

MARCH 21, 2022

Regular Meeting of Mayor and Council was convened at 7:00 p.m. on March 21, 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, and Richard Read

Absent: Council Members Gregg Olivera and Lori Triggiano

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

Audience Participation

Council Member Read made a motion to open the meeting to the public on agenda items, seconded by Council Member Holly. 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.

Proclamation

Child Abuse Prevention Month

WHEREAS, in Federal fiscal year 2019, 4.4 million reports were made to child protective services:
and

WHEREAS, child abuse and neglect is a serious problem affecting every segment of our community, and finding solutions requires input and action from everyone; and

WHEREAS, our children are our most valuable resources and will shape the future of the Borough of Manasquan; and

WHEREAS, child abuse can have long-term psychological, emotional, and physical effects that have lasting consequences for victims of abuse; and

WHEREAS, protective factors are conditions that reduce or eliminate risk to promote the social, emotional, and developmental well-being of children; and

WHEREAS, effective child abuse prevention activities succeed because of the partnerships created between child welfare professionals, education, health, community faith-based organizations, businesses, law enforcement agencies and families; and

WHEREAS, communities must make every effort to promote programs and activities that create strong an thriving children and families; and

WHEREAS, we acknowledge that we must work together as a community to increase awareness about child abuse an contribute to promote the social and emotional well-being of children and families in a safe, stable and nurturing environment; and

WHEREAS, prevention remains the best defense for our children and families.

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 2022 as Child Abuse Prevention Month and urge all citizens to recognize this month by dedicating ourselves to the task of improving the quality of life for all children and families.

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 March 21, 2022.

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Approval of Minutes

Regular Meeting Minutes – February 22, 2022
Regular Meeting Minutes – March 7, 2022
Budget Meeting Minutes – March 12, 2022

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

CONSENT AGENDA

**RESOLUTION
80-2022**

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: FROM THE HEAVENS REALTY & DEVELOPMENT, LLC
36 OLD FARM ROAD
OAKHURST, NJ 07755

AMOUNT OF REFUND DUE: \$1,000.00

REASON FOR REFUND: STREET OPENING SURETY-1ST RETURN
SO# 67-21- 53 Rogers 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
81-2022**

BE IT RESOLVED that the Hon. Edward G. Donovan, Mayor of the Borough of Manasquan, be and is hereby authorized to sign amended contract with Monmouth Telecom for phone services.

**RESOLUTION
82-2022**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH
OF MANASQUAN, MONMOUTH COUNTY, NEW JERSEY,
AUTHORIZING THE SALE OF SEASON PARKING PERMITS**

WHEREAS, fees for the sale of season beach badges are established under Section 12-2.4 (Fees) and fees for the sale of season parking permits are established under section 12-11 (Season Parking Permit) of Chapter 12 (Beaches and Beachfront) of the Code of the Borough of Manasquan; and

WHEREAS, the Borough Council is desirous of authorizing the sale of in person parking permit sales April 9th and 10th, 2022 from 8 am to 10 am at Beach Headquarters, 205 Beachfront; and

NOW, THEREFORE, BE IT RESOLVED on this 21st day of March 2022 by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey as follows:

1. In person Parking Pass sales at Beach Headquarters, 205 Beachfront, April 9 and 10, 2022 from 8 am to 10 pm .

**RESOLUTION
83-2022**

WHEREAS, Manasquan Fire District #1 wishes to transfer ownership of a 2003 E-150 Ford Van, Vin #1FMRE11233HB93437 which is no longer needed, to the Manasquan Police Department; and

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NOW THEREFORE BE IT RESOLVED, the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough of Manasquan hereby accepts and acknowledges the transfer of the Ford Van for \$1 from the Manasquan Fire District #1.

**RESOLUTION
84-2022**

BE IT RESOLVED, that the Hon. Edward G. Donovan, Mayor of the Borough of Manasquan, be and is hereby authorized to sign the contract with Polar Air Of NJ Inc. for HVAC maintenance for the term of March 21, 2022 through March 21, 2023.

**RESOLUTION
85-2022**

WHEREAS, the Borough of Manasquan is desirous to secure services for Mobile Concession Truck at the Sea Watch property located at 95 Beachfront.

NOW THEREFORE BE IT RESOLVED, that the Borough of Manasquan authorizes the Municipal Clerk to advertise a Request for Proposal for Mobile Concession Truck at the Sea Watch property.

**RESOLUTION
86-2022**

BE IT RESOLVED that the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, has authorized that the pensionable base salaries of the below listed employees as a result of agreements between Department Heads and the Borough of Manasquan for the calendar Year 2022 Effective January 1, 2022;

Borough of Manasquan Department Heads
Annual Pensionable Base Salaries

Position	2022 Salary
Marie Higgins, Manasquan Court Administrator	\$85,738.01
Brielle Court Administrator	\$13,417.24

WHEREAS, the schedule above reflects the annual salary for the employee listed; and

WHEREAS, pensionable base salaries are defined as those regulated by the Public Employees Retirement System (PERS) of New Jersey and the Defined Contribution Retirement Program (DCRP) when applicable and;

NOW THEREFORE BE IT RESOLVED, that the Hon. Edward G. Donovan, Mayor of the Borough of Manasquan, be and is hereby authorized to sign the above listed Letter of Intent for the calendar year of 2022, which copies are on file in the Municipal Clerk's Office.

**RESOLUTION
87-2022**

**AUTHORIZATION TO EXECUTE A SHARED SERVICES
AGREEMENT FOR LEAF RECYCLING WITH WALL TOWNSHIP**

WHEREAS, The Uniform Shared Services and Consolidation Act N.J.S.A. 40A:65-1 et seq. authorizes local units as defined in said Act to enter into joint agreements for the provision of government services; and

WHEREAS, the Borough of Manasquan is desirous of entering into a Shared Services Agreement for the Department of Public Works; and

WHEREAS, the Shared Services Agreement will include, but not limited to labor, equipment, material, and recycling and/or disposal services for leaves collected in Manasquan;

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NOW THEREFORE, BE IT RESOLVED, that the Hon. Edward G. Donovan, Mayor of the Borough of Manasquan, be and is hereby authorized to sign a Shared Service Agreement with Wall Township for Leaf Recycling and Disposal Services.

**RESOLUTION
88-2022**

**AUTHORIZATION TO ENTER INTO A SHARED SERVICES
AGREEMENT WITH WALL TOWNSHIP FOR THE DEPARTMENT
OF PUBLIC WORKS**

WHEREAS, The Uniform Shared Services and Consolidation Act N.J.S.A. 40A:65-1 et seq. authorizes local units as defined in said Act to enter into joint agreements for the provision of government services; and

WHEREAS, Wall Township has agreed to serve as the Lead Agency in conjunction with a shared purchasing Cooperative Pricing Systems with Manasquan and other contracting units to effect substantial savings in the provision and performance of selected public works goods and services as typically provided by a municipal public works department.

NOW THEREFOR BE IT RESOLVED, that the Hon. Edward G. Donovan, Mayor of the Borough of Manasquan, be and is hereby authorized to sign a Shared Purchasing Agreement with Wall Township.

**RESOLUTION
89-2022**

BE IT RESOLVED that the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, has authorized that the following employee shall receive the stipend listed below for the calendar year 2022, effective February 22, 2022 through December 31, 2022 as follows:

EMPLOYEE:

Frank DiRoma, Class II Planning Board Member \$110.00 per meeting

BE IT RESOLVED that the Borough Clerk is authorized to notify the employee upon passage of this resolution.

**RESOLUTION
90-2022**

BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan that the following rates be and hereby are set forth effective April 1, 2022:

WATER AND SEWER SERVICE RATE

Pursuant to Chapter 22-2 Base Water and Sewer Service Rate:

The base water and sewer rate for each residential and nonresidential user shall be \$616.88 per year. This charge represents the standby to serve our fixed charges incurred in the operation of the municipal water and sewer system. The fees shall be paid in equal quarterly installments of \$154.22.

The following service rate shall be charged to residential and nonresidential users who are not connected to both the municipal water and sewer systems:

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The base water service rate for each residential and nonresidential user shall be \$308.44 per year. The fee shall be payable in equal quarterly installments of \$77.11.

The base sewer service rate for each residential and nonresidential user shall be \$308.44 per year. The fee shall be payable in equal quarterly installments of \$77.11.

WATER AND SEWER USAGE RATE

Pursuant to Chapter 22-3 Water and Sewer Usage Charges:

Water and sewer usage shall be measured by the number of gallons of water use shown on the water meter.

The charge for water and sewer usage shall be \$4.62 per 1,000 gallons or part thereof.

The charge for water usage only shall be \$2.31 per 1,000 gallons or part thereof.

The charge for sewer usage only shall be \$2.31 per 1,000 gallons or part thereof.

Any user found to be receiving water service that is not being metered shall be charged at the rate of \$2.31 per day.

**RESOLUTION
92-2022**

BE IT RESOLVED, that the Hon. Edward G. Donovan, Mayor of the Borough of Manasquan, be and is hereby authorized to sign a proposal for the 2021 MSRP Tier A Annual Stormwater Report & SPPP Update dated March 3, 2022 not to exceed \$3,800 with Colliers Engineering for the Borough of Manasquan.

**RESOLUTION
93-2022**

CHANGE ORDER NO. 1

Be it resolved by the Mayor and Council of the Borough of Manasquan of Monmouth County, New Jersey upon recommendation of the Borough Engineer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: First Avenue Improvements – Phase I

ENGINEER: Collier Engineering & Design
331 Newman Springs Road
Red Bank, NJ 07701

CONTRACTOR: Fernandes Construction Inc.
25 Stonegate Drive
Monroe, NJ 08831

CHANGE ORDER NO. 1

AMOUNT OF CHANGE FOR THIS RESOLUTION: \$40,636.40

TOTAL ORIGINAL CONTRACT PRICE \$882,944.05

REVISED CONTRACT PRICE \$923,580.45

**RESOLUTION
94-2022**

BE IT RESOLVED, that the Hon. Edward G. Donovan, Mayor of the Borough of Manasquan, be and is hereby authorized to sign the contract with Geese Police for control of the Canadian Geese at Stockton Lake and Mac’s pond on an as needed basis for the year 2022.

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**RESOLUTION
95-2022**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,
REFUNDING THE CASH PERFORMANCE BOND/GUARANTEE
FOR 236 SECOND AVENUE**

WHEREAS, FTHD 236 Second Ave LLC, posted a cash performance guarantee in the amount of \$15,797.40 with the Borough of Manasquan as a guarantee for site work for a project located at 236 Second Avenue, also known as Block 178, Lot 1.01 in the Borough of Manasquan; and

WHEREAS, a Performance Bond was posted with The Borough from Great Midwest Insurance Company in the amount of \$14,218.00; and

WHEREAS, FTHD 236 Second Ave LLC is due back the amount of \$14,218.00 from the cash bond posted.

NOW, THEREFORE BE IT RESOLVED, on the 21st day of March, 2022, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. The portion of the cash performance guarantee in the amount of \$14,218.00 posted by FTHD 236 Second Ave LLC, may be released.
2. The Chief Financial Officer is authorized to return the bond in the sum of \$14,218.00 FTHD 236 Second Ave LLC.
3. A certified copy of this resolution shall be sent to:

FTHD 236 Second Ave LLC
36 Old Farm Road
Oakhurst, NJ 07755

**RESOLUTION
96-2022**

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	\$2,897,515.99
Current Capital Fund	\$3,287.79
Water/Sewer Fund	\$23,900.42
Beach Utility Fund	\$27,855.32
Beach Capital	\$797.00
Recreation Trust-Building	\$657.98
Recreation Trust	\$3,574.90
Reserve For Open Space	\$3,732.25
Miscellaneous Trust II	\$400.00
Street Openings	\$500.00
Developer's Bond	\$14,218.00
Developer's Escrow	\$4,733.25

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

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Ordinances – First Reading

The Borough Attorney read the title of ordinance 2367-22 for introduction.

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$1,500,000, INCLUDING AN ADDITIONAL \$251,900 NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT, FOR THE FIRST AVENUE ROAD RECONSTRUCTION PROJECT IN AND BY THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$1,425,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE ADDITIONAL COST THEREOF

Council Member Mangan made a motion to introduce ordinance 2367-22, seconded by Council Member Read. Motion carried by the following vote: “yes” Council Members Holly, Lee, Mangan, and Read. “No” none.

The Borough Attorney read the title of ordinance 2368-22 for introduction.

BOND ORDINANCE PROVIDING FOR IMPROVEMENT OF CURTIS PARK AND PLAYGROUND IN AND BY THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$1,200,000 THEREFOR, INCLUDING A \$240,000 MONMOUTH COUNTY OPEN SPACE GRANT AND A \$55,000 NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS LOCAL RECREATION GRANT, AND AUTHORIZING THE ISSUANCE OF \$1,140,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Council Member Holly made a motion to introduce ordinance 2368-22, seconded by Council Member Read. Motion carried by the following vote: “yes” Council Members Holly, Lee, Mangan, and Read. “No” none.

Committee Reports

Beach Committee – Council Member Read reported on the Riddleway walkway which was expanded for the bike parking area which will be doubled. He thanked the staff for getting the resolution on the agenda for parking pass sales.

Recreation Committee – Council Member Mangan reported that the recreation programs are moving forward with the use of buildings and parks. He reported on the St. Denis discussions as it relates to the use of the building and the upgrades to the building. He stated that the Citizen Advisory group is having their first meeting this week and he will report at the next meeting on this.

Public Safety Committee – Council Member Lee reported on the dogs on the beach and walkways and reiterated the dates and that dogs are never allowed on the walkway. He reported on the police department activity for the month. He thanked the Fire Commissioners for donating a vehicle to the police department.

Public Works and Construction Committee – Council Member Holly reported on catch basins being repaired, reported on the repair of the swing sets on the north end of the beach, storm drain cleanout and park cleanup, leaf pickup schedule, and the Pompano dredging removal.

Council Member Mangan inquired about the budget introduction which he was advised that introduction is scheduled for April 4 at this time.

Audience Participation

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

Al Sauer, 109 First Avenue inquired about the change order for First Avenue.

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Joseph Raftery, Borough Engineer stated that this was anticipated and some of the valves that needed to be shut off were old and broke during this process. He stated that the overall bid might even be less then the change order.

Mr. Sauer inquired about the curbing on First Avenue.

Mr. Raftery stated that there are certain areas that had back pitched sidewalk. He stated that they had to lower the curb in certain areas to make it work so the water was not going onto the property.

Mr. Sauer inquired about the geese police contract.

Council Member Holly stated that this service was being done for free in the past but that person no longer owns the company and a new owner has taken over which would be about \$2,000 for Stockton Park and Mac's Pond.

Patrick Buddle, 362 E. Main Street inquired about curbs in his area and the handicap corner areas.

Mr. Raftery stated that this can be followed up with a discussion as this was a DOT funded project which limited the pitch of the road.

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

Council Member Triggiano made a motion to close the regular meeting at 8:11 p.m., seconded by Council Member Holly. Motion carried unanimously.

DATE APPROVED 4/18/2022