

APRIL 17, 2023

Regular Meeting of Mayor and Council was convened at 7:00 p.m. on April 17, 2023 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 stated that zoom meetings are a courtesy and if the zoom platform fails the meeting will continue in person.

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 Bruce Bresnahan, Brian Holly, Jeffrey Lee, Michael Mangan, and Gregg Olivera

Absent: Council Member Lori Triggiano

Council Member Olivera arrived at 7:09 pm.

Also present was Borough Attorney Mark Kitrick and Borough Deputy Administrator Amy Spera.

Audience Participation

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

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

Mayor Donovan made the following appointment:

William Patterson – Shade Tree Member – Unexpired Term Ending 12/31/2023

Mayor Donovan read the following proclamation:

***WHEREAS**, there are about two million youth aged 17 and younger, living in New Jersey; and*

***WHEREAS**, it is estimated that one in 100 children experiences abuse; and*

***WHEREAS**, childhood maltreated and abuse are traumatic events that increase as individual's adverse childhood experiences, which, without intervention, can cause result in life-long negative emotional, physical, financial, educational and social health issues; and*

***WHEREAS**, child abuse is a public health crisis; and*

***WHEREAS**, all children deserve to be nurtured, protected and free from physical or emotional harm; and*

***WHEREAS**, the State of New Jersey and the New Jersey Department of Children and Families believes that healthy families raise healthy children; and*

***WHEREAS**, the State of New Jersey offers a robust continuum of community-based child abuse prevention and intervention programs that are culturally competent, strength-based and family-centered; and*

***WHEREAS**, as noted by the United States Administration for Children and families' 2020 review of child protective services across the nation, the rate at which children are maltreated in New Jersey is lower than the national average; and*

***WHEREAS**, all sectors of the community, including law enforcement, medical professionals, schools, courts and media outlets, as well as numerous public and private agencies, have joined forces to promote*

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public awareness and community involvement in keeping children and their families safe, healthy and connected during the month of April and throughout the year.

NOW THEREFORE AND BE IT RESOLVED that I Edward G. Donovan, Mayor of the Borough of Manasquan, on behalf of the Borough Council and the good people of Manasquan, do hereby proclaim:

April 2023 as Child Abuse Prevention Month

NOW THEREFORE AND BE IT REOLVED, true and official copies of this proclamation be spread upon the minutes of the Borough Council meeting held on April 17, 2023.

Approval of Minutes

Regular Meeting Minutes – April 3, 2023

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

Ordinance – First Reading

The Borough Attorney read the title of ordinance 2393-23 for introduction.

CALENDAR YEAR 2023 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Council Member Holly made a motion to introduce ordinance 2393-23, seconded by Council Member Bresnahan. Motion carried by the following vote: “yes” Council Members Bresnahan, Holly, Lee, Mangan, and Olivera. “No” none.

BUDGET INTRODUCTION & RELATED DOCUMENTS

Mr. Shechter read the budget by title as allowed by law and advised that the summary will be advertised in the Thursday edition of the Coast Star.

Council Member Holly made a motion to introduce the budget, seconded by Council Member Mangan. Motion carried by the following vote: “yes” Council Members Bresnahan, Holly, Lee, Mangan, and Olivera. “No” none.

Consent Agenda

**RESOLUTION
104-2023**

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: FRANK A. MORRIS CONSTRUCTION, INC.
1857 CAMBRIDGE DRIVE
WALL, NJ 07719

AMOUNT OF REFUND DUE: \$6,481.00

REASON FOR REFUND: CHANGED PLANS
CHANGED FROM RENOVATION TO NEW HOUSE PERMIT

NAME: COLLINSON HOME IMPROVEMENTS
479 EUCLID AVENUE
MANASQUAN, NJ 08736

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AMOUNT OF REFUND DUE: \$6,045.00

REASON FOR REFUND: OVERPAYMENT
DUPLICATE PERMIT

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
105-2023**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey, that Volunteer Engine Company No. 2 has submitted the members that qualify under Ordinance 2005- 07 “Free Season Beach Badge and Parking Permit for Certain Members of the Volunteer Fire Companies”. These Members responded to 30% or more of the calls of the Unit or are Life Members of Volunteer Engine Company No. 2.

**RESOLUTION
106-2023**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey, that Manasquan Volunteer Engine Company No. 2 has submitted the members that qualify under Ordinance 2005-07 Section 7 for “Exemption from the Payment of Permit Fees” these Members responded to 30% or more of the calls of the Unit or are Life Members of Manasquan Volunteer Engine Company No.2.

**RESOLUTION
107-2023**

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, accepts the resignation of David Pearce from the position of Special Law Enforcement Officer I from the Manasquan Police Department effective April 6, 2023.

**RESOLUTION
108-2023**

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, accepts the resignation of Steven Schocket from the position of SLEO II from the Manasquan Police Department effective March 30, 2023.

**RESOLUTION
109-2023**

**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

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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 Toro Sand Pro5040 for the Mallard Park Recreation Fields; and

WHEREAS, the Borough of Manasquan intends to enter into a contract with: Storr Tractor Company, located at 3191 US 22, Branchburg, New Jersey 08876, and through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current state contracts.

NOW THEREFORE BE IT RESOLVED, that the Borough of Manasquan authorizes the Purchasing Agent to purchase certain goods or services from said contractors by approved New Jersey State Approved ESCNJ Co-Op #22/23-12 pursuant to all conditions of the individual state contracts, with Storr Tractor Company in the amount of \$33,934.83.

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
110-2023**

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: MAC MANAGEMENT PROPERTIES LLC
3005 ROUTE 88
POINT PLEASANT, NJ 08742

AMOUNT OF REFUND DUE: \$1,000.00

REASON FOR REFUND: STREET OPENING – 1ST Return
SO#58/22- 82 Marcellus 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
111-2023**

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 STEWART
19 JAMES PLACE
MANASQUAN, NJ 08736

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #17-2022
19 JAMES PLACE
BLOCK: 44.03 LOT: 1

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AMOUNT OF REFUND DUE: \$928.50

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
112-2023**

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: BARTEN ENTERPRISES LCC
600 HARDENBERG AVE
POINT PLEASANT, NJ 08742

AMOUNT OF REFUND DUE: \$1,000.00

REASON FOR REFUND: Dumpster Security- 85 N. McClellan 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
113-2023**

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: R. POPVITCH BUILDERS, INC
403 BEL AIRE ROAD
BRIELLE, NJ 08730

AMOUNT OF REFUND DUE: \$10,000.00

REASON FOR REFUND: BEACH ACCESS SECURITY BOND
1/2023- 337 BEACHFRONT

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

**RESOLUTION
114-2023**

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, 101Crawfords Corner Road, Suite 3400, Holmdel, NJ 07733 for purposes of providing Professional Services for preparing and submitting the FY2023 NJDOT Local Transportation Fund Application, for a per diem rate not to exceed \$3,900.00 for the services outlined in the proposal dated April 12, 2023.

AND BE IT FURTHER RESOLVED by the Borough Council of the Borough of Manasquan, County of

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Monmouth, State of New Jersey, that the borough authorizes the Scope of Work for Professional Services for preparing and submitting the FY2023 NJDOT Local Transportation Fund Application.

**RESOLUTION
115-2023**

WHEREAS, the Borough of Manasquan is desirous of appointing Special Law Enforcement Officers Class I for the year 2023; and

WHEREAS, the Police Captain has submitted the below listed individuals for appointment as Special Law Enforcement Officers Class I for the Borough of Manasquan effective April 24, 2023, at the current contractual rate per hour.

Name	Title	Rate of Pay (Hourly/Salary/Seasonal)	Effective Date From and To	Hours (Part Time/ Seasonal)
Brenden Smith	Class I	\$15.95	05/08/23	Part Time
Matthew Weinstock	Class I	\$15.95	05/08/23	Part Time

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 17th day of April 2023 appoint the above individuals as SLEO Class I Officers in Manasquan Police Department:

**RESOLUTION
116-2023**

**A RESOLUTION MEMORIALIZING A GRANT APPLICATION
SUBMITTED BY THE MANASQUAN POLICE DEPARTMENT FOR
A “COPS IN SHOPS” GRANT FROM THE STATE OF NEW JERSEY
DIVISION OF ALCOHOLIC BEVERAGE CONTROL GRANT # AL-
23-45-05-3**

WHEREAS, the Manasquan Police Department has applied for a “Cops in Shops” Summer Shore Initiative 2023 grant from the New Jersey Division of Alcoholic Beverage Control; and

WHEREAS, the Manasquan Police Department has been awarded grant number AL-23-45-05-3 in connection with their application and wishes to accept the Cops In Shop Summer Shore Initiative 2023 grant in the amount of \$1,440.00; and

WHEREAS, said grant monies will fund overtime reimbursement for law enforcement activities that help stop illegal underage alcohol sales and prevent adults from buying alcohol for minors; and

WHEREAS, said sub-award period is between May 24, 2023 through September 15, 2023; and

WHEREAS, the Borough of Manasquan has reviewed said applications and funds approval thereof to be in the best interests of the municipality; and

WHEREAS, said project is a joint project between the State of New Jersey (ABC) and the Borough of Manasquan for the purposes therein described.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan that: 1) as a matter of public policy the Manasquan Police Department wishes to participate with the State of New Jersey (ABC) to the greatest extent possible and accepts and agrees to comply with and fulfill each of the understandings and assurances contained in said application; 2) that the Division of Alcoholic Beverage Control (ABC) be requested to accept said applications on behalf of the municipality; and 3) that the appropriate fiscal officer will accept the funds in connection with said project from the ABC and make disbursements in accordance with said application.

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BE IT FURTHER RESOLVED that the Chief of Police, or his designee, is authorized to take all necessary or desirable steps to implement this resolution.

**RESOLUTION
117-2023**

WHEREAS, the Borough Finance Department (Department) was recently re-configured, resulting in a significant cost savings to the Borough and a reduction in full time office staff from three employees to two employees; and

WHEREAS the Department general workload spikes considerably in the summer months; and

WHEREAS, it has been determined that the employment of a part-time summer clerk to supplement the current Department staff will suffice to meet the increased summer labor demand.

NOW THEREFORE, BE IT RESOLVED, on the 17th day of April, 2023 by the Borough Council of the Borough of Manasquan, County of Monmouth and State of New Jersey that the Personnel Officer is hereby authorized to advertise for the hiring of a part-time summer clerk to work in the Finance Department between the dates of May 15, 2023 and September 5, 2023.

**RESOLUTION
118-2023**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,
GRANTING A SALARY INCREASE TO NANCY ACCIAVATTI**

WHEREAS, the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey received a request from the Planning Board Co-Secretary Nancy Acciavatti for a salary increase for completing and passing a test for the required courses to receive her Planning Board Secretary Certification; and

WHEREAS, the Administration and Finance Committee has reviewed the Certification of Nancy Acciavatti and has determined that it is appropriate to award a salary increase.

NOW, THEREFORE BE IT RESOLVED on the 17th day of April 2023, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey that the Council hereby recognizes the following:

Name	Title	Pensionable Salary Increase	Effective Date
Nancy Acciavatti	Co-Planning Board Secretary	\$2,500	4/17/23

**RESOLUTION
119-2023**

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 for the 1st quarter, 2022 water sewer billing to the following:

NAME: SQUAN CUSTOM HOMES
52 TAYLOR AVENUE
MANASQUAN, NJ 08736

PROPERTY: 120 SOUTH STREET

AMOUNT OF REFUND DUE: \$149.72

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REASON FOR REFUND: OVERPAYMENT

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough Of Manasquan hereby ratify the refunds in the said amount to the above listed homeowners.

**RESOLUTION
120-2023**

A RESOLUTION AUTHORIZING JOINT STUDY WITH COUNTY OF MONMOUTH FOR INTERSECTION OF MAIN STREET, BROAD STREET AND SOUTH STREET

WHEREAS, both the County of Monmouth and the Borough of Manasquan (“Entities”) recognize that the intersection configuration of Broad Street, Main Street and South Street (Intersection) presents a challenge to the efficient interface of pedestrian and vehicular traffic; and

WHEREAS, both Entities agree that it would be beneficial to jointly study the intersection dynamics to determine whether some combination of traffic flow reconfiguration, enhanced traffic control measures, etc. might improve the current interface conditions.

NOW THEREFORE BE IT RESOLVED that the Borough of Manasquan agrees to formally work with the County of Monmouth to jointly study the intersection dynamics and consider potential improvements to the current traffic and pedestrian interface.

**RESOLUTION
121-2023**

BE IT RESOLVED, that the Hon. Edward Donovan, Mayor of the Borough of Manasquan, be and is hereby authorized to sign Fay’s Cleaning Service Agreement, 1212 Minnehaha Trail, Manasquan, New Jersey, for a term of April 1, 2023 to March 31, 2024

**RESOLUTION
122-2023**

WHEREAS, the Borough Council approved resolution 307-2022 on December 19, 2022; and

WHEREAS, the Borough Council is desirous of revising resolution 307-2022 to reflect the correct contractual hourly rate; and

NOW THEREFORE BE IT RESOLVED, on the 17th day of April 2023 by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey that the following contractual rates be effective according to the table below:

Name	Title	Rate of Pay (Hourly/Salary/Seasonal)	Effective Date From and To	Hours (Part Time/ Seasonal)
Antonio P. Trapani	SLEO II	\$17.84/hrly	01/01/23	Part-Time
Matthew J. Durnien	SLEO II	\$17.84/hrly	01/01/23	Part-Time
Thomas W. Matthews	SLEO II	\$17.84/hrly	01/01/23	Part-Time
Jake A. Mann	SLEO II	\$17.84/hrly	01/01/23	Part-Time
Justin D. Gladdan	SLEO II	\$17.84/hrly	01/01/23	Part-Time
Marshall R. Bitsko	SLEO II	\$18.21/hrly	01/01/23	Part-Time

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be sent to the above-listed employees.

**RESOLUTION
123-2023**

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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	\$162,971.57
Water/Sewer Fund	\$81,784.42
Beach Fund	\$6,687.38
Grants	\$900.97
General Capital	\$2,455.00
Recreation Trust	\$11,025.10
Misc Trust	\$9,175.72
Animal Control Trust	\$108.40
E. Virginia Pump Station	\$1,206.25
Beach Capital	\$3,804.35

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

ORDINANCES – First Reading

Mr. Kitrick stated that ordinance 2392-23 needs to have a motion to withdraw. He also stated that the original ordinance will stay in affect just the proposed amended section will not be voted on at this time.

CHAPTER 7 (PARKING), SECTION 7-7.7 (PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS), SECTION 7-7.5 (PARKING TIME LIMITED ON CERTAIN STREETS), SECTION 7-7.8 (PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS), AND SECTION 7-7.10 (ANGLE PARKING)

Council Member Lee made a motion to withdraw ordinance 2392-23, seconded by Council Member Holly. Motion carried by the following vote: "yes" Council Members Bresnahan, Holly, Lee, Mangan, and Olivera. "No" none.

The borough attorney read the title of ordinance 9394-23 for introduction.

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 16 (FEES) AND AMENDING SUBSECTION 10-3.8 (USE FEES)

Council Member Mangan made a motion to withdraw this ordinance, seconded by Council Member Holly. Motion carried by the following vote: "yes" Council Members Bresnahan, Holly, Lee, Mangan, and Olivera. "No" none.

Committee Reports

Beach Committee – Council Member Bresnahan reported on the beach bathrooms, beach and parking pass sales, and the projects taking place to get the beach ready for the season. He stated that there are still some parking passes available for sale.

Public Works and Construction Committee - Council Member Holly reported on public works and their work at the beach to get it ready for the season, fire hydrant flushing and the Pompano Parking Lot County work.

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Public Safety Committee – Council Member Lee reported on the police officer that will be graduating from the academy and the summer initiative “Cops in Shops”.

Recreation Committee – Council Member Mangan reported on the Warrior for a Day which is coming up in May and advised that a report will be coming soon about the recreation facilities. He made comments on the budget and how well the borough does every year.

Administration/Finance Committee – Council Member Olivera reported on the budget and the process. He reported on the Sea Watch Locker Lottery.

Council Member Bresnahan thanked everyone who came out on Saturday to help with the beach sweep clean up.

Audience Participation

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

Will Mangan, 66 Parker Avenue inquired about having cross walk lines across the tracks to keep kids and others from walking into traffic.

Mayor Donovan stated that they will take a look at his concerns.

Carol Wilkens Kirkman, 22 Willow Way inquired about mark outs on North Main.

Mayor Donovan stated that there are water, gas, and sewer mark outs and it could have been any of them.

Ms. Kirkman thanked Tom Flarity for the quick response with NJNG information for her street. She voiced her concerns about the parking at the Inlet and the lack of enforcement for the limited time parking spaces.

Council Member Lee advised Ms. Kirkman that if there is an issue with parking the police should be called.

Nancy Jordan, 261 Euclid Avenue inquired about the plants at Curtis Park the timeline for removing the plants at the park.

Council Member Lee made a motion to close the public portion, seconded by Council Member Olivera. 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 Holly made a motion to close the regular meeting at 8:13 p.m., seconded by Council Member Lee. Motion carried unanimously.

DATE APPROVED 5-1-2023