

SEPTEMBER 5, 2023

Regular Meeting of Mayor and Council was convened at 7:00 p.m. on September 5, 2023 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 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 stated that zoom meetings are a courtesy and if the zoom platform fails the meeting will continue in person.

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 Bruce Bresnahan, Jeffrey Lee, Michael Mangan, Gregg Olivera, and Lori Triggiano

Absent: Council Member Brian Holly

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

Audience Participation

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

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

Approval of Minutes

Regular Meeting Minutes – August 14, 2023

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

2023 Holiday Decoration Committee – Discussion

Council Member Mangan went over the discussions that have taken place regarding holiday decorations which is falling under the beautification committee. He thanked all the volunteers that are involved with this collaborative effort. He went over what decorations have been discussed and where they will be placed. He stated that the Chamber will be taking over the PNC Pocket Park to decorate for the holiday season. He went over where Christmas trees would be located and that planters would be placed on the corners of the streets within the business district. He went over vendors, putting up the lights, and storage of the materials.

Engineer's Monthly Report

Borough Engineer Joseph Raftery from Colliers Engineering presented the engineer's report for August. He also discussed the upcoming boardwalk grant that is available to shore towns.

Consent Agenda

RESOLUTION 234-2023

WHEREAS, the Borough of Manasquan is desirous of appointing additional Beach Staff for the 2023 Season; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 5th day of September 2023 appoint the following Beach Staff to work during the 2023 Season:

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Name	Town	Title	Rate of Pay (Hourly/Salary/Seasonal)	Effective Date	Hours (Part Time/Seasonal)
BEACH NON-LIFEGUARD					
Samantha Wanamaker	Brielle	Booth	\$14.50	8/14/23 - 9/30/23	Seasonal
Paige Franklin	Manasquan	Badge Checker/Booth	\$13/\$14	8/14/23 - 9/30/23	Seasonal
Addyson Vallio	Manasquan	Badge Checker/booth	\$13/\$14	8/14/23 - 9/30/23	Seasonal
LIFEGUARD					
Grace Price	Brielle	Lifeguard	\$14.70	8/21/23- 9/30/23	Seasonal

**RESOLUTION
235-2023**

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 the Monmouth County Board of Health for the provision of local and public health services in the Borough of Manasquan.

**RESOLUTION
236-2023**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE
BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW
JERSEY, RELEASING THE PERFORMANCE
BOND/GUARANTEE TO PRECISE CONSTRUCTION
INCORPORATED**

WHEREAS, Precise Construction Inc. Posted a performance guarantee in the amount of \$354,985.00 for the 2022 Curtis Park Improvements Project; and

WHEREAS, a review of the bonded items, shows that all bonded items are installed and are acceptable; and

WHEREAS, the Governing Body of the Borough of Manasquan is desirous of releasing the performance guarantee in the amount of \$354.985.00; and

WHEREAS, the release of this performance guarantee is specifically conditioned upon Precise Construction Inc. posting a two (2) year maintenance bond in the amount of \$51,689.55 in accordance with the Municipal Land Use Law.

NOW, THEREFORE BE IT RESOLVED on the 5th day of September 2023, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. The performance guarantee in the amount of \$354,985.00 posted by Precise Construction Inc. may be released.
2. The Chief Financial Officer is authorized to return the bond in the sum of \$305,985.00 to Precise Construction Inc.
3. A certified copy of this Resolution shall be sent to:

Precise Construction Incorporated
1016 Highway 33
Freehold, NJ 07728

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**RESOLUTION
237-2023**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE
BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW
JERSEY, RELEASING THE PERFORMANCE
BOND/GUARANTEE TO MECO INC.**

WHEREAS, Meco Inc. Posted a performance guarantee in the amount of \$149,023.59 for the 2023 Borough Hall Parking Lot Improvement Project; and

WHEREAS, a review of the bonded items, shows that all bonded items are installed and are acceptable; and

WHEREAS, the Governing Body of the Borough of Manasquan is desirous of releasing the performance guarantee in the amount of \$149,023.50; and

WHEREAS, the release of this performance guarantee is specifically conditioned upon Meco Inc. posting a two (2) year maintenance bond in the amount of \$24,781.08 in accordance with the Municipal Land Use Law.

NOW, THEREFORE BE IT RESOLVED on the 5th day of September 2023, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. The performance guarantee in the amount of \$149,023.50 posted by Meco Inc. may be released.
2. The Chief Financial Officer is authorized to return the bond in the sum of \$149,023.50 to Meco Inc.
3. A certified copy of this Resolution shall be sent to:

Meco Inc.
37 Prodelin Way
Millstone, NJ 10038

**RESOLUTION
238-2023**

**REVISED
CHANGE ORDER NO. 3 & FINAL**

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. 3 & Final Revised

AMOUNT OF CHANGE FOR THIS RESOLUTION: \$(42,488.76) (\$43,062.03)

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TOTAL ORIGINAL CONTRACT PRICE	\$882,944.05	\$882,944.05
REVISED CONTRACT PRICE	\$921,431.69	\$920,858.42

**RESOLUTION
239-2023**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE
BOROUGH OF MANASQUAN, MONMOUTH COUNTY, NEW
JERSEY, OPPOSING THE PROPOSED PLACEMENT OF WIND
TURBINES OFF THE COAST OF MANASQUAN**

WHEREAS, The Borough of Manasquan understands the pressing need for sustainable energy solutions and recognizes the global efforts to combat climate change. However, we firmly oppose the proposed placement of wind turbines off our cherished coastline.; and

WHEREAS, Manasquan is a picturesque small shore town that thrives on the vibrancy brought by summer tourists. The beauty of our coastline, the tranquility of our beaches, and the allure of our ocean are the lifeblood of our community. The installation of wind turbines in our offshore waters threatens to irreversibly alter the character of our town and the experiences that draw visitors year after year.; and

WHEREAS, our economy relies heavily on the tourism industry, which sustains local businesses and supports countless livelihoods. The presence of imposing wind turbines on the horizon could deter visitors, impacting the financial stability of our community. This potential loss of revenue could have a cascading effect, jeopardizing the well-being of our residents and the services we provide; and

WHEREAS, while we recognize the benefits of renewable energy sources, we urge a more considerate approach that balances environmental responsibility with the economic vitality of our town. Alternate solutions, such as locating wind turbines in less visually intrusive areas or investing in other forms of clean energy, should be explored to achieve our shared goals without compromising the essence of Manasquan.

NOW, THEREFORE, BE IT RESOLVED, on this 5th day of September 2023, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey that we call upon relevant authorities and stakeholders to engage in transparent and collaborative discussions with our community before finalizing any decisions. Our town's future hangs in the balance, and we believe that by working together, we can find solutions that both address the pressing need for sustainable energy and preserve the livelihoods and unique character that define the Borough of Manasquan.

**RESOLUTION
240-2023**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE
BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW
JERSEY, AUTHORIZING EXECUTION OF AGREEMENT #24A-8
WITH THE COUNTY OF MONMOUTH**

WHEREAS, the County of Monmouth desires to obtain alcoholism/drug abuse prevention services; and

WHEREAS, the Borough of Manasquan, and its partner towns of Brielle, Sea Girt and Spring Lake Heights have formed the Shore Community Alliance for the purposes of providing alcoholism and drug abuse prevention services; and

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WHEREAS, the County of Monmouth has agreed to pay the Borough of Manasquan a sum not to exceed \$21,360.00 to provide the aforementioned services for the term of July 1, 2023, through June 30, 2024; and

WHEREAS, the County of Monmouth provided a written agreement #24A-8 to the Borough of Manasquan in return for the payment not to exceed \$21,360.00; and

NOW, THEREFORE BE IT RESOLVED on the 5th day of June, 2023, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey do hereby authorize the execution of an agreement on behalf of the Borough of Manasquan with the County of Monmouth for funding for the Shore Community Alliance for the term July 1, 2023 through June 30, 2024.

**RESOLUTION
241-2023**

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 Vanasse Hangen Brustlin, Inc. (VHB), 1805 Atlantic Avenue, Manasquan, New Jersey 08736, to help in obtaining funding for site remediation and conduct a preliminary assessment of 86 Main Street. The fee is as follows:

- Task 1 Hazardous Discharge Site Remediation Fund Application \$970.00
- Task 2 Preliminary Assessment \$8,120.00
- Task 3 Scope Development, LSRP Retention Schedule \$1,71000

For a rate not to exceed \$10,800.00 for the services outlined in the proposal dated August 25, 2023.

**RESOLUTION
242-2023**

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: South Street and East Virginia Avenue Pump Station Upgrades

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

CONTRACTOR: Allied Construction Group
499 Washington Road
Parlin, NJ 08859

CHANGE ORDER NO. 1

AMOUNT OF CHANGE FOR THIS RESOLUTION: \$140,132.00

TOTAL ORIGINAL CONTRACT PRICE \$996,000.00

REVISED CONTRACT PRICE \$1,136,132.00

**RESOLUTION
243-2023**

WHEREAS, N. J. S. A. 40A:4-87 provides that the Director of the Division of Local Government

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Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Borough of Manasquan has received the Stormwater Assistance Grant and wishes to amend its 2023 Current Fund Budget to include this additional amount as revenue.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Manasquan hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Current Fund budget for the year 2023 in the sum of \$25,000 which is now available as a revenue from:

Grants – Stormwater Assistance Grant
Special Items of General Revenue Anticipated with Prior Written Consent
of the Director of Local Government Services:

BE IT FURTHER RESOLVED that a like sum of \$25,000.00 be and the same is hereby appropriated in the Current Fund budget under the caption of:

Grants – Stormwater Assistance Grant
General Appropriations
Operations excluded from “CAPS” – Public and Private Programs off Set by Revenues:

BE IT FURTHER RESOLVED that the Municipal Clerk forward two copies of this resolution to the Director of Local Government Services

**RESOLUTION
244-2023**

WHEREAS, N. J. S. A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Borough of Manasquan has received a private donation from Thomas Dean, owner of 401 Beachfront, to purchase and install a “Mobi-Mat ADA Beach Access Mat” and wishes to amend its 2023 Beach Utility Budget to include this additional amount as revenue.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Manasquan hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Beach Utility budget for the year 2023 in the sum of \$9,800.00 which is now available as a revenue from:

Private Donations – Mobi Mat

BE IT FURTHER RESOLVED that a like sum of \$9,800.00 be and the same is hereby appropriated in the Beach Utility budget under the caption of:

Private Donations – Mobi Mat

BE IT FURTHER RESOLVED that the Municipal Clerk forward two copies of this resolution to the Director of Local Government Services

RESOLUTION

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245-2023

WHEREAS, N. J. S. A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Borough of Manasquan has received Lead Grant Assistance Program Funds and wishes to amend its 2023 Current Fund Budget to include this additional amount as revenue.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Manasquan hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Current Fund budget for the year 2023 in the sum of \$6,800.00 which is now available as a revenue from:

Grants – Lead Grant Assistance Program
Special Items of General Revenue Anticipated with Prior Written Consent
of the Director of Local Government Services:

BE IT FURTHER RESOLVED that a like sum of \$6,800.00 be and the same is hereby appropriated in the Current Fund budget under the caption of:

Grants – Lead Grant Assistance Program
General Appropriations
Operations excluded from “CAPS” – Public and Private Programs off Set by Revenues:

BE IT FURTHER RESOLVED that the Municipal Clerk forward two copies of this resolution to the Director of Local Government Services.

**RESOLUTION
246-2023**

WHEREAS, N. J. S. A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Borough of Manasquan has received the Cops In Shop Grant and wishes to amend its 2023 Current Fund Budget to include this additional amount as revenue.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Manasquan hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Current Fund budget for the year 2023 in the sum of \$1,440.00 which is now available as a revenue from:

Grants – Cops in Shop
Special Items of General Revenue Anticipated with Prior Written Consent
of the Director of Local Government Services:

BE IT FURTHER RESOLVED that a like sum of \$1,440.00 be and the same is hereby appropriated in the Current Fund budget under the caption of:

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Grants – Cops in Shop

General Appropriations

Operations excluded from “CAPS” – Public and Private Programs off Set by Revenues:

BE IT FURTHER RESOLVED that the Municipal Clerk forward two copies of this resolution to the Director of Local Government Services

**RESOLUTION
247-2023**

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	\$2,081,973.01
Water/Sewer Fund	\$25,275.07
Beach Fund	\$25,415.02
Grants	\$900.97
Recreation Trust	\$37,933.70
Misc Trust	\$32,210.15
General Capital	\$210,414.96
Beach Capital	\$4,238.96

*This Resolution includes 8-28-23 POB

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

ORDINANCES – First Reading

The borough attorney read the title of ordinance 2409-23 for introduction.

**ORDINANCE AMENDING CHAPTER 3 (POLICE REGULATIONS)
SECTION 3-17 (MOTOR VEHICLES EXCLUDED CERTAIN
AREAS) SECTION 3-17.3 (EXCEPTIONS) AND CREATING A NEW
SECTION 3-17.2 (REGULATING MOTORIZED BICYCLES) IN
THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY**

Council Member Triggiano made a motion to introduce ordinance 2409-23, seconded by Council Member Lee. Motion carried by the following vote: “yes” Council Members Bresnahan, Lee, Mangan, Olivera, and Triggiano. “No” none.

Committee Reports

Administration & Finance Committee – Council Member Olivera went over the Chapter 159 resolutions and advised that this allows the borough to amend the budget for revenues that are not anticipated. He reported that the Chamber of Commerce has extra 2022 Christmas Ornaments for sale.

Code & Land Use Committee – Council Member Triggiano advised that she does not have a report at this time.

Recreation Committee – Council Member Mangan advised that he does not have a report at this time.

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Public Safety Committee – Council Member Lee reported on the police department activities for the month. He stated that school starts soon and reminded everyone to be aware of pedestrians and bicycles.

Beach Committee – Council Member Bresnahan stated that he will have a final report ready for the next meeting and thanked everyone that was associated with the beach. He stated that lifeguards are all done for the season.

Audience Participation

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

Council Member Triggiano made a motion to close the regular meeting at 7:31 p.m., seconded by Council Member Olivera. Motion carried unanimously.

Respectfully submitted,



Barbara Ilaria
Municipal Clerk

DATE APPROVED 9/18/2023