

**BOROUGH OF MANASQUAN AGENDA  
SEPTEMBER 6, 2016 7:00 P.M.**

This Regular Meeting of the Mayor and Council of the Borough of Manasquan is called pursuant to the provisions of the Open Public Meetings Law. Adequate notice has been provided by transmitting the Resolution of Annual Meetings to the Asbury Park Press and the Coast Star, by posting it in the Borough Hall on a bulletin board reserved for such announcements, and by posting it on the official website of the borough. This agenda is complete to the extent known and formal action will be taken.

1. **Moment Silent Prayer**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Proclamation – Childhood Cancer Awareness Month**
5. **Audience Participation – Limited to Agenda Items Only (time limit of 5 minutes)**
6. **Approval of Minutes**

Regular Meeting Minutes – August 15, 2016

6. **Workshop Discussion:**

**Item #1: Use of Borough Property**

- Longboard Surf Contest – Live Band 9/17/2016 -8 am
- NSSA Surf Contest – Change in Date – 9/25/2016 or 10/2/2016 – 8 am
- Tandem Bike – Inlet Gazebo – 9/23/16 - 6:45 to 7:45 pm

**Item #2: Bond Anticipation Note Certificate of Determination – Update**

**Item #3: Union Request to Exchange Holiday in 2017**

**Item #4: Engineer's Monthly Report**

**Consent Agenda:** These items will be enacted by one motion. If detailed deliberation is desired on any item, Council may remove that item from the consent agenda and consider it separately.

**Resolutions:**

- 256-2016 Refund Tax Overpayment – 198 Third Avenue
- 257-2016 Appoint Certified Financial Officer – Amy Spera
- 258-2016 Appoint Permanent Full Time Laborer 1 – Shinn
- 259-2016 Adopting Official Public Information Plan – Hazard Mitigation
- 260-2016 Appointing Full Time Code/Construction Keyboarding Clerk I – Wendy Pearce
- 261-2016 Awarding Municipal Office Space Lease – Provident Bank
- 262-2016 Payment of Bills

7. **Ordinance – Second Reading and Final Adoption**

- 2208-16 Amending Chapter 35 Dimensions and Radii of Driveway Areas
- 2212-16 Bond Ordinance – First Avenue ADA Intersections

8. **Council Member's Committee Reports**

9. **Audience Participation On Any Subject (comments limited to 5 minutes)**

10. **Adjournment**

**BOROUGH OF MANASQUAN  
RESOLUTION  
256-2016**

**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: OCWEN LOAN SERVICING, LLC  
1661 WORHTINGTON RD STE #100  
WEST PALM BEACH, FL 33409

AMOUNT OF REFUND DUE: \$1,464.82

REASON FOR REFUND: REFUND OVERPAYMENT 3<sup>RD</sup> QTR TAXES  
198 THIRD AVE, BLOCK 177 / LOT 25.03

**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.

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at the September 6, 2016 meeting.

\_\_\_\_\_  
BARBARA ILARIA, RMC

Municipal Clerk

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
LEE						
WALSH						
McCARTHY						
OLIVERA						
READ						
MANGAN						
ON CONSENT AGENDA			YES		NO	





**BOROUGH OF MANASQUAN  
RESOLUTION  
259-2016**

**WHEREAS** the Borough of Manasquan, NJ, has experienced flood events that resulted in public safety hazards and damage to private and public property; and

**WHEREAS** a Program for Public Information has been identified during the hazard mitigation planning process as a mitigation strategy which will increase public awareness and allow residents to take steps to protect themselves from flooding by retrofitting their homes, buying flood insurance, and planning the actions they will take during the next flood;

**WHEREAS** the Program for Public Information includes a full range of public information activities that inform people about flood safety and ways to address potential flood damage to their property and a provides systematic approach to the dissemination of such information, and

**WHEREAS** the Program for Public Information was developed by the Hazard Mitigation Planning Committee in 2014 and approved for incorporation as an Appendix to the approved municipal Hazard Mitigation Plan on September 14, 2015; and

**NOW THEREFORE BE IT RESOLVED** by the Council of the Borough of Manasquan:

1. The Program for Public Information as approved by the Hazard Mitigation Planning Committee is hereby adopted as an official Public Information Plan of the Borough of Manasquan; minor revisions recommended by the Federal Emergency Management Agency and/or the Office of Emergency Management may be incorporated without further action.
2. The Borough of Manasquan departments identified in the Plan are hereby directed to pursue implementation of the outreach activities that are assigned to their departments.
3. The Hazard Mitigation Planning Committee shall evaluate and update the Appendix annually in concert with the annual update to the municipal Hazard Mitigation Plan.
4. The Hazard Mitigation Program Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an evaluation report to be submitted to the National Flood Insurance Program during the annual CRS recertification.

**CERTIFICATION**

I, Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at their regular meeting held on September 6, 2016.

\_\_\_\_\_  
BARBARA ILARIA, RMC  
Municipal Clerk

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
LEE						
WALSH						
McCARTHY						
MANGAN						
VACANT						
OLIVERA						
ON CONSENT AGENDA			YES	NO		



**BOROUGH OF MANASQUAN  
RESOLUTION  
261-2016**

**WHEREAS**, the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, adopted Resolution 229-2016 authorizing a Bid Notice for the rental of 205 East Main Street pursuant to N.J.S.A. 40A:12-11; and

**WHEREAS**, on August 30, 2016 a sealed public bid opening was conducted and thereafter the lone bid submitted was reviewed to ensure compliance with N.J.S.A. 40A: 12-14 entitled "Leasing of Municipal Real Property; and

**WHEREAS**, Provident Bank was determined to have met all of the requirements of the Bid Specifications and N.J.S.A. 40A:12-4 and submitted a bid inclusive of payment of all municipal taxes and utilities for the initial five (5) year term of \$31.00 per square foot; \$34.10 per square foot for the first five (5) year renewal term, and \$37.51 per square foot for the second five (5) year renewal term; and

**NOW, THEREFORE, BE IT RESOLVED** the Borough of Manasquan hereby awards the Bid to Provident Bank for the lease of 1,863 square feet on the first floor of 205 East Main Street and hereby authorizes the Mayor to sign the lease agreement as prepared by the Borough Attorney of Manasquan.

**CERTIFICATION**

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at the September 6, 2016 meeting.

\_\_\_\_\_  
BARBARA ILARIA, RMC  
Municipal Clerk

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
LEE						
WALSH						
McCARTHY						
OLIVERA						
READ						
MANGAN						
ON CONSENT AGENDA			YES		NO	

**BOROUGH OF MANASQUAN  
RESOLUTION  
262-2016**

**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	170,517.84
Water/Sewer Fund	35,549.55
Beach Fund	25,246.46
Recreation Bldg Trust	5,320.00
Recreation Commission Trust	598.03
Open Space Trust	104,442.91
General Capital Fund	86,093.30
Water/Sewer Capital Fund	19,541.03
Beach Capital Fund	

**CERTIFICATION**

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, New Jersey do hereby certify that the foregoing resolution was duly adopted by the Council at their regular meeting on September 6, 2016.

\_\_\_\_\_  
BARBARA ILARIA, RMC  
Municipal Clerk

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
LEE						
WALSH						
McCARTHY						
OLIVERA						
READ						
MANGAN						
ON CONSENT AGENDA    ___ YES    ___ NO						

**BOROUGH OF MANASQUAN  
ORDINANCE NO. 2208-16**

**ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER 20 STREETS AND SIDEWALKS SUBSECTION  
20-4.1; CHAPTER 35 ZONING SUBSECTION 35-7.7 OF  
THE BOROUGH OF MANASQUAN CODE IN THE  
BOROUGH OF MANASQUAN, COUNTY OF  
MONMOUTH, STATE OF NEW JERSEY.**

**WHEREAS**, pursuant to the Revised General Ordinance of the Borough of Manasquan Code Chapter 20 Subsection 20-4.1 and Chapter 35 Subsection 35-7.7 refers to the dimensions and radii of driveway areas; and

**WHEREAS**, the Manasquan Borough Council of the Borough of Manasquan is desirous of amending Chapter 20 Subsection 20-4.1 and Chapter 35 Subsection 35-7.7 to clarify what is permissible for the composition of a driveway and the requirements for outlining a driveway; and

**NOW THEREFORE BE IT ORDAINED AS FOLLOWS:**

**Section 1:** Chapter 20 Streets and Sidewalks, Subsection 20-4.1 shall be amended to read:

- a. A driveway exclusive of curb return radii shall not exceed twelve (12) feet in width at the curb line; provided however, if a property contains a two-car garage facing a street, the driveway exclusive of curb return radii shall not exceed twenty (20) feet in width at the curb line.

Notwithstanding the above provision, an existing driveway exclusive of curb return radii may be replaced or reconstructed for its existing width; provided however, no repaired or reconstructed driveway exclusive of curb return radii shall exceed twenty (20) feet in width at the curb line.

- b. A curb return radius from a driveway at its entrance to a public street shall be a minimum of five (5) feet.
- c. The width of a driveway exclusive of curb return radii shall not exceed twenty (20) feet.
- d. A maximum of one (1) curb cut is permitted for each building lot.
- e. The outer edge of the driveway must be setback at least one (1) foot from the side property line.
- f. In the R-1 and R-2 zones a driveway may be expanded to the width of the two-car garage provided that the maximum width of the driveway at the property line does not exceed twenty (20) feet.

**Section 2:** Chapter 35 Zoning, Subsection 35-7.7 shall be amended to read:

- a. A driveway exclusive of curb return radii shall not exceed twelve (12) feet in width at the curb line; provided however, if a property contains a two-car garage facing a street, the driveway exclusive of curb return radii shall not exceed twenty (20) feet in width at the curb line.

Notwithstanding the above provision, an existing driveway exclusive of curb return radii may be replaced or reconstructed for its existing width; provided however, no repaired or reconstructed driveway exclusive of curb return radii shall exceed twenty (20) feet in width at the curb line.

- b. A curb return radius from a driveway at its entrance to a public street shall be a minimum of five (5) feet.

- c. The width of a driveway exclusive of curb return radii shall not exceed twenty (20) feet.
- d. A maximum of one (1) curb cut is permitted for each building lot.
- e. The outer edge of the driveway must be setback at least one (1) foot from the side property line.
- f. In the R-1 and R-2 zones a driveway may be expanded to the width of the two-car garage provided that the maximum width of the driveway at the property line does not exceed twenty (20) feet.

**Section 3: Construction and effective date**

- (a) Should any section or provision of this ordinance be held invalid in any proceedings, the same shall not affect any other section or provisions of this ordinance, except insofar as the section or provisions so held invalid shall be inseparable from the remainder of any such section or provision.
- (b) Chapter 97, et seq., of the Borough of Manasquan Code and all ordinances and parts of ordinances inconsistent with this Ordinance herewith are hereby repealed.
- (c) This ordinance shall become effective following its final passage and publication according to the law.

## NOTICE

**PUBLIC NOTICE IS HEREBY GIVEN** that Ordinance No. 2208-16 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 15<sup>th</sup> day of August 2016, and was then read for the first time. The said Ordinance will be further considered for final passage by the Mayor and Council at Borough Hall, 201 East Main Street, Manasquan, NJ 08736 at 7:00 p.m. on the 6<sup>th</sup> day of September 2016. At such time and place, or at any such time or place to which said meeting may be adjourned, all interested persons will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m. on Monday through Friday, except on legal holidays.

  
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Barbara Ilaria, RMC  
Municipal Clerk

Mark G. Kitrick, Esquire  
Municipal Attorney  
241 Brick Boulevard  
Brick, NJ 08723

Passed on First Reading and Introduction: April 18, 2016  
Approved on Second Reading and Final Hearing: May 2, 2016

\_\_\_\_\_  
**EDWARD G. DONOVAN**  
Mayor

**BOROUGH OF MANASQUAN  
ORDINANCE NO.  
2212-16**

**BOND ORDINANCE PROVIDING FOR PEDESTRIAN SAFETY AND  
INSTALLATION OF ADA ROADWAY AND INFRASTRUCTURE  
IMPROVEMENTS FOR THE BOROUGH OF MANASQUAN, IN THE COUNTY  
OF MONMOUTH, NEW JERSEY APPROPRIATING \$350,000.00 THEREFORE  
AND AUTHORIZING THE ISSUANCE OF \$332,500.00 BONDS OR NOTES OF  
THE BOROUGH FOR FINANCING SUCH APPROPRIATION**

**BE IT ORDAINED**, by the Council of the Borough of Manasquan in the County of Monmouth, (not less than two-thirds of all the members thereof concurring), as follows:

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by the Borough of Manasquan, New Jersey. For said improvement or purpose stated in Section 3, there is hereby appropriated the sum of \$350,000.00, said sum being inclusive of all appropriations heretofore made therefore and including the sum of \$17,500.00 as the down payment for said improvement or purpose required by law and now available therefore by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capitol improvement purposes.

Section 2. For the financing of said improvement or purpose and to meet the part of said \$350,000.00 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$332,500.00 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$332,500.00 are hereby authorized to be issued pursuant to and within the limitations prescribed by said law.

Section 3. (a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued for a project providing pedestrian safety, American Disabilities Act (ADA) and related accessibility, roadway, infrastructure improvements and flood hazard mitigation.

(b) The estimated maximum amount of bonds or notes to be issued for said purchase is \$332,500.00.

(c) The estimated cost of said purchases is \$350,000.00.

(d) Funding for said project shall be in part through an award from the County of Monmouth Community Development Block Grant and other funding sources if available.

Section 4. The following additional matters are hereby determined and stated:

(a) The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of said purpose within the limitations of the said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance is five (5) years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the Office of the Municipal Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$332,500.00, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Law.

(d) An aggregate amount for items of expense listed in and permitted under section 40A:2-20 of said law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

Section 5. Pursuant to the provisions of section 40A:2-28 of said Local Bond Law, the Borough Treasurer is hereby authorized to sell from time to time at private sale any bond anticipation notes (including renewals thereof) herein authorized and to determine the form and details thereof: provided, that each bond anticipation note shall be sold and issued in accordance with the provisions of said Law. After each sale of said bond anticipation notes, the Borough Treasurer shall report in writing to the Borough Council at the next meeting thereof as to the principal amounts, interest rates and maturities of the bond anticipation notes sold, the price obtained and the name of the purchaser thereof.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal and interest on the said obligations authorized by the bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The Current Capital Budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services are on file with the Borough Clerk and is available for public inspection.

Section 8. In the event any Federal, State or County grants are received by the Borough to fund this project, said funds shall be used to reduce the authorized indebtedness provided herein.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

NOTICE

**PUBLIC NOTICE IS HEREBY GIVEN** that Bond Ordinance No. 2212-16 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, and the State of New Jersey, on the 15<sup>th</sup> day of August 2016, and was then read for the first time. The said ordinance will be further considered for final passage by the Mayor and Council at Borough Hall, 201 East Main Street, Manasquan, NJ 08736 at 7:00 p.m. on the 6<sup>th</sup> day of September 2016. At such time and place, or at any time or place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m. on Monday through Friday, except on legal holidays.



BARBARA ILARIA RMC  
Municipal Clerk

Mark G. Kitrick, Esquire  
Municipal Attorney  
241 Brick Boulevard  
Brick, NJ 08723

**STATEMENT**

This bond ordinance published herewith has been finally adopted on September 6, 2016, and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of said statement.

BARBARA ILARIA, RMC  
Municipal Clerk

Passed on First Reading and Introduction: August 15, 2016  
Approved on Second Reading and Final Hearing: September 6, 2016

EDWARD G. DONOVAN, MAYOR