

**Manasquan Borough Council Meeting**  
**In- Person at Borough Hall and Virtual Zoom Meeting**  
**January 19, 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**  
**January 19, 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)**

**Certificate of Achievement**

1. John Farinacci - USA Gold Junior Hockey Player

**Approval of Minutes**

- [1.](#) Regular Meeting Minutes - December 21, 2020
- [2.](#) Regular Meeting Minutes - December 30, 2020
- [3.](#) Reorganization Meeting Minutes - January 4, 2021

**Workshop Discussion:**

**Use of Borough Property**

1. E73-20 Mid Winter Run - February 13, 2021- Discussion

**Other Items**

1. Board of Education Field Project Interlocal Proposal - Discussion

**Executive Closed Session (Actionable Items)**

1. Litigation - Land Use

**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.](#) 33-2021 Accepting Resignation - Walter Wall
- [2.](#) 34-2021 Authorizing Mayor to sign Shared Services - Sea Girt - CMFO/QPA
- [3.](#) 35-2021 Authorizing Clerk to Advertise for Beach Manager
- [4.](#) 36-2021 Authorizing Department Head Vacation Carry Over Days
- [5.](#) 37-2020 Authorizing Scope of Work - Mount Lane Drainage Project - Maser
- [6.](#) 39-2021 Appointing Citizen Advisory Members
- [7.](#) 40-2021 Payment of Bills

**Resolution**

- [1.](#) 38-2021 Setting 2021 Water and Sewer Rates

**Ordinances - First Reading**

- [1.](#) 2332-21 Chapter 33 Site Plan Design Regulations

**Committee Reports**

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

**Closed Session**

1. Litigation - Perkins v. Borough of Manasquan

**Adjournment**

DECEMBER 21, 2020

Regular Meeting of Mayor and Council was convened at 7:00 p.m. on December 21, 2020 with Council President Michael Mangan presiding. This meeting was held in person at Borough Hall and via Zoom.

Mayor Donovan read the statement re: Open Public Meetings Act of 1975 and that 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.

Mayor Donovan welcomed the audience and invited them to join in a moment of silent prayer and a salute to the Flag.

**ROLL CALL:** Present: Council Members Jay Bryant, Jeff Lee, Michael Mangan, Gregg Olivera, Richard Read, and James Walsh

Absent: None

Also present was Borough Attorney Mark Kitrick and Administrator Thomas Flarity.

### **Audience Participation**

Council Member Walsh made a motion to open the meeting to the public, seconded by Council Member Mangan. Motion carried unanimously.

There being no comment, Council Member Lee made a motion to close the public portion, seconded by Council Member Read. Motion carried unanimously.

### **Presentation: Manasquan Board of Education Field House Proposal**

Mr. Kitrick stated that Council Members Bryant and Read will not be attending the presentation and will return to the meeting after the presentation and audience participation has concluded.

Dr. Frank Kasyan, Superintendent of Schools went over their mission statement and introduced his staff that will be presenting the project.

Thomas Pelligrino, Chair of the Facilities Committee went over the need for the project and the proposed financial shared agreement. He stated that the town would not be taking on any financial responsibility to pay a bond as the school would be making the payments.

Rob Goodall, High School Principal reiterated some of the information that Mr. Pelligrino stated and advised that he is here to advocate for the shared agreement.

Dr. Peter Crawley, School Business Administrator presented the proposal to the council and the audience.

Council Member Read left the meeting at 9:02 pm.

Council Member Walsh made a motion to open the meeting to the public, seconded by Council Member Lee. Motion carried unanimously.

Lia Trench, 444 E. Main Street; Pat Connolly, 65 Ocean Avenue; Chrissy Rice, 26 Fletcher Avenue voiced their concerns on the project and stated that they are not in favor of the proposal.

Pete Cahill, 142 N. Main Street; Matt Koenig, 57 Curtis Avenue; Andy Sisti, 2103 Princeton Court, Allenwood; Jay Price, 2 Allen Avenue voiced their opinion on the project and stated that they are in favor of the project.

Michael Brown, 123 McLean voiced his concerns on the project and stated that he is not in favor of the proposal.

David Hallman, 252 Cedar Avenue; Mike Dahrouge, 1723 Elm Street, W. Belmar; Kathy Salerno, 211 Broad Street; Adam Schreck, 58 N. Main Street; Joe Mele, 43 Old Squan Road, Tom Clayton, 309 Cedar Avenue; Michael Johansen, 141 Derby Drive, Freehold voiced their opinions on the project and stated that they are in favor of the project.

DECEMBER 21, 2020

Robyn Mazzone, 32 Taylor Avenue voiced her concerns on the project and stated that she is not in favor of the proposal.

John Driscoll, 11 Muriel Place; PJ Gibbs representing the Gibb Family; Tom Antonucci, 7 Allen Avenue; Kevin Hyland, 69 Parker Avenue voiced their opinions on the project and stated that they are in favor of the project.

Marilyn Jacobson, 59 McLean Avenue inquired about the financing of the project and wanted to know if the town will be paying for any portion of the project.

Mayor Donovan stated that it would be a 25 year bond with the Board of Education paying capital and the interest on the bond.

Dr. Kasyan answered questions on the school bond and the 2% CAP and paying off the debt. He stated that the town would not have to pay anything as this bond would be totally on the school. He stated that in order for the school to bond out past 5 years it would need the towns help with the bond but not the payments.

Ms. Jacobson want to know if there would be an equal use of the facilities with the residents and the school.

Dr. Kasyan stated that the facility would be utilized by the school, recreation and then the citizens of the community which would be tiered in that order.

Zach Even-Esh, 24 McGreevey; Debbie Morris, 291 E. Main Street; Justin Barowski, 1631 H Street, Wall; Adam Leone, 96 Wyckoff Avenue; Wendy Kubu, 27 Trenton Avenue; Adam Campbell, 14 James Place; Michael O'Connor, 505 Jersey Avenue, Spring Lake voiced their opinion on the project and state that they are in favor of the project.

Trisha Brown, 123 McLean Avenue stated that she has a few questions for the council before moving forward. Sharing it with the community would be a question as to how much time and the school would have to fund someone to have the building open for the community and who will be funding it. What if something needs to be replaced at the school during the bond period, how it would affect the bond and payments.

Ethan Dzenis, 11 Morris Avenue; Jeff Osborn, 515 Passaic Avenue, Spring Lake; Mike Dropchinski, 636 Rankin Road, Brielle voiced their opinions on the project and stated that they are in favor of the project.

Chrissy Rice, 26 Fletcher Avenue went over her family history in Manasquan and advised that they have been here since 1911 and that she teaches in the elementary school. She voiced her concerns about the educational aspect of the students. She also voiced her concern as to how she became aware of the project through a co-worker when they were discussing no money in the budget for professional development, bringing in speakers and going on field trips. She agrees with having better facilities but not to this extent.

Bailey Price, 2 Allen Avenue voiced her opinion on the project and stated that she is in favor of it.

Laura Scranton, 48 Atlantic Avenue wanted to know why this has not been shared more publicly.

Dr. Kasyan went over how this has been brought to the public at 2 separate meetings.

Steve Antonucci, 11 Allen Avenue voiced his opinion on the project and stated that he is in favor of the project.

Council Member Walsh made a motion to close the public portion, seconded by Council Member Mangan. Motion carried unanimously.

Council Member Bryant re-joined the meeting.

### **Approval of Minutes**

Regular Meeting Minutes – November 2, 2020

Regular Meeting Minutes – November 16, 2020

Council Member Lee made a motion to approve the minutes, seconded by Council Member Mangan. Motion carried unanimously with Council Member Olivera abstaining from the November 16 meeting minutes.

DECEMBER 21, 2020

**Use of Borough Property**

E73-20 Mind-Winter Run – February 13, 2021 – 11 am start (storm date 2/20//21)

Council Member Walsh made a motion to approve this request, seconded by Council Member Mangan. Motion carried unanimously.

**2021 Standing Committee – Discussion**

Council Member Mangan stated that this has been discussed individually with each council member and they have worked out the committee members for 2021.

**CONSENT AGENDA**

**RESOLUTION  
283-2020**

**BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that the Borough of Manasquan authorize John Quigley to fill in for the Plumbing Sub Code Inspector on an “as needed” basis at a rate of \$50.00 per hour retroactive from January 1, 2020.

**RESOLUTION  
284-2020**

**WHEREAS**, Glen Brown was appointed as Part-Time Electrical Sub Code Official on January 2, 2020; and

**WHEREAS**, the Code/Construction Supervisor has recommended that Glen Brown also be appointed “As Needed” Electrical Sub Code, Fire Inspector and Fire Sub Code Official.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 21<sup>st</sup> day of December, appoint Glen Brown as an “As Needed” Fire Inspector and Fire Sub Code Official at an hourly rate of \$50.00 per hour. Retroactive from January 2, 2020.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be sent to:

Glen Brown, 811 Woodwild Drive, Point Pleasant

**RESOLUTION  
285-2020**

**WHEREAS**, Glen Purves was appointed as Part-Time Plumbing Sub Code Official on October 1, 2015; and

**WHEREAS**, Glen Purves was also appointed as an “As Needed” Plumbing Sub Code Official for additional hours at a rate of \$35 an hour; and

**WHEREAS**, the Code/Construction Supervisor has recommended that the “As Needed” rate be increased to \$50 an hour.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 21<sup>st</sup> day of December, 2020 increase the “As Needed” Plumbing Sub Code Official hourly rate to \$50.00 per hour. Retroactive from January 1, 2020.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be sent to:

Glen Purves  
9 Homestead Road  
Freehold, NJ 07728

**RESOLUTION**

DECEMBER 21, 2020

**286-2020**

**BE IT RESOLVED** that the Professional Service contracts will be awarded on a Non-Fair and Open Basis in the Borough of Manasquan, County of Monmouth for 2021.

**RESOLUTION  
287-2020**

**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 the acquisition of playground equipment for Skokos Park; and

**WHEREAS**, the Borough of Manasquan intends to enter into contracts with:

Ben Schaffer Recreation, located at P.O. Box 844, Lake Hopatcong, New Jersey 07849, Bid # ESCNJ 20/21-22 and Whirl Construction, located at 194 Main Street, Port Monmouth, New Jersey 07758, Bid #ESCNJ 20/21-02, and 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 contractors by approved New Jersey State Approved CO-OP #65MCESCCPS pursuant to all conditions of the individual state contracts, with Ben Schaffer Recreation in the amount of \$48,177.24 and Whirl Construction in the amount of \$47,941.00; and

**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; and

**RESOLUTION  
288-2020**

**RESOLUTION AWARDING A CONTRACT FOR THE CLEANING SERVICES FOR THE BOROUGH OF MANASQUAN MUNICIPAL BUILDING**

**WHEREAS**, proposals were requested and received pursuant to the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) for Cleaning Services for Borough Hall in the Borough of Manasquan; and

**WHEREAS**, Two (2) proposals for this project were submitted, and

**WHEREAS**, the two (2) received proposals were:

	<u>Annual Total</u>	<u>Call Outs</u>	<u>Windows</u>
United Cleaning	\$14,940.00	\$50.00	\$750.00
Fays Cleaning	\$14,760.00	\$25.00	\$460.00

DECEMBER 21, 2020

**WHEREAS**, Fays Cleaning submitted a proposal in the amount of \$14,760.00 for the Borough Hall Cleaning; and

**WHEREAS**, the Qualified Purchasing Agent has determined the proposal with Fays Cleaning and United Cleaning comply with the specifications and includes all required documentation and has recommended the award of the contract; and

**WHEREAS**, the Borough Council is desirous of awarding a contract to Fays Cleaning for the bid proposal in the amount of \$14,760.00 for the Borough Hall cleaning.

**NOW, THEREFORE BE IT RESOLVED** on the 21<sup>st</sup> day of December, 2020, by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey, as follows:

1. The Mayor and Municipal Clerk are authorized and directed to execute all necessary documents to effectuate a contract with Fay Cleaning.
2. A certified copy of this resolution shall be sent to:

Fays Cleaning  
1212 Minnehaha Trail  
Manasquan, NJ 08736

**RESOLUTION  
289-2020**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH  
OF MANASQUAN, MONMOUTH COUNTY, NEW JERSEY,  
AMENDING THE PERSONNEL POLICIES AND PROCEDURES  
MANUAL AND THE PERSONNEL POLICY AND PROCEDURES  
MODEL MANAGERIAL/SUPERVISORY PROCEDURES MANUAL.**

**WHEREAS**, the Borough of Manasquan maintains a Personnel Policies and Procedures Manual (hereinafter "Personnel Manual") and Personnel Policy and Procedures Model Managerial/Supervisory Manual (hereinafter "Supervisory Manual"); and

**WHEREAS**, the Borough Council has determined that there is now a need to amend the Personnel Manual and the Supervisory Manual because certain sections contained in each are in conflict with existing Civil Service Commission and/or contractual guidelines;

**NOW THEREFORE BE IT RESOLVED**, on this 21<sup>st</sup> day of December 2020, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

The following sections of the Personnel Manual shall no longer apply to sworn members of the Manasquan Police Department:

1. The Employee Complaint Policy;
2. The Employee Discipline Policy; and
3. The Employee Termination Policy.

Further, the following sections of the Supervisory Manual shall no longer apply to sworn members of the Manasquan Police Department:

1. The Employee Complaint Investigation Procedure; and
2. The Disciplinary Action Procedure;

**RESOLUTION  
290-2020**

DECEMBER 21, 2020

**RESOLUTION REQUESTING MONMOUTH COUNTY TO SUPPLEMENT NJ DOT FUNDING TO REPAIR AND REPAVE THE ENTIRE LENGTH OF FIRST AVENUE WITHIN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

**WHEREAS** First Avenue is a major thoroughfare for beach-related vehicular, bicycle and pedestrian traffic for both Manasquan residents and visitors; and

**WHEREAS** First Avenue suffered major corrosive damage as a result of Superstorm Sandy in 2012 as did all beachfront roadways; and

**WHEREAS** Superstorm Sandy's devastation resulted in the need for nearly every resident along the beachfront and on First Avenue to raise, renovate or rebuild their residences to bring them into compliance with new flood requirements; and

**WHEREAS** the rebuilding of the beachfront and First Avenue homes resulted in relentless and unprecedented construction vehicle traffic, adding further deterioration to First Ave.; and

**WHEREAS** much of the rebuilding required new underground utility service connections to the residences, causing countless road openings, which only further served to undermine the pavement and cause the roadway to be severely fractured; and

**WHEREAS** Monmouth County has come to the aid of many of its towns by restoring and repaving similar roadways that suffered similar damage, deterioration and disruption from Superstorm Sandy; and

**WHEREAS** the Borough of Manasquan has obtained a rough cost estimate from the Borough Engineer to repave the entire length of First Avenue in the amount of \$1,828,695; and

**WHEREAS** the County has the resources required to fund such a large scale project in one or two phases, whereas the town would have to extend this project over a longer period of time and to the detriment of other projects in the Borough.

**WHEREAS** the New Jersey Department of Transportation has agreed that First Avenue is in need of improvement as described herein and as evidence of that conclusion approved, on November 16, 2020, a New Jersey Department of Transportation Municipal Aid grant for Phase 1 of First Avenue improvements in the amount of \$305,000.

**NOW, THEREFORE BE IT RESOLVED** that the Borough of Manasquan formally requests that Monmouth County share in the remaining cost of repairing and repaving First Avenue in its entirety from North to South.

**RESOLUTION  
292-2020**

**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 Mott MacDonald, 3 Paragon Way, Freehold, New Jersey 07728, to provide for the MS4 Storm Sewer Utility Geographic Information System (GIS).

- Task 1 MS4 Outfall Survey & GIS Development \$12,000.00

For a rate not to exceed \$12,000.00 for the services outlined in the proposal dated September 9, 2020.

**RESOLUTION  
293-2020**

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

DECEMBER 21, 2020

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	\$231,023.67
Capital Fund	\$278,270.80
Water/Sewer Fund	\$16,501.62
Water/Sewer Utility Fund	
Beach Utility Fund	\$6,960.66
Beach Capital Fund	\$7,510.00
Recreation Building Trust	\$10,337.92
Recreation Trust	\$904.99
Reserve for Unemployment	\$136.99
Tourism	\$2,890.00
Miscellaneous Trust II	\$800.00
Animal Control	\$7.80

Also presented by the Borough Attorney was a bond Anticipation Note Resolution 291-2020.

Council Member Walsh made a motion to approve the Consent Agenda, seconded by Council Member Mangan. Motion carried by the following vote: "yes" Council Members Bryant, Lee, Mangan, Olivera, and Walsh. "No" none.

### **Ordinances – Second Reading**

The Borough Attorney read the title of ordinance 2328-20 for second reading and final hearing.

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 16 (FEES) SECTION 16-1.1 (FEE SCHEDULE ESTABLISHED: CHAPTER 31 PLANNING BOARD) AND AMENDING AND SUPPLEMENTING CHAPTER 31 (PLANNING BOARD) SECTION 31-19 (FEES) OF THE BOROUGH OF MANASQUAN CODE IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

Council Member Walsh made a motion to open the hearing to the public, seconded by Council Member Mangan. Motion carried unanimously.

There being no public comment, Council Member Lee made a motion to close the public portion, seconded by Council Member Mangan. Motion carried unanimously.

Council Member Walsh made a motion to pass and publish ordinance 2328-20 according to law, seconded by Council Member Mangan: "yes" Council Members Bryant, Lee, Mangan, Olivera, and Walsh. "No" none.

The Borough Attorney read the title of ordinance 2329-20 for second reading and final hearing.

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2 (ADMINISTRATION) SECTION 2-5.20 STANDING COMMITTEES DESIGNATED AND SECTIONS 2-5.26 ADMINISTRATION COMMITTEE, SECTION 2-5.27 FINANCE COMMITTEE, SECTION 2-5.28 RECREATION COMMITTEE, 2-5.29 CODE COMMITTEE, 2-5.30 PUBLIC SAFETY COMMITTEE, AND 2-5.31 PUBLIC WORKS COMMITTEE IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

Council Member Lee made a motion to open the hearing to the public, seconded by Council Member Bryant. Motion carried unanimously.

DECEMBER 21, 2020

There being no public comment, Council Member Olivera made a motion to close the public portion, seconded by Council Member Bryant. Motion carried unanimously.

Council Member Mangan made a motion to pass and publish ordinance 2329-20 according to law, seconded by Council Member Bryant: “yes” Council Members Bryant, Lee, Mangan, Olivera, and Walsh. “No” none.

The Borough Attorney read the title of ordinance 2330-20 for second reading and final hearing.

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 11 (DOCKS AND BULKHEADS) SECTION 11-1.2 (TERM OF LEASE), SECTION 11-1.3 (RENTAL FEES) AND AMENDING CHAPTER 16 (FEES) OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

Council Member Bryant made a motion to open the hearing to the public, seconded by Council Member Lee. Motion carried unanimously.

There being no public comment, Council Member Lee made a motion to close the public portion, seconded by Council Member Mangan. Motion carried unanimously.

Council Member Lee made a motion to pass and publish ordinance 2330-20 according to law, seconded by Council Member Mangan: “yes” Council Members Bryant, Lee, Mangan, Olivera, and Walsh. “No” none.

The Borough Attorney read the title of ordinance 2331-20 for second reading and final hearing.

**ORDINANCE AMENDING SECTION 22-2 (BASE WATER AND SEWER SERVICE RATE) AND SECTION 22-3 (WATER AND SEWER USAGE CHARGES) OF CHAPTER 22, WATER AND SEWER UTILITY OF THE REVISED GENERAL ORDINANCES IN ORDER TO INCREASE WATER AND SEWER RATES BY RESOLUTION IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

Council Member Walsh made a motion to open the hearing to the public, seconded by Council Member Lee. Motion carried unanimously.

There being no public comment, Council Member Lee made a motion to close the public portion, seconded by Council Member Walsh. Motion carried unanimously.

Council Member Bryant made a motion to pass and publish ordinance 2331-20 according to law, seconded by Council Member Olivera: “yes” Council Members Bryant, Lee, Mangan, Olivera, and Walsh. “No” none.

**Committee Reports**

Code & Zoning Committee - Council Member Bryant thanked the staff for all they do for the community and asked that everyone get out to support the restaurants in the area. He wished everyone a Merry Christmas and Happy Holiday and a Healthy New Year.

Finance Committee – Council Member Olivera thanked the entire staff for an incredible year and making it successful. He wished everyone a Happy Holiday and most importantly a safe and healthy one.

Public Works Committee – Council Member Walsh reported on the Mount Lane project and wished everyone a Merry Christmas.

Beach & Recreation Committee – Council Member Mangan wished everyone a Merry Christmas and a Happy and Healthy New Year. He thanked everyone that came out tonight for the school presentation and thanked the school for making the presentation. He stated that tonight was a great start to open the conversation with the school and the borough. He thanked the entire staff that worked very hard during COVID to keep business going.

DECEMBER 21, 2020

Public Safety Committee – Council Member Lee thanked all of the public safety group for their work over the year and he thanked all of the staff. He reported on the sad news that Gus Herrmann a former council member passed away. He wished everyone a Merry Christmas and Happy New Year and he is looking forward to working with the governing body and the staff in the New Year.

Mayor Donovan thanked the council and all the staff for a great job over the year and is hoping 2021 will be a better year.

**Audience Participation**

Council Member Walsh made a motion to open the public portion, seconded by Council Member Mangan. Motion carried unanimously.

John McPartland, 22 Lakewood Road voiced his concerns about season beach parking passes and the process that is used.

Mayor Donovan went over the regulations that are required for beach parking pass process.

Council Member Mangan stated that the state requires equal access by all residents in the state. He stated that the Borough will be looking into better ways to handle the sale of the parking passes.

Mr. Kitrick went over the law regarding equal access to the beach and stated that parking is part of the beach access.

Michelle Welsh – 145 Beachfront stated that she is requesting that a flower bed that she installed in front of her house be able to remain there. She stated that this flower box is encroaching on borough property but she would like permission for it to stay there. She stated that it is encroaching about 16” to 17” onto borough property.

Mayor Donovan stated that the Borough will take a look at it and get back to her.

Council Member Lee made a motion to close the public portion, seconded by Council Member Mangan. Motion carried unanimously.

The closed session portion of the minutes begins on the next page. The signature and approval date are located on the last page following the closed session meeting minutes.

Council Member Mangan made a motion to close the regular meeting at 10:26 p.m., seconded by Council Member Bryant. Motion carried unanimously.

DATE APPROVED \_\_\_\_\_

DECEMBER 30, 2020

Regular Meeting of Mayor and Council was convened at 5:02 p.m. on December 30, 2020 with Council President Michael Mangan presiding. This meeting was held in person at Borough Hall and via Zoom.

Mayor Donovan read the statement re: Open Public Meetings Act of 1975 and that 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.

Mayor Donovan welcomed the audience and invited them to join in a moment of silent prayer and a salute to the Flag.

**ROLL CALL:** Present: Council Members Jay Bryant, Jeff Lee, Michael Mangan, Richard Read, and James Walsh

Absent: Council Member Gregg Olivera

Also present was Borough Attorney Mark Kitrick and Administrator Thomas Flarity.

### **Audience Participation**

Council Member Bryant made a motion to open the meeting to the public, seconded by Council Member Walsh. Motion carried unanimously.

Mary Ryan, 113 Beachfront acknowledged and commented on the resignation of Ray Summers from the Chairman of Tourism. She thanked Ray for his commitment to the community.

Council Member Bryant made a motion to close the public portion, seconded by Council Member Read. Motion carried unanimously.

### **Approval of Minutes**

Regular Meeting Minutes – December 7, 2020

Council Member Bryant made a motion to approve the minutes, seconded by Council Member Mangan. Motion carried unanimously.

### **CONSENT AGENDA**

#### **RESOLUTION 294-2020**

**BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that the following transfer in the 2020 Budget be authorized:

#### **CURRENT FUND**

<b><u>To</u></b>	<b><u>Account</u></b>	<b><u>Amount</u></b>
Engineering	0-01-20-165	\$ 22,000.00
Police OE	0-01-25-240	\$ 30,000.00
First Aid	0-01-25-260	\$ 17,000.00
Traffic Lights	0-01-26-302	\$ 1,500.00
Public B&G OE	0-01-26-310	\$ 3,500.00
Waterways OE	0-01-30-411	\$ 10,000.00
Landfill	0-01-32-465	\$ 27,000.00
Public Employee Retirement	0-01-36-471	\$ 1,088.82
Police & Fire Retirement	0-01-36-475	\$ 534.10
<b><u>TOTAL</u></b>		<b><u>\$112,622.92</u></b>
<b><u>From</u></b>	<b><u>Account</u></b>	<b><u>Amount</u></b>
Legal	0-01-20-155	\$ 22,000.00
OEM S&W	0-01-25-252	\$ 30,000.00
OEM OE	0-01-25-252	\$ 17,000.00
Utilities	0-01-31-430	\$ 1,500.00
Streets & Roads OE	0-01-26-290	\$ 30,500.00
Recreation OE	0-01-28-370	\$ 10,000.00
Social Security	0-01-36-472	\$ 1,622.92

DECEMBER 30, 2020

**TOTAL** **\$112,622.92**

**BEACH UTILITY**

<b><u>To</u></b>	<b><u>Account</u></b>	<b><u>Amount</u></b>
Interest on Notes	0-07-55-514	\$ 2,000.00
<b><u>TOTAL</u></b>		<b>\$ 2,000.00</b>

<b><u>From</u></b>	<b><u>Account</u></b>	<b><u>Amount</u></b>
Beach OE	0-07-55-510	\$ 2,000.00
<b><u>TOTAL</u></b>		<b>\$ 2,000.00</b>

**RESOLUTION  
295-2020**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Manasquan that Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, be and is hereby authorized to advertise a Bid Notice for Phase II: Exterior and Interior Repairs at the Squan Beach Life-Saving Station #9.

**RESOLUTION  
296-2020**

**BE IT RESOLVED** that the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, has authorized that the pensionable base salaries of the below listed employees as a result of agreements between Department Heads and the Borough of Manasquan for the calendar Year 2021 Effective January 1, 2021;

**Borough of Manasquan Department Heads**  
**Annual Pensionable Base Salaries**

Position	2021 Salary
Thomas Flarity, Administrator*	\$100,814.76
Barbara Ilaria, Municipal Clerk	\$ 99,734.92
Amy Spera, CFO/QPA Amy Spera, Deputy Administrator	\$91, 794.49 \$20,400.00
Frank DiRoma, Code Enforcement Supervisor	\$ 88,501.76
Michael Bauer, Police Chief	\$175,184.21
Marie Higgins, Court Administrator	\$ 95,463.18
Kevin Thompson, Superintendent of Public Works	\$119,067.54
Courtney Hogan, Tax Collector	\$ 64,416.49
Robyn Palughi, Tax Assessor	\$ 28,684.45
Christopher Tucker, HazMat Christopher Tucker, Office of Emergency Management	\$52.02 per hr. \$ 3,121.20

**WHEREAS**, the schedule above reflects the annual salaries for each of the employees listed and in each case represents 2% increase from the employee’s 2020 salary. \*Indicates a non-pensionable salary.

**WHEREAS**, pensionable base salaries are defined as those regulated by the Public Employees Retirement System (PERS) of New Jersey and the Defined Contribution Retirement Program (DCRP) when applicable and;

**NOW THEREFORE BE IT RESOLVED**, that the Hon. Edward G. Donovan, Mayor of the Borough of Manasquan, be and is hereby authorized to sign the following Letters of Intent for the calendar year of 2021, which copies are on file in the Municipal Clerk’s Office.

**RESOLUTION  
297-2020**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, accepts the resignation of Ray Summers as a Member of the Borough of Manasquan Tourism Commission effective January 1, 2020.

**RESOLUTION  
298-2020**

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

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

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

Current Fund	\$3,428,125.05
Capital Fund	\$19,318.24
Water/Sewer Fund	\$9,158.68
Water/Sewer Utility Fund	
Beach Utility Fund	\$4,914.27
Beach Capital Fund	\$3,097.50
Recreation Building Trust	\$2,183.31
Tourism Trust	\$1,075.00
Affordable Housing	\$1,050.00
Developer’s Escrow Trust	\$5,064.50

Council Member Bryant made a motion to approve the Consent Agenda, seconded by Council Member Read. Motion carried by the following vote: “yes” Council Members Bryant, Lee, Mangan, Read, and Walsh. “No” none.

Council Member Bryant thanked Ray Summers for his continued commitment to the community and all that he has done for the borough over the last 30 years.

Council Member Mangan thanked Ray Summers for all he has done for the town over the years.

Council Member Read echoed the same comments regarding Ray Summers and he thanked him for all his work he has done for the town.

Council Member Walsh reiterated the previous comments and thanked Ray Summers for all that he does for the borough.

Council Member Lee congratulated Ray Summers for his retirement from Tourism and thanked him for all his hard work over the years.

Mayor Donovan thanked Ray Summers for all he has done for the borough as well as thanking his wife Anne for all they do.

**Audience Participation**

DECEMBER 30, 2020

Council Member Walsh made a motion to open the public portion, seconded by Council Member Mangan. Motion carried unanimously.

There being no comment, Council Member Walsh made a motion to close the public portion, seconded by Council Member Read. Motion carried unanimously.

The closed session portion of the minutes begins on the next page. The signature and approval date are located on the last page following the closed session meeting minutes.

Council Member Mangan made a motion to close the regular meeting at 6:03 p.m., seconded by Council Member Bryant. Motion carried unanimously.

DATE APPROVED \_\_\_\_\_

REORGANIZATION MEETING JANUARY 6, 2021

A Reorganization Meeting of Mayor and Council was convened at 7:03 p.m., in Council Chambers of Borough Hall with Mayor Donovan presiding.

Mayor Edward Donovan stated that this meeting is being held in accordance with the Open Public Meetings Act of 1975 and 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.

Mayor Donovan welcomed the audience and invited them to join in a moment of silent prayer and a salute to the Flag.

**SWEARING IN CEREMONIES**

Senator Vin Gopal swore in Jeffrey Lee virtually as a Council Member for a three year term.

Senator Vin Gopal swore in Michael Mangan virtually as a Council Member for a three year term.

**ROLL CALL:** Present: Council Members Jason Bryant, Jeffrey Lee, Michael Mangan, Richard Read, and James Walsh.

Absent: Council Member Gregg Olivera

Also present were Municipal Administrator Thomas Flarity and Municipal Attorney Mark Kitrick.

**REORGANIZATION**

**Council’s Action regarding the 2021 Council President**

Council Member Walsh made a motion to nominate Council Member Mangan to the position of 2021 Council President, seconded by Council Member Read. Motion carried unanimously.

Mayor Donovan presented the following committees:

**COMMITTEES FOR 2021**

Administration & Finance Committee	Olivera	Read	Mangan
Beach & Recreation. Committee	Read	Walsh	Mangan
Code & Land Use Committee	Walsh	Bryant	Mangan
Public Safety Committee	Lee	Olivera	Mangan
Public Works & Construction Committee	Bryant	Lee	Mangan

**Ad Hoc Committee**

Mayor Donovan presented the following appointments for approval.

Citizen Advisory	Bryant	Walsh
------------------	--------	-------

Council Member Mangan made a motion to approve the appointments, seconded by Council Member Read. Motion carried unanimously.

**SUBCOMMITTEE & COMMISSION APPOINTMENTS**

Mayor Donovan presented the following appointments for approval.

<u>POSITION</u>	<u>TERM</u>	<u>NAME</u>
-----------------	-------------	-------------

**Board of Appeals:**

Chairperson/Council Rep:	1 yr	Jay Bryant
Council Representative:	1 yr	Michael Mangan
Alternate #1	2 yr	Brett Chase
Alternate #2	2 yr	OPEN
Board Attorney	1 yr	James D. Carton, IV

Council Member Lee made a motion to approve the appointments, seconded by Council Member Read. Motion carried unanimously.

Mayor Donovan announced the following appointments.

REORGANIZATION MEETING JANUARY 6, 2021

**Board of Health:**

Member	4 yr	Danielle Cook
Member	4 yr	Donna Trengrove
Liaison	1 yr	Barbara Ilaria

Council Member Read made a motion to approve the appointments, seconded by Council Member Walsh. Motion carried unanimously.

Mayor Donovan presented the following appointments for approval.

**Cable Advisory:**

Director of Television Services	1 yr	Lee Weisert
Member	3 yr	Lou Coccozza
Member	3 yr	Michael Mangan

Council Member Lee made a motion to approve the appointments, seconded by Council Member Mangan. Motion carried unanimously.

Mayor Donovan announced the following appointments.

**Construction Official:** 1 yr Steven Winters

**Emergency Management Council:**

Secretary	1 yr	Yvonne Ray
Mayor	1 yr	Edward Donovan
Chair DPW Committee	1 yr	Jay Bryant
Police Chief	1 yr	Michael Bauer
Municipal Clerk	1 yr	Barbara Ilaria
Fire Dept. Chief	1 yr	Tom Schofield
DPW Superintendent	1 yr	Kevin Thompson
First Aid Captain	1 yr	Andrew Mills
Shelter Care Coordinator	1 yr	Rev. Reggie Albert
Construction Official	1 yr	Steven Winters
Borough Engineer	1 yr	Maser Consulting
Community Representative	1 yr	Peter Mayer
Community Representative	1 yr	Jerry Hall
Community Representative	1 yr	Sean Price
Mayor's Representative	1 yr	Michael Mangan
Council Liaison	1 yr	Jeffrey Lee

**Environmental Commission:**

Member	3 yr	Donna Smith
Member	3 yr	Chip Dzenis
Member	3 yr	Jane Donovan
Alternate #2	2 yr	Nancy Tischio

**Historian:** 1 yr Mary Ware

**Official Tax Searcher:** 1 yr Courtney Hogan

Mayor Donovan presented the following appointments for approval.

**Open Space Committee:**

Member – Regular (unexpired term 1/20-12/22)	3 yr	Robert...
Member-Environmental	1 yr	Greg Love
Member-Planning Board	1 yr	Neil Hamilton
Member-Recreation	1 yr	Erik Ertle
Alternate: Environmental	1 yr	Paul Gleitz

REORGANIZATION MEETING JANUARY 6, 2021

Alternate: Planning Board	1 yr	Greg Love
Alternate: Recreation	1 yr	Rob Wells

Council Member Read made a motion to approve the appointments, seconded by Council Member Walsh. Motion carried unanimously.

Mayor Donovan announced the following appointments.

**Planning Board:**

CL I	1 yr	Edward Donovan
CL II	1 yr	Kevin Thompson
CL IV	4 yr	Mark Apostolou
CL IV	4 yr	Bob Young
CL III Council Liaison	1 yr	TBD
Alternate #1	2 yr	Mark Larkin
Alternate #2	2 yr	John Burke
Alternate #3	2 yr	OPEN
Alternate #4	2 yr	OPEN
CL I, Mayor's Designee	1 yr	Barbara Ilaria

Council Member Mangan requested that the planning board council liaison appointment be held until the next meeting.

Mayor Donovan announced the following appointments.

**Recreation Commission:**

Member	5 yr	Geoff Brown
Member	5 yr	Courtney Tuite
Member (unexpired term 12/31/21)	5 yr	Andy Manser
Alternate #1	5 yr	Maureen McCartney
Alternate #2	5 yr	Clifford Brenner
Mayor's Representative:	1 yr	Robert Wells

**Shade Tree Commission:**

Mayor's Des.	1 yr	Tom Lozinski
--------------	------	--------------

**Tourism Commission:**

Member	3 yr	Carmen Triggiano
Member	3 yr	Barbara Ilaria
Member	3 yr	Gloria Kleinknecht
Member	3 yr	Peter Goetz
Member	3 yr	Joseph Bossone
Member	3 yr	Jane Donovan
Member	3 yr	Lynn Sauer
Member	3 yr	Jamie Biesiada
Member (unexpired 12/31/22)	3 yr	Kimberly Biesiada

Mayor Donovan announced the following appointments.

**Fire-Police** – Capt. Tim Manovill; Lt. Greg Meier; Lt. William Paynton; Anthony Alfano; Michele Ely; Paul Livelli; Bruce Bresnahan; Richard Patterson, Trustee; Mark Stemmermann, Sect; Kevin Thompson; Boyd Wagner; Mark Fendl

**CONSENT AGENDA**

**RESOLUTION  
1-2021**

REORGANIZATION MEETING JANUARY 6, 2021

**BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, that the following newspapers shall be designated the official newspapers of the Borough of Manasquan, New Jersey, for the year 2021.

The Coast Star	Manasquan, New Jersey
The Asbury Park Press	Neptune, New Jersey
The Newark Star Ledger	Newark, New Jersey

**RESOLUTION  
2-2021**

**BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that Municipal Administrator Thomas Flarity be appointed as the representative to the Monmouth County Community Block Grant Development Program effective January 1, 2021 through December 31, 2021.

**BE IT FURTHER RESOLVED** that Mayor Edward Donovan be appointed as the Deputy Representative and his designee Kevin Thompson to the Monmouth County Community Block Grant Development Program effective January 1, 2021 through December 31, 2021.

**RESOLUTION  
3-2021**

**BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, that the Municipal Clerk be authorized to sign the Community Service Program, Working Agreement with Work Site for 2021.

**RESOLUTION  
4-2021**

**BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that Frank DiRoma be appointed Community Rating System Coordinator for a one year term from January 1, 2021 through December 31, 2021.

**CASH MANAGEMENT PLAN  
RESOLUTION  
5-2021**

**BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey, that for the year 2021 the following shall serve as the cash management plan of the Borough of Manasquan.

The Chief Financial Officer is directed to use this cash management plan as the guide in depositing and investing the Borough of Manasquan's funds.

The following are suitable and authorized investments.

Interest-bearing bank accounts and certificates of deposit in authorized banks, listed below, for deposit of local unit funds.

Government money market mutual funds as comply with N.J.S.A. 40A:5-15.1 (e)

Local government investment pools which comply with N.J.S.A. 40A:5-15.1 (e) and conditions set by the Division of Local Government Services.

New Jersey State Cash Management Fund.

Repurchase agreements (repos) of fully collateralized securities which comply with N.J.S.A. 40A:5-15.1 (a)

REORGANIZATION MEETING JANUARY 6, 2021

The following Government Unit Depository Protection Act approved banks are authorized depositories for the deposit of funds:

Kearney Bank	2200 State Highway 35 Wall, New Jersey 08750
Manasquan Bank	185 Main Street Manasquan, New Jersey 08736
Provident Savings Bank	Highway 71 and 205 Main Street Manasquan, New Jersey 08736

The CFO shall report to the governing body any account that does not earn interest.

**RESOLUTION  
6-2021**

**CASH MANAGEMENT POLICY**

**BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey, that the Chief Financial Officer shall administer the cash management plan adopted on January 4, 2021 through compliance with 40A:5-1 et seq. prudent application of these cash management policies, which shall not conflict the plan in any way.

I. **Objectives:** the priority of investing practices shall be, in order of descending importance, **security, liquidity, and yield.**

A. **Security:** The safety of principal is the foremost objective of the cash management plan. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective is to mitigate credit risk and interest rate risk.

1. **Credit Risk:** Credit risk is the risk of loss due to failure of the security issuer or backer. Credit risk may be mitigated by:

a. Limiting investments to the safest types of securities.

b. Pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisors with which an entity will do business.

2. **Interest Rate Risk:** Interest rate risk is the risk that the market value of the securities in the portfolio will fall due to changes in general interest rates. Interest rate risk may be mitigated by:

a. Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity, and

b. By investing operating funds primarily in shorter-term securities.

B. **Liquidity:** The portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. Investments of various funds should be structured so that they match the potential need. Thus, investments of operating funds should be kept in investments with a maturity of not more than one year. Investments of a capital, or long term trust fund nature should match the expected use of the funds, but not to exceed five years. Investments should consist of securities with active secondary markets or in mutual funds that permit liquidation at net asset value. Securities shall not be sold prior to maturity with the following exceptions:

1. A declining credit security could be sold early to minimize the loss of principal.

2. A security swap would improve the quality, yield, or target duration in the portfolio.

3. Liquidity needs of the local unit require that the security be sold.

- C. **Yield:** The investment portfolio must be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of least importance compared to the safety and liquidity objectives described above. The core of investments are limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. The chief financial officer shall carefully evaluate the legality, security, and yield attributes of any investment offering above market yields.

## II. Standards of Care

### A. Prudence

The standard of prudence to be used by investment officials shall be the “prudent person” standard and shall be applied in the context of managing an overall portfolio in accordance with State law and this policy. Chief financial officers acting in accordance with the cash management plan and policy shall be relieved of any liability for loss of such moneys due to the insolvency or closing of any depository designated by, or the decrease in value of any investment authorized by, the cash management plan.

Investment shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

### B. Ethics and Conflicts of Interest

Officers and employees involved in the investment process shall not have personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material investment in financial institutions with which they conduct business. They shall disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of their entity. Personnel involved in investment activities shall comply with the Local Government Ethics Law.

### C. Delegation of Responsibility and Authority

Responsibility and authority to manage the cash management plan and policy is granted to the chief financial officer pursuant to N.J.S.A. 40A:5-14. No person may engage in an investment transaction except as provided under the terms of the policy and the written procedures established by the chief financial officer. The chief financial officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

## III. Safekeeping and Custody

### A. Authorized Banks for Deposit of Governmental Funds

The cash management plan shall list all authorized banks for deposit of governmental funds. Only banks approved by the Department of Banking and Insurance under the Government Unit Depository Protection Act (GUDPA) can be approved depositories.

### B. Internal Controls

1. The governing body shall act to provide that the agency has an internal control structure that is established, defined and maintained to ensure that the assets of the entity are protected from loss, theft or misuse. The chief financial officer shall develop written internal controls and submit them to the governing body for approval. The internal control structure shall be designed to provide reasonable assurance that the assets of the entity are protected from loss, theft or misuse. The concept of reasonable assurance recognizes that:

- a. the cost of a control should not exceed the benefits likely to be derived.
- b. the valuation of costs and benefits of internal controls requires estimates and judgments by management.

C. Delivery vs Payment

All trades where applicable will be executed by delivery vs payment (DVP). This ensures that securities are deposited in the eligible financial institution prior to the release of funds. Securities will be held by a third party custodian as evidenced by safekeeping receipts.

**IV. Policy**

The cash management plan must be approved by the governing body, by resolution, on an annual basis, and may be amended at any time during the year to reflect changes due to changes in laws, depositories, funds or investments.

**RESOLUTION  
7-2021**

**BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that Thomas Flarity be appointed JIF Fund Commissioner and CJHIF Health Fund Commissioner for a one year term commencing on January 1, 2021 through December 31, 2021.

**BE IT RESOLVED** that Municipal Clerk, Barbara Ilaria be appointed as the Alternate JIF Fund Commissioner and Alternate CJHIF Health Fund Commissioner for a one year term commencing January 1, 2021 through December 31, 2021.

**BE IT FURTHER RESOLVED** by the Mayor and Council of the Borough of Manasquan that the Administrator, Thomas Flarity, is hereby authorized to perform all matters necessary to enable the issuance of all insurance premiums throughout the year 2020, without the need of further resolution or action by the Mayor and Council of the Borough of Manasquan.

**RESOLUTION  
8-2021**

**BE IT RESOLVED** that the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, has authorized that the following employee shall receive the stipend listed below for the calendar year 2021, effective January 1, 2021 through December 31, 2021 as follows:

**EMPLOYEE:** Yvonne Ray, O.E.M. Secretary \$1,000.00

**BE IT FURTHER RESOLVED** that the Borough Clerk is authorized to notify the employee upon passage of this resolution.

**RESOLUTION  
9-2021**

**BE IT RESOLVED** that the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, has authorized that the following employee shall receive the stipends listed below for the calendar year 2021, effective January 1, 2021 through December 31, 2021 as follows:

**EMPLOYEE:** Mary Salerno, Planning Board Secretary \$100.00 per meeting

**BE IT RESOLVED** that in the absence of the Planning Board Secretary an alternate may be assigned by the Administrator and shall be paid based on alternate employee hourly rate of pay; and

**BE IT FURTHER RESOLVED** that the Borough Clerk is authorized to notify the employee upon passage of this resolution.

**RESOLUTION  
10-2021**

**WHEREAS**, the Mayor and Council of the Borough of Manasquan reimburse officials, officers and employees for automobile business usage; and

REORGANIZATION MEETING JANUARY 6, 2021

**WHEREAS**, the Mayor and Council are desirous of setting a rate for automobile business usage; and

**WHEREAS**, the State of New Jersey reimbursement rate for standard mileage expense rate for automobile business usage for Fiscal Year 2021 will be 35 cents per mile.

**RESOLUTION  
11-2021**

**WHEREAS**, R. S. 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for nonpayment of taxes or assessments; and

**WHEREAS**, R. S. 54:4-67 has been amended to permit the fixing of said rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00; and

**WHEREAS**, R. S. 54:4-65 provides for a 6% year end penalty to be charged on delinquencies over \$10,000 in any one year on any one property; and

**WHEREAS**, C99, P.L. 1997 requires the governing body to pass a resolution to hold a tax sale;

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

1. The Tax Collector is hereby authorized and directed to charge 8% per annum on the first \$1,500.00 of taxes or assessments becoming delinquent after the due date and 18% per annum on any amount of taxes or assessments in excess of \$1,500.00 becoming delinquent after the due date.

2. Quarterly tax payments shall have a ten (10) day grace period, with the due date counted as being day one (1).

3. The Tax Collector is hereby authorized to charge a 6% year end penalty for all unpaid delinquencies over \$10,000 on any one property at the end of any one year.

4. The Tax Collector is hereby authorized to cancel any tax credit balances up to \$10.00 and tax debit balances up to \$5.00.

5. The Tax Collector must hold a tax sale on current or prior year delinquencies each year and may sell any properties delinquent after the 11<sup>th</sup> day of the 11<sup>th</sup> month of each year.

**RESOLUTION  
12-2021**

**BE IT RESOLVED**, that Amy Spera, Certified Financial Officer, be and is hereby named the Public Agency Compliance Officer (P.A.C.O.) for Affirmative Action in the Borough of Manasquan.

**RESOLUTION  
13-2021**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Manasquan that the Chief Financial Officer, Amy Spera, is hereby authorized to perform all matters necessary to enable the issuance of Borough Payroll checks in twenty-seven installments throughout the year 2021 without the need of further resolutions or action by the Mayor and Council of the Borough of Manasquan, and

**BE IT FURTHER RESOLVED** that the payroll referred to herein for Borough employees is as authorized by ordinances and resolutions currently in effect.

**RESOLUTION  
14-2021**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Manasquan that the Chief Financial Officer, Amy Spera is hereby authorized to perform all matters necessary to enable the issuance of Borough Social Security payments in twenty-seven installments throughout the year 2021 without the need of further resolutions or actions by the Mayor and Council of the Borough of Manasquan.

**RESOLUTION  
15-2021**

**BE IT RESOLVED**, that the Hon. Edward Donovan., Mayor of the Borough of Manasquan, be and is hereby authorized to sign checks and warrants on behalf of the Borough of Manasquan and otherwise act for the Borough of Manasquan in such instances as may become necessary in the various banking transactions involving the Borough, and

**BE IT FURTHER RESOLVED**, that the President of Council of the Borough of Manasquan, be and is hereby authorized to act as aforesaid in the place and stead of the Mayor at such times as by law he is empowered so to do.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be filed with Provident Bank, one of the official depositories of the Borough.

**RESOLUTION  
16-2021**

**BE IT RESOLVED**, that the Provident Bank shall be the depository for the following accounts:

Accumulated Leave Account	Open Space Account
Affordable Housing Account	Payroll Account
Animal Control Account	Payroll Agency Account
Beach Account	Public Defender Account
Beach Capital Account	Recreation Account
COAH Account	Street Opening Account
Community Pass Account	Tax Maps Account
Current Fund Account	Tax Title Lien Account
Developers Bond Account	Tourism Account
Developers Escrow Account	Traffic Trust Account
Disbursement Account	Tree Escrow Account
General Capital Account	Unemployment Account
Junior Guard Account	Water Sewer Account
Law Enforcement Trust Fund Account	Water Sewer Capital Account
Miscellaneous Trust I Account	
Miscellaneous Trust II Account	

**BE IT FURTHER RESOLVED**, the custodian shall be Amy Spera, Chief Financial Officer. All disbursements shall be made by checks signed by Amy Spera, Chief Financial Officer (or Courtney Hogan, Tax Collector in the absence of the Chief Financial Officer), Edward Donovan, Mayor (or Council President in the absence of the Mayor) or Barbara Ilaria, Borough Clerk (or Nancy Acciavatti, Deputy Borough Clerk, in the absence of the Borough Clerk).

**RESOLUTION  
17-2021**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Manasquan that the Chief Financial Officer, Amy Spera, is hereby authorized to perform all matters necessary to enable the issuance of the Unemployment/Disability payments on a quarterly basis throughout the year 2021 without the need of further resolution or action by the Mayor and Council of the Borough of Manasquan.

**RESOLUTION  
18-2021**

REORGANIZATION MEETING JANUARY 6, 2021

**WHEREAS**, the application to establish a Petty Cash Fund in the Office of the Borough Clerk, Office of Finance, Office of the Chief of Police and in the Office of the Public Works Department of the Borough of Manasquan has been approved by the Director of Local Government Services, now therefore,

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Manasquan that Amy Spera, Chief Financial Officer, is hereby authorized to draw checks as follows:

\$100.00, which sum is to be utilized as a Petty Cash Fund in the Office of the Borough Clerk

\$100.00, which sum is to be utilized as a Petty Cash Fund in the Office of the Chief of Police

\$50.00, which sum is to be utilized as a Petty Cash Fund in the Office of Finance

\$50.00, which sum is to be utilized as a Petty Cash Fund in the Office of the Public Works

**BE IT FURTHER RESOLVED**, that the said Amy Spera, Chief Financial Officer, is hereby authorized to draw similar checks in the future, pursuant to the guidelines established in the approved application at whatever times the said Petty Cash Fund required additional monies.

**RESOLUTION  
19-2021**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Manasquan that the Chief Financial Officer, Amy Spera is hereby authorized to perform all matters necessary to enable the issuance of the County, School and Fire District Tax payments on a quarterly basis throughout the year 2021 without the need of further resolution or action by the Mayor and Council of the Borough of Manasquan

**RESOLUTION  
20-2021**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Manasquan that the Chief Financial Officer, Amy Spera, is hereby authorized to perform all matters necessary to enable the issuance of all Debt Payments throughout the year 2021 as required, without the need of further resolution or action by the Mayor and Council of the Borough of Manasquan.

**RESOLUTION  
21-2021**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Manasquan that the Chief Financial Officer, Amy Spera, is hereby authorized to perform all matters necessary to enable the issuance of all medical insurance premiums throughout the year 2021, without the need of further resolution or action by the Mayor and Council of the Borough of Manasquan.

**RESOLUTION  
22-2021**

**WHEREAS**, the Governing Body of the Borough of Manasquan has permitted encroachments onto municipal properties through authorized and executed licenses; and

**WHEREAS**, when a license is approved, an annual fee is charged to the property owner who is encroaching onto municipal property, with legal interest; and

**WHEREAS**, it has been deemed necessary to establish a rate of interest for licenses issued for municipal encumbrances; and

**WHEREAS**, the Borough has determined the rate be based on the 1 Year London Interbank Offered Rate (LIBOR) plus 3 percentage points; and

**WHEREAS**, the current 1 Year LIBOR rate is .34 as of 12/29/2020; and

REORGANIZATION MEETING JANUARY 6, 2021

**NOW, THEREFORE, BE IT RESOLVED**, that the interest rate for the licenses issued for encroachments onto municipal properties in the year 2021 be 3.34%.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough of Manasquan, County of Monmouth, State of New Jersey that the Mayor and Council authorize the Municipal Clerk's Office to institute said interest for properties licensed to allow encroachments onto municipal property.

**RESOLUTION  
23-2021**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, APPOINTING ANDY MILLS AS SOUTH MONMOUTH AFTER RESCUE TEAM SUPERVISOR**

**WHEREAS**, the Office of Emergency Management Coordinator has recommended Andrew Mills receive a stipend in the amount of \$2,500.00 for the year 2021 for his position as the South Monmouth After Hours Rescue Team Supervisor (SMART Team) from January 1, 2021- December 31, 2021.

**NOW, THEREFORE BE IT RESOLVED** on the 4<sup>th</sup> day of January, 2021, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. Andrew Mills will receive a stipend in the amount \$2,500 for his position as 2021 SMART Team Supervisor.
2. A certified copy of this resolution shall be sent to :

Andrew Mills  
39 Deep Creek Drive  
Manasquan, NJ 08736

**RESOLUTION  
24-2021**

**WHEREAS**, Chapter 2 of the Borough of Manasquan Municipal Code states that the council shall meet for organization on the first day of January or within the first 7 days in January in any year at such time and place as council may direct; and

**WHEREAS**, as Chapter 2-3 under the Powers and Duties of Mayor shall maintain peace and good order; and

**WHEREAS**, Chapter 2-3.1 states the Mayor shall on all occasions preserve order and decorum; and

**WHEREAS**, Chapter 2-5.1 states that the deliberations of the council shall be governed by Roberts Rules of Order; and

**NOW THEREFORE BE IT RESOLVED**, that the Mayor, in order to effectuate proper decorum, assigns the seating arrangement for the year beginning 2021 for the members of council as follows:

Council Member Jayson Bryant  
Council Member Jeffrey Lee  
Council Member Michael Mangan  
Council Member Greg Olivera  
Council Member Rich Read  
Council Member James Walsh

**RESOLUTION  
25-2021**

REORGANIZATION MEETING JANUARY 6, 2021

**WHEREAS**, the Borough of Manasquan is desirous of appointing SLEO's, Class I and Class II and Crossing Guards for 2020; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 4<sup>th</sup> day of January, 2021 appoint the following for 2021:

**Class II**

Michael Isselin  
James Camilleri  
Ryan Zacco  
Sydney Dietrick  
Vincent Ottaviano

**RESOLUTION  
26-2021**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH  
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,  
ESTABLISHING AGREEMENT WITH BOY SCOUT TROOP 59  
REGARDING NEWSPAPER RECYCLING.**

**WHEREAS**, the Borough of Manasquan is a supporter of Boy Scouts of America and a proponent of recycling initiatives; and

**WHEREAS**, the Borough of Manasquan wishes to formalize its relationship with Boy Scout Troop 59 whereby Troop 59 shall be responsible for collecting newspapers curbside from residents consistent with established recycling properties on the second and last Sundays of the month; and

**WHEREAS**, Boy Scout Troop 59 shall deliver the collected recycled newspapers to dumpster provided by the Borough's waste collection service provider located at the North Main Street parking lot; and

**WHEREAS**, Boy Scout Troop 59 shall be responsible for maintaining the concrete shed located at the North Main Street parking lot, ensuring the North Main Street parking lot will be free of all newspaper and related debris and provide activity reports to the Governing Body from time to time; and

**WHEREAS**, this service will be funded by the Borough of Manasquan recycling grant and other similar grants; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Manasquan on this 4<sup>th</sup> day of January 2021 as follows:

1. The Borough of Manasquan shall award an annual grant of \$3,500.00 annually to Troop 59 for the collection and delivery of newspapers on the 2<sup>nd</sup> and last Sunday of each month based on their participation in the Borough of Manasquan Recycling Program and community service hours performed
2. This Resolution shall serve as terms of this agreement which shall cover the period from January 1, 2021 through December 31, 2021.

**RESOLUTION  
27-2021**

**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE  
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S  
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment  
Decisions Under Title VII of the Civil Rights Act of 1964"**

**WHEREAS**, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*,

REORGANIZATION MEETING JANUARY 6, 2021

42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

**WHEREAS**, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

**NOW, THEREFORE BE IT RESOLVED**, That the Governing Body of the Borough of Manasquan, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

**GOVERNING BODY CERTIFICATION PURSUANT TO P.L. 2017, C.183  
OF COMPLIANCE WITH THE UNITED STATES EQUAL  
EMPLOYMENT OPPORTUNITY COMMISSION'S  
"Enforcement Guidance on the Consideration of Arrest and Conviction  
Records in Employment Decisions Under Title VII of the Civil Rights Act  
of 1964"**

**GROUP AFFIDAVIT FORM FOR MUNICIPALITIES AND COUNTIES**

STATE OF NEW JERSEY  
COUNTY OF MONMOUTH

We, members of the governing body of the Borough of Manasquan being duly sworn according to law, upon our oath depose and say:

1. We are duly elected (or appointed) members of the governing body of the Borough of Manasquan in the county of Monmouth;
2. Pursuant to P.L. 2017, c.183, we have familiarized ourselves with the contents of the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012);
3. We are familiar with the local unit's hiring practices as they pertain to the consideration of an individual's criminal history;
4. We certify that the local unit's hiring practices comply with the above-referenced enforcement guidance.

**RESOLUTION  
28-2021**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Manasquan that the Chief Financial Officer, Amy Spera, is hereby authorized to perform all matters necessary to enable the payments to the pensions funds on a monthly basis throughout the year 2021 without the need of further resolution or action by the Mayor and Council of the Borough of Manasquan.

**RESOLUTION  
29-2021**

**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 therefor; and

**WHEREAS**, the borough council has determined that there is a need for professional services during the 2021 calendar year; and

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

REORGANIZATION MEETING JANUARY 6, 2021

**WHEREAS**, the chief financial officer of the municipality has determined and certified in writing that the value of these professional services may exceed \$17,500; and

**WHEREAS**, the anticipated term of these contracts are one year (January 1, 2021 to December 31, 2021); and

**WHEREAS**, the following professional services providers have or will submit contracts to be reviewed for completeness and approval by the borough attorney indicating that they will provide their services for the agreed upon rate (s) that are contained in their contracts that are on file in the Clerk's Office.

Allen Shechter, CPA - Borough Auditor  
McManimon & Scotland, LLC - Borough Bond Counsel  
Ronald Sage - Borough Prosecutor  
James Carton IV - Alternate Borough Prosecutors  
Jeffrey R. Surenian - Special Counsel (COAH)  
David Gardner – Alternate Public Defender  
Mark Kitrick – Borough Attorney  
Kevin Starkey – Labor Counsel  
John Ducey – Conflict Attorney  
Jennifer Beahm – COAH Planner  
Gregory Boyle – Special Litigation Counsel  
Donald Greer – Public Defender  
Maser Consultants – Borough Engineer

These appointments are 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 4<sup>th</sup> day of January 2020 as follows:

1. The Business Disclosure Entity Certification of these professionals and the Determination of Value Certification of the chief financial officer shall be filed in the office of the municipal clerk, and shall be available for public inspection.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute a contract with these professionals to provide professional services to the municipality for the 2021 contract year at the agreed upon rate that is contained in the contract/proposal on file in the Clerk's Office.
3. A notice stating the nature, duration, service and the amount of this contract shall be published in the Coast Star and this resolution shall be maintained on file and available for the public inspection in the office of the municipal clerk.
4. A certified copy of this resolution shall be sent to the professionals included in this resolution.

**RESOLUTION  
30-2021**

**WHEREAS**, the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey created a Manasquan Citizen Advisory Committee (MCAC) on June 5, 2017 by resolution to promote and facilitate a culture of non-political citizen involvement in government and to provide non-binding strategic advice and specific feedback to the Manasquan Governing Body on issues facing the Borough; and

**WHEREAS**, members of the MCAC shall meet the following requirements:

1. A registered voter in the Borough of Manasquan.
2. Full-time resident of the Borough for a minimum period of one (1) year.
3. Members shall be appointed annually and serve for a term of one (1), two (2), or three (3) years

REORGANIZATION MEETING JANUARY 6, 2021

- based on random selection this year for the purposes of maintaining staggered terms in the future.
- 4. Members shall be appointed to three (3) year terms as their seats become vacant.
- 5. No member shall serve more than one term consecutively but may serve after an absence of no less than one (1) year.
- 6. The Governing body shall appoint members to serve terms at the reorganization meeting of the Governing Body; and

**WHEREAS**, appointment of members to the MCAC shall be as follows:

- 1. Any member of the Governing Body may nominate an individual.
- 2. A second nomination shall be required for the nomination.
- 3. Confirmation of members of the MCAC shall be made by a majority vote of the Governing Body at the annual reorganization or any regularly scheduled public meeting; and

**WHEREAS**, the administration of the MCAC shall be as follows:

- 1. The Governing Body shall appoint members of the Borough Council to serve as Chairperson and Vice Chairperson of the MCAC until the next reorganization meeting of the Borough.
- 2. The Chairman shall be responsible for setting the agenda and shall preside over the meetings of the MCAC. The Vice Chairman shall assume these duties in the absence of the Chairman.
- 3. The MCAC shall include a maximum of 12 members (not including the Chairperson and Vice Chairperson).
- 4. The Governing Body shall designate the members of the MCAC at the annual reorganization meeting of the Borough or any regularly scheduled public meeting; and

**WHEREAS**, the budget of the MCAC will be as follows:

- 1. There shall be no budget for the MCAC

**WHEREAS**, the meeting agendas for the MCAC shall be conveyed as follows:

- 1. The agenda for meetings shall be prepared by the Office of the Administrator and provided to members of the Governing Body, via the Office of the Borough Clerk, no less than one day prior to regularly scheduled MCAC meetings.

**NOW THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Manasquan do hereby continue the Manasquan Citizen Advisory Committee (MCAC) as set forth above.

**RESOLUTION  
31-2021**

**WHEREAS, N.J.S.A. 40:4-19** provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2021 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the attached appropriations constitute the 2021 budget:

**2021 TEMPORARY BUDGET – SEE ATTACHED SCHEDULE**

**2021 CURRENT FUND TEMPORARY BUDGET**

<b>Account Description</b>	<b>Temp Budget</b>
ADMINISTRATOR S&W	\$ 12,307.32
ADMINISTRATOR OE	\$ 1,395.19
MAYOR & COUNCIL S&W	\$ 2,611.88
MAYOR & COUNCIL OE	\$ 1,640.63
CLERK S&W	\$ 30,397.50
CLERK OE	\$ 19,673.76
FINANCE S&W	\$ 22,010.63
FINANCE OE	\$ 11,909.07
AUDIT	\$ 7,094.06
TAX COLL S&W	\$ 6,798.75
TAX COLL OE	\$ 4,738.13

REORGANIZATION MEETING JANUARY 6, 2021

TAX ASSESSOR S&W	\$ 8,400.00
TAX ASSESSOR OE	\$ 1,995.00
LEGAL	\$ 40,687.50
ENGINEERING	\$ 26,250.00
PLANNING BOARD S&W	\$ 6,956.25
PLANNING BOARD OE	\$ 15,919.32
ZONING S&W	\$ 5,610.94
CODE ENFORCEMENT S&W	\$ 30,948.75
CODE ENFORCEMENT OE	\$ 6,210.45
UCC S&W	\$ 33,659.06
UCC OE	\$ 19,434.26
SUB CODE S&W	\$ 11,057.82
INSURANCE	\$ 257,174.28
POLICE S&W	\$ 748,400.63
POLICE OE	\$ 39,615.22
OEM S&W	\$ 19,680.94
OEM OE	\$ 8,892.19
DPW S&W	\$ 96,626.25
DPW OE	\$ 26,782.89
SHADE TREE	\$ 1,312.50
TRAFFIC LIGHTS	\$ 1,968.75
SOLID WASTE S&W	\$ 4,593.75
SOLID WASTE OE	\$ 99,159.38
PUBLIC B & G OE	\$ 19,868.64
VEHICLE REPAIR	\$ 16,931.25
BOARD OF HEALTH S&W	\$ 997.50
ANIMAL CONTROL	\$ 4,357.50
RECREATION S&W	\$ 17,764.69
RECREATION OE	\$ 4,075.31
PARKS & PLAYGROUND S&W	\$ 24,261.56
PARKS & PLAYGROUNDS OE	\$ 20,908.13
WATERWAYS OE	\$ 10,466.25
TOURISM OE	\$ 1,207.51
UTILITIES	\$ 59,062.50
LANDFILL	\$ 103,293.75
STATUTORY EXPENSES	\$ 880,739.83
GRANTS	\$ -
INTERLOCALS	\$ 73,815.13
COURT S&W	\$ 28,612.50
COURT OE	\$ 23,047.51
PUBLIC DEFENDER	\$ 787.50
DEBT PRINCIPLE & INTEREST	\$ 100,646.23
	<b>\$ 3,022,756.34</b>

**2021 WATER & SEWER FUND TEMPORARY BUDGET**

<b>Account Description</b>	<b>Temp Budget</b>
WATER & SEWER SALARIES & WAGES	\$ 153,706.89
WATER & SEWER OTHER EXPENSES	\$ 148,123.07
SMRSA - CONTRACTUAL	\$ 311,797.31
CAPITAL	\$ 18,375.00
DEBT PRINCIPLE & INTEREST	\$ 129,944.14
STATUTORY EXPENSES	\$ 57,419.36
	<b>\$ 819,365.77</b>

**2021 BEACH FUND TEMPORARY BUDGET**

<b>Account Description</b>	<b>Temp Budget</b>
BEACH SALARY & WAGES	\$ 154,947.20
BEACH OTHER EXPENSES	\$ 202,597.95
STATUTORY EXPENSES	\$ 41,634.12
	<b>\$ 399,179.27</b>

Council Member Bryant made a motion to approve the Consent Agenda, seconded by Council Member Lee. Motion carried by the following vote: “Yes:” Council Members Bryant, Lee, Mangan, Read, and Walsh. “No” none.

**Resolution:**

**RESOLUTION**

**32-2021**

**RESOLUTION SETTING 2021-2022 SEASON BOAT SLIP RENTAL FEES IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

**WHEREAS**, Ordinance 2330-20 Amending and Supplementing Chapter 11 (Docks and Bulkheads) Section 11-1.2 (Term of Lease), Section 11-1.3 (Rental Fees) and Amending Chapter 16 (Fees) of the Borough of Manasquan, County of Monmouth, State of New Jersey was approved on second reading and final passage on December 21, 2020; and

**WHEREAS**, Ordinance 2330-20 allows the boat slip rental fees to be set by resolution each year; and

**WHEREAS**, the 20 day estoppel period for this ordinance is January 15, 2020; and

**WHEREAS**, the Manasquan Borough Council of the Borough of Manasquan is desirous of setting the 2021-2022 season boat slip rental fees;

**NOW THEREFORE BE IT RESOLVED** that the following fees will become effective January 15, 2020 following the 20 day estoppel period:

<b><u>Perrine Boulevard</u></b>	
Boat slips 13-1/2 feet by 30 feet	\$3,400
Boat slips 12-1/2 feet by 26 feet	\$2,780
<b><u>Fourth Avenue</u></b>	
Boat slips 9 feet by 25 feet Up to 20' Boat permitted (new)	\$1,940
Boat slips 9 feet by 25 feet Up to 20' Boat permitted (old)	\$1,760
<b><u>Cedar Avenue</u></b>	
Boat slips 11 feet by 24 feet	\$2,316
<b><u>Euclid Avenue</u></b>	
Boat slips 8-1/2 feet by 20 feet	\$1,940
<b><u>Dry storage fee</u></b>	
Length of boat – 20 feet or less	\$300
Additional per foot over 20 feet	\$20 per foot

Council Member Read made a motion to approve the resolution, seconded by Council Member Walsh. Motion carried by the following vote: “Yes:” Council Members Bryant, Lee, Mangan, Read, and Walsh. “No” none.

**STATEMENTS BY COUNCIL MEMBERS**

Council Member Lee thanked the voters of Manasquan and stated he is honored and humbled that they re-elected him to council. He wished everyone a happy New Year and he is looking forward to having a great year and working alongside the council and mayor.

Council Member Mangan thanked the voters of Manasquan for placing their trust in him for another term and he is looking forward to working with the council and the mayor moving forward for a very productive year.

Council Member Bryant congratulated Council Members Lee and Mangan for being re-elected and he is looking forward to continuing to work with the council and the mayor. He wished everyone a happy New Year.

Council Member Read congratulated Council Members Lee and Mangan for being re-elected and is looking forward to working with the council and mayor in the coming year. He wished everyone a happy New Year.

Council Member Walsh welcomed back Council Members Lee and Mangan and he is looking forward to working with the council and mayor in the New Year.

REORGANIZATION MEETING JANUARY 6, 2021

Mayor Donovan congratulated Council Members Lee and Mangan and he is also looking forward to working with the council in the New Year.

**AUDIENCE PARTICIPATION**

Council Member Read made a motion to open the meeting to the public, seconded by Council Member Walsh. Motion carried unanimously.

Mary Ryan, 113 Beachfront congratulated Council Members Lee and Mangan and thanked all council and the mayor for doing what they do to make Manasquan a great community and wished everyone a happy New Year.

Council Member Bryant made a motion to close the public portion, seconded by Council Member Mangan. Motion carried unanimously.

Council Member Mangan made a motion to close the meeting at 7:27 p.m., seconded by Council Member Lee. Motion carried unanimously.

Respectfully submitted,

Barbara J. Ilaria  
Municipal Clerk

Date Approved \_\_\_\_\_

**BOROUGH OF MANASQUAN  
RESOLUTION  
33-2021**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, accepts the resignation of Walter Wall as the Borough of Manasquan Beach Manager effective January 1, 2021.

**BE IT FURTHER RESOLVED**, that Mr. Wall continued to act as the Borough of Manasquan Beach Manager from October 1, 2020 through December 31, 2020, and is hereby entitled to compensation equal to one quarter of his annual salary.

**NOW THEREFORE BE IT RESOLVED**, that Mr. Wall's resignation is accepted and the Mayor and Council authorize the issuance of wages to Mr. Wall in the amount of \$7,259.19 for his last quarter of service to the Manasquan Beach Department.

**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 January 19, 2021 meeting.

\_\_\_\_\_  
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  
34-2021**

**BE IT RESOLVED**, that the Hon. Edward G. Donovan, Mayor of the Borough of Manasquan, be and is hereby authorized to sign the Shared Services Agreement between the Borough of Sea Girt and the Borough of Manasquan for the services of Chief Municipal Financial Officer/Qualified Purchasing Agent.

**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 January 19 2021 meeting.

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

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

**BOROUGH OF MANASQUAN  
RESOLUTION  
35-2021**

**RESOLUTION OF THE BOROUGH COUNCIL OF  
THE BOROUGH OF MANASQUAN, COUNTY OF  
MONMOUTH, NEW JERSEY, AUTHORIZING  
ADVERTISEMENT FOR A BEACH MANAGER**

**WHEREAS**, the Borough of Manasquan (“Manasquan”) is in need of a Beach Manager for Manasquan Beach; and

**NOW, THEREFORE BE IT RESOLVED** on the 19<sup>th</sup> day of January, 2021 by the Borough Council of the Borough of Manasquan hereby authorize the Clerk to advertise for a Beach Manager.

**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 January 19, 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  
36-2021**

**WHEREAS**, the Borough of Manasquan’s Personnel Policy #33 “Leave Policy” requires approval from the Mayor and Council for vacation carry over for Department Heads, and

**WHEREAS**, the Department Heads have the following 2020 vacation days and are requesting to carry them over to 2021 as permitted by policy and approval by the Mayor and Council:

Tom Flarity	18 Days
Barbara Ilaria	21 Days
Marie Higgins	27 Days 6.5 Hours
Frank DiRoma	15 Days
Amy Spera	8 Days 3 Hours
Kevin Thompson	14 Days 2 Hours
Erik Ertle	1 Day
Michael Bauer	0 Days

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Manasquan authorize the carry over of the unused 2020 vacation days to 2021 as per Borough Policy.

**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 January 19, 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  
37-2020**

**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 Maser Consulting, 331 Newman Springs Roads Suite 203, Red Bank, New Jersey 07701, to provide Engineering Design Services for Roadway and Drainage Improvements to Mount Lane Euclid Avenue to Virginia Avenue. Fees are as follows:

PHASE 1.0 ENGINEERING DESIGN SERVICES \$24,000.00

PHASE 2.0 REIMBURSABLE EXPENSES (ESTIMATED) \$ 750.00

for a total amount not to exceed \$24,750.00.00 for the service outlined in a proposal dated December 14, 2020.

**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 and 2.0 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 January 19, 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 19th day of January, 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:

Maser Consulting – Borough of Manasquan’s Roadway and Drainage Improvements to Mount Lane Project.

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

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

COUNCIL	I N T R O D U C E D	S E C O N D E D	A Y E	N A Y	A B S T A I N	A B S E N T
BRYANT						
LEE						
MANGAN						
OLIVERA						
READ						
WALSH						
ON CONSENT AGENDA			YES NO			



**BOROUGH OF MANASQUAN  
RESOLUTION  
39-2021**

**RESOLUTION OF THE BOROUGH COUNCIL OF  
THE BOROUGH OF MANASQUAN, COUNTY OF  
MONMOUTH, NEW JERSEY, APPOINTING  
MEMBERS OF CITIZEN ADVISORY COMMITTEE**

**WHEREAS**, on January 4, 2021 the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey adopted resolution 30-2021 Setting the Requirements for the Citizen Advisory Committee; and

**WHEREAS**, the Governing Body is desirous of appointing the members of the Citizen Advisory Committee per resolution 30-2021;

**NOW, THEREFORE BE IT RESOLVED** on the 19<sup>th</sup> day of January, 2021, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey the following members are appointed to the Citizen Advisory Committee for the following terms as follows:

1. The following members will serve for a one (1) year term:  
Art Ryan, Cara Schreck, Mike Brown, Chrissy Rice
2. The following members will serve for a two (2) year term:  
John LaMacchia, Sheila Videiro, Decon Thompson, Robert Ferrante
3. The following members will serve for a three (3) year term:  
Eric Oldmixon, Eddie Maes,, Mark Mead, Lauren Lake

**BE IT FURTHER RESOLVED** that members shall be appointed to a three (3) year term as their seats become vacant.

**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 January 4, 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  
40-2021**

**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	\$183,706.69
Capital Fund	\$17,718.56
Water/Sewer Fund	\$376,820.47
Water/Sewer Utility Fund	
Beach Utility Fund	\$11,133.55
Beach Capital Fund	\$9,727.18
Recreation Building Trust	\$570.47
Recreation Trust	\$5,544.31
Misc Trust II	\$450.00
Affordable Housing	\$881.50
Animal Control	\$2.40

**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 January 19, 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  
38-2021**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Manasquan that the following rates be and hereby are set for the year 2021:

**WATER AND SEWER SERVICE RATE**

Pursuant to Chapter 22-2 Base Water and Sewer Service Rate:

The base water and sewer rate for each residential and nonresidential user shall be \$598.88 per year. This charge represents the standby to serve or fixed charges incurred in the operation of the municipal water and sewer system. The fees shall be paid in equal quarterly installments of \$149.72.

The following service rate shall be charged to residential and nonresidential users who are not connected to both the municipal water and sewer systems:

The base water service rate for each residential and nonresidential user shall be \$299.44 per year. The fee shall be payable in equal quarterly installments of \$74.86.

The base sewer service rate for each residential and nonresidential user shall be \$299.44 per year. The fee shall be payable in equal quarterly installments of \$74.86.

**WATER AND SEWER USAGE RATE**

Pursuant to Chapter 22-3 Water and Sewer Usage Charges:

Water and sewer usage shall be measured by the number of gallons of water use shown on the water meter.

The charge for water and sewer usage shall be \$4.48 per 1,000 gallons or part thereof.

The charge for water usage only shall be \$2.24 per 1,000 gallons or part thereof.

The charge for sewer usage only shall be \$2.24 per 1,000 gallons or part thereof.

Any user found to be receiving water service that is not being metered shall be charged at the rate of \$2.24 per day.

**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 January 19, 2021 meeting.

\_\_\_\_\_  
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  
ORDINANCE NO. 2332-2021**

**ORDINANCE ESTABLISHING CHAPTER 33 (SITE PLAN REGULATIONS) SECTION 33-1 (TITLE) SECTION 33-2 (PURPOSE) SECTION 33-3 (APPROVING AGENCY) SECTION 33-4 (LANDSCAPE DESIGN) SECTION 33-5 (LOADING AND SERVICE AREAS) SECTION 33-6 (LIGHTING) AND SECTION 33-7 (APPLICABLE ZONES)**

**WHEREAS**, Pursuant to the revised General Ordinance of the Borough Code Chapter 33 is reserved; and

**WHEREAS**, the Manasquan Borough Council of the Borough of Manasquan is desirous of establishing site plan design standards in certain zones to provide rules, regulations and standards to guide the site plan design, in order to promote Public health, safety, convenience and general welfare in the Borough of Manasquan; and

**NOW THEREFORE BE IT ORDAINED AS FOLLOWS:**

**Section 1:** Chapter 33-Site Plan Design Standards in the Revised General Ordinance of the Borough of Manasquan as follows:

CHAPTER 33 (SITE PLAN REGULATIONS) SECTION 33-1 (TITLE) SECTION 33-2 (PURPOSE) SECTION 33-3 (APPROVING AGENCY) SECTION 33-4 (LANDSCAPE DESIGN) SECTION 33-5 (LOADING AND SERVICE AREAS) SECTION 33-6 (LIGHTING) AND SECTION 33-7 (APPLICABLE ZONES);

**CHAPTER 33 SITE PLAN DESIGN STANDARDS**

**33-1: TITLE**

This chapter shall be known and may be cited as the "Site Plan Design Regulations of the Borough of Manasquan."

**33-2: PURPOSE**

The purpose of this chapter shall be to provide rules, regulations, and standards to guide site plan design in the Borough of Manasquan, in order to promote the public health, safety, convenience and general welfare of the municipality. It shall be administered to ensure the orderly growth and development, the conservation, protection and proper use of land and adequate provision for landscaping, lighting, building and site plan design.

**33-3: APPROVING AGENCY**

The approval provisions of this chapter shall be administered by the Planning Board of the Borough of Manasquan in accordance with Chapter 291 of the Laws of New Jersey 1975.

**33-4: LANDSCAPE DESIGN**

A. Landscape Design Guidelines.

1. Landscaping is to be integrated into building arrangements, topography, parking, buffering and other site features. Landscaping may include trees, shrubs, ground cover, berms, flowers, sculpture, art and similar materials and shall be designed to provide aesthetic, buffer, climatological, environmental, ornamental, and other related functions. All landscaping plans must be prepared by a New Jersey- registered

landscape architect or other individual deemed suitably qualified by the Planning Board.

2. Landscape design should facilitate capture, management and recharge of stormwater and integration of potable water reuse strategies. The thoughtful integration of nonstructural stormwater management elements within landscape design is encouraged.
3. Landscaping for commercial uses should define entrances to buildings and parking lots, define the edges of various land uses, provide transition (buffering) between neighboring properties, and provide screening for loading and equipment areas.
4. Landscaping around the entire base of structures is recommended to soften the edge between the parking lot and the structure and should be accented at entrances to provide focus
5. Landscaping should be utilized to soften the edges of parking areas and to provide a sense of border. Trees should be located throughout parking areas and not simply at the ends of parking aisles to provide shade and visual relief.
6. Landscaping should be protected from vehicular and pedestrian encroachment by raised planted surfaces, depressed walks, or the use of curbs.
7. Parking area landscaping and buffering should be used to minimize direct views of parked vehicles from streets and sidewalks and to avoid spillover light and glare onto adjacent properties.
8. The use of vines and climbing plants on buildings, trellises and perimeter garden walls is strongly encouraged.
9. Plants in boxed, clay or wood containers should be used to enhance sidewalk shops, plazas, and courtyards.
10. Landscaping shall not obstruct visibility at drive-aisle intersections.

#### B. Shade Trees along Streets.

1. Shade trees shall be planted along all streets. Shade trees shall be planted on all sites at a minimum rate of ten (10) trees per acre, inclusive of trees required along any street line.
2. Shade trees shall meet all the following requirements:
  - a. Measure three (3) inches to three and one half (3.5) inches in diameter six (6) inches above the ground.
  - b. Have a straight trunk and be properly staked.
  - c. Be balled and bur lapped, well-branched and with a good root system. Backfill shall consist of fifty-percent (50%) humus for each tree, and each tree shall be thoroughly watered and properly pruned at the time of planting.
3. Trees to be planted in any street right-of-way shall be planted one (1) tree every forty (40) feet of street frontage.
4. Where the placement of required trees within a street right-of-way is impossible or impractical due to the presence of sidewalks, critical areas or other physical or environmental features, the Planning Board may require a ten (10) foot-wide street tree easement to be located adjacent to the right-of-way.

#### C. Decorative Plantings.

1. The planting of shrubbery, bushes, flowers, and similar plantings shall be designed to serve decorative and ornamental functions as well as

screening and buffering.

2. Evergreen plants shall largely be used for screening and buffering, while flowering shrubs and similar plants shall be used at highly visible locations such as front yards and building entrances.
3. The use of rain gardens, perennial flowerbeds and planters is strongly encouraged in all commercial development.

#### D. Parking Areas.<sup>1</sup>

Areas containing ten (10) or more parking stalls shall contain the following landscaping features:

1. Five percent (5%) of the interior portion of the parking areas shall be landscaped, excluding all perimeter landscaping, and required buffer areas.
2. No more than fifteen (15) parking stalls shall exist in a continuous row without a landscaped break.
3. One (1) shade tree shall be provided for every ten (10) parking stalls to create a canopy effect.
4. A landscaped island at least four (4) feet in width shall separate the ends of parking rows from drive aisles.
5. Landscaping in a parking or loading area shall have a width of at least four (4) feet and be in defined landscaped areas that are uniformly distributed throughout the parking or loading area.
6. Landscaped buffers between parking areas and abutting property lines shall have a minimum width of five (5) feet.
7. Evergreen plantings shall be required to screen headlights in parking areas from public rights-of-way and adjacent residential properties.

#### E. Buffers.

1. A landscaped and/or screened buffer area is required between commercial uses and adjacent residential uses. The minimum height and width shall be five (5) feet of continuous evergreen hedge screen in two (2) years (or a wall or fence with a minimum height of five (5) feet).
2. Landscaped buffers shall consist of evergreen ground cover and shrubs mixed with a variety of flowering and deciduous plant species of trees and shrubs.
3. Required landscaping shall be maintained and not allowed to fall into disrepair. The owner, its successors and/or assigns, shall maintain vegetation planted in accordance with an approved site plan. A developer shall be required to replace dead or dying plant material for a period of two (2) years from the date of issuance of a final zoning permit for occupancy and shall post a maintenance guarantee for such. If plant material is dead or dying during a planting season, it shall be replaced the same season. If plant material is dead or dying during a non-planting season, it shall be replaced as soon as is reasonably possible at the start of the next planting season.

---

<sup>1</sup> In lieu of providing landscaping within the parking area, an applicant can request to provide the requisite number of plants and shrubs required per this section of the ordinance on-site outside the parking area.

- F. Post-development inspection. All landscaping shall be subject to a post-development inspection by the Planning Board Engineer.
- G. The Planning Board shall have the right to impose additional landscaping requirements after due consideration of the size and type of proposed development, the extent of existing vegetation to be removed during construction, and the nature of surrounding land uses.

### **33-5: LOADING AND SERVICE AREAS**

- A. Loading areas, recycling facilities, solid waste facilities and other service areas shall be placed to the rear of buildings a minimum of five feet from adjoining properties. Developments containing more than one commercial/residential use shall design loading areas, recycling facilities, solid waste facilities and other service areas for multiple users to limit the total number.
- B. One (1) loading space shall be at least twelve (12) feet in width, fifty (50) feet in length and have a sixteen (16) foot clearance above grade for commercial or mixed-use buildings.
- C. All loading areas shall be landscaped in a manner that sufficiently screens the view of the loading area and vehicles from any public right-of-way and residential property. Landscaping in this instance may include fencing, walls, or a combination thereof.

### **33-6: LIGHTING**

- A. General Design Guidelines for Lighting.
  - 1. Street lighting and parking area lighting shall meet the minimum standards set forth below and shall be designed to complement the design aesthetic established by the decorative lighting along Main Street.
  - 2. All lighting shall be designed in a manner that conforms to the style and architectural design of adjacent structures and uses. Wherever possible, the lighting shall be similar and conforming.
  - 3. All outdoor lighting shall be shown on the site plan in sufficient detail to allow a determination of its effect at the property line and on nearby streets, driveways, residences, and overhead sky glow.
  - 4. Lighting shall be shielded and directed down onto the site so as not to shine or glare onto adjacent property or streets. Lighting shall not shine directly or reflect into windows or shine onto streets and driveways to interfere with driver vision.
  - 5. Lights that have a yellow, red, green, or blue beam and/or that rotate, pulsate, or operate intermittently are prohibited.
  - 6. The intensity, shielding, direction, reflection, and similar characteristics of lighting shall be subject to site plan approval.
- B. Lighting Requirements.
  - 1. The maximum height of lights shall be fifteen (15) feet measured from the surrounding grade.
  - 2. Pedestrian and parking areas shall have a minimum of one half (0.5) foot-candle and a maximum of five (5) foot-candles, with the overall

- site average not being less than one half (0.5) foot-candles.
3. Drive-through areas and other similar areas where money is exchanged may have a limited footprint where lighting levels may exceed the maximum allowable values but shall not exceed ten (10) foot-candles unless regulatory requirements specify otherwise.
  4. Lighting at the property boundary shall not exceed zero (0) foot-candle, except those areas adjacent to a public street where public streetlights provide illumination.
  5. Metal-halide (or comparable light quality) and LED lamps are suggested for their efficiency and light quality. Mercury vapor and high-pressure sodium lighting shall not be allowed.
  6. The maximum color temperature of all light fixtures shall be 3,000k.

### **33-7: APPLICABLE ZONES**

- A. All Site Plan design standards as enumerated in this Chapter shall apply to the B-1 Business Zone; B-3 General Business Zone; O-Office Zone; and I-Industrial Zone.

#### **Section 2: Construction and effective date**

- (a) Should any section or provision of this ordinance be held invalid in any proceedings, the same shall not affect any other section or provision of this ordinance, except insofar as the section or provisions so held invalid shall be inseparable from the remainder of any such section or provision.
- (b) 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 its final passage and publication according to the law

## NOTICE

**PUBLIC NOTICE IS HEREBY GIVEN** that Ordinance No. 2332-2021 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 19<sup>th</sup> day of January 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 1<sup>st</sup> day of February 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 by contacting the office of the Municipal Clerk in Borough Hall at [blaria@manasquan-nj.gov](mailto:blaria@manasquan-nj.gov) 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, New Jersey 08736

Passed on First Reading and Introduction: January 19, 2021  
Approved on Second Reading and Final Hearing: February 1, 2021

---

**Edward Donovan, Mayor**