

APRIL 19, 2021

Regular Meeting of Mayor and Council was convened at 7:00 p.m. on April 19, 2021 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 Jay Bryant, Jeff Lee, Michael Mangan, Gregg Olivera, Richard Read and James Walsh

Absent: None

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

Council Member Olivera made a motion to remove second reading of ordinance 2348-21 until the next meeting, seconded by Council Member Mangan. Motion carried unanimously.

Mr. Kitrick verified that this ordinance will be heard for final adoption at the May 3, 2021 council meeting.

Council Member Read made a motion to pull ordinance 2346-21 for further discussion, seconded by Council Member Walsh. Motion carried unanimously.

#### **Audience Participation**

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

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

#### **Use of Borough Property**

E37-21 Wedding Ceremony - Inlet Beach - June 5, 2021 - 6 to 6:45 pm

Council Member Bryant made a motion to approve this request for the ceremony only with no open flame lanterns, 10 to 12 chairs, DJ for wedding march only seconded by Council Member Walsh. Motion carried unanimously.

E38-21 Tourism Fourth of July Celebration; July 2; 3 to 11 pm (rain date 7/3/21)

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

E39-21 Tourism Canoe/Kayak Races; August 28; 10 am to 2 pm

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

E40-21 Tourism Labor Day Concert & Fireworks; September 3; 6 to 10 pm (rain date 9/4/21)

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

E41-21 Tourism Christmas is Manasquan; December 12; 11 am to 1 pm

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

E42-21 Wedding Ceremony; Riddle Way Gazebo; May 16, 2021; 11:30 am to 1:30 pm

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

E43-21 Tourism Sand Castle Contest; Beachfront/Riddleway; 9 am to 12:30 pm

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

**Dredging Operations – Discussion**

Mr. Flarity updated the council and the audience on the dredging operations in the area of Manasquan. He stated that the dredge material will be deposited on Fisherman's Cove. He stated that Fisherman's Cove will be closed to the public. He went over the parking lot issues and stated that the County will create a new parking lot as the back of Pompano will be put back to its natural habitat. He stated that the County and State will be working together to accommodate the dewatering process of the dredge material. He stated that they have added Deep Creek to the dredging project. He also stated that the State will complete the new parking lot.

**CONSENT AGENDA**

**RESOLUTION  
91-2021**

**WHEREAS**, the Borough of Manasquan is desirous re-appointing Paul Capotorto as Municipal Court Judge for the full term of three years,

**NOW, THEREFORE BE IT RESOLVED, the parties hereunder agree as follows:**

1. Paul Capotorto, Esq. is appointed as Municipal Court Judge for the Borough of Manasquan for a 3 year full term commencing May 5, 2021 and terminating on May 4, 2024.
2. Paul Capotorto Esq. shall be compensated as follows:  
  
    May 5, 2021 to May 4, 2022 – \$32,336.24  
    May 5, 2022 to May 4, 2023 – \$32,836.24  
    May 5, 2023 to May 4, 2024 – \$33,336.24
3. Paul Capotorto Esq. is to be considered a part-time employee of the Borough and therefore not entitled to benefits, such as medical benefits, afforded full-time permanent employees.
4. The Governing Body authorizes the Mayor to sign an agreement with Paul Capotorto Esq. memorializing the terms set forth above.

**RESOLUTION  
92-2021**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, that the resignation of Raymond Claudio as Code Inspector from the Manasquan Code & Construction Department effective April 23, 2021 be and is hereby accepted.

**RESOLUTION  
93-2021**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH  
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,  
AUTHORIZING ADVERTISEMENT FOR TWO (2) FULL TIME  
PUBLIC WORKS LABORER**

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**WHEREAS**, the Borough of Manasquan is in need of two (2) full time Laborers in the Department of Public Works; and

**NOW, THEREFORE BE IT RESOLVED** on the 19<sup>th</sup> day of April, 2021, by the Borough Council of the Borough of Manasquan, hereby authorize the Clerk to advertise for two (2) full time Department of Public Works Laborer.

**RESOLUTION  
94-2021**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH  
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,  
AUTHORIZING ADVERTISEMENT FOR A PART TIME CODE  
ENFORCEMENT OFFICER**

**WHEREAS**, the Borough of Manasquan is in need of a part time Code Enforcement Officer; and

**NOW, THEREFORE BE IT RESOLVED** on the 19<sup>th</sup> day of April, 2021, by the Borough Council of the Borough of Manasquan, hereby authorize the Clerk to advertise for a part time Code Enforcement Officer.

**RESOLUTION  
95-2021**

**WHEREAS**, the Borough of Manasquan is desirous of appointing Seasonal Beach Employees for pre-preseason beach maintenance; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 19<sup>th</sup> day of April, 2021 appoint the following Seasonal Beach Employees to work during the 2021 Season.

<u>Beach Crew</u>	<u>Hourly Rate</u>
Trevor Wells	\$11.10
Josh Terry	\$11.10
Ryan Esdaile	\$9.00
Spencer Muly	\$11.10
Brent Boccino	\$11.10
Jason Campbell	\$9.00

**RESOLUTION  
96-2021**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH  
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,  
AUTHORIZING ADVERTISEMENT FOR A PART TIME CROSSING  
GUARD**

**WHEREAS**, the Borough of Manasquan is in need of a part time Crossing Guard in the Manasquan Police Department; and

**NOW, THEREFORE BE IT RESOLVED** on the 19<sup>th</sup> day of April, 2021, by the Borough Council of the Borough of Manasquan, hereby authorize the Clerk to advertise for a part time Crossing Guard for the Manasquan Police Department.

**RESOLUTION  
97-2021**

**BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth,

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New Jersey that the Mayor be authorized to sign the Body Worn Camera Grant Application for the Manasquan Police Department.

**RESOLUTION  
98-2021**

**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: MICHAEL MANGINE  
1148 BRADFORD DRIVE  
POINT PLEASANT, NJ 08742

AMOUNT OF REFUND DUE: \$1,000.00

REASON FOR REFUND: Dumpster Security- 53 Ocean Front

**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  
99-2021**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH  
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,  
AUTHORIZING ADVERTISEMENT FOR SEASONAL PART-  
TIME KEYBOARDING CLERK 1**

**WHEREAS**, the Borough of Manasquan ("Manasquan") is in need of a Seasonal Part-Time Keyboarding Clerk 1 in the Code/Construction Department; and

**NOW, THEREFORE BE IT RESOLVED** on the 19<sup>th</sup> day of April 2021, by the Borough Council of the Borough of Manasquan, hereby authorize the Clerk to advertise for a Seasonal Part-Time Keyboarding Clerk 1.

**RESOLUTION  
100-2021**

**RESOLUTION AWARDING A CONTRACT FOR THE EUCLID  
AVENUE AREA IMPROVEMENTS PROJECT PHASE I 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 Euclid Avenue Area Improvements Project Phase I; and

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

	<u>Base Bid</u>	<u>Alternate A</u>	<u>Total</u>
Shore Top Construction Corp.	\$337,330.00	\$3,000.00	\$340,330.00
Black Rock Enterprises, LLC	\$356,089.50	\$20,000.00	\$376,089.50
Meco, Inc.	\$382,916.70	\$11,700.00	\$394,616.70

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**WHEREAS**, Shore Top Construction Corporation submitted a total bid in the amount of \$340,330.00; and

**WHEREAS**, the Borough Engineer has determined the bid by Shore Top Construction Corporation 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 Shore Top Construction Corporation is a responsive and responsible bid; and

**WHEREAS**, the Borough Council is desirous of awarding a contract to Shore Top Construction Corporation in the amount of \$340,330.00 for the project.

**NOW, THEREFORE BE IT RESOLVED** on the 19<sup>th</sup> day of April, 2021, 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. This approval is also subject to authorization by Monmouth County CDBG.
3. Subject to the above condition, a contract in the amount of \$340,330.00 is awarded to Shore Top Construction Corporation for this project.
4. The Mayor and Municipal Clerk are authorized and directed to execute all necessary documents to effectuate a contract with Shore Top Construction Corporation.
5. A certified copy of this resolution shall be sent to:

Shore Top Construction Corporation  
23 Yellowbrook Road  
Freehold, New Jersey 07728

**RESOLUTION  
101-2021**

**WHEREAS**, New Jersey Transit Rail Road Division (NJT) is conducting upgrades at the Main Street rail way crossing; and

**WHEREAS**, Main Street will be closed to thru traffic 24/7 and pedestrian traffic during work hours at the Main Street rail road crossing ; and

**WHEREAS**, the NJT project will run from Thursday, April 29 through Friday, May 7, 2021: and

**WHEREAS**, the Governing Body is desirous for this project to be completed in a timely manner.

**NOW THEREFORE BE IT RESOLVED** that the Borough of Manasquan authorizes New Jersey Transit to work on Sunday, May 2, 2021.

**BE IT FURTHER RESOLVED** a copy of this resolution shall be sent to New Jersey Transit.

**RESOLUTION  
102-2021**

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

**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

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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 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** that 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 Manasquan Municipal Alliance grant for the fiscal year 2022 in the amount of:

DEDR	\$ 23,250.00
Cash Match	\$ 5,812.50
In-Kind	\$ 17,437.50

**GRAND TOTAL ALLIANCE DEDR BUDGET MANASQUAN, BRIELLE, SEA GIRT, SPRING LAKE HEIGHTS \$46,500.00**

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

**RESOLUTION  
103-2021**

**WHEREAS**, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

**WHEREAS**, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS**, the regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate records, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, a resolution authorizing this municipality to apply for the **2020 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Manasquan Borough Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS**, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Manasquan that Manasquan Borough hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Sean Price to ensure that the application is properly filed; and

**BE IT FURTHER RESOLVED** that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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**RESOLUTION  
104-2021**

**TAX CERTIFICATION**

**WHEREAS**, The Recycling Enhancement Act, P.L.2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, There is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

**WHEREAS**, Whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

**NOW THEREFORE BE IT RESOLVED** by the Borough of Manasquan that Borough of Manasquan hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, chapter 311, in 2020 in the amount of \$11,448.09 Documentation supporting this submission is available at 201 East Main Street, Manasquan, NJ 08736 and shall be maintained for no less than five years from this date.

**RESOLUTION  
105-2021**

**AUTHORIZING AN INTERLOCAL SERVICES AGREEMENT  
AMONG THE BOROUGH OF BRIELLE, BOROUGH OF  
MANASQUAN AND BOROUGH OF SEA GIRT FOR THE  
PROVISION OF ROAD SALT**

**WHEREAS**, the Borough of Brielle and the Boroughs of Sea Girt and Manasquan are municipal corporations in the County of Monmouth, State of New Jersey and have been formed in compliance with applicable statutes; and,

**WHEREAS**, the Borough of Brielle and the Boroughs of Sea Girt and Manasquan previously entered into an agreement under the provisions of N.J.S.A. 40:8A-1 the "Interlocal Services Act" in order to provide for the construction of a structure (the "salt dome") for road salt storage; and,

**WHEREAS**, the salt dome has been constructed and is fully operational for the storage of road salt that is currently utilized by all three participants; and,

**WHEREAS**, all initial construction costs have been met and there is little or no annual maintenance of the salt dome required.

**NOW, THEREFORE, BE IT RESOLVED** that the Agreement for the provision of road salt is hereby approved for the period commencing retroactively to April 14, 2021 through December 31, 2026, inclusive, and the Mayor and Municipal Clerk are hereby authorized to execute the said Agreement.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be supplied to the Municipal Clerk of Brielle and Manasquan for their information and further action.

**RESOLUTION  
106-2021**

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**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, AUTHORIZING ADVERTISEMENT FOR BEACH EMERGENCY MEDICAL TECHNICIANS**

WHEREAS, the Borough of Manasquan is in need of Emergency Medical Technicians in the Manasquan Beach Department; and

NOW, THEREFORE BE IT RESOLVED on the 19<sup>th</sup> day of April, 2021, by the Borough Council of the Borough of Manasquan, hereby authorize the Clerk to advertise for Emergency Medical Technicians for the Manasquan Beach Department.

**RESOLUTION  
107-2021**

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	\$168,798.75
Capital Fund	\$11,472.77
Water/Sewer Fund	\$28,565.73
Water/Sewer Utility Fund	
Beach Utility Fund	\$7,318.96
Beach Capital Fund	\$27,508.86
Recreation Building Trust	\$1,272.17
Recreation Trust	\$3,564.45
Reserve for Unemployment	\$48.49
Miscellaneous Trust I	\$2,500.00
Animal Trust	\$19.20

Council Member Olivera 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, Olivera, Read and Walsh. "No" none.

**Ordinances – Second Reading**

The Borough Attorney read the title of ordinance 2347-21 for second reading and final hearing.

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF EQUIPMENT FOR THE POLICE DEPARTMENT IN AND BY THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$350,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$332,500 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

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

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



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Council Member Read made a motion to pass and publish ordinance 2347-21 according to law, seconded by Council Member Bryant: "yes" Council Members Bryant, Lee, Mangan, Olivera, Read and Walsh. "No" none.

### Committee Reports

Public Works & Construction Committee - Council Member Bryant reported on the Main, Broad, and South Streets, work on the railroad crossing upgrades, Euclid Avenue project, Skokos Park upgrades, beach sweep that recently took place, and he reminded everyone that the Shop and Dine will take place again this year.

Code & Land Use Committee – Council Member Walsh stated that he had nothing to report at this time.

Council President Mangan – reported that the budget is set for adoption on May 3, 2021 and the thanked everyone for working on the budget.

Public Safety Committee – Council Member Lee reported on the renewal of the court judge and thanked everyone for working on the body camera funding.

Administration & Finance Committee – Council Member Olivera stated that he had nothing to report at this time.

Beach & Recreation Committee – Council Member Read reported on the Easter Egg Hunt which was postponed and relocated at the last minute. He also reported on the beach badge and parking pass sales and pickup, junior guard applications and thanked council for advertisement of EMT staffing.

### Audience Participation

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

Bob Olson, 12 Meadow Lane inquired about CVS moving into ACME and has the town reached out to the landlord.

Mayor Donovan stated that he has reached out to the landlord and does not have any further information.

Terri Samuel, 128 Marcellus Avenue voiced her concerns about Curtis Park and the hazardous conditions of the park.

Mary Ryan, 113 Beachfront inquired about Stockton Lake being included in the dredging project.

Mr. Flarity stated that Stockton Lake will not be dredged at this time.

Mayor Donovan stated that they are dredging channels at this time.

Ms. Ryan inquired about the ACME and the lack of food establishment to get groceries in town.

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

Council Member Mangan made a motion to close the regular meeting at 7:55 p.m., seconded by Council Member Lee. Motion carried unanimously.

Respectfully Submitted,



Barbara Ilaria, Municipal Clerk

DATE APPROVED 5/17/21