

August 15, 2022

Regular Meeting of Mayor and Council was convened at 7:00 p.m. on August 15, 2022 with Council President presiding. This meeting was held in person at Borough Hall and via Zoom.

Council President Brian Holly 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.

Council President Holly 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, Michael Mangan, Gregg Olivera, and Lori Triggiano

Absent: Council Members Jeff Lee and Richard Read

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

Council Member Triggiano made a motion to amend the agenda to remove the following items for further review: Resolution 207-2022; Ordinances 2375-22, 2376-22, 2377-22, 2378-22, 2379-22, 2380-22, 2381-22, seconded by Council Member Olivera. Motion carried unanimously.

Audience Participation

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

George Dempsey, 59 Pike Avenue voiced his concern about the planning board members being challenged about residency.

Council Member Triggiano advised Mr. Dempsey that the resolution and the ordinance have been pulled from the agenda so they are not up for discussion at this time.

Al Sauer, 109 First Avenue inquired about the amount of the bond ordinance on the agenda.

Council President stated that the amount is for 2 pump stations which are in dire need of repair.

Council Member Mangan advised of why this needs to be done and the process to get the work completed.

Mr. Flarity went over the reason why this ordinance needs to be approved.

Mr. Sauer wanted to know what was being changed on the zoning map.

Mr. Kitrick stated that the new zoning map is going to reflect the current zones. He stated that there are zones that exist now that have not been updated and this new map reflects this. He stated that the map is being updated and no zones are being added tonight.

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

Proclamation

INTERNATIONAL OVERDOSE AWARENESS DAY AUGUST 31, 2022

WHEREAS, since 2001, the international community has come together every August 31st to commemorate family members, friends, and fellow citizens who have passed away due to drug overdose; and

WHEREAS, from January 1 through April 30, 2022, Monmouth County has lost 47 persons due to overdose; and

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WHEREAS, Overdose Awareness Day is committed to providing a platform to acknowledge the grief felt by families and friends who have lost loved ones to overdose and to raise awareness that the tragedy of overdose related death is preventable; and

WHEREAS, drug overdose knows no limits; it does not recognize victims' race, religion, socio-economic status, or family ties; anyone can battle drug addiction and face a possible overdose; but, recognizing overdose warning signs enables and empowers families and friends to prevent overdose-related death by calling for help; and

WHEREAS, members of the community and organizations associated with drug abuse prevention and aid will work to remove the stigma associated with overdose-related deaths and reinforce the belief that no one should feel shame or disgrace due to an overdose-related death of a loved one; and

WHEREAS, organizations such as Recovery Advocates for the Shore (RAFTS) strive daily to make overdose and overdose-related deaths a thing of the past.

NOW, THEREFORE BE IT PROCLAIMED, I Edward Donovan, Mayor of the Borough of Manasquan, on behalf of my colleagues on the Borough Council, do hereby declare August 31, 2022 as Overdose Awareness Day in the Borough of Manasquan and ask residents to remember those who were lost, those who are struggling, and those who are in recovery.

BE IT FURTHER RESOLVED, true and official copies of this proclamation be spread upon the minutes of the Borough Council meeting held on August 15, 2022.

Presentation

Eagle Scout Nathaniel Attardi presented his Eagle Scout project to Mayor and Council. His project is to erect a monument in the Plaza near the other monuments to honor all seven branches of the Armed Forces.

Council Member Olivera made a motion to approve this project, seconded by Council Member Triggiano. Motion carried unanimously.

CONSENT AGENDA

RESOLUTION 195-2022

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 Enforcement Officer from the Manasquan Code & Construction Department effective July 19, 2022 be and is hereby accepted.

RESOLUTION 196-2022

RESOLUTION MEMORIALIZING THE EXTENSION OF THE GRACE PERIOD TO AUGUST 29, 2022 FOR THE AUGUST 1, 2022 TAX QUARTER

BE IT RESOLVED by the Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that:

WHEREAS, State Statute provides that the Grace Period must be extended to allow for 25 days from the date of mailing of the tax bills for payments of the August 1, 2022 tax quarter to be made without interest: and

WHEREAS, the Tax Collector has set the last day to pay the August 1, 2022 tax quarter at August 29, 2022 being the next business day after the 25 calendar days from the date the tax bills were mailed; and

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WHEREAS, the extension only applies to the August 1, 2022 tax quarter. The normal Borough grace period will apply to all other tax quarters on the bill.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Manasquan, County of Monmouth, State of New Jersey, hereby authorizes that:

The Governing Body of the Borough of Manasquan memorializes the extension of the grace period to August 29, 2022 for the August 1, 2022 tax quarter and recognizes that the normal Borough grace period will apply to all other quarters on the tax bill.

**RESOLUTION
197-2022**

WHEREAS, the Borough of Manasquan is a member of the Monmouth Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2022 unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the municipality desires to renew said membership.

NOW THEREFORE, be it resolved as follows:

1. The Manasquan Borough agrees to renew its membership in the Monmouth Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership and to deliver same to the Monmouth Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

**RESOLUTION
198-2022**

WHEREAS the Borough of Manasquan is desirous of adopting the policy of Addressing the Protection and Safe Treatment of Minors in the Borough of Manasquan; and

NOW, THEREFORE, BE IT RESOLVED on this 15th day of August 2022, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey that the Policy of Addressing the Protection and Safe Treatment of Minors be adopted by the Governing Body.

BE IT FURTHER RESOLVED that a copy of this policy shall be maintained in the Borough Clerk's Office.

**RESOLUTION
199-2022**

**Resolution Opposing the Proposed Increases
to the State Health Benefits Program**

WHEREAS, the State Health Benefits Program (SHBP), governed by N.J.S.A. 52:14-17.25 et seq., offers medical, prescription drug, and dental coverage to qualified State and participating local government public employees, retirees, and eligible dependents; and

WHEREAS, all SHBP plans are self-funded meaning that the money paid out for benefits comes directly from a SHBP fund supplied by the State, participating local employers, and member premiums; and

WHEREAS, the Division of Pensions and Benefits is responsible for the daily administrative activities of the SHPB, the State Health Benefits Commission is the executive organization responsible for overseeing the SHBP; and

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WHEREAS, the State Health Benefits Commission, comprised of state officials and union representatives, annually consider the calendar year premium levels for the Local Government Employer Group of the SHBP based on recommendations found in the Rate Setting Recommendation Analysis of the Local Government Employee Group; and

WHEREAS, the preliminary rate increase for the 2023 Local Government Employer Group is 22.8%, which includes a 21.6% increase for Active, a 13% increase in Early Retiree, and a 0.7% increase for Medicare Retiree; and

WHEREAS, subsequent news accounts has Department of Treasury noting “rates for active members and early retirees would likely be increase between 12-20% across the various plans for the upcoming year”; and

WHEREAS, such proposed exorbitant rate increases will fall upon the local property taxpayer along with the local public employees at a time where there is record inflation, and

WHEREAS, the proposed premium increase for most active employees will take thousands more out of their paychecks annually and lead to huge costs for local governments that will translate into higher property tax bills for struggling families; and

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Manasquan in the county of Monmouth call up the State Health Benefit Commission to reconsider the rate increase and strike a rate increase that is appropriate in the current economic conditions; and

BE IT FURTHER RESOVLED, that the governing body of the Borough of Manasquan in the county of Monmouth urge the legislature to adopt legislation expanding the composition of the State Health Benefits Commission to include representatives from both municipal and county government management; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Governor Murphy, State Treasurer Muoio, Senate President Scutari, Assembly Speaker Coughlin, Senator Bob Singer, Assemblyman Sean Kean, Assemblyman Edward Thomson, and New Jersey State League of Municipalities.

**RESOLUTION
200-2022**

WHEREAS, N.J.S.A. 54:5 provides for the property owner or a party of interest to redeem a Tax Sale Certificate within a two-year period; and

WHEREAS, the following Tax Sale Certificate has been satisfied,
Block **82** Lot **56.01** Qual **C0002** **35 Euclid Ave, LLC % Lubrich**
5 Mount Lane Cert#**17-00105**

Said redemption monies having been deposited into the Tax Title Lien Redemption Account; and

WHEREAS, the following lienholders are now due reimbursement for the redemption of the Tax Sale Certificate;

NOW, THEREFORE, BE IT RESOLVED, that a check be drawn to the following lienholders for redemption of said certificate from the Tax Title Lien Redemption Account.

BB 316 INVESTMENTS LLC
PO BOX 953
LAKEWOOD, NJ 08701

REFUND \$30,522.47 + PREMIUM BID \$6,600 TOTAL \$37,122.47

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NOW, THEREFORE, BE IT RESOLVED that the Borough Chief Financial Officer is hereby authorized and directed to draw a warrant in the said amount to the above listed Lien Holder.

**RESOLUTION
201-2022**

BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan that Edward G. Donovan, Mayor of the Borough of Manasquan, be and is hereby authorized to sign the agreement with Dynamic Testing Service to provide drug and alcohol testing to the Borough of Manasquan.

**RESOLUTION
202-2022**

WHEREAS, the Borough of Manasquan is desirous of appointing Seasonal Beach Employees for the Summer Season of 2022; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 15th day of August, 2022 appoint the following Seasonal Beach Employees to work the Summer Season, 2022:

Lifeguards: Hourly Rate

Edward Savoth	\$17.50
Mark Correia	\$17.50
John Shea	\$17.50

Parking Attendant:

James Blumenstock	\$14.00
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Badge Clerk:

Olivia Gibson	\$12.00
John Waldeyer	\$12.00
Lily Nordell	\$12.00

**RESOLUTION
203-2022**

WHEREAS, the Borough of Manasquan previously adopted a Deferred Compensation Plan and Service Agreement provided by Great-West Life & Annuity Insurance Company Plan Id#: 74-PD-GWL-120208 and Service Agreement #: 23-GWL/NPC-SA-E010702 for the purposes of:

- the desire to attract and retain qualified employees;
- the accrual of tax benefits to eligible employees through participation in a Deferred Compensation Plan as established pursuant to *Section 457* of the *Federal Internal Revenue Code*;
- the fact that there is no cost to the local governmental unit to adopt and implement a Deferred Compensation Plan; and
- the implementation of a Deferred Compensation Plan serves the interests of the local governmental unit by enabling it to provide enhanced retirement security to its eligible employees.

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WHEREAS, Great-West Life & Annuity Insurance Company has assigned the provision of services to its wholly owned subsidiary, Empower Retirement, LLC, who will continue to provide the same services under an updated Service Agreement. The previously adopted Deferred Compensation Plan remains in full effect and is not being changed.

NOW, THEREFORE BE IT RESOLVED,

Execution of a Service Agreement and Contractor Identified

The Mayor is authorized to execute a Service Agreement with Empower Retirement, LLC, 21-SA-EMPOWER-110121, and to submit all necessary documents to the Director of the Division of Local Government Services within the State Department of Community Affairs for approval.

Local Plan Administrator (N.J.A.C. 5:37-5.4)

The CFO is hereby designated as the Local Plan Administrator for the administration of the Plan.

**RESOLUTION
204-2022**

**RESOLUTION SUPPORTING ASSEMBLY CONCURRENT
RESOLUTION NO. 31 INCREASING THE PROPERTY TAX
DEDUCTION FOR VETERANS TO \$1,000.00 AND BASE FUTURE
DEDUCTIONS ON ANNUAL CONSUMER PRICE INDEX
INCREASES**

WHEREAS, Monmouth County is home to a veteran population in the State of New Jersey with over 40,000 Veterans; and

WHEREAS, New Jersey residents suffer from the highest property taxes in the Country; and

WHEREAS, the Constitution of the State of New Jersey, adopted in 1947, provides a property tax deduction to Veterans who were honorably discharged or released under honorable circumstances from active service in time of war; and

WHEREAS, the Constitution was amended in 1999 to provide eligible honorably discharged United State Armed Forces Veterans with a fixed \$250.00 property tax deduction; and

WHEREAS, the Veterans property tax deduction has not increased since 2003; and

WHEREAS, Assemblyman Ronald S. Dancer has introduced Assembly Concurrent Resolution No. 31 proposing a constitutional amendment to increase the Veterans property tax deduction; and

WHEREAS, the proposed constitutional amendment would increase the fixed annual property tax deduction for New Jersey Veterans from \$250.00 to \$1,000.00 with future deductions to be based on the annual Consumer Price Index increase, and rounded to the next highest multiple of \$1.00; and

WHEREAS, the Mayor and Council of the Borough of Manasquan supports the efforts of Assemblyman Dancer and urges the New Jersey Legislature to increase the annual property tax deduction for New Jersey veterans.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, State of New Jersey, that we hereby support Assembly Concurrent Resolution No. 31, which would increase the property tax deduction for Veterans to \$1,000.00 and base future deductions on annual Consumer Price Index increases.

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BE IT FURTHER RESOLVED that the Municipal Clerk shall forward a certified true copy of this resolution to the Governor of the State of New Jersey; Lieutenant Governor of the State of New Jersey; the President of the New Jersey State Senate; the Speaker of General Assembly; the New Jersey State Legislature; the members of the Monmouth County Legislative Delegation; New Jersey League of Municipalities; all County Boards of County Commissioners and the Mayor and Council of all towns within the County of Monmouth.

**RESOLUTION
205-2022**

WHEREAS, the Borough of Manasquan is desirous of appointing Manasquan Recreation Referees for the 2022 Recreation Manasquan Stickball League; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 15th day of August, 2022 appoint the following to work during 2022 Recreation summer season:

Stickball Coordinator:

Austin Griffith \$14.00 per hour

**RESOLUTION
208-2022**

WHEREAS, the Borough is the recipient of a Federal Transportation Alternatives Program grant (TAP Grant) from the New Jersey Department of Transportation (NJDOT); and

WHEREAS, the TAP Grant/NJDOT Right of Way Acquisition Manual requires that the Borough retain a real estate appraisal firm to review the appraisals of the properties from which right of way easements and construction easements will be required; and

WHEREAS, the Borough sought quotes from various appraisal firms to perform this service.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan that Edward G. Donovan, Mayor of the Borough of Manasquan, be and is hereby authorized to execute Proposal for Appraisal Services submitted by Gagliano & Company, 287 Rumson Road, Little Silver, NJ 07739 to perform the necessary appraisal reviews associated with the listed project.

**RESOLUTION
209-2022**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF
MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,
APPOINTING KAYLA BARKALOW AS PART TIME SEASONAL
CODE ENFORCEMENT OFFICER**

WHEREAS, the Borough of Manasquan is in need of a Part Time Seasonal Code Enforcement Officer; and

WHEREAS, after the execution of the Borough hiring process, Kayla Barkalow has been identified by the assigned hiring team as the recommended candidate for this position.

NOW, THEREFORE BE IT RESOLVED on the 15th day of August 2022, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

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1. Kayla Barkalow is appointed to Part-Time Seasonal Code Enforcement Officer.
2. Hourly rate of \$25.00.
3. The effective date of this appointment is September 6, 2022.
4. A certified copy of this resolution shall be sent to :

Kayla Barkalow
15 Andrew Street
Howell, NJ 07731

**RESOLUTION
210-2022**

WHEREAS, the NJDOT has agreed to fund the Construction Administration and Inspection costs associated with the NJ Transportation Alternative Program Streetscapes Project; and

WHEREAS, the Borough must comply procedurally with the federal Brooks Act when seeking requests for proposal from qualified vendors for this element of the project;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan that the Municipal Clerk is authorized to follow the Brooks Act and advertise for Requests For Proposals for Construction Administration and Inspection for the Streetscapes project.

**RESOLUTION
211-2022**

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	\$141,769.26
General Capital	\$48,542.01
Water/Sewer Fund	\$89,506.77
Water/Sewer Capital	\$33,759.53
Beach Fund	\$32,596.23
Beach Capital	\$40,148.51
Grants	\$1,591.45
Recreation Trust	\$45,502.91
Misc Trust	\$10,373.23
Animal Control Trust	\$1,833.33

Also presented by the Borough Attorney was a Capital Budget Amendment Resolution for the Water/Sewer Infrastructure (Ordinance 2382-22).

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

Ordinances – First Reading

The Borough Attorney read the title of ordinance 2374-22 for introduction.

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ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2 (ADMINISTRATION) SECTION 2-19.4 (SUPERINTENDENT RECREATION) AND CHAPTER 26 (PERSONNEL) SECTION 26-53 THROUGH 26-65 (ADDITIONAL POSITION CREATED) CREATING NEW SECTION 26-53 THROUGH 26-65 OF THE BOROUGH OF MANASQUAN CODE IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

Council Member Triggiano made a motion to introduce ordinance 2374-22, seconded by Council Member Mangan. Motion carried by the following vote: “yes” Council Members Holly, Mangan, Olivera, and Triggiano. “No” none.

The Borough Attorney read the title of ordinance 2382-22 for introduction.

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$750,000 FOR WATER AND SEWER INFRASTRUCTURE UPGRADES IN AND BY THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$750,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF

Council Member Triggiano made a motion to introduce ordinance 2382-22, seconded by Council Member Olivera. Motion carried by the following vote: “yes” Council Members Holly, Mangan, Olivera, and Triggiano. “No” none.

The Borough Attorney read the title of ordinance 2383-22 for introduction.

ORDINANCE TO AMEND AND SUPPLEMENT THE DEVELOPMENT REGULATIONS AND ZONING ORDINANCE OF THE BOROUGH OF MANASQUAN AND TO ADOPT THE REVISED OFFICIAL ZONING MAP OF THE BOROUGH

Council Member Triggiano made a motion to introduce ordinance 2383-22, seconded by Council Member Olivera. Motion carried by the following vote: “yes” Council Members Holly, Mangan, Olivera, and Triggiano. “No” none.

Committee Reports

Recreation Committee – Council Member Mangan reported that the committee has moved forward with the St. Denis lease negotiations and the Borough should have a draft lease within the month.

Administration & Finance Committee – Council Member Olivera reported on the proclamation and the overdose awareness and the flags that will be placed at Borough Hall with a flag representing each person (47) in Monmouth County that has been lost to overdose from January 1, 2022 to April 30, 2022. He reported on the Chamber of Commerce events coming up.

Code & Land Use Committee – Council Member Triggiano reported on the permits and summonses issued for the month of July.

Public Works and Construction Committee - Council Member Holly reported on the bench being removed from the water at the fishing pier on Brielle Road, manholes on Second Avenue and Broad Street have been fixed, leaves are being picked up throughout town, tree that was removed in South Street parking area, and public works are keeping up with training. He thanked Al Sauer and Mary Ryan for helping place another swing set on the beach which was partially funded by the MBIA.

Audience Participation

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

Melissa Casey, 349 First Avenue stated that she is requesting an amendment to ordinance 2340-21, regarding restriction of tents and umbrellas on the beach. She would like a sunshade added to the ordinance. She provided information to the council for Shibumi Shade. She went over how the Shibumi Shade works and believes it is safer than the ordinary beach umbrella.

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Jenn Brown, 121 Curtis Avenue voiced her concerns about the parking of the taxi vans by Squan Taxi on Curtis Avenue and Mount Lane. She also voiced her concerns on the Coast Cheer parents double parking and blocking driveways on Curtis Avenue when picking up their children. She went over what has gone on over the past months and the history of the parking for Squan Taxi as well as the current ordinances the borough has.

Council Member Olivera stated that the Borough is looking at parking issues all over the town and will be looked at comprehensively in all areas.

There was discussion on the cars on the street that are not registered.

Battina Perry Edwards, Curtis Avenue stated that there is a vehicle that is being driven with an expired registration sticker. She voiced her concerns and frustration about the parking of vehicles by Squan Taxi on Curtis Avenue and Mount Lane.

Bob Young, 142 Second Avenue inquired about the comments of Jenn Brown and wanted to know about the resolution she mentioned.

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

Council Member Triggiano made a motion to close the regular meeting at 7:57 p.m., seconded by Council Member Mangan. Motion carried unanimously.

Respectfully Submitted,



Barbara Ilaria
Municipal Clerk

DATE APPROVED 9/6/2022