

OCTOBER 4, 2021

Regular Meeting of Mayor and Council was convened at 7:02 p.m. on October 4, 2021 with Mayor Edward Donovan presiding. This meeting was held in person at Borough Hall and via Zoom.

Mayor Donovan read the statement re: Open Public Meetings Act of 1975 and that 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.

Mayor Donovan 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 Jay Bryant, Jeff Lee, Michael Mangan, Gregg Olivera, Richard Read and James Walsh

Absent: None

Also present was Borough Attorney William Wells and Administrator Thomas Flarity.

Presentation – Manasquan First Aid Squad

Eric McLaughlin presented to the Mayor and Council the amount of calls that the First Aid Squad has responded to and the staffing over the years as well as fundraising. He stated that they will be going to a paid squad.

Audience Participation

Council Member Read made a motion to open the meeting to the public on agenda items, seconded by Council Member Mangan. Motion carried unanimously.

Jerry Brown, 15 Dewey Avenue stated that he has been a member of the Manasquan First Aid Squad for 20 years. He voiced his gratitude and how talented the squad is and how they help the community. He voiced his disappointment in the moral support from Sea Girt and Manasquan.

Kathy Carlson, Samaritan Center at the Jersey Shore went over their mission and how they got started with this organization. She is requesting that the event they have scheduled October 28 be approved.

MaryAnn Shoal, 417 Crescent Parkway, Sea Girt thanked the first aid squad for their service. She requested that the council agree to rehabilitate the Glimmer Glass Bridge.

Susan Sylvester, 60 Clark and Elise Stillo, 39 Main Street voiced their concerns and opinions on the Glimmer Glass Bridge. They asked for reinstatement of a resolution.

Mayor Donovan stated that there have been many meetings regarding the bridge over many years. He stated that this is a County Bridge and there is a resolution on the agenda for council's consideration supporting the county on this project.

Dick Meincke, 36 N. McClellan inquired about the First Aid Squad charging for their services to an individual and then submit to the insurance company.

Mayor Donovan stated that this would be soft billing and he doesn't believe that the First Aid Squad is in favor of doing that. He stated that if the first aid squad accepted payments it would change the way they operate and would cost them a lot more money.

Sam Hartman, 137 Glimmer Glass Circle voiced his concerns on the bridge and is in favor of saving the bridge.

Council Member Walsh made a motion to close the public portion, seconded by Council Member Bryant. Motion carried unanimously.

Approval of Minutes

Regular Meeting Minutes – September 20, 2021

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Council Member Lee made a motion to approve the minutes, seconded by Council Member Mangan. Motion carried unanimously with Council Member Olivera abstaining.

Use of Borough Property

E63-21 The Samaritan Center - Community Fundraiser - Main Street - Thursday, October 28 - 5:30 to 9:30 pm (rain date 10/30/21)

There was discussion on this request and closing Main Street as well as using Squan Plaza instead of Main Street.

Representative of the Samaritan Center explained why they were requesting Main Street.

Chrissy Rice, 26 Fletcher Avenue stated that she was going to reach out to the Chamber of Commerce if this request was approved.

There was discussion on the event and where the event should be held instead of Main Street as well as the Chamber of Commerce being involved.

The Samaritan Center requested that they be allowed to amend their application to have the event in Squan Plaza.

Council Member Mangan made a motion to approve the amended request for Squan Plaza, seconded by Council Member Walsh. Motion carried unanimously.

CONSENT AGENDA

**RESOLUTION
246-2021**

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: TFM BUILDERS, LLC.
45 SEA GIRT AVENUE
MANASQUAN, NJ 08736

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #16-2018
45 SEA GIRT AVENUE
BLOCK: 45.06 LOT: 15.05 ZONE: R-2

AMOUNT OF REFUND DUE: \$974.36

NAME: BRIAN MORAN
213 PARKER AVENUE
MANASQUAN, NJ 08736

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #01-2018
402 PERRINE AVENUE
BLOCK: 133 LOT: 11 ZONE: R-2

AMOUNT OF REFUND DUE: \$542.86

NAME: MORRIS & UNION PROPERTIES, LLC.
C/O NICHOLAS PASLAWSKY/CRISTEEN QUINN
18 CURTIS AVENUE

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MANASQUAN, NJ 08736

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #13-2018
139 UNION AVENUE
BLOCK: 71 LOT: 102.01 ZONE: 0

AMOUNT OF REFUND DUE: \$184.96

NAME: MATTHEW & DIANA YOUNG
18 MURIEL PLACE
MANASQUAN, NJ 08736

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #22-2021
18 MURIEL PLACE
BLOCK: 44.01 LOT: 3 ZONE: R-2

AMOUNT OF REFUND DUE: \$751.25

NAME: PATRICK KANE
29 STELLA DRIVE
BRIDGEWATER, NJ 08807-1839

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION 11-2021
188 THIRD AVENUE
BLOCK: 177 LOT: 30 ZONE: R-3

AMOUNT OF REFUND: \$717.50

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
247-2021**

**RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN
APPROVED STATE CONTRACT VENDORS FOR CONTRACTING
UNITS PURSUANT TO N.J.S.A. 40A:11-12a**

WHEREAS, the Borough of Manasquan, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough of Manasquan has the need on a timely basis to purchase goods or services utilizing State Contracts for the purpose of the acquisition of equipment for Borough of Manasquan; and

WHEREAS, the Borough of Manasquan intends to enter into a contract with:
Northeast Sweepers and Rentals Inc., located at 20 Montesano Road, Fairfield, New Jersey 07004, for a 2016 Ravo 5 iSeries Street Sweeper, through Keystone Purchasing Network Purchasing Program: KPN National Bids and through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current state contracts;

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NOW THEREFORE BE IT RESOLVED, that the Borough of Manasquan authorizes the Purchasing Agent to purchase certain goods or services from said contractor by approved New Jersey State approved Keystone Purchasing Network contract 3 KPN-202012-05, pursuant to all conditions of the individual state contracts, with Northeast Sweepers & Rentals, Inc. in the amount of \$199,962.93; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Manasquan pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer.

**RESOLUTION
248-2021**

WHEREAS, on August 12, 2021, the Monmouth County Board of Commissioners approved Resolution 2021-0596 a Resolution Supporting Preliminary Preferred Alternatives for the Monmouth County Three Bridges Scoping Study for Bridge W-7, Bridge W-8, & Bridge W-9 (A.K.A. The Glimmer Glass Bridge) in the Boroughs of Brielle and Manasquan, and

WHEREAS, the Borough of Manasquan is in accord with the individual Alternatives and Variations selected for each of the three aforementioned cited bridges.

NOW THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of Manasquan endorses the selections made by the County of Monmouth in their Resolutions 2021-0596, and

BE IT FURTHER RESOLVED, that the Borough urges the County, the Federal Highway Administration, the New Jersey Transportation Planning Authority, Inc. and the New Jersey Department of Transportation to move expeditiously to complete the much needed project to ensure the public safety and to facilitate a safe passage between the Boroughs of Brielle and Manasquan.

**RESOLUTION
249-2021**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2020 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R. S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations," and,

WHEREAS, the members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations," as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves

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with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Manasquan, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

**RESOLUTION
250-2021**

WHEREAS, the Local Finance Board of the State of New Jersey has promulgated a regulation requiring that a Corrective Action Plan be prepared as part of the annual audit process; and

WHEREAS, Local Finance Notice 92-15 required that this plan be prepared by the Chief Financial Officer and approved by the Governing Body.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, County of Monmouth and State of New Jersey that they hereby approve the Corrective Action Plan for the year 2020, a requirement of the annual audit, prepared by the Chief Financial Officer and which is attached hereto and made part of this resolution.

**CORRECTIVE ACTION PLAN
2020 AUDIT**

Finding 2019-1 Interfunds existed at year end.

Corrective Action: That Interfund Accounts Receivables and Payables be eliminated by the transfer of cash.

**RESOLUTION
251-2021**

WHEREAS, the Borough of Manasquan Code, Chapter 11, Section 1.3 states establishing a winter storage facility for private boats in the Pompano Parking Lot from November 1 to May of each succeeding year; and

WHEREAS, due to the impending start of the Monmouth County Pompano Parking Lot Project and the limited access to Pompano Avenue, the Governing Body is desirous of temporarily utilizing the Fourth Avenue Parking Lot for winter boat storage from November 1, 2021 to May 1, 2022; and

NOW THEREFORE BE IT RESOLVED that the Borough of Manasquan authorizes the temporary relocation of winter boat storage from the Pompano Avenue Parking Lot to the Fourth Avenue Parking Lot from November, 1, 2021 to May, 2022.

**RESOLUTION
252-2021**

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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	\$80,126.02
Capital Fund	\$ 28.08
Water/Sewer Fund	\$24,471.14
Water/Sewer Utility Fund	
Beach Utility Fund	\$19,326.87
Beach Capital Fund	
Recreation Building Trust	\$12,794.50
Recreation Trust	\$ 5,202.87
Affordable Hosing	\$ 1,742.50
Developer's Escrow	\$ 8,417.97

Council Member Bryant made a motion to approve the consent agenda, seconded by Council Member Lee. Motion carried by the following vote: "yes" Council Members Bryant, Lee, Mangan, Olivera, Read and Walsh. "No" none.

Ordinances – Second Reading

The Borough Attorney read the title of ordinance 2365-21 for the second reading and final hearing.

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 35 (ZONING) SECTION 35-11 (LOT, HEIGHT AND YARD REQUIREMENT) AND SECTION 35-11.2 (PRINCIPAL BUILDINGS) OF THE BOROUGH OF MANASQUAN CODE IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

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

There being no comment Council Member Walsh made a motion to close the public hearing, seconded by Council Member Bryant. Motion carried unanimously.

Council Member Read made a motion to pass and publish ordinance 2365-21 according to law, seconded by Council Member Walsh. Motion carried by the following vote: "yes" Council Members Bryant, Lee, Mangan, Olivera, Read and Walsh. "No" none.

Committee Reports

Council President Mangan stated that the flag football season has started and thanked the group for a great kickoff and he pointed out that the audit was approved tonight and wanted to point out all the hard work that the team does to get this together.

Public Safety Committee – Council Member Lee advised that he does not have a report for tonight. He thanked the First Aid for coming in and he stated that it has always been their goal to work hand in hand with the First Aid and is looking forward to working with them to get over some hurdles regarding the new way the first aid will be operating.

Public Works and Construction Committee – Council Member Bryant reported on leaf pickup, hydrant flushing and thanked the public works for what they do.

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Administration and Finance Committee – Council Member Olivera stated that he does not have any report at this time.

Code and Land Use Committee – Council Member Walsh stated that he does not have any report at this time.

Beach and Recreation Committee – Council Member Read echoed the comments about flag football and he advised that he does not have a report at this time.

Mayor Donovan stated that Congress passed a bill and it was signed by President Biden to forgive the Community Disaster Loans received after Sandy. He stated that Manasquan received over 2 million dollars in loans and paid approximately half of that back but this bill forgives the balance owed which will save the borough close to 1 million dollars.

Audience Participation

Council Member Walsh made a motion to open the public portion, seconded by Council Member Read. Motion carried unanimously.

Dick Meincke, 36 McClellan Avenue inquired about the status of Curtis Park upgrade.

Mayor Donovan stated that this has gone back to the engineer and the engineer is looking into making sure we can get as much in grants as possible. He stated that there is no hard plan or design of the project at this time.

Mr. Meincke inquired about Mallard Park.

Council Member Mangan stated that Mallard Park would be next to upgrade the playground equipment. He stated that this is part of a rehabilitation program of the parks which started with Skokos Park and he advised that this is a playground renovation project for all the parks to include some ADA equipment.

Council Member Bryant stated that there is parking already there and the park is being upgraded to include ADA equipment.

Council Member Olivera made a motion to close the public portion, seconded by Council Member Read. Motion carried unanimously.

Council Member Lee made a motion to close the public portion, seconded by Council Member Walsh. Motion carried unanimously.

The closed session portion of the minutes begins on the next page. The signature and approval date are located on the last page following the closed session minutes.

Council Member Mangan made a motion to close the regular meeting at 8:25 p.m., seconded by Council Member Bryant. Motion carried unanimously.

DATE APPROVED 11/1/2021