

DECEMBER 5, 2022

Regular Meeting of Mayor and Council was convened at 7:00 p.m. on December 5, 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, Michael Mangan, Jeff Lee, Richard Read, and Lori Triggiano.

Absent: Gregg Olivera

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

Audience Participation

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

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

Approval of Minutes

Regular Meeting Minutes – November 14, 2022

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

Workshop Discussion

Request from Unions to Switch Lincoln's Birthday, Monday, February 13, 2023 with Monday, July 3, 2023.

There was discussion on the request and the coverage from public works if the holiday is changed.

Council Member Holly made a motion to deny this request, seconded by Council Member Triggiano. Motion carried unanimously.

Office of Emergency Management

Chris Tucker, OEM Coordinator reminded everyone about flood insurance and how to protect their property. He went over the process and the program that the Borough participates in through FEMA to lower rates for the residents. He stated that homeowners should know about flood risks and that there is information on the Borough website and should learn about flood risk, flood forecasting and warning systems, evacuation zones and evacuation routes as well as how to come up with a plan for their family in case they need to evacuate. He went over where homeowners can find information regarding their flood risk. He updated everyone on the 5-year Community Rating System evaluation for the town.

Council Member Mangan and Mr. Flarity thanked and commended Chris Tucker for all his efforts to make sure that Manasquan retains a certain rating.

Engineer's Monthly Report

Joseph Raftery, Collier Engineering went over the November 2022 monthly status report.

CONSENT AGENDA

**RESOLUTION
286-2022**

DECEMBER 5, 2022

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: ORBIT ENERGY & POWER, LLC
570 MANTUA BOULEVARD
SEWELL, NEW JERSEY 08080

AMOUNT OF REFUND DUE: \$1,000.00

REASON FOR REFUND: Dumpster Security-160 McLean Ave

NAME: JAMES DALY
72 FLETCHER AVE
MANASQUAN, NJ 08736

AMOUNT OF REFUND DUE: \$1,000.00

REASON FOR REFUND: Dumpster Security-72 Fletcher 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
287-2022**

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: DANIEL, SEAN & BRITTANY
8 MADISON AVENUE
MORRIS PLAINS, NJ
07950

AMOUNT OF REFUND DUE: \$9,219.58

REASON FOR REFUND: DUPLICATE ADDED/OMITTED PAYMENT
Block 182.03 Lot 16
DANIEL, SEAN & BRITTANY
550 POMPARNO 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
289-2018**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE
BOROUGH OF MANASQUAN, MONMOUTH COUNTY,
RELEASING MORTGAGE MODIFICATION**

DECEMBER 5, 2022

WHEREAS, Mary Tomney, 90 Fletcher Avenue executed a mortgage to the Borough of Manasquan in the amount of \$8,845.00, dated November 15, 2005, and recorded in the Monmouth County Clerk's Office under the Housing Improvement Program; and

WHEREAS, a Mortgage Modification Agreement was entered and dated November 28, 2006, to increase the amount of the mortgage from \$8,845.00 to \$11,745.00 and recorded in the Monmouth County Clerk's Office; and

WHEREAS, the Mortgage Modification was satisfied as of November 15, 2015, representing that all conditions have been satisfied; and

WHEREAS the governing body of the Borough of Manasquan is desirous of releasing the Mortgage Modification Agreement; and

NOW, THEREFORE BE IT RESOLVED on the 5th day of December 2022, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. Mortgage Modification Agreement for Mary Tomney, 90 Fletcher hereby paid in full.
2. A certified copy of this Resolution shall be sent to:

Nestora A. Winters
Keith, Winters, Wenning & Harris LLC.
P.O. Box 188
Bradley Beach, NJ 07721

Debbie Dovedytis, Program Analyst
Housing Improvement Program
County of Monmouth
One East Main Street
Freehold, NJ 07728

**RESOLUTION
290-2022**

BE IT RESOLVED, that the Hon. Edward G. Donovan, Jr., Mayor of the Borough of Manasquan, be and is hereby authorized to sign the Amendment to the Shared Services Agreement Between the Borough of Manasquan and the Borough of Sea Girt for the services of Chief Municipal Financial Officer and Qualified Purchasing Agent.

**RESOLUTION
291-2022**

Governor's Council on Alcoholism and Drug Abuse
Fiscal Grant Cycle July 2020-June 2025

FORM 1B

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,

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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 **2024** in the amount of:

DEDR	\$ <u>21,360.00</u>
Cash Match	\$ <u>5,340.00</u>
In-Kind	\$ <u>16,020.00</u>

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

**RESOLUTION
292-2022**

FORM 1B

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 an application for DMHAS Grant funding for the Shore Municipal Alliance for Year One Grant Term 7/1/23-3/14/25 in the amount of:

DMHAS	\$ <u>7,277.59</u>
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2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

**RESOLUTION
293-2022**

RESOLUTION AWARDING A CONTRACT FOR MANASQUAN WATER TREATMENT PLANT CHEMICAL FEED MODIFICATION IMPROVEMENT PROJECT IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH STATE OF NEW JERSEY

DECEMBER 5, 2022

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 Manasquan Water Treatment Plant Chemical Feed Modification Project; and

WHEREAS, the bids submitted for this project were:

BIDDERS	BASE BID
VNL Inc.	\$136,000.00
Allied Construction	\$184,800.00
JEV Construction	\$184,800.00
Municipal Maintenance Company	\$203,716.00
Kiely Family of Companies	\$274,670.00
Kohl, William, Construction Corp.	\$296,300.00

WHEREAS, six (6) bids for this project were received; and

WHEREAS, VNL Inc. submitted a base bid in the amount of \$136,000.00 and

WHEREAS, Contract Engineer has determined the bid by VNL 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 VNL Inc. is a responsive and responsible bid; and

WHEREAS, Borough Council is desirous of awarding a contract to VNL Inc. for the Base bid amount of \$136,00.00 for the project;

NOW THEREFORE IT BE IT RESOLVED on the 5th day of December 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 \$136,000 is awarded to VNL Inc. for this project.
3. The Mayor and Municipal Clerk are authorized and directed to execute all necessary documents to effectuate a contract with VNL Inc.
4. A certified copy of this resolution shall be sent to:

VNL Inc.
107 Main Street
Whitehouse Station, NJ 08889

**RESOLUTION
294-2022**

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	\$2,207,142.12
Water/Sewer Fund	\$12,458.00
Beach Fund	\$6,116.20

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Beach Capital	\$11,545.23
Grants	\$14,508.60
General Capital	\$29,732.65
Recreation Trust	\$26,352.14
Misc Trust	\$5,931.76

Council Member Mangan made a motion to approve the consent agenda, seconded by Council Member Triggiano. Motion carried by the following vote: “yes” Council Members Holly, Lee, Mangan, Read, and Triggiano. “No” none.

**RESOLUTION
288-2022**

WHEREAS, application has been made to the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey by BPOE Manasquan Lodge 2534 for a Place-to-Place Transfer of Plenary Retail Distribution Liquor License No. # 1327-31-012-001, for “expansion of premise” located at 117 Stockton Lake Blvd.; and

WHEREAS, the pending transfer was advertised in the Coast Star on November 10, 2022, November 17, 2022 and no complaints have been filed with the Borough Clerk; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term;

NOW, THEREFORE, BE IT RESOLVED, that the above-mentioned Place-to-Place Transfer is hereby approved with the effective date of December 6, 2022.

BE IT FURTHER RESOLVED that a certified copy of this resolution is forwarded to the Director of the New Jersey Division of Alcoholic Beverage Control.

Council Member Triggiano made a motion to approve this resolution, seconded by Council Member Lee. 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 2385-22 for second reading and final adoption.

**ORDINANCE OF THE BOROUGH OF MANASQUAN, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY AUTHORIZING THE
ACQUISITION OF A CERTAIN INTEREST IN REAL PROPERTY BY
NEGOTIATION, PURCHASE, CONDEMNATION OR EMINENT
DOMAIN**

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

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

Council Member Holly made a motion to pass and publish ordinance 2385-22 according to law, seconded by Council Member Triggiano. Motion carried by the following vote: “yes” Council Members Holly, Lee, Mangan, Read, and Triggiano. “No” none.

The Borough Attorney read the title of ordinance 2386-22 for second reading and final adoption.

**ORDINANCE AMENDING CHAPTER 7 (TRAFFIC), SECTION 7-11
(STOP INTERSECTION) OF THE BOROUGH OF MANASQUAN CODE
IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY**

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

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There being no comment Council Member Triggiano 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 2386-22 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.

The Borough Attorney read the title of ordinance 2387-22 for second reading and final adoption.

ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION), SECTION 2-19.3 (HAZARD MITIGATION PROGRAM COORDINATOR) 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 Triggiano. Motion carried unanimously.

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

Council Member Holly made a motion to pass and publish ordinance 2387-22 according to law, seconded by Council Member Triggiano. Motion carried by the following vote: "yes" Council Members Holly, Lee, Mangan, Read, and Triggiano. "No" none.

The Borough Attorney read the title of ordinance 2388-22 for second reading and final adoption.

ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION), SECTION 2-65.2 (FEES FOR PHOTOCOPYING OF PUBLIC RECORDS; DESIGNATION OF CUSTODIAN AND DEPUTY CUSTODIAN OF GOVERNMENT RECORDS) 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 Read. Motion carried unanimously.

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

Council Member Read made a motion to pass and publish ordinance 2388-22 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

Public Works and Construction Committee - Council Member Holly reported on the public works department and stated that leaf pickup is scheduled until December 16 and he reported on sand removal from the past storms. He thanked the public works for their help with the Turkey Run, Candy Cane Hunt, Bonfire and Christmas in Manasquan. He reported on the lighting at Curtis Park and advised that engineering is looking into a dimmer and will report at a later date when it is going to be installed.

Public Safety Committee – Council Member Lee reported on the Faith and Blue Christmas Toy Drive which will be this Saturday, December 10 at St. Denis. He also reported on the police department issuing violations for the month.

Recreation Committee – Council Member Mangan reported on the recreation winter programs which can be found on the website. He reported on the fieldhouse and the scheduling for the community and the short-term lease with St. Denis. He thanked everyone for their support and help with the Candy Cane Hunt and Christmas in Manasquan.

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Beach Committee – Council Member Read thanked the recreation department for spear heading the behind-the-scenes effort for the Thanksgiving Eve parade. He reported on the beach parking pass sales and badge sales. He stated that at this time the parking passes will be unlimited sales.

Code and Land Use Committee – Council Member Triggiano thanked the construction department and Chris Tucker for all their hard work.

Audience Participation

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

Colleen Jacobs, owner of Style Strong Fitness Wear stated that her aunt was leaving her store and tripped over the uneven pavers and sidewalk and broke her nose. She asked if it was her landlords responsibility to fix the sidewalk.

Mayor Donovan stated that it is the landlord’s responsibility to maintain the sidewalk.

Council Member Triggiano stated that the Code Department did go out and gave the landlord a warning to fix the issue.

Ms. Jacobs inquired about garbage cans.

Mayor Donovan stated that there are garbage cans on Main Street.

Ms. Jacobs stated that there are no cans near her store.

There was discussion on adding additional cans.

Ron Jacobson, 59 McClean Avenue inquired about the Chemical Feed Modification System Project.

Mr. Flarity read a statement from Ryan Travers, Water Division Head regarding the Chemical Feed System.

Council Member Mangan made a motion to close the public portion, seconded by Council Member Holly. 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 Read made a motion to close the regular meeting at 9:04 p.m., seconded by Council Member Triggiano. Motion carried unanimously.

DATE APPROVED 12/30/2022