

NOVEMBER 16, 2020

Regular Meeting of Mayor and Council was convened at 7:00 p.m. on November 16, 2020 with Mayor Donovan presiding. This meeting was held in person at Borough Hall and via Zoom.

Mayor Edward 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, Richard Read, and James Walsh

Absent: Council Member Gregg Olivera

Also present was Borough Attorney Mark Kitrick and Administrator Thomas Flarity.

Council Member Lee made a motion to amend the agenda to include resolution 263-2020 to the consent agenda, second by Council Member Walsh. Motion carried unanimously.

Certificate of Appreciation

Mayor Donovan presented a certificate of appreciation to Kelleigh Fulton Work a local postal worker who helped save the life of a resident.

Approval of Minutes

Special Meeting Minutes – September 30, 2020

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

Use of Borough Property

E70-20 Memorial Service – November 21, 2020 – 3 to 5:15 pm Inlet Gazebo.

Council Member Bryant made a motion to approve this request with the removal of the lantern release, seconded by Council Member Read. Motion carried unanimously.

Use of Borough Property

E70-20 Memorial Service – November 21, 2020 – 3 to 5:15 pm Inlet Gazebo.

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

CONSENT AGENDA

RESOLUTION 252-2020

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, accepts the resignation of Christopher Bernard Sullivan from the position of Special Law Enforcement Officer II from the Manasquan Police Department effective November 17, 2020.

RESOLUTION 253-2020

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BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, accepts the resignation of Nicholas Matteo from the position of Special Law Enforcement Officer II from the Manasquan Police Department effective November 17, 2020.

**RESOLUTION
254-2020**

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

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

NAME: BIG BROTHERS/BIG SISTERS OF MONMOUTH CTY
305 BOND STREET
ASBURY PARK, NJ 07712

AMOUNT OF REFUND DUE: \$400.00

REASON FOR REFUND: Beach Use Security

NAME: ALLISON SCADUTO
510 HARRIS AVE
BRIELLE, NJ 08730

AMOUNT OF REFUND DUE: \$400.00

REASON FOR REFUND: Beach Use Security

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
255-2020**

BE IT RESOLVED, that the Hon. Edward G. Donovan, Mayor of the Borough of Manasquan, be and is hereby authorized to sign the Installation & Monitoring Agreement and the Fire Alarm Inspection Agreement with Premier Electronic Solutions for alarm monitoring at Squan Beach Life Saving Station.

**RESOLUTION
256-2020**

WHEREAS, the Glimmer Glass Bridge is under the jurisdiction of the County of Monmouth and it provides a primary access point for residents of the Borough of Manasquan to the Borough of Brielle, and

WHEREAS, at various times over the past decade the bridge has been out of service due to the fact that it is an antiquated structure and is operated by a mechanism that is no longer supported by current technology and replacement parts for key components of the mechanism required to operate the bridge are difficult to obtain, and

WHEREAS, on October 13th, 2020 the County of Monmouth advised that the bridge would be again out of service, this time for an estimated three months, while replacement parts were being fabricated by a sole source provider, and

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WHEREAS, beyond the obvious inconvenience for residents seeking to travel between the Boroughs of Manasquan and Brielle, there is the far more serious concerns posed by public safety insofar as emergency equipment can no longer use the bridge, even when it is operational, and the bridge is a primary corridor in the event it were to become necessary to evacuate residents from Manasquan in the event of a natural disaster such as flooding caused by storms such as the Sandy Hurricane of 2012, and

WHEREAS, the County has a responsibility to provide a functional bridge that serves the needs of both the Brielle and Manasquan Communities and has thus far been thwarted in this effort due to a well-meaning, but misguided group of preservationists, who refuse to accept the fact that the bridge, although a quaint structure, no longer can meet the needs of the community it is intended to serve.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Manasquan call upon the Monmouth County Board of Chosen Freeholders, and the Monmouth County Department of Engineering, to make every effort to expedite the replacement of the existing Glimmer Glass Bridge with a modern functional structure that will better serve the needs of the community and recognize the necessity of making the public's safety a primary concern.

**RESOLUTION
257-2020**

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 November 16, 2020. No salary change. The appointee has met all the necessary requirements and evaluations for the position.

**RESOLUTION
258-2020**

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

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

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, County of Monmouth and State of New Jersey that they hereby approve the Corrective Action Plan for the year 2019, a requirement of the annual audit, prepared by the Chief Financial Officer and which is attached hereto and made part of this resolution.

**CORRECTIVE ACTION PLAN
2019 AUDIT**

Finding 2019-1 Interfunds existed at year end.

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

**RESOLUTION
259-2020**

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

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WHEREAS, the Annual Report of Audit for the year 2019 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

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

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

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

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

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

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

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

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

**RESOLUTION
260-2020**

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

WHEREAS, Amy Spera currently serves as the Certified Financial Officer and the Qualified Purchasing Agent; and

WHEREAS, Ms. Spera was appointed on April 21, 2020 as Deputy Administrator in the Borough of Manasquan with a starting annual stipend of \$10,000; and

NOW, THEREFORE BE IT RESOLVED on the 16th day of November, 2020, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. The Borough Council does hereby authorize a stipend increase to Amy Spera.
2. The stipend for the position of Deputy Administrator is \$20,000.00 annually.
3. The effective date of this increase is November 17, 2020.
4. A certified copy of this resolution shall be sent to:

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Ms. Amy Spera
1617 Doris Street
Wall, NJ 07753

**RESOLUTION
261-2020**

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 III

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: \$(69,989.29)

TOTAL AMOUNT OF CHANGE: \$(39,663.64)

TOTAL ORIGINAL CONTRACT PRICE \$227,033.10

REVISED CONTRACT PRICE \$187,369.46

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
263-2020**

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 Agreement with the County of Monmouth to provide Community Rating System Project Management Software.

**RESOLUTION
262-2020**

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	\$486,758.36
Capital Fund	\$110,180.95
Water/Sewer Fund	\$25,468.52

Water/Sewer Utility Fund	
Beach Utility Fund	\$23,851.71
Beach Capital Fund	\$637.50
Recreation Building Trust	\$7,164.31
Recreation Trust	\$736.32
Reserve for Unemployment	\$9,115.67
Affordable Housing	\$97.00
Developer's Escrow Trust	\$1,668.00
Animal Control	\$6.60

Mayor Donovan noted that the audience participation on agenda items was skipped.

Audience Participation

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

There was some audio issues that were cleared up and all audience participation will be held until the end of the meeting. Council Member Walsh made a motion to close the public portion, seconded by Council Member Lee. Motion carried unanimously.

Council Member Read 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, Read and Walsh. “No” none.

Ordinances – Second Reading

The Borough Attorney read the title of ordinance 2317-20 for second reading and final hearing.

ORDINANCE TO AMEND SECTION 5-3 (DOGS ON BEACHES, BOARDWALK, PUBLIC PARKS, PLAYGROUNDS) OF CHAPTER 5 (ANIMAL CONTROL) AND SECTION 12-4 (CONDUCT AND USE RESTRICTIONS) OF CHAPTER 12 (BEACHES AND BEACHFRONT) OF THE BOROUGH OF MANASQUAN TO ALLOW LEASHED DOGS ON BEACH IN THE BOROUGH OF MANASQUAN, MONMOUTH COUNTY, NEW JERSEY

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

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

Council Member Read made a motion to pass and publish ordinance 2317-20 according to law, seconded by Council Member Mangan. Motion carried by the following vote: “yes” Council Members Bryant, Lee, Mangan, Read, and Walsh. “No” none.

The Borough Attorney read the title of ordinance 2326-20 for second reading and final hearing.

BOND ORDINANCE PROVIDING FOR EUCLID AVENUE AREA ROAD AND DRAINAGE IMPROVEMENT PROJECT PHASE I IN AND BY THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$550,000 THEREFOR, INCLUDING A \$160,400 COMMUNITY DEVELOPMENT BLOCK GRANT, AND AUTHORIZING THE ISSUANCE OF \$525,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

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

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

Council Member Read made a motion to pass and publish ordinance 2326-20 according to law, seconded by Council Member Mangan. Motion carried by the following vote: "yes" Council Members Bryant, Lee, Mangan, Read, and Walsh.

Ordinances – First Reading

The Borough Attorney read the title of ordinance 2327-20 for introduction.

**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 Lee made a motion to introduce ordinance 2327-20, seconded by Council Member Read. Motion carried unanimously. Motion carried by the following vote: "yes" Council Members Bryant, Lee, Mangan, Read, and Walsh.

Committee Reports

Public Works Committee – Council Member Walsh congratulated Council Member Lee and Council President Mangan on the unofficial election win.

Administration Committee - Council Member Read offered his congratulations to Council Member Lee and Mangan. He thanked and congratulated Amy Spera for her increase in pay to the position of Deputy Administrator. He stated that the borough is planning a strategy to re-open borough hall to the public by appointment only. He reported on the marina leases for the 2021-2022 season and reminded everyone that there is no parking on Parker Avenue this Wednesday due to a tree trimming project taking place. He reminded everyone that the new COVID 19 guidelines state that all food and beverage establishments must close indoor dining at 10 pm as well as other restrictions for indoor, outdoor, and take out.

Beach & Recreation Committee – Council Member Mangan stated that he will have a more detailed report at the next meeting. He went over some of the projects that the committee will be discussing and continue to discuss in the next few weeks.

Public Safety Committee – Council Member Lee reported that the police department has been interviewing for specials, crossing guards and part time staff. He stated that he is looking forward to working with Council Member Bryant and Mangan on the Ad Hoc committee for the animal house policy and enforcement issues.

Code & Zoning Committee – Council Member Bryant congratulated Council Member Lee and Mangan and he is working forward to continue to work with them. He reported on the code/construction/zoning department activities for the month.

Finance Committee – Council Member Mangan on behalf of Council Member Olivera reported that the borough held a bond anticipation note sale on November 4 in the amount of \$2,002,250 and three bids were received and the winning bid was for a rate of 1.25% or a net interest rate of .1737%.

Audience Participation

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

Toni Barrett, 217 East Main Street voiced her concerns about the Streetscapes Project and the plans to remove parking spaces in front of her business. She is requesting that the parking spaces on the south side of the street remain as parking spaces.

Mary Ryan, 113 Beachfront congratulated Council Members Lee and Mangan on the election and looks forward to continuing to work with them. She thanked the council for passing the resolution regarding the Glimmer Glass Bridge. She voiced her concerns about the cleaning up after the dogs on the beach and

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requested additional signs that are worded properly regarding the use of the walkway regarding dogs. She inquired about beach badge sales being online and wanted to know if there will be a time where you can purchase a badge in person.

Council Member Mangan stated that as of right now it is online but will announce the dates for in person sales soon.

Ms. Ryan stated that she thinks the downtown outside dining was a great idea and is a wonderful thing for the merchants and the town.

Christine Rice, 26 Fletcher Avenue voiced her concerns and opinion on the stop signs on Fletcher and Minerva. She stated that it is a very dangerous intersection and she is in favor of the stop signs on both roads.

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

DATE APPROVED 12/21/2020