

SEPTEMBER 19, 2022

Regular Meeting of Mayor and Council was convened at 7:00 p.m. on September 19, 2022 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 Brian Holly, Jeff Lee, Michael Mangan, Richard Read, and Lori Triggiano

Absent: Council Member Gregg Olivera

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

Council Member Holly made a motion to amend resolution 233-2022 with a typographical error, resolution 238-2022 with a typographical error and resolution 240-2022 to include a date change, seconded by Council Member Mangan. Motion carried unanimously.

### **Audience Participation**

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

Mark Apostolou, 15 Cherry Place inquired about resolution 245-2022 Authorizing Right of Way Acquisition and if the money to acquire the property would come from the grant.

Mr. Flarity stated that one of the elements of the grant is that the acquisition of property would come out of the current fund.

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

### **CONSENT AGENDA**

#### **RESOLUTION 225-2022**

**BE IT RESOLVED**, that the Mayor of the Borough of Manasquan, and Municipal Clerk be and are hereby authorized to sign the Lease Agreement between The Borough of Manasquan and The Church of St. Denis for the use of a portion of the facility as outlined in the Lease Agreement.

#### **RESOLUTION 229-2022**

**WHEREAS**, NJSA 54:5-19.1 authorizes electronic tax sale pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services, and

**WHEREAS**, the rules and regulations require a municipality to send three (3) notices of tax sale to all properties included in said sale; and

**WHEREAS**, the rules and regulations allow said municipality to charge a fee of \$25.00 per notice for the creation, printing and mailing of said notice; and

**WHEREAS**, in an effort to more fairly assign greater fiscal responsibility to delinquent taxpayers, the Borough of Manasquan wishes to charge \$25.00 per notice mailed which will be assessed specifically to the delinquent accounts that are causing the need for a tax sale and not to the greater tax base.

SEPTEMBER 19, 2022

**BE IT RESOLVED** by the Council of the Borough of Manasquan that a fee of \$25.00 per notice be established and is hereby authorized and directed to be charged for each notice of tax sale that is sent in conjunction with the tax sale.

**RESOLUTION  
230-2022**

**WHEREAS**, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services, and

**WHEREAS**, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct electronic tax sales, and

**WHEREAS**, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process, and

**WHEREAS**, the municipality of Manasquan Borough wishes to participate in an electronic tax sale.

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the municipality of Manasquan Borough, New Jersey, that the Tax Collector is hereby authorized to participate in an electronic tax sale and submit same to the Director of the Division of Local Government Services if necessary.

**RESOLUTION  
231-2022**

**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

**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 a TORO Workman UTX Utility Vehicle; and

**WHEREAS**, the Borough of Manasquan intends to enter into contracts with: Storr Tractor Company, located at 191 Route 22, Branchburg, New Jersey, 08876 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 contractor by approved New Jersey State Approved Sourcewell Toro Contract #031121-TTC pursuant to all conditions of the individual State contracts, in the amount of \$28,602.20; and

**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; and

**RESOLUTION  
232-2022**

**WHEREAS**, Borough Ordinance Section 15-2 governs the "Procedure to Handle Complaints against Rental Property Owners," and

SEPTEMBER 19, 2022

**WHEREAS**, the below listed property owner was ordered to post a bond with the Municipal Clerk's Office for violating Section 15-2 during the summer of 2021; and

**WHEREAS**, this same property owner did not violate Section 15-2 during the summer of 2022; and

**WHEREAS**, Section 15-2 allows for the return of the bonds under these circumstances.

**THEREFORE BE IT RESOLVED** that the bond funds currently on deposit with the Borough Clerk's Office shall be returned to the following property owners:

<u>NAME</u>	<u>ADDRESS</u>	<u>\$ AMOUNT</u>
Cindy McCann	225 Third Ave, Manasquan	\$800

**RESOLUTION  
233-2022**

**RESOLUTION AWARDING A CONTRACT FOR BOROUGH HALL  
PARKING LOT IMPROVEMENTS IN THE BOROUGH OF  
MANASQUAN, COUNTY OF MONMOUTH STATE OF NEW  
JERSEY**

**WHEREAS**, public bids were advertised for and received pursuant to the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) for the Borough Hall Parking Lot Improvements Project; and

**WHEREAS**, the bids submitted for this project were:

<b>BIDDERS</b>	<b>BASE BID</b>
Meco, Inc.	\$149,023.50
Earle Asphalt Co,	\$149,113.13
Seacoast Construction	\$168,280.80
L&L Paving Company, Inc.	\$187,263.00
Shore Top Construction Corp.	\$192,511.30
Diamond Construction	\$244,866.51
Abhzeen Design	\$259,319.00

**WHEREAS**, seven (7) bids for this project were received; and

**WHEREAS**, Meco, Inc. submitted a base bid in the amount of \$149,023.50; and

**WHEREAS**, the Borough Engineer has determined the bid by Meco, Inc. complies with the bid specifications and includes all required documentation and has recommended the award of the bid; and

**WHEREAS**, the Borough Council has determined, for the reasons set forth below, that the bid of Meco, Inc. is a responsive and responsible bid; and

**WHEREAS**, Borough Council is desirous of awarding a contract to Meco, Inc. for the Base for bid amount of \$149,023.50 for the project;

**NOW THEREFORE IT BE IT RESOLVED** on the 19<sup>th</sup> day of September 2022, by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey, as follows:

1. This Bid award is subject to the review and approval of the Bid documents by the Manasquan Borough attorney.
2. Subject to the above condition, a contract in the amount of \$149,023.50 is awarded to Meco Inc. for this project.
3. The Mayor and Municipal Clerk are authorized and directed to execute all necessary documents to effectuate a contract with Meco Inc.
4. A certified copy of this resolution shall be sent to:

Meco Inc.  
P.O. Box 536  
Clarksburg, NJ 08510

SEPTEMBER 19, 2022

**RESOLUTION  
234-2022**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Manasquan that Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, be and is hereby authorized to advertise a Bid Notice for the Chemical Feed Modification at the Manasquan Water Treatment Plant.

**RESOLUTION  
235-2022**

**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 Mott MacDonald, 3 Paragon Way, Freehold, New Jersey 07728, to provide for the Construction Administration and Inspection Services for the Modification of the Chlorine Feed System at the Manasquan Water Treatment Plant. The fee is as follows:

- Task 1 Construction Administration and Inspection Services \$24,500.00.00

For a rate not to exceed \$24,500.00 for the services outlined in the proposal dated September 9, 2022.

**RESOLUTION  
236-2022**

**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:** OLSEN, DENISE  
92 S. JACKSON AVE  
MANASQUAN, NJ 08736  
FORMERLY OF -

**AMOUNT OF REFUND DUE:** \$3,529.67

**REASON FOR REFUND:** **FORMER OWNER- ACH WITHDRAWAL ISSUED**  
Block 133 Lot 43.03  
OLSEN, DENISE  
92 S. JACKSON AVE  
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  
237-2022**

**RESOLUTION AUTHORIZING THE BOROUGH OF  
MANASQUAN TO ASSIGN MUNICIPAL REPRESENTATIVES TO  
A STEERING COMMITTEE IN ACCORDANCE WITH THE  
EXISTING SHARED SERVICE AGREEMENT FOR THE  
PROVISION OF BASIC LIFE SUPPORT EMERGENCY MEDICAL  
SERVICES**

SEPTEMBER 19, 2022

**WHEREAS**, in accordance with the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq. and N.J.S.A. 2B:12-1(c), in order to conserve resources and to provide for a more efficient and more economically sound dispatching services;

**WHEREAS**, the Borough of Manasquan and the Boroughs of Lake Como, Belmar and Sea Girt desire to add a Steering Committee to the existing Shared Service Agreement; Manasquan Borough to add Police Chief Michael Bauer as a Municipal Representative and Administrator Thomas Flarity as Alternate Municipal Representative; and

**NOW THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that Chief Michael Bauer, Municipal Representative and Administrator Thomas Flarity, Alternate Representative be appointed as members of the Steering Committee EMS Shared Service Agreement.

**RESOLUTION  
238-2022**

**RESOLUTION AWARDING A CONTRACT FOR IMPROVEMENTS TO SOUTH STREET AND EAST VIRGINIA AVENUE SANITARY PUMPING STATIONS IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH STATE OF NEW JERSEY**

**WHEREAS**, public bids were advertised for and received pursuant to the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) for Improvements to South Street and East Virginia Avenue Sanitary Pumping Stations; and

**WHEREAS**, one bid was received for this project:

	<b>Base Bid</b>	<b>Alternate A</b>	<b>Total</b>
Allied Construction Group, Inc.	\$509,000.00	\$487,000.00	\$996,000.00

**WHEREAS**, Allied Construction Group, Inc. submitted a base bid in the amount of \$509,000.00 with an Alternate A in the amount of \$487,000.00 for a total of \$996,000; and

**WHEREAS**, the Borough Engineer has determined the bid by Allied Construction Group Inc. complies with the bid specifications and includes all required documentation and has recommended the award of the bid; and

**WHEREAS**, the Borough Council has determined, for the reasons set forth below, that the bid of Allied Construction Group, Inc. is a responsive and responsible bid; and

**WHEREAS**, the Borough Council is desirous of awarding a contract to Allied Construction Group, Inc. for the base bid of \$509,000.00 with Alternate A in the amount of \$487,000.00 for a total amount of \$996,000.00 for the project.

**NOW, THEREFORE BE IT RESOLVED** on the 19<sup>th</sup> day of September 2022, by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey, as follows:

1. This Bid award is subject to the review and approval of the Bid documents by the Manasquan Borough Attorney.
2. Subject to the above condition, a contract in the total amount of \$996,000.00 is awarded to Allied Construction Group, Inc. Inc. this project.

SEPTEMBER 19, 2022

3. The Mayor and Municipal Clerk are authorized and directed to execute all necessary documents to effectuate a contract with Allied Construction Inc.
4. A certified copy of this resolution shall be sent to:

Allied Construction Group, Inc.  
499 Washington Road  
Parlin, NJ 08859

**RESOLUTION  
239-2022**

**BE IT RESOLVED** that the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, has authorized that the base salary of the below listed Borough of Manasquan Recreation employees be adjusted as follows:

Civil Service Title Superintendent of Recreation (Borough Title - Recreation Director)	Erik Ertle	\$60,000
Civil Service Title Part Time Recreation Supervisor (Borough Title - Assistant Recreation Director)	Steven Antonucci	\$30,000

**BE IT FURTHER RESOLVED** that a certified copy of this resolution shall be sent to the above-named employees.

**RESOLUTION  
240-2022**

**WHEREAS**, Ms. Patricia Lang currently serves as the Payroll Clerk/Account Clerk; and

**WHEREAS**, Ms. Lang has been recommended to be promoted to Sr. Payroll Clerk/Account Clerk; and

**WHEREAS**, Ms. Lang has also been recommended to assume the duties of Water and Sewer Collector as part of her Account Clerk responsibilities in the Borough of Manasquan.

**NOW, THEREFORE BE IT RESOLVED** on the 19<sup>th</sup> day of September 2022, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. Patricia Lang is promoted to Sr. Payroll Clerk/Account Clerk with an increase in annual salary of \$5,000.
2. Patricia Lang is assigned the responsibilities of Water and Sewer Collector to include customer billing and relations, data input/analysis, revenue reporting, and related general administration as part of her position as Account Clerk with a salary increase of \$10,000.
3. Should the responsibilities of Water and Sewer Collector be removed from Ms. Lang's title, the associated salary increase reflected in para. 2 above shall also be removed.
4. The effective date of this appointment is October 31, 2022.
5. A certified copy of this resolution shall be sent to:

Patricia Lang

**RESOLUTION  
241-2022**

**WHEREAS**, Jaclyn Ewing currently serves as a Civil Service title of Assistant Recreation Supervisor (Borough title Recreation Program Coordinator); and

SEPTEMBER 19, 2022

**WHEREAS**, Ms. Ewing has been recommended to receive an increase in her hourly rate for the above title; and

**WHEREAS**, Ms. Ewing has also been recommended for the additional position of Civil Service title of Part Time Public Information Assistant (Borough title Social Media Coordinator); and

**NOW, THEREFORE BE IT RESOLVED** on the 19<sup>th</sup> day of September 2022, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. Jaclyn Ewing shall receive an increase to \$21.50 per hour for Civil Service title of Assistant Recreation Supervisor (Borough title Recreation Program Coordinator).
2. Jaclyn Ewing is appointed to the Civil Service title of Part Time Public Information Assistant (Borough title Social Media Coordinator) at a salary of \$20,000.
3. A certified copy of this resolution shall be sent to:

Jaclyn Ewing

**RESOLUTION  
242-2022**

**BE IT RESOLVED** that the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, has authorized that hourly rate be increased for the following:

Part Time Records Support Tech	Trish Greer	\$20.00 per hour
Part Time Keyboard Clerk 1	Michelle Abbott	\$26.00 per hour
Civil Service title Assistant Recreation Supervisor (Borough Title - Recreation Program Coordinator)	Richard Griffin	\$21.50 per hour
Civil Service title Assistant Recreation Supervisor (Borough Title – Recreation Program Coordinator)	Douglas Wells	\$21.50 per hour

**BE IT FURTHER RESOLVED** that a certified copy of this resolution shall be sent to the above-named employees.

**RESOLUTION  
243-2022**

**WHEREAS**, the Borough of Manasquan is desirous of appointing a Civil Service title of Assistant Recreation Supervisor (Borough title Recreation Program Coordinator) in the Recreation Department; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, appoint Tyler Toole, Manasquan, New Jersey to the Civil Service Title of Assistant Recreation Supervisor (Borough Title - Recreation Program Coordinator) for Borough of Manasquan Recreation at the hourly rate \$21.50.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution shall be sent to:

Tyler Toole

**RESOLUTION  
244-2022**

**WHEREAS**, Nancy Acciavatti currently serves as the Deputy Municipal Clerk and Co-Planning Board Secretary; and

**WHEREAS**, Ms. Acciavatti has been recommended for the additional position of Administrative Clerk/Deputy Registrar of Vital Statistics for the Clerk's Office in the Borough of Manasquan; and

SEPTEMBER 19, 2022

**NOW, THEREFORE BE IT RESOLVED** on the 19<sup>th</sup> day of September 2022, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. Nancy Acciavatti is appointed as Administrative Clerk/Deputy Registrar of Vital Statistics.
2. The salary for this position is \$10,000 annually.
3. A certified copy of this resolution shall be sent to:

Nancy Acciavatti

**RESOLUTION  
245-2022**

**RESOLUTION AUTHORIZING THE ACQUISITION OF RIGHT-OF-WAY FOR THE CONSTRUCTION OF THE NEW JERSEY DEPARTMENT OF TRANSPORTATION 2016 TRANSPORTATION ALTERNATIVE PROGRAM BUSINESS DISTRICT STREETSCAPES IMPROVEMENTS PROJECT IN THE VICINITY OF THE INTERSECTION OF MAIN STREET AND ROUTE 71**

**WHEREAS**, the Borough has been approved for \$3 million in grant funding to design and construct the downtown NJDOT/Federal Streetscapes project (Streetscapes project); and

**WHEREAS**, the Borough has been engaged for several years in the engineering design phase for the Streetscapes project; and

**WHEREAS**, the final engineering design for the Streetscapes project requires the acquisition of approximately 20 easements from private property owners (permanent maintenance and/or temporary construction easements); and

**WHEREAS**, the Chief Financial Officer has certified that funds are available for the title searches, appraisals, legal services and just compensation to execute these acquisitions.

**RESOLUTION  
246-2022**

**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	\$3,215,858.76
Water/Sewer Fund	\$19,711.93
Water/Sewer Capital	\$35.56
Beach Fund	\$29,869.05
Beach Capital	\$1,530.00
Grants	\$2,273.92
General Capital	\$61,555.00
Recreation Trust	\$24,244.24
Misc Trust	\$2,737.07
Animal Control	\$34.80

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 Holly, Lee, Mangan, Read, and Triggiano. "No" none.



## **Ordinances – Second Reading**

The Borough Attorney read the title of ordinance 2381-22 for final adoption.

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 31 (PLANNING BOARD), SECTION 31-13 (RULES AND REGULATIONS) OF THE BOROUGH OF MANASQUAN CODE IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

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

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

Council Member Triggiano made a motion to pass and publish ordinance 2381-22 according to law, seconded by Council Member Holly. Motion carried by the following vote: “yes” Council Members Holly, Lee, Mangan, Read, and Triggiano. “No” none.

## **Committee Reports**

Code & Land Use Committee – Council Member Triggiano stated that she does not have anything to report at this time.

Beach Committee – Council Member Read thanked the Beach Department for their efforts and he reported that the beach revenue for the season was \$2,452,188 with \$485,188 which will be returned to the surplus account including \$267,000 in parking which was an increase of \$66,000 from the previous year. He went over the sale of badges and the lifeguard report for service. He thanked the EMS and the First Aid for their work and he thanked the police for adding additional patrols.

Recreation Committee – Council Member Mangan reported that at the next council meeting there will be presentation by the Recreation Director about the progress of the recreation program, status of the finances and the programs. He thanked everyone that was involved with the beach picnic and stated that it was a success. He stated that the Intracoastal Tug of War will be on October 1.

Public Safety Committee – Council Member Lee reported that the police department will be participating in the national program Operation Clear Track on Tuesday, September 20 which is a railroad safety effort to save lives.

Public Works and Construction Committee - Council Member Holly reported that fire hydrant flushing will be October 3 through October 14, Curtis Park project delayed due to supply chain issues, Skokos Park should have a ADA compliant walkway put in shortly.

## **Audience Participation**

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

John Waldeyer, 69 Marcellus Avenue inquired about Mount Lane and the roadway being dangerous as he suffered an injury and inquired about road safety in Manasquan. He wanted to know when Mount Lane will be repaved in its entirety.

Council Member Holly stated that Mount Lane is a high priority, and the Borough is aware of the issues with the roadway.

Council Member Mangan thanked Mr. Waldeyer for getting up and telling his story. He stated that Mount Lane is a priority and they are looking to starting next year in phases.

Council Member Lee stated that they could spot patch the area to make it a little safer.

Mark Apostolou, 15 Cherry Lane echoed Council Member Mangan’s regarding the beach picnic and thanked everyone that was involved with this event.

SEPTEMBER 19, 2022

Mary Ryan, 113 Beachfront made a general thank you to the police department, beach department, DPW department and the recreation department for a great summer season.

Mike Grady, 264 Euclid Avenue inquired about Curtis Park and where the new enclosure will be that holds the electrical and irrigation systems.

Borough Engineer Joe Raftery stated that this is being discussed at the County level as it was part of the grant application, and this topic will be tabled until December when the Borough will know what grant the borough will have.

There was discussion on the Curtis Park Project.

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

Council Member Triggiano made a motion to close the regular meeting at 857 p.m., seconded by Council Member Read. Motion carried unanimously.

Respectfully Submitted,



Barbara Ilaria  
Municipal Clerk

DATE APPROVED 10/3/2022