

OCTOBER 17, 2022

Regular Meeting of Mayor and Council was convened at 7:00 p.m. on October 17, 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, Gregg Olivera, Richard Read, and Lori Triggiano.

Absent: None

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

**Audience Participation**

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

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

**Approval of Minutes**

Regular Meeting Minutes – October 3, 2022

Council Member Lee made a motion to approve the minutes, seconded by Council Member Holly. Motion carried unanimously with Council Member Olivera abstaining from the September 19, 2022 minutes.

**Recreation Presentation – Department Status Update**

Erik Ertle presented an overview of the current status of the Recreation Department.

There was discussion on the different locations being used for recreation programs.

**CONSENT AGENDA**

**RESOLUTION  
264-2022**

**WHEREAS**, the Borough Council of the Borough of Manasquan, is desirous of appointing/adding the below listed individuals to the Recreation Department Soccer Program; and

**WHEREAS**, the Borough Recreation Director has recommended the below listed individuals.

**NOW, THEREFORE, BE IT RESOLVED**, on the 17<sup>th</sup> day of October, 2022 by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey that the following appointment is effective according to the table below:

Employee/Title	Rate of Pay	Effective Date	Hours
Brian Rostron-Assistant Coordinator Trainer/Game Day Set Up and Break Down	\$1,500/Season	9/17/22 through 10/29/2022	Part Time
Bruce Juska-Trainer/Referee/Game Day Set Up and Break Down	\$1,500/Season	9/17/22 through 10/29/2022	Part Time

**BE IT FURTHER RESOLVED** that a certified copy of this resolution shall be sent to the above listed individuals.

**RESOLUTION  
265-2022**

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**WHEREAS**, the Borough Council of the Borough of Manasquan, is desirous of appointing/adding referees to the Recreation Department Soccer Program; and

**WHEREAS**, the Borough Recreation Director has recommended the below listed individuals.

**NOW, THEREFORE, BE IT RESOLVED**, on the 17<sup>th</sup> day of October, 2022 by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey that the following appointment is effective according to the table below:

Employee/Title	Rate of Pay	Effective Date	Hours
Keara Homan Soccer Referee	\$20/Per Game	9/17/2022 through 10/29/2022	Part Time
Quinn Juska Soccer Referee	\$20/Per Game	9/17/2022 through 10/29/2022	Part Time
Shea Donnelly Soccer Referee	\$20/Per Game	9/17/2022 through 10/29/2022	Part time

**BE IT FURTHER RESOLVED** that a certified copy of this resolution shall be sent to the above listed individuals.

**RESOLUTION  
266-2022**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

**WHEREAS**, the Annual Report of Audit for the year 2021 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, R. S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations," and,

**WHEREAS**, the members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations," as evidenced by the group affidavit form of the governing body attached hereto; and,

**WHEREAS**, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

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**NOW, THEREFORE, BE IT RESOLVED**, that the governing body of the Borough of Manasquan, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

**RESOLUTION  
267-2022**

**WHEREAS**, the Local Finance Board of the State of New Jersey has promulgated a regulation requiring that a Corrective Action Plan be prepared as part of the annual audit process; and

**WHEREAS**, Local Finance Notice 92-15 required that this plan be prepared by the Chief Financial Officer and approved by the Governing Body.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Manasquan, County of Monmouth and State of New Jersey that they hereby approve the Corrective Action Plan for the year 2021, a requirement of the annual audit, prepared by the Chief Financial Officer and which is attached hereto and made part of this resolution.

**CORRECTIVE ACTION PLAN  
2021 AUDIT**

Finding 2021-1            Interfunds existed at year end.

Corrective Action:    That Interfund Accounts Receivables and Payables be eliminated by the transfer of cash.

Finding 2022-2            When the new tax collector was appointed effective 10/21/21 a new surety bond was not procured for the period through 12/31/21.

Corrective Action:    When a new tax collector is appointed that a new surety bond be procured from the effective date through the end of the reporting year.

Current tax collector has procured a surety bond effective 1/1/22.

**RESOLUTION  
268-2022**

**BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey confirms the appointment of Kathleen Salerno from provisional to permanent Full Time Account Clerk as of October 17, 2022. No salary change. The appointee has met all the necessary requirements and evaluations for the position.

**RESOLUTION  
269-2022**

**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 3, 2022, for the 2023 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

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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 2023 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 Main Street extending to approximately 380 feet north of South Street (County Route 20); 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 bump outs, bike racks and other appropriate streetscape improvements within the proposed project area; and

**WHEREAS**, the grant application is identified as TA-2023-Manasquan Borough-00092; 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 submission of said grant application or grant agreement.

**RESOLUTION  
270-2022**

**WHEREAS**, The Mayor and Council of the Borough of Manasquan on September 19, 2022, awarded the Borough Hall Parking Lot Improvements to Meco, Inc.; and

**WHEREAS**, The Mayor and Council are desirous to finish the Borough Hall Parking Lot Improvements in the most expeditious and effective manner; and

**WHEREAS**, Chapter 3-28.3e of the Manasquan Borough Code permits Construction between the hours of 8:00 a.m. to 6:00 p.m. Monday through Saturday; and

**WHEREAS**, Meco Inc., submitted a request to the Borough of Manasquan to begin construction at 7:00 a.m. Monday through Saturday.

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**NOW THEREFORE BE IT RESOLVED** that Borough of Manasquan authorizes Meco Inc. to begin their construction from Monday to Saturday at 7:00 a.m.

**BE IT FURTHER RESOLVED** a copy of this resolution be presented to Meco Inc.

**RESOLUTION  
271-2022**

**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, 2023 through December 31, 2023.

**RESOLUTION  
272-2022**

**RESOLUTION CANCELING UNEXPENDED BALANCES  
OF THE GENERAL CAPITAL FUND**

**WHEREAS**, certain General Capital Improvement appropriation balances remain dedicated to projects now completed; and

**WHEREAS**, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective Capital Improvement Fund or credited to Surplus, and unused debt authorizations or grant awards may be canceled.

**NOW THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan that the following unexpended and dedicated balances of the General Capital Appropriations be canceled:

ORD #	PROJECT	UNFUNDED	CAPITAL SURPLUS	CAPITAL IMPROV. FUND	EXCESS BAN PROCEEDS
1881/2011	Coast Guard Building	\$7,849.28			
2010	Public Works Equipment		\$19,755.21		
2028	Technology Purchases		\$417.10		
2029	Sidewalk Repairs		\$9,374.16		
2030	Roadway Paving		\$25,358.60		
2052	Improv. To Public Property	\$500.00	\$119,661.23		
2065	Third Ave Bulkhead		\$175,188.25		
1082	Dump Trucks		\$1,128.32		
2096	Glimmer Glass Drainage		\$14,246.57		
2126	Roadway Paving		\$839.79		
2163	Street Reconstruction	\$4,666.03			
2176	Asphalt Hot Patch			\$2,443.00	
2189/2215	Infrastructure Protection & Stormwater	\$33,006.46			
2190	PW Vehicles & Equipment	\$6.00			
2191	Reconstruction of Sidewalks	\$237,500.00		\$8,685.48	

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2197	Emergency Mobile Generator			\$9,827.94	
2198	PW Pickup & Plow	\$499.00			
2212	Pedestrian Safety	\$9,198.25			
2260	East Main Paving	\$532,379.63			
2267	Radio Repeater	\$12,726.77			
2295	Acquisition of 27 Osborne				\$42,971.33
Total		\$838,331.42	\$365,969.23	\$20,956.42	\$42,971.33

**RESOLUTION  
273-2022**

**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	\$2,926,441.59
Water/Sewer Fund	\$25,216.85
Water/Sewer Capital	\$782.00
Beach Fund	\$23,448.21
Beach Capital	\$2,700.00
Grants	\$65,900.97
General Capital	\$150.00
Recreation Trust	\$13,978.72
Misc Trust	\$17,599.50
Animal Control Trust	\$1.20

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

**Committee Reports**

Public Works and Construction Committee - Council Member Holly reported on leaf collection schedule, hydrant flushing, westside sand removal from the storm, Curtis Park is moving along and he reported on Borough Hall Parking Lot Improvements.

Public Safety Committee – Council Member Lee reported that the police department will be participating in "Operation Take Back" on October 29. He stated that this program allows unused medical prescription for proper disposal and that there is a drop box at borough hall which is accessible 24/7. He reported on safety tips for trick or treating and the curfew that will be in affect from the October 28 through November 1. He reported that emergency management has picked up 2 flood rescue boats to be used in conjunction with the high-water trucks. He also reported that October 29 is the anniversary of Sandy and stated that it is important that all residents pay attention to any coastal storm information.

Recreation Committee – Council Member Mangan commented on the recreation program and how it has progressed.

Borough engineer Joseph Raftery updated the council and audience as to the progress of the Curtis Park Project.

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Administration and Finance Committee – Council Member Olivera reported that the fourth quarter water bills will be going out in this week.

Beach Committee – Council Member Read reported that the Environmental Commission will be running an end of season beach sweep on October 22.

Code and Land Use Committee – Council Member Triggiano reported on the permits that were issued for the month.

Council Member Mangan went over the resolution that was approved tonight cancelling unexpended balances.

**Audience Participation**

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

Mary Ryan, 113 Beachfront thanked everyone for the presentation from Recreation tonight. She inquired about the split with vendors and how does it get certified.

Mr. Ertle stated that most of the recreation programs are on community pass so it keeps track of participants and the amount of revenue for a specific program.

Mayor Donovan explained how bonding works for the borough funds and how they got to the point of cancellation.

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

Council Member Mangan made a motion to close the regular meeting at 7:47 p.m., seconded by Council Member Lee. Motion carried unanimously.

Respectfully Submitted,



Barbara Ilaria  
Municipal Clerk

DATE APPROVED 11/14/2022