

BOROUGH OF MANASQUAN AGENDA
October 05, 2020 7:00 PM

IN PERSON MEETING
TO BE HELD AT MANASQUAN HIGH SCHOOL MEDIA CENTER
USE ENTRANCE ON ATLANTIC AVENUE

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.

Moment of Silent Prayer

Pledge of Allegiance

Roll Call

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

Appointment

1. Recreation Commission - Alternate #2 unexpired term ending 12/31/2020 - Maureen McCartney

Use of Borough Property

1. E60-20 Autism MVP Foundation Walk
2. E62-20 Annual Tree Decorating - Parker Avenue 10/29/20 6 - 9 pm
3. E63-20 MES Annual Halloween Parade - 10/30/20 1:15 to 3 pm
4. E64-20 MBIA Request for 2021 Meetings at Life Saving Station
5. E65-20 Lifesaving Committee Request to Use Station for Meeting - October 14 from 7 to 9 pm

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. 226-2020 Amending Pedestrian Zone Time
2. 227-2020 Auth scope of work - Chlorine Feed System - Mott MacDonald
3. 228-2020 Refund Overpayment of Water/Sewer - 77 Ocean
4. 229-2020 Refund Flag Football - Runge & Augustine
5. 230-2020 Payment of Bills

Ordinances - Second Reading

1. 2323-2 Bond Ordinance Street Sweeper
2. 2324-20 Amending Ch. 7 Stop Intersections Minerva/Fletcher
3. 2325-20 Bond Ordinance WP Dehumidification System

Committee Reports

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

Adjournment

**BOROUGH OF MANASQUAN
RESOLUTION
226-2020**

WHEREAS, on September 8, 2020 the Borough of Manasquan through Resolution 209-2020 authorized the extension of Main Street Pedestrian Zone for Retail and Dining to promote outdoor retail and dining from September 25, 2020 thru October 31, 2020 on Friday and Saturday evenings from 6 p.m. until 10 p.m.

WHEREAS, the Borough of Manasquan is desirous of amending the times of Friday and Saturday evenings to 5 p.m. until 9 p.m.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey due hereby authorize the Main Street Pedestrian Zone be changed from 6 p.m. until 10 p.m. to 5 p.m. until 9 p.m. on Friday and Saturday evenings with weather permitting.

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 October 5, 2020.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRYANT						
LEE						
MANGAN						
OLIVERA						
READ						
WALSH						
ON CONSENT AGENDA ___ YES ___ NO						

**BOROUGH OF MANASQUAN
RESOLUTION
227-2020**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough of Manasquan retains the services of Mott MacDonald, 3 Paragon Way, Freehold, New Jersey 07728, to provide for Engineering Services for a Chlorine Feed System at the Manasquan Water Treatment Plant.

- Design Services, Permit Application and Bidding Assistance for Chlorine Feed System - Water Treatment Plant

For a rate not to exceed \$23,500.00 for the services outlined in the proposal dated August 25, 2020.

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 October 5, 2020 meeting.

Barbara Ilaria, RMC
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 5th day of October, 2020 I hereby certify to the Borough Council of the Borough of Manasquan as follows:

Adequate funds in the amount of \$23,500.00 are available to defray the expenditure of money by the Borough under the following proposal, which is pending approval by the governing body:

Mott MacDonald – Engineering Services for Chlorine Feed System

Account: _____

Amy Spera
Chief Financial Officer

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRYANT						
LEE						
MANGAN						
OLIVERA						
READ						
WALSH						
ON CONSENT AGENDA ____ YES ____ NO						

**BOROUGH OF MANASQUAN
RESOLUTION
228-2020**

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

WHEREAS, a refund of monies is due to the following:

NAME: LEWIS MONETTI & JUDITH BALDISSARD

AMOUNT OF REFUND DUE: \$174.90

REASON FOR REFUND: REFUND WATER/SEWER OVERPAYMENT
77 OCEAN AVE
BLOCK 157 / LOT 20.01
ACCOUNT 223600-0

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer is hereby authorized and directed to draw a warrant in the said amount to the above listed refunds with said warrant to be charged against the General Ledger.

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 October 5, 2020 meeting.

BARBARA ILARIA, RMC
Municipal Clerk

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRYANT						
LEE						
MANGAN						
OLIVERA						
READ						
WALSH						
ON CONSENT AGENDA ___ YES ___ NO						

**BOROUGH OF MANASQUAN
RESOLUTION
229-2020**

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

WHEREAS, a refund of monies are due to the following:

NAME: Erin Augustine
618 Cardeza Avenue
Brielle, NJ 08730

AMOUNT OF REFUND DUE: \$85.00

REASON FOR REFUNDS: Unable to participate in Recreation Flag Football due to injury.

NAME: Joanne Runge
51 Cowart Avenue
Manasquan, NJ 08736

AMOUNT OF REFUND DUE: \$85.00

REASON FOR REFUNDS: Unable to participate in Recreation Flag Football due to injury.

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer is hereby authorized and directed to draw a warrant in the said amount to the above listed refunds with said warrant to be charged against the General Ledger.

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 October 5, 2020 meeting.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRYANT						
LEE						
MANGAN						
OLIVERA						
READ						
WALSH						
ON CONSENT AGENDA ___ YES ___ NO						

**BOROUGH OF MANASQUAN
RESOLUTION
230-2020**

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, IN THE County of Monmouth, New Jersey (not less than three (3) members thereof affirmatively concurring) as follows:

1. All bills or claims as reviewed and approved by the Administration & Finance Committee and as set forth in this Resolution are hereby approved for payment.
2. The Mayor, Municipal Clerk and Chief Financial Officer are hereby authorized and directed to sign checks in payment of bills and claims which are hereby approved.

The computer print-out of the list of checks will be on file in the Clerk's Office.

Current Fund	\$96,141.67
Capital Fund	\$4,487.35
Water/Sewer Fund	\$9,266.35
Water/Sewer Utility Fund	
Beach Utility Fund	\$7,201.34
Beach Capital Fund	
Recreation Building Trust	\$8,862.00
Recreation Trust	\$4,915.39
Public Defender	\$250.00
Street Opening	\$500.00
Affordable Housing	\$2,285.50

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 October 5, 2020

BARBARA ILARIA, RMC, CMC
Municipal Clerk

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRYANT						
LEE						
MANGAN						
OLIVERA						
READ						
WALSH						
ON CONSENT AGENDA ___YES ___NO						

**BOROUGH OF MANASQUAN
ORDINANCE NO. 2323-20**

**BOND ORDINANCE PROVIDING FOR THE
ACQUISITION OF A STREET SWEEPER IN AND
BY THE BOROUGH OF MANASQUAN, IN THE
COUNTY OF MONMOUTH, NEW JERSEY,
APPROPRIATING \$300,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$285,000
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** (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 \$300,000, including the sum of \$15,000 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 \$285,000 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 a street sweeper, including all related costs and expenditures 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 15 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 \$285,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$30,000 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 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(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. 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 real 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. 2323-20 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 21st day of September, 2020, and was then read for the first time. The said Ordinance will be further considered for final passage by the Mayor and Council at an audio conference call at 7:00 p.m. on the 5th day of October, 2020. 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 by contacting the Municipal Clerk at blaria@manasquan-nj.gov or 732-223-0544 ext. 233 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: September 21, 2020
Approved on Second Reading and Final Hearing: October 5, 2020

EDWARD G. DONOVAN
Mayor

**BOROUGH OF MANASQUAN
ORDINANCE NO. 2324-20**

ORDINANCE TO AMEND SECTION 7-11 (STOP INTERSECTIONS) OF CHAPTER 7 (TRAFFIC) OF THE BOROUGH OF MANASQUAN TO ESTABLISH STOP INTERSECTIONS AT VARIOUS LOCATIONS IN THE BOROUGH OF MANASQUAN, MONMOUTH COUNTY, NEW JERSEY.

BE IT ORDAINED, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey, as follows:

Section 1. Section 7-11 (Stop Intersections) of Chapter 7 (Traffic) of the Borough of Manasquan Code is hereby amended as follows:

STOP SIGN ON

Minerva Avenue

AT INTERSECTION OF

Minerva Avenue and Fletcher

Section 2. All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency. All other parts of Chapter 7 of the Borough of Manasquan Code not inconsistent herewith are ratified and confirmed.

Section 3. This Ordinance shall become effective immediately upon its final passage and publication.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2324-20 is being introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 21st day of September 2020, and read for the first time. The said Ordinance is going to be considered for final passage by the Mayor and Council at a virtual meeting at 7:00 p.m. on the 5th day of October 2020. 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 by contacting the office of the Municipal Clerk 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

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

Passed on First Reading and Introduction: September 21, 2020
Approved on Second Reading and Final Hearing: October 5, 2020

Edward G. Donovan
Mayor

**BOROUGH OF MANASQUAN
ORDINANCE NO. 2325-20**

**ORDINANCE PROVIDING FOR PURCHASE AND
INSTALLATION OF DEHUMIDIFICATION SYSTEM
FOR THE WATER TREATMENT PLANT AND
APPROPRIATING \$50,000 AUTHORIZED IN AND BY
THE BOROUGH OF MANASQUAN, IN THE COUNTY OF
MONMOUTH, NEW JERSEY**

WHEREAS, the Mayor and Council of the Borough of Manasquan in the County of Monmouth, New Jersey have determined that the purchase and installation of a dehumidification system for the Water Treatment Plant is necessary; and

WHEREAS, the Borough has in excess of \$50,000 in its Water Sewer Capital Improvement Fund.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, State of New Jersey, as follows:

Section 1. The improvements described in Section 2 of this ordinance are hereby authorized as water sewer capital improvement to be undertaken in and by the Borough of Manasquan, in the County of Monmouth, New Jersey. For the improvements or purposes described in Section 2, there is hereby appropriated \$50,000. Said sum being inclusive of \$50,000 from the Water Sewer Capital Improvement Fund.

Section 2. The improvement hereby authorized to be undertaken consist of purchase and installation of a dehumidification system, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefore on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

Section 3. The 2020 capital budget of the Borough will conform to the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 4. The Borough Officials and representatives are hereby authorized to do all things necessary to accomplish the purpose of the appropriation made herein.

Section 5. This ordinance shall take effect as provided by law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2325-20 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 21st day of September, 2020, and was then read for the first time. The said Ordinance will be further considered for final passage by the Mayor and Council at a virtual meeting at 7:00 p.m. on the 5th day of October, 2020. 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 by contacting the Municipal Clerk at blaria@manasquan-nj.gov or 732-223-0544 ext. 233 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: September 21, 2020
Approved on Second Reading and Final Hearing: October 5, 2020

EDWARD G. DONOVAN
Mayor