

JUNE 7, 2010

A Regular Meeting of Mayor and Council was convened at 8:07 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 Donovan, Grasso, Lucas.

Absent: Council Member Bossone, Connolly, Lee.

STUDENT GOVERNMENT MEETING

The Student Government Meeting was conducted with the following participants from the Manasquan Elementary School: Council Members Tucker Caccavale, Peter Amerman, Kaylan Burns, Paige Grogan, Megan Gallagher, Tessa O'Boyle, Clerk Allison Peters and Mayor Bailey Ellicott.

Student Mayor Bailey Ellicott called the meeting to order and announced that there would be a moment of silence followed by a salute to the flag. The Students presented a resolution suggesting that the Borough demolish the rusty playground equipment on Whiting II Beach and Elk's Beach and install playground equipment on Main II Beach and Elk's Beach along with installing a swing set on Riddle Way Beach, Brielle Road Beach and Whiting Beach paid for by the beach budget.

Certificates were presented to the students by Mayor Dempsey.

The Student Government Meeting concluded at 8:18 p.m.

The regular meeting of the Governing Body reconvened at 8:22 p.m.

BOROUGH ENGINEER'S REPORT: Mr. Charles Rooney presented the June 4th, 2010 Engineer's Status Report.

The Mayor asked if there were any questions or comments from the Governing Body for Mr. Rooney.

Council Member Donovan asked if Mr. Rooney has heard anything about the Water Treatment Plant Bid.

Mr. Rooney related that he has not.

APPOINTMENTS

Council Member Donovan made a motion to appoint Thomas Nicasastro III to the position of part-time seasonal laborer, effective June 8th, 2010 at \$8.50 per hour and badge checker Joseph Khammar, effective June 8th, \$7.50 per hour seconded by Council Member Lucas. Roll call was taken and the motion was unanimously approved.

CONSENT AGENDA

The Borough Attorney presented the following resolutions for approval.

RESOLUTION #66-10

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	242,594.10
WATER/SEWER FUND:	11,870.13
BEACH FUND. :	52,315.38
GENERAL CAPITAL FUND:	18,241.63
WATER/SEWER CAPITAL FUND:	16,584.54
BEACH IMPROVEMENT FUND:	

BOROUGH OF MANASQUAN
RESOLUTION NO. 67-2010

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, AUTHORIZING THE RELEASE OF A BOND POSTED BY DANIEL OLD PURSUANT TO SECTION 15-2 OF CHAPTER 15 (RENTAL PROPERTY) OF THE MUNICIPAL CODE

WHEREAS, Daniel Old posted a bond in the amount of \$1,500 pursuant to Section 15-2 et seq. of Chapter 15 (Rental Property) of the Municipal Code for property at 231 Second Avenue, Manasquan, New Jersey; and

WHEREAS, the \$1,500 bond was deposited pursuant to a Consent Agreement with a four year term; this agreement was signed in 2006, and has now expired; and

WHEREAS, the Borough Council has determined that there is no longer reason to retain the bond proceeds; and

NOW, THEREFORE BE IT RESOLVED on the 7th day of June, 2010, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. Mr. John Trengrove, Chief Financial Officer, is hereby authorized to return the bond proceeds in the amount of \$1,500 to Daniel Old.
2. The check shall be sent to:

Mr. Daniel Old
10565 Grove Lane
Cooper City FL 33328.

BOROUGH OF MANASQUAN
RESOLUTION NO. 68-2010

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, AUTHORIZING THE RELEASE OF A BOND POSTED BY THOMAS REID PURSUANT TO SECTION 15-2 OF CHAPTER 15 (RENTAL PROPERTY) OF THE MUNICIPAL CODE

WHEREAS, Thomas Reid posted a bond in the amount of \$1,500 pursuant to Section 15-2 et seq. of Chapter 15 (Rental Property) of the Municipal Code for property at 6 Watson Place, Manasquan, New Jersey; and

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WHEREAS, the \$1,500 bond was deposited pursuant to a Consent Agreement with a four year term; this agreement was signed in 2006, and has now expired; and

WHEREAS, the Borough Council has determined that there is no longer reason to retain the bond proceeds; and

NOW, THEREFORE BE IT RESOLVED on the 7th day of June, 2010, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

3. Mr. John Trengrove, Chief Financial Officer, is hereby authorized to return the bond proceeds in the amount of \$1,500 to Thomas Reid.
4. The check shall be sent to:

Mr. Thomas Reid
182 Whipporwill Road
Atlantic Highlands NJ 07716.

**BOROUGH OF MANASQUAN
RESOLUTION NO. 50-2010**

WHEREAS, N. J. S. A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Borough of Manasquan has additional monies from the State of New Jersey Division of Criminal Justice Bullet Proof Vest Fund and wishes to amend its 2010 Budget to include this additional amount as revenue.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Manasquan hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the beach budget of the year 2010 in the sum of \$939.52 which is now available as a revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written Consent
of the Director of Local Government Services:

Public and Private Revenues Off-Set with the appropriations:
Body Armor Replacement Fund

BE IT FURTHER RESOLVED that a like sum of \$939.52 be and the same is hereby appropriated under the caption of:

General Appropriations
Operations excluded from "PUBLIC AND PRIVATE" programs Off Set by Revenues:
Body Armor Replacement Fund

BE IT FURTHER RESOLVED that the Municipal Clerk forward two copies of this resolution to the Director of Local Government Services

**BOROUGH OF MANASQUAN
RESOLUTION
64-2010**

TAX REIMBURSEMENT CERTIFICATION

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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 2009 in the amount of \$10,242.06. 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.

BOROUGH OF MANASQUAN
RESOLUTION NO. 65-2010

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF
MANASQUAN, COUNTY OF MONMOUTH , NEW JERSEY, AUTHORIZING
THE PERSON TO PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION
LICENSE NO. 1327-33-010-009 TO COVER PREMISES AT 142 MAIN
STREET, MANASQUAN, NEW JERSEY

WHEREAS, application has been made to the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey by The Hickory Group LLC, doing business as Remington's, Matthew Schmid and Roderick E. Kerr, Jr., partners, for the person to person transfer of plenary retail consumption license no. 1327-33-010-009 to cover premises known as Mahogany Grill at 142 Main Street, Manasquan, New Jersey; and

WHEREAS, the governing body makes the following findings with respect to the plenary retail consumption liquor license:

1. The submitted application is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and governmental laws and regulations of the Division of Alcoholic Beverage Control.
3. The applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and/or any additional financing obtained in the previous license term for use in the licensed business.
- 4.

WHEREAS, The Hickory Group, LLC is adjudged to be entitled to a person to person transfer for the plenary retail consumption liquor license covering premises at 142 Main Street, Manasquan, New Jersey.

NOW, THEREFORE BE IT RESOLVED on the 7th day of June 2010, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey, that the person to person transfer application of The Hickory Group, LLC is approved, subject to the following conditions:

At any time the licensed premises offers live entertainment, which is limited to one musician, all doors shall remain closed except for access to and from the licensed premises and all windows shall be closed. Exterior doors shall not be left open continuously.

BOROUGH OF MANASQUAN
RESOLUTION NO. 69-2010

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RESOLUTION OF THE BOROUGH COUNCIL OF THE
BOROUGH OF MANASQUAN, MONMOUTH COUNTY,
NEW JERSEY, AUTHORIZING THE MAYOR AND
MUNICIPAL CLERK TO EXECUTE AN ADDENDUM
TO THE INTERLOCAL SERVICES AGREEMENT
BETWEEN THE BOROUGHS OF BRIELLE, MANASQUAN
AND SEA GIRT TO PROVIDE FOR THE JOINT USE OF
A COMBINATION SEWER JET AND CATCH BASIN CLEANER

WHEREAS, on December 5, 2005, the Borough of Manasquan entered into an Interlocal Services Agreement with the Boroughs of Brielle and Sea girt for the joint use of a combination sewer jet and catch basin cleaner; and

WHEREAS, the Interlocal Services Agreement, by its terms, terminated December 31, 2009; and

WHEREAS, the Borough of Manasquan is desirous of entering an addendum to the Interlocal Services Agreement between the Boroughs of Brielle, Manasquan and Sea Girt to extend the term of the Agreement; and

NOW, THEREFORE, BE IT RESOLVED, on this 7th day of June, 2010 by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, as follows:

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute an Addendum to the Interlocal Services Agreement.
2. A copy of the proposed Addendum is attached and made a part of this Resolution;
3. The Addendum shall be in effect for a five (5) year period commencing January 1, 2010 and terminating December 31, 2014.
4. A certified copy of this Resolution shall be sent to:

Mr. Thomas Nolan
Municipal Clerk
Borough of Brielle
PO Box 445
Brielle NJ 08730

Ms. Lauren Mayer
Municipal Clerk
Borough of Sea Girt
321 Baltimore Avenue
Sea Girt NJ 08750

Council Member Lucas made a motion to approve the resolutions, seconded by Council Member Grasso. Roll call was taken and the motion was unanimously approved.

APPROVAL OF MINUTES

Council Member Donovan made a motion to approve the work session meeting minutes of April 5th, 2010 and April 19, 2010 and the regular meeting minutes of April 19, 2010, seconded by Council Member Lucas. Roll Call was taken and the motion was unanimously approved.

COMMITTEE REPORTS

Public Works Committee – Council Member Donovan had no report

Public Safety and Recycling Committee – Council Member Lucas had no report.

Law and Code Committee – Council Member Grasso had no report.

AUDIENCE PARTICIPATION

Amalia Trench, 444 East Main Street asked several questions about the Borough's residency requirement and pointed out that the Borough has hired numerous seasonal employees who are the

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children of Borough employees that do not live in Manasquan.

Mayor Dempsey related that he is unaware of a policy that prohibits the hiring of Borough employee's children. He related that preference is given to residents for full-time permanent positions.

Ms. Trench asked if background checks are part of the hiring process.

Mayor Dempsey related that they are not for seasonal part-time employees.

Ms. Trench asked who conducts the interviews.

Mayor Dempsey related that the head of the Department.

Mrs. Trench related that a department head can hire their own child.

Mr. Trengrove related that department heads do not hire anyone but that they can make a recommendation.

Ms. Trench related that it is the same thing. She related that we have many college students who return home for summer break and that she feels very strongly that they should be given the same opportunity to work in the Borough. She related that it seems that in order to get a seasonal job in the Borough a relative must be employed here. She related that this must stop.

Mayor Dempsey related that is not necessarily true and that the Borough has over 140 seasonal beach employees.

Ms. Trench related that it looks like nepotism and that there are a lot of kids that need jobs and that they should be entitled to them.

Mayor Dempsey related that the Beach Department gives the opportunity for the good employees to retain their position the following year. He related that there are very few new openings each year. He related that the most recent employees were being reappointed and are not new employees.

Ms. Trench related that it is not good to hire the children of the employees who work in Borough Hall.

Lou Coccozza, 45 North Potter Ave complained that many of the beach employees are not wearing ear protection while using power blowers.

Mayor Dempsey related that yesterday he observed a crew member wearing ear protection while he was using a power blower. He related that he will pass the message along to the Beach Manager.

Council Member Donovan made a motion to adjourn the regular meeting at 8:37 p.m., seconded by Council Member Lucas. Motion carried unanimously.

Respectfully submitted,


Colleen Scimeca
Municipal Clerk

DATE APPROVED 7-12-10