

**Manasquan Borough Council Meeting**  
**In- Person at Borough Hall and Virtual Zoom Meeting**  
**June 13, 2022 7 pm**

In order to accommodate both in person and virtual meeting requests the Mayor and Council have established a Hybrid Meeting which will include in-person and virtual participation.

**IN-PERSON MEETING**

The in-person meeting will be held at Borough Hall at the above stated date and time. Masks are optional.

During the meeting, as each Audience Participation Session is reached, the Mayor will announce the opening of the Audience Participation Session. You will stand in front of the public mic and clearly state your name, and full 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.

**Zoom Meeting**

This zoom meeting is a courtesy to the public. If the zoom meeting fails or gets disconnected the in-person meeting will continue without the zoom participants.

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

**ID# 883 004 6931**

**Participant Instructions**  
**Meeting will be recorded**

**Instructions:**

Join meeting via Zoom video:

- Click on link above or copy and paste into your browser.
- When prompted, enter the ID number provided above.
- You will automatically be put in the waiting room. At 7 pm or shortly thereafter you will be admitted to the meeting. You will automatically be put on mute. You will now be able to hear the meeting.

Join meeting via Zoom dial in (phone):

- Dial the number provided above.
- When prompted, enter the ID number provided above.
- You will automatically be put in the waiting room. At 7 pm or shortly thereafter you will be admitted to the meeting. You will automatically be put on mute. You will now be able to hear the meeting.

**Mayor's Instructions**

During the meeting, as each Audience Participation Session is reached, the Mayor will announce the opening of the Audience Participation Session.

If you would like to ask a question or make a comment please press \*9 to raise your hand in the system if you are on the phone. When the last 4 numbers of your phone number is announced you will be unmuted to speak.

If you are participating via video scroll towards the bottom of the page to participants. This is where you can raise your hand through the system.

You must clearly state your name, and full 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.

**BOROUGH OF MANASQUAN AGENDA**  
**June 13, 2022 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)**

**Ordinance: Second Reading**

1. 2371-22 Exceed Municipal Budget Appropriation Limits and Establish CAP Bank

**Resolution**

1. 163-2022 Authorizing Budget to be Read by Title

**2022 MUNICIPAL BUDGET HEARING**

**Appointment**

1. Tourism Member - Danielle Cook - Unexpired Term (1/1/22-12/31/24)

**Approval of Minutes**

1. Regular Meeting Minutes - May 2, 2022
2. Regular Meeting Minutes - May 16, 2022

**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. 144-2022 Appointing Personnel Officer - Gumina
2. 148-2022 Return Beach Access Security Bond - 385 Beachfront
3. 149-2022 Accepting Resignation Special Law Enforcement Officer II - Lackner
4. 150-2022 Acknowledging Retirement - Police Officer Morton
5. 151-2022 Refund Overpayment of Special Assessment - Huber
6. 161-2022 Appoint Seasonal DPW Laborer - Servidio
7. 162-2022 Self Examination of Annual Budget
8. 164-2022 Award Curtis Park Improvement Project - Precise Construction Inc.
9. 165-2022 Authorizing Submission of 2023 DOT Grant Application - Riverside Drive Improvements
10. 166-2022 Authorizing Scope of Work Mount Lane Improvements - Colliers Engineering
11. 168-2022 Appoint Accounts Payable Position - Salerno
12. 169-2022 Authorizing Mayor to Sign Shore Community Alliance Grant Agreement
13. 170-2022 Appoint Seasonal Beach Staff
14. 171-2022 Acknowledging Resignation Accounts Payable/ Finance Clerk - Pompilio
15. 172-2022 Authorizing Submission of NJDOT Application Riverside Drive and Stockton Lake - Colliers Engineering
16. 173-2022 Authorizing 2023 DOT Grant Application - Stockton Lake Blvd. Improvements Phase III
17. 174-2022 Authorizing Traffic Analysis - Minerva and Fletcher Avenues

18. 175-2022 Authorizing Scope of Work Curtis Park Grant Administration - Colliers Engineer
19. 176-2022 Authorizing Lead Service Study - colliers Engineering
20. 177-2022 Appointing Recreation Staff - Various
21. 178-2022 Payment of Bills

**Liquor License Renewals**

1. 152-2022 Liquor License Renewal - Elks
2. 153-2022 Liquor License Renewal - Leggett's
3. 154-2022 Liquor License Renewal - Manasquan Liquors
4. 155-2022 Liquor License Renewal - Salty Whale
5. 156-2022 Liquor License Renewal - Osprey
6. 157-2022 Liquor License Renewal - Spirit '76
7. 158-2022 Liquor License Renewal - Max Devros
8. 159-2022 Liquor License Renewal - Squan Tavern
9. 160-2022 Liquor License Renewal - VFW
10. 167-2022 Liquor License Renewal - Reef and Barrel

**Ordinances - Second Reading**

1. 2372-22 Bond Ordinance Water and Sewer Infrastructure Upgrades
2. 2373-22 Bond Ordinance Sea Watch Re-Build

**Committee Reports**

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

**Adjournment**

**BOROUGH OF MANASQUAN  
ORDINANCE 2371-22**

**CALENDAR YEAR 2022  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION  
LIMITS AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Mayor and Council of the Borough of Manasquan in the County of Monmouth finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Mayor and Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$85,393.51 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Council of the Borough of Manasquan in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the Borough of Manasquan shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$298,877.28, and that the CY 2022 municipal budget for the Borough of Manasquan be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

**NOTICE**

**PUBLIC NOTICE IS HEREBY GIVEN** that Ordinance 2371 -22 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan in the County of Monmouth and State of New Jersey, on the 2nd day of May, 2022 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 at 7:00 pm on the 13th day of June, 2022. At such time and place, or at any time or place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning such Ordinance.

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BARBARA ILARIA, RMC, CMC  
Municipal Clerk

Passed on First Reading and Introduction: May 2, 2022  
Approved on Second Reading and Final Hearing: June 13, 2022

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**EDWARD G. DONOVAN, MAYOR**

**BOROUGH OF MANASQUAN  
RESOLUTION  
163-2022**

**WHEREAS**, the 2022 approved budget of the Borough of Manasquan, as advertised, has been posted in the Municipal Building at least one week prior to the date of this hearing, and

**WHEREAS**, a copy of the same has been made available to each person requesting it during said week and during public hearing.

**THEREFORE, BE IT RESOLVED**, that having conformed to the conditions set forth in N.J.S. 40A:4-8. The 2022 budget be read by its title.

**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 June 13, 2022.

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

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

## Borough of Manasquan Engineering Status Report Through May 2022

### 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. A kickoff meeting took place on December 20, 2019 and survey work is underway. 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. A 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 issued the Individual Permit to the Borough. A proposal for Environmental Services, Geotechnical Services, Design Development, Final Design, and Bidding Services was approved by the Borough. Geotechnical field work has been completed and Design Development is underway.**

## 2. Mount Lane Repairs

This project relates to the ongoing existing issues with the drainage system that passes thru Mount Lane that have been exposed from an event that consisted of a damaged South Monmouth Regional Sewer Authority pipe which needed immediate emergency repairs.

We are performing a hydrologic analysis of the drainage area tributary to the culvert in question. The analysis will take into account present land use, hydrologic soil group and cover type. Peak rates of runoff will be computed for the 100-year storm event plus 25%. The hydraulic capacity of the proposed structure will be analyzed to determine its design storm event capacity.

Remediation alternative analyses will be completed to determine improvements necessary to pass the storm events from which peak rates were computed. Possible remediation alternatives including the installation of a different size and material culvert, etc. will be investigated. Preliminary cost estimates and Environmental Permit issues associated with each alternative will be outlined.

**Status:** A proposal was authorized on February 18, 2020. A report consisting of proposed repairs was provided to the Borough for review in late March. A proposal for construction documents has been authorized by the Borough. Topographic Survey has been completed. NJ Transit permits and NJDEP permits are being coordinated. NJDEP declared the project administratively complete and our review period ended on March 15, 2021. A 30-day extension was applied for and the new deadline was April 15, 2021. Comments were provided by NJDEP and responded to in late March, and we are now awaiting the signed permit. Ongoing coordination will continue with NJ Transit to obtain an Occupancy Permit. NJDEP Permit has been obtained. NJ Transit Occupancy Permit is in progress. Meetings between NJ Transit, CED and the Borough have been ongoing. NJ Transit has provided concerns about the construction of this project. Currently, the Borough and CED is discussing potential fixes to the pipe with South Monmouth Regional Sewerage Authority (SMRSA). The project has been adjusted to consist of replacement of the two (2) culverts in kind, which requires a technical modification to the NJDEP Permit. This technical modification was submitted to NJDEP late August. The Borough is awaiting comment/approval from NJDEP. The scope has been adjusted so that no work will be completed on NJ Transit property. NJDEP Fresh Water Wetlands comments have been received, and responded to in October 2021. Flood Hazard comments were received and responded to in January 2022. NJDEP has provided the technical modification permit. **This project has had its Pre-Construction Meeting and is expected to start in July due to the lead time for materials for this project.**

## 3. 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 northing 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 is on hold until the Mount Lane Culvert Replacement project concludes.**

#### 4. Curtis Park – Final Design

This project will look at the various components and uses that are desired by the stakeholders for improvements to Curtis Park, and work with the Borough on developing a concept that will attempt to conceptualize these items into a plan that will fit the site and be within the project budget.

This phase assumes the preparation of one (1) concept with two (2) rounds of minor revisions to address client comments and a preliminary engineer's estimate. Once concepts are reviewed and approved, our team will prepare a schematic estimate of probable cost of construction for the Borough. The intention is to provide concepts that fit within the Borough's budget for this project.

**Status:** An internal kickoff meeting took place and conceptual design is underway. Conceptual plans were developed and released in October of 2021. Public feedback has been accumulated and revised concepts have been internally reviewed and coordinated. An updated concept plan was presented in early December. A proposal for Final Design and Bidding was authorized by Council at the 2<sup>nd</sup> meeting in December. Survey Services have been completed. An updated Conceptual Plan has been submitted to the Borough. A public meeting to gain input was conducted at the end of January. **This project was advertised and the bids are being reviewed by the Borough Attorney.**

#### 5. First Avenue Improvements – FY 2021 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 a FY 2021 NJDOT Municipal Aid Grant in the amount of \$305,000.00 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 the Northern Terminus to East Main Street.

**Status:** Authorization took place on March 15, 2021. Survey of all of First Avenue is currently underway and is expected to be completed by Mid-April with design to follow. Design is slated to be from the Northern Terminus to East Main Street. Resident notices have been provided as a template to the Borough with the intent to submit to residents this Spring so that any utility work can be completed prior to the Fall. Design has been completed. NJDOT Local Aid has provided the Borough authorization to advertise the project. This project was awarded to Fernandes Construction in mid-August. A pre-construction meeting occurred in September and Construction began in mid-October and ceased in December due to inclement weather. **All concrete curb, gutter, sidewalk, driveway, and ADA compliant ramps have been completed. Milling and paving have started and will be completed prior to the meeting. Punchlist work and Project Closeout will commence in May and conclude this project over the summer.**

#### 6. 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 a 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 the Main Street to Riverside Drive.

**Status:** Authorization took place on February 22, 2022. **Design is ongoing. Construction is expected to commence in Fall of 2022.**

#### 7. Borough Hall Parking Lot Improvements

This project includes improvements to the Borough Hall Parking Lot. The parking area at Borough Hall 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 the full site was not fully upgraded. There is a lack of sufficient lighting throughout the site and the current pavement marking layout is sub-standard.

**Status:** Authorization took place in April 2022. **Survey work is ongoing and a client kickoff meeting is being coordinated.**

#### 8. 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 work 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.

### 2. 2021 NJDCA Local Recreation Improvement Grant

An Application was submitted for Improvements to Curtis Park for the May 24, 2021 deadline.

**Status:** A January 5, 2022 press release announced the anticipated award. The Borough is expected to receive a \$55,000 grant. The grant agreement has been executed.

### 3. 2022 Monmouth County CDBG

An application, due July 23, 2021 was made to the County CDBG program round for the next phase of improvements to Euclid Avenue, following the 2020 round award for the first phase.

**Status:** Application submitted. Awaiting award announcements.

### 4. 2021 Monmouth County Municipal Open Space Grant

The project consists of Improvements to Curtis Park Phase II. A public hearing took place September 7, 2021.

**Status:** Application submitted. Awards were selected via a December 9, 2021 County resolution. The Borough is anticipated to receive a \$150,000 grant. The grant agreement is in process.

5. **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 is July 22, 2022.

**Status:** Application in progress.

6. **2023 NJDOT State Aid**

The next round of NJDOT State Aid (Municipal Aid, Bikeways, Transit Village and Safe Streets to Transit) is due July 1, 2022. The proposed project is along Riverside Drive. A priority 2 application will be made for Stockton Lake Boulevard.

**Status:** Application in progress.

JJR/KH/sab

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**BOROUGH OF MANASQUAN  
RESOLUTION  
144-2022**

**WHEREAS**, it has been determined that the Borough operations is in need of a Personnel Officer to handle its expansive personnel and human resource-related responsibilities; and

**WHEREAS**, after the execution of the Borough hiring process, Ms. Sheri Gumina has been identified by the assigned hiring team as the recommended candidate for the position; and

**NOW, THEREFORE, BE IT RESOLVED** on the 13<sup>th</sup> day of June, 2022 by the Borough Council of the Borough of Manasquan, County of Monmouth and state of New Jersey as follows:

1. Ms. Sheri Gumina is hereby appointed as the Borough Personnel Officer at an annual salary of \$72,000.
2. Ms. Gumina’s appointment shall be effective June 20, 2022.
3. A certified copy of this resolution shall be forwarded to Ms. Gumina.
4. The Mayor is hereby authorized to execute Ms. Gumina’s Employment Retention Statement in accordance with this Resolution.

**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 June 13, 2022, meeting.

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

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
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ON CONSENT AGENDA <input type="checkbox"/> YES <input type="checkbox"/> NO						

**BOROUGH OF MANASQUAN  
RESOLUTION  
148-2022**

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

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

NAME: R. POPVITCH BUILDERS, INC  
403 BEL AIRE ROAD  
BRIELLE, NJ 08730

AMOUNT OF REFUND DUE: \$10,000.00

REASON FOR REFUND: BEACH ACCESS SECURITY  
BOND  
2/2022- 385 BEACHFRONT

**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 June 13, 2022, meeting.

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

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
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ON CONSENT AGENDA ___ YES ___ NO						

**BOROUGH OF MANASQUAN  
RESOLUTION  
149-2022**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, accepts the resignation of Timothy Lackner from the position of Special Law Enforcement Officer II from the Manasquan Police Department effective June 15, 2022.

**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 June 13, 2022 meeting.

\_\_\_\_\_  
BARBARA I LARIA, RMC, CMC  
Municipal Clerk

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ON CONSENT AGENDA ____ YES ____ NO						

**BOROUGH OF MANASQUAN  
RESOLUTION  
150-2022**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, that the retirement of Thomas Morton from the position of Police Officer with the Manasquan Police Department effective April 1, 2022 be and is hereby accepted.

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 June 13, 2022, meeting.

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

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
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ON CONSENT AGENDA ___ YES ___ NO						



**BOROUGH OF MANASQUAN  
RESOLUTION  
151-2022**

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

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

**NAME:** JANEY HUBER  
256 PINE AVE  
MANASQUAN, NJ 08736

**AMOUNT OF REFUND DUE:** \$1.02

**REASON FOR REFUND:** SPECIAL ASSESSMENT OVERPAYMENT  
Block 85 Lot 1.01  
Janey Huber  
256 Pine Ave  
Manasquan, NJ 08736

**WHEREAS**, the Tax Collector has certified that the homeowner is entitled to the refund.

**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 June 13, 2022, meeting.

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

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
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ON CONSENT AGENDA ___YES ___NO						

**BOROUGH OF MANASQUAN  
RESOLUTION  
161-2022**

**WHEREAS**, the Borough of Manasquan is desirous of appointing Seasonal Laborers for the Department of Public Works; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 13th day of June, 2021 appoint the following Department of Public Works employee to Seasonal Laborer:

- Frank Servidio    Manasquan, NJ            \$15.00 per hour

**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 June 13, 2022.

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

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
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ON CONSENT AGENDA    ___ YES    ___ NO						

**BOROUGH OF MANASQUAN  
RESOLUTION  
162-2022**

**SELF-EXAMINATION OF BUDGET RESOLUTION**

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Manasquan has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2022 budget year.

**NOW THEREFORE BE IT RESOLVED** by the governing body of the Borough of Manasquan that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED** that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

**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 June 13, 2022 meeting.

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

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

**BOROUGH OF MANASQUAN  
RESOLUTION  
164-2022**

**RESOLUTION AWARDING A CONTRACT FOR  
CURTIS PARK IMPROVEMENTS IN THE BOROUGH  
OF MANASQUAN, COUNTY OF MONMOUTH STATE  
OF NEW JERSEY**

**WHEREAS**, public bids were advertised for and received pursuant to the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) for the Curtis Park Improvements Project; and

**WHEREAS**, the bids submitted for this project were:

<b>BIDDERS</b>	<b>BASE BID</b>	<b>BASE BID &amp; ALTERNATE A</b>	<b>BASE BID + ALTERNATE A+B</b>
Precise Construction, Inc.	\$284,845.00	\$339,985.00	\$354,985.00
Whirl Construction, Inc.	\$334,617.00	\$391,137.00	\$404,262.00
Down to Earth Landscaping	\$378,688.00	\$419,418.00	\$433,418.00

**WHEREAS**, three (3) bids for this project were received; and

**WHEREAS**, Precise Construction, Inc. submitted a base bid in the amount of \$284,845, with an additional for Alternate A & B for the total amount of \$354,985.00; and

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

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

**WHEREAS**, Borough Council is desirous of awarding a contract to Precise Construction, Inc. for the Base Bid with Alternates A & B for a total bid amount of \$354,985.00 for the project;

**NOW THEREFORE IT BE IT RESOLVED** on the 13<sup>th</sup> day of June, 2022, by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey, as follows:

1. This Bid award is subject to the review and approval of the Bid documents by the Manasquan Borough attorney.
2. Subject to the above condition, a contract in the amount of \$354,985.00 is awarded to Precise Construction Inc. for this project.
3. The Mayor and Municipal Clerk are authorized and directed to execute all necessary documents to effectuate a contract with Precise Construction Inc.
4. A certified copy of this resolution shall be sent to:

Precise Construction, Inc..  
1016 Highway 33  
Freehold, NJ 07728

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 June 13, 2022.

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

CERTIFICATION

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

\_\_\_\_\_  
MARK G. KITRICK, ESQ.  
Borough Attorney

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

CERTIFICATION

I am the financial officer charged with the responsibility of maintaining financial records of the Borough of Manasquan, State of New Jersey, and on this 13<sup>th</sup> day of June, 2022, I hereby certify to the Borough Council of the Borough of Manasquan as follows:

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

Curtis Park Improvements

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

ACCOUNT: \_\_\_\_\_

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

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

**BOROUGH OF MANASQUAN  
RESOLUTION  
165-2022**

**APPROVAL TO SUBMIT A GRANT APPLICATION  
AND EXECUTE A GRANT CONTRACT WITH THE  
NEW JERSEY DEPARTMENT OF TRANSPORTATION  
FOR THE RIVERSIDE DRIVE IMPROVEMENTS  
PROJECT.**

**NOW, THEREFORE, BE IT RESOLVED** that Council of Borough of Manasquan formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk and Colliers Engineering & Design are hereby authorized to submit an electronic grant application identified as MA-2023-Riverside Drive Improvements-00074 to the New Jersey Department of Transportation on behalf of Borough of Manasquan.

**BE IT FURTHER RESOLVED** that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Borough of Manasquan and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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 their regular meeting held on June 13, 2022.

---

BARBARA ILARIA, RMC, CMC  
Municipal Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

---

Clerk

---

Presiding Officer

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

**BOROUGH OF MANASQUAN  
RESOLUTION  
166-2022**

**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, 331 Newman Springs Roads Suite 203, Red Bank, New Jersey 07701, to provide professional services for additional Design Services for the Mount Lane Roadway and Drainage Improvements. The fees are as follows:

- Phase 1.0 Construction Documents \$6,500.00
- Phase 2.0 Construction Administration \$31,000.00

for a total amount not to exceed \$37,500.00 for the service outlined in a revised proposal dated May 26, 2022.

**AND BE IT FURTHER RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the borough authorizes Task 1.0 with the provision that each subsequent task shall require additional authorization subject to the recommendation of the Governing Body.

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 June 13, 2022, 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 13<sup>th</sup> day of June, 2022 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 – Professional services for the additional Design Services for the Mount Lane Roadway and Drainage Improvements.

Account: \_\_\_\_\_

\_\_\_\_\_  
Amy Spera  
Chief Financial Officer

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



**BOROUGH OF MANASQUAN  
RESOLUTION  
168-2022**

**RESOLUTION OF THE BOROUGH COUNCIL OF  
THE BOROUGH OF MANASQUAN, COUNTY OF  
MONMOUTH, NEW JERSEY, APPOINTING  
KATHLEEN SALERNO TO FULL TIME ACCOUNT  
CLERK IN THE FINANCE DEPARTMENT**

**WHEREAS**, there is an impending Account Clerk vacancy in the Borough Finance Accounts Payable office; and

**WHEREAS**, after execution of the Borough hiring process, Ms. Kathleen Salerno has been identified by the assigned hiring team as the recommended candidate for the position.

**NOW, THEREFORE BE IT RESOLVED** on the 13<sup>th</sup> day of June 2022, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. Kathleen Salerno appointed to full-time Account Clerk.
2. The annual salary of \$35,000.
3. The effective date of this appointment is July 5, 2022.
4. A certified copy of this resolution shall be sent to:

Kathleen Salerno

**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 June 13, 2022.

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

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

**BOROUGH OF MANASQUAN  
RESOLUTION  
169-2022**

**RESOLUTION OF THE BOROUGH COUNCIL  
OF THE BOROUGH OF MANASQUAN,  
COUNTY OF MONMOUTH, NEW JERSEY,  
AUTHORIZING EXECUTION OF AGREEMENT  
#23A-8 WITH THE COUNTY OF MONMOUTH**

**WHEREAS**, the County of Monmouth desires to obtain alcoholism/drug abuse prevention services; and

**WHEREAS**, the Borough of Manasquan, and its partner towns of Brielle, Sea Girt and Spring Lake Heights have formed the Shore Community Alliance for the purposes of providing alcoholism and drug abuse prevention services; and

**WHEREAS**, the County of Monmouth has agreed to pay the Borough of Manasquan a sum not to exceed \$21,360.00 to provide the aforementioned services for the term of July 1, 2022 through June 30, 2023; and

**WHEREAS**, the County of Monmouth provided a written agreement #23A-8 to the Borough of Manasquan in return for the payment not to exceed \$21,360.00; and

**NOW, THEREFORE BE IT RESOLVED** on the 13<sup>th</sup> day of June, 2022, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey do hereby authorize the execution of an agreement on behalf of the Borough of Manasquan with the County of Monmouth for funding for the Shore Community Alliance for the term July 1, 2022 through June 30, 2023.

**CERTIFICATION**

I, Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at their regular meeting held on June 13, 2022.

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

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

**BOROUGH OF MANASQUAN  
RESOLUTION  
170-2022**

**WHEREAS**, the Borough of Manasquan is desirous of appointing Beach Employees for various beach responsibilities; 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 June 2022 appoint the following Beach Employees to work during the 2022 Season.

**Crew:**

Austin Lord \$12.50 per hour

**Crew/Bathroom Monitor:**

Kyle Martinelli \$12.50 per hour  
\$18.00 per hour – Bathroom Monitor

**Bathroom Monitor:**

Jacob Forman \$18.00 per hour

**Badge Checker:**

Tess Calzaretta \$12.00 per hour  
Carolina O’Hara \$12.00 per hour  
Isabella LePore \$12.50 per hour  
\$13.50 per hour – Badge Booth

**Parking:**

Christian Martin \$13.00 per hour  
Liam Rogers \$12.50 per hour  
\$13.50 per hour – Badge Booth

**Rake Operator:**

Jay Cotta \$17.50 per hour  
Trevor Wells \$17.50 per hour

**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 June 13, 2022.

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

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
HOLLY						
LEE						
MANGAN						
OLIVERA						
READ						
TRIGGIANO						
ON CONSENT AGENDA ___YES ___NO						

**BOROUGH OF MANASQUAN  
RESOLUTION  
171-2022**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, accepts the resignation of Kevin Pompilio from the position of Accounts Payable Clerk from the Manasquan Finance Department effective July 1, 2022.

**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 June 13, 2022 meeting.

\_\_\_\_\_  
BARBARA I LARIA, RMC, CMC  
Municipal Clerk

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

**BOROUGH OF MANASQUAN  
RESOLUTION  
172-2022**

**BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough of Manasquan retains the services of Colliers Engineering & Design, 331 Newman Springs Roads Suite 203, Red Bank, New Jersey 07701, for purposes of providing the preparation and submittal of the 2023 NJDOT Municipal Aid Application for the Riverside Drive and Stockton Lake Boulevard Improvements. For a per diem rate not to exceed \$4,800.00 for the services outlined in the proposal dated May 17, 2022.

**AND 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 the 2023 NJDOT Municipal Aid Application Riverside Drive and Stockton Lake Boulevard Improvements.

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 June 13, 2022, 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 13<sup>th</sup> day of June, 2023 I hereby certify to the Borough Council of the Borough of Manasquan as follows:

Adequate funds in the amount of \$4,800.00 are available to defray the expenditure of money by the Borough under the following proposal, which is pending approval by the governing body:

Colliers Engineering & Design – 2023 NJDOT Municipal Aid Application

Account: \_\_\_\_\_

\_\_\_\_\_  
Amy Spera  
Chief Financial Officer

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

**BOROUGH OF MANASQUAN  
RESOLUTION  
173-2022**

**APPROVAL TO SUBMIT A GRANT APPLICATION  
AND EXECUTE A GRANT CONTRACT WITH THE  
NEW JERSEY DEPARTMENT OF  
TRANSPORTATION FOR THE STOCKTON LAKE  
BLVD IMPROVEMENTS PHASE 3 PROJECT**

**NOW, THEREFORE, BE IT RESOLVED** that Council of Borough of Manasquan formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk and Colliers Engineering & Design are hereby authorized to submit an electronic grant application identified as MA-2023-Stockton Lake Blvd Improvements Phas-00210 to the New Jersey Department of Transportation on behalf of Borough of Manasquan.

**BE IT FURTHER RESOLVED** that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Borough of Manasquan and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**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 June 13, 2022.

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

My signature and the Clerk’s seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Presiding Officer

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

**BOROUGH OF MANASQUAN  
RESOLUTION  
174-2022**

**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, 331 Newman Springs Roads Suite 203, Red Bank, New Jersey 07701, to provide the Minerva and Fletcher Avenue Traffic Analysis. For a total amount not to exceed \$2,800.00 for the service outlined in a proposal dated October 27, 2021.

**AND 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 lump sum with the provision that each subsequent tasks shall require additional authorization subject to the recommendation of the Governing Body.

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 June 13, 2022, 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 13<sup>th</sup> day of June, 2022 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 – Traffic analysis for Minerva and Fletcher Avenues.

Account: \_\_\_\_\_

\_\_\_\_\_  
Amy Spera  
Chief Financial Officer

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

**BOROUGH OF MANASQUAN  
RESOLUTION  
175-2022**

**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, 331 Newman Springs Roads Suite 203, Red Bank, New Jersey 07701, to provide professional services for the Construction Administration, Construction Inspection Services and Grant Administration Services for the Curtis Park Improvements Project. The fees are as follows:

- Phase 1.0 Construction Administration and  

Construction Inspection Services      \$52,500.00
  
- Phase 2.0 Grant Administration Services      \$6,000.00
- Reimbursables      \$750.00

for a total amount not to exceed \$59,250.00 for the service outlined in the proposal dated June 3, 2022.

**AND BE IT FURTHER RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the borough authorizes Task 1.0 with the provision that each subsequent task shall require additional authorization subject to the recommendation of the Governing Body.

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 June 13, 2022, 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 13<sup>th</sup> day of June 2022 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 – Professional services for the Construction Administration, Construction Inspection Services and Grant Administration for the Curtis Park Improvements Project.

Account: \_\_\_\_\_

\_\_\_\_\_  
Amy Spera  
Chief Financial Officer

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



**BOROUGH OF MANASQUAN  
RESOLUTION  
176-2022**

**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, 331 Newman Springs Roads Suite 203, Red Bank, New Jersey 07701, to provide professional services for a Manasquan Lead Service Study. The fees are as follows:

- Phase 1.0 Lump Sum Fee \$4,500.00

for a total amount not to exceed \$4,500.00.00 for the service outlined in a revised proposal dated June 9, 2022.

**AND BE IT FURTHER RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the borough authorizes Phase 1.0 with the provision that each subsequent phase shall require additional authorization subject to the recommendation of the Governing Body.

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 June 13, 2022 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 13<sup>th</sup> day of June, 2022 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 – Manasquan Lead Service Study .

Account: \_\_\_\_\_

\_\_\_\_\_  
Amy Spera  
Chief Financial Officer

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

**BOROUGH OF MANASQUAN  
RESOLUTION  
178-2022**

**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	\$660,942.42
Current Capital Fund	\$11,831.88
Water/Sewer Fund	\$364,485.66
Beach Utility Fund	\$30,287.70
Beach Capital Fund	\$40,592.25
Recreation Trust-Building	\$9,288.94
Recreation Trust	\$9,787.16
Reserve For Open Space	\$1,350.00
Tourism	\$150.00
Junior Lifeguards	\$990.07
Affordable Housing	\$221.00
Developer's Escrow	\$4,349.25
Reserve For Animal Control	\$1,833.33

**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 June 13, 2022.

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

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

**BOROUGH OF MANASQUAN  
RESOLUTION  
152-2022**

**WHEREAS**, application has been made to the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey by BPOE Manasquan Lodge 2534 for the issuance of Club License No. 1327-31-012-001 to cover premises at 17 Stockton Lake Boulevard in the Borough of Manasquan, New Jersey; and

**WHEREAS**, the governing body makes the following findings with respect to Club Licenses to be issued by it:

1. The submitted application is complete in all respects, including the submission of the Club Member list.
2. The officers and directors of the Club are qualified according to all statutory and local governmental A.B.C. Laws and Regulations.
3. The Club maintains all records required by N.J.C.A. 13:2-8.8 and N.J.C.A. 13:2-8.12; and

**WHEREAS**, the BPOE Manasquan Lodge 2534 is adjudged to be entitled to a Club License.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that the Borough Clerk is hereby designated, authorized and instructed to issue and deliver the aforesaid Club License to the BPOE Manasquan Lodge 2534. This license is in effect until midnight, June 30, 2023, subject, however, to the following condition:

- a. At any time the licensed premises offers indoor live entertainment or amplified music, all doors shall remain closed except for access to and from the licensed premises and all windows shall be closed. Exterior doors shall not be left open continuously.
- b. The licensee agrees to obtain professional training for its bartenders and managers to identify and properly control patrons who appear inebriated; the licensee shall keep proof of completion of this training at the premise for inspection.

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 their regular meeting held on June 13, 2022.

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BARBARA ILARIA, RMC  
Municipal Clerk

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

**BOROUGH OF MANASQUAN  
RESOLUTION  
153-2022**

**WHEREAS**, application has been made to the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, by the Inshore Atlantic Inc. t/a Leggett's Sand Bar for renewal of Plenary Retail Consumption Liquor License No. 1327-33-007-007 to cover premises at 211-213-215-217 First Avenue, Manasquan, New Jersey; and

**WHEREAS**, the governing body makes the following findings with respect to Plenary Retail Consumption Liquor Licenses issued by it:

1. The submitted application form is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory, and local governmental laws and regulations of the Division of the Alcoholic Beverage Control.

**WHEREAS**, the said Inshore Atlantic, Inc. t/a Leggett's Sand Bar is adjudged to be entitled to a Plenary Retail Consumption Liquor License covering premises at 211-213-215-217 First Avenue, Manasquan, New Jersey.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough Clerk be designated, authorized and instructed to issue and deliver a Plenary Retail Consumption Liquor License to the said Inshore Atlantic, Inc. t/a Leggett's Sand Bar to sell at 211-213-215- 217 First Avenue, Manasquan, New Jersey any alcoholic beverages and also to include in this license an additional building in the rear to be used for storage purposes until midnight, June 30, 2023, subject, however, to the following conditions:

- a. The licensee shall provide two (2) qualified uniformed security persons who shall be assigned to duty in the parking lot from the hours of 7:00 p.m. to 3:00 a.m. on those Fridays, Saturdays and holidays upon which the licensee shall be open for business.
- b. At any time the licensed premises offers live entertainment or amplified music, all doors shall remain closed except for access to and from the licensed premises and all windows shall be closed.
- c. No bottles or cans shall be dumped in the solid waste dumpster maintained by the license holder between the hours of twelve (12) midnight and seven (7) a.m.
- d. No live music at the licensed premises after 1:30 a.m.
- e. Alcoholic beverages may only be served in connection with the service of food to patrons seated at tables in Section "B" of the premises (see diagram attached). Alcoholic beverages shall be served only by waiters or waitresses.
- f. No permanent or portable service bar shall be located in Section "B".
- g. The dining facilities and service of alcoholic beverages in Section "B" shall be closed and vacated no later than 12:00 midnight of each day. Further, Section "B" shall be open only when the kitchen is open.
- h. All patrons in Section "B" shall be seated.
- i. The 12' opening connecting Section "A" to Section "B" shall be reduced to a maximum of 8'. The restaurant area of Section "B" shall be physically secured after 12:00 midnight of each day to prevent patrons from using the area.
- j. The second floor of the building in Section "B" may only be used for administrative offices servicing the business on this site.

- k. All trash, refuse, and garbage shall be stored inside a separate designated enclosed area adjacent to the existing restaurant building and away from residential area.
- l. There shall be no outside storage of packaging material or building materials on the site.
- m. The hours of operation in Section “C” will include having the kitchen open until midnight with last seating at 11:00 p.m. and patrons out by midnight.
- n. No live music in Section “C” after 11:00 p.m.
- o. The licensee agrees to obtain professional training for its bartenders and managers to identify and properly control patrons who appear inebriated; the licensee shall keep proof of completion of this training at the premises for inspection.
- p. The licensee shall provide a litter patrol which will remove litter within 200 feet of the licensed premises before 9:00 a.m. each morning following an operational day from May 15<sup>th</sup> to September 15<sup>th</sup>.
- q. The licensee shall comply with all provisions of the “New Jersey Smoke-Free Air Act”. N.J.S.A. 26:3d-55 et seq. If a smoking area is provided for patrons, the permitted smoking area cannot be on public property or the public sidewalk. The permitted smoking area, if any, shall be located within the licensed building, in accordance with applicable statutes, or on exterior grounds either owned, leased or otherwise controlled by the licensee.

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 their regular meeting held on June 13, 2022.

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BARBARA ILARIA, RMC, CMC  
Municipal Clerk

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

**BOROUGH OF MANASQUAN  
RESOLUTION  
154-2022**

**WHEREAS**, application has been made to the Borough Council, Borough of Manasquan, County of Monmouth, State of New Jersey, from C. Jung, LLC., t/a Manasquan Liquors for renewal of the Plenary Retail Distribution Liquor License No. 1327-44-002-007 to cover premises at 139 Main Street, Manasquan, New Jersey; and

**WHEREAS**, the governing body makes the following findings with respect to the Plenary Retail Distribution License to be issued by it;

1. The submitted application form is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A. B. C. Laws and Regulations.

**WHEREAS**, the governing body of the Borough of Manasquan has determined that C. Jung LLC., t/a Manasquan Liquors is entitled to a Plenary Retail Distribution License.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough Clerk is hereby designated, authorized and instructed to issue and deliver a Plenary Retail Distribution License to C. Jung LLC., t/a Manasquan Liquors to sell at 139 Main Street, Manasquan, New Jersey for consumption off the licensed premises of any alcoholic beverages in their original containers until midnight, June 30, 2023.

**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 their regular meeting held on June 13, 2022.

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BARBARA ILARIA, RMC  
Municipal Clerk

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

**BOROUGH OF MANASQUAN  
RESOLUTION  
155-2022**

**WHEREAS**, application has been made to the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey by Driftwood Hospitality Group LLC, t/a The Salty Whale & Guest House for the renewal of Plenary Retail Consumption Liquor License (Hotel/Motel Exception) No. 1327-36-001-011 to cover premises at 390 E. Main Street, Manasquan, New Jersey; and

**WHEREAS**, the governing body makes the following findings with respect to Plenary Retail Consumption Liquor License No. 1327-36-001-011 issued by it:

1. The submitted application is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and governmental A. B. C. Laws and Regulations.

**WHEREAS**, the said Driftwood Hospitality Group LLC, t/a The Salty Whale & Guest House judged to be entitled to a Plenary Retail Consumption Liquor License (Hotel/Motel Exception).

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough Clerk is hereby designated, authorized and instructed to issue and deliver a Plenary Retail Consumption Liquor License (Hotel/Motel Exception) to the said, Driftwood Hospitality Group LLC, t/a The Salty Whale & Guest House to sell alcoholic beverages at 390 East Main Street in the Borough of Manasquan, New Jersey, until midnight, June 30, 2023, subject, however, to the following conditions:

1. There shall be no live music or entertainment of patrons by any group exceeding four people; however, the applicant shall have the privilege of applying to the governing body, or its designated committee, to have a larger group on special occasions. In such event, the applicant shall advise the governing body of the proposed date for the entertainment by live music of a group exceeding four people, the proposed time of the event and the number of entertainers proposed at the event.
2. There shall be no consumption of alcoholic beverages outside of the structure on the property, except for the “proposed outdoor area” shown on a diagram submitted as part of the renewal application for this liquor license. The outdoor area consists of 510 square feet to the east of a portion of the structure labeled on the diagram as “ENCLOSED PORCH – roof over.” Alcoholic beverages may only be served and consumed in this area between the hours of 11:00 a.m. and 10:00 p.m. Alcoholic beverages shall be available to patrons only through service by waiters or waitresses. Only a service bar may be maintained in this area. No patrons may be seated or standing at the service bar. No live music or amplified music shall be conducted in this area except for an acoustic guitar. Landscaping shall be provided in accordance with the diagram outlining this area.
3. The total lineal feet of public bar shall not exceed seventy (70) linear feet.
4. No alcoholic beverage signs on the exterior or adjacent grounds shall exceed 4½ square feet in area.
5. No renewal or transfer of this license will be allowed, except for or to a hotel containing at least 50 rooms.
6. The licensee shall provide two (2) qualified, uniformed security persons who shall be assigned to duty, about or adjacent to the parking lot serving the licensed premises from the hours of 7:00 p.m. to 3:00 a.m. on those Fridays, Saturdays and Holidays from May 15<sup>th</sup> through September 15<sup>th</sup>, when the licensee shall be open for business. At least one of the security persons shall be stationed directly in the parking lot during the hours of 7:00 p.m. to 3:00 a.m.

7. The licensee shall provide a litter patrol which will remove litter within 200 feet of the licensed premises before 9:00 a.m. each morning following an operational day from May 15<sup>th</sup> to September 15<sup>th</sup>.
8. No bottles or cans shall be dumped in the solid waste dumpster maintained by the license holder between the hours of midnight and 7:00 a.m.
9. At any time the licensed premises offers live entertainment or amplified music, all doors shall remain closed except for access to and from the licensed premises and all windows shall be closed. Exterior doors shall not be left open continuously. This condition does not apply to any rooms available for rent.
10. No live music is permitted at the licensed premises after 1:30 a.m.
11. Alcoholic beverages shall be available for patrons in conjunction with food service in Dining Area "D."
12. Alcoholic beverages shall be available to patrons only through service by waiters or waitresses in Dining Area "D."
13. Alcoholic beverages may be served and consumed between the hours of 10:00 a.m. and 10:00 p.m. on Sunday, and 11:00 a.m. to 10:00 p.m. on Monday, Tuesday, Wednesday and Thursday, and between the hours of 11:00 A.m. and 11:00 p.m. in Friday and Saturday in Dining Area "D".
14. Dining Area "D" shall be vacated by 10:00 p.m. between Memorial Day and Labor Day and by 11:00 p.m. Between Labor Day and Memorial Day. After that hour, there shall be no service of alcoholic beverages or food in this area.
15. No amplification devices shall be located on the exterior of the building.
16. No outside bar area, portable bars or similar structures or equipment shall be located in Dining Area "D."
17. The licensee agrees to obtain professional training for its bartenders and managers to identify and properly control patrons who appear inebriated; the licensee shall keep proof of completion of this training at the premises for inspection.

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 their regular meeting held on June 13, 2022.

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 BARBARA ILARIA, RMC, CMC  
 Municipal Clerk

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



**BOROUGH OF MANASQUAN  
RESOLUTION  
156-2022**

**WHEREAS**, application has been made to the Borough Council, Borough of Manasquan, New Jersey by Osprey Hotel, Inc., t/a Osprey Hotel for the renewal of Plenary Retail Consumption Liquor License with Broad Package Privilege No. 1327-32-008-011 to cover premises at 201 First Avenue, Manasquan, New Jersey; and

**WHEREAS**, the governing body makes the following findings with respect to Plenary Retail Consumption Liquor License with Broad Package Privilege issued by it:

1. The submitted application is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and governmental A. B. C. Laws and Regulations.

**WHEREAS**, the said Osprey Hotel, Inc., trading as Osprey Hotel is adjudged to be entitled to a Plenary Retail Consumption Liquor License with Broad Package Privilege.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough Clerk is hereby designated, authorized and instructed to issue and deliver a Plenary Retail Consumption Liquor License to Osprey, Hotel, Inc. t/a Osprey Hotel to sell any alcoholic beverages with a Broad Package Privilege to sell any alcoholic beverages in original containers for consumption off the premises, and also to store alcoholic beverages in a separate building until midnight, June 30, 2023, subject, however, to the following conditions:

- a. The licensee shall provide six (6) qualified, uniformed, security persons who shall be assigned to duty, about or adjacent to the licensed premises from the hours of 7:00 p.m. to 3:00 a.m. on those Fridays, Saturdays, and legal holidays upon which the licensee is open for business. Three (3) qualified, uniformed security persons shall be assigned to duty about or adjacent to the licensed premises from the hours of 7:00 p.m. to 3:00 a.m. on Sundays, Mondays, Tuesdays, Wednesdays and Thursdays upon which the licensee is open for business unless such day is a legal holiday. One exterior security person shall be stationed in the Second Avenue parking area.
- b. The licensee agrees to obtain professional training for its bartenders and managers to identify and properly control patrons who appear inebriated; the licensee shall keep proof of completion of this training at the premises for inspection.
- c. The maximum occupancy for the licensed premises shall be equal to one (1) person for each five and one-half (5 ½) square feet of floor area which is not covered by bars or working spaces.
- d. There shall be no “go-go dancing,” “mud wrestling,” “nudity,” “topless dancing” or any lewd activity conducted on the licensed premises.
- e. The exterior security guards shall wear a shirt clearly marked, on front and back, “Osprey Security.”
- f. All windows to the licensed premises shall be closed at all times during hours of operation. All doors shall remain closed during hours of operation except for access to and from the licensed premises. Exterior doors shall not be left continuously open to provide access.
- g. No bottles or cans shall be dumped in the solid waste dumpster maintained by the license holder between the hours of twelve (12) midnight and seven (7) a.m.
- h. The licensee shall provide a litter patrol which will remove litter within 200 feet (except for the Municipal Beachwalk) of the licensed premises before nine (9) a. m. each morning following an operational day.

- i. At any time when there is a line of patrons awaiting entrance to the licensed premises, the line shall start at the front entranceway (corner of East Main Street and First Avenue) and proceed west along the north side of the licensed building and be located within 54" of the main wall of the licensed building. Temporary stanchions with rope or line shall connect each stanchion for the length of the patron line. If the line reaches the west side of the building, it shall be turned in a southerly direction, and be formed in the driveway on the west side of the licensed building. The patron line must be supervised by at least two employees of the licensee whenever there are people awaiting entry to the licensed premises.
- j. The driveway on the west side of the licensed building connecting the parking lot to East Main Street shall be closed between the hours of 6:00 pm and 6:00 am.
- k. No live music at the licensed premises after 1:30 a.m.
- l. The licensee shall comply with all provisions of the "New Jersey Smoke-Free Air Act". N.J.S.A. 26:3d-55 et seq. If a smoking area is provided for patrons, the permitted smoking area cannot be on public property or the public sidewalk. The permitted smoking area, if any, shall be located within the licensed building, in accordance with applicable statutes, or on exterior grounds either owned, leased or otherwise controlled by the licensee.

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 their regular meeting held on June 13, 2022.

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BARBARA ILARIA, RMC, CMC  
Municipal Clerk

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

**BOROUGH OF MANASQUAN  
RESOLUTION  
157-2022**

**WHEREAS**, application has been made to the Borough Council, Borough of Manasquan, County of Monmouth, State of New Jersey, by the Johannessen Sisti Inc., t/a Spirit of '76 Wines and Liquors for the renewal of the Plenary Retail Distribution Liquor License No. 1327-44-004-006 to cover premises at 119 Taylor Avenue, Manasquan, New Jersey; and

**WHEREAS**, the governing body makes the following findings with respect to Plenary Retail Distribution Licenses to be issued by it;

1. The submitted application form is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. Laws and Regulations.

**WHEREAS**, the said Johannessen Sisti Inc., is adjudged to be entitled to a Plenary Retail Distribution Liquor License.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough Clerk is hereby designated, authorized and instructed to issue and deliver a Plenary Retail Distribution Liquor License to the Johannessen Sisti Inc., to sell at 119 Taylor Avenue, Manasquan, New Jersey for consumption off the licensed premises any alcoholic beverages in their original containers until midnight, June 30, 2023.

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at their regular meeting held on June 13, 2022.

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

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

**BOROUGH OF MANASQUAN  
RESOLUTION  
158-2022**

**WHEREAS**, application has been made to the Borough Council, Borough of Manasquan, County of Monmouth, State of New Jersey, by Max Devros L.L.C. for Plenary Retail Consumption Liquor License No. 1327-33-010-013 to cover premises at 142 Main Street, Manasquan, New Jersey; and

**WHEREAS**, the governing body makes the following findings with respect to Plenary Retail Consumption Liquor Licenses issued by it:

1. The submitted application form is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory, and local governmental A.B.C. Laws and Regulations.

**WHEREAS**, the said Max Devros L.L.C. is adjudged to be entitled to a Plenary Retail Consumption Liquor License.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council, Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough Clerk be designated, authorized and instructed to issue and deliver a Plenary Retail Consumption Liquor License to the said Max Devros L.L.C. to sell alcoholic beverages at 142 Main Street, Manasquan, New Jersey, until midnight, June 30, 2023, subject, however, to the following conditions:

1. At any time the licensed premises offers live entertainment, which is limited to three musicians, all doors shall remain closed except for access to and from the licensed premises and all windows shall be closed. Exterior doors shall not be left open continuously.
2. No bottles or cans shall be dumped in the solid waste dumpster maintained by the license holder between the hours of twelve (12) midnight and seven (7) a.m.
3. Alcoholic beverages will only be served in the permitted outdoor area only between 11:00 a.m. to 11:00 p.m.
4. The licensee shall provide a litter patrol which will remove litter within 200 feet of the licensed premises before (9) a.m. each morning following an operational day.
5. The licensee agrees to obtain professional training for its bartenders and managers to identify and properly control patrons who appear inebriated; the licensee shall keep proof of completion of this training at the premises for inspection.
6. The licensee shall comply with all provisions of the “New Jersey Smoke-Free Air Act”. N.J.S.A. 26:3d-55 et seq. If a smoking area is provided for patrons, the permitted smoking area cannot be on public property or the public sidewalk. The permitted smoking area, if any, shall be located within the licensed building, in accordance with applicable statutes, or on exterior grounds either owned, leased or otherwise controlled by the licensee.

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 their regular meeting held on June 13, 2022.

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

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

**BOROUGH OF MANASQUAN  
RESOLUTION  
159-2022**

**WHEREAS**, application has been made to the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey by Squan Tavern, Inc. for the renewal of the Plenary Retail Consumption Liquor License No. 1327-33-005-004 to cover premises at 15-17-19-21 Broad Street, Manasquan, New Jersey; and

**WHEREAS**, the governing body makes the following findings with respect to Plenary Retail Consumption Liquor Licenses issued by it:

1. The submitted application form is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. Laws and Regulations.

**WHEREAS**, the Squan Tavern, Inc. is adjudged to be entitled to a Plenary Retail Consumption Liquor License.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that the Borough Clerk is hereby designated, authorized and instructed to issue and deliver a Plenary Retail Consumption Liquor License to Squan Tavern, Inc. to sell any alcoholic beverages at 15-17-19-21 Broad Street, Manasquan, New Jersey until midnight, June 30, 2023, subject, however, to the following conditions;

- a. At any time the licensed premises offers live entertainment or amplified music, all doors shall remain closed except for access to and from the licensed premises and all windows shall be closed. Exterior doors shall not be left open continuously.
- b. No bottles or cans shall be dumped in the solid waste dumpster maintained by the license holder between the hours of twelve (12) midnight and seven (7) a.m.
- c. Alcoholic beverages will only be served in the permitted outdoor area only between 11:00 a.m. to 11:00 p.m.
- d. The licensee shall provide a litter patrol which will remove litter within 200 feet of the licensed premises before (9) a.m. each morning following an operational day.
- e. The licensee agrees to obtain professional training for its bartenders and managers to identify and properly control patrons who appear inebriated; the licensee shall keep proof of completion of this training at the premises for inspection.
- f. The licensee shall comply with all provisions of the “New Jersey Smoke-Free Air Act”. N.J.S.A. 26:3d-55 et seq. If a smoking area is provided for patrons, the permitted smoking area cannot be on public property or the public sidewalk. The permitted smoking area, if any, shall be located within the licensed building, in accordance with applicable statutes, or on exterior grounds either owned, leased or otherwise controlled by the licensee.

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 their regular meeting held on June 13, 2022.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
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MANGAN						
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TRIGGIANO						
ON CONSENT AGENDA ____ YES ____ NO						

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

**BOROUGH OF MANASQUAN  
RESOLUTION  
160-2022**

**WHEREAS**, application has been made to the Borough Council, Borough of Manasquan, County of Monmouth, State of New Jersey by Veterans of Foreign Wars Post 1838 t/a Manasquan VFW Post 1838 for the issuance of a Club License No. 1327-31-016-002 to cover premises at 30 Ridge Avenue in the Borough of Manasquan, New Jersey; and

**WHEREAS**, the governing body makes the following findings with respect to Club Licenses to be issued by it:

1. The submitted application is complete in all respects including submission of the Club Member list.
2. The officers and directors of the Club are qualified according to statutory, regulatory and local governmental A. B. C. Laws and Regulations.
3. The Club maintains all records required by N.J.A.C. 13:2-8.8 and N.J.A.C. 13:2-8.12; and

**WHEREAS**, the Manasquan VFW Post 1838 is adjudged to be entitled to a Club License;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that the Borough Clerk is hereby designated, authorized and instructed to execute the aforesaid Club License to the Manasquan VFW Post 1838. This license is in effect until midnight, June 30, 2023, subject, however, to the following conditions:

1. At any time the licensed premises offers indoor live entertainment or amplified music, all doors shall remain closed except for access to and from the licensed premises and all windows shall be closed. Exterior doors shall not be left open continuously.
2. The licensee agrees to obtain professional training for its bartenders and managers to identify and properly control patrons who appear inebriated; the licensee shall keep proof of completion of this training at the premise for inspection.
3. The licensee will "police" for litter, etc., the perimeter of the VFW Post property and the neighboring vicinity before 8:00 am on weekends and during the week when warranted.
4. The premises will not open for business/service before 1 pm.
5. From May 15 to October 15 the following conditions apply:
  - a. Sunday through Thursday the outside area may be open from 1 pm to 8 pm.
  - b. Sunday through Thursday outside music shall end at 8 pm.
  - c. Friday and Saturday the outside area may be open from 1 pm to 9 pm.
  - d. Friday and Saturday outside music shall end at 9 pm.
6. From October 16 through May 14 the following conditions apply:
  - a. There shall be no outdoor music.
  - b. The outside area may open, weather permitting, with the same hours as stated in #5 above.
7. The Licensee will be limited to hosting eight (8) advertised, outdoor events during the year.

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 their regular meeting held on June 13, 2022.

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BARBARA ILARIA, RMC, CMC  
Municipal Clerk

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

**BOROUGH OF MANASQUAN  
ORDINANCE NO. 2372-22**

**BOND ORDINANCE PROVIDING FOR WATER AND  
SEWER INFRASTRUCTURE UPGRADES IN AND  
BY THE BOROUGH OF MANASQUAN, IN THE  
COUNTY OF MONMOUTH, NEW JERSEY,  
APPROPRIATING \$550,000 THEREFOR AND  
AUTHORIZING THE ISSUANCE OF \$550,000  
BONDS OR NOTES OF THE BOROUGH TO  
FINANCE 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"). For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$550,000. No down payment is required as the purpose authorized herein is deemed self-liquidating and the bonds and bond anticipation notes authorized herein are deductible from the gross debt of the Borough, as more fully explained in Section 6(e) of this bond ordinance.

**Section 2.** In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$550,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

**Section 3.** (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the upgrade of water and sewer infrastructure for the water and sewer utility, including, but not limited to, upgrades to the South Street and East Virginia Avenue Pump Stations and a study to determine interconnections needed to supplement water to the Borough, including equipment, work and materials 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 self-liquidating purpose of a municipal public utility. 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 \$550,000, but that the net debt of the Borough determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$110,000 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.

(e) This bond ordinance authorizes obligations of the Borough solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from the gross debt of the Borough pursuant to N.J.S.A. 40A:2-44(c).

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

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

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

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

## NOTICE

**PUBLIC NOTICE IS HEREBY GIVEN** that Ordinance No. 2372-22 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 16<sup>th</sup> day of May, 2022, 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 June, 2022. 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: May 16, 2022  
Approved on Second Reading and Final Hearing: June 13, 2022

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EDWARD G. DONOVAN  
Mayor

**BOROUGH OF MANASQUAN  
ORDINANCE NO. 2373-22**

**BOND ORDINANCE PROVIDING FOR  
CONSTRUCTION OF THE NEW SEA WATCH  
BUILDING FOR THE BEACH UTILITY IN AND BY  
THE BOROUGH OF MANASQUAN, IN THE  
COUNTY OF MONMOUTH, NEW JERSEY,  
APPROPRIATING \$2,750,000 THEREFOR AND  
AUTHORIZING THE ISSUANCE OF \$2,750,000  
BONDS OR NOTES OF THE BOROUGH TO  
FINANCE 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"). For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$2,750,000. No down payment is required as the purpose authorized herein is deemed self-liquidating and the bonds and bond anticipation notes authorized herein are deductible from the gross debt of the Borough, as more fully explained in Section 6(e) of this bond ordinance.

**Section 2.** In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,750,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

**Section 3.** (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the construction of the new Sea Watch Building for the Beach Utility, including acquisition and installation of equipment and furnishings, work, materials 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 self-liquidating purpose of a municipal public utility. 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 20 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 \$2,750,000, but that the net debt of the Borough determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$550,000 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.

(e) This bond ordinance authorizes obligations of the Borough solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from the gross debt of the Borough pursuant to N.J.S.A. 40A:2-44(c).

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

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

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

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

## NOTICE

**PUBLIC NOTICE IS HEREBY GIVEN** that Ordinance No. 2373-22 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 16<sup>th</sup> day of May 2022, 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 June 2022. 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: May 16, 2022  
Approved on Second Reading and Final Hearing: June 13, 2022

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EDWARD G. DONOVAN  
Mayor