

JUNE 17, 2013

Regular Meeting of Mayor and Council was convened at 8:18 p.m. on June 17, 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 Bossone, Sinneck, Donovan, Mangan, Olivera and McCarthy

Absent: None

Also present was Borough Attorney Mark Kitrick Borough and Administrator/CFO Joseph DeIorio

CONSENT AGENDA

**RESOLUTION
187-2013**

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:

NAME: NEIL GALLAGHER
332 EUCLID AVE
MANASQUAN, NJ 08736

AMOUNT OF REFUND DUE: \$437.50

REASON FOR REFUND: AFFORDABLE HOUSING -
116/5.01

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
188-2013**

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, 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, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate records, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the **2012 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Manasquan Borough Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

JUNE 17, 2013

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Manasquan that Manasquan Borough hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates John Keynton to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

**RESOLUTION
189-2013**

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 2012 in the amount of \$11,611.78. 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.

**RESOLUTION
190-2013**

**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:

JUNE 17, 2013

A. Operator

- 1) Hesham Abdelrahman – Shore Trans.
- 2) John Doherty – Leon's
- 3) Chris Fortier – Leon's
- 4) Stephen Peterson – Able
- 5) Thomas Russoniello - Able
- 6) Paul Salgado – Squan Taxi
- 7) Kimberly Scarpula – New Ocean
- 8) Craig Neary – New Ocean
- 9) Ihab Elwan – Royal Transportation

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 17rd day of June, 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
191-2013

BE IT RESOLVED, that the Hon. George Dempsey, Jr., Mayor of the Borough of Manasquan, be and is hereby authorized to sign the following 2013 Agreement :

Web Page Development Agreement

City Connections, LLC
5 Ebbtide Court
Barnegat, NJ 08005

RESOLUTION
192-2013

BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan that T&M Associates be and is hereby authorized to advertise a Bid Notice for the Replacement of Manasquan Borough Hall, 201 East Main Street Emergency Generator.

RESOLUTION
193-2013

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: JUDI CONNORS
159 FIRST AVE
MANASQUAN, NJ 07836

AMOUNT OF REFUND DUE: \$500.00

REASON FOR REFUND: DUMPSTER SECURITY-TRPP#109

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
194-2013

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

JUNE 17, 2013

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

NAME: ATLANTIC MODULAR BUILDERS
75 TAYLOR AVE
MANASQUAN, NJ 08736

AMOUNT OF REFUND DUE: \$500.00

REASON FOR REFUND: TRAILER STORAGE-3RD AVE LOT

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
195-2013**

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: ATLANTIC MODULAR BUILDERS
75 TAYLOR AVE
MANASQUAN, NJ 08736

AMOUNT OF REFUND DUE: \$500.00

REASON FOR REFUND: TRAILER STORAGE-MORRIS AVE

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
196-2013**

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: ZARRILLI HOMES, LLC
186 MANTOLOKING ROAD
BRICK, NJ 08723

AMOUNT OF REFUND DUE: \$500.00

REASON FOR REFUND: TRAILER STORAGE-PERKINE BLVD

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.

JUNE 17, 2013

**RESOLUTION
197-2013**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough of Manasquan retains the services of T&M Associates, 9 Grande Avenue Toms River, New Jersey 08753 for purposes of producing site plans, specifications, equipment plans, and advertising for Manasquan Borough Hall Emergency Generator Replacement, Bidding Assistance, and Construction Administration for an amount not to exceed \$16,900.00 for the service outlined in a proposal dated September 16, 2012.

**RESOLUTION
198-2013**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,
PROMOTING MICHELLE ABBOTT TO CLERK 2 IN THE
CODE/CONSTRUCTION OFFICE.**

WHEREAS, the Borough of Manasquan ("Manasquan") is in need of a Clerk 2 as defined by Civil Service; and

NOW, THEREFORE BE IT RESOLVED on the 17th day of June, 2013, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. Michelle Abbott is promoted from Keyboarding 1 to Clerk 2 as defined by Civil Service in the Code/Construction Department at an annual increase of \$5,000.00.
2. The effective date of this appointment is June 17, 2013.
3. A certified copy of this resolution shall be sent to :

Michelle Abbott
542 Woodland Avenue
Brielle, New Jersey 07730

**RESOLUTION
199-2013**

WHEREAS, the Borough of Manasquan is desirous of appointing Seasonal Beach Employees for the Summer Season of 2013; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 17th day of June 2013 appoint the following Seasonal Beach Employees to work during the Summer Season, 2013:

Junior Guard:	Address	Hourly Rate
Sara	Hegna 4 Crescent Drive,	Brielle Instructor \$9.00
Daniel	Herno 30 Ocean Ave.,	Manasquan Instructor \$9.00
James	Robinson 50 Broad Street,	Manasquan Instructor \$9.00
John	Robinson 50 Broad Street,	Manasquan Instructor \$9.00
Andrew	Ware 85 McLean Ave.,	Manasquan Instructor \$9.00
Stephen	Zara 723 McLean Ave.,	Manasquan Instructor \$9.00
Erin	Anderson 2153 8th Ave.,	Sea Girt Instructor \$10.00

JUNE 17, 2013

Kelli	Degnan	1010 Sunset Dr.,	Brielle	\$10.00
Tom	Detlinger	4 Curtis Ave.,	Manasquan	\$10.00
Grant	Foster	1575 Horseshoe Dr.,	Wall	\$10.00
Conor	Gleason	49 Manito Road,	Manasquan	\$10.00
Conor	Grogan	4 Captains Court,	Manasquan	\$10.00
Jake	Hegna	4 Crescent Drive,	Brielle	\$10.00
Kirstyn	Shibla	2550 Ranshorn Dr.,	Manasquan	\$10.00
Tyler	Vandermolen	1550 Oakshire Lane,	Manasquan	\$10.00

**BOROUGH OF MANASQUAN
RESOLUTION
200-2013**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH
OF MANASQUAN, MONMOUTH COUNTY, NEW JERSEY,**

BE IT RESOLVED, the Governing Body of the Borough of Manasquan that we pledge the following listed collateral security to the Federal Emergency Management Agency (FEMA) on the Promissory Note for a Community Disaster Loan for \$2,769,837 executed on June 17, 2013 pursuant to Section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended, and FEMA Regulation, 44 CFR 206, Subpart K. We further understand that failure to repay any outstanding principal and related interest on those portions of the loan which do not qualify for loan cancellation as determined by FEMA or any successor agency will result in forfeiture of as much as the listed collateral security as is necessary to collect such outstanding principal and interest.

**RESOLUTION
201-2013**

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 17th day of June, 2013 appoint the following

Department of Public Works employees to Seasonal Laborers including Mad Vac Operators:

- Chris Renehan, 1212 Wall Road, Spring Lake Heights
at an hourly rate of \$10.00

**RESOLUTION
202-2013**

**RESOLUTION AWARDDING A CONTRACT FOR THE REPLACEMENT
OF SOUAN BEACH LIFE SAVING STATION #9 ROOF IN THE
BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH STATE OF
NEW JERSEY**

JUNE 17, 2013

WHEREAS, quotes were requested and received pursuant to the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) for the replacement of the roof at the Squan Beach Life Saving Station #9 (SBLSS) as a result of Super Storm Sandy; and

WHEREAS, quotes for this project were received as follows:

Whitman Construction LLC	\$ 24,319.61
Berardesco General Contracting	No Response
Roof Diagnostics	No Response

WHEREAS, Whitman Construction, LLC, 2511 Lakewood Road, Point Pleasant, New Jersey submitted a monetary quote in the amount of \$24,319.61; 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 Whitman Construction LLC in the amount of \$24,319.61 for the replacement of the SBLSS roof.

NOW, THEREFORE BE IT RESOLVED on the 17th day of June 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 \$24,319.61 is awarded to Whitman Construction for this roof replacement.
3. The Mayor, Municipal Clerk, and Chief Financial Officer are authorized and directed to execute all necessary documents to effectuate a contract with Whitman Construction LLC.
4. A certified copy of this resolution shall be sent to:

Whitman Construction LLC
2511 Lakewood Road
Point Pleasant, NJ 08742

**RESOLUTION
205-2013**

BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan that Barbara Ilarria, Municipal Clerk of the Borough of Manasquan, be and is hereby authorized to sign the following Service Agreement commencing from June 1, 2013 through May 28, 2014:

HVAC Service Agreement	Four Point Refrigeration Co. Inc
	3140 Route 88
	Point Pleasant, NJ 08799

**RESOLUTION
204-2013**

JUNE 17, 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.
2. The Mayor, Municipal Clerk and Chief Financial Officer are hereby authorize 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	153,658.32
Water/Sewer Fund	27,286.85
Beach Fund	13,080.17
General Capital Fund	54,112.56
Water/Sewer Capital Fund	310.00
Beach Capital Fund	175,368.25

Council Member Mangan made a motion to remove resolution 203-2013 from the Consent Agenda, seconded by Council Member Donovan. Motion carried unanimously.

Council Member Bossonne 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

**RESOLUTION
203-2013**

WHEREAS, the Borough of Manasquan is desirous of appointing Citizen Representatives to the Green Team Advisory Committee; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of

Manasquan, Monmouth County, New Jersey, on this 17th day of June, 2013 appoint the following members:

- Jeff Lee, 101 Church Street
- Judy Mangan, 416 Main Street
- Carol Hart, 22 Beams Terrace

Council Member Sinneck made a motion approve resolution 203-2013, seconded by Council Member Donovan. Motion carried unanimously with Council Member Mangan abstaining.

ORDINANCES

The Borough Attorney read the title of ordinance 2135-13 for second reading and final Adoption.

**CALENDAR YEAR 2013
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**

JUNE 17, 2013

(N.J.S.A. 40A: 4-45.14)

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

There being none Council Member Mangan made a motion to close the public hearing, seconded by Council Member Olivera. Motion carried unanimously.

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

COMMITTEE REPORTS

Public Safety & Recycling Committee – Council Member McCarthy reported that the Public Safety Committee met last week and discussed the replacement of Officer Mahoney who transferred out of Manassquan. They also discussed rental units that fall under the Animal House Prosecution.

Parks & Public Property Committee – Council Member Olivera reported that the Sea Lavender Club has sought out private donations to help them recovery from the storm. He recommended moving forward with the Air Quality and Mold Investigation at the Life Saving Station not to exceed \$2,950.00.

Council Member Sinneck made a motion to approve the not to exceed \$2,950.00 for the Air Quality and Mold Investigation, seconded by Council Member Mangan. Motion carried unanimously by roll call.

Council Member Olivera reported that Jersey Cares has done work and that work will be done at the DCI Building, Sea Watch and the Boy Scout cabin. He reported that they have also done some work at the Little League Field and that all work has been done without expense to the Borough.

Administration and Finance Committee – Council Member Mangan reported that revenues are down in water/sewer, beach, and violations which are attributed to a lower number of people in town. He reported that there has been a projected increase in the construction department. He advised that the budget hearing and final passage is scheduled for July 1, 2013. He also advised that the Fourth of July celebration for Tourism will be Friday July 5 with a rain date of July 6 which will include a decorated bike contest.

Public Works Committee – Council Member Donovan reported that the County has extended its Sandy Relief Program for 6 more months and DPW will apply for additional temporary employees from the County to help with Sandy recovery. He reported that road repairs are underway to fix road openings from gas lines that were repaired as a result of the storm.

Law and Code Committee – Council Member Sinneck reported on the changes that have taken place with the running of the department and the fees that have been collected and permits issued in the code/construction department.

Beach Committee – Council Member Bossone reported on the Brielle portable bathrooms and that they should be arriving before July 4th. He also reported on the lighting at the 3rd Avenue parking lot, badge sales, junior guard program, application to Wall Cares for swing sets on the beach, Sea Watch parking lot and lockers, repairing and fixing Pompano Parking Lot, and parking lot sales for the beach.

Mr. Kiritrick stated that Wall Cares met and did approve the swing sets for the beach.

AUDIENCE PARTICIPATION

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

Connie Hyland, representative from Hope and Healing went over her program and wanted to make sure that the Borough is aware of the resources that they have to help residents get through Super Storm Sandy and that the residents should be encouraged to get that application in before June 30, 2013. She also advised that there are 3 websites that are available for residents to get assistance.

Mary Ryan, 113 Beachfront inquired about the portable bathrooms at Brielle Road and the yellow horses.

JUNE 17, 2013

Council Member Bossone stated that the top part of the walkway will receive railing when the new portable bathrooms are put in place.

Carol Wilkens Kirkman, 22 Willow Way talked about the water issues on Willow Way and the filter in her basement and when to change it. She went over the cost associated with changing the filters. She showed council a filter that she had recently changed.

Council Member Donovan stated that they are waiting for a definitive response from Black and Veatch as to whether to replace the mains, pigging or drag scraping the lines.

Council Member Bossone made a motion to close audience participation, seconded by Council Member Mangan. Motion carried unanimously.

Council Member Mangan made a motion to close the regular meeting at 8:53 p.m., seconded by Council Member Donovan. Motion carried unanimously.

Respectfully submitted,



Barbara J. Maria
Municipal Clerk

DATE APPROVED 10-21-13