

BOROUGH OF MANASQUAN AGENDA
October 16, 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)

Proclamations

1. Pipes and Drums 25 Years

Tourism Presentation

Approval of Minutes

1. Regular Meeting Minutes - September 18, 2023
2. Regular Meeting Minutes - October 2, 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. 253-2023 Revising Scope of Work - VHB - 86 Main Street - Withdrawing
2. 272-2023 Return Use of Beach Fee - Big Brothers Big Sisters
3. 273-2023 Authorizing Electronic Tax Sale
4. 274-2023 Refund of Tax Assessment - 87-99 Taylor Avenue
5. 275-2023 Accepting Resignation of SLEO II Marshall Bitsko
6. 276-2023 Appoint Ryan Travers from Provisional to Permanent Water Repair Supervisor/Water Treatment Operator
7. 277-2023 Accepting Resignation of Public Works Laborer Joseph Waldeyer
8. 278-2023 Authorizing Clerk to Advertise for Public Works Laborer
9. 279-2023 Capital Budget Amendment
10. 280-2023 Authorizing Clerk to Advertise for Professionals RFP
11. 281-2023 Authorizing Additional Scope of Work South Street and East Virginia Lift Stations - Colliers Engineering
12. 282-2023 Amending Personnel Policy and Procedures
13. 283-2023 Amending Resolution 269-2023 Correcting Salary - David Baez
14. 284-2023 Payment of Bills

Ordinances - Second Reading

1. 2410-23 ORDINANCE PROVIDING FOR PURCHASE OF DEPARTMENT OF PUBLIC WORKS EQUIPMENT AND APPROPRIATING \$150,000
2. 2411-23 ORDINANCE AMENDING AND SUPPLEMENTING AND SUPPLEMENTING CHAPTER 16 (FEES), SECTION 22-56 (WATER METER & REMOTE READING SENSORS REPAIR FEES)

Ordinances - First 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)

Adjournment

HONORING THE PIPES AND DRUMS OF THE JERSEY SHORE

WHEREAS, the Pipes and Drums of the Jersey Shore was founded in 1998 and has been promoting Irish culture and heritage through performances of traditional bagpipe and drum music; and

WHEREAS, the Pipes and Drums of the Jersey Shore is also an instructional band, developing the next generations of pipers and drummers by offering instruction free of charge. The band helped create the St. Rose High School Pipe Band; and

WHEREAS, the Pipes and Drums of the Jersey Shore is celebrating its 25th Anniversary and is led by Drum Major and Band Manager Mark Mastowski, Drum Sergeant Jim Conti, Pipe Major Ray Spengler, Pipe Sergeant John Giblin, Band Secretary Scott McDonald, Band Treasurer Lauren Kolar and Band Quartermaster Don Darlington; and

WHEREAS, the Pipes and Drums of the Jersey Shore support a strong family friendly culture and spirit of community involvement. More than three quarters of their performances are done for charities, fundraisers and volunteer organizations. The band marches every year in the Belmar/Lake Como St. Patrick's Day parade without compensation; and

WHEREAS, the Pipes and Drums of the Jersey Shore has received numerous awards and has performed in Ireland, Savannah, Myrtle Beach and several other states. The Band competed for the first time on Sept. 9, 2023 at the Union County Irish festival and won first place; and

NOW, THEREFORE, BE IT RESOLVED, that I, Edward G. Donovan, Mayor of the Borough of Manasquan, on behalf of the Borough Council and the good people of this Borough, hereby congratulate the Pipes and Drums of the Jersey Shore on twenty five remarkable years, pay tribute to its meritorious record of service and extend our best wishes for its continued success in the years to come.

I have hereunto set my hand and
caused the seal of the Borough of
Manasquan to be affixed this 16th
day of October 2023.

Edward G. Donovan, Mayor

**BOROUGH OF MANASQUAN
RESOLUTION
253-2023**

WHEREAS, on September 5, 2023 the governing body, by resolution 241-2023, authorized the scope of work to Vanasse Hangen Brustlin, Inc. (VHB), 1805 Atlantic Avenue, Manasquan, New Jersey 08736 to provide environmental services related to the Borough's prospective purchase of 86 Main Street; and

WHEREAS, both parties have agreed to nullify the approved scope of work as outlined in the proposal dated August 25, 2023 and approved on September 5, 2023; and

WHEREAS, the Borough of Manasquan and VHB desire to enter into a new proposed scope of work; and

WHEREAS, The New Jersey Department of Environmental Protection warrants that the costs associated with the work detailed in the proposal are fully reimbursable through the Hazardous Discharge Site Remediation Fund.

THEREFORE BE IT RESOLVED, that the Scope of work between VHB and the Borough of Manasquan dated August 25, 2023 is hereby declared null and void by mutual agreement of the parties.

BE IT FURTHER RESOLVED, that the Borough of Manasquan retains the Professional Engineering services of VHB, 1805 Atlantic Avenue, Manasquan, New Jersey 08736 for HDSRF Application, Preliminary Assessment, Site Investigation, Scope Development, LSRP Retention, and Schedule. The fee is as follows:

* Task 1 – Hazardous Discharge Site Remediation Fund Application	\$ 970.00
* Task 2 – Preliminary Assessment	\$ 8,120.00
* Task 3 – Site Investigation -	\$44,180.00
* Task 4 – Scope Development, LSRP Retention, Schedule	\$ 3,140.00

For a rate not to exceed \$56,410.00 for the services outlined in the proposal dated September 14, 2023.

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 October 16, 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 16th day of October 2023 I hereby certify to the Borough Council of the Borough of Manasquan as follows:

Adequate funds in the amount of \$56,41.000 are available to defray the expenditure of money by the Borough under the following proposal, which is pending approval by the governing body:

Vanasse Hangen Brustlin, Inc. (VHB)
HDSRF Application, Preliminary Assessment, Site Investigation and Scope Development, LSRP Retention, Schedule.

Account: _____

Amy Spera
Chief Financial Officer

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

**BOROUGH OF MANASQUAN
RESOLUTION
272-2023**

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: BIG BROTHERS BIG SISTERS
305 BOND STREET, 2ND FLOOR
ASBURY PARK, NJ 07712

AMOUNT OF REFUND DUE: \$150.00

REASON FOR REFUND: RETURN USE OF BEACH FEE-
EVENT CANCELED DUE TO WEATHER

AMOUNT OF REFUND DUE: \$400.00

REASON FOR REFUND: RETURN SECURITY DEPOSIT-
EVENT CANCELED DUE TO WEATHER

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 16, 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
273-2023**

WHEREAS, N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services; and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/Real Auction.com to conduct electronic tax sales; and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process; and

WHEREAS, the municipality of Manasquan Borough wishes to participate in an electronic tax sale.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Manasquan, in the County of Monmouth, State of New Jersey that the Tax Collector is hereby authorized to participate in an electronic tax sale and submit same to the Director of the Division of Local Government Services, if necessary.

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 16, 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
274-2023**

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

WHEREAS, a stipulation of settlement has been entered and agreed to that the assessment of Block 61 Lot 40.01 be adjusted

WHEREAS, judgment has been entered as follows including that all refunds set forth shall be paid as follows:

NAME: TIMOTHY B. MIDDLETON, ESQ.
 2517 HIGHWAY 35
 BLDG. K
 SUITE 101
 MANASQUAN, NJ 08736

AMOUNT OF REFUND DUE: \$18,000.18

**REASON FOR REFUND: TAX COURT OF NEW JERSEY
STIPULATION OF APPEAL
SETTLEMENT
DOCKET NOS.
008182-19; 008389-2021;
006601-2022; 006442-2023
BLOCK 61 LOT 40.01
GOLDEN EAST OF MANASQUAN
87-99 TAYLOR AVE.
MANASQUAN, NJ 08736**

WHEREAS, the Tax Collector has certified that the refund is to be issued.

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

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 16, 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
275-2023**

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, accepts the resignation of Marshall Bitsko from the position of SLEO II from the Manasquan Police Department effective October 6, 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 October 16, 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
276-2023**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey confirms the appointment of Ryan Travers from provisional to permanent Water Repair Supervisor/Water Treatment Operator as of October 16, 2023 No salary change. The appointee has met all the necessary requirements and evaluations for the position.

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 meeting held on October 16, 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
277-2023**

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, accepts the resignation of Joseph Waldeyer from the position of Laborer from the Manasquan Public Works Department effective October 27, 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 October 16, 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
278-2023**

**RESOLUTION OF THE BOROUGH COUNCIL OF
THE BOROUGH OF MANASQUAN, COUNTY OF
MONMOUTH, NEW JERSEY, AUTHORIZING
MUNICIPAL CLERK TO ADVERTISE FOR FULL
TIME PUBLIC WORKS LABORER**

WHEREAS, the Borough of Manasquan is in need of a Full Time Laborer in the Department of Public Works; and

NOW, THEREFORE BE IT RESOLVED on the 16th day of October 2023, by the Borough Council of the Borough of Manasquan, hereby authorize the Clerk to advertise for a Full Time Laborer for the Department of Public Works.

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 16, 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 -279-2023
CAPITAL BUDGET AMENDMENT

WHEREAS, the local capital budget for the year 2023 was approved on the 15th day of May, 2023; and,
WHEREAS, it is desired to amend said adopted capital budget section,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan, County of Monmouth, that the following amendment to the adopted capital budget section of 2023 budget be made:

Recorded Vote (Insert Last Name)	Ayes	{	Nays	{	Abstain	{
-------------------------------------	------	---	------	---	---------	---

**FROM
CAPITAL BUDGET (Current Year Action)
2023**

PLANNED FUNDING SOURCES FOR CURRENT YEAR 2023

1	2	3	4	5(a)	5(b)	5(c)	5(d)	5(e)	6
Project	Project Number	Estimated Total Cost	Amounts Reserved in Prior Years	2023 Budget Appropriations	Capital Improvement Fund	Capital Surplus	Grants in Aid and Other Funds	Debt Authorized	To be Funded in Future Years
		\$ 9,992,736.00	\$ 7,500.00	\$ 930,236.00	\$ 93,500.00	\$ -	\$ 171,000.00	\$ 6,635,500.00	\$ 2,155,000.00

**3 YEAR CAPITAL PROGRAM 2023-2025
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENT**

1	2	3	4	FUNDING AMOUNTS PER BUDGET YEAR		
				5 (a)	5(b)	5(c)
Project	Project Number	Estimated Total Cost	Estimated Completion Time	2023	2024	2025
		\$ 9,992,736.00		\$ 7,837,736.00	\$ 1,577,500.00	\$ 577,500.00

**3 YEAR CAPITAL PROGRAM 2023-2025
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS**

1	2	3	4	5	6	7(a)	7(b)	7 ©	7(d)	
Project	Estimated Total Cost	Current Year 2023	Future Years	Capital Improvement Fund	Capital Surplus	Grants in Aid and Other Funds	General	Self Liquidating	Assessment	School
Total All Projects	\$ 9,992,736.00	\$ 937,736.00	\$ 1,155,000.00	\$ 93,500.00	\$ -	\$ 171,000.00	\$ 1,635,500.00	\$ 6,000,000.00	\$ -	\$ -

**TO
CAPITAL BUDGET (Current Year Action)
2023**

PLANNED FUNDING SOURCES FOR CURRENT YEAR 2023

1	2	3	4	5(a)	5(b)	5 ©	5(d)	5(e)	6
Project	Project Number	Estimated Total Cost	Amounts Reserved in Prior Years	2023 Budget Appropriations	Capital Improvement Fund	Capital Surplus	Grants in Aid and Other Funds	Debt Authorized	To be Funded in Future Years
General Capital Acquisition of 86 Main Street	22	\$ 140,000.00	\$ -	\$ -	\$ 7,000.00	\$ -	\$ -	\$ 133,000.00	\$ -
Total All Projects		\$ 10,132,736.00	\$ 7,500.00	\$ 930,236.00	\$ 100,500.00	\$ -	\$ 171,000.00	\$ 6,768,500.00	\$ 2,155,000.00

**3 YEAR CAPITAL PROGRAM 2023-2025
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENT**

1	2	3	4	FUNDING AMOUNTS PER BUDGET YEAR		
				5 (a)	5(b)	5 ©
Project	Project Number	Estimated Total Cost	Estimated Completion Time	2023	2024	2025
General Capital Acquisition of 86 Main Street	22	\$ 140,000.00	End of Year	\$ 140,000.00	\$ -	\$ -
Total All Projects		\$ 10,132,736.00		\$ 7,977,736.00	\$ 1,577,500.00	\$ 577,500.00

**3 YEAR CAPITAL PROGRAM 2023-2025
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS**

1	2	3	4	5	6	7(a)	7(b)	7 ©	7(d)	
Project	Estimated Total Cost	Current Year 2023	Future Years	Capital Improvement Fund	Capital Surplus	Grants in Aid and Other Funds	General	Self Liquidating	Assessment	School
General Capital Acquisition of 86 Main Street	\$ 140,000.00			\$ 7,000.00			\$ 133,000.00			
Total All Projects	\$ 10,132,736.00	\$ 937,736.00	\$ 1,155,000.00	\$ 100,500.00	\$ -	\$ 171,000.00	\$ 1,768,500.00	\$ 6,000,000.00	\$ -	\$ -

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.
It is hereby certified that this is a true copy of a resolution amending the capital budget section adopted by the governing body on the 26th day of June, 2023.

Municipal Clerk - Barbara Illaria

Certified by me

(Date)

Trenton, New Jersey

Approved _____, 2023

Director of Local Government Services

**BOROUGH OF MANASQUAN
RESOLUTION
280-2023**

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 from the following professional service providers:

- Administrative Agent, Council on Affordable Housing
- Attorney, Bond
- Attorney, Borough
- Attorney, Council on Affordable Housing
- Attorney, Hearing Officer
- Attorney, Labor
- Auditor
- Engineer, Borough
- Financial Advisor
- Borough Planner
- Attorney, Municipal Prosecutor
- Attorney, Public Defender
- Conflict Attorney
- Attorney, Alternate Municipal Prosecutor
- Information Technology Consultant/Manager
- Attorney, Planning Board (*Appointed by the Planning Board*)
- Engineer, Planning Board (*Appointed by the Planning Board*)
- Planner, Planning Board (*Appointed by the Planning Board*)

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 October 16, 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
281-2023**

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 additional funding for Construction Administration and Part-Time Inspection Services for the ongoing lift station project for South Street and East Virginia, for a per diem rate not to exceed \$6,000.00 for the services outlined in the proposal dated October 12, 2023.

BE IT FURTHER RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the borough authorizes the Scope of Work for Professional Services for the ongoing lift station project for South Street and East Virginia.

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 October 16, 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 16th day of October 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 – providing Professional Services for additional funding for Construction Administration and Part-Time Inspection Services for the ongoing lift station project for South Street and East Virginia

Account: 3-01-20-165-028

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
282-2023**

**RESOLUTION OF THE BOROUGH COUNCIL OF
THEBOROUGH OF MANASQUAN, MONMOUTH
COUNTY, NEW JERSEY, AMENDING PERSONNEL
POLICIES AND PROCEDURES**

WHEREAS, the Borough of Manasquan’s most recent Personnel Policies and Procedures were revised on June 21, 2021 by the Borough Governing Body via Resolution 185-2021 and,

WHEREAS, the Borough Council has determined that there is a need to amend personnel policies and procedures; and

WHEREAS, the Personnel Policies and Procedures shall be amended as follows:

CONTENTS page was amended to remove “Longevity Policy” in SECTION FOUR: COMPENSATION & EMPLOYEE BENEFITS POLICIES

SECTION ONE: POLICIES RELATING TO EMPLOYEE RIGHTS AND OBLICATIONS

- **Anti-Discrimination Policy** was amended to include “pregnancy, breastfeeding, childbirth”
- **Americans with Disabilities Act Policy** was amended to read “It is the policy of Manasquan to comply with all relevant and applicable provisions of the Americans with Disabilities Act, the ADA Amendments Act and the New Jersey Law Against Discrimination. Manasquan will not discriminate against any employee or job applicant with respect to any terms, conditions, or privileges of employment because of a person’s physical or mental disability, pregnancy, pregnancy-related medical condition, breastfeeding or childbirth.
- **Drugs and Alcohol Policy** was amended to read “Manasquan recognizes that the possession or use of drugs and the abuse of alcohol pose a threat to the health and safety of all employees.”, and “The manufacturing, distribution, dispensing, possession, and use of alcohol or drugs on Manasquan premises or during work hours by employees is strictly prohibited.
- **Employee Complaint Policy** was amended to delete “Municipal Clerk” and replace with “Personnel Officer”
- **Grievance Policy** was amended to delete “Municipal Clerk” and replace with “Personnel Officer”
- **Access to Personnel Files Policy** was amended to delete "Municipal Clerk" and replace with “Personnel Officer”
- **Employee Evaluation Policy** was amended to delete "Municipal Clerk" and replace with “Personnel Officer”

SECTION TWO: WORKPLACE POLICIES

- **Job Description Policy** was amended to delete "Municipal Clerk" and replace with “Personnel Officer”
- **Fraternization Policy** was amended to delete "Municipal Clerk" and replace with “Personnel Officer”

- **Video Surveillance** was amended to delete "Municipal Clerk" and replace with "Personnel Officer"

SECTION THREE: PAID AND UNPAID TIME OFF POLICIES

- **Donated Leave Program – Application** section was amended to delete "Municipal Clerk" and replace with "Personnel Officer"
- **Family and Medical Leave** was amended to read "Family Temporary Disability. During a period of unpaid leave to care for a family member with a serious health condition or a newborn or adopted child or child placed into foster care with the employee, the employee may be eligible for up to twelve (12) weeks of Family Leave Insurance ("FLI") payments through the State in a twelve (12) month period. FLI is a monetary benefit paid by the State and not a separate leave entitlement and will thus run concurrently with FMLA and/or NJFLA leaves."

SECTION FOUR: COMPENSATION & EMPLOYEE BENEFITS POLICIES

- **Overtime Compensation Policy** was amended to delete "\$100,000" and replace with "\$107,432"

SECTION FIVE – MANAGERIAL/SUPERVISORY PROCEDURES

- **Processing and Orientation of New Employees Procedure** was amended to delete "Municipal Clerk" and replace with "Personnel Officer"
- **Personnel File Procedure** was amended to delete "Municipal Clerk" and replace with "Personnel Officer"
- **Request for Employment Verification and Reversion Procedure** was amended to delete "Chief Financial Officer" and replace with "Personnel Officer"

NOW, THEREFORE BE IT RESOLVED on this 16th day of October, 2023, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follow:

1. The amended Personnel Policies and Procedures Manual is amended as stated above and is on file at the Municipal Clerk's office.
2. These amended personnel policies and procedures shall apply to Manasquan officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.
3. Any inconsistencies between the amended policy and other sections of the current policy shall be reflected to coincide with the adopted amended policy.
4. This amended manual is intended to provide guidelines covering public service by Manasquan employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of Borough Council.
5. To the maximum extent permitted by law, employment practices for Manasquan shall operate under the legal doctrine known as "employment at will."
6. The Municipal Administrator and all managerial/supervisory personnel are responsible for these employment practices. The Personnel Officer and the Municipal Attorney shall assist the Municipal Administrator in the implementation of the policies and procedures in this manual.

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 October 16, 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
283-2023**

WHEREAS, at the October 2, 2023 meeting of the Borough Council of the Borough of Manasquan, approved Resolution 269-2023 appointing David Baez from temporary to permanent status as of September 18, 2023 at a salary of \$35,000;

WHEREAS, it has been determined that Resolution 269-2023 should be amended to read salary of \$47,833.00.

NOW THEREFORE BE IT RESOLVED that the Borough of Manasquan authorizes the amendment to this resolution to reflect the correct annual salary.

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 16, 2023.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

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

**BOROUGH OF MANASQUAN
RESOLUTION
284-2023**

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	\$632,486.14
Water/Sewer Fund	\$30,570.00
Beach Fund	\$45,759.01
Grants	\$4,339.37
Recreation Trust	\$25,353.91
Misc Trust	\$4,540.00
General Capital	\$17,517.50
Beach Capital	\$30,653.15

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 16, 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. 2410-23**

**ORDINANCE PROVIDING FOR PURCHASE OF
DEPARTMENT OF PUBLIC WORKS EQUIPMENT
AND APPROPRIATING \$150,000 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 of a Self-Contained Vacuum Debris Collector is necessary; and

WHEREAS, the Borough has in excess of \$10,000 in its General Capital Improvement Fund and in excess of \$140,000 in its General Capital Surplus.

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 general capital improvements 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 \$150,000. Said sum being inclusive of \$10,000 from the General Capital Improvement Fund and \$140,000 from the General Capital Surplus.

Section 2. The improvement hereby authorized to be undertaken consist of the purchase of a Self-Contained Vacuum Debris Collector, 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 2023 capital budget of the Borough will conform with 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 become effective following its final passage and publication according to the law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2410-23 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 2nd 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 16th day of October 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

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

Passed on First Reading and Introduction: October 2, 2023
Approved on Second Reading and Final Hearing: October 16, 2023

EDWARD G. DONOVAN
MAYOR

**BOROUGH OF MANASQUAN
ORDINANCE NO. 2411-23**

**AN ORDINANCE AMENDING AND
SUPPLEMENTING AND SUPPLEMENTING
CHAPTER 16 (FEES), SECTION 22-56 (WATER
METER & REMOTE READING SENSORS REPAIR
FEES) OF 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 22, Section 22-56 refers to Repairs to Water Meters to be provided by the Water Department within the Borough of Manasquan; and

WHEREAS, the Borough of Manasquan, County of Monmouth is desirous of amending Chapter 16 (Fees) Section 22-56 (Water Meter & Remote Reading Sensors Repair Fees) to reflect the correct fee for remote reading touch pad; and

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

Section 1: Chapter 16 “Fees”, Section 22-56 “Water Meter & Remote Reading Sensors Repair Fees” shall be amended and shall read as follows:

CHAPTER 16 FEES		
22-56 WATER METERING REPAIR EQUIPMENT FEES	(a) Water Meters	
	3/4 inch	\$195.00
	1 inch	\$283.00
	1 ½ inch	\$623.00
	2 inches	\$860.00
	(b) Remote Reading Equipment	
	Remote Sensor Element	\$217.00
	Touch Pad	\$63.00

Section 2: 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) This ordinance shall become effective following its final passage and publication according to the law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2411-23 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 2nd 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 16th day of October 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

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

Passed on First Reading and Introduction: October 2, 2023
Approved on Second Reading and Final Hearing: October 16, 2023

EDWARD G. DONOVAN
MAYOR

**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 16th 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 13th 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.

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

EDWARD G. DONOVAN
Mayor