc.  
41 Plymouth Street  
Fairfield, NJ 07004

refused  
Eagle Construction  
1624 Jacksonville Road  
Burlington, NJ 08016

refused  
Complete Control Services, Inc.  
1515 Grant Street  
Egg Harbor City, NJ 08215      \$35,745.00

**RESOLUTION  
135-2013**

**CHANGE ORDER NO.2**

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Be it resolved by the Mayor and Council of the Borough of Manasquan of Monmouth County, New Jersey upon recommendation of the Borough Engineer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: Beachfront Sand Screening  
ENGINEER: T&M Associates  
11 Tindall Road  
Middletown, NJ 07748

**AGREEMENT MODIFICATION NO. 2**

Negotiated price on May 2, 2013 with James R. Lentile, Inc., to screen additional sand from beachfront recovery activities.

AMOUNT OF CHANGE THIS RESOLUTION: \$37,500.00

TOTAL AMOUNT OF CHANGE: +\$47,500.00

This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

**RESOLUTION  
136-2013**

**CHANGE ORDER NO. 2**

Be it resolved by the Mayor and Council of the Borough of Manasquan of Monmouth County, New Jersey upon recommendation of the Borough Engineer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: Beachfront Emergency Access Way Reconstruction  
ENGINEER: T&M Associates  
11 Tindall Road  
Middletown, NJ 07748

**AGREEMENT MODIFICATION NO. 2**

Negotiated price on May 2, 2013 with Manzo Maroba, to truck debris to Pompano TDMA site and redistribute screened sand onto beach.

AMOUNT OF CHANGE THIS RESOLUTION: \$10,000.00

TOTAL AMOUNT OF CHANGE: +\$70,495.00

This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

**RESOLUTION  
137-2013**

**RESOLUTION AWARDDING A CONTRACT FOR TEMPORARY DEBRIS  
MANAGEMENT AREA (TDMA) DEBRIS REMOVAL IN THE BOROUGH OF  
MANASQUAN, COUNTY OF MONMOUTH STATE OF NEW JERSEY**

**WHEREAS**, public bids were advertised for and received pursuant to the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) for TDMA Debris Removal; and

**WHEREAS**, three bids for this project were submitted:

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Carnevale Disposal Company, Inc.	\$75,625.00
Yannozzi & Sons, Inc.	\$129,940.00
R.E. Pierson Construction Company	\$136,231.00

**WHEREAS**, Carnevale Disposal Company, Inc. submitted a monetary bid in the amount of \$75,625.00; and

**WHEREAS**, the Borough Engineer has determined the bid by Carnevale Disposal Company, Inc. complies with the bid specifications and includes all required documentation and has recommended the award of the bid; and

**WHEREAS**, the Borough Council has determined, for the reasons set forth below, that the bid of Carnevale Disposal Company, Inc. is a responsive and responsible bid; and

**WHEREAS**, the Borough Council is desirous of awarding a contract to Carnevale Disposal Company Inc. for the bid in the amount of \$75,625.00 for the project;

**NOW, THEREFORE BE IT RESOLVED** on the 6<sup>th</sup> day of May, 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 Bid award is subject to the review and approval of the Bid Documents by the Manasquan Borough attorney.
2. Subject to the above condition, a contract in the amount of \$75,625.00 is awarded to Carnevale Disposal Company for this project.
3. The Mayor and Municipal Clerk are authorized and directed to execute all necessary documents to effectuate a contract with Carnevale Disposal Company Inc.
4. A certified copy of this resolution shall be sent to:

Carnevale Disposal Company Inc  
225 Turnbull Avenue  
Hamilton, NJ 08610

**RESOLUTION  
138-2013**

**WHEREAS**, the Borough of Manasquan has the need for additional paving and drainage improvements at Fisherman's Cove-Third Avenue; and

**WHEREAS**, the two quotes requested were as follows:

Mark Woszczak Mechanical Contractors 1700 W. Atlantic Avenue Manasquan, NJ 08736	\$35,830.00
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Mixalia Enterprises, LLC 420 Sycamore Avenue Shrewsbury, NJ 07702	\$38,330.00
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**WHEREAS**, the Borough of Manasquan intends to enter into contract with: Mark Woszczak through this resolution and properly executed contracts, which shall be subject to all the conditions applicable; and

**NOW THEREFORE BE IT RESOLVED**, that the Borough of Manasquan authorizes the Purchasing Agent to purchase certain goods or services from said contractor, pursuant to all conditions, in the amount of \$35,830.00.

**RESOLUTION  
139-2013**

**WHEREAS**, the Borough of Manasquan has the need for additional paving and drainage improvements at the Manasquan Water Treatment plant; and

**WHEREAS**, the three quotes requested were as follows:

	Borough Work	T&M Assoc.	Total
Woszczak Mechanical Contractors 1700 W. Atlantic Avenue Manasquan, NJ 08736	\$19,025.00	\$32,954.00	\$51,679.00
L Porchetta 475 Watchung Ave. Watchung, NJ 07069	\$20,950.00	\$33,576.50	\$54,526.00

S and L Contractors, LLC  
P.O. Box 424  
Berkeley Heights, NJ 07922      \$0.0      \$34,534.00      N/A

**WHEREAS**, the Borough of Manasquan intends to enter into contract with Mark Woszczak Mechanical Contractors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable; and

**NOW THEREFORE BE IT RESOLVED**, that the Borough of Manasquan authorizes the Purchasing Agent to purchase certain goods or services from said contractor, pursuant to all conditions, in the amount of \$19,025.00.

**RESOLUTION  
140-2013**

**WHEREAS**, the Borough Council has authorized through resolution 82-2013 dated March 18, 2013 that T&M Associates advertise a bid notice for ADA Accessible Doors for Borough Hall,

**NOW THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough of Manasquan would like to retain the

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services of T&M Associates, 9 Grande Avenue Toms River, New Jersey 08753 for purposes of Contract Plans and Specifications, Bidding Assistance, and Construction Administration as outlined in the scope of work dated March 21, 2013 for an amount not to exceed \$11,900.00.

**RESOLUTION  
142-2013**

**RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR 2013  
SOFTWARE PURCHASE AND MAINTENANCE FOR  
PROPRIETARY SOFTWARE USED BY VARIOUS DEPARTMENTS  
IN THE TOWNSHIP**

**WHEREAS**, the Borough of Manasquan has a need to acquire additional software and maintenance for proprietary software used by various departments in the Borough; and,

**WHEREAS**, the Borough's current financial software provider, Edmunds and Associates has offered a Code module and Accounts Receivable module to enhance its existing software; and,

**WHEREAS**, the Chief Financial Officer/Qualified Purchasing Agent has determined and certified in writing that the value of the acquisition will not exceed the Borough's bid threshold and will not exceed \$17,500.00 in vendor aggregation; and,

**WHEREAS**, the anticipated term of this contract is for 1 year; and

**WHEREAS**, Edmunds & Associates, Inc. can supply the Borough with the software maintenance for proprietary software; and,

**WHEREAS**, the Law and Code Committee and Code Department have recommended the purchase of said software; and,

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Manasquan authorize the Mayor and his designees to enter into a contract to acquire the Code module and Account Receivable module software and maintenance services for proprietary software for various departments in the Borough is hereby authorized with Edmunds & Associates, Inc. in the amount of \$12,840.00;

**BE IT FURTHER RESOLVED** that certified copies of the within Resolution be forwarded to the Finance Department and Code Department.

**RESOLUTION  
143--2013**

**WHEREAS**, the through Executive Order 104 (October 27, 2012), the State of New Jersey declared a State of Emergency as a result of the impact of Super Storm Sandy and the aftermath; and

**WHEREAS**, the Borough of Manasquan had also declared a local State of Emergency; and,

**WHEREAS**, 60% of the community's housing stock was affected by flood, sand and wind damage from Super Storm Sandy; and,

**WHEREAS**, the Borough of Manasquan beaches severely damaged by the storm, including playground equipment; and,

**WHEREAS**, SquanStrong has partnered with the New Jersey Firefighters' Mutual Benevolent Association for the rebuilding of Sea Watch Beach playground as a part of the Sandy Ground Project - an effort to honor and provide a lasting and living memorial to the 20 children and 6 teachers killed at Sandy Hook Elementary School; and,

**WHEREAS**, the Borough of Manasquan is desirously of replacing the Sea Watch playground; and,

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**NOW, THEREFORE BE IT RESOLVED** on the 6<sup>th</sup> day of May, 2013, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey the following:

1. Accepts the efforts of SquanStrong and the New Jersey Firefighters' Mutual Benevolent Association to raise funds on behalf of the Sandy Ground Project.
2. At such time when sufficient funds are raised NJFMBBA will donate and install the playground equipment.
3. The playground equipment will meet all local, state and federal regulations and guidelines.
4. The playground will be installed along Manasquan Beach.
5. A certified copy of this resolution shall be provided to the Zoning Officer and Construction Official.

**RESOLUTION  
144-2013**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF  
MANASQUAN, MONMOUTH COUNTY, NEW JERSEY RETAINING THE  
MERLIN LAW GROUP AND BATHGATE, WEGENER & WOLF FOR  
SUPER STORM SANDY INSURANCE CLAIMS**

**WHEREAS**, on October 29, 2012 Super Storm Sandy caused devastating damage to the State of New Jersey and specifically to the Borough of Manasquan; and

**WHEREAS**, the Borough of Manasquan continues to recover and rebuild from the destruction caused by this event; and

**WHEREAS**, the Borough of Manasquan continues to pursue all possible avenues of compensation due the Borough through the coverage afforded by its various insurance policies; and

**WHEREAS**, the Borough of Manasquan seeks expertise in maximizing all potential sources of coverage available to the Borough through its insurance policies; and

**WHEREAS**, the Merlin Law Group and Bathgate, Wegener & Wolf are experts in the area of hurricane coverage claims; and

**BE IT RESOLVED**, the Mayor and Council hereby authorizes the Borough Attorney to prepare a contingency retainer agreement with Merlin Law Group and Bathgate, Wegener & Wolf for their representation of the Borough of Manasquan.

**BE IT FURTHER RESOLVED**, the Borough of Manasquan shall not be responsible for any payment of any fees or expenses for such representation and further authorizes the Mayor to execute said retainer agreement on behalf of the Borough of Manasquan.

**RESOLUTION  
145-2013**

**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.

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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	1,681,167.82 (Includes 1,514,217.51 County Taxes)
Water/Sewer Fund	26,771.08
Beach Fund	7,361.11
General Capital Fund	23,091.02
Water/Sewer Capital Fund	275,727.08
Beach Capital Fund	388,155.96

Council Member Sinneck made a motion to approve the consent agenda, seconded by Council Member Mangan. Motion carried by the following vote; "yes" Council Member Bossonne, Sinneck, Donovan, Mangan, Olivera, and McCarthy, "no" none.

#### **ORDINANCES**

The Borough Attorney read the title of ordinance 2134-13 for second reading and final hearing.

**ORDINANCE SUPPLEMENTING CHAPTER 14  
(BUILDING AND HOUSING) AND CREATING  
SECTION 14-33 ENTITLED "TEMPORARY  
RELOCATION OF BUILDING AND STRUCTURES  
ONTO BOROUGH PROPERTY" IN THE BOROUGH  
OF MANASQUAN, COUNTY OF MONMOUTH,  
STATE OF NEW JERSEY**

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

There being no public comment, Council Member Donovan made a motion to close the public portion, seconded by Council Member Mangan. Motion carried unanimously.

Council Member Bossonne made a motion to pass and publish ordinance 2134-13 according to law, seconded by Council Member Mangan. Motion carried by the following vote; "yes" Council Member Bossonne, Sinneck, Donovan, Mangan, Olivera, and McCarthy, "no" none.

#### **APPROVAL OF MINUTES**

February 19, 2013 – Work Session & Regular Meeting Minutes (absent none)

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

#### **COMMITTEE REPORTS**

Public Safety & Recycling – Council Member McCarthy reported on the PBA Annual Fishing Contest last Saturday. He advised that the police department is gearing up for the summer months and that the Manasquan Hook and Ladder Company #1 celebrated their 125 years of service with awards going out to firefighters for their length of service to Manasquan.

Parks & Public Property – Council Member Olivera reported that the electrical for the docks is being completed this week and should be on by the end of the week and the outlets will be fixed next week. He reported that T&M Associates has been approved to draw up specifications for the SBLS remediation post sandy and that he attended the annual meeting of the Preservation Committee and presented a report to the organization.

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Administration and Finance Committee – Council Member Mangan reported that the Manasquan Tourism will be holding the Manasquan Beach Re-Opening celebration on May 23, 2013 which will include a ribbon cutting ceremony and cocktail party to follow at Leggetts. He went over some upcoming Tourism events. He reported that the Community Disaster Loan (CDL) is what is holding up the budget at this point and that some preliminary numbers should be in by weeks end. He reported that a directive was received from the Governor’s office on how COAH fees will be handled.

Public Works Committee – Council Member Donovan advised where tickets can be purchased for the Tourism cocktail party on the 23<sup>rd</sup>. He reported that the East Virginia Lift Station should be completed in about a week which is electrical in nature so it is weather dependent. He reported on the pigging on Willow Way, Third Avenue revetment and Riverside Drive, and he advised that Public Works will be doing one last leaf and brush pickup on Monday, May 13, 2013.

Law and Code Committee – Council Member Sinneck reported on the Code Enforcement and the number of certificate occupancy permits that were issued. He reported on the town wide garage sale and the permits that were issued in the construction and zoning offices. He reported on the purchase of the Edmunds Software to be used in the code department and he went over some changes that will be taking place in the construction and code departments.

Beach Committee – Council Member Bossone reported on the Junior Guard information, badge sales for the weekend, parking passes and the times that they will be sold. He reported on the progress of the Beach Headquarters and that a temporary beach office will be located in a trailer on the corner of First Avenue and East Main Street. He stated that the beach will be open and ready to go for the summer.

#### AUDIENCE PARTICIPATION

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

Connie Hyland, Ocean, NJ from NJ Open and Healing wanted to make sure that the Borough knew they were here for the residents for crisis counseling which is free through the County. She went over where they are located and how they can help.

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

Council Member Donovan made a motion to close the regular meeting at 8:45 p.m., seconded by Council Member Mangan. Motion carried unanimously.

Respectfully submitted,



Barbara J. Ilaria  
Municipal Clerk

**DATE APPROVED** 9-16-13