BOROUGH OF MANASQUAN
AGENDA

REGULAR MEETING OF MAYOR AND COUNCIL, JUNE 1, 2015 AT 8.00 P.M., IN COUNCIL CHAMBERS OF BOROUGH HALL.

Mayor Dempsey's welcoming statement to the audience.

Moment of Silent Prayer and Salute to the Flag.

Mayor Dempsey's statement re: Open Public Meetings Act of 1975 and that Notice was given to the Coast Star and the Asbury Park Press on December 18, 2014 and January 5, 2015

ROLL CALL

APPOINTMENT: Shade Tree Commission

Heather Smith – Shade Tree Commission Member
(unexpired term 1/01/12 – 12/31/16)

ORDINANCE:

First Reading and Introduction – Ordinance 2183-15
To Exceed the Municipal Budget Appropriation Limits and Establish a CAP Bank

BUDGET INTRODUCTION & RELATED DOCUMENTS

CONSENT AGENDA

Resolution re:

140-2015 Accepting Retirement & Agreement – Charles Wills
141-2015 Refund Construction Fees – Exempt Volunteer
142-2015 Final Payment – South Street Sanitary Pumping Station Project
143-2015 Return Beach Access Security – 377 Beachfront
144-2015 Temporary Budget Amendment
145-2015 Payment of Bills

ORDINANCES

First Reading and Introduction – Ordinance 2182-15
Amending Exempt Permit Fees for Fire and First Aid for Rental Property

APPROVAL OF MINUTES

COMITTEE REPORTS

AUDIENCE PARTICIPATION

ADJOURNMENT

BOROUGH OF MANASQUAN
ORDINANCE 2183-15

CALENDAR YEAR 2015
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of the Borough of Manasquan in the County of Monmouth finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 2.0 % increase in the budget for said year, amounting to $ 145,979.89 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Borough of Manasquan shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to $ 255,464.81, and that the CY 2015 municipal budget for the Borough of Manasquan be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance 2183-15 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan in the County of Monmouth and State of New Jersey, on the 1st day of June, 2015 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 at 8:00 pm on the 30th day of June, 2015. 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 such Ordinance.

BARBARA ILARIA, RMC
Municipal Clerk

Passed on First Reading and Introduction: June 1, 2015
Approved on Second Reading and Final Hearing: June 30, 2015

GEORGE R. DEMPSEY, JR., MAYOR

INTRODUCED

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
LEE						
SINNECK						
DONOVAN						
MANGAN						
OLIVERA						
McCARTHY						
ON CONSENT AGENDA			YES		NO	

ADOPTED

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
LEE						
SINNECK						
DONOVAN						
MANGAN						
OLIVERA						
McCARTHY						
ON CONSENT AGENDA			YES		NO	

BOROUGH OF MANASQUAN
RESOLUTION
140-2015

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, ACCEPTING THE RETIREMENT OF CHARLES WILLS.

WHEREAS, Charles Wills began his employment with the Borough of Manasquan as a Code Enforcement Officer on May 21, 1990; and

WHEREAS, on May 18, 2015 Charles Wills submitted his retirement with the Borough of Manasquan effective May 2015; and

WHEREAS, the Borough of Manasquan has accepted the retirement submission which is effective May 29, 2015;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that Charles Wills' retirement is hereby accepted by the Borough of Manasquan upon adoption of this Resolution; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be sent to:

Charles Wills
1306 Barton Avenue
Point Pleasant, NJ 08742

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 June 1, 2015 meeting.

BARBARA ILARIA, RMC
Municipal Clerk

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

BOROUGH OF MANASQUAN
RESOLUTION
141-2015

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: PAUL SAMUEL
138 MARCELLUS AV
MANASQUAN, NJ 08736

REASON FOR REFUND: CONSTRUCTION FEES
MANASQUAN FIRE FIGHTER
138 MARCELLUS AVE

AMOUNT $ 183.00

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 June 1, 2015 meeting.

BARBARA ILARIA, RMC
Municipal Clerk

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
LEE						
SINNECK						
DONOVAN						
MANGAN						
OLIVERA						
McCARTHY						
ON CONSENT AGENDA			___YES		___NO	

BOROUGH OF MANASQUAN
RESOLUTION
142-2015

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, Monmouth County, New Jersey that the contract for the Improvements to South Street Sanitary Pumping Station by Electro Maintenance, Inc., 5133 W. Hurley Pond Road, Farmingdale, NJ 07727, in accordance with the Plans and Specifications and any approved Change Orders, as directed by Maser Consultants, 331 Newman Springs Road, Suite 203, Red Bank, NJ the Borough Engineer. Said construction is hereby accepted and Electro Maintenance Inc., Final Payment in the amount of Sixty Six Thousand Eight Hundred dollars ($66,800.00) is hereby considered final payment; and

WHEREAS, the Contractor having supplied a Maintenance Bond (Number 14055064) in the amount of Six Thousand Six Hundred Eighty Dollars and 00/100 ($6,680.00) for a period of two (2) years from March 9, 2015; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the following:

Maser Consultants
331 Newman Springs Road, Suite 203
Red Bank, NJ 07701

Electro Maintenance, Inc.
5133 W. Hurley Pond Road
Farmingdale, NJ 07727

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 June 1, 2015.

_____
BARBARA ILARIA, RMC
Municipal Clerk

CERTIFICATION

Pursuant to a resolution of the Division of Local Government Services, Local Finance Board, dated October 20, 1975, I hereby state that there is annexed hereto a proper certificate of availability of funds executed by the Municipal Chief Financial Officer.

MARK G. KITRICK

Mark G. Kitrick, Eq.
P.O. Box 547
Brick, NJ 08723

CERTIFICATION

I am the financial officer charged with the responsibility of maintaining financial records of the Borough of Manasquan, State of New Jersey, and on this 1st day of June, 2015, I hereby certify to the Borough Council of the Borough of Manasquan as follows:

1. Adequate funds are available in an amount sufficient to defray the expenditure of money by the Borough.

2. The funds certified herein as being available for the aforementioned have not been certified by the undersigned as being available for any other contract now pending or in force.

JOSEPH DEIORIO
Chief Financial Officer

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
LEE						
SINNECK						
DONOVAN						
MANGAN						
OLIVERA						
McCARTHY						
ON CONSENT AGENDA			YES		NO	

BOROUGH OF MANASQUAN
RESOLUTION
143-2015

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: RONALD B. DANA
P.O. BOX 75
TENNENT, NJ 07763

AMOUNT OF REFUND DUE: $10,000.00

REASON FOR REFUND: Beach Access Security-377 Beachfront

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 June 1, 2015 meeting.

BARBARA ILARIA, RMC
Municipal Clerk

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
LEE						
SINNECK						
DONOVAN						
MANGAN						
OLIVERA						
McCARTHY						
ON CONSENT AGENDA ___YES ___NO						

BOROUGH OF MANASQUAN
ORDINANCE NO. 2182-15

ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION) SECTION 2-65 (FEES CHARGED FOR MUNICIPAL SERVICES) AND AMENDING SUBSECTION 2-65.8 (EXEMPTION FROM THE PAYMENT OF PERMIT FEES FOR CERTAIN MEMBERS OF THE MANASQUAN FIRST AID SQUAD AND MANASQUAN FIRE COMPANIES) 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 section 2-65 refers to Fees Charged For Municipal Services for various administrative services provided by the Borough of Manasquan; and

WHEREAS, the Manasquan Borough Council of the Borough of Manasquan is desirous of amending Subsection 2-65.8 entitled "Exemption from the Payment of Permit Fees for Certain Members of the Manasquan First Aid Squad and Manasquan Fire Companies"; and

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

Section 1: Subsection 2-65.8 entitled "Exemption from the Payment of Permit Fees for Certain Members of the Manasquan First Aid Squad and Manasquan Fire Companies" shall be amended to read:

a. Members of the Volunteer First Aid Squad who respond to twenty (20%) percent or more of the calls of the unit and all life members and members of the Volunteer Fire Companies who respond to thirty (30%) percent or more of the calls of the unit and all life members shall be exempt from payment of the following fees for permits issued by the municipality; provided, however, the exemptions shall apply only to the municipal portion of any fee and the total of all exemptions in any calendar year shall not exceed five ($500.00) dollars:

   Subsection 14-1.2 (Fees) of Chapter 14 (Building and Housing)

   Subsection 14-5.4 (License Fees) of Chapter 14 (Building and Housing)

   Subsection 14-10.2 (Permit Required; Application; Fees) of Chapter 14 (Building and Housing)

   Section 14-11.4 (Fees) of Chapter 14 (Building and Housing)

b. A copy of this subsection shall be sent to the Captain of the First Aid Squad and the Chief of each Fire Company in order to obtain a list of members eligible to receive this benefit. The Borough Council requests that the Captain and Chiefs of the Volunteer Units present a list of eligible members to the Governing Body on or before February 1st of each year.

Section 2: 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. 2182-15 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 1st day of June 2015, 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 8:00 p.m. on the 15th day of June 2015. 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.

Barbara Ilaria, RMC
Municipal Clerk

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

Passed on First Reading and Introduction: June 1, 2015
Approved on Second Reading and Final Hearing: June 15, 2015

GEORGE R. DEMPSEY, JR.
Mayor