

BOROUGH OF MANASQUAN AGENDA
July 24, 2023 5:00 PM

This Regular Meeting of the Mayor and Council of the Borough of Manasquan is called pursuant to the provisions of the Open Public Meetings Law. 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. This agenda is complete to the extent known and formal action will be taken.

As a courtesy to the public this meeting may be attended via zoom. If for any reason the zoom portion of this meeting fails or is disconnected the in-person meeting will continue and action can/will be taken. After signing in you will be put into a meeting room and the Municipal Clerk will allow you access just before the meeting time.

<https://us06web.zoom.us/j/8830046931> or 1-646-876-9923

ID# 883 004 6931

Moment of Silent Prayer

Pledge of Allegiance

Roll Call

Audience Participation - Limited to Agenda Items Only (time limit of 5 minutes)

Appointment

1. Tourism Commission - Sheila Vidreiro unexpired term 01/01/21 -12/31/23

Presentation to Borough of Manasquan - Michael Nowak from MRC

Approval of Minutes

1. Regular Meeting Minutes - June 26, 2023

Consent Agenda: These items will be enacted by one motion. If detailed deliberation is desired on any item, Council may remove that item from the consent agenda and consider it separately.

1. 206-2023 Support of Assembly Bill A-4789 - Supporting Local Government with Increase Health Costs
2. 207-2023 Authorizing Mayor to Sign Agreement - Mark White
3. 208-2023 Awarding Sea Watch Recreation Rebuild
4. 209-2023 Authorizing Promotion from Clerk 2 to Clerk 3 - Homan
5. 210-2023 Authorizing Sea Watch Project Scope of Work Construction/Administration/Inspection - Colliers Engineering
6. 211-2023 Authorizing Borough Hall Parking Lot Project Change Order #2 and Final - Meco, Inc.
7. 212-2023 Authorizing Extending Grace Period for Tax Bill Payments
8. 213-2023 Appoint Additional Summer Beach Staff
9. 214-2023 Payment of Bills

Ordinances - Second Reading

1. 2405-23 BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF REAL ESTATE FOR MUNICIPAL PURPOSES APPROPRIATING \$700,000 THEREFOR, INCLUDING A CONTRIBUTION IN AN AMOUNT OF ONE HALF THE PROJECT COST EXPECTED TO BE RECEIVED FROM THE COUNTY OF MONMOUTH, AND AUTHORIZING THE ISSUANCE OF \$666,500 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Ordinances - First Reading

1. 2408-23 AMEND CHAPTER 7 (TRAFFIC) SECTION 7-31.1b (REGULATIONS FOR THE MOVEMENT AND THE PARKING OF TRAFFIC ON MUNICIPAL PROPERTY AND BOARD OF EDUCATION PROPERTY) AND AMENDING SECTION 7-25.3 (HANDICAPPED PARKING IN MUNICIPAL PARKING LOTS AND BOARD OF EDUCATION PROPERTY)

Committee Reports

Audience Participation On Any Subject (comments limited to 5 minutes)

Adjournment

**BOROUGH OF MANASQUAN
RESOLUTION
206-2023**

WHEREAS, Assembly Bill No. A-4789 supporting an increase in local government costs for employee health care and prescription benefits be offset by equivalent increase in municipal energy tax receipts property tax relief aid is being considered for adoption by the New Jersey State Assembly; and

WHEREAS, this bill provides that, in the event that a municipality, due to an annual rate increase, is required to increase the amount it expends from the prior year to provide health care and prescription benefits coverage to its officers and employees, the State will increase the amount of annual aid distributed to the municipality under the "Energy Tax Receipts Property Tax Relief Act," P.L. 1997, c. 167 (C.52:27D-438 et seq.) by the equivalent amount to offset the increase in the employee health care and prescription benefits coverage expenditures; and

WHEREAS, the provisions of the bill apply when the health care and prescription benefits are provided through self-insurance, the purchase of commercial insurance or reinsurance, an insurance fund or joint insurance fund, the "New Jersey State Health Benefits Program Act," P.L. 1961, c.49 (C.52:14-17.25 et seq.), or in any other manner or any combination thereof; and

WHEREAS, under the bill, the governing body of a municipality that is required to increase its expenditures to provide employee health care and prescription benefits coverage would submit the information concerning the amount of the annual increase to the Director of the Division of Local Government Services in the Department of Community Affairs in a manner and on such forms as determined by the director. Prior to submission, the information is required to be certified by a business administrator or the chief financial officer; and

WHEREAS, the bill also provides that the exclusion of certain health care costs from the property tax levy calculation would not apply to a municipality which receives an increase in energy tax receipts property tax relief aid pursuant to the bill;

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, hereby support Assembly Bill A-4789 and urges the Legislature to approve and pass the bill for the reasons expressed herein; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the members of the NJ State Assembly, the members of the NJ Senate, the Governor of the State of NJ, the NJ State League of Municipalities and all Monmouth County Municipalities.

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, New Jersey, do hereby certify that the foregoing Resolution was duly adopted by the Borough Council at the July 24, 2023, meeting.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRESNAHAN						
HOLLY						
LEE						
MANGAN						
OLIVERA						
TRIGGIANO						
ON CONSENT AGENDA <input type="checkbox"/> YES <input type="checkbox"/> NO						

**BOROUGH OF MANASQUAN
RESOLUTION
207-2023**

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 The Borough of Manasquan and Mark White, Ph.D. at the contractual retainer of \$2,250.00 for EAP services and the fee-for-service charge of \$185.00 per hour for Supervisor-Imposed referrals and fee-for-service of \$650.00, plus \$75.00 in computer scoring fees for pre-employment evaluations, or pre-promotional evaluations and \$600.00 per hour plus \$50.00 in computer scoring fees for Class III pre-employment and pre-promotional evaluations. for the term July 15, 2023, through July 14, 2024.

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, New Jersey, do hereby certify that the foregoing Resolution was duly adopted by the Borough Council at the July 24, 2023, meeting.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRESNAHAN						
HOLLY						
LEE						
MANGAN						
OLIVEERA						
TRIGGIANO						
ON CONSENT AGENDA ___ YES ___ NO						

**BOROUGH OF MANASQUAN
RESOLUTION
208-2023**

**RESOLUTION AWARDING A CONTRACT FOR SEA
WATCH RECREATION BUILDING IN THE
BOROUGH OF MANASQUAN, COUNTY OF
MONMOUTH STATE OF NEW JERSEY**

WHEREAS, public bids were advertised for and received pursuant to the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) for the Sea Watch Recreation Building; and

WHEREAS, the bids submitted for this project were:

Bidders	Base Bid Total
Imperial Construction	\$3,588,000.00
Hall Construction Co., Inc.	\$3,973,000.00
Tekcon Construction Inc.	\$4,681,880.00

WHEREAS, three (3) bids were received for this project:

WHEREAS, Imperial Construction submitted a base bid in the amount of \$3,588,000.00; and

WHEREAS, the Borough Engineer has determined the bid by Imperial Construction complies with the bid specifications and includes all required documentation and has recommended the award of the bid; and

WHEREAS, the Borough Council has determined, for the reasons set forth below, that the bid of Imperial Construction Corp. is a responsive and responsible bid; and

WHEREAS, the Borough Council is desirous of awarding a contract to Imperial Construction for the total base bid of \$3,588,00.00 for the project.

NOW, THEREFORE BE IT RESOLVED on the 24th day of July 2023, by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey, as follows:

1. This Bid award is subject to the review and approval of the Bid documents by the Manasquan Borough Attorney.
2. Subject to the above condition, a contract in the total amount of \$3,588,000.00 is awarded to Imperial Construction for this project.
3. The Mayor and Municipal Clerk are authorized and directed to execute all necessary documents to effectuate a contract with Imperial Construction.
4. A certified copy of this resolution shall be sent to:

Imperial Construction
505 North Broad Street
Elizabeth, NJ 07208

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at their regular meeting held on July 24, 2023.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

CERTIFICATION

Pursuant to a resolution of the Division of Local Government Services, Local Finance Board, dated October 1, 1975, I hereby state that there is annexed hereto a proper certificate of availability of funds executed by the Chief Financial Officer.

MARK G. KITRICK, ESQ.
Borough Attorney

Mark G. Kitrick, Esq.
2329 Route 34
Suite 104
Manasquan, NJ 08736

CERTIFICATION

I am the financial officer charged with the responsibility of maintaining financial records of the Borough of Manasquan, State of New Jersey, and on this 24th day of July 2023, I hereby certify to the Borough Council of the Borough of Manasquan as follows:

1. Adequate funds are available in an amount sufficient to defray the expenditure of money by the Borough under the following proposed contract, which is pending approval by the governing body.

Sea Watch Recreation Building

2. The funds certified herein as being available for the aforementioned contract have not been certified by the undersigned as being available for any other contract now pending or in force.

ACCOUNT:

AMY SPERA
Chief Financial Officer

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRESNAHAN						
HOLLY						
LEE						
MANGAN						
OLIVERA						
TRIGGIANO						
ON CONSENT AGENDA <input type="checkbox"/> YES <input type="checkbox"/> NO						

**BOROUGH OF MANASQUAN
RESOLUTION
209-2023**

WHEREAS, Keara Homan is currently an employee of the Borough of Manasquan and assigned to the Clerk’s Office in the Civil Service Commission (CSC) title of Clerk II; and

WHEREAS, it has been determined that Ms. Homan’s responsibilities have grown over time to a point that exceed the specifications of her current title; and

WHEREAS, this growth of responsibilities has specifically included recent assignment as Borough website coordinator and information maintenance manager which requires systemic interface with the website provider as well as all department heads and group leaders who occupy space on the website to ensure real-time accuracy of all website posted information is maintained; and

WHEREAS, an internal analysis has determined that Ms. Homan’s appropriate CSC title should be Clerk III and this new title should be accompanied by a commensurate salary increase.

NOW, THEREFORE, BE IT RESOLVED on this 24th day of July 2023 by the Borough Council of the Borough of Manasquan, County of Monmouth and State of New Jersey that in view of the foregoing, Keara Homan shall be promoted to Clerk III at an annual salary as follows:

Employee	Department	New Civil Service Title(s)	Pensionable Annual Salary	Effective Date
Keara Homan	Clerk’s Office	Clerk III	\$45,000	July 24, 2023

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at their regular meeting held on July 24, 2023, meeting.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRESNAHAN						
HOLLY						
LEE						
MANGAN						
OLIVERA						
TRIGGIANO						
ON CONSENT AGENDA <u> </u> YES <u> </u> NO						

**BOROUGH OF MANASQUAN
RESOLUTION
210-2023**

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 Colliers Engineering & Design, 101 Crawfords Corner Road, Suite 3400, Holmdel, NJ 07733, for purposes of providing Professional Services for providing Construction Administration and Construction Services for the Sea Watch Area Improvements. The fees are as follows:

Phase 1.0 Construction Administration/Inspection Services	\$346,000.00
Reimbursables	\$ 3,000.00

for a total amount not to exceed \$349,000.00.00 for the service outlined in the proposal dated July 18, 2023.

AND BE IT FURTHER RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Mayor is authorized to sign the Authorization Form dated July 18, 2023

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, State of New Jersey, do hereby certify that the foregoing Resolution was duly adopted by the Borough Council at the July 24, 2023, meeting.

Barbara Ilaria RMC, CMC
Municipal Clerk

CERTIFICATION

I am the chief municipal financial officer charged with the responsibility of maintaining financial records of the Borough of Manasquan, State of New Jersey, and on this 24th day of July May 2023 I hereby certify to the Borough Council of the Borough of Manasquan as follows:

Adequate funds are available in an amount sufficient to defray the expenditure of money by the Borough under the following proposed contract, which is pending approval by the governing body:

Colliers Engineering & Design – Construction Administration/Inspection Services

Account: _____

Amy Spera
Chief Financial Officer

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRESNAHAN						
HOLLY						
LEE						
MANGAN						
OLIVERA						
TRIGGIANO						
ON CONSENT AGENDA	___ YES ___ NO					

**BOROUGH OF MANASQUAN
RESOLUTION
211-2023**

CHANGE ORDER NO. 2 & 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: Borough Hall Parking Lot Improvements

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

CONTRACTOR: Meco, Inc.
P.O. Box 536
Clarksburg, NJ 08510

CHANGE ORDER NO. 2 & Final

AMOUNT OF CHANGE FOR THIS RESOLUTION:	\$(4,690.25)
CHANGE ORDER NO. 1 AMOUNT APPROVED	\$20,874.00
TOTAL ORIGINAL CONTRACT PRICE	\$149,023.50
REVISED CONTRACT PRICE	\$165,207.25

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at their regular meeting held on July 24, 2023.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRESNAHAN						
HOLLY						
LEE						
MANGAN						
OLIVERA						
TRIGGIANO						
ON CONSENT AGENDA <input type="checkbox"/> YES <input type="checkbox"/> NO						

CERTIFICATION

Pursuant to a resolution of the Division of Local Government Services, Local Finance Board, dated October 20, 1975, I hereby state that there is annexed hereto a proper certificate of availability of funds executed by the Chief Financial Officer.

MARK G. KITRICK

Mark G. Kitrick, Esq.
Municipal Attorney
2329 Route 34 South
Suite 104
Manasquan, NJ 08736

CERTIFICATION

I am the financial officer charged with the responsibility of maintaining financial records of the Borough of Manasquan, State of New Jersey, and on this 24th day of July 2023, I hereby certify to the Borough Council of the Borough of Manasquan as follows:

1. Adequate funds are available in an amount sufficient to defray the expenditure of money by the Borough under the proposed contract.
2. The funds certified herein as being available for the aforementioned contract have not been certified by the undersigned as being available for any other contract now pending or in force.

Account: _____

Amy Spera
Chief Municipal Financial Officer

**BOROUGH OF MANASQUAN
RESOLUTION
212-2023**

**RESOLUTION MEMORIALIZING THE EXTENSION
OF THE GRACE PERIOD TO SEPTEMBER 5, 2023
FOR THE AUGUST 1, 2023 TAX QUARTER**

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, 2023 tax quarter to be made without interest: and

WHEREAS, the Tax Collector has set the last day to pay the August 1, 2023 tax quarter at September 5, 2023 being the next business day after the 25 calendar days from the date the tax bills will be mailed; and

WHEREAS, the extension only applies to the August 1, 2023 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 September 5, 2023 for the August 1, 2023 tax quarter and recognizes that the normal Borough grace period will apply to all other quarters on the tax bill.

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at their regular meeting held on July 24, 2023.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRESNAHAN						
HOLLY						
LEE						
MANGAN						
OLIVERA						
TRIGGIANO						
ON CONSENT AGENDA ___ YES ___ NO						

**BOROUGH OF MANASQUAN
RESOLUTION
213-2023**

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 24th day of July 2023 appoint the following Beach Staff to work during the 2023 Season:

Name	Town	Title	Rate of Pay (Hourly/Salary/Seasonal)	Effective Date From and To	Hours (Part Time/ Seasonal)
BEACH NON LIFEGUARD					
Mackenzie Cavaliere	Wall	checker/booth	\$13 / \$14	7/15/23 - 9/30/23	Seasonal
Huey Richardson	Manasquan	checker/booth	\$13 / \$14	7/15/23 - 9/30/23	Seasonal
Jenn Pante	Brick	checker/booth	\$13 / \$14	7/15/23 - 9/30/23	Seasonal
LIFEGUARD					
James Bonavita	Brielle	lifeguard	\$14.70	7/15/23-9/30/23	Seasonal
Connor Grogan	Manasquan	lifeguard	\$18.20	7/15/23-9/30/23	Seasonal
Quinn Juska	Manasquan	lifeguard	\$14.70	7/15/23-9/30/23	Seasonal
Luke Ramire	Manasquan	lifeguard	\$14.70	7/15/23-9/30/23	Seasonal
Andrew Heinrichs	Brielle	lifeguard	\$18.20	7/15/23-9/30/23	Seasonal
Jack Falkowski	Manasquan	lifeguard	\$14.70	7/15/23-9/30/23	Seasonal
Patrick Federici	Brielle	lifeguard	\$14.70	7/15/23-9/30/23	Seasonal

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at their regular meeting held on July 24, 2023.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRESNAHAN						
HOLLY						
LEE						
MANGAN						
OLIVERA						
TRIGGIANO						
ON CONSENT AGENDA <input type="checkbox"/> YES <input type="checkbox"/> NO						

**BOROUGH OF MANASQUAN
RESOLUTION
214-2023**

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	\$210,603.78
Water/Sewer Fund	\$65,722.24
Beach Fund	\$25,846.36
Grants	\$1,020.97
Recreation Trust	\$12,260.12
Misc Trust	\$17,807.46
Animal Control Trust	\$3.60
General Capital	\$350,647.02
E. Virginia Pump Station	\$2,668.75
Beach Capital	\$896.46

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, New Jersey do hereby certify that the foregoing resolution was duly adopted by the Council at their regular meeting on July 24, 2023.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRESNAHAN						
HOLLY						
LEE						
MANGAN						
OLIVERA						
TRIGGIANO						
ON CONSENT AGENDA ___ YES ___ NO						

**BOROUGH OF MANASQUAN
ORDINANCE NO. 2405-23**

**BOND ORDINANCE PROVIDING FOR THE
ACQUISITION OF REAL ESTATE FOR MUNICIPAL
PURPOSES IN AND BY THE BOROUGH OF
MANASQUAN, IN THE COUNTY OF MONMOUTH,
NEW JERSEY, APPROPRIATING \$700,000
THEREFOR, INCLUDING A CONTRIBUTION IN AN
AMOUNT OF ONE HALF THE PROJECT COST
EXPECTED TO BE RECEIVED FROM THE
COUNTY OF MONMOUTH, AND AUTHORIZING
THE ISSUANCE OF \$666,500 BONDS OR NOTES OF
THE BOROUGH TO FINANCE PART OF THE COST
THEREOF**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH
OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY** (with not
less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Manasquan, in the County of Monmouth, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$700,000, including a contribution in an amount of one half the project cost expected to be received from the County of Monmouth and also including the sum of \$33,500 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$666,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of real estate for municipal purposes located at 86 Main Street in the Borough and described as Block 35, Lot 14 on the Manasquan Borough Tax Map, including the purchase price and costs necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such

form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$666,500, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$51,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Borough hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial

Officer on a tax-exempt basis. The Borough hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the obligations, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the obligations. The Chief Financial Officer is hereby authorized to act on behalf of the Borough to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. The County contribution and any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2405-23 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 26th day of June 2023 and was then read for the first time. The said Ordinance will be further considered for final passage by the Mayor and Council at Borough Hall, 201 East Main Street, Manasquan, NJ 08736 at 5:00 p.m. on the 24th day of July 2023. At such time and place, or at any such time or place to which said meeting may be adjourned, all interested persons will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, except on legal holidays.

Barbara Ilaria, RMC, CMC
Municipal Clerk

Mark G. Kitrick, Esquire
Municipal Attorney
2329 Route 34 South, Suite 104
Manasquan, NJ 08736

Passed on First Reading and Introduction: June 26, 2023
Approved on Second Reading and Final Hearing: July 24, 2023

EDWARD G. DONOVAN
Mayor

**BOROUGH OF MANASQUAN
ORDINANCE NO. 2408-23**

**ORDINANCE TO AMEND CHAPTER 7 (TRAFFIC)
SECTION 7-31.1b (REGULATIONS FOR THE MOVEMENT
AND THE PARKING OF TRAFFIC ON MUNICIPAL
PROPERTY AND BOARD OF EDUCATION PROPERTY)
AND AMENDING SECTION 7-25.3 (HANDICAPPED
PARKING IN MUNICIPAL PARKING LOTS AND BOARD
OF EDUCATION PROPERTY) IN THE BOROUGH OF
MANASQUAN, COUNTY OF MONMOUTH, STATE OF
NEW JERSEY.**

WHEREAS, pursuant to the Revised General Ordinance of the Borough of Manasquan Code Chapter 7 refers to Traffic within the Borough of Manasquan; and

WHEREAS, the Manasquan Borough Council of the Borough of Manasquan is desirous of amending Section 7-31.1b and 7-25.3, to regulate municipal parking at the North Main Street Municipal Lot.

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

Section 1: Section 7-31.1b Regulations for the Movement and the Parking of Traffic on Municipal Property and Board of Education Property of the Borough of Manasquan Code is hereby amended as follows:

b. NORTH MAIN STREET MUNICIPAL LOT, Block 33 Lot 1.01.

REGULATIONS:

1. General Parking

A. All vehicles must park in designated areas and between lines provided.

B. No commercial or noncommercial motor drawn vehicle, such as a boat trailer, recreational trailer, utility trailer or similar vehicle may be parked on this lot between the hours of 6:00 p.m. and 6:00 a.m., except for vehicles making deliveries to or performing services for residents or occupants of structures on the street.

C. No commercial or noncommercial motor drawn vehicle, such as a boat trailer, recreational trailer, utility trailer or similar vehicle may be parked at any time on this lot when the same is detached from a motor vehicle.

D. No person shall park a vehicle on the parking lot for longer than the time limit described below:

<i>Location</i>	<i>Number of Parking Spaces</i>	<i>Limit Hours</i>	<i>Hours/Days</i>
On the north side of the parking lot from a point beginning 18 feet east of the easterly curb line of North Main Street to a point 90 feet east therefore and 60 feet south of the southerly curb line of the parking lot	8	1 hour parking	9:00 a.m. to 5:00 p.m. Daily

E. Parking exclusively for Manasquan Senior Citizen Group members shall be designated as follows:

<i>Location</i>	<i>Limit</i>	<i>Number of Parking Spaces</i>	<i>Hours/Days</i>
Immediately adjacent to the south side of the Manasquan Community Senior Center (MCSC) building beginning at a point 62 feet west of the southeastern edge of the building and running to a point 98 feet west of the southeastern edge of the MCSC building	Manasquan Community Senior Center Parking Only	4	9:00 a.m. to 5:00 p.m. Monday through Friday
On the east side of the parking lot from a point 56 feet west of the western curb line of Osborn Avenue to a point 129 feet from the southerly wall of the Senior Center	Manasquan Community Senior Center Parking Only	9	9:00 a.m. to 5:00 p.m. Monday through Friday
On the east side of the parking lot from a point 80 feet west of the western curb line of Osborn Avenue to a point 48 feet from the southerly wall of the Manasquan Community Senior Center	Manasquan Community Senior Center Parking Only	1	9:00 a.m. to 5:00 p.m. Monday through Friday
On the east side of the parking lot from a point 80 feet west of the western curb line of Osborn Avenue to a point 57 feet from the southerly wall of the Manasquan Community Senior Center (MCSC) building	Manasquan Community Senior Center Parking Only	1	9:00 a.m. to 5:00 p.m. Monday through Friday

2. Permit Parking. No person shall park a vehicle in the parking lot during times indicated unless the vehicle shall have a valid permit displayed.

Location	Hours
Entire Lot	2:00 a.m. to 6:00 a.m.

3. Handicapped Parking. All stalls shall be eight (8) feet wide and shall have an appropriately- sized adjacent aisle as required by the Americans with Disabilities Act. All stalls shall be signed with the R7-8 and R7-8P (Reserved Parking Sign and Penalty Plate), in the designated parking areas for persons who have been issued the Handicapped Parking permit by the Motor Vehicle Commission.

4. Tow-Away Zones. Any vehicle parked or standing as to obstruct or impede a normal flow of traffic block entrances or exit ways, loading zones, oil fills, any grassy area pedestrian walkway, or present in any way a safety or traffic hazard may be removed by towing the vehicle at the owner's or operator's expense.

Section 2: Section 7-25.3 Handicapped Parking in Municipal Parking Lots and Board of Education Property of Education Property of the Borough of Manasquan Code is hereby amended as follows:

Name of Street	Spaces	Location
Borough Hall	3	As indicated on Site Plan
Fourth Avenue Municipal Parking Lot	2	From a point 26 feet south of East Main Street to a point 24 feet south therefrom
Manasquan Elementary School	4	On both sides of lot beginning at a point 118 feet west of Curtis Place for 25 feet west therefrom
Manasquan High School	2	On west side of the building beginning 38 feet south of the west door for 24 feet west therefrom
	2	On the south side of the building at the east end of the lot
Ocean Avenue Ramp	3	Between the north and south ramps
North Main Street Municipal Parking Lot	1	On the northwest side of the parking lot immediately adjacent to the western curbline from a point 9 feet east of the easterly curb line of North Main Street to a point 27 feet east therefrom
	5	Immediately adjacent to the curbline on the south side of the Senior Citizen Center building beginning at the southeastern edge of the building and running to a point 62 feet west of the southeastern edge of the building
Pompano Avenue Municipal Parking Lot	2	On the north side from a point 25 feet west of Third Avenue to a point 24 feet west therefrom
South Street (CR #20) Municipal Parking Lot	2	On the east side from a point 20 feet south of the southerly curb line of Main Street to a point 24 feet south therefrom
Stockton Beach Park Municipal Parking Lot	2	On the east side from a point 15 feet north of Stockton Avenue to a point 24 feet north therefrom
Third Avenue Municipal Parking Lot	2	On the east side from a point 11 feet south of Riddle Way to a point 24 feet south therefrom

Section 3: Construction and effective date

- (a) Should any section or provision of this ordinance be held invalid in any proceedings, the same shall not affect any other section or provisions of this ordinance, except insofar as the section or provisions so held invalid shall be inseparable from the remainder of any such section or provision.
- (b) Chapter 97, et seq., of the Borough of Manasquan Code and all ordinances and parts of ordinances inconsistent with this Ordinance herewith are hereby repealed.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2408-23 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 24th day of July 2023, and was then read for the first time. The said Ordinance will be further considered for final passage by the Mayor and Council at Borough Hall, 201 East Main Street, Manasquan, NJ 08736 at 7:00 p.m. on the 14th day of August 2023. At such time and place, or at any such time or place to which said meeting may be adjourned, all interested persons will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m. on Monday through Friday, except on legal holidays.

Barbara Ilaria, RMC, CMC
Municipal Clerk

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Passed on First Reading and Introduction: July 24, 2023
Approved on Second Reading and Final Hearing: August 14, 2023

Edward Donovan
Mayor