

NOVEMBER 2, 2020

Regular Meeting of Mayor and Council was convened at 7:01 p.m. on November 2, 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, Gregg Olivera, Richard Read, and James Walsh

Absent: None

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

Audience Participation

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

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

Presentation

JCP&L – Tree Elevation – Representative John Meehan updated the council on the tree elevations throughout town and advised that they will be trimming trees from the lines for the next few weeks until the end of the year.

Certificate of Achievement

Mayor Donovan read and presented Certificates of Achievement to Stephen James Schmieder, Nicholas Ryan Vogel, and Colin John White for achieving their Eagle Scout award.

Approval of Minutes

Regular Meeting Minutes – September 21, 2020

Regular Meeting Minutes – October 5, 2020

Council Member Mangan made a motion to approve the minutes, seconded by Council Member Read. Motion carried unanimously with Council Members Bryant and Lee abstaining from the October 5 minutes.

Presentation

TAP Grant Presentation – Streetscapes – Mike Trancone of CME presented the Streetscapes Project for East Main Street Business area. He went over the project using the pdf documents that were posted on the borough website with the agenda for the meeting. He stated that the project limits are Route 71 from Abe Voorhees and just up to east of the Acme and along East Main Street from Route 71 to the railroad tracks. He went over the timeline for the project and stated that the project would start in 2022.

There was discussion on the process and timeline for this project.

Use of Borough Property

E27-20 Manasquan Turkey Run Request to change Date to 11/20/2021

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

E66-20 Jersey Shore Running Club Twilight Run – 12/31/2020 at 4 pm

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

E68-20 Big Blue Boosters MHS Parade & Bon Fire – 11/25/2020 from 6 to 9 pm

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

Other items

Animal House Policy and Enforcement Review Ad Hoc Committee Discussion – Council Member Lee, Mangan and Bryant updated the council on this subject.

Mr. Kitrick stated that there has been discussion on this subject and he is looking forward to getting these actions into an ordinance.

CONSENT AGENDA

**RESOLUTION
231-2020**

**COMMUNITY DEVELOPMENT BLOCK GRANT RESOLUTION
AUTHORIZING THE MAYOR TO SIGN A CERTIFICATION
PROHIBITING THE USE OF EXCESSIVE FORCE AND A
CERTIFICATION PROHIBITING THE USE OF FEDERAL FUNDS
FOR LOBBYING**

WHEREAS, a certain federal funds are potentially available to Monmouth County through the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the United States Department of Housing and Urban Development has allocated funding to the County of Monmouth for Fiscal Year 2020; and

WHEREAS, the County is making some of these funds available to certain participating municipalities and non-profit agencies; and

WHEREAS, it is required that the Borough of Manasquan execute a Project Agreement with Monmouth County to undertake a project known as Euclid Avenue Area Improvements Phase I; and

WHEREAS, the Borough of Manasquan has adopted a policy prohibiting the use of excessive force by its law enforcement agency (police force) within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

WHEREAS, a copy of that policy is attached to and made part of this resolution; and

NOW THEREFORE BE IT RESOLVED, that the Borough of Manasquan has met the conditions of receiving a Fiscal Year 2020 allocation by adopting a policy prohibiting the use of excessive force and by not using federal funds lobbying or by disclosing that funds have been used for lobbying.

BE IT FURTHER RESOLVED, that the Mayor of the Borough of Manasquan is hereby authorized to sign the attached certifications which will become part of the FY 2020 Project Agreement.

**RESOLUTION
232-2020**

**COMMUNITY DEVELOPMENT BLOCK GRANT RESOLUTION
AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A
PROJECT AGREEMENT WITH MONMOUTH COUNTY FOR
PERFORMANCE AND DELIVERY OF FY 2020 COMMUNITY
DEVELOPMENT PROJECTS**

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WHEREAS, certain federal funds are potentially available to Monmouth County through the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the County of Monmouth expects to receive an allocation for FY2020 from the United States Department of Housing and Urban Development; and

WHEREAS, the County of Monmouth has submitted its annual Plan for FY2020 to the U.S. Department of Housing and Urban Development, which included a project hereinafter referred to as Euclid Avenue Area Improvements Phase I with grant allocation of \$160,400.00; and

WHEREAS, the Borough of Manasquan hereby met all the requirements for the release of funds to begin incurring costs for this project: and

WHEREAS, the Borough of Manasquan has filed with the Monmouth County Community Development Program as acceptable timetable for completion and expenditure of grants funds, which is included as an appendix to the Project Agreement.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Municipal Clerk of the Borough of Manasquan are authorized to execute with the County of Monmouth the Euclid Avenue Area Improvements Project Agreement.

**RESOLUTION
233-2020**

WHEREAS, the Borough of Manasquan is desirous of appointing Manasquan Recreation Staff for Fall 2020 Shore United Recreational Soccer Program beginning September 12, 2020 until October 31, 2020; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 2nd day of November, 2020 appoint the following Recreation Employees to work during the Fall 2020 season:

Shore United Fall Soccer Program Staff

Joseph Mitchell	Program Coordinator	\$3500.00 stipend
Brian Rostron	Assistant Coordinator	\$1200.00 stipend
Gavin Guagenty	Saturday Assistant	\$15.00 per hour
Elizabeth Dayton	Saturday Assistant	\$15.00 per hour
Grace Carew	Saturday Assistant	\$15.00 per hour
Molly Morris	Saturday Assistant	\$15.00 per hour
Ryann Bannerman	Saturday Assistant	\$15.00 per hour
Gracey Tolomanosi	Saturday Assistant	\$15.00 per hour
Mike Cafiero	Saturday Assistant	\$15.00 per hour
Tommy Johnson	Saturday Assistant Thursday Trainer	\$25.00 per hour
Ebenezer Owusu	Thursday Trainer	\$25.00 per hour
Alexa Correa	Thursday Trainer	\$25.00 per hour
A'Liah Moore	Thursday Trainer	\$25.00 per hour
Griffin Tomas	Thursday Trainer	\$25.00 per hour
John Long	Referee	\$20.00 per game

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Emma Brown	Referee	\$20.00 per game
John McHugh	Referee	\$20.00 per game
Mary Donnelly	Referee	\$20.00 per game

**RESOLUTION
234-2020**

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 services of Maser Consulting, 331 Newman Springs Roads Suite 203, Red Bank, New Jersey 07701, for purposes of providing professional services for the preparation and submittal of the 2020 NJDOT Transportation Alternatives Set-Aside Grant Application. The fees are as follows:

Per diem/Hourly

for a total amount not to exceed \$3,100.00 for the services outlined in a proposal dated October 13, 2020.

AND BE IT FURTHER RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the borough authorizes , with the provision that each subsequent task shall require additional authorization subject to the recommendation of the Governing Body.

**RESOLUTION
235-2020**

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, accepts the resignation of Raul Perez from the position of Special Law Enforcement Officer II from the Manasquan Police Department effective October 13, 2020.

**RESOLUTION
236-2020**

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, accepts the resignation of Ryan Cotta from the position of Special Law Enforcement Officer I from the Manasquan Police Department effective November 2, 2020.

**RESOLUTION
237-2020**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE
BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW
JERSEY, APPOINTING A FULL TIME AND PART TIME
CROSSING GUARD AND A PART TIME DISPATCHER IN THE
MANASQUAN POLICE DEPARTMENT**

WHEREAS, the Borough of Manasquan is desirous of appointing a part time and a full time Crossing Guard and a part time Dispatcher for the Manasquan Police Department; and

WHEREAS, the Police Captain has submitted the following individual for appointments as Crossing Guards and Dispatcher for the Manasquan Police Department at the current contractual rates.

Tracey C. Curtis	Full time Crossing Guard	\$22.14 per hour
Nick Louhier	Part time Crossing Guard	\$18.53 per hour
Nick Louhier	Part time Dispatcher	\$17.62 per hour

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**RESOLUTION
238-2020**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey is desirous of creating a Committee to review the Animal House Policy and Enforcement.

BE IT FURTHER RESOLVED that the following council members will form the committee:

Council Member Mangan, Council Member Lee and Council Member Bryant

**RESOLUTION
239-2020**

BE IT RESOLVED, that the Hon. Edward G. Donovan, Mayor of the Borough of Manasquan, and Borough Clerk Barbara Ilaria be and are hereby authorized to sign the Animal Control Contract with the Associated Humane Societies, Inc for the term commencing January 1, 2021 through December 31, 2021.

**RESOLUTION
240-2020**

RESOLUTION ESTABLISHING STANDARD PROCEDURES AND REQUIREMENTS FOR PUBLIC COMMENTS MADE DURING REMOTE MEETINGS OF THE COUNCIL OF THE BOROUGH OF MANASQUAN

WHEREAS, the COVID-19 pandemic has forced local government entities throughout the State of New Jersey to hold public meetings remotely; and

WHEREAS, Section 8 of P.L. 2020, c. 34 authorized the Director of the Division of Local Government Services ("Director") to promulgate regulations establishing standard protocols for remote meetings held by a "local public body" during a Governor-declared emergency ("Regulations"); and

WHEREAS, the Director promulgated the Regulations, which are codified as N.J.A.C. 5:39-1.1 through 1.7; and

WHEREAS, the Council of the Borough of Manasquan is a "local public body" as defined in the Regulations and is therefore subject to the requirements thereof; and

WHEREAS, N.J.A.C. 5:39-1.4(h) requires a local public body to adopt a resolution establishing standard procedures and requirements for public comment made during a remote public meeting as well as for public comments submitted in writing ahead of the remote public meeting; and

WHEREAS, in order to fulfill the requirements set forth in N.J.A.C. 5:39-1.4(h) the procedures and requirements appearing below are hereby established by the Council;

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, hereby establishes the following procedures and requirements to satisfy the requirement set forth in N.J.A.C. 5:39-1.4(h):

- 1) Members of the public wishing to make a comment during a remote meeting shall be permitted to do so using the audio and/or video technology under which the remote meeting is being held.
- 2) Members of the public may also submit written comments to the Council, through the Borough Clerk, by either e-mail to bilaria@manasquan-nj.gov or written letter to Borough Clerk, Borough of Manasquan, 201 E. Main Street, Manasquan, NJ 08736. Written comments must be received at least 24 hours prior to the noticed start of the remote meeting in order to be included in the meeting.
- 3) Public comments shall be received and/or read into the record during times designated during the meeting for public participation.
- 4) The Council reserves the right to pass over duplicative written comments; however, each duplicative comment shall be noted for the record with the content summarized.

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- 5) . A member of the public wishing to speak during a remote meeting shall state their name and address for the record prior to making their comment.
- 6) Members of the public commenting during a remote meeting shall not act in any manner to disrupt the meeting. If such a member of the public becomes disruptive during the meeting, the individual chairing the meeting shall mute, or direct the muting of, the disruptive member and warn that any continued disruption may result in the member being prevented from speaking during the meeting or be removed from the remote meeting. Disruptive conduct includes, but is not limited to, sustained inappropriate behaviors such as shouting, interruption, and the use of profanity.
- 7) Any member who continues to be disruptive after receiving a warning may be muted while other members of the public are allowed to proceed with their comments. If time permits, the disruptive individual shall be allowed to speak after all other members of the public are provided an opportunity to comment. Should the individual remain disruptive, the individual may be muted or kept on mute for the remainder of the remote meeting or removed from the meeting.

**RESOLUTION
241-2020**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE
BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW
JERSEY, APPOINTING PATRICIA A. GREER AS PART TIME
RECORDS SUPPORT TECHNICIAN I IN THE MANASQUAN
POLICE DEPARTMENT**

WHEREAS, the Borough of Manasquan (“Manasquan”) Police Department is in need of a part-time Records Support Technician I; and

WHEREAS, Police Chief Michael Bauer has reviewed the candidates for the position of part-time Records Support Technician I; and

WHEREAS, the Police Chief Michael Bauer has recommended that the Borough of Manasquan appoint Patricia A. Greer part-time Records Support Technician I.

NOW, THEREFORE BE IT RESOLVED on the 2nd day of November 2, 2020, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. Ms. Patricia A. Greer is appointed to part-time Records Support Technician.
2. The salary for this position is \$16.50 per hour.
3. The effective date of this appointment is November 3, 2020
4. A certified copy of this resolution shall be sent to:

Ms. Patricia A. Greer
63 Minerva Avenue
Manasquan, NJ 08736

**RESOLUTION
242-2020**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey that the Mayor and Municipal Clerk be authorized to sign the Temporary Use and Occupancy Agreement for Seasonal Parking at Fisherman’s Cove for one year with a yearly option to renew each year until December 31, 2025 with Monmouth County.

**RESOLUTION
243-2020**

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**AUTHORIZING THE BOROUGH OF MANASQUAN
TRANSPORTATION ALTERNATIVES SET-ASIDE PROJECT
AND THE APPLICATION FOR TRANSPORTATION
ALTERNATIVES SET-ASIDE PROGRAM FUNDING TO MAKE
INFRASTRUCTURE IMPROVEMENTS THAT WILL ENHANCE
THE SAFETY AND AESTHETIC QUALITIES OF THE
MANASQUAN CENTRAL BUSINESS DISTRICT**

WHEREAS, the New Jersey Department of Transportation (NJDOT) is accepting applications through November 24, 2020 for the 2020 Transportation Alternatives Set-Aside Program, which is being funded with federal funds;

WHEREAS, funds under the Transportation Alternatives Program are to be used for “non-traditional” projects designed to strengthen the cultural, aesthetic and environmental aspects of the nation’s intermodal system;

WHEREAS, projects must fall into one or more of the seven (7) eligible Transportation Alternatives Program categories that are described in a brochure developed by the NJDOT on the program;

WHEREAS, two (2) of the categories eligible for funding under the Transportation Alternatives Program are entitled “Facilities for pedestrians and bicycles” and “Community improvement activities”;

WHEREAS, the Borough of Manasquan desires to improve the aesthetics, safety, and comfort for pedestrians and business/property owners within the Central Business District by constructing further improvements to the streetscape, intersections and sidewalks in accordance with the 2020 Transportation Alternatives Set-Aside Program;

WHEREAS, the proposed Business District Streetscape Improvements Phase 2 project will complement and be consistent with existing streetscape features within the Borough, including that along Main Street, East Main Street, and within Squan Plaza and those proposed in the Business District Streetscape Improvements Phase 1, which was selected for a 2016 Transportation Alternatives Program (TAP) grant through NJDOT;

WHEREAS, the Borough of Manasquan is applying for funding to construct streetscape improvements along Main Street extending west from NJ State Highway 71 (Taylor Avenue/ Union Avenue) and along North Main Street extending to County Route 524 SPUR (Atlantic Avenue); and

WHEREAS, the Borough of Manasquan proposes to install streetscape features and pedestrian safety improvements, which may include concrete and decorative paver sidewalk, concrete curb, ADA curb ramps, crosswalks, pedestrian street lights, street trees, signage, street furniture, landscaping, decorative intersection signal improvements, traffic calming bumpouts, bike racks and other appropriate streetscape improvements within the proposed project area; and

WHEREAS, the grant application is identified as TA-2020-Manasquan Borough-00094; and

WHEREAS, maintenance of the improvements, once constructed, will be assumed by the Borough of Manasquan with the exception of (1) local ordinances that places maintenance responsibility with each individual property owner, and (2) those improvements on State or County Highways that are not subject to a jurisdictional or interlocal maintenance agreement;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan that it hereby supports the submission of a grant application for the Transportation Alternatives Set-Aside Program within the State of New Jersey Department of Transportation and authorizes the Mayor, Administrator and the Municipal Clerk to execute any and all documents necessary and related to the

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submission of said grant application or grant agreement.

**RESOLUTION
244-2020**

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: Ladacin Network, Inc.
1703 Kneeley Boulevard
Wanamassa, NJ 07712

AMOUNT OF REFUND DUE: \$550.00
(\$150 Application Fee & \$400 Security Fee)

REASON FOR REFUNDS: Beach Use Application and Security Deposit Refund-
Ladacin Plunge canceled due to COVID-19.

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
245-2020**

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 Maser Consulting, 331 Newman Springs Roads Suite 203, Red Bank, New Jersey 07701, for purposes of providing the Engineering Design Services for Phase I Roadway Improvements to Euclid Avenue. Fees are as follows:

- Phase 1.0 Engineering Design \$34,900.00
- Phase 2.0 Reimbursable \$1,500.00

for a total amount not to exceed \$36,400.00 for the service outlined in a proposal dated October 13, 2020.

AND BE IT FURTHER RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the borough authorizes Task 1.0 with the provision that each subsequent task shall require additional authorization subject to the recommendation of the Governing Body.

**RESOLUTION
246-2020**

**RESOLUTION OF THE BOROUGH OF MANASQUAN,
RATIFYING THE EMERGENCY REPAIR TO A FIRE HYDRANT
VALVE ON THE CORNER OF SECOND AVENUE AND MAIN
STREET**

WHEREAS, an emergency existed due to a broken fire hydrant valve on the corner of Second Avenue and Main Street; and

WHEREAS, pursuant to N.J.S.A.40A:11-6 a contract may be negotiated or awarded for a contracting unit without public advertising or solicitation of quotes therefor, when an emergency affecting the public and/or employee health, safety or welfare requires the immediate delivery of goods or the performance of services; and

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WHEREAS, immediate action was required for the repair of the fire hydrant valve on the corner of Second Avenue and Main Street; and

WHEREAS, the Borough of Manasquan, pursuant to N.J.S.A. 40A:11-6 permits the authorization of an emergency purchase without prior consent by the governing body; and

NOW THEREFORE BE IT RESOLVED, the Borough of Manasquan, in compliance with all Local Public Contract Laws, emergency purchase provisions, does hereby ratify and approve the payment in the amount not to exceed \$18,812.69 to Mark Woszczak Mechanical Contractor Inc. for the emergency repair of the fire hydrant valve on the corner of Second Avenue and Main Street in the Borough of Manasquan.

**RESOLUTION
247-2020**

**RESOLUTION OF THE BOROUGH OF MANASQUAN,
RATIFYING THE EMERGENCY REPLACEMENT OF FIRE
HYDRANT LONG AVENUE**

WHEREAS, an emergency existed due to a broken fire hydrant on Long Avenue; and

WHEREAS, pursuant to N.J.S.A.40A:11-6 a contract may be negotiated or awarded for a contracting unit without public advertising or solicitation of quotes therefor, when an emergency affecting the public and/or employee health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, immediate action was required for the replace of the fire hydrant on Long Avenue; and

WHEREAS, the Borough of Manasquan, pursuant to N.J.S.A. 40A:11-6 permits the authorization of an emergency purchase without prior consent by the governing body; and

NOW THEREFORE BE IT RESOLVED, the Borough of Manasquan, in compliance with all Local Public Contract Laws, emergency purchase provisions, does hereby ratify and approve the payment in the amount not to exceed \$7000.00 to Mark Woszczak Mechanical Contractors Inc. for the replacement of the fire hydrant in Long Avenue in the Borough of Manasquan.

**RESOLUTION
248-2020**

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, accepts the resignation of Nicole Lentini from the position of Special Law Enforcement Officer II from the Manasquan Police Department effective November 2, 2020.

**RESOLUTION
249-2020**

BE IT RESOLVED, that the Hon. Edward G. Donovan, Mayor of the Borough of Manasquan, be and is hereby authorized to sign the Agreement between John and Sara Jane Millard, 29 South Street and the Borough of Manasquan.

**RESOLUTION
250-2020**

**RESOLUTION AWARDING BID FOR THE MANASQUAN BEACH
HEADQUARTERS IMPROVEMENTS PROJECT IN THE
BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY TO CYPRECO INDUSTRIES, INC.**

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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 Beach Headquarters Improvements Project; and

WHEREAS, the four bids submitted for this project were:

Cypreco Industries, Inc.;	Base Bid	\$552,500.00
Altec Building Systems Corp.;	Base Bid	\$763,000.00
Straight Edge Constructions, Inc.;	Base Bid	\$803,804.00
Wallace Bros., Inc.;	Base Bid	\$822,125.00

WHEREAS, the base bid plus alternate proposals submitted as 1A through 6A were as follows:

Cypreco Industries, Inc.;	\$753,500.00
Altec Building Systems Corp.;	\$953,000.00
Straight Edge Constructions, Inc.;	\$961,939.00
Wallace Bros., Inc.;	\$975,325.00

WHEREAS, the Borough of Manasquan, on March 16, 2020, rejected all bids in accordance with 40A:11-1, et seq.; and the basis for the rejection was as follows:

WHEREAS, it was determined on March 16, 2020 the low bidder, Cypreco Industries, Inc., failed to adequately identify a sub-contractor for ornamental iron work thereby constituting a fatal defect as set forth in 40A: 11-23.2; and

WHEREAS, the bid submitted by the second bidder, Altec Building Systems Corp., as well as the remaining bids submitted, exceeds the engineer's estimates and the Borough's appropriations for the project as set forth in 40A:11-13.2.

WHEREAS, subsequent to the adoption of the March 16, 2020 resolution, the low bidder, Cypreco Industries, Inc. filed a protest to the rejection of their bid; and

WHEREAS, a review of the specifications and plans for the project by the Project Engineer, H2M, revealed that the stair railing which was specified for the Manasquan Beach Headquarters are prefabricated and supplied by a vendor and do not require fabrication by an ornamental iron subcontractor; and

WHEREAS, based on investigation of all documents submitted as well as the review of plans and review of all bid specifications, failure to identify a subcontractor for ornamental iron work by Cypreco Industries, Inc. did not undermine the integrity of the bidding process; and

WHEREAS, all other bidders exceeded the engineer's estimates and the boroughs appropriations for the project as set forth in 40:A:11-13.2 and therefore cannot properly challenge the award to the low bidder pursuant to TrapRock Industries V. Kohl, 59 NJ 471 (1971); and

WHEREAS, Cypreco Industries, Inc., provided an alternate option to remove and rehang all interior doors and provide new stainless-steel hardware (referenced as alternate proposal 4A) in the amount of \$26,000.00; and

WHEREAS, the Borough of Manasquan has determined that the removal and rehang of all interior doors is needed for the improvement of the Manasquan Beach Headquarters; and

NOW, THEREFORE BE IT RESOLVED on the 2nd day of November 2020 by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey, as follows:

1. Pursuant to 40:A:11-1 et seq, the Manasquan beach headquarters Improvements Project is awarded to the lower bidder, Cypreco Industries, Inc., for the amount of \$578,500.00, which represents the base bid amount of \$552,500.00 and alternate proposal 4A in the amount of \$26,000.00.

2. A certified copy of this resolution shall be sent to:

Cypreco Industries, Inc.
1420 9th Avenue
P.O. Box 822
Neptune, NJ 07753

Altec Building Systems Corp.
904 Atlantic Avenue
Point Pleasant, NJ 08742

Straight Edge Constructions, Inc.;
P.O. Box 541
Manasquan, NJ 08736

Wallace Bros., Inc.;
400 Chambers Bridge Rd
Brick, NJ 08723

**RESOLUTION
251-2020**

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	\$2,794,587.83
Capital Fund	\$31,205.30
Water/Sewer Fund	\$39,503.66
Water/Sewer Utility Fund	\$175.00
Beach Utility Fund	\$34,935.23
Beach Capital Fund	\$3,610.00
Recreation Building Trust	\$783.99
Recreation Trust	\$11,982.01
Tourism	\$200.00
Affordable Housing	\$1,991.50
Developer's Escrow	\$1,619.50
Animal Control	\$2.40

Council Member Bryant made a motion to approve the Consent Agenda, seconded by Council Member Walsh. Motion carried by the following vote: "yes" Council Members Bryant, Lee, Mangan, Olivera, Read and Walsh. "No" none.

Ordinances – First Reading

The Borough Attorney read the title of ordinance 2317-20 for introduction.

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 RETRICTIONS) OF CHAPTER 12 (BEACHES AND BEACHFRONT) OF THE BOROUGH OF MANASQUAN TO ALLOW LEASHED

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**DOGS ON BEACH IN THE BOROUGH OF MANASQUAN,
MONMOUTH COUNTY, NEW JERSEY**

Council Member Walsh made a motion to introduce ordinance 2317-20, seconded by Council Member Read. Motion carried by the following vote: "yes" Council Members Bryant, Lee, Mangan, Olivera, Read, and Walsh. "No" none.

The Borough Attorney read the title of ordinance 2326-20 for introduction.

**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 Bryant made a motion to introduce ordinance 2326-20, seconded by Council Member Lee. Motion carried by the following vote: "yes" Council Members Bryant, Lee, Mangan, Olivera, Read, and Walsh. "No" None.

Committee Reports

Public Safety Committee – Council Member Lee stated that Halloween went well this year and he thanked the council for approving resolutions for new hires in the police department. He wished the officers that resigned the best of luck.

Code & Zoning Committee – Council Member Bryant reported on the code/construction/zoning numbers for the month. He stated that there was a 61% increase in rentals over last year. He thanked everyone involved with the Pedestrian Outside Dining.

Beach & Recreation Committee – Council Member Mangan thanked the team for trying to put the hybrid meeting together and thanked the audience for bearing with us as the issues are worked out. He reminded everyone to get out and vote tomorrow and thanked everyone as this has been a crazy challenging year.

Administration Committee - Council Member Read stated that he does not have a report tonight but wanted to thank the administrative team for getting the hybrid meeting up and running.

Public Works Committee – Council Member Walsh reiterated what Council Member Mangan and Read stated about getting the hybrid meeting off the ground. He stated that he does not have a formal report for tonight's meeting.

Finance Committee – Council Member Olivera reported on the Borough's Best Practice Inventory for the year. He stated that there are 29 questions with a maximum score of 24.5 and the Borough needs to score at least a 16 in order to receive the full state aid. He thanked the borough staff for a great job as the borough scored a 23.5. He wished all the candidates good luck tomorrow.

Mayor Donovan briefly went over the process for voting tomorrow.

Audience Participation

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

Michael Grady, 264 Euclid, asked each council member and the mayor if they would like a public restroom built next to their home. He asked that the public restroom be removed from the Curtis Avenue project.

Morgan Lavalla, 21 Pearce Avenue wanted to know if the adoption of the Euclid Avenue Bond will result in increased taxes.

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Council Member Mangan stated that the short answer is no as it is in the Borough's capital plan but the long answer is that all of the debt service goes in as part of the tax base. He went over the process of the bond and how it affects tax rates.

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

Council Member Walsh made a motion to close the regular meeting at 8:00 p.m., seconded by Council Member Mangan. Motion carried unanimously.

Respectfully submitted,



Barbara Ilaria, Municipal Clerk

DATE APPROVED

12/21/2020