

**Manasquan Borough Council Meeting
Conducted With Zoom
MAY 4, 2020 7pm**

**Teleconference No.:
Tel – 1-646-876-9923
ID# 937 7216 5442**

Participant Instructions

Introduction:

Greetings from the Manasquan Borough Mayor and Council:

Due to the COVID-19 pandemic, the Borough Council meeting will be conducted by teleconference in accordance with Governor Murphy's Executive Order 107. The following information and instructions are provided in an effort to ensure the smooth administration of the meeting and that the ability of the audience to attend and participate in the meeting via this medium meets NJ's Open Public Meetings Act (OPMA) requirements. Further, it is our hope that by all of us following these instructions, the meeting will be conducted in an orderly fashion and will result in the clear and uninterrupted execution of Borough business, delivery of information, and the fielding of questions and comments from the audience.

Dial-In Instructions:

Anyone wishing to hear and participate in the Meeting shall utilize the dial-in telephone number and ID# listed above.

- Please dial the number provided above between 6:55pm and 7:00pm.
- When prompted, enter the PIN number provided above.
- You will automatically be put in the waiting room. At 7 pm you will be admitted to the meeting. You will automatically be put on mute. You will now be able to hear the meeting.

E-Mail Instructions:

- If you have a question that you plan to ask during one of the Audience Participation Sessions that you are willing to pose in writing ahead of the start of the meeting (any time after the Agenda is posted to the Website on Friday) please email your name, address and telephone number with the question to the address below. Your question will be provided to the Mayor. At the appropriate time during the meeting, the Mayor will read your name, address and your question. The Mayor will then coordinate the answer as applicable. You will then be unmuted (using your phone number that was provided) to confirm whether your question has been sufficiently answered or whether you would like to provide further comment. **When you are completed, you will be returned to muted status.**

The email address is: tflarity@manasquan-nj.gov. Email is to be used any time after the posting of the Agenda to the website but **prior to the commencement of the meeting.**

Conduct of Meeting

During this meeting, there will be 2 distinct points wherein audience participation is permitted (see “Audience Participation” below).

If you have a question or comment during any of those Audience Participation sessions, please follow the Mayor’s instructions that are provided here and will be repeated during the meeting.

Mayor’s Instructions

During the meeting, at each Audience Participation Session is reached, the Mayor will announce the opening of the AP Session. If you would like to ask a question or make a comment please press *9 to raise your hand.in the system. When the last 4 numbers of your phone number is announced you will be unmuted to speak. You must clearly state your name, and address followed by your question or comment. The Mayor will direct the response to the speaker as applicable. Once this speaker’s participation is completed, the Mayor will ask if there is another person interested in commenting. This will continue until no other members of the audience request to be heard and this Session will be formally closed. Comments are limited to 2 minutes in length.

The following Audience Participation Sessions are slated for tonight’s meeting:

1. **Comments Limited to on Any Topic That Appears on the Agenda:** The first Audience Participation session will follow the Roll Call of Mayor and Council. This session occurs shortly after the opening of the meeting.
2. **Comments on Any Topic.** The last and final Audience Participation session will occur just prior to the conclusion of the meeting.

This information is designed to help maintain as much order as possible during the teleconference.

BOROUGH OF MANASQUAN AGENDA
May 04, 2020 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.

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 March 2, 2020
2. Budget Meeting Minutes March 7, 2020
3. Regular Online Meeting Minutes March 16, 2020

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.](#) 108-2020 Appt. SLEO Class I officer - Zilberman
- [2.](#) 109-2020 Tax Interest Grace Period Extension
- [3.](#) 110-2020 Temporary Capital Budget
- [4.](#) 111-2020 Authorizing Prepaid Beach Badge/Parking Pass Refunds
- [5.](#) 112-2020 Extending Temporary Prohibition on Rental CO's
- [6.](#) 113-2020 Payment of Bills

Ordinance - First Reading

- [1.](#) 2318-20 Bond Ordinance Mount Lane Improvements

Committee Reports

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

Adjournment

**BOROUGH OF MANASQUAN
RESOLUTION
108-2020**

WHEREAS, the Borough of Manasquan is desirous of appointing a Special Law Enforcement Officers Class I for the year 2020; and

WHEREAS, the Police Captain has submitted the following individual for appointment as Special Law Enforcement Officers Class I for the Borough of Manasquan effective May 5, 2020, at the current contractual rate of \$15.03 per hour:

Avery Zilberman, Marlboro NJ

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 May 4, 2010.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRYANT						
LEE						
MANGAN						
OLIVERA						
READ						
WALSH						
ON CONSENT AGENDA ____YES ____NO						

**BOROUGH OF MANASQUAN
RESOLUTION
109-2020**

WHEREAS, on April 28, 2020 Governor Murphy signed Executive Order No. 130, which allows municipalities to extend the grace period for property tax payments due on May 1st to June 1st. Such an extension would provide much-needed relief to homeowners struggling financially as a result of the COVID-19 pandemic.

WHEREAS, due to the COVID-19 pandemic and the State and Federal declarations of a major disaster throughout New Jersey, the governing body of the Borough of Manasquan wishes to extend the grace period to pay 2nd quarter 2020 tax payments to Monday June 1, 2020;

NOW THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Manasquan, in the county Monmouth, that the grace period to pay 2nd quarter 2020 property taxes is hereby extended to Monday June 1, 2020.

BE IT FURTHER RESOLVED, that the rate of interest for taxes unpaid shall be calculated from date of the quarterly payment until the date of actual payment; and

BE IT FURTHER RESOLVED, any payment due before May 1, 2020 will continue to accrue interest at the rate(s) set by local ordinance; and

BE IT FURTHER RESOLVED, this Resolution shall be published in its entirety once in the official newspaper of the Borough of Manasquan, shall be posted on the Borough website, a notice inserted with 2nd quarter 2020 mailed water bills and a copy of this adopted Resolution forwarded to the Division of Local Government Services in the Department of Community Affairs.

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 May 4, 2020 meeting.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

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

BOROUGH OF MANASQUAN
TEMPORARY CAPITAL BUDGET

2020

RESOLUTION 110-2020

WHEREAS, the Division of Local Government Services requires adoption of a local capital budget; and,

WHEREAS, the local capital budget for the year 2020 has not been adopted; and

WHEREAS, it is desired to adopt a temporary capital budget for the year 2020,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan, County of Monmouth, that the following capital appropriations be made:

Recorded Vote (Insert last names)	Ayes (Nays (Abstain (
	(((
	(((

TEMPORARY CAPITAL BUDGET (Current Year Action)
2020

1 PROJECT	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 AMOUNTS RESERVED IN PRIOR YEARS	PLANNED FUNDING SOURCES FOR CURRENT YEAR 2020					6 TO BE FUNDED IN FUTURE YEARS
				5(a) 2020 Budget Appropriations	5(b) Capital Improvement Fund	5(c) Capital Surplus	5(d) Grants in Aid and Other Funds	5(e) Debt Authorized	
Drainage Improvement Project	1	<u>600,000.00</u>			<u>30,000.00</u>			<u>570,000.00</u>	
TOTAL ALL PROJECTS		<u>\$600,000.00</u>			<u>30,000.00</u>			<u>570,000.00</u>	

3 YEAR CAPITAL PROGRAM 2020 - 2022
ANTICIPATED PROJECT SCHEDULE
AND FUNDING REQUIREMENT

1 PROJECT	2 Project Number	3 Estimated Total Cost	4 Estimated Completion Time	5 FUNDING AMOUNTS PER YEAR		
				Budget Year <u>2020</u>	<u>2021</u>	<u>2022</u>
Drainage Improvement Project	1	<u>600,000.00</u>	End of Yr.	<u>600,000.00</u>	<u>.00</u>	<u>.00</u>
TOTAL ALL PROJECTS		<u>\$600,000.00</u>		<u>600,000.00</u>	<u>.00</u>	<u>.00</u>

3 YEAR CAPITAL PROGRAM 2020 - 2022
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

1 PROJECT	3 Budget Appropriations			4 Capital Improvement Fund	5 Capital Surplus	6 Grants in Aid And Other Funds	7 BONDS AND NOTES	
	2 Estimated TOTAL COST	Current YEAR <u>2020</u>	Future Years				General	Self Liquidating Assessment School
Drainage Improvement Project	<u>600,000.00</u>			<u>30,000.00</u>			<u>570,000.00</u>	
TOTAL ALL PROJECTS	<u>\$600,000.00</u>			<u>30,000.00</u>			<u>570,000.00</u>	

BE IT FURTHER RESOLVED, that the above items will be included in the 2020 Capital Budget as adopted.

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 adopting a temporary capital budget adopted by the governing body on the 6th day of May, 2020.

Certified by me

(Date)

Municipal Clerk - Barbara Ilaria

**BOROUGH OF MANASQUAN
RESOLUTION
111-2020**

WHEREAS, due to the COVID-19 pandemic and the State and Federal declarations of a major disaster throughout New Jersey, the governing body of the Borough of Manasquan wishes to authorize the CFO and the Beach Superintendent the ability to issue requested refunds for prepaid beach badges and parking passes (excluding Sea Watch) through June 12, 2020.

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 4th day of May 2020 authorize the CFO and Beach Superintendent to refund fees for prepaid beach badges and parking passes through June 12, 2020 upon written request.

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 May 4, 2020 meeting.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

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

**BOROUGH OF MANASQUAN
RESOLUTION
112-2020**

**A RESOLUTION OF THE BOROUGH OF
MANASQUAN, COUNTY OF MONMOUTH, STATE OF
NEW JERSEY, EXTENDING THE TEMPORARY
PROHIBITION OF RENTAL OF HOMES WITHIN THE
BOROUGH**

WHEREAS, On March 13, 2020 the Office of Emergency Management of the Borough of Manasquan declared a State of Emergency for the Borough of Manasquan; and

WHEREAS, on March 21, 2020, Governor Phil Murphy issued Executive Orders 107 and 108, cancelling social gatherings, directing New Jersey residents to remain home or at their place of residence, and requiring the closure of all non-essential retail businesses; and

WHEREAS, Governor Murphy also urged all second home owners at the New Jersey Shore to stay in their principal residences, as the local infrastructure, particularly the healthcare infrastructure, is not prepared for the influx of part-time residents; and

WHEREAS, in furtherance of this directive and as authorized by Executive Order 108, on March 24, 2020 the Borough of Manasquan Office of Emergency Management is extending the temporary prohibition of rental of homes and other residential units within the Borough of Manasquan until further notice.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, as follows:

1. All rentals in the Borough of Manasquan to include AirBnB, VRBO, HomeAway, Local Real Estate Agency and other vacation rentals whether on-line or by in-person transaction will be suspended until May 18, 2020. All CO's permitting such rentals are suspended for all properties effective immediately.
2. All places of temporary accommodation that remain open pursuant to the Governor's Executive Orders should limit occupancy in order to enforce the Governor's requirement for social distancing.
3. That this restriction shall be revisited no later than May 18, 2020.
4. That this restriction shall be relaxed by action of the Borough Office of Emergency Management as soon as it is safe to do so. However, for as long as the COVID-19 pandemic continues to pose a threat to Borough residents the Borough will act accordingly to continue to protect lives.

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 May 4, 2020.

BARBARA ILARIA, RMC, CMC
 Municipal Clerk

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

**BOROUGH OF MANASQUAN
RESOLUTION
113-2020**

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

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

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

Current Fund	\$54,820.60
Capital Fund	\$32,462.78
Water/Sewer Fund	\$10,759.01
Water/Sewer Utility Fund	
Beach Utility Fund	\$5,482.22
Beach Capital Fund	\$6,600.00
Recreation Building Trust	\$6,321.00
Recreation Trust	\$559.36
Affordable Housing	\$242.00
Developer's Trust	\$2,250.00

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 May 4, 2020.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

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

**BOROUGH OF MANASQUAN
ORDINANCE NO. 2318-20**

**BOND ORDINANCE PROVIDING FOR
IMPROVEMENTS TO VARIOUS DRAINAGE
SYSTEMS IN AND BY THE BOROUGH OF
MANASQUAN, IN THE COUNTY OF
MONMOUTH, NEW JERSEY, APPROPRIATING
\$600,000 THEREFOR AND AUTHORIZING THE
ISSUANCE OF \$570,000 BONDS OR NOTES OF
THE BOROUGH TO FINANCE PART OF THE
COST THEREOF**

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

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Manasquan, in the County of Monmouth, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$600,000, including the sum of \$30,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$570,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is improvements to various drainage systems, including replacement of dual arch corrugated metal pipes, repair of Mount Lane culvert, excavation and pavement reconstruction, bituminous overlay of Mount Lane and all and any costs and improvements related thereto or necessitated thereby.

(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 10 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 \$570,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$120,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the

purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

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

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

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

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

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2318-20 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 4th day of May 2020, and was then read for the first time. The said Ordinance will be further considered for final passage by the Mayor and Council at an audio conference call at 7:00 p.m. on the 18th day of May 2020. At such time and place, or at any such time or place to which said meeting may be adjourned, all interested persons will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public by contacting the Municipal Clerk at blaria@manasquan-nj.gov or 732-223-0544 ext. 233 between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, except on legal holidays.

Barbara Ilaria, RMC, CMC
Municipal Clerk

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

Passed on First Reading and Introduction: May 4, 2020
Approved on Second Reading and Final Hearing: May 18, 2020

EDWARD G. DONOVAN
Mayor