

**BOROUGH OF MANASQUAN AGENDA**  
**November 13, 2023 7:00 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)**

**Approval of Minutes**

1. Regular Meeting Minutes - October 16, 2023
2. Special Meeting Minutes - October 30, 2023

**Other Items**

1. Engineer's Monthly Report

**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. 288-2023 Authorizing Mayor to Sign 2024 Associated Humane Society Agreement
2. 289-2023 Authorizing Cooperative Purchase -Vacuum Debris Collector
3. 290-2023 Accepting Resignation Recreation Program Coordinator - Read
4. 291-2023 Authorizing Mayor to Sign Deed Restriction for Affordable Housing Rental Units - 33 Union Avenue
5. 292-2023 Approving Fire Commissioners Annual Salary
6. 293-2023 Ratifying Emergency Purchase -Ocean Avenue Water Main Repairs
7. 295-2023 Accepting Resignation SLEO II - Matthews
8. 296-2023 Appointing Beach Staff Post Season - Various
9. 297-2023 Audit 2022 Received and Reviewed by Governing Body and Group Affidavit
10. 298-2023 Audit 2022 Corrective Action Plan
11. 299-2023 Return Dumpster Security - 63 Central Avenue
12. 300-2023 Change Order #1 and Final - N. Main Street Parking Lot Improvements
13. 301-2023 Authorizing Clerk to Advertise for Professional - Licensed Site Remediation
14. 302-2023 Authorizing Clerk to Advertise Bid Notice - Pearce Court Water Main Repair/Replacement
15. 303-2023 Payment of Bills

**Resolution**

1. 294-2023 Setting 2024 Council Meeting Dates

**Ordinances - Second Reading**

1. 2412-23 BOND ORDINANCE AMENDING IN ITS ENTIRETY BOND ORDINANCE #2405-23, FINALLY ADOPTED JULY 24, 2023

**Committee Reports**

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

**Closed Session**

1. Personnel - Department of Public Works
2. Personnel - Manasquan Police Department

**Adjournment**

## Borough of Manasquan Engineering Status Report Through October 2023

### A. ACTIVE ENGINEERING CAPITAL PROJECTS

#### 1. Sea Watch Recreational Improvements Final Design

This project consists of the final design for improvements at the Sea Watch Recreational Area. It is our understanding that the Borough would like to construct a raised one-story structure and improve the property for the purpose of providing multiple recreational uses for the community.

Anticipated facilities for beach goers include locker rentals, a sundries store, public restrooms, and a concession stand with an area for informal dining. We believe that to better enhance the recreational area, site improvements will also be needed for this project. Site improvements that have been discussed are improved ADA accessibility where needed within the site, the addition of sufficient bicycle parking, and reconfiguration of the existing parking lot.

**Status:** A proposal was authorized on December 2, 2019 and a kickoff meeting took place on December 20, 2019. Programming and feasibility are underway. Topographic and Boundary Survey have been completed. A meeting with Green Acres took place on March 12, 2020 to review uses within the property limits. A programming meeting took place with the project team on March 27, 2020. Further discussion between the Borough and the Project Team has been ongoing. Currently, the programming exercise for the building is ongoing to determine the necessary square footage based on the Borough's requested building uses. A conceptual plan of the building consisting of footprints and elevation views of the proposed building was provided to the Borough on June 12, 2020. An MCAC meeting occurred July 1, 2021. The conceptual site plan was provided to the Borough on July 23, 2021. A public meeting was held on August 12, 2021 and also discussed on August 17, 2021. A follow up public meeting was held on September 21, 2021 to discuss a revised concept. An NJDEP CAFRA Pre-Application meeting occurred in late January. The Conceptual Site Plan was provided to the Borough. The CAFRA package was submitted to NJDEP in June of 2021. Colliers Engineering & Design (CED) responded to comments received by NJDEP in late August and is awaiting the application to be deemed Administratively Complete. This project has entered the Public Comment Period which ran until December 17, 2021. A decision from NJDEP is expected 60 days after that date. CED has received comments from NJDEP and responded in January 2022. NJDEP has approved the technical modification to the previously approved Individual Permit. The project received certification from the Freehold Soil Conservation District. Bids were received in May of 2023 and rejected. The project was awarded to Sea Wolf Construction on July 24, 2023. A Pre-Construction meeting occurred in August 2023. **Construction started in Mid-September. Demolition is complete and construction is underway.**

#### 2. Mount Lane Roadway and Drainage Improvements

This project consists of road and drainage improvements along Mount Lane between Euclid Avenue and Virginia Avenue that has a history of drainage problems that cause dangerous ponding conditions. The

estimated total construction cost for the project is approximately \$240,000.00; however, the estimate will be subject to change based upon revisions to the project scope. This project site is known for its chronic ponding, especially along Mount Lane's northern portion. Our goal is to improve the drainage throughout the project site that will help reduce nuisance flooding. ADA upgrades will be completed where required, as well as repairs to sidewalk and driveway aprons as needed. The entire project scope will be milled and overlaid upon completion of the improvements.

**Status:** Topographic Survey is complete. Design is ongoing. Recent information has informed us that South Monmouth Regional Sewerage Authority (SMRSA) is performing an analysis of the force main along Mount Lane and this project will be on hold until SMRSA informs the Borough about the severity of the required repairs. SMRSA informed the Borough no project will be required. This project was advertised in January of 2023 with Spring construction planned. Bids were received and award was made in February 2023. **Construction is complete with the exception of punchlist and project closeout.**

### 3. First Avenue Improvements – FY 2022 Local Aid

First Avenue is an essential roadway that provides access to the beach for the entire Borough. We know that the Borough wishes to proceed with the road improvements in an expedited manner after the summer season concludes on Labor Day, and we have structured our services to accommodate the Borough's desired schedule. The Borough recently received an FY 2021 NJDOT Municipal Aid Grant in the amount of \$250,000.00 for the roadway project and will be looking at alternative funding to get the most value in this contract. The current project limits are from Main Street to Riverside Drive.

**Status:** Authorization took place on February 22, 2022. Design is complete. This project was awarded to Black Rock Construction. **A Pre-Construction meeting took place and Construction has commenced. Weather permitting, this project will be substantially complete by the end of the year.**

### 4. East Virginia Avenue and South Street Pump Station Improvements

This project includes proposed upgrades to the South Street Pump Station and East Virginia Avenue Pump Station in the Borough. Based on that initial investigation and discussion with Borough representatives, the following improvements to these pump stations are proposed: Replace dry well pumps with wet well submersible pumps at both pump stations; install new piping in wet well and new valve chamber at both pump stations; upgrade controls at both pump stations and replace level sensing equipment in wet wells; clean and epoxy coat wet wells; modify wet wells to increase diameter of upper sections for pump removal and add hatches; install bypass connection on the South Street Pump Station force main and add mixers or appropriate pumps to wet wells of both pump stations to mitigate grease buildup issues.

**Status:** Authorization took place in April 2022. Design was completed. Bids were received on June 30, 2022. The Borough has awarded this project and a Pre-Construction meeting took place in October 2022. **Construction is underway at both sites and this project is expected to be complete by the end of the year.**

## 5. South Street Parking Lot Improvements

This project includes proposed upgrades to the parking area at South Street which has deteriorating pavement and is in need of replacement/renovation. We understand there is a sentiment that various expansions were performed over the years, but after inspection, it appears that the full site was not fully repaved and instead occurred in various smaller projects. This has led to many cracks and areas of settling that have become tripping hazards. This project will provide a full overlay of the parking lot along with site improvements.

**Status:** Authorization took place in February 2023. Design is completed. Bids were received and an award was made in May 2023. **Construction is complete and we are handling punchlist and project closeout.**

## 6. North Main Street Parking Lot Improvements

This project includes proposed upgrades to the parking area at North Main Street which has deteriorating pavement and is in need of replacement/renovation. As part of this project, the DCI building will be removed and the parking lot will expand to support the community. This project will provide a full overlay of the parking lot along with site improvements.

**Status:** Authorization took place in February 2023. Bids were received and an award was made in July 2023 to Shore Top Construction. **Construction is complete and we are handling punchlist and project closeout.**

## 7. Water Storage Tank Painting and Repairs

This project involves the repair and painting of the 300,000-gallon elevated finished water storage tank located at the Water Treatment Facility. Painting and repairs included in the project documents will be as recommended in the Suez report from the October 2020 inspection. With water demand being significantly higher during the summer months, the project documents will limit repairs and painting such that the tank can remain in service between Memorial Day and Labor Day. This project is in conjunction with another task involving the interconnection study that the Borough is looking to develop when the water tank goes offline.

**Status:** Authorization took place in February 2023. **Design is ongoing.**

## B. GRANTS & FUNDING

### 1. NJHT Grant Management Assistance for Squan Beach Life Saving Station

The Borough was awarded a \$75,000.00 New Jersey Historic Trust (NJHT) Level I Capital Preservation Grant for Exterior Repairs at the Squan Beach Life Saving Station. The grant will be used to partially reimburse the Borough for the exterior repairs at the Squan Beach Life Saving Station project, part of which was completed. Our office is assisting with management and implementation of the grant. A kickoff meeting was held April 18, 2018.

**Status:** The grant agreement has been executed and our office is assisting with this request for reimbursement. A meeting was held with the Borough, CED and the NJHT on September 26, 2019. The historical architect and preservation committee are refining the scope of re-bid of remaining project items to draw down the entire grant balance. A hearing was held on March 2, 2020 on the adoption of prequalification regulations for general restoration contractors for the anticipated bid. Bid opening took place August 6, 2020. **Our office is working with the NJHT and Borough on reporting and reimbursement activities.**

## 2. 2023 Monmouth County CDBG

While the Borough has not received official notice that a 2022 round grant was denied, the 2022 application did not preliminarily fall within the County's fundable range. We are preparing to submit the same project, Euclid Ave Improvements Phase 2, for the 2023 round. The deadline was July 22, 2022.

**Status:** Application submitted. **The Borough was formally notified of an award and grant agreement via letter dated August 7, 2023.**

## 3. FY 2024 Congressionally Directed Spending and Community Project Funding

Applications were submitted March 17<sup>th</sup> and March 24<sup>th</sup> to Senator Booker, Senator Menendez, and Congressman Smith's office for the Stockton Lake Bulkhead project for consideration in the appropriations bill.

**Status: The project was included in the lists of requested/recommended projects for Senator Booker and Senator Menendez's offices. The project was not included in Congressman Smith's request. The project was not selected nor included in the final appropriations bill.**

## 4. 2023 NJDOT Local Transportation Projects Fund (LTPF)

An application is in progress for NJDOT's discretionary grant program to fund the Stockton Lake Bulkhead project due by June 2, 2023.

**Status: Application was submitted. Award announcements are pending and were expected in Summer 2023.**

## 5. 2024 NJDOT State Aid

An application is in progress for a Municipal Aid Grant for First Avenue Phase 3 & Riverside Drive due July 1, 2023.

**Status: Application was submitted. Award announcements are expected in November 2023.**

**6. Monmouth County 2023 Municipal Park Improvement Grant Program**

An application was submitted for Winterstella Park Playground Improvements due July 13, 2023. A public hearing was held July 10, 2023.

**Status: Application was submitted and approved. Award announcements are expected in October 2023.**

**7. NJDCA Boardwalk Preservation Fund**

An application is in progress for Stockton Lake bulkhead and promenade due October 31, 2023.

**Status: Application in progress.**

JJR/KH/sab

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**BOROUGH OF MANASQUAN  
RESOLUTION  
288-2023**

**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, 2024 through December 31, 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 November 13, 2023, meeting.

\_\_\_\_\_  
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  
RESOLUTION  
289-2023**

**RESOLUTION AUTHORIZING CONTRACTS  
THROUGH A COOPERATIVE PURCHASING  
SYSTEM FOR CONTRACTING UNITS PURSUANT  
TO N.J.S.A. 40A:11-11**

**WHEREAS**, the Borough of Manasquan, pursuant to N.J.S.A. 40A:11-11 and N.J.A.C. 5:34-7.12 may by resolution and without advertising for bids, purchase any goods or services under a Cooperative Purchasing Program for any contracts entered into on behalf of the members of the Cooperative Purchasing System; and

**WHEREAS**, the Borough of Manasquan has the need on a timely basis to purchase goods or services utilizing cooperative purchasing contracts for the purpose of the acquisition of equipment for the Borough of Manasquan Department of Public Works; and

**WHEREAS**, the Borough of Manasquan intends to enter into a contract with: Timmerman Equipment Company, located at 3554 US-22, PO Box 71, Whitehouse, NJ 08888, for an ODB Trailer Mounted Self-Contained Vacuum Debris Collector, Bid # 031121-ODB through the Sourcewell Co-op, and through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current co-op contracts;

**NOW THEREFORE BE IT RESOLVED**, that the Borough of Manasquan authorizes the Purchasing Agent to purchase certain goods or services from said contractor by approved New Jersey State Approved CO-OP, Sourcewell Co-Op #031121-ODB, pursuant to all conditions of the individual cooperative contract, with Timmerman Equipment Company in the amount of \$137,566.73.

**BE IT FURTHER RESOLVED**, that the governing body of the Borough of Manasquan pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer.

**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 November 13, 2023.

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**BARBARA ILARIA, RMC, CMC**  
Municipal Clerk

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  
2939 Highway 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 13<sup>th</sup> day of November, 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 contracts, which is pending approval by the governing body:

Timmerman Equipment Company  
3554 US-22  
PO Box 71  
Whitehouse, NJ 08888

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.

\_\_\_\_\_  
AMY SPERA  
Chief Financial Officer

Accounts: X-04-99-933-310

Amount \$ \$137,566.73

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

**BOROUGH OF MANASQUAN  
RESOLUTION  
290-2023**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, accepts the resignation of Michaela Read as Recreation Program Coordinator from the Borough of Manasquan Recreation Commission effective October 26, 2023.

**CERTIFICATION**

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, New Jersey, do hereby certify that the foregoing resolution was adopted by the Borough Council at the November 13, 2023, meeting.

\_\_\_\_\_  
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  
291-2023**

**AUTHORIZING MAYOR TO SIGN THE DEED  
RESTRICTION FOR THE 33 UNION AVENUE  
AFFORDABLE HOUSING RENTAL UNITS**

**BE IT RESOLVED** that the Hon. Edward G. Donovan, Mayor of the Borough of Manasquan, be and is hereby authorized to sign the Affordable Housing Deed Restriction for the 33 Union Avenue, Affordable Housing Rental Units..

**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 November 13, 2023, meeting.

\_\_\_\_\_  
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  
292-2023**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE  
BOROUGH OF MANASQUAN, MONMOUTH COUNTY,  
REVIEWING AND APPROVING THE BOROUGH OF  
MANASQUAN BOARD OF FIRE COMMISSIONERS OF  
FIRE DISTRICT No. 1 FIRE COMMISSIONER SALARY  
FOR 2024**

**WHEREAS**, via attached Resolution No. 2023, Borough of Manasquan Fire District No. 1 authorized and approved the 2024 annual compensation for the Board of Fire Commissioners: and

**WHEREAS**, N.J.S.A. 40A:14-88 requires the salaries of members of Board of Commissioners of Fire Districts to be reviewed and approved annually by the governing body; and

**WHEREAS**, the Mayor and Borough Council of the Borough of Manasquan have reviewed Board of Fire District No. 1 Resolution 2023 and the proposed annual compensations for each of the Board Commissioners as \$2000.00.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, hereby approve the 2024 annual compensation of the Board of Fire Commissioners of the Borough of Manasquan Fire District No. 1.

**CERTIFICATION**

I, Barbara Ilaria, Municipal Clerk of the 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 their meeting held on November 13, 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  
293-2023**

**RESOLUTION OF THE BOROUGH OF  
MANASQUAN, RATIFYING THE EMERGENCY  
REPAIRS OF THE WATER MAIN LOCATED AT  
90 OCEAN AVE**

**WHEREAS**, an emergency existed due to a broken water main at 90 Ocean Ave; and

**WHEREAS**, pursuant to N.J.S.A.40A:11-6 a contract may be negotiated or awarded for a contracting unit without public advertising or solicitation of quotes therefor, when an emergency affecting the public and/or employee health, safety or welfare requires the immediate delivery of goods or the performance of services; and

**WHEREAS**, immediate action was required for the repair of the water main on Ocean Ave; and

**WHEREAS**, the Borough of Manasquan, pursuant to N.J.S.A. 40A:11-6 permits the authorization of an emergency purchase without prior consent by the governing body; and

**NOW THEREFORE BE IT RESOLVED**, the Borough of Manasquan, in compliance with all Local Public Contract Laws, emergency purchase provisions, does hereby ratify and approve the payment in the amount of \$7,390.00 to D’Erasmus Utility, for the emergency repair of the water main on Ocean Ave in the Borough of Manasquan.

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 November 13, 2023, meeting.

**CERTIFICATION**

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, New Jersey, do hereby certify that the foregoing resolution was adopted by the Borough Council at the November 13, 2023, meeting.

\_\_\_\_\_  
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  
295-2023**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, accepts the resignation of Thomas Matthews from the position of SLEO II from the Manasquan Police Department effective October 13, 2023.

**CERTIFICATION**

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, New Jersey, do hereby certify that the foregoing resolution was adopted by the Borough Council at the November 13, 2023, meeting.

\_\_\_\_\_  
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  
296-2023**

**WHEREAS**, the Borough of Manasquan is desirous of appointing Post Season Beach Staff for the effective dates listed below; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 13<sup>th</sup> day of November 2023 appoint the following Beach Staff to work during the below listed effective dates:

Name	Town	Title	Rate of Pay (Hourly/Seasonal)	Effective Date	Hours (Part Time/Seasonal)
<b>Beach Patrol</b>					
Mike Hurden	Manasquan	Supervisor	\$22.50	10/1/2023-12/31/2023	Seasonal

<b>Parking Lot</b>					
Barry Sullivan	Manasquan	Parking Lot Attendant	\$14.50	10/8/2023-10/8/2023	Seasonal

<b>Lifeguard</b>					
Aiden Price	Manasquan	Lifeguard	\$18.20	9/9//2023-9/18/2023	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 November 13, 2023. 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  
297-2023**

**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 2022 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.

**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.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON NOVEMBER 13, 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  
298-2023**

**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 2022, 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  
2022 AUDIT**

Finding 2022-1            Interfunds existed at year end.

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

**CERTIFICATION**

I, Barbara Ilaria, Municipal Clerk of the 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 their meeting held on November 13, 2023.

\_\_\_\_\_  
BARBARA ILARIA, RMC, CMC  
Municipal Clerk

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

**BOROUGH OF MANASQUAN  
RESOLUTION  
299-2023**

**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: PATRICIA L HOEY  
63 CENTRAL AVENUE  
MANASQUAN, NJ 08736

AMOUNT OF REFUND DUE: \$1,000.00

REASON FOR REFUND: Dumpster Security-63 Central Ave

**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.

**CERTIFICATION**

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 November 13, 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  
300-2023**

**CHANGE ORDER NO. 1 & FINAL**

Be it resolved by the Mayor and Council of the Borough of Manasquan of Monmouth County, New Jersey upon the recommendation of the Borough Engineer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: North Main Street Parking Lot Improvements

CONTRACTOR: Shore Top Construction Corporation

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

Change Order No. 1 & Final

AMOUNT OF CHANGE FOR THIS RESOLUTION: (-\$67,746.90)

TOTAL AMOUNT OF CHANGE: (-\$67,746.90)

TOTAL ORIGINAL CONTRACT PRICE \$529,053.00

REVISED CONTRACT PRICE \$461,306.10

All bills on file in the Finance Office. This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

**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 November 13, 2023.

---

BARBARA ILARIA, RMC, CMC  
Municipal Clerk

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

Municipal Attorney  
Mark G. Kitrick, Esq.  
2329 Highway 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 13<sup>th</sup> day of November 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, which is pending approval by the governing body.
  
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

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

**BOROUGH OF MANASQUAN  
RESOLUTION  
301-2023**

**WHEREAS**, the Mayor and Council have determined that the professional service providers that serve the Borough should be selected and appointed through a fair and open competitive process; and

**WHEREAS** the means by which this fair and open competitive process shall be accomplished is through the issuance of formal Requests for Proposals from each professional.

**THEREFORE**, the Municipal Clerk is hereby authorized to advertise Requests for Proposals for the following professional service provider:

Licensed Site Remediation Professional

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 November 13, 2023.

\_\_\_\_\_  
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  
302-2023**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Manasquan, that Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, be and is hereby authorized to advertise a Bid Notice for Pearce Court Water Main Repair/Replacement Project.

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 November 13, 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  
RESOLUTION  
303-2023**

**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	\$3,119,977.05
Water/Sewer Fund	\$47,738.01
Beach Fund	\$160,400.21
Grants	\$3,701.39
Recreation Trust	\$25,810.80
Misc Trust	\$5,621.03
Animal Control Trust	\$305.00
General Capital	\$570,152.24
E. Virginia Pump Station	\$452,250.20
Beach Capital	\$353,472.09

\*includes 10-30-23 POB

**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 November 13, 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. 2412-23**

**BOND ORDINANCE AMENDING IN ITS ENTIRETY  
BOND ORDINANCE #2405-23, FINALLY ADOPTED  
JULY 24, 2023, OF THE BOROUGH OF  
MANASQUAN, IN THE COUNTY OF MONMOUTH,  
NEW JERSEY**

**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 One.** Bond ordinance #2405-23 of the Borough of Manasquan, in the County of Monmouth, New Jersey (the "Borough"), finally adopted July 24, 2023, and entitled, "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," is hereby amended in its entirety to read as follows:

"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 \$840,000 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 \$799,500  
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 \$840,000, 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 \$40,500 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 \$799,500 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 \$799,500, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$168,000 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."

**Section Two.** This amending 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. 2412-23 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 16<sup>th</sup> day of October 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 13<sup>th</sup> day of November 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.

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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: October 16, 2023  
Approved on Second Reading and Final Hearing: November 13, 2023

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EDWARD G. DONOVAN  
Mayor