

REORGANIZATION MEETING JANUARY 3, 2023

A Reorganization Meeting of Mayor and Council was convened at 7:00 p.m., in Council Chambers of Borough Hall with Mayor Donovan presiding.

Mayor Edward Donovan stated that this meeting is being held in accordance with the Open Public Meetings Act of 1975 and 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.

SWEARING IN CEREMONIES

Mayor Donovan swore in Bruce Bresnahan for a 3-year term as Council Member

Mayor Donovan stated that Gregg Olivera was sworn in at a previous meeting for a 3-year term as Council Member

ROLL CALL: Present: Council Members Bruce Bresnahan, Brian Holly, Jeffrey Lee, Michael Mangan, and Lori Triggiano.

Absent: Council Member Gregg Olivera

Also present were Municipal Administrator Thomas Flarity and Municipal Attorney Mark Kitrick.

REORGANIZATION

Council’s Action regarding the 2023 Council President

Council Member Holly made a motion to appoint Council Member Lee to the position of 2023 Council President, seconded by Council Member Triggiano. Motion carried by the following vote: “Yes:” Council Members Bresnahan, Holly, Lee, Mangan, and Triggiano.

Mayor Donovan presented the following committees:

COMMITTEES FOR 2023

Administration & Finance Committee	Olivera	Holly	Triggiano
Beach Committee	Bresnahan	Lee	Mangan
Code & Land Use Committee	Triggiano	Bresnahan	Olivera
Public Safety Committee	Lee	Olivera	Holly
Public Works & Construction Committee	Holly	Mangan	Bresnahan
Recreation Committee	Mangan	Triggiano	Lee

Mayor Donovan presented the following appointments for approval.

<u>POSITION</u>	<u>TERM</u>	<u>NAME</u>
Board of Appeals:		
Chairperson/Council Rep:	1 yr	Michael Mangan
Council Representative:	1 yr	Lori Triggiano
Alt. #1 Citizen Representative	2 yr	Brett Chase
Alt. #2 Citizen Representative	2 yr	VACANT
Board Attorney	1 yr	James D. Carton, IV

Council Member Mangan made a motion to approve the appointments, seconded by Council Member Lee. Motion carried unanimously.

Board of Health:

Member	4 yr	Jane Donovan
Member	4 yr	Nancy Acciavatti
Member(unexpired term 12/31/23)	4 yr	Keara Homan
Liaison	1 yr	Barbara Ilaria

Council Member Triggiano made a motion to approve the appointments, seconded by Council Member Holly. Motion carried unanimously.

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Cable Advisory: (Council appointed)

Director of Television Services	1 yr	Lee Weisert
Member	3 yr	Lee Weisert

Council Member Triggiano made a motion to approve the appointments, seconded by Council Member Mangan. Motion carried unanimously.

Mayor Donovan announced the following appointments.

Construction Official: 1 yr Steven Winters

Emergency Management Council:

Secretary	1 yr	Yvonne Ray
Mayor	1 yr	Edward Donovan
Chair DPW Committee	1 yr	Brian Holly
Police Chief	1 yr	Nicholas Tumminelli
Municipal Clerk	1 yr	Barbara Ilaria
Fire Dept. Chief	1 yr	Edward Hill
DPW Superintendent (Acting)	1 yr	Carmen Triggiano
First Aid Captain	1 yr	Jerry Brown
Shelter Care Coordinator	1 yr	Pastor Joe Gratzel
Construction Official	1 yr	Steven Winters
Borough Engineer	1 yr	Colliers Engineering
Community Representative	1 yr	Peter Mayer
Community Representative	1 yr	Jerry Hall
Community Representative	1 yr	Sean Price
Mayor's Representative	1 yr	Michael Mangan
Council Liaison	1 yr	Jeffrey Lee

Environmental Commission:

Member	3 yr	Matthew Amato
Member	3 yr	Judy Mangan
Member	3 yr	Jason Brynat
Alternate #2	2 yr	Nancy Tischio

Historian: 1 yr Mary Ware

Official Tax Searcher: 1 yr Fallon Barcheski

Mayor Donovan presented the following appointments for approval.

Open Space Committee:

Member: Regular	3 yr	Robert Lethold
Member: Regular	3 yr	Eric Oldmixon
Member: Regular	3 yr	William Place
Member-Environmental	1 yr	Greg Love
Member-Planning Board	1 yr	Neil Hamilton
Member-Recreation	1 yr	Cliff Brenner
Alternate: Regular Member	3 yr	VACANT
Alternate: Environmental	1 yr	Paul Gleitz
Alternate: Planning Board	1 yr	Greg Love
Alternate: Recreation	1 yr	Rob Wells
Alternate: Council Rep	1 yr	VACANT

Council Member Holly made a motion to approve the appointments, seconded by Council Member Triggiano. Motion carried unanimously.

Mayor Donovan announced the following appointments and presented the CL III Council Liaison appointment.

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Planning Board:

CL I	1 yr	Edward Donovan
CL II	1 yr	Frank DiRoma
Member: Alt. #1	2 yr	Mark Larkin
Member: Alt. #2	2 yr	John Burke
Member: Alt. #3	2 yr	VACANT
Member: alt. #4	2 yr	VACANT
CL III Council Liaison	1 yr	Lori Triggiano
CL I, Mayor's Designee	1 yr	VACANT

Council Member Mangan made a motion to approve the CL III Council Liaison, seconded by Council Member Lee. Motion carried unanimously.

Mayor Donovan announced the following appointments.

Recreation Committee:

Member	5 yr	Mark Liggett
Member	5 yr	Tracey Antonucci
Mayor's Representative:	1 yr	Robert Wells

Shade Tree Commission:

Member	5 yr	Ray Shinn
Member	5 yr	Mark Provost
Mayor's Des.	1 yr	Tom Lozinski

Tourism Commission:

Member	3 yr	Colleen Oliver
Member	3 yr	Ray Shinn
Member	3 yr	Andy Sisti
Member	3 yr	Kim Biesiada
Member	3 yr	VACANT

Mayor Donovan announced the following appointments.

Fire-Police – Capt. Bruce Bresnahan; Sec./Treasurer Donna Bossone; Greg Meier; Mark Stemmermann, Kevin Thompson; Boyd Wagner; Mark Fendl; Leann Pearce; Rob Schramm; Bob Peters.

CONSENT AGENDA

**RESOLUTION
1-2023**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, that the following newspapers shall be designated the official newspapers of the Borough of Manasquan, New Jersey, for the year 2023.

The Coast Star	Manasquan, New Jersey
The Asbury Park Press	Neptune, New Jersey
The Newark Star Ledger	Newark, New Jersey

**RESOLUTION
2-2023**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that Municipal Administrator Thomas Flarity be appointed as the representative to the Monmouth County Community Block Grant Development Program effective January 1, 2023 through December 31, 2023.

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BE IT FURTHER RESOLVED that Mayor Edward Donovan be appointed as the Deputy Representative and his designee Amy Spera to the Monmouth County Community Block Grant Development Program effective January 1, 2023 through December 31, 2023.

**RESOLUTION
3-2023**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, that the Municipal Clerk be authorized to sign the Community Service Program, Working Agreement with Work Site for 2023.

**RESOLUTION
4-2023**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that Frank DiRoma be appointed Community Rating System Coordinator for a one-year term from January 1, 2023, through December 31, 2023.

**CASH MANAGEMENT PLAN
RESOLUTION
5-2023**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey, that for the year 2023 the following shall serve as the cash management plan of the Borough of Manasquan.

The Chief Financial Officer is directed to use this cash management plan as the guide in depositing and investing the Borough of Manasquan’s funds.

The following are suitable and authorized investments.

- Interest-bearing bank accounts and certificates of deposit in authorized banks, listed below, for deposit of local unit funds.
- Government money market mutual funds as comply with N.J.S.A. 40A:5-15.1 (e)
- Local government investment pools which comply with N.J.S.A. 40A:5-15.1 (e) and conditions set by the Division of Local Government Services.
- New Jersey State Cash Management Fund.
- Repurchase agreements (repos) of fully collateralized securities which comply with N.J.S.A. 40A:5-15.1 (a)

The following Government Unit Depository Protection Act approved banks are authorized depositories for the deposit of funds:

Kearney Bank	2200 State Highway 35 Wall, New Jersey 08750
Manasquan Bank	185 Main Street Manasquan, New Jersey 08736
Provident Savings Bank	Highway 71 and 205 Main Street Manasquan, New Jersey 08736

The CFO shall report to the governing body any account that does not earn interest.

**RESOLUTION
6-2023**

CASH MANAGEMENT POLICY

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey, that the Chief Financial Officer shall administer the cash management plan adopted

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on January 3, 2023 through compliance with 40A:5-1 et seq. prudent application of these cash management policies, which shall not conflict the plan in any way.

I. **Objectives:** the priority of investing practices shall be, in order of descending importance, **security, liquidity, and yield.**

A. **Security:** The safety of principal is the foremost objective of the cash management plan. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective is to mitigate credit risk and interest rate risk.

1. **Credit Risk:** Credit risk is the risk of loss due to failure of the security issuer or backer. Credit risk may be mitigated by:

a. Limiting investments to the safest types of securities.

b. Pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisors with which an entity will do business.

2. **Interest Rate Risk:** Interest rate risk is the risk that the market value of the securities in the portfolio will fall due to changes in general interest rates. Interest rate risk may be mitigated by:

a. Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity, and

b. By investing operating funds primarily in shorter-term securities.

B. **Liquidity:** The portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. Investments of various funds should be structured so that they match the potential need. Thus, investments of operating funds should be kept in investments with a maturity of not more than one year. Investments of a capital, or long term trust fund nature should match the expected use of the funds, but not to exceed five years. Investments should consist of securities with active secondary markets or in mutual funds that permit liquidation at net asset value. Securities shall not be sold prior to maturity with the following exceptions:

1. A declining credit security could be sold early to minimize the loss of principal.

2. A security swap would improve the quality, yield, or target duration in the portfolio.

3. Liquidity needs of the local unit require that the security be sold.

C. **Yield:** The investment portfolio must be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of least importance compared to the safety and liquidity objectives described above. The core of investments are limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. The chief financial officer shall carefully evaluate the legality, security, and yield attributes of any investment offering above market yields.

II. **Standards of Care**

A. **Prudence**

The standard of prudence to be used by investment officials shall be the “prudent person” standard and shall be applied in the context of managing an overall portfolio in accordance with State law and this policy. Chief financial officers acting in accordance with the cash management plan and policy shall be relieved of any liability for loss of such moneys due to the insolvency or closing of any depository designated by, or the decrease in value of any investment authorized by, the cash management plan.

Investment shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable

income to be derived.

B. Ethics and Conflicts of Interest

Officers and employees involved in the investment process shall not have personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material investment in financial institutions with which they conduct business. They shall disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of their entity. Personnel involved in investment activities shall comply with the Local Government Ethics Law.

C. Delegation of Responsibility and Authority

Responsibility and authority to manage the cash management plan and policy is granted to the chief financial officer pursuant to N.J.S.A. 40A:5-14. No person may engage in an investment transaction except as provided under the terms of the policy and the written procedures established by the chief financial officer. The chief financial officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

III. **Safekeeping and Custody**

A. Authorized Banks for Deposit of Governmental Funds

The cash management plan shall list all authorized banks for deposit of governmental funds. Only banks approved by the Department of Banking and Insurance under the Government Unit Depository Protection Act (GUDPA) can be approved depositories.

B. Internal Controls

1. The governing body shall act to provide that the agency has an internal control structure that is established, defined and maintained to ensure that the assets of the entity are protected from loss, theft or misuse. The chief financial officer shall develop written internal controls and submit them to the governing body for approval. The internal control structure shall be designed to provide reasonable assurance that the assets of the entity are protected from loss, theft or misuse. The concept of reasonable assurance recognizes that:

- a. the cost of a control should not exceed the benefits likely to be derived.
- b. the valuation of costs and benefits of internal controls requires estimates and judgments by management.

C. Delivery vs Payment

All trades where applicable will be executed by delivery vs payment (DVP). This ensures that securities are deposited in the eligible financial institution prior to the release of funds. Securities will be held by a third party custodian as evidenced by safekeeping receipts.

IV. **Policy**

The cash management plan must be approved by the governing body, by resolution, on an annual basis, and may be amended at any time during the year to reflect changes due to changes in laws, depositories, funds or investments.

**RESOLUTION
7-2023**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that Thomas Flarity be appointed JIF Fund Commissioner and CJHIF Health Fund Commissioner for a one year term commencing on January 1, 2023 through December 31, 2023.

BE IT RESOLVED that Municipal Clerk, Barbara Ilaria be appointed as the Alternate JIF Fund Commissioner and Alternate CJHIF Health Fund Commissioner for a one year term commencing January 1,

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2023 through December 31, 2023.

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Manasquan that the Administrator, Thomas Flarity, is hereby authorized to perform all matters necessary to enable the issuance of all insurance premiums throughout the year 2023, without the need of further resolution or action by the Mayor and Council of the Borough of Manasquan.

**RESOLUTION
8-2023**

BE IT RESOLVED that the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, has authorized that the following employee shall receive the stipend listed below for the calendar year 2023, effective January 1, 2023, through December 31, 2023, as follows:

EMPLOYEE: Yvonne Ray, O.E.M. Secretary \$1,000.00

BE IT FURTHER RESOLVED that the Borough Clerk is authorized to notify the employee upon passage of this resolution.

**RESOLUTION
9-2023**

BE IT RESOLVED that the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, has authorized that the following employees shall receive the stipend listed below when facilitating a Planning Board Meeting for the calendar year 2023:

EMPLOYEE: Barbara Ilaria \$100.00 per meeting
Nancy Acciavatti \$100.00 per meeting
Assigned Designee \$100.00 per meeting

BE IT RESOLVED that the Borough Clerk is authorized to notify the employee upon passage of this resolution.

**RESOLUTION
10-2023**

WHEREAS, the Mayor and Council of the Borough of Manasquan reimburse officials, officers and employees for automobile business usage; and

WHEREAS, the Mayor and Council are desirous of setting a rate for automobile business usage; and

WHEREAS, the State of New Jersey reimbursement rate for standard mileage expense rate for automobile business usage for Fiscal Year 2023 will be .47 cents per mile.

**RESOLUTION
11-2023**

WHEREAS, R. S. 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for nonpayment of taxes or assessments; and

WHEREAS, R. S. 54:4-67 has been amended to permit the fixing of said rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00; and

WHEREAS, R. S. 54:4-65 provides for a 6% year end penalty to be charged on delinquencies over \$10,000 in any one year on any one property; and

WHEREAS, C99, P.L. 1997 requires the governing body to pass a resolution to hold a tax sale;

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

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1. The Tax Collector is hereby authorized and directed to charge 8% per annum on the first \$1,500.00 of taxes or assessments becoming delinquent after the due date and 18% per annum on any amount of taxes or assessments in excess of \$1,500.00 becoming delinquent after the due date.

2. Quarterly tax payments shall have a ten (10) day grace period, with the due date counted as being day one (1).

3. The Tax Collector is hereby authorized to charge a 6% year end penalty for all unpaid delinquencies over \$10,000 on any one property at the end of any one year.

4. The Tax Collector is hereby authorized to cancel any tax credit balances up to \$10.00 and tax debit balances up to \$5.00.

5. The Tax Collector must hold a tax sale on current or prior year delinquencies each year and may sell any properties delinquent after the 11th day of the 11th month of each year.

**RESOLUTION
12-2023**

BE IT RESOLVED, that Amy Spera, Certified Financial Officer, be and is hereby named the Public Agency Compliance Officer (P.A.C.O.) for Affirmative Action in the Borough of Manasquan.

**RESOLUTION
13-2023**

BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan that the Chief Financial Officer, Amy Spera, is hereby authorized to perform all matters necessary to enable the issuance of Borough Payroll checks in twenty-six installments throughout the year 2023 without the need of further resolutions or action by the Mayor and Council of the Borough of Manasquan, and

BE IT FURTHER RESOLVED that the payroll referred to herein for Borough employees is as authorized by ordinances and resolutions currently in effect.

**RESOLUTION
14-2023**

BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan that the Chief Financial Officer, Amy Spera is hereby authorized to perform all matters necessary to enable the issuance of Borough Social Security payments in twenty-six installments throughout the year 2023 without the need of further resolutions or actions by the Mayor and Council of the Borough of Manasquan.

**RESOLUTION
15-2023**

BE IT RESOLVED, that the Hon. Edward Donovan., Mayor of the Borough of Manasquan, be and is hereby authorized to sign checks and warrants on behalf of the Borough of Manasquan and otherwise act for the Borough of Manasquan in such instances as may become necessary in the various banking transactions involving the Borough, and

BE IT FURTHER RESOLVED, that the President of Council of the Borough of Manasquan, be and is hereby authorized to act as aforesaid in the place and stead of the Mayor at such times as by law he is empowered so to do.

BE IT FURTHER RESOLVED, that a copy of this resolution be filed with Provident Bank, one of the official depositories of the Borough.

**RESOLUTION
16-2023**

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BE IT RESOLVED, that the Provident Bank shall be the depository for the following accounts:

Accumulated Leave Account	Municipal Community Alliance
Affordable Housing Account	Open Space Account
Animal Control Account	Payroll Account
Beach Account	Payroll Agency Account
Beach Capital Account	Public Defender Account
Beach Credit Card	Recreation Account
COAH Account	Street Opening Account
Community Pass Account	Tax Maps Account
Current Fund Account	Tax Title Lien Account
Developers Bond Account	Tourism Account
Developers Escrow Account	Traffic Trust Account
Disbursement Account	Tree Escrow Account
General Capital Account	Unemployment Account
Junior Guard Account	Water Sewer Account
Law Enforcement Trust Fund Account	Water Sewer Capital Account
Miscellaneous Trust I Account	
Miscellaneous Trust II Account	

BE IT FURTHER RESOLVED, the custodian shall be Amy Spera, Chief Financial Officer. All disbursements shall be made by checks signed by Amy Spera, Chief Financial Officer (or Thomas Flarity, Business Administrator in the absence of the Chief Financial Officer), Edward Donovan, Mayor (or Council President in the absence of the Mayor) or Barbara Ilaria, Borough Clerk (or Nancy Acciavatti, Deputy Borough Clerk, in the absence of the Borough Clerk).

**RESOLUTION
17-2023**

BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan that the Chief Financial Officer, Amy Spera, is hereby authorized to perform all matters necessary to enable the issuance of the Unemployment/Disability payments on a quarterly basis throughout the year 2023 without the need of further resolution or action by the Mayor and Council of the Borough of Manasquan.

**RESOLUTION
18-2023**

WHEREAS, the application to establish a Petty Cash Fund in the Office of the Borough Clerk, Office of Finance, Office of the Chief of Police and in the Office of the Public Works Department of the Borough of Manasquan has been approved by the Director of Local Government Services, now therefore,

BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan that Amy Spera, Chief Financial Officer, is hereby authorized to draw checks as follows:

\$100.00, which sum is to be utilized as a Petty Cash Fund in the Office of the Borough Clerk

\$100.00, which sum is to be utilized as a Petty Cash Fund in the Office of the Chief of Police

\$50.00, which sum is to be utilized as a Petty Cash Fund in the Office of Finance

\$50.00, which sum is to be utilized as a Petty Cash Fund in the Office of the Public Works

BE IT FURTHER RESOLVED that the said Amy Spera, Chief Financial Officer, is hereby authorized to draw similar checks in the future, pursuant to the guidelines established in the approved

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application at whatever times the said Petty Cash Fund required additional monies.

**RESOLUTION
19-2023**

BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan that the Chief Financial Officer, Amy Spera is hereby authorized to perform all matters necessary to enable the issuance of the County, School and Fire District Tax payments on a quarterly basis throughout the year 2023 without the need of further resolution or action by the Mayor and Council of the Borough of Manasquan

**RESOLUTION
20-2023**

BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan that the Chief Financial Officer, Amy Spera, is hereby authorized to perform all matters necessary to enable the issuance of all Debt Payments throughout the year 2023 as required, without the need of further resolution or action by the Mayor and Council of the Borough of Manasquan.

**RESOLUTION
21-2023**

BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan that the Chief Financial Officer, Amy Spera, is hereby authorized to perform all matters necessary to enable the issuance of all medical insurance premiums throughout the year 2023, without the need of further resolution or action by the Mayor and Council of the Borough of Manasquan.

**RESOLUTION
22-2023**

WHEREAS, the Governing Body of the Borough of Manasquan has permitted encroachments onto municipal properties through authorized and executed licenses; and

WHEREAS, when a license is approved, an annual fee is charged to the property owner who is encroaching onto municipal property, with legal interest; and

WHEREAS, it has been deemed necessary to establish a rate of interest for licenses issued for municipal encumbrances; and

WHEREAS, the Borough has determined the rate be based on the 1 Year London Interbank Offered Rate (LIBOR) plus 3 percentage points; and

WHEREAS, the current 1 Year LIBOR rate is 5.44 as of 12/23/2021; and

NOW, THEREFORE, BE IT RESOLVED, that the interest rate for the licenses issued for encroachments onto municipal properties in the year 2023 be 8.44%.

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Manasquan, County of Monmouth, State of New Jersey that the Mayor and Council authorize the Municipal Clerk's Office to institute said interest for properties licensed to allow encroachments onto municipal property.

**RESOLUTION
23-2023**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,
APPOINTING ANDY MILLS AS SOUTH MONMOUTH AFTER
RESCUE TEAM SUPERVISOR**

WHEREAS, the Office of Emergency Management Coordinator has recommended Andrew Mills receive a stipend in the amount of \$2,500.00 for the year 2023 for his position as the South

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Monmouth After Hours Rescue Team Supervisor (SMART Team) from January 1, 2023 - December 31, 2023.

NOW, THEREFORE BE IT RESOLVED on the 3rd day of January 2023, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. Andrew Mills will receive a stipend in the amount \$2,500 for his position as 2023 SMART Team Supervisor.
2. A certified copy of this resolution shall be sent to:

Andrew Mills
39 Deep Creek Drive
Manasquan, NJ 08736

**RESOLUTION
24-2023**

WHEREAS, Chapter 2 of the Borough of Manasquan Municipal Code states that the council shall meet for organization on the first day of January or within the first 7 days in January in any year at such time and place as council may direct; and

WHEREAS, as Chapter 2-3 under the Powers and Duties of Mayor shall maintain peace and good order; and

WHEREAS, Chapter 2-3.1 states the Mayor shall on all occasions preserve order and decorum; and

WHEREAS, Chapter 2-5.1 states that the deliberations of the council shall be governed by Roberts Rules of Order; and

NOW THEREFORE BE IT RESOLVED, that the Mayor, in order to effectuate proper decorum, assigns the seating arrangement for the year beginning 2023 for the members of council as follows:

Council Member Bruce Bresnahan
Council Member Brian Holly
Council Member Jeffrey Lee
Council Member Michael Mangan
Council Member Gregg Olivera
Council Member Lori Triggiano

**RESOLUTION
25-2023**

WHEREAS, the Borough of Manasquan is desirous of appointing SLEO's, Class I and Class II and Crossing Guards for 2023; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 3rd day of January 2023 appoint the following for 2023:

SLEO Class II:

Donald Eisenman
Tyler Ely
Jameson Giardino
Michael Jones
Christopher Lackner
Paul McMahan
Sean Norek
Richard Parker
Steven Shocket
Douglas Teller
Michael Zapor
Avery Zilberman

SLEO Class I:

Luke Hessinger
Matthew Lyons
David Pearce
David Pearce
Iilir Shunda

Crossing Guard:

Marietta Drury
LisBeth Gonzalez
Darrel McDermott
Tara Balanche

Tracy Curtis

Part Time Dispatchers:

David Pearce
Raul Flores

**RESOLUTION
26-2023**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,
ESTABLISHING AGREEMENT WITH BOY SCOUT TROOP 59
REGARDING NEWSPAPER RECYCLING**

WHEREAS, the Borough of Manasquan is a supporter of Boy Scouts of America and a proponent of recycling initiatives; and

WHEREAS, the Borough of Manasquan wishes to formalize its relationship with Boy Scout Troop 59 whereby Troop 59 shall be responsible for collecting newspapers curbside from residents consistent with established recycling properties on the second and last Sundays of the month; and

WHEREAS, Boy Scout Troop 59 shall deliver the collected recycled newspapers to dumpster provided by the Borough's waste collection service provider located at the North Main Street parking lot; and

WHEREAS, Boy Scout Troop 59 shall be responsible for maintaining the concrete shed located at the North Main Street parking lot, ensuring the North Main Street parking lot will be free of all newspaper and related debris and provide activity reports to the Governing Body from time to time; and

WHEREAS, this service will be funded by the Borough of Manasquan recycling grant and other similar grants; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Manasquan on this 3rd day of January 2023 as follows:

1. The Borough of Manasquan shall award an annual grant of \$3,500.00 annually to Troop 59 for the collection and delivery of newspapers on the 2nd and last Sunday of each month based on their participation in the Borough of Manasquan Recycling Program and community service hours performed
2. This Resolution shall serve as terms of this agreement which shall cover the period from January 1, 2023 through December 31, 2023.

**RESOLUTION
27-2023**

**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH
THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION'S**

**"Enforcement Guidance on the Consideration of Arrest and Conviction
Records in Employment Decisions Under Title VII of the Civil Rights Act
of 1964"**

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*,

42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Governing Body of the Borough of Manasquan, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

GOVERNING BODY CERTIFICATION PURSUANT TO P.L. 2017, C.183 OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S

"Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"

GROUP AFFIDAVIT FORM FOR MUNICIPALITIES AND COUNTIES

STATE OF NEW JERSEY
COUNTY OF MONMOUTH

We, members of the governing body of the Borough of Manasquan being duly sworn according to law, upon our oath depose and say:

1. We are duly elected (or appointed) members of the governing body of the Borough of Manasquan in the county of Monmouth;
2. Pursuant to P.L. 2017, c.183, we have familiarized ourselves with the contents of the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012);
3. We are familiar with the local unit's hiring practices as they pertain to the consideration of an individual's criminal history;
4. We certify that the local unit's hiring practices comply with the above-referenced enforcement guidance.

**RESOLUTION
28-2023**

BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan that the Chief Financial Officer, Amy Spera, is hereby authorized to perform all matters necessary to enable the payments to the pensions funds on a monthly basis throughout the year 2023 without the need of further resolution or action by the Mayor and Council of the Borough of Manasquan.

**RESOLUTION
29-2023**

WHEREAS, N.J.S.A. 40A:11-5 (1) (a) (1) permits the governing body to award a professional services contract without publicly advertising for bids and bidding therefor; and

WHEREAS, the borough council has determined that there is a need for professional services during the 2023 calendar year; and

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WHEREAS, the borough council has determined to provide the need to acquire these professional services as a fair and open contract pursuant to the provisions of N. J. S. A. 19:44A-20.4; and

WHEREAS, the chief financial officer of the municipality has determined and certified in writing that the value of these professional services may exceed \$17,500; and

WHEREAS, the anticipated term of these contracts are one year (January 1, 2023 to December 31, 2023); and

WHEREAS, the following professional services providers have or will submit contracts to be reviewed for completeness and approval by the borough attorney indicating that they will provide their services for the agreed upon rate (s) that are contained in their contracts that are on file in the Clerk's Office.

Allen Shechter, CPA - Borough Auditor
McManimon & Scotland, LLC - Borough Bond Counsel
Ronald Sage - Borough Prosecutor
Jeffrey R. Surenian – Affordable Housing Attorney
Mark Kitrick – Borough Attorney
Kevin Starkey – Labor Attorney
Mark R. Aikens – Conflict Attorney
Leon S. Avakian Inc. – Borough Planner (COAH)
Donald Greer – Public Defender
KMHL&D – Hearing Officer
NW Financial Group - Financial Planner
Colliers Engineering & Design – Borough Engineer
Ellicott Network Consultants- Information Technology Consultant
CGP&H – Administrative Agent Council on Affordable Housing (COAH)

These appointments are made pursuant to N. J. S. 2B:12-1 et seq.

WHEREAS, a certification as to the availability of funds executed by the chief financial officer is attached to this resolution pursuant to the provisions of N. J. A. C. 5:30-5-4;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 3rd day of January 2023 as follows:

1. The Business Disclosure Entity Certification of these professionals and the Determination of Value Certification of the chief financial officer shall be filed in the office of the municipal clerk, and shall be available for public inspection.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute a contract with these professionals to provide professional services to the municipality for the 2023 contract year at the agreed upon rate that is contained in the contract/proposal on file in the Clerk's Office.
3. A notice stating the nature, duration, service and the amount of this contract shall be published in the Coast Star and this resolution shall be maintained on file and available for the public inspection in the office of the municipal clerk.
4. A certified copy of this resolution shall be sent to the professionals included in this resolution.

**RESOLUTION
30-2023**

WHEREAS, N.J.S.A. 40:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2023 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the attached appropriations constitute the 2023 budget:

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2023 TEMPORARY BUDGET – SEE ATTACHED SCHEDULE

2023 TEMPORARY BUDGET

CURRENT FUND

Account Description	Temp Budget
ADMIN S&W	\$ 20,028.75
ADMIN OE	\$ 975.19
M&C S&W	\$ 2,611.88
M&C OE	\$ 905.63
CLERK S&W	\$ 30,712.50
CLERK OE	\$ 18,315.94
FINANCE S&W	\$ 22,522.50
FINANCE OE	\$ 5,742.19
AUDIT	\$ 7,380.66
TAX COLLECTOR S&W	\$ 11,123.44
TAX COLLECTOR OE	\$ 3,386.26
TAX ASSESSOR S&W	\$ 7,717.50
TAX ASSESSOR OE	\$ 1,955.63
LEGAL	\$ 40,687.50
ENGINEERING	\$ 30,187.50
PLANNING BOARD S&W	\$ 5,118.75
PLANNING BOARD OE	\$ 15,761.82
ZONING S&W	\$ 5,834.06
CODE ENFORCEMENT S&W	\$ 33,022.50
CODE ENFORCEMENT OE	\$ 3,593.64
UCC S&W	\$ 43,837.50
UCC OE	\$ 7,373.63
ELECTICAL SUB-CODE S&W	\$ 5,184.38
PLUMBING SUB-CODE S & W	\$ 5,840.63
FIRE SUB-CODE S & W	\$ 689.06
INSURANCE	\$ 217,966.88
POLICE S&W	\$ 754,431.56
POLICE OE	\$ 40,839.77
OEM S&W	\$ 10,860.94
OEM OE	\$ 8,892.19
DPW S&W	\$ 118,768.13
DPW OE	\$ 21,249.39
SHADE TREE	\$ 1,312.50
TRAFFIC LIGHTS	\$ 1,968.75
SOLID WASTE S&W	\$ 3,300.94
SOLID WASTE OE	\$ 101,784.38
PUBLIC B & G OE	\$ 19,188.76
VEHICLE REPAIR	\$ 14,568.75
BOARD OF HEALTH S&W	\$ 1,030.31
ANIMAL CONTROL	\$ 5,013.75
RECREATION S&W	\$ 34,387.50
RECREATION OE	\$ 16,012.50
PARKS & PLAYGROUND S&W	\$ 24,596.25
PARKS & PLAYGROUNDS OE	\$ 20,540.63
WATERWAYS OE	\$ 5,411.44
TOURISM OE	\$ 1,338.76
UTILITIES	\$ 59,062.50
LANDFILL	\$ 111,300.00
STATUTORY	\$ 1,008,256.69
INTERLOCAL - GASOLINE WITH BRIELLE	\$ 30,187.50
MUN. COURT INTERLOCAL-BRIELLE	\$ 36,467.69
INTERLOCAL - SALT WITH BRIELLE/SEA GIRT	\$ 7,875.00
MUNICIPAL COURT S&W	\$ 30,732.19

REORGANIZATION MEETING JANUARY 3, 2023

MUNICIPAL COURT OE	\$ 21,039.38
PUBLIC DEFENDER OE	\$ 787.50
DEBT	\$ 141,429.48
TOTAL	\$ 3,201,111.05

WATER SEWER

Account Description	Temp Budget
WATER SEWER S&W	\$ 145,628.45
WATER SEWER OE	\$ 142,629.39
SMRSA - CONTRACTUAL	\$ 331,320.42
DEBT	\$ 123,109.38
STATUTORY	\$ 65,705.40
TOTAL	\$ 808,393.04

BEACH

Account Description	Temp Budget
BEACH S&W	\$ 179,517.20
BEACH OE	\$ 196,863.46
STATUTORY	\$ 47,787.47
TOTAL	\$ 424,168.13

**RESOLUTION
31-2023**

**APPOINTMENT OF TAX ASSESSOR AS
AGENT IN TAX APPEALS**

WHEREAS, from time to time the Tax Assessor discovers an error in calculation, transposition, measurement or typographical errors in the tax assessments on the tax list after the time the County Board of Taxation has certified the tax rates for the tax year; and

WHEREAS, the Mayor and Council of the Taxing District of Manasquan is desirous that every taxpayer pays his fair share of taxes; and

WHEREAS, if the above discovered errors are not corrected, the taxpayers affected would not be paying their fair share of taxes; and

WHEREAS, the method of correcting such errors is to file a Petition of Appeal for the current tax year with the Manasquan County Board of Taxation.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan that Robyn Palughi, Tax Assessor, is hereby authorized to act as the Agent for the Taxing District and file a Petition of Appeal or Appeals for the year 2023 with the Monmouth County Board of Taxation, to correct such assessments to the proper value and that a copy of any Petition of appeal with the Monmouth County Board of Taxation under this Resolution is to be filed with the Borough Clerk.

BE IT FURTHER RESOLVED that Robyn Palughi, Tax, Assessor, is hereby authorized to execute stipulation of settlement of any tax appeal filed by the Taxing District or by a taxpayer for the tax year 2023.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Monmouth County Board of Taxation with such Petition of Appeal.

**RESOLUTION
32-2023**

REORGANIZATION MEETING JANUARY 3, 2023

WHEREAS, the Borough of Manasquan is desirous of appointing Seasonal Beach Employees for the Pre-Season; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 3rd day of January 2023 appoint the following Seasonal Beach Employees to work during the Pre-Season, 2023:

Name	Title	Rate of Pay (Hourly/Salary/Seasonal)	Effective Date From and To
Laurie Brandon	Office Assistant	\$18.00	1/1/23-4/30/23
Gabby Farnetti	Office Assistant	\$16.00	1/1/23-4/30/23
Eileen McFadden	Office Supervisor	\$25.00	1/1/23-4/30/23
Anna Southwell	Office Assistant	\$16.00	1/1/23-4/30/23
Tracy Sullivan	Office Supervisor	\$25.00	1/1/23-4/30/23
Anthony Casale	Beach Crew	\$12.50	1/1/23-4/30/23
Ethan Kotar	Beach Crew Supervisor	\$22.00	1/1/23-4/30/23
Spencer Muly	Beach Crew	\$13.50	1/1/23-4/30/23
Trevor Wells	Beach Crew Forman	\$16.50	1/1/23-4/30/23

**RESOLUTION
33-2023**

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, accepts the resignation of Kathryn Frey from the position of Crossing Guard from the Manasquan Police Department effective January 3, 2023

**RESOLUTION
34-2023**

**RESOLUTION GRANTING PERMISSION TO PAY CERTAIN BILLS
PRIOR TO COUNCIL MEETINGS**

WHEREAS, due to the meeting schedule of the Mayor and Council, the payment of certain bills is occasionally necessary in advance of the Regular Meeting date.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan that the authorized signatories are hereby authorized to sign checks for the following purposes, subject to approval at the next meeting of Council, and subject to the availability of funds:

1. School Taxes
2. County Taxes
3. Payrolls – all obligations
4. Health Benefits
5. Insurance Premiums
6. Employee related contractual obligations, garnishments, liens, unemployment, etc.
7. Postage – replenish meter
8. Recreation Trust Fund Expenses
9. Debt Service
10. Petty Cash Fund
11. Petty Cash Fund – replenish fund
12. Gasoline Purchases
13. Trust Fund – TTL Redemptions
14. Government Fees, Applications, Etc.
15. Dated Bills carrying Interest or Late Charges

BE IT FURTHER RESOLVED that a certified copy of this resolution be supplied to the Chief Financial Officer for her information and action as necessary.

Council Member Holly made a motion to approve the Consent Agenda, seconded by Council Member Mangan. Motion carried by the following vote: “Yes:” Council Members Bresnahan, Holly, Lee, Mangan, and Triggiano. “No” none.

STATEMENTS BY COUNCIL MEMBERS

Council Member Triggiano stated that she is looking forward to the year in front of her and believes that the council will be doing great things.

Council Member Mangan wished everyone a happy new year and he is looking forward to the year and congratulated Council Member Bresnahan and he is looking forward to working with him and he also congratulated Council Member Lee on his appointment to Council President.

Council Member Lee thanked the Coast Star for doing a great job regarding the surf rescue and the emergency management team that were involved and the flooding in the area. He congratulated Council Member Bresnahan and stated he is looking forward to the year ahead.

Council Member Holly reported on leaf pickup completion, Christmas tree pickup, cleaning of storm drains throughout town and he advised that the light dimmers have been installed at Curtis Park. He thanked all former council members, and he is looking forward to working with Council Member Bresnahan in the new year.

Council Member Bresnahan thanked everyone and wished everyone a happy new year and he is looking forward to getting started and is excited to work with the borough staff and council.

Mayor Donovan wished everyone a very happy, healthy and prosperous New Year. He thanked his colleagues on the council, he thanked the professionals in the borough for last year and thanked them in advance for the upcoming year.

AUDIENCE PARTICIPATION

Council Member Triggiano made a motion to open the meeting to the public, seconded by Council Member Holly. Motion carried unanimously.

Pamela Martin, Ridge Avenue voiced her concerns about the price of rear yard pickup.

Mayor Donovan went over the bidding process and advised that the rear yard pickup price was established by DeLisa as they were the only one that submitted a bid proposal.

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

Council Member Holly made a motion to close the meeting at 7:27 p.m., seconded by Council Member Triggiano. Motion carried unanimously.

Respectfully submitted,



Barbara J. Ilaria
Municipal Clerk

Date Approved 2/6/2023