

DECEMBER 7, 2020

Regular Meeting of Mayor and Council was convened at 7:00 p.m. on December 7, 2020 with Council President Michael Mangan presiding. This meeting was held in person at Borough Hall and via Zoom.

Council President Mangan 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.

Council President Mangan 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 Mark Kitrick and Administrator Thomas Flarity.

Audience Participation

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

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

Use of Borough Property

E69-20 Big Hearts to Little Hearts Run/Walk – 9/19/2021 – 11 am

Council Member Mangan made a motion to approve this request, seconded by Council Member Bryant. Motion carried unanimously.

E71-20 Holy Trinity Church Outdoor Worship – 12/24/2020 – 4 to 6 pm

Council Member Bryant made a motion to approve this request, seconded by Council Member Lee. Motion carried unanimously.

CLOSED SESSION

Negotiations – PBA

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

CONSENT AGENDA

RESOLUTION

264-2020

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: MICHAEL & SUZANNE MIDLIDGE
555 WHITING AVE
MANASQUAN, NJ 08736

AMOUNT OF REFUND DUE: \$12,026.97

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REASON FOR REFUND: DUPLICATE ADDED ASSESSMENT TAX
PAYMENT. HOMEOWNER & MORTGAGE
COMPANY BOTH PAID.
BLOCK 186.03 / LOT 5
555 WHITING AVE

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
265-2020**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the application of Inshore Atlantic, Inc. t/a Leggetts Sand Bar, for an Amusement Game License to operate one amusement game at 211-213-215 & 217 First Avenue, Manasquan, New Jersey for the year 2021 is hereby approved and accepted.

BE IT FURTHER RESOLVED that the Borough Clerk is instructed and authorized to issue a license, that is,

<u>NAME OF APPLICANT</u>	<u>ADDRESS OF PREMISE TO BE LICENSED</u>	<u>TYPE OF GAME AND LICENSE</u>
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Inshore Atlantic, Inc.	215-217 First Avenue Manasquan, New Jersey 08736	Video Bowling Game
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**RESOLUTION
266-2020**

**A RESOLUTION AUTHORIZING THE BOROUGH OF
MANASQUAN TO ENTER INTO A COOPERATIVE PRICING
AGREEMENT**

BE IT RESOLVED by the Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that:

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Middlesex Regional Educational Services Commission, hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Manasquan.

AUTHORITY

Pursuant to the provisions of N.J.S.A. 40A:11-11 (5), the Chief Executive Officer is hereby authorized to enter into a Cooperative Pricing Agreement with the lead Agency

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CONTRACTING UNIT

The lead agency shall be responsible for complying with the provisions of the Local Public Contract (N.J.S.A 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

**RESOLUTION
267-2020**

BE IT RESOLVED, that the Hon. Edward G. Donovan, Mayor of the Borough of Manasquan, be and is hereby authorized to sign the Electronic Waste Recycling Proposal with Monmouth Wire Computer Recycling.

**RESOLUTION
268-2020**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey confirms the appointment of Keara Homan from provisional to permanent Full Time Clerk 2/Alternate Deputy Registrar as of December 7, 2020. No salary change. The appointee has met all the necessary requirements and evaluations for the position.

**RESOLUTION
269-2020**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the application for F.J.S. Foods, Inc. t/a Family Fun Center for an Amusement Game License to operate an arcade at 201-203 Beachfront in the Borough of Manasquan for the year 2021 is hereby approved and accepted; and

BE IT FURTHER RESOLVED that the Borough Clerk is instructed and authorized to process the license for same, that is,

NAME OF APPLICANT

F.J.S. Foods, Inc.
t/a Family Fun Center

ADDRESS OF LICENSED PREMISES

201-203 Beachfront
Manasquan, New Jersey 08736

TYPE OF GAME OR LICENSE

Video/Redemption

**RESOLUTION
270-2020**

WHEREAS, the Borough of Manasquan is desirous of appointing a Special Law Enforcement Officers Class II for the year 2020/2021; and

WHEREAS, the Police Captain has submitted the following individual for appointment as Special Law Enforcement Officers Class II for the Borough of Manasquan effective December 7, 2020, at the current contractual rate of \$16.81 per hour:

Michael Isselin, Bernardsville, NJ,
Ryan Zacco, Lanoka Harbor, NJ

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Sydney Dietrick, Egg Harbor, NJ
James Camilleri, Tinton Falls, NJ
Vincent Ottaviano, Rumson, NJ

**RESOLUTION
271-2020**

CHANGE ORDER NO. 2 & FINAL

BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan of Monmouth County, New Jersey upon the recommendation of the Borough Engineer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: East Main Street Improvements **Phase I**

CONTRACTOR: MECO, Inc.

ENGINEER: Maser Consulting, PA
331 Newman Springs Road
Red Bank, NJ 07701

Change Order No. 2 & FINAL

AMOUNT OF CHANGE FOR THIS RESOLUTION: \$(35,840.79)

TOTAL AMOUNT OF CHANGE: \$(35,840.79)

TOTAL ORIGINAL CONTRACT PRICE \$246,561.30

CHANGE ORDER NO. 1 \$1,950.00

REVISED CONTRACT PRICE \$212,670.51

All bills on file in the Finance Office. This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

**RESOLUTION
272-2020**

CHANGE ORDER NO. 2 & FINAL

BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan of Monmouth County, New Jersey upon the recommendation of the Borough Engineer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: East Main Street Improvements **Phase II**

CONTRACTOR: MECO, Inc.

ENGINEER: Maser Consulting, PA
331 Newman Springs Road
Red Bank, NJ 07701

Change Order No. 2 & FINAL

AMOUNT OF CHANGE FOR THIS RESOLUTION: \$(28,763.31)

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TOTAL AMOUNT OF CHANGE:	\$(28,763.31)
TOTAL ORIGINAL CONTRACT PRICE	\$186,741.40
REVISED CONTRACT PRICE	\$157,978.09

All bills on file in the Finance Office. This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

**RESOLUTION
273-2020**

CHANGE ORDER NO. 2 & FINAL

BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan of Monmouth County, New Jersey upon the recommendation of the Borough Engineer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: East Main Street Improvements **Alternate A, B & C**
CONTRACTOR: MECO, Inc.
ENGINEER: Maser Consulting, PA
331 Newman Springs Road
Red Bank, NJ 07701

Change Order No. 2 & FINAL

AMOUNT OF CHANGE FOR THIS RESOLUTION:	\$(27,289.50)
TOTAL AMOUNT OF CHANGE:	\$(27,289.50)
TOTAL ORIGINAL CONTRACT PRICE	\$117,031.70
CHANGE ODER NO. 1	\$1,025.00
REVISED CONTRACT PRICE	\$90,767.20

All bills on file in the Finance Office. This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

**RESOLUTION
274-2020**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, that regular meetings of the Borough Council are to be held on the dates listed below and will begin at 7:00 p.m. (unless otherwise stated)

BE IT FURTHER RESOLVED that the regular meetings will be conducted in Council Chambers, Borough Hall, 201 East Main Street, Manasquan, New Jersey and/or by virtual meeting via Zoom platform and will not be conducted on a legal holiday observed by the Borough of Manasquan.

SCHEDULE OF MEETINGS FOR THE YEAR 2021

Reorganization Meeting will be held on Monday, January 4, 2021 at 7:00 p.m.

Regular Meetings - 7:00 p.m.

January 19th (Tuesday)

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February 1st and 16th (Tuesday)

March 1st and 15th

April 5th and 19th

May 3rd and 17th

June 7th and 21st

July 6th (Tuesday) and 19th

August 2nd and 16th

September 7th (Tuesday) and 20th

October 4th and 18th

November 1st and 15th

December 6th and 20th

December 30th (5:00 p.m.)(Thursday)

Work Session/Budget Meetings - 9:00 a.m.

March 13th & 20th

RESOLUTION

275-2020

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

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 7th day of December, 2020 appoint the following Pre-Season Beach Employees to work during the 2020-2021 Pre-Season.

Crew:

Kevin Keefe	\$16.50 per hour
Ethan Kotar	\$13.00 per hour

Office Staff:

Laurie Brandon	\$14.50 per hour
Gabriella Farnetti	\$13.00 per hour
Jessica Ridley	\$13.00 per hour
Madison Spera	\$13.00 per hour
Anna Southwell	\$13.00 per hour
Jessica Szumlicz	\$13.00 per hour
Mary Kate Wolter	\$13.00 per hour

Supervisors:

Brett Nielson	\$26.50 per hour
Michael Hurden	\$20.00 per hour
Tracey Sullivan	\$20.00 per hour
Eileen McFadden	\$20.00 per hour

RESOLUTION

276-2020

WHEREAS, due to the COVID-19 pandemic and the State and Federal declarations of a major disaster throughout New Jersey, the governing body of the Borough of Manasquan wishes to authorize the CFO and the Recreation Superintendent the ability to issue refunds for Winter and Spring Recreation programs if requested.

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 7th day of December 2020 authorize the CFO and Recreation Superintendent to refund fees for prepaid winter and spring Recreation Programs.

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**RESOLUTION
277 -2020**

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: ELAINE & RICHARD M BETTENCOURT
37 MCGREEVEY DR
MANASQUAN, NJ 08736

AMOUNT OF REFUND DUE: \$2,453.20

REASON FOR REFUND: DUPLICATE TAX PAYMENT
BLOCK 44.04 / LOT 10
37 MCGREEVEY DR

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
278-2020**

Governor's Council on Alcoholism and Drug Abuse
Fiscal Grant Year October 1, 2020 through June 30, 2021

Agreement #21A-8

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Monmouth;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Manasquan, County of Monmouth, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the **Shore** Municipal Alliance grant for fiscal year **2021** in the amount of:

DEDR	<u>\$19,575.00</u>
Cash Match	<u>\$ 4893.75</u>
In-Kind	<u>\$14681.25</u>

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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**RESOLUTION
279-2020**

BE IT RESOLVED by the Council of the Borough of Manasquan that:

WHEREAS, a refund for the Tax Title Lien Redemption for the below described property is due in the amount designated as follows:

BLOCK: 158 LOT: 5 NAME: EILEEN SIMON

PROPERTY LOCATION: 158 FLETCHER AVE

AMOUNT: \$8,585.76

REASON FOR REFUND: REDEMPTION OF TTL #17-00110

REFUND CHECK TO BE MADE PAYABLE TO:

US BANK CUST ACTLIEN HOLDING
50 SOUTH 16TH ST, SUITE 2050
PHILADELPHIA, PA 19102

BLOCK: 158 LOT: 5 NAME: EILEEN SIMON

PROPERTY LOCATION: 158 FLETCHER AVE

AMOUNT: \$1,100.00

REASON FOR REFUND: RETURN OF PREMIUM PAID AT SALE

REFUND CHECK TO BE MADE PAYABLE TO:

US BANK CUST ACTLIEN HOLDING
50 SOUTH 16TH ST, SUITE 2050
PHILADELPHIA, PA 19102

WHEREAS, the Tax Collector has certified that the current lien holder is entitled to the refund.

NOW, THEREFORE, BE IT RESOLVED that the Borough Chief Financial Officer is hereby authorized and directed to draw a warrant in the said amount to the above listed property with said warrant to be charged against the General Ledger.

**RESOLUTION
280-2020**

BE IT RESOLVED, that the Hon. Edward G. Donovan, Mayor of the Borough of Manasquan, be and is hereby authorized to sign the agreement between the Borough of Manasquan and the Police Benevolent Association.

**RESOLUTION
281-2020**

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, accepts the resignation of Jennifer Toole as a Member of the Borough of Manasquan Recreation Commission effective October 15, 2020.

**RESOLUTION
282-2020**

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	\$ 1,948,516.59
Capital Fund	\$ 9,831.63
Water/Sewer Fund	\$ 18,691.03
Beach Utility Fund	\$ 4,057.37
Beach Capital Fund	\$ 1,795.20
Recreation Building Trust	\$ 363.96
Recreation Trust	\$ 1,456.55
Miscellaneous Trust II	\$ 400.00
Affordable Housing	\$ 600.00
Developer's Escrow Trust	\$ 1,843.75
Animal Control	\$ 424.00

Council Member Walsh made a motion to approve the Consent Agenda, seconded by Council Member Bryant. 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 2327-20 for second reading and final hearing.

ORDINANCE REPEALING ORDINANCE 2324-20 SECTION 7-11 (STOP INTERSECTIONS) (MINERVA AVENUE AND FLETCHER) OF CHAPTER 7 (TRAFFIC) 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.

Michael Pattman, 40 Minerva Avenue stated that he emailed his concerns regarding the stop sign and he thanked the council for looking into his concerns.

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

There was a council discussion on this topic.

Council Member Lee made a motion to pass and publish ordinance 2327-20 according to law, seconded by Council Member Read: "yes" Council Members Bryant, Lee, Mangan, Read, and Walsh. "No" Council Member Olivera.

Ordinances – First Reading

The Borough Attorney read the title of ordinance 2328-20 for introduction.

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 16 (FEES) SECTION 16-1.1 (FEE SCHEDULE ESTABLISHED: CHAPTER 31 PLANNING BOARD) AND AMENDING AND SUPPLEMENTING CHAPTER 31 (PLANNING BOARD) SECTION 31-19 (FEES) OF THE BOROUGH OF MANASQUAN CODE IN THE

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BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

Council Member Bryant made a motion to introduce ordinance 2328-20, seconded by Council Member Walsh. Motion carried by the following vote: "yes" Council Members Bryant, Lee, Mangan, Olivera, Read, and Walsh.

The Borough Attorney read the title of ordinance 2329-20 for introduction.

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2 (ADMINISTRATION) SECTION 2-5.20 STANDING COMMITTEES DESIGNATED AND SECTIONS 2-5.26 ADMINISTRATION COMMITTEE, SECTION 2-5.27 FINANCE COMMITTEE, SECTION 2-5.28 RECREATION COMMITTEE, 2-5.29 CODE COMMITTEE, 2-5.30 PUBLIC SAFETY COMMITTEE, AND 2-5.31 PUBLIC WORKS COMMITTEE IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

Council Member Walsh made a motion to introduce ordinance 2329-20, seconded by Council Member Bryant. Motion carried by the following vote: "yes" Council Members Bryant, Lee, Mangan, Olivera, Read, and Walsh.

The Borough Attorney read the title of ordinance 2330-20 for introduction.

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 11 (DOCKS AND BULKHEADS) SECTION 11-1.2 (TERM OF LEASE), SECTION 11-1.3 (RENTAL FEES) AND AMENDING CHAPTER 16 (FEES) OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

Council Member Walsh made a motion to introduce ordinance 2330-20, seconded by Council Member Olivera. Motion carried by the following vote: "yes" Council Members Bryant, Lee, Mangan, Olivera, Read, and Walsh.

The Borough Attorney read the title of ordinance 2331-20 for introduction.

ORDINANCE AMENDING SECTION 22-2 (BASE WATER AND SEWER SERVICE RATE) AND SECTION 22-3 (WATER AND SEWER USAGE CHARGES) OF CHAPTER 22, WATER AND SEWER UTILITY OF THE REVISED GENERAL ORDINANCES IN ORDER TO INCREASE WATER AND SEWER RATES BY RESOLUTION IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

Council Member Read made a motion to introduce ordinance 2331-20, seconded by Council Member Bryant. Motion carried by the following vote: "yes" Council Members Bryant, Lee, Mangan, Olivera, Read, and Walsh.

Committee Reports

Administration Committee - Council Member Read reported that the committee has been busy working on personnel issues, contracts, employment agreements and staff evaluations. He thanked the staff for getting the office up and running safely during COVID. He thanked the council for approving the ordinances setting the fees by resolution every year for boat docks and water sewer rates. He also thanked council for the approval of Keara Homan to a permanent position and she is doing a great job. He reported on a meeting he sat in on regarding a COVID update held by the White House.

Public Works Committee – Council Member Walsh reported on the schedule for the pruning of trees around the power lines and advised that there is a delay due to recent storms throughout the country. He reported on the grant opportunities that the borough has applied for in the past few years and the borough is waiting to hear on three of the seven grants submitted.

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Finance Committee – Council Member Olivera stated that this council and the councils over the past 6 years have worked really hard to apply and receive grants that are made available to the borough. He thanked everyone that is involved in getting these grants and saving the borough and the taxpayers to get the varied projects accomplished. He reported that the meeting schedule for 2021 was approved and advised that the budget dates will be in March. He reminded everyone that today is the 79th anniversary remembrance of Pearl Harbor Day.

Public Safety Committee – Council Member Lee reported that the Manasquan Police Department will be participating in the NJ Division of Highway Safety Holiday Campaign entitled Drive Sober or Get Pulled Over. He went over the campaign and the new police officers that were recently hired. He reported that the animal house ordinance will be reviewed and updated as necessary. He voiced his appreciation of Jenn Toole and all she has done for the community with her volunteering.

Code & Zoning Committee – Council Member Bryant reported on the numbers for the code/construction/zoning actions for the month. He thanked the council for their reports and the work put into getting the information together.

Audience Participation

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

Mary Ryan, 113 Beachfront wanted some clarification from Council Member Walsh on his report regarding the Clarke Property.

Council Member Walsh stated that he was speaking about grant money that was actually awarded to the Borough and that the grant money will not be used to purchase the Clarke Property.

Ms. Ryan inquired about the budget meeting dates and if they will only be in person meetings.

Council Member Olivera stated that the format will be the same as the current meeting and the dates will be March 13 and 20.

Council Member Olivera 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 meeting minutes.

Council Member Walsh made a motion to close the regular meeting at 9:04 p.m., seconded by Council Member Olivera. Motion carried unanimously.

DATE APPROVED 12/30/2020