

MAY 17, 2010

A Regular Meeting of Mayor and Council was convened at 8:36 p.m., in Council Chambers of Borough Hall with Mayor Dempsey presiding.

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

The Mayor 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 22, 2009.

ROLL CALL: Present: Council Members Bossone, Connolly, Donovan, Grasso, Lee, Lucas.

Absent: None.

Also present were Municipal Administrator John Trengrove and Municipal Attorney James Kinneally.

#### PROCLAMATION

The Mayor issued the following Proclamation.

**WHEREAS**, Brian Gillespie retired on April 30, 2010 from the Borough of Manasquan. He served the Borough of Manasquan between 1990 until his retirement; and

**WHEREAS**, Mr. Gillespie served in the United States Marine Corps from 1982 to 1986; and

**WHEREAS**, he was employed as a Special Law Enforcement Officer and Communications operator from 1990-1992. In August 1992 he was hired as a full-time regular Police Officer serving in the Patrol Division, Detective Bureau and as Juvenile Officer. He was a member of the Manasquan PBA local 284 serving many years as a local delegate to the NJ State PBA. He received numerous letters of recognition and commendations.

**WHEREAS**, Mr. Gillespie volunteered on several occasions beginning on 9/14/2001 at "Ground Zero" following the attack on the World Trade Center on 9/11/2001; and

**WHEREAS**, Mr. Gillespie was recognized in 2002 by the Manasquan VFW Post 1838 as "Police Office of the Year"; and

**WHEREAS**, from 1996-1998 Mr. Gillespie was a member of the Leatherneck Pipes & Drums and from 1999-2007 was a member of the Monmouth County Police Pipes and Drums Band. From 1999-2002 he was a member of the NY/NJ Port Authority Pipes and Drums Band. He participated in every funeral/memorial service held for the thirty-seven Port Authority Police Officers killed in the attack on the World Trade Center.

**NOW, THEREFORE, BE IT RESOLVED**, that I, George R. Dempsey, Jr., Mayor of the Borough of Manasquan, on behalf of the Borough Council and the good people of Manasquan, do hereby recognize and congratulate Brian Gillespie for his outstanding service and do hereby proclaim May 17, 2010 as "BRIAN GILLESPIE RECOGNITION DAY" in the Borough of Manasquan.

**NOW, THEREFORE, BE IT RESOLVED**, that true and official copies of this proclamation be spread upon the minutes of the Borough Council meeting held on May 17, 2010 and that our profound gratitude be conveyed to Brian Gillespie for his commitment to the Borough of Manasquan.

The Mayor related that he will present the proclamation to Patrolman Gillespie on Thursday.

#### APPOINTMENTS

Seasonal Beach Department – List on file in the Clerk's Office.

Council Member Donovan made a motion to approve the appointments, seconded by Council Member Lee. Roll Call was taken and the motion was unanimously approved.

Seasonal Laborers: Karl Fiske - \$10.50 per hour  
Ryan Shinn - \$10.50 per hour  
Nick Ilaria - \$9.50 per hour  
Kevin Clayton - \$9.50 per hour  
Bill Donovan - \$10.00 per hour (Mad Vac Operator)

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Nancy Acciavatti, amending Provisional Appointment Date from 4/19/10 to 4/20/10  
(housekeeping item)

Council Member Lee made a motion to approve the appointments, seconded by Council Member Bossone. Roll Call was taken and the motion was unanimously approved with the exception of one abstention from Council Member Donovan who did not vote on the appointment of Bill Donovan.

#### BUDGET HEARING AND ADOPTION

The Borough Auditor, Allen Shechter presented the following resolution for approval

**BOROUGH OF MANASQUAN  
RESOLUTION NO. 61-2010**

**WHEREAS**, the 2010 approved budget of the Borough of Manasquan, as advertised, has been posted in the Municipal Building at least one week prior to the date of this hearing; and

**WHEREAS**, a copy of the same has been made available to each person requesting it during said week and during this public hearing; and

**THEREFORE, BE IT RESOLVED**, that having conformed with the condition set forth in N.J.S. 40A:4-8, the 2010 budget be read by its title.

The Borough Auditor read the budget by title.

**Revenues:**

Surplus Anticipated - \$1,143,835.00  
Local Revenues - \$884,549.00  
State Aid - \$390,261.00  
Dedicated Uniform Construction Code - \$100,000.00  
Special Items of General Revenue - \$116,245.80  
Additional Revenues - \$26,800.00  
Public and Private Revenues - \$103,801.15  
Other Special Items - \$50,000.00  
Total Miscellaneous Revenues: \$1,671,656.95  
Delinquent Taxes - \$230,000.00  
Amount to be Raised by Taxes - \$5,445,800.84  
Total General Revenues - \$8,491,292.79

**Appropriations:**

Operations Within the CAP - \$6,732,897.23  
Operations Excluded from the CAP - \$182,921.61  
Interlocal Services Agreements - \$211,132.50  
Public and Private Programs - \$118,840.90  
Municipal Debt Service - \$573,938.93  
Deferred Charges - \$133,000.00  
Reserve for Uncollected Taxes - \$538,561.62  
Total General Appropriations - \$8,491,292.79

**Water & Sewer Budget:**

Surplus Anticipated - \$234,026.34  
Revenues - \$2,100,000.00  
Additional Water & Sewer Rents: \$250,000.00  
Appropriations - \$2,584,026.34

**Beach Utility Budget:**

Surplus Anticipated - \$441,748.14  
Revenues - \$1,300,000.00  
Total Beach Utility Revenues - \$1,741,748.14  
Appropriations - \$1,741,748.14

Mayor Dempsey asked if any members of the audience had any questions or comments regarding the budget.

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Louis Coccozza, 45 N. Potter Ave related that the municipal budget is running a \$1,400,000.00 surplus and that he cannot understand why the Borough doesn't take the purposed \$67.00 increase per household on the municipal tax portion out of it. He related that it is only about \$250,000.00 to eliminate the increase. He related that he taxpayers of Manasquan need a break and the Borough has the money to accomplish it.

The Borough Auditor presented the following resolution for approval.

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, County of Monmouth that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sum therein set forth as appropriations, and authorization of the amount of

- a) \$5,445,880.84 for municipal purposes, and
- d) \$80,069.77 for Open Space, Recreation, farmland and Historic Preservation Trust Fund Levy

1. General Revenues

|   |                |
|---|----------------|
| Surplus Anticipated                                 | \$1,142,835.00 |
| Miscellaneous Revenues Anticipated                  | \$1,671,656.95 |
| Receipts from Delinquent Taxes                      | \$ 230,000.00  |
| AMOUNT TO BE RAISED BY TAXES FOR MUNICIPAL PURPOSES | \$5,445,800.84 |
| TOTAL REVENUES:                                     | \$8,491,292.79 |

GENERAL APPROPRIATIONS:

|   |                 |
|---|-----------------|
| Within "CAPS"   | \$6,097,094.99  |
| Deferred Charges and Statutory Expenditures - Municipal | \$ 635,802.24   |
| Excluded from "CAPS"                                    |                 |
| Operations - Total Operations Excluded from "CAPS"      | \$ 512,895.01   |
| Municipal Debt Services                                 | \$ 573,938.93   |
| Deferred Charges - Municipal                            | \$ 133,000.00   |
| Reserve for Uncollected Taxes                           | \$ 538,561.62   |
| TOTAL APPROPRIATIONS                                    | \$ 8,491,292.79 |

Council Member Bossone made a motion to approve the 2010 budget, seconded by Council Member Donovan.

Council Member Connolly related that she agrees with the speaker that it will be a wise move to use the surplus and amend the budget by decreasing the budget by \$227,398.00 from the surplus and not passing any tax increase to our tax payers this year.

Mayor Dempsey asked if that was a motion.

Council Member Connolly replied affirmatively.

The Borough Attorney related that the motion to approve the resolution that was presented by the auditor has to be voted on and disposed of first and if it fails then a different motion can be entertained.

The motion made by Council Member Bossone was approved by the following vote: "yes" Council Members Bossone, Donovan, Lee, Lucas. "No" Council Member Connolly, Grasso.

Mr. Shechter was excused from the meeting at this time.

MANASQUAN BOE 2010/2011 BUDGET RECOMMENDATION RESOLUTION

The Borough Attorney presented the following resolutions for approval.

BOROUGH OF MANASQUAN  
RESOLUTION NO. 58-10

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RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, ESTABLISHING THE 2010/2011 SCHOOL YEAR BUDGET OF THE MANASQUAN BOARD OF EDUCATION

WHEREAS, the Manasquan Board of Education submitted its budget to the voters of the School District as required by law; and

WHEREAS, the budget was defeated by the voters at the School Board Election held on April 20, 2010; and

WHEREAS, the Board of Education delivered its budget to the governing body of the Borough of Manasquan within the time provided by law; and

WHEREAS, representatives of the Borough Council met with representatives of the Board of Education to review the Budget, examine supporting materials and conduct discussions about the budget; and

WHEREAS, the governing body discussed the issue at a Council meeting on May 17, 2010; and

WHEREAS, the governing body received public comments concerning the school budget at its regular public meeting on May 17, 2010; and

WHEREAS, the Borough Council makes the following factual findings:

1. The Manasquan Board of Education submitted its total budget to the voters at the School Board Election held on April 20, 2010, as follows:

2. General Fund \$12,171,782.00

2. The local tax levy needed to fund the total budget set forth in paragraph 1 above would be as follows:

General Fund \$12,171,782.00

WHEREAS, after carefully analyzing the budget and all relevant information, it has been determined by the Borough Council that the School District Budget cannot be reduced by any amount without impairing the Board of Education's ability to provide a thorough and efficient system of schools in the District; and

WHEREAS, the Borough Council determines that there can be no reduction in the local tax levy; and

WHEREAS, the governing body is required to adopt a Resolution containing its findings and setting forth the information as contained in the attached schedule.

NOW, THEREFORE BE IT RESOLVED on the 17th day of May, 2010, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. The governing body hereby certifies the 2010/2011 School Year Budget of the Manasquan Board of Education in the amount of \$12,171,782.00.

2. The Borough Council does hereby certify to the Monmouth County Board of Taxation that the following local tax levy is the amount necessary to provide a thorough and efficient system of schools for the Manasquan School District for the 2010/2011 school year:

3. General Fund \$12,171,782.00

Council Member Bossone made a motion to approve the resolution, seconded by Council Member Lee. The motion was carried by the following vote: "yes" Council Member Bossone, Donovan, Lee. "No" Council Member Connolly, Grasso.

Council Member Lucas abstained from voting.

The Borough Attorney presented a resolution authorizing the Governing Body to meet in closed session at 8:53 p.m.

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Council Member Lee made a motion to approve the resolution, seconded by Council Member Bossone. Roll Call was taken and the motion was unanimously approved.

The regular meeting was reconvened at 9:11 p.m.

Council Member Connolly made a motion to amend the agenda to include a resolution authorizing the Mayor to sign a contract with the DPW Union upon ratification by the union members, seconded by Council Member Donovan. Motion carried unanimously.

#### BID AWARD

The Borough Attorney presented the following resolution for approval.

#### BOROUGH OF MANASQUAN RESOLUTION NO. 57-10

#### RESOLUTION AWARDDING A CONTRACT FOR CONSTRUCTION OF THE MANASQUAN WATER TREATMENT PLANT TO PATOCK CONSTRUCTION COMPANY, INC 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 the construction of the Manasquan Water Treatment Plant; and

WHEREAS, eleven bids for this equipment were received:

|                             |                |
|-----------------------------|----------------|
| APS Contractors Inc.        | \$5,484,905.00 |
| Benjamin R. Harvey, Inc.    | \$4,162,000.00 |
| Clyde Lattimer & Sons, Inc. | \$3,844,000.00 |
| Kelso Construction Inc.     | \$3,867,000.00 |
| Layne Christenson Co.       | \$3,927,395.00 |
| Northeast Remsco            | \$4,793,800.00 |
| Patock Construction Inc.    | \$3,627,713.00 |
| Scafar Contracting Inc.     | \$4,387,452.50 |
| Wallace Bros, Inc.          | \$4,264,997.45 |
| WCPS International Inc.     | \$4,660,058.00 |
| Worth & Company             | \$4,487,831.00 |

WHEREAS, the Patock Construction Co. Inc. submitted a monetary bid in the amount of \$3,627,713.00; and

WHEREAS, the bid by Patock Construction Co. Inc. complies with the bid specifications and includes all required documentation; and

WHEREAS the Borough Council has determined, for the reasons set forth below, that the bid of Patock Construction Co., Inc. is a responsive and responsible bid; and

WHEREAS, the Borough Council is desirous of awarding a contract to Patock Construction Co. Inc., the lowest qualified bidder, in the amount of \$3,627,713.00 for the project;

WHEREAS, subject to the nature of this project, the Bid award is subject to review and approval by the New Jersey Department of Environmental Protection.

NOW, THEREFORE BE IT RESOLVED on the 17th day of May, 2010, by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey, as follows:

1. The Borough Council finds and determines that Patock Construction Co. Inc. submitted a responsive bid in full compliance with the project specifications and that all required documents were submitted.
2. A contract in the amount of \$3,627,713.00 is awarded to Patock Construction Co. Inc. for this project.

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3. This Bid Award is specifically subject to, and conditioned upon, the review and approval of the New Jersey Department of Environmental Protection.

The Mayor and Municipal Clerk are authorized and directed to execute all necessary documents to effectuate a contract with Patock Construction Co. Inc.

A certified copy of this resolution shall be sent to:  
Patock Construction Co. Inc.  
43 Gilber Street North  
Tinton Falls, NJ 07701

Council Member Donovan made a motion to approve the resolution, seconded by Council Member Bossone. Roll Call was taken and the motion was unanimously approved.

#### CONSENT AGENDA

The Borough Attorney presented the following resolution for approval.

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 Law and Finance Committee and as set forth in the 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:             | \$ 81,194.43 |
| WATER/SEWER FUND:         | 723.97       |
| BEACH FUND:               | 9,136.11     |
| GENERAL CAPITAL FUND:     | 12,034.00    |
| WATER/SEWER CAPITAL FUND: | 6,720.00     |
| BEACH IMPROVEMENT FUND:   |              |

#### BOROUGH OF MANASQUAN RESOLUTION NO. 52-10

#### RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, ADOPTING A SECTION 125 PREMIUM ONLY PLAN

WHEREAS, the State of New Jersey has enacted legislation requiring public workers to contribute 1.5% of their salaries toward the cost of health benefits; and

WHEREAS, the 1.5% contribution toward the cost of health benefits may be made on a pre-tax basis if a municipality adopts a Premium Only Plan under Section 125 of the Internal Revenue Code; and

WHEREAS, the Premium Only Plan under Section 125 of the Internal Revenue Code does not require any payment by the Borough of Manasquan; and

WHEREAS, the Borough of Manasquan, in the County of Monmouth has determined that a Premium Only Plan under Section 125 of the Internal Revenue Code should be adopted to permit municipal employees to contribute 1.5% of their salaries toward the cost of health benefits on a pre-tax basis.

NOW, THEREFORE BE IT RESOLVED on the 17th day of May, 2010, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey that the Section 125 Premium Only Plan annexed hereto is hereby approved

NOW THEREFORE BE IT FURTHER RESOLVED that this Resolution will take effect immediately upon passage, the public welfare requiring it.

**BOROUGH OF MANASQUAN**

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**RESOLUTION NO. 49-2010**

**RESOLUTION OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, REAPPOINTING ROBYN A. PALUGHI AS TAX ASSESSOR FOR THE BOROUGH OF MANASQUAN.**

WHEREAS, it is the desire of the Mayor and Borough Council to re-appoint Robyn A. Palughi as Tax Assessor for the Borough of Manasquan; and

WHEREAS, N.J.S.A. 40A:9-148 provides that the Municipal Tax Assessor shall be appointed for a four-year term from the first day of July next following appointment; and

WHEREAS, it is the desire of the Mayor and Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, to reappoint Robyn A. Palughi as Tax Assessor for the Borough of Manasquan as of July 1, 2010.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey as follows:

1. That the Mayor and Borough Council do hereby re-appoint Robyn A. Palughi as Tax Assessor for the Borough of Manasquan as of July 1, 2010 for a term of four years in accordance with the provisions of N.J.S.A. 40A:9-148, said term ending on June 30, 2014.
2. Based on the provisions of N.J.S.A. 40A:9-148 including Ms. Palughi's initial appointment and her subsequent re-appointment, she is hereby granted tenure in the position of Tax Assessor.
3. That a certified copy of this resolution be forwarded to Robyn A. Palughi, the Monmouth County Board of Taxation and Chief Financial Officer of the Borough of Manasquan.

**RESOLUTION NO. 56-10**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, ADOPTING A REVISED HEALTH INSURANCE OPT OUT POLICY**

WHEREAS, the Borough of Manasquan is entitled to offer health insurance coverage to its municipal workers pursuant to NJSA 40A:10-16, et seq.; and

WHEREAS, the Borough of Manasquan previously adopted a policy, in Borough of Manasquan Resolution No. 33-98, that provided a monetary payment to municipal employees who opted not to accept health insurance coverage from the Borough of Manasquan; and

WHEREAS, the Manasquan policy had previously limited monetary payments to Borough employees who opted not to accept health insurance to 50% of the cost of the health insurance; and

WHEREAS, Manasquan's policy was consistent with the New Jersey State law then in effect; and

WHEREAS, the State of New Jersey has enacted new legislation limiting monetary payments to public workers who opt not to accept health insurance to 25% of the cost of the insurance, or \$5,000.00, whichever is less; and

WHEREAS, the Borough of Manasquan is desirous of amending the Borough's opt out policy to be consistent with state law.

NOW, THEREFORE BE IT RESOLVED on the 17th day of May, 2010, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey that the opt out policy is hereby amended and revised to limit payments to municipal employees who decide not to accept health insurance to 25% of the cost of the health insurance or \$5,000.00, whichever is less and consistent with the laws of the State of New Jersey.

NOW THEREFORE BE IT FURTHER RESOLVED that this Resolution will take effect immediately upon passage.

NOW THEREFORE BE IT FURTHER RESOLVED that Borough of Manasquan Resolution No. 33-98, previously adopted, is hereby repealed.

**BOROUGH OF MANASQUAN  
RESOLUTION NO. 55-10**

MAY 17, 2010

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, RELEASING THE MAINTENANCE GUARANTEE POSTED BY MVT, LLC AND FRANK MORRIS CONSTRUCTION, INC.

WHEREAS, MVT, LLC and Frank Morris Construction, Inc. posted a maintenance guarantee in the form of a maintenance bond in the amount of \$48,075.00 for site work at Block 35, Lot 25 in the Borough of Manasquan; and

WHEREAS, a review of the bonded items shows that all are installed and are acceptable; in addition, all fees have been paid and conditions satisfied; and

WHEREAS, the governing body of the Borough of Manasquan is desirous of releasing the maintenance guarantee in the amount of \$48,075.00; and

NOW, THEREFORE BE IT RESOLVED on the 17<sup>th</sup> day of May, 2010, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. The maintenance guarantee posted by the MVT, LLC and Frank Morris Construction, Inc. may be released.
2. A certified copy of this Resolution shall be sent to:  
MVT, LLC  
Frank Morris Construction, Inc.  
2168 Allenwood Road  
Wall, NJ 07719

BOROUGH OF MANASQUAN  
RESOLUTION #53-10

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, AUTHORIZING THE MAYOR TO EXECUTE ADDENDUM (2) TO AGREEMENT SUPPLEMENTING AGREEMENT ENTITLED "STOCKTON LAKE PARK RECREATIONAL IMPROVMENTS" BETWEEN THE BOROUGH OF MANASQUAN AND MANASQUAN INLINE HOCKEY

BOROUGH OF MANASQUAN  
RESOLUTION NO. 54 -10

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, AUTHORIZING THE MAYOR TO EXECUTE A LICENSE AGREEMENT BETWEEN THE BOROUGH OF MANASQUAN AND MANASQUAN INLINE HOCKEY

WHEREAS, the Borough of Manasquan and Manasquan Inline Hockey previously executed agreements entitled "Stockton Lake Park Recreational Improvements" dated June 6, 2005, May 1, 2006 and May 17, 2010; and

WHEREAS, the Borough of Manasquan, and Manasquan Inline Hockey have now agreed on the terms of a License Agreement dated May 17, 2010 to regulate Manasquan Inline Hockey's activities and obligations in Stockton Lake Park; and

WHEREAS, a copy of the License Agreement is attached to this Resolution;

NOW, THEREFORE BE IT RESOLVED on the 17th day of May, 2010, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey that Mayor George Dempsey, Jr. is hereby authorized to execute the attached License Agreement on behalf of the Borough of Manasquan with Manasquan Inline Hockey.

**BOROUGH OF MANASQUAN  
SELF-EXAMINATION OF BUDGET RESOLUTION  
RESOLUTION 60-2010**

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

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**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997;  
and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Manasquan has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2009 budget year.

**NOW THEREFORE BE IT RESOLVED** by the governing body of the Borough of Manasquan that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

**BOROUGH OF MANASQUAN  
RESOLUTION  
62-2010**

**BE IT RESOLVED**, by the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Mayor and Municipal Clerk be authorized to sign the Agreement between the Borough of Manasquan and Manasquan Municipal Workers Association dated January 1, 2010 through December 31, 2012.

Council Member Connolly asked if the funds from Inline Hockey are going into the general budget.

Mr. Trengrove related that it is applied to the bond ordinance.

**BOROUGH OF MANASQUAN  
RESOLUTION  
51-2010**

**BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, that the Mayor and Municipal Clerk be authorized to sign the Communications Shared Service Agreement with the County of Monmouth and the Monmouth County Sheriff's Department.

Council Member Donovan made a motion to approve the Consent Agenda, seconded by Council Member Lee. Roll Call was taken and the motion was unanimously approved.

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## APPROVAL OF MINUTES

Council Member Lee made a motion to approve the following minutes:

- budget meeting minutes of March 13, 2010 and March 29, 2010
- regular meeting minutes of March 22, 2010 and April 5, 2010
- work session meeting minutes of March 22, 2010

The motion was seconded by Council Member Lucas. The motion was carried unanimously with the exception of Council Member Donovan who abstained from voting on the April 5<sup>th</sup>, 2010 meeting minutes.

## COMMITTEE REPORTS

Law and Code Committee – Council Member Grasso gave an update on the proposed Tax Cab Fee Ordinance and related that Chief Scimeca has many concerns that will be addressed. He related that he wants the Chief to have a good say in what this ordinance is going to be. He read the Code/Construction Department Status report.

Mayor Dempsey asked how many calls of service the Code Department has that collect money for.

Council Member Grasso related that he will check into it.

Administration and Finance Committee – Council Member Connolly related that Payment of Bills were approved this evening. She related that the Cable Television Committee met and are looking for volunteers to train to learn to use the video equipment, edit the equipment and to record the events in Manasquan.

Public Safety and Recycling Committee – Council Member Lucas read a memo from Chief Scimeca stating that on Wednesday, May 12<sup>th</sup>, 4 individuals graduated from the Monmouth County Police Academy Special Officer II Class. He related that these officers have full police powers and will be joining the police force this summer. They are Robert Wagner, Brian Dreher, Mark McGowan and Stephen Panepinto.

Public Property and Parks Committee – Council Member Lee related that he commended Council Member Donovan and his committee for the work on the Water Treatment Plant Project Plans. He related that a lot of time was put into this project and it came in well under bid. He related that a RFP for the Clean Energy Audit that is going to be done on the town buildings is out. He related that the program will save the Borough money with incentives and that the Borough can get 100 percent of the cost back. He related that the Borough Hall will be painted in the near future and the fascia will be repaired. He also related that a decision about the Squan Beach Life Saving Station deed and National Monuments has to be made soon.

Beach Committee – Council Member Bossone also congratulated Council Member Donovan for doing an excellent job with the Water Treatment Plant Project. He noted that the engineer's estimate was \$4,700,000.00 and the project award was for \$3,600,000.00. He thanked Council Members Donovan and Lee for supporting the school budget. He related that he is not in favor of tax increases that are not justified but keeping the Adequacy level in the school is justification of the amount of increase in taxes. He related that the Inlet Project is complete and he noted that Brett Nielson and his crew did a great job there. He updated the audience on the preparation of the beach for the summer season and noted that the bathrooms are now open. He related that no dogs are allowed on the beach until November 1<sup>st</sup>. He gave the beach opening schedule and revenue report. He asked when the Beach Department is authorized to purchase the items that were added to the budget.

Mayor Dempsey related that the decision was that if the revenue numbers were even or above the figures in 2009 after Memorial Day Weekend then the items could be purchased.

Council Member Bossone asked if he could purchase the items since the numbers are ahead now.

Mayor Dempsey related that he supports it but he reiterated the decision that was made.

Council Member Bossone suggested using some of the Beach Garage rent money for the pedestrian crossing signs.

Council Member Connolly replied no.

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Mr. Trengrove related that due to the change in staffing in the DPW there may be some money for their purchase.

Public Works Department – Council Member Donovan related that the WTP Project bids ranged from \$3,600,000 to \$5,484,000 and that the low bidder is Patock Construction from Tinton Falls who is the second oldest construction company in N.J. He related that he Borough Engineers are satisfied that they can do the job. He related that two of the DPW employees have completed their classes and can now sit for the State exam for Water Treatment. He related that the DPW has purchased Inflow Preventers to seal the manholes and help prevent the infiltration of water into the sanitary sewer system. He related that the Borough had an enormous inflow in the Spring. He related that the County's Atlantic Ave Project should be completed by the end of the week. He announced the bulk week information. He related that the Brielle-Manasquan Interlocal Truck Wash Project is complete. He related that the truck wash was a DEP requirement. He related that the project cost each municipality \$61,000.00. He reminded the audience that the Manasquan Environmental Commission is sponsoring a free Home Composting Workshop at the DCI Building on Saturday, May 22, 2010 at 10:00 a.m.

Council Member Bossone related that the Tourism Commission is holding a fireworks display on Main Beach on May 29<sup>th</sup>, 2010 sponsored by the Mill of Spring Lake Heights. He related that a concert by Billy Lawlor will precede the fireworks display.

#### AUDIENCE PARTICIPATION

Art Harriman, Perch Avenue related that recently a law was passed changing the Pedestrian Crossing Signs from Yield to Stop if a sign is posted. He related that the law does not mandate that a sign is required. He stated where all the signs were previously posted in the Borough. He related that they are extremely important because they provide a visual alert that a crosswalk is present. He related that it is a necessity to get the signs back.

Joan Harriman, 574 Perch Ave related that recently a vehicle only slowed down when she was crossing First Ave. She related that the signs are needed. She asked that they be put out on the 1<sup>st</sup> of May.

Amalia Trench, 444 E. Main Street related that the work on the Squan Beach Life Saving Station has begun and that the Squan Beach Life Saving Station Committee are starting a full fledged campaign to raise more money for the project.

Louis Coccozza, 45 N. Potter Avenue complimented Council Member Donovan for the bids that came in so low on the WTP project and the Wash Pad Project and that a significant amount of money was saved. He related that he did a great job. He reiterated the comments about the pedestrian crossing signs and related that it is important to get them in place before the summer influx.

Mary Kotsopoulos, 30 Ocean Ave thanked Council Member Lucas for arranging to have a survey of Ocean Ave for alleged speeding there.

Mary Ryan, Beachfront echoed the comments about the pedestrian crossing signs. She asked if Council Members Grasso and Connolly could use the portion of their salaries that they asked to have returned for the signs. She related that she did not see handicap ramps at the site of the Atlantic Ave and N. Main Street Project.

Mr. Trengrove related that the money is already gone. He reiterated that there may now be money in the budget for the purchase of the signs. He related that there are handicapped ramps at the intersection of Atlantic Ave and N. Main Street.

Mary Ryan asked Council Member Connolly to alert the Cablevision workers to clean up the wire cuttings and not leave hanging wires when they finish a project.

Council Member Connolly related that she will try.

John Muly, 189 Stockton Lake Boulevard asked that the Governing Body think about installing sidewalks on more of the Borough roads for safety reasons. He related that the southwest corner of the Atlantic Ave and Broad Street at the school does not have a handicapped ramp. He stated that the municipality could mandate that sidewalks be installed at major project sites. He related that sidewalks are needed on Stockton Lake Boulevard.

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Council Member Bossone made a motion to adjourn the regular meeting at 9:50 p.m., seconded by Council Member Donovan. Motion carried unanimously.

Respectfully submitted,



Colleen Scimeca  
Municipal Clerk

DATE APPROVED 6/21/10