

DECEMBER 20, 2021

Regular Meeting of Mayor and Council was convened at 7:00 p.m. on December 20, 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 Mark Kitrick and Administrator Tom Flarity.

**Audience Participation**

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

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

**Approval of Minutes**

Regular Meeting Minutes – December 6, 2021

Council Member Bryant made a motion to approve the minutes, seconded by Council Member Walsh. Motion carried unanimously.

**Office of Emergency Management– Update**

OEM Coordinator Chris Tucker updated the residents and the council with actions and activities that took place in 2021 and some highlights. He stated that the borough received their 5 year hazard mitigation plan approved by FEMA and the Borough recently went through the annual Community Rating System recertification. He went over storm events throughout the year. He reported that the Army Corp of Engineers has put out information about the flood gates and he stated that this is a 16 billion dollar flood protection project that runs from Ocean City to Manasquan and started in 2015. He stated that the Army Corp is looking to submit a plan in 2023 and the Borough is about 10 years out from beginning structure and at least 20 years out from completion. He had an update on the emergency notification system and advised that there will be updates to the system.

**Engineering Report - Update**

Joe Raftery, Colliers Engineering reported on the current projects throughout town.

**CONSENT AGENDA**

**RESOLUTION  
298-2021**

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

**WHEREAS**, a refund of monies are due to the following:

NAME: AUTISM MVP FOUNDATION  
PO BOX 365  
LITTLE SILVER, NJ 07739

AMOUNT OF REFUND DUE: \$400.00

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REASON FOR REFUND: BEACH SECURITY  
AUTISM MVP WALK- NOVEMBER 7, 2021

**RESOLUTION  
299-2021**

**BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, that the application of Coastal Restaurant Group, LLC, d/b/a Reef & Barrel, for an Amusement Game License to operate an Amusement Game at 153 Sea Girt Avenue, Manasquan, New Jersey for the year 2022 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>
Reef & Barrel	153 Sea Girt Avenue Manasquan, NJ 08736	Golden Tee

**RESOLUTION  
300-2021**

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

**WHEREAS**, a refund of monies is due to the following:

**NAME:** LAWTON, WILLIAM & KRISTEN  
114 UNION AVENUE  
MANASQUAN. NJ 08736

**AMOUNT OF REFUND DUE:** \$2979.69

**REASON FOR REFUND:** TAX OVERPAYMENT  
114 UNION AVENUE  
MANASQUAN, NJ 08736

**WHEREAS**, the Tax Collector has certified that the homeowner 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  
301-2021**

**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>
Inshore Atlantic, Inc.	215-217 First Avenue Manasquan, New Jersey 08736	Video Bowling Game

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**RESOLUTION  
302-2021**

**WHEREAS**, the Borough of Manasquan is desirous of appointing a Seasonal Water Plant Operator in the Department of Public Works; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 20<sup>th</sup> day of December, 2021 appoint the following Department of Public Works Water Department employee to Seasonal Water Plant Operator effective January 1, 2022 to June 30, 2022:

- Robert Koches    Manasquan, NJ            \$1000.00 per month

**RESOLUTION  
303-2021**

**WHEREAS**, the Borough of Manasquan is desirous of appointing a Manasquan Recreation Coordinators for the 2022 Season; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 20<sup>th</sup>, day of December, 2021 appoint the following Recreation Employees to work during the 2022:

**Warrior Rec Wrestling Program Coordinator**

Justin Barowski, Point Pleasant - \$3500.00 Stipend

**Pickleball Program Coordinator**

Lawrence Dight, Manasquan – Stipend \$1600.00 - 4 Quarterly payments of \$400.00

**Pickleball Program Assistant Coordinator**

Jean Perrotta, Seaside Heights – Stipend \$800.00 - 4 Quarterly payments of \$200.00

**RESOLUTION  
304-2021**

**AUTHORIZATION FOR THE BOROUGH OF MANASQUAN,  
THROUGH THE MANASQUAN POLICE DEPARTMENT, TO  
PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW  
ENFORCEMENT SUPPORT OFFICE (LESO), 1033 PROGRAM TO  
ENABLE THE MANASQUAN POLICE DEPARTMENT TO  
REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE  
EQUIPMENT**

**WHEREAS**, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county, and state law enforcement agencies (“LEAs”) and

**WHEREAS**, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting law enforcement agency; and

**WHEREAS**, Participation in the 1033 Program allows municipal and county law enforcement agencies to obtain property that they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

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**WHEREAS**, although property is provided through the 1033 Program at no cost to municipal and county law enforcement agencies, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

**WHEREAS**, N.J.S.A 40A:5-30.2 requires that the governing body of the municipality or county approve, by majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program; and

**NOW THEREFORE BE IT RESOLVED** by the Borough of Manasquan that the Manasquan Police Department is hereby authorized to enroll in the 1033 Program for a period of one year from January 1, 2022 through December 31, 2022; and

**BE IT FURTHER RESOLVED** by the Borough of Manasquan that the Manasquan Police Department is hereby authorized to acquire items of non-controlled property designated "DEMIL A" which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the Manasquan Police Department, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the Borough of Manasquan and the Manasquan Police Department, without restriction; and

**BE IT FURTHER RESOLVED** by the Borough of Manasquan that the Manasquan Police Department is hereby authorized to acquire the following "DEMIL B through Q" property, if it shall become available in the period of time for which this resolution authorizes; and

**BE IT FURTHER RESOLVED** that the property available through the Program, "DEMIL A through Q" is attached hereto; and

**BE IT FURTHER RESOLVED** that the Manasquan Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

**BE IT FURTHER RESOLVED** that the Manasquan Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately on the date listed herein and shall be valid to authorize requests to acquire (1) "DEMIL A" property that may be made available through the 1033 Program during the period of time for which this resolution authorizes and (2) "DEMIL B through Q" property both of which that may be made available through the 1033 Program; with Program participation and all property request authorization terminating on December 31, 2022.

**RESOLUTION  
305-2021**

**BE IT RESOLVED**, that the Hon. Edward G. Donovan, Mayor of the Borough of Manasquan, be and is hereby authorized to sign the Shared Services Agreements between the Borough of Manasquan and the Township of Wall for the following;

- Agreement for Leaf Recycling and Disposal Services
- Agreement for Shared Purchasing

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**RESOLUTION  
306-2021**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH  
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,  
AUTHORIZING ADVERTISEMENT FOR A PART TIME HUMAN  
RESOURCE DIRECTOR WITH THE POSSIBILITY OF  
BECOMING FULL-TIME.**

**WHEREAS**, the Borough of Manasquan ("Manasquan") is desirous of hiring a part-time Human Resources Director with the possibility of becoming full-time; and

**NOW, THEREFORE BE IT RESOLVED** on the 20<sup>th</sup> day of December, by the Borough Council of the Borough of Manasquan, hereby authorize the Clerk to advertise for a part-time Human Resource Director with the possibility of becoming full-time.

UNITED STATES OF AMERICA  
STATE OF NEW JERSEY  
COUNTY OF MONMOUTH

BOROUGH OF MANASQUAN

RESOLUTION 307-2021  
BOND ANTICIPATION NOTE

NO. 21-1

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The BOROUGH OF MANASQUAN, in the County of Monmouth, a municipal corporation of the State of New Jersey, for value received promises to pay itself the sum of Two Million Four Hundred Ninety Eight Thousand and Eight Hundred Sixty-Nine Dollars and No Cents, (\$2,498,869.00) interest free, at the maturity date of December 20, 2022 covering the following items:

<u>Ordinance #</u>	<u>Amount</u>	<u>Description</u>
2105	378,750.00	Squan Plaza Improvements
2128	112,500.00	Various Capital Improvements
2164	99,748.00	Old Squan Village - Street Resurfacing
2165	71,248.00	Technology Improvements
2169	178,125.00	Brielle Road Reconstruction
2194	95,000.00	Municipal Building & Grounds Improvements
2196	78,748.00	Mallard Park Improvements
2214	296,875.00	Street Reconstruction & Resurfacing
2221	415,625.00	Acquisition Public Works Equipment
2247	336,250.00	Roadway Improvements - Stockton Blvd. - Phase 1 & 2
2323	261,000.00	Acquisition of Street Sweeper
2347	<u>175,000.00</u>	Acquisition of Police Equipment
	<u>\$2,498,869.00</u>	

This note is issued pursuant to the Local Bond Law of the State of New Jersey and by virtue of bond ordinances of said Borough of Manasquan and in all respects approved and published as required by law, and a resolution of its governing body adopted, and in all respects duly approved, and this note is issued in anticipation of the issuance of bonds.

The full faith and credit of the Borough of Manasquan is hereby pledged to the punctual payment of the principal on this Note according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution of or laws of the State of New Jersey to exist, to have happened, or to have been performed precedent to or in the issuance of the Note, together with all other indebtedness of the Borough of Manasquan is within every debt and other limit prescribed by said Constitution of or laws of the State of New Jersey.

IN WITNESS THEREOF, THE BOROUGH OF MANASQUAN has caused this note to be signed in its name by its Mayor and by its Chief Financial Officer, and its corporate seal to be attested by its Clerk, and this Note to be dated December 20, 2021.

BOROUGH OF MANASQUAN

\_\_\_\_\_  
Edward Donovan - Mayor

ATTEST:

\_\_\_\_\_  
Barbara Ilaria - Clerk

\_\_\_\_\_  
Amy Spera - Chief Financial Officer

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**RESOLUTION  
308-2021**

**BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough of Manasquan retains the Professional Engineering services of Colliers Engineering & Design, 331 Newman Springs Roads Suite 203, Red Bank, New Jersey 07701, for providing professional services for the Engineering Design & Construction Administration Services for Curtis Park Improvements. The fees are as follows:

• Phase 1.0	Topographic Survey Services	\$4,300.00
• Phase 2.0	Final Engineering Design Services	\$39,000.00
• Phase 3.0	Biding Service	\$4,200.00
	Reimbursable Expenses	\$1,500.00
	<b>TOTAL LUMP SUM FEE</b>	<b>\$49,000.00</b>

for a total amount not to exceed \$49,000.00 for the service outlined in a proposal dated December 10, 2021.

**AND BE IT FURTHER RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the borough authorizes Phase 1.0 with the provision that each subsequent phase shall require additional authorization subject to the recommendation of the Governing Body.

**RESOLUTION  
309-2021**

**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	\$114,394.83
Capital Fund	\$201,001.19
Water/Sewer Fund	\$21,029.63
Beach Utility Fund	\$6,330.23
Beach Capital	\$4,510.09
Recreation Building Trust	\$1,948.57
Recreation Trust	\$5,472.51
Open Space	\$10,110.09
Affordable Housing	\$60.00
Developers Escrow	\$7,636.25

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.

**Committee Reports – Year End**

Code and Land Use Committee – Council Member Walsh stated that he does not have a year-end report but advised that the code/construction department has been consistent. He went over the totals up through November.

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Beach and Recreation Committee – Council Member Read reported on the beach and recreation activities over the year. He stated that he is looking forward to working with everyone at the beach in 2022. He thanked the MBIA for their efforts in the beach area. He went over the Sea Watch Project, 2022 beach sales, job fair in early spring, and parking kiosks as well as park mobile for the lots. He went over the recreation programs and thanked all involved in making this a successful year. He went over some of the parks projects throughout the year. He stated that he is looking forward to 2022.

Administration and Finance Committee – Council Member Olivera stated that this committee touches basically all the other committees and he thanked the committee members. He also thanked the administration, finance and clerk's office for their tireless commitment to the job at hand and for their leadership to the Borough. He went over some of the processes that take place in the clerk's office and the finance department. He thanked outgoing Council Members Walsh and Bryant and welcomed incoming Council Members Holly and Triggiano.

Council President Mangan thanked Council Members Walsh and Bryant for their service and collaboration and he is looking forward to working with Council Elect Holly and Triggiano. He stated that the council has been working well with the residents and he mentioned community involvement and being fiscally responsible. He stated that the staff that is working for the borough really just excel in achieving the visions of making sure to keep the community involved, making sure things are being done in a fiscally responsible way and 2020 and 2021 really pushed the limits. He stated that he is looking for forward to 2022.

Public Safety Committee – Council Member Lee thanked Council Member Walsh and Bryant for their passion and is looking forward to working with Council Elect Holly and Triggiano. He went over some of the highlights in 2021 with the police department and public safety committee. He thanked everyone for their efforts in 2021 to keep Manasquan safe and he updated council on the body worn cameras that have been implemented in the police department. He thanked all the first responders for a great year as well as all the volunteers throughout the town.

Public Works and Construction Committee – Council Member Bryant thanked the members of the public works committee for their service throughout the year. He went over a few items that happened throughout the year including Skokos Park, Euclid Avenue drainage project, First Avenue paving, Curtis Park project, dredging of Glimmer Glass and Watsons Creek, Pompano parking area, and various items that the committee has been working on over the year. He thanked the public works department and acknowledged Kevin Thompson's retirement as Superintendent of Public Works. He went over the COVID year and what the town brought to the table for Manasquan residents and businesses. He thanked all the Manasquan Citizen Advisory members especially Art Ryan, Cara Schreck, Mike Brown, and Chrissy Rice for their support over the years. He thanked everyone on council and stated he really appreciated being a part of this body. He thanked all of the Borough employees for that they have done over the last 2 years during this very challenging time. He congratulated Council Elect Holly and Triggiano and wished them much success and luck.

Mayor Donovan thanked Council Members Walsh and Bryant for their dedication over the years and wished them well. He thanked all borough employees for their loyalty and service to the Borough as well as all of the volunteers. He wished everyone a Merry Christmas and a Happy New Year.

### **Audience Participation**

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

There being no comment Council Member Walsh made a motion to close the public portion, seconded by Council Member Bryant. 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 9:11 p.m., seconded by Council Member Mangan. Motion carried unanimously.

DATE APPROVED 1/18/2022