

Manasquan Borough Council Meeting
In- Person at Borough Hall and Virtual Zoom Meeting
May 3, 2021 7pm

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. All participants will be required to wear a mask the entire length of the meeting unless at the mic speaking to Mayor and Council. Microphone covers will be provided for participants wanting to speak. Temperatures will be taken using a contactless system prior to entering the Council Chambers. Hand sanitizer will be available prior to entering the Council Chambers. There is a maximum of 16 individual audience members permitted in the Council Chambers which adhere to the CDC social distancing requirements. There are seats available for couples or people living in the same household which would also adhere to CDC social distancing requirements. Seats will be marked and you may only sit in the seats that are marked appropriately.

Zoom Meeting

<https://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. Comments are limited to 2 minutes in length.

BOROUGH OF MANASQUAN AGENDA
May 03, 2021 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 2 minutes)

Ordinance: Second Reading

- [1.](#) 2348-21 Exceed Municipal Budget Appropriation Limits and Establish CAP Bank

Resolution

- [1.](#) 121-2021 Budget Read by Title

2021 MUNICIPAL BUDGET HEARING

Budget Amendment

- [1.](#) 120-2021 Budget Amendment

Workshop Discussion:

Use of Borough Property

1. E44-21 MES Beach Sweep - June 18, 2021 - 9 am to 1 pm
2. E45-21 Rec Pilates - Wednesday & Friday - July 7 to September 3 - 7:30 to 8:30 am
3. E46-21 Lighthouse Challenge - Lifesaving Station - October 16 & 17 - 8 am to 6 pm
4. E47-21 MBIA Bag Distribution - Squan Beach Lifesaving Station - June 19 - 10 am to 3 pm
5. E48-21 VFW Memorial Day Ceremony - Squan Plaza Circle - 5/31 - 11 am to 12 pm

Consent Agenda: These items will be enacted by one motion. If detailed deliberation is desired on any item, Council may remove that item from the consent agenda and consider it separately.

- [1.](#) 108-2021 Accepting Resignation -SLEO II- Charles Wehrlen.
- [2.](#) 109-2021 Authorizing Execution of Shared Services Agreement for MOVD IV Property Assessment Services
- [3.](#) 110-2021 Appointing Seasonal Laborer - Keating
- [4.](#) 111-2021 Appoint Special Law Enforcement Officer Class II - Giardino
- [5.](#) 112-2021 Approving Exemption Permit Fees - Volunter Fire Engine Company #2
- [6.](#) 113-2021 Approving Exemption Beach Badge Fees - Volunteer Engine Co. #2
- [7.](#) 114-2021 Appointing Special Law Enforcement Officer Class I - Various
- [8.](#) 115-2021 Authorization of Final Design Modification No. 1 - Streetscapes Project
- [9.](#) 116-2021 Authorizing Agreement for Final Design Streetscapes - CME
- [10.](#) 117-2021 Awarding State Contract Body Camera & Equipment - WatchGuard Video
- [11.](#) 118-2021 Appointing Financial Advisors - NW Financial Group, LLC
- [12.](#) 119-2021 Change Order #3 Beach Building - Cypreco
- [13.](#) 122-2021 Amending Resolution 52-2021 Change Order #2 - Cypreco
- [14.](#) 123-2021 Repealing Resolution 68-2021 Change Order #3 H2M
- [15.](#) 124-2021 Authorizing H2M Supplemental Fee - Beach Office Improvements
- [16.](#) 125-2021 Payment of Bills

Ordinances - First Reading

- [1.](#) 2346-21 Amending Chapter 12 Sea Watch Seasonal Parking and Overnight Parking in Lots
- [2.](#) 2349-21 Amending Chapter 11, 14, 15, and 16 Code/Construction Fees

- [3.](#) 2350-21 Amend Chapter 12 to Include Cannabis Prohibition
- [4.](#) 2351-21 Amend Chapter 16 Fees for Chapters 10 and 12
- [5.](#) 2352-21 Amend Chapter 10 Parks & Recreation
- [6.](#) 2353-21 Supplemental Bond Ordinance - Beach Building

Committee Reports

Audience Participation On Any Subject (comments limited to 2 minutes)

Adjournment

**BOROUGH OF MANASQUAN
ORDINANCE 2348-21**

**CALENDAR YEAR 2021
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 1.0% 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 2021 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 2.5% increase in the budget for said year, amounting to \$205,681.48 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 2021 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 \$287,954.07, and that the CY 2021 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 2348-21 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 5th day of April, 2021 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 19th day of April, 2021. 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.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

Passed on First Reading and Introduction: April 5, 2020
Approved on Second Reading and Final Hearing: May 3, 2020

EDWARD G. DONOVAN, MAYOR

**BOROUGH OF MANASQUAN
RESOLUTION
121-2021**

WHEREAS, the 2021 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 2020 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 May 3, 2021.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

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

Resolution 120-2021
BOROUGH OF MANASQUAN

WHEREAS, the local municipal budget for the year 2021 was approved on the 5th day of April, 2021 and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget, now

THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan, County of Monmouth, that the following amendment to the approved budget of 2021 be made:

	(((
<u>Recorded Vote</u>	(((
(Insert last names)	(<u>Ayes</u>	(<u>Nays</u>	(
	((<u>Abstained</u>	(
	((<u>Absent</u>	(
	(((

	<u>From</u>	<u>To</u>
Dedicated Beach Utility Budget:		
10. Dedicated Revenues From Beach Utility		
Operating Surplus Anticipated	\$ <u>587,966.62</u>	\$ <u>589,641.62</u>
Total Operating Surplus Anticipated	\$ <u>587,966.62</u>	\$ <u>587,966.62</u>
Total Beach Utility Revenues	\$ <u>2,497,956.62</u>	\$ <u>2,499,631.62</u>
11. Appropriations for Beach Utility		
Debt Service:		
Interest on Notes	\$ <u>11,525.00</u>	\$ <u>13,200.00</u>
Total Beach Utility Appropriations	\$ <u>2,497,956.62</u>	\$ <u>2,499,631.62</u>

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for certification of the local municipal budget so amended.

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the Mayor and Council on the 3rd day of May, 2021.

Certified by me

_____, 2021.

Municipal Clerk - Barbara Ilaria

**BOROUGH OF MANASQUAN
RESOLUTION
108-2021**

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, accepts the resignation of Charles Wehrlen from the position of Special Law Enforcement Officer II from the Manasquan Police Department effective as of April 26, 2021.

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 May 3, 2021 meeting.

BARBARA I LARIA, RMC, CMC
Municipal Clerk

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

**BOROUGH OF MANASQUAN
A RESOLUTION TO APPROVE SHARED
SERVICES AGREEMENT WITH MONMOUTH COUNTY
109-2021**

WHEREAS, The State of New Jersey has mandated the use of the MODIV Property Assessment Computer system for all New Jersey Municipalities; and

WHEREAS, The Board of Chosen Freeholders of the County of Monmouth, in conjunction with the County Board of Taxation, is offering the County’s MOD IV Property Assessment Computer System services to the municipalities; and

WHEREAS, A Shared Service Agreement has been proposed for this purpose, pursuant to N.J.S.A. 40A:65-1 et seq.; and

WHEREAS, it is in the best interest of the Borough of Manasquan to enter into such an Agreement; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Manasquan, that the agreement entitled, “Agreement Between the County of Monmouth and the Borough of Manasquan for MOD IV Property Assessment Computer Services”, a copy of which is on file in the Municipals Clerk’s Office, hereto, be approved for the term of January 1, 2022 through December 31, 2031.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized and directed to execute the contract agreement.

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, New Jersey, do hereby certify that the foregoing Resolution was duly adopted by the Borough Council at the May 3, 2021 meeting.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

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

**BOROUGH OF MANASQUAN
RESOLUTION
110-2021**

WHEREAS, the Borough of Manasquan is desirous of appointing a Seasonal Laborer 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 3rd day of May, 2021 appoint the following Department of Public Works employee to Seasonal Laborer:

- Shay Keating, 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 May 3, 2021.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

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

**BOROUGH OF MANASQUAN
RESOLUTION
111-2021**

WHEREAS, the Borough of Manasquan is desirous of appointing a Special Law Enforcement Officer Class II for the year 2021; and

WHEREAS, the Police Captain has submitted the following individual for appointment as Special Law Enforcement Officers Class II for the Borough of Manasquan effective May 4, 2021, at the current contractual rate of \$16.81 per hour:

Jameson D. Giardino, Manasquan NJ

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at their regular meeting held on May 3, 2021.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

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

**BOROUGH OF MANASQUAN
RESOLUTION
112-2021**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey, that Manasquan Volunteer Engine Company No. 2 has submitted the members that qualify under Ordinance 2005-07 Section 7 for “Exemption from the Payment of Permit Fees” these Members responded to 30% or more of the calls of the Unit or are Life Members of Manasquan Volunteer Engine Company No.2.

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at the May 3, 2021 meeting.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

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

**BOROUGH OF MANASQUAN
RESOLUTION
113-2021**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey, that Volunteer Engine Company No. 2 has submitted the members that qualify under Ordinance 2005- 07 “Free Season Beach Badge and Parking Permit for Certain Members of the Volunteer Fire Companies”. These Members responded to 30% or more of the calls of the Unit or are Life Members of Volunteer Engine Company No. 2.

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at the May 3, 2021 meeting.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

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

**BOROUGH OF MANASQUAN
RESOLUTION
114-2021**

WHEREAS, the Borough of Manasquan is desirous of appointing Special Law Enforcement Officers, Class I for 2021; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 3rd day of May, 2021 appoint the following SLEO's for 2021:

Class I

Sarah N. Sharpe	\$15.03 per hour
Nicholas C. Romagnolo	\$15.03 per hour
Nicholas J. Casais	\$15.03 per hour
David A. Baez	\$15.03 per hour
David Pearce	\$15.03 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 May 3, 2021.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

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

**BOROUGH OF MANASQUAN
RESOLUTION
115-2021**

**RESOLUTION AUTHORIZING AN AGREEMENT
MODIFICATION NO. 1 BETWEEN THE BOROUGH OF
MANASQUAN AND THE NEW JERSEY DEPARTMENT
OF TRANSPORTATION FOR FINAL DESIGN FOR THE
FEDERAL AID PROJECT MANASQUAN BUSINESS
DISTRICT STREETScape PROJECT**

WHEREAS, the Borough of Manasquan received a Federal Aid Grant for the Manasquan District Streetscape Project, Project No.: TAP-D00S (276), State Job No: 6727303; and

WHEREAS, the borough qualifies for the NJDOT Federal Design Assistance Program; and

WHEREAS, the Federal Highway Administration authorized funding for Preliminary Engineering Design through New Jersey Department of Transportation (NJDOT) Local Aid in the original amount of \$132,239.51; and

WHEREAS, the Federal Highway Administration authorized additional funding for the Final Design through New Jersey Department of Transportation (NJDOT) Local Aid in the amount of \$172,276.63; and

WHEREAS, the amount of the Preliminary Engineering Design and Final Design Modification No. 1 is \$304,516.14; and

WHEREAS, the Borough Engineer has reviewed the letter of Final Design Authorization & Modification No. 1 prepared by the NJDOT, and has recommended entering into said Agreement for Final Design.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council, Borough of Manasquan, County of Monmouth, and State of New Jersey according to the following:

1. The Borough will enter into the Final Design Authorization & Modification No. 1 to Federal Aid Agreement.
2. This funding will flow through the capital account by not to exceed the authorized local aid amount to be certified by the CFO for disbursement.

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at their regular meeting held on May 3, 2021.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

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

**BOROUGH OF MANASQUAN
RESOLUTION
116-2021**

**RESOLUTION AUTHORIZING AN AGREEMENT
BETWEEN CME ASSOCIATES AND THE BOROUGH
OF MANASQUAN FOR FINAL DESIGN FOR THE
FEDERAL AID PROJECT MANASQUAN BUSINESS
DISTRICT STREETScape PROJECT**

WHEREAS, the Borough received a Federal Aid Grant for the Manasquan Business District Streetscape Project, Project No.: TAP-D00S (276), State Job No: 6727303; and

WHEREAS, the Borough qualifies for the NJDOT Federal Design Assistance Program; and

WHEREAS, the Federal Highway Administration authorized funding for Preliminary Engineering Design through NJDOT Local Aid in the amount of \$132,239.51; and

WHEREAS, the Federal Highway Administration authorized additional funding for Final Design through NJDOT Local Aid in the amount of \$172,276.63; and

WHEREAS, on May 3, 2021 the Borough Council adopted Resolution 115-2021 accepting funding for Final Design Services; and

WHEREAS, the Borough Engineering Department has reviewed the CME Associates proposal and recommends entering the Agreement to provide Final Design Services.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council, Borough of Manasquan, County of Monmouth, State of New Jersey according to the following:

1. An Agreement is hereby authorized with CME Associates to provide Final Design for the Manasquan Business District Streetscape Project.
2. The Agreement is for a period not to exceed twelve (12) months in the amount of \$172,276.63, which the NJDOT will process through the Borough of Manasquan as reimbursement under Section 6 of the Agreement.
3. This funding will flow through the capital account by not to exceed the authorized local aid amount to be certified by the CFO for disbursement.

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at their regular meeting held on May 3, 2021.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

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

**BOROUGH OF MANASQUAN
RESOLUTION
117-2021**

**RESOLUTION AUTHORIZING CONTRACTS
WITH CERTAIN APPROVED STATE
CONTRACT VENDORS FOR CONTRACTING
UNITS PURSUANT TO N.J.S.A. 40A:11-12a**

WHEREAS, the Borough of Manasquan, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough of Manasquan has the need on a timely basis to purchase goods or services utilizing State contracts for the purpose of Body Camera Equipment for the Manasquan Police Department; and

WHEREAS, the Borough of Manasquan intends to enter into a contract with: WatchGuard Video, located at 415 E. Exchange, Allen, TX 75002 through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

NOW THEREFORE BE IT RESOLVED, that the Borough of Manasquan authorizes the Purchasing Agent to purchase certain goods or services from said contractor by approved New Jersey State Contract T0106, pursuant to all conditions of the individual State Contract, for the Contract Term of five (5) years with the following payment terms:

1. Year 1 - \$48,935
2. Year 2 - \$25,416
3. Year 3 - \$25,416
4. Year 4 - \$25,416
5. Year 5 - \$25,416

For a Total Contract amount of \$150,599.00.

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

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at their regular meeting held on May 3, 2021.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

CERTIFICATION

Pursuant to a resolution of the Division of Local Government Services, Local Finance Board, dated October 20, 1975, I hereby state that there is annexed hereto a proper certificate of availability of funds executed by the Chief Financial Officer.

MARK G. KITRICK

Mark G. Kitrick, Esq.
Municipal Attorney
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 3rd day of May 2021, 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:

WatchGuard Video
415 E. Exchange
Allen, TX 75002
State Contract # T0106

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

AMY SPERA
Chief Financial Officer

Account _____

Amount _____

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

**BOROUGH OF MANASQUAN
RESOLUTION
118-2021**

WHEREAS, N.J.S.A. 40A:11-5 (1) (a) (1) permits the governing body to award a professional services contract without publicly advertising for bids and bidding therefore; and

WHEREAS, the Borough of Manasquan's Certified Municipal Finance Officer has recommended the retention of professional services for Financial Advisory Services; and

WHEREAS, the borough council has determined to provide the need to acquire this professional services as a non-fair and open contract pursuant to the provisions of N. J. S. A. 19:44A-20.5; and

WHEREAS, the anticipated term of this is for the calendar year 2021 on as needed basis; and

WHEREAS, the following consultant will provide professional service based on their hourly rate schedule for 2021 attached to this resolution:

NW Financial Group, LLC
2 Hudson Place, 3rd Floor
Hoboken, NJ 07030

This appointment is made pursuant to N. J. S. 2B:12-1 et seq.

WHEREAS, a certification as to the availability of funds executed by the chief financial officer is attached to this resolution pursuant to the provisions of N. J. A. C. 5:30-5-4;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 3rd day of May, 2021 as follows:

1. The Mayor and Council hereby appoint said professional service at the rate set forth above.
2. The Council authorizes the Mayor to sign the contract for services with NW Financial Group, LLC.
3. A certified copy of this resolution shall be sent to the professionals included in this resolution.

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at the May 3, 2021 meeting.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

CERTIFICATION

Pursuant to a resolution of the Division of Local Government Services, Local Finance Board, dated October 20, 1975, I hereby state that there is annexed hereto a proper certificate of availability of funds executed by the Municipal treasurer.

MARK G. KITRICK,
Borough Attorney

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

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 3rd day of May 2021, 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:

NW Financial Group, LLC
2 Hudson Place, 3rd Floor
Hoboken, NJ 07030

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

Amy Spera
Chief Municipal Financial Officer

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

**CERTIFICATION
OF
CHIEF MUNICIPAL FINANCIAL OFFICER
OF
BOROUGH OF MANASQUAN**

I CERTIFY, pursuant to the provisions of the “New Jersey Local unit Pay-to-Play Law” (N.J.S. A. 19:44A-20.4 et seq.) that the value of the contract to be awarded for the aforementioned Professional Services for the 2021 calendar year will not exceed \$44,000.00

Dated: May 3, 2021

BY: _____

AMY SPERA

CERTIFIED MUNICIPAL FINANCIAL OFFICER

**BOROUGH OF MANASQUAN
RESOLUTION
119-2021**

CHANGE ORDER NO. 3

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

TITLE OF JOB: Beach Headquarters Renovations and Additions

CONTRACTOR: Cypreco Industries, Inc.

ENGINEER: H2M Associates, Inc.
4810 Belmar Blvd. Suite 201
Wall Township, NJ 07753

AMOUNT OF CHANGE FOR THIS RESOLUTION: \$112,752.90

TOTAL AMOUNT OF CHANGE: \$112,752.90

TOTAL ORIGINAL CONTRACT PRICE \$578,500.00

CHANGE ORDER NO. 2 \$31,936.00

REVISED CONTRACT PRICE \$723,188.90

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

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at their regular meeting held on May 3, 2021.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

CERTIFICATION

Pursuant to a resolution of the Division of Local Government Services, Local Finance Board, dated October 20, 1975, I hereby state that there is annexed hereto a proper certificate of availability of funds executed by the Chief Financial Officer.

MARK G. KITRICK

Municipal Attorney
Mark G. Kitrick, Esq.
2329 Highway 34, Suite 104
Manasquan, NJ 08736

CERTIFICATION

I am the financial officer charged with the responsibility of maintaining financial records of the Borough of Manasquan, State of New Jersey, and on this 3rd day of May, 2021, I hereby certify to the Borough Council of the Borough of Manasquan as follows:

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

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

Account: _____

Amy Spera
Chief Municipal Financial Officer

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRYANT						
LEE						
MANGAN						
OLIVERA						
READ						
WALSH						
ON CONSENT AGENDA <u> </u> YES <u> </u> NO						

**BOROUGH OF MANASQUAN
RESOLUTION
122-2021**

**RESOLUTION AMENDING RESOLUTION 52-2021
“CHANGE ORDER NO. 1” FOR BEACH
HEADQUARTERS RENOVATIONS AND ADDITIONS
APPROVED ON FEBRARUY 16, 2021**

WHEREAS, on February 16, 2021 the Mayor and Council of the Borough of Manasquan Monmouth County, New Jersey approved Change Order No. 1 for the Beach headquarters Renovations and Additions Project in the amount of \$31,936.00; and

WHEREAS, resolution 52-2021 should read Change Order No. 2.

NOW THEREFORE BE IT RESOLVED that the Borough of Manasquan authorizes the amendment to this resolution to reflect the correct Change Order No. No. 2.

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Manasquan of Monmouth County, New Jersey that a certified copy of this resolution be sent to the following:

CONTRACTOR: Cypreco Industries, Inc.
 P.O. Box 822
 1420 9th Street
 Neptune, NJ 07753

ENGINEER: H2M Associates, Inc.
 4810 Belmar Blvd. Suite 201
 Wall Township, NJ 07753

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at their regular meeting held on May 3, 2021.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

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

**BOROUGH OF MANASQUAN
RESOLUTION
123-2021**

**RESOLUTION REPEALING RESOLUTION 68-2021
“CHANGE ORDER NO. 3” FOR BEACH
HEADQUARTERS RENOVATIONS AND ADDITIONS
APPROVED ON MARCH 15, 2021**

WHEREAS, on March 15, 2021 the Mayor and Council of the Borough of Manasquan Monmouth County, New Jersey approved Change Order No. 3 for the Beach Headquarters Renovations and Additions Project in the amount of \$28,800.00; and

WHEREAS, resolution 68-2021 should reflect authorizing additional scope of work for H2M Associates, Inc.

NOW THEREFORE BE IT RESOLVED that the Borough of Manasquan authorizes the repeal of resolution 68-2021.

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Manasquan of Monmouth County, New Jersey that a certified copy of this resolution be sent to the following:

CONTRACTOR: Cypreco Industries, Inc.
 P.O. Box 822
 1420 9th Street
 Neptune, NJ 07753

ENGINEER: H2M Associates, Inc.
 4810 Belmar Blvd. Suite 201
 Wall Township, NJ 07753

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at their regular meeting held on May 3, 2021.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

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

**BOROUGH OF MANASQUAN
RESOLUTION
124-2021**

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 services of H2M Associates, Inc., 4810 Belmar Boulevard, Suite 201, Wall Township, NJ 07753, for providing for the professional services for Beach Office Improvements. The supplemental fee is as follows:

- Construction Administration & Inspection \$28,800

for the service outlined in a proposal dated March 9, 20021.

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 above 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 May 3, 2021 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 3rd day of May, 2021 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:

* H2M Associates, Inc. – Beach Office Improvements

Account: _____

Amy Spera
Chief Financial Officer

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

**BOROUGH OF MANASQUAN
RESOLUTION
125-2021**

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	\$70,192.72
Capital Fund	
Water/Sewer Fund	\$25,256.19
Water/Sewer Utility Fund	
Beach Utility Fund	\$65,761.60
Beach Capital Fund	\$164,087.28
Recreation Building Trust	\$6,374.80
Recreation Trust	\$1,530.29
Reserve for Law Enforcement	\$314.19
Tourism	\$109.00
Dev Escrow Trust	\$7,834.75

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, New Jersey do hereby certify that the foregoing resolution was duly adopted by the Council at their regular meeting on May 3, 2021

BARBARA ILARIA, RMC, CMC
Municipal Clerk

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

**BOROUGH OF MANASQUAN
ORDINANCE NO. 2346-21**

**ORDINANCE AMENDING CHAPTER 12 (BEACHES
AND BEACHFRONT) SECTION 12-11.1 (PARKING
PERMIT FOR USE OF CERTAIN MUNICIPAL
PARKING LOTS) AND SECTION 12-11.2 (SEA
WATCH BEACH SEASON PARKING PERMIT) AND
CHAPTER 16 (FEES) OF THE BOROUGH OF
MANASQUAN CODE IN THE BOROUGH OF
MANASQUAN, COUNTY OF MONMOUTH, STATE
OF NEW JERSEY.**

WHEREAS, pursuant to the revised General Ordinance of the Borough of Manasquan, County of Monmouth, is desirous of amending Chapter 12 Section 12-11.1 to include Sea Watch Parking Lot;

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

Section 1: Chapter 12 Section 12-11.1 is hereby amended to read as follows:

- a. Fees. No person shall park any motor vehicle in the municipal parking lots at Second Avenue, Third Avenue, Fourth Avenue, Pompano Avenue, and Sea Watch Beach without paying the following fees for the privilege of parking a motor vehicle:
 1. The fee as stated in Chapter **16**, Fees, inclusive of sales tax, for each season parking permit. A season parking permit is valid for the entire bathing season. The holders of season parking permits may utilize the municipal parking lots at Second Avenue, Third Avenue, Fourth Avenue, Pompano Avenue and Sea Watch Beach.
 2. The fee as stated in Chapter **16**, Fees, inclusive of sales tax, for daily parking Monday through Thursday, inclusive, and continuing until 9:00 a.m. the following day.
 3. The fee as stated in Chapter **16**, Fees, inclusive of sales tax, for daily parking on Friday, Saturday, Sunday or holidays, and continuing until 9:00 a.m. the following day.
 4. There will be no daily parking passes for Sea Watch Beach. Only patrons with a seasonal parking pass may utilize this lot.
- b. Season Parking Stickers.
 1. A season parking ticket shall be valid from May 15 through September 15 in the year issued.
 2. Season parking tickets will be on sale during the period of time designated by resolution of the Borough Council.
 3. The Borough Council shall have the authority to establish, by resolution, a discount rate for season parking tickets, provided however, that discount rates for season parking tickets shall apply only to tickets purchased prior to a specific date which shall be established in the resolution.
 4. Season parking tickets shall be for the exclusive use of the vehicle for which it was issued.
 5. Season parking tickets must be affixed permanently to the vehicle for which they are registered on the left rear window of the vehicle.

6. Registration forms for season parking stickers shall provide for the name and address of the owner, a description of the vehicle, the license plate number of the vehicle and the season parking sticker number.
 7. Daily and season parking stickers shall not be loaned, given away, sold or transferred. Any person loaning, giving away, selling or transferring a parking sticker shall forfeit all rights to the sticker or ticket.
- c. **Parking Prohibited Certain Hours.** No person shall park any motor vehicle in the municipal parking lots at Second Avenue, Third Avenue, Fourth Avenue, Pompano Avenue and Sea Watch between the hours of 2:00 a.m. to 6:00 a.m. from October 1 through April 30.
- No person shall park any motor vehicle in the municipal parking lot at Sea Watch Beach between the hours of 12:00 a.m. to 7:00 a.m. from May 1 to September 30.

Section 2: Chapter 12 Section 12-11.2 is hereby deleted in its entirety:

Section 3: Chapter 16 is amended as follows:

2-11 SEASON PARKING PERMIT	12-11.1 Parking Permit for Use of Certain Municipal Parking Lots		
	a.	Fees	
	1.	Seasonal	\$100
	2.	Daily, Monday - Thursday	\$10
	3.	Friday, Saturday, Sunday and holidays	\$15

Section 4: Construction and Effective Dates

- (a) Should any section or provision of this ordinance be held invalid in any proceedings, the same shall not affect any other section or provision of this ordinance, except insofar as the section or provision so held invalid shall be inseparable from the remainder of any such section or provision.
- (b) Chapter 97, et. seq., of the Borough of Manasquan Code and all ordinances and parts of ordinances inconsistent with this Ordinance herewith are hereby repealed.
- (c) This Ordinance shall become effective following the final passage and publication according to the law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2346-21 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 3rd day of May 2021, and was then read for the first time. The said Ordinance will be further considered for final passage by the Mayor and Council at a meeting held at Borough Hall, 201 East Main Street, Manasquan, NJ 08736 and remotely at 7:00 p.m. on the 17th day of May 2021. At such time and place, or at any such time or place to which said meeting may be adjourned, all interested persons will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m. on Monday through Friday, except on legal holidays.

Barbara Ilaria, RMC, CMC
Municipal Clerk

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

Passed on First Reading and Introduction: May 3, 2021
Approved on Second Reading and Final Hearing: May 17, 2021

Edward G. Donovan
Mayor

**BOROUGH OF MANASQUAN
ORDINANCE 2349-21**

ORDINANCE AMENDING CHAPTER 11 (DOCKS AND BULKHEADS) SECTION 11-5.2 (PERMIT FEES); CHAPTER 14 (BUILDINGS AND HOUSING) SECTION 14-1.2 (FEES) SECTION 14-5.4 (LICENSE FEES) SECTION 14-13(j) (FEE FOR ZONING PERMIT); CHAPTER 16 (FEES) SECTION 16-1 (FEE SCHEDULE) ESTABLISHED OF THE BOROUGH MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

WHEREAS, pursuant to the Revised General Ordinance of the Borough of Manasquan Code Chapter 11 relates to Docks and Bulkheads, Section 11-5 refers to Construction of Bulkheads; Chapter 14 refers to Building and Housing, Section 14-1.2 refers to Fees, Section 14-5.4 refers to License Fees, Section 14-13(j) refers to Fees for Zoning Permit; Chapter 16 refers to Fees and section 16.1 refers to Fee Schedule; and

WHEREAS, the Manasquan Council of the Borough of Manasquan is desirous of amending Chapter 11 (Docks and Bulkheads) Section 11-5 (Construction of Bulkheads); Chapter 14 (Building and Housing) Section 14-1.2 (Fees) Section 14-13(j) (Fees for Zoning Permit) and Chapter 16 (Fees) and Section 16-1 (Fee Schedule).

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

Section 1. Chapter 11 Section 11-5.2 Permit Fees wording shall remain the same.

Section 2. Chapter 14 Section 14-1.2 Fees shall be amended as follows:

14-1.2 (b) 1 shall read:

1. Building Volume or Cost. The fees for new construction or alteration are as follows:

(a) Fees for new construction shall be based upon the volume of the structure. Volume shall be computed in accordance with N.J.A.C. 5:23-2.28. The new construction fee shall be as stated in Chapter 16, Fees.

(b) Fees for renovations, alterations, and repairs or site construction associated with premanufactured construction shall be based on the estimate cost of work. The fees shall be as stated in Chapter 16, Fees.

(c) Fees for additions shall be computed on the same basis as new construction for the added portion. The minimum fee shall be as stated in Chapter 16, Fees.

(d) Fees for combination renovations and additions shall be computed as the sum of the fees calculated separately in accordance with paragraphs (b) and (c) above. The minimum fee shall be as stated in Chapter 16, Fees.

(e) The fee for each fireplace shall be as stated in Chapter 16, Fees.

(f) The fee for Flood Administration Application Review shall be as stated in Chapter 16, Fees.

(g) The fee for Pylon Sign shall be as stated in Chapter 16, Fees.

(h) The fee for Wall Sign shall be as stated in Chapter 16, Fees.

(i) The fee for Tents and Temporary Structures shall be as stated in Chapter 16, Fees.

14-1.2 (b) 4 shall read:

4. Fire protection and other hazardous equipment: Sprinklers, standpipes, detectors (smoke and heat), pre-engineered suppression systems, gas and oil fired appliances not connected to the plumbing system, kitchen exhaust systems and flues. In

computing fees for heads & detectors, the number shall be counted separately and two (2) fees, One (1) for heads and one (1) for detectors shall be charged. The fees shall be as stated in Chapter 16, Fees.

Section 3. Chapter 14-5.4 License Fees wording shall remain the same.

Section 4. Chapter 16 Fees shall be amended as follows:

CHAPTER 11 DOCKS AND BULKHEADS		
11-5 CONSTRUCTION OF BULKHEADS	11-5.2 Permit Fees	
	a.	First 50 linear feet or fractional part thereof, excluding bulkhead returns
		\$125
	b.	Each additional 50 linear feet or fractional part thereof, excluding bulkhead returns
		\$50

CHAPTER 14 BUILDING AND HOUSING		
14-1 STATE UNIFORM CONSTRUCTION CODE ENFORCING AGENCY		
14-1 STATE UNIFORM CONSTRUCTION CODE ENFORCING AGENCY	14-1.2 Fees.	
	a.	Plan Review Fee. The fee for plan review shall be 25% of the amount to be charged for a construction permit.
		\$50
	b.	Basic Construction Fee. The basic construction fee shall be the sum of the parts computed on the basis of the volume or the cost of construction, the number of plumbing fixtures and pieces of equipment, the number of electric fixtures and devices and the number of sprinklers, standpipes and detectors (smoke and heat) at the unit rates provided herein plus any special fees. The minimum fee for a basic construction permit covering any or all of building, plumbing, electric or fire protection work, except as herein provided.
		\$85
	1.	Building Volume or Cost.
		The fees for new construction or alteration are as follows:
	(a)	Fees for new construction shall be based upon the volume of the structure. Volume shall be computed in accordance with N.J.A.C. 5:23-2.28. The new construction fee shall be \$0.040 per cubic foot of volume for buildings and structures of all use groups and types of construction.
		\$175 minimum

		(b) Fees for renovations, alterations, and repairs or site construction associated with pre-manufactured construction shall be based on the estimate cost of work. The fee shall be \$35 per \$1,000 or fraction thereof, up to a limit of \$50,000. From \$50,001 to and including \$100,000, the additional fee shall be in the amount of \$30 per \$1,000 of the estimated cost above \$50,000. For amounts above \$100,000, the additional fee shall be in the amount of \$25 per \$1,000 of estimated cost above \$100,000.	
		(c) Fees for additions shall be computed on the same basis as new construction for the added portion.	\$175 minimum
		(d) Fees for Combination renovations and additions shall be computed as the sum of the fees calculated separately in accordance with paragraphs (b) and (c) above.	\$175
		(e) The fee for each fireplace.	\$85.00
		(f) Flood Administration Application Fee	\$150.00
		(g) Pylon Signs	\$4.00/sq.ft
		(f) Wall Signs	\$4.00 sq.ft (one side)
		(g) Tents & Temporary Structures	\$100.00
	2.	Plumbing Fixtures and Equipment	
		The fees shall be as follows:	
		(a) The fee shall be per fixture connected to the plumbing system for all fixtures and appliances except as listed below.	\$25
		(b) The fee shall be per special device for the following:	\$95
		Grease traps	
		Water utility connections	
		Sewer utility connections	
		Active solar systems	
		Interceptors	
		Oil separators	
		Air-conditioning units	
		Backflow preventers	
		Gas piping	

			Sewer pumps	
		(c)	The fee for the installation of the backflow preventers for lawn sprinklers, excluding boilers	\$85
		(d)	The fee for the installation of a boiler (hot water or steam).	\$75
		(e)	Chimney Liners	\$85
		(f)	A/C Unit	\$45
		(g)	A/C Condenser/Inverter Split System	\$95
		(h)	Swimming pool bottom drain, atmospheric, safety system, similar	\$85
		(i)	Warm air furnace - RS	\$95
		(j)	Warm air furnace other than RS	\$175
		(k)	Water Service	\$85
		(l)	Installation of Water Heater	\$95
		3.	Electric Fixtures and Devices	
			The fees shall be as follows:	
		(a)	The fees for outlets (including lighting, wall switches, fluorescent fixtures, convenience receptacles or similar fixtures, and motors or devices of less than 1 horsepower or 1 kilowatt) shall be as follows:	
			Outlets 1 to 25 devices	\$100
			Each additional 25 devices	\$50
		(b)	The fees for service panels shall be as follows:	
			0 to 200 amps	\$150
			201 to 300 amps	\$200
			301 to 400 amps	\$250
			Each Additional 100 amps over 400 amps	\$75
		(c)	The fees for transformers or generators shall be as follows:	
			1 kw to 10 kw	\$50
			11 kw to 45 kw	\$100
			46 kw to 112.5 kw	\$175
			More than 112.5 kw	\$750

		(d)	The fees for motors, except those in plug-in appliances shall be counted, including control equipment, generators, transformers and all heating, cooking or other devices consuming or generating electric current shall be as follows:	
			1 hp to 10 hp	\$50
			11 hp to 50 hp	\$100
			51 to 100 hp	\$150
			More than 100 hp	\$750
		(e)	Inground swimming pools, outdoor spas, outdoor hot tubs, or outdoor fountains.	\$200
			Aboveground swimming pools, outdoor spas, outdoor hot tubs, or outdoor fountains.	\$150
		(f)	The fee for each of the following items:	\$30
			Electric heater	
			Surface units	
			Dishwasher	
			Heat pump	
			Indoor hot tubs/ Jacuzzi	
			Gas/oil heaters	
			Electric dryer	
			Hot water heater	
			Range	
			Commercial exhaust fans	
			Oven	
		(g)	Annual electrical inspection of all public swimming pool, spa or hot tub.	\$100 for first pool, \$25 for each additional
		(h)	Air conditioner feeders and disconnects.	\$50
		(i)	Photovoltaic system R-5	\$150
		(j)	Photovoltaic Systems other than R-5	\$200
		4.	Fire protection and other hazardous equipment:	
			Sprinklers, standpipes, detectors (smoke and heat), pre-engineered suppression systems, gas and oil fired appliances not connected to the plumbing system, kitchen exhaust systems and flues.	
		(a)	The fee for sprinkler heads or detectors shall be as follows:	
			1 to 10 devices	\$75

		11 to 20 devices	\$150
		21 to 100 devices	\$200
		101 to 200 devices	\$350
		More than 200 devices	\$1,000
		In computing fees for heads and detectors, the number shall be counted separately and 2 fees, 1 for heads and 1 for detectors shall be charged.	
	(b)	The fee for each standpipe.	\$300
	(c)	The fee for each independent pre- engineered system.	\$150
	(d)	The fee for each gas or oil fired appliance which is not connected to the plumbing system.	\$75
	(e)	The fee for each kitchen exhaust system.	\$125
	(f)	The fee for the installation of fuel tanks shall be:	
		Capacity under 600 gallons	\$125
		Capacity over 600 gallons	\$175
	c.	Elevators.	
		The fee for a permit to install an elevator shall be \$60 per unit, plus the costs charged by the Elevator Safety Unit of the State of New Jersey.	
	d.	Certificates and Other Permits.	
		The fees are as follows:	
	1.	The fee for a demolition permit of a one- or two- family dwelling.	\$125
		Demolition of a garage or shed or other accessory use	\$60
		Demolition of all other structures.	\$250
	(a)	The fee for a demolition permit for any structure may be waived if the applicant for the permit allows the Manasquan Police Department, Fire Department or First Aid Squad to utilize the structure to be demolished for training purposes, and the Police Department, Fire Department or First Aid Squad files a notice in writing indicating its intent to use the structure for training purposes. In such event, the applicant must agree to adequately secure the structure after the training exercise and demolish	

			the structure within 15 calendar days of the date on which the exercise is conducted.	
		2.	The fee for the removal or abandonment of a fuel storage tank (inground or aboveground).	\$150
		3.	The fee for a permit to move a building or structure from 1 lot to another or to a new location on the same lot, plus the cost of the new foundation and alterations to the building or structure for replacement in a completed condition shall be computed as required for renovations, alterations and repairs in paragraph b1(b).	\$150
		4.	The fee for a permit to install a swimming pool shall be as follows:	
			Inground	\$175
			Aboveground	\$125
		5.	The fee to construct a sign which is greater than 25 square feet in surface area (1 side) and more than 6 feet in height.	\$80
		6.	The fee to erect a fence 6 feet or greater in height or surrounding a swimming pool.	\$80
		7.	The fee for an asbestos removal permit	\$125
			The fee for a certificate of occupancy after asbestos removal.	\$35
		8.	The fee for a certificate of occupancy.	\$65
		9.	The fee for a certificate of occupancy granted pursuant to a change of use group.	\$65
		10.	The fee for a continued certificate of occupancy.	\$50
		11.	The fee for a Temporary Certificate of Occupancy.	No charge for first \$75 each additional one
		12.	The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10.	\$75
			The fee for resubmission of an application for a variation.	\$35
	e.	Periodic Inspections.		
		Fees for the periodic re-inspection of equipment and facilities granted a certificate of approval for a specified duration in accordance with N.J.A.C. 5:23-2.23 shall be as follows:		

		1. For cross connections and backflow preventers that are subject to testing requiring re-inspection every 12 months.	\$55 for each device plus costs charged by an on-site inspection agency.
	f.	The fee to reinstate a lapsed construction permit.	10% of the cost of the original permit but not less than \$55
	g.	In order to provide for training, certification and technical support programs required by the Uniform Construction Code Act and the Regulations, the enforcing agency shall collect, in addition to the fees, a surcharge fee of \$0.0016 per cubic foot of volume of new buildings and additions. Volume shall be computed in accordance with N.J.A.C. 5:23-2.28. The fee for all other construction shall be \$0.80 per \$1,000 of value of construction. The surcharge fee shall be remitted to the Bureau of Housing Inspection, Department of Community Affairs, on a quarterly basis for the fiscal quarters ending September 30, December 31, March 31 and June 30, not later than 1 month next succeeding the end of the quarter for which it is due.	
	h.	All fees shall be rounded to the next dollar.	
	i.	All fees collected pursuant to this chapter shall be promptly remitted to the Municipal Treasurer.	
14-5 ROOMING HOUSES, HOTELS AND MOTELS, BED & BREAKFASTS	14-5.4 License Fees.		
	1-5 rooms		\$15 each room
	6 and over		\$8 each room
14-11 REAL PROPERTY TRANSFER PERMIT	14-11.4 Fees		
	a	Initial inspection applied for at least 10 days prior to issuance of a transfer permit	\$175 single unit, \$175 multi-unit plus \$5 for each additional unit

	b	Initial inspection applied for at least 3 days prior to issuance of a transfer permit	\$200 single unit, \$200 multi-unit plus \$5 for each additional unit
	c	Reinspection fee applied for at least 10 days prior to issuance of a transfer permit	\$200 single unit, \$200 multi-unit plus \$10 for each additional unit
14-13 CONSTRUCTION PERMIT AND ZONING PERMIT	i.	Zoning permits for signs (See § 35-7 for zoning permit fee)	
	j.	Fees for zoning permit	
		1. Shed, sign, hot tub, sidewalk, curb, apron and driveway construction	\$25
		2. Swimming pool construction	\$100
		3. Addition of 500 square feet or less to an existing residential home	\$125
		4. Addition in excess of 500 square feet to an existing residential home	\$150
		5. New residential home construction	\$225
		6. Addition to or new construction of a commercial building	\$250
		7. Review of minor subdivision plan	\$250
		8. Review of major subdivision plan	\$325
		9. Review of site plan	\$250

Section 5: Construction and Effective Dates

- (a) Should any section or provision of this ordinance be held invalid in any proceedings, the same shall not affect any other section or provision of this ordinance, except insofar as the section or provision so held invalid shall be inseparable from the remainder of any such section or provision.
- (b) Chapter 97, et. seq., of the Borough of Manasquan Code and all ordinances and parts of ordinances inconsistent with this Ordinance herewith are hereby repealed.
- (c) This Ordinance shall become effective following the final passage and publication according to the law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2349-21 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 3rd day of May 2021, and was then read for the first time. The said Ordinance will be further considered for final passage by the Mayor and Council at a meeting held at Borough Hall, 201 East Main Street, Manasquan, NJ 08736 and remotely at 7:00 p.m. on the 17th day of May 2021. At such time and place, or at any such time or place to which said meeting may be adjourned, all interested persons will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m. on Monday through Friday, except on legal holidays.

Barbara Ilaria, RMC, CMC
Municipal Clerk

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Passed on First Reading and Introduction: May 3, 2021
Approved on Second Reading and Final Hearing: May 17, 2021

Edward G. Donovan
Mayor

**BOROUGH OF MANASQUAN
ORDINANCE NO. 2350-21**

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 12 (BEACHES AND BEACHFRONT) SECTION
12-6.2 (LITTER PROHIBITED) AND AMENDING AND
SUPPLEMENTING CHAPTER 12 (BEACHES AND
BEACHFRONT) SECTION 12-6.3 (SMOKING
PROHIBITED IN BEACHFRONT AREAS) OF THE
BOROUGH OF MANASQUAN CODE IN THE BOROUGH
OF MANASQUAN, COUNTY OF MONMOUTH, STATE
OF NEW JERSEY.**

WHEREAS, pursuant to the revised General Ordinance of the Borough of Manasquan, County of Monmouth, is desirous of amending and supplementing Chapter 12 Section 12-6.2 (Titled Litter Prohibited) and Chapter 12 Section 12-6.3, titled Smoking Prohibited in Beachfront Areas, in order to promote public health, and due to the substantial health hazard tobacco and cannabis smoke constitutes to the non-smoking majority of the public and establish penalties for the violation.

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

Section 1: Chapter 12 Section 12-6.2 is hereby amended to read as follows:

12-6.2 Litter Prohibited

- (a) No person shall discard any bottles, cans, paper or other refuse, including but not limited to cigarette butts, cigar butts, and other tobacco or cannabis product on any beach, in the beachfront areas, on the beach walk or any access ramp that leads to the beach walk.
- (b) Refuse, waste paper, etc. shall be properly discarded in refuse containers provided for that purpose

Section 2: Chapter 12 Section 12-6.3 is hereby amended to read as follows:

12-6.3 Smoking Prohibited in Beachfront Areas

No person, at any time, shall smoke a cigarette, cigar, electronic smoking device or other tobacco or cannabis product, or utilize any smoking related paraphernalia on any beach, in the beachfront areas, on the beach walk or any access ramp that leads to the beach walk.

Section 3: Construction and Effective Dates

- (a) Should any section or provision of this ordinance be held invalid in any proceedings, the same shall not affect any other section or provision of this ordinance, except insofar as the section or provision so held invalid shall be inseparable from the remainder of any such section or provision.
- (b) Chapter 97, et. seq., of the Borough of Manasquan Code and all ordinances and parts of ordinances inconsistent with this Ordinance herewith are hereby repealed.
- (c) This Ordinance shall become effective following the final passage and publication according to the law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No.2350-21 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 3rd day of May 2021, and was then read for the first time. The said Ordinance will be further considered for final pass by the Mayor and Council at Borough Hall, 201 East Main Street, Manasquan, NJ 08736 at 7:00 p.m. on the 17th day of May 2021. At such time and place, or at any such time or place to which said meeting may be adjourned, all interested persons will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m. on Monday through Friday, except on legal holidays.

Barbara Ilaria, RMC, CMC
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Passed on First Reading and Introduction: May 3, 2021
Approved on Second Reading and Final Hearing: May 17, 2021

Edward G. Donovan
Mayor

**BOROUGH OF MANASQUAN
ORDINANCE NO. 2351-21**

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 16 (FEES) SECTION 10 (PARKS AND
RECREATION AREAS) AND ESTABLISHING §10-4
(PROPERTY AND FACILITIES USE FEES)**

WHEREAS, Pursuant to the revised General Ordinance of the Borough Code, Chapter 16 refers to Fees and Section 16-10 refers to Parks and Recreation Areas; and

WHEREAS, the Manasquan Borough Council of the Borough of Manasquan is desirous of establishing Property and Facilities Use Fees in Parks and Recreation Areas.

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

Section 1: Chapter 16 Fees shall be established to read as follows:

CHAPTER 10 PARKS AND RECREATION AREAS		
10-3 PERMITS FOR SPECIAL EVENTS	10-3.8 Use Fees.	
	Property/Facility	For Profit/Non-Resident Fee**
	Use of Parks, Special Events, Runs, etc.	\$25/hour Minimum*
	Gymnasium Use	\$75/hour
	Basketball Courts- Mallard, Indian Hill and Curtis Parks	\$25/hour per court
	Mallard Park Special Events: soccer, football, lacrosse, and similar events	\$25/hour
	Mallard Park Baseball Fields Special Events	\$25/hour per field
	Inline Hockey Rink at Stockton Park	\$25/hour
	Tennis Courts at High School	\$25/hour per court
	Baseball Fields at Stockton Park	\$25/hour per field
	Multipurpose Rooms at St. Denis School	\$20/hour per room
	Recreation Annex	\$20/hour per room
	Bocce Ball Court at Borough Hall	\$20/hour
	Shuffleboard Court – Curtis Park	\$20/hour
	Pickeball Court – Stockton Park	\$20/hour
	Skatepark – Stockton Park	\$20/hour
	Squan Plaza/Miller Preston Way	\$300 minimum*

*This fee may be adjusted to account for the need for increased Borough services required to facilitate the program and properly maintain the facility.

**Residents and Non-profit organizations shall be charged up to \$50 per hour for the use of Borough gymnasiums and up to \$20 per hour for multipurpose rooms depending on

the nature of the event.

For-Profit vendors who operate programs, events and activities through the Manasquan Recreation Department will be charged a fee equivalent to 25% of the gross total profit of the program, payable to the Manasquan Recreation Department.

Section 3: Construction, Availability and Effective Date

- (a) Should any section or provision of this ordinance be held invalid in any proceedings, the same shall not affect any other section or provision of this ordinance, except insofar as the section or provision so held invalid shall be inseparable from the remainder of any such section or provision.
- (b) Chapter 97, et. seq., of the Borough of Manasquan Code and all ordinances and parts of ordinances inconsistent with this Ordinance herewith are hereby repealed.
- (c) This Ordinance shall become effective following the final passage and publication according to the law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2351-2021 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 3rd day of May 2021 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 17th day of May 2021. 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 public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m. on Monday through Friday, except on legal holidays.

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Passed on First Reading and Introduction: May 3, 2021
Approved on Second Reading and Final Hearing: May 17, 2021

Edward Donovan
Mayor

**BOROUGH OF MANASQUAN
ORDINANCE NO. 2352-21**

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 10 (PARKS AND RECREATION AREAS)
SECTION 10-1.1 (PROHIBITED ACTS) SECTION 10-3.1
(PERMITS FOR SPECIAL EVENTS) AND SECTION 10-3.3
(APPROVAL OF PERMITS), ESTABLISHING SECTION
10-3.6 (OPERATION AND MAINTENANCE) SECTION 10-
3.7 (RECREATION DEPARTMENT TO SUPERVISE
FACILITIES) AND SECTION 10-3.8 (ADMISSION AND
USE FEES), AND REPEALING SECTION 10-7 AND 10-7.1
OF THE BOROUGH OF MANASQUAN CODE IN THE
BOROUGH OF MANASQUAN, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY**

WHEREAS, Pursuant to the revised General Ordinance of the Borough Code Chapter 10 refers to Parks and Recreation Areas; and

WHEREAS, the Manasquan Borough Council of the Borough of Manasquan is desirous of enhancing public safety and use of the Borough's parks and recreation areas; and

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

SECTION 1. The Borough Code of the Borough of Manasquan is hereby amended and supplemented to amend Chapter 10 entitled "Parks and Recreation Areas" as follows:

Chapter 10 Section 10-1.1 is hereby amended to read as follows:

10-1.1 Prohibited Acts

(a) No person in a public park and recreation area shall:

30. Leave a picnic area before all trash is placed in the disposal receptacles where provided. If no such trash receptacles are available, then trash shall be carried away from the park area by the picnicker to be properly disposed of elsewhere.

(b) While in a public park or recreation area, all persons shall conduct themselves in a proper and orderly manner and in particular, no person shall:

1. No person shall bring alcoholic beverages or narcotics into the parks and recreation areas or drink alcoholic beverages and/or use narcotics while in the parks and recreation areas, nor shall any person be under the influence of intoxicating liquor or drugs while in the parks and recreation areas at any time. No person shall smoke a cigarette, cigar, electronic smoking device and/or other tobacco or cannabis product or related paraphernalia in borough parks and recreation areas.

5. Build or attempt to build a fire unless a permit is obtained from the Borough Fire Marshal and approved by Mayor and Council. Any open fires on Borough owned land is expressly prohibited unless a valid permit has been obtained and approved. No person shall drop, throw or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper or other flammable material within any part or on any highways, roads or streets abutting or contiguous thereto.

Chapter 10 Section 10-3.1 is hereby amended to read as follows:

10-3.1 Application

Permits for recreational programs and events at borough parks, facilities, and Manasquan Beach shall be obtained by submitting an application to the Recreation Superintendent in accordance with the following procedure:

- a. A person seeking issuance of a permit hereunder shall file an application with the Municipal Clerk's Office stating:
 1. The name and address of the applicant.
 2. The name and address of the person, persons, corporation or association sponsoring the activity, if any.
 3. The day and hours for which the permit is desired.
 4. The park or portion thereof for which such permit is desired.
 5. Certificate of liability insurance in an amount established by the Mayor and Council and naming the Borough as the insured party.
 6. Parks and Facilities rental terms and conditions are included in the application and must be agreed to by the applicant.

Chapter 10 Section 10-3.3 is hereby amended to read as follows:

10-3.3 Approval of Permit

Any submitted Borough of Manasquan Property/Facilities Use Application for permits as described in §10-3.1 shall be reviewed for approval by the Manasquan Superintendent of Recreation.

SECTION 2. Chapter 10-3.6 shall be established to read as follows:

10-3.6 Operation and Maintenance

All parks and facilities in the Borough of Manasquan shall be operated and maintained under the supervision of the Public Works Committee of the Borough Council. Such committee shall direct the layout, maintenance, and improvement of the grounds of said parks. For that purpose, the Committee may employ such workmen and purchase or contract for such materials as the Committee deems necessary, subject, however, to the ultimate control of the governing body.

SECTION 3. Chapter 10-3.7 shall be established to read as follows:

10-3.7 Recreation Department to Supervise Facilities

It shall be the responsibility of the Manasquan Recreation Department, with guidance and input from the Manasquan Recreation Committee, to supervise and regulate all recreational programs and activities in borough parks and facilities to include Manasquan Beach and for that purpose develop rules and regulations pertaining to the use of borough parks and facilities for recreational use. The Recreation Department may request that the Beach/Recreation Committee of the Borough Council consider employing recreation coordinators to facilitate programs. The number of program coordinators that may be appointed and the salaries for such positions shall be set by the Governing Body.

SECTION 4. Chapter 10-3.8 shall be established to read as follows:

10-3.8 Use Fees

Use fees to be charged for the use of parks and facilities shall be set by the governing body, and collection of such use fees shall be the responsibility of the Manasquan Recreation Department. Any such collected use fees shall be placed in a recreation fund to be expended for the improvement of recreational facilities and for the purchasing of equipment and supplies used in connection with the recreational facilities.

Use fees for non-recreation programs, events and activities may be found in Chapter 16 "Schedule of Fees" of the Manasquan Code Book.

For-Profit programs, events and activities which are run through the Manasquan Recreation Department will require a signed agreement with the requestor where the vendor will receive 75% of the total gross profits and Manasquan Recreation Department will receive 25% total gross profits. With an agreement in place, the Manasquan Recreation Department will advertise the vendor program in the local newspaper and promulgate it on social media, the Manasquan Recreation Department website, and by way of email blasts. In addition, Manasquan Recreation Department will upload the

vendor's program registration form and a program description onto the Borough's online Community Pass platform. A waiver of liability, code of conduct and refund policy are built into the registration process. The Manasquan Recreation Department will also conduct a background check on the vendor and any staff they may have if the program involves working with children. The background check is free of charge and does not require fingerprints to be submitted.

SECTION 5: Chapter 10-7 and 10-7.1 of the Borough of Manasquan Code is hereby repealed.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2352-21 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 3rd day of May 2021 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 17th day of May 2021. 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 public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m. on Monday through Friday, except on legal holidays.

Barbara Ilaria, RMC, CMC
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Passed on First Reading and Introduction: May 3, 2021
Approved on Second Reading and Final Hearing: May 17, 2021

Edward Donovan
Mayor

**BOROUGH OF MANASQUAN
ORDINANCE 2353-21**

**BOND ORDINANCE PROVIDING A SUPPLEMENTAL
APPROPRIATION OF \$250,000 FOR REPAIRS TO THE MAIN
BEACH BUILDING IN AND BY THE BOROUGH OF
MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW
JERSEY, AND AUTHORIZING THE ISSUANCE OF \$250,000
BONDS OR NOTES OF THE BOROUGH TO FINANCE PART
OF THE COST THEREOF**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY (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 has heretofore been 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 supplemental amount of \$250,000, such sum being in addition to the \$850,000 appropriated therefor by Section 3(a) of bond ordinance #2304-19 of the Borough, finally adopted November 18, 2019 (the "Original Bond Ordinance"). No down payment is required as the purposes authorized herein are 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 additional cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$250,000 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 heretofore authorized and the purpose for the financing of which the bonds are to be issued is to make repairs to the Main Beach Building, including, but not limited to, the installation of a new roof, the installation of vinyl or equal siding and improvements to the restroom and further including all engineering, related costs and expenditures incidental thereto, as described in the Original Bond Ordinance.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is \$1,100,000, including the \$850,000 authorized by the Original Bond Ordinance and the \$250,000 bonds or bond anticipation notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$1,100,000, including the \$850,000 appropriated by the Original Bond Ordinance and the \$250,000 appropriated herein.

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 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 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$250,000, 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 \$270,000 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. Of this amount, \$270,000 was estimated for these items of expense in the Original Bond Ordinance, and no additional amount is estimated therefor herein.

(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 purposes that are 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 real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

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

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2353-21 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 3rd day of May 2021 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 17th day of May 2021. 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 public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m. on Monday through Friday, except on legal holidays.

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Passed on First Reading and Introduction: May 3, 2021
Approved on Second Reading and Final Hearing: May 17, 2021

Edward Donovan
Mayor