Manasquan Borough Council Meeting In- Person at Borough Hall and Virtual Zoom Meeting April 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 April 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)

Workshop Discussion:

Use of Borough Property

- 1. E37-21 Wedding Ceremony Inlet Beach June 5, 2021 6 to 6:45 pm
- 2. E38-21 Tourism Fourth of July Celebration; July 2; 3 to 11 pm (rain date 7/3/21)
- 3. E39-21 Tourism Canoe/Kayak Races; August 28; 10 am to 2 pm
- 4. E40-21 Tourism Labor Day Concert & Fireworks; September 3; 6 to 10 pm (rain date 9/4/21)
- 5. E41-21 Tourism Christmas is Manasquan; December 12; 11 am to 1 pm
- E42-21 Wedding Ceremony; Riddle Way Gazebo; May 16, 2021; 11:30 am to 1:30 pm
- 7. E43-21 Tourism Sand Castle Contest; Beachfront/Riddleway; 9 am to 12:30 pm

Other Items

1. Dredging Operations - Discussion

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. 91-2021 Authorizing Mayor to Sign Municipal Judge's Contract
- 2. 92-2021 Accepting Resignation Code Inspector Claudio
- 3. 93-2021 Authorizing Clerk to Advertise Two Public Works Laborers
- 4. 94-2021 Authorizing Clerk to Advertise Part Time Code Enforcement Officer
- 5. 95-2021 Beach Appointments Crew Various
- 6. 96-2021 Authorizing Clerk to Advertise Part Time Crossing Guard
- 7. 97-2021 Authorizing Execution of Police Body Worn Camera Grant
- 8. 98-2021 Return Dumpster Security 53 Oceanfront
- 9. 99-2021 Authorizing Clerk to Advertise Part Time Keyboarding Clerk Code Department
- 10. 100-2021 Awarding Euclid Avenue Improvement Phase 1 Project
- 11. 101-2021 Authorizing NJ Transit to Work on Sunday, May 2, 2021
- 12. 102-2021 Authorizing Submission of Alliance Grant FY2022
- 13. 103-2021 Recycling Tonnage Grant
- 14. 104-2021 Recycling Tax Reimbursement
- 15. 105-2021 Authorizing Execution of Salt Dome Agreement Brielle
- 16. 106-2021 Authorizing Clerk to Advertise Beach EMT

<u>17.</u> 107-2021 Payment of Bills

Ordinances - Second Reading

- 1. 2347-21 Bond Ordinance Police Body Cameras and Equipment
- 2348-21 Exceed Municipal Budget Appropriation Limits and Establishing a CAP Bank

Ordinances - First Reading

1. 2346-21 Amending Chapter 12 Beach - Sea Watch Parking

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

BOROUGH OF MANASQUAN RESOLUTION 91-2021

WHEREAS, the Borough of Manasquan is desirous re-appointing Paul Capotorto as Municipal Court Judge for the full term of three years,

NOW, THEREFORE BE IT RESOLVED, the parties hereunder agree as follows:

- 1. Paul Capotorto, Esq. is appointed as Municipal Court Judge for the Borough of Manasquan for a 3 year full term commencing May 5, 2021 and terminating on May 4, 2024.
- 2. Paul Capotorto Esq. shall be compensated as follows:

May 5, 2021 to May 4, 2022 – \$32,336.24 May 5, 2022 to May 4, 2023 – \$32,836.24 May 5, 2023 to May 4, 2024 – \$33.336.24

- **3.** Paul Capotorto Esq. is to be considered a part-time employee of the Borough and therefore not entitled to benefits, such as medical benefits, afforded full-time permanent employees.
- **4.** The Governing Body authorizes the Mayor to sign an agreement with Paul Capotorto Esq. memorializing the terms set forth above.

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 April 19, 2021 meeting.

COUNCIL	INTRODUCED	SECONDED	АҮЕ	NAY	ABSTAIN	ABSENT
BRYANT						
LEE						
MANGAN						
OLIVERA						
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WALSH						
ON CONSENT	AGEI	NDA		/ES	N	0

BOROUGH OF MANASQUAN RESOLUTION 92-2021

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, that the resignation of Raymond Claudio as Code Inspector from the Manasquan Code & Construction Department effective April 23, 2021 be and is hereby accepted.

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 April 19, 2021 meeting.

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRYANT						
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ON CONSENT	AGEN	DA _	YI	ES _	_NO	

BOROUGH OF MANASQUAN RESOLUTION 93-2021

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, AUTHORIZING ADVERTISEMENT FOR TWO (2) FULL TIME PUBLIC WORKS LABORER

WHEREAS, the Borough of Manasquan is in need of two (2) full time Laborers in the Department of Public Works; and

NOW, THEREFORE BE IT RESOLVED on the 19th day of April, 2021, by the Borough Council of the Borough of Manasquan, hereby authorize the Clerk to advertise for two (2) full time Department of Public Works Laborer.

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 April 19, 2021.

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRYANT						
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ON CONSENT	AGEN	DA _	YI	ES _	_NO	

BOROUGH OF MANASQUAN RESOLUTION 94-2021

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, AUTHORIZING ADVERTISEMENT FOR A PART TIME CODE ENFORCEMENT OFFICER

WHEREAS, the Borough of Manasquan is in need of a part time Code Enforcement Officer; and

NOW, THEREFORE BE IT RESOLVED on the 19th day of April, 2021, by the Borough Council of the Borough of Manasquan, hereby authorize the Clerk to advertise for a part time Code Enforcement Officer.

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at their regular meeting held on April 19, 2021.

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT		
BRYANT								
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ON CONSENT	ON CONSENT AGENDAYESNO							

BOROUGH OF MANASQUAN RESOLUTION 95-2021

WHEREAS, the Borough of Manasquan is desirous of appointing Seasonal Beach Employees for pre-preseason beach maintenance; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 19th day of April, 2021 appoint the following Seasonal Beach Employees to work during the 2021 Season.

Beach Crew	Hourly Rate
Trevor Wells	\$11.10
Josh Terry	\$11.10
Ryan Esdaile	\$9.00
Spencer Muly	\$11.10
Brent Boccino	\$11.10
Jason Campbell	\$9.00

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 April 19, 2021.

COUNCIL	INTRODUCED	SECONDED	АҮЕ	NAY	ABSTAIN	ABSENT
BRYANT						
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ON CONSENT	AGEN	DA _	YI	ES _	_NO	

BOROUGH OF MANASQUAN RESOLUTION 96-2021

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, AUTHORIZING ADVERTISEMENT FOR A PART TIME CROSSING GUARD

WHEREAS, the Borough of Manasquan is in need of a part time Crossing Guard in the Manasquan Police Department; and

NOW, THEREFORE BE IT RESOLVED on the 19th day of April, 2021, by the Borough Council of the Borough of Manasquan, hereby authorize the Clerk to advertise for a part time Crossing Guard for the Manasquan Police Department.

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 April 19, 2021.

COUNCIL	INTRODUCED	SECONDED	AYE	VAY	ABSTAIN	ABSENT
BRYANT						
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ON CONSENT	AGEN	DA _	YI	ES _	_NO	

BOROUGH OF MANASQUAN RESOLUTION 97-2021

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey that the Mayor be authorized to sign the Body Worn Camera Grant Application for the Manasquan Police Department.

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 April 19, 2021 meeting.

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT		
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MANGAN								
OLIVERA								
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WALSH								
ON CONSENT	ON CONSENT AGENDAYESNO							

BOROUGH OF MANASQUAN RESOLUTION 98-2021

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

WHEREAS, a refund of monies are due to the following:

NAME: MICHAEL MANGINE 1148 BRADFORD DRIVE POINT PLEASANT, NJ 08742

AMOUNT OF REFUND DUE: \$1,000.00

REASON FOR REFUND: Dumpster Security- 53 Ocean Front

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

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at the April 19, 2021 meeting.

COUNCIL	INTRODUCED	SECONDED	АҮЕ	λVN	ABSTAIN	ABSENT					
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ON CONSENT	AGE	NDA	``	ON CONSENT AGENDAYESNO							

BOROUGH OF MANASQUAN RESOLUTION 99-2021

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, AUTHORIZING ADVERTISEMENT FOR SEASONAL PART-TIME KEYBOARDING CLERK 1

WHEREAS, the Borough of Manasquan ("Manasquan") is in need of a

Seasonal Part-Time Keyboarding Clerk 1 in the Code/Construction Department; and

NOW, THEREFORE BE IT RESOLVED on the 19th day of April 2021, by

the Borough Council of the Borough of Manasquan, hereby authorize the Clerk to advertise for a Seasonal Part-Time Keyboarding Clerk 1.

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 April 19, 2021.

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
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ON CONSENT	AGEN	DA _	YI	ËS _	_NO	

BOROUGH OF MANASQUAN RESOLUTION 100-2021

RESOLUTION AWARDING A CONTRACT FOR THE EUCLID AVENUE AREA IMPROVEMENTS PROJECT PHASE I IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH STATE OF NEW JERSEY

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

WHEREAS, the lowest three bids submitted for this project were:

	Base Bid	Alternate A	<u>Total</u>
Shore Top Construction Corp.	\$337,330.00	\$3,000.00	\$340,330.00
Black Rock Enterprises, LLC	\$356,089.50	\$20,000.00	\$376,089.50
Meco, Inc.	\$382,916.70	\$11,700.00	\$394,616.70

WHEREAS, Shore Top Construction Corporation submitted a total bid in the amount of \$340,330.00; and

WHEREAS, the Borough Engineer has determined the bid by Shore Top Construction Corporation complies with the bid specifications and includes all required documentation and has recommended the award of the bid; and

WHEREAS, the Borough Council has determined, for the reasons set forth below, that the bid of Shore Top Construction Corporation is a responsive and responsible bid; and

WHEREAS, the Borough Council is desirous of awarding a contract to Shore Top Construction Corporation in the amount of \$340,330.00 for the project.

NOW, THEREFORE BE IT RESOLVED on the 19th day of April, 2021, by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey, as follows:

- 1. This Bid award is subject to the review and approval of the Bid documents by the Manasquan Borough Attorney.
- 2. This approval is also subject to authorization by Monmouth County CDBG.
- 3. Subject to the above condition, a contract in the amount of \$340,330.00 is awarded to Shore Top Construction Corporation for this project.
- 4. The Mayor and Municipal Clerk are authorized and directed to execute all necessary documents to effectuate a contract with Shore Top Construction Corporation.
- 5. A certified copy of this resolution shall be sent to:

Shore Top Construction Corporation 23 Yellowbrook Road Freehold, New Jersey 07728

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at a special meeting held on April 19th, 2021.

BARBARA ILARIA, RMC, CMC Municipal Clerk

CERTIFICATION

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

MARK G. KITRICK, ESQ. Borough Attorney

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

CERTIFICATION

I am the financial officer charged with the responsibility of maintaining financial records of the Borough of Manasquan, State of New Jersey, and on this 19th day of April, 2021, I hereby certify to the Borough Council of the Borough of Manasquan as follows:

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

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

ACCOUNT: _____

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRYANT						
LEE						
MANGAN						
OLIVERA						
READ						
WALSH						
ON CONSENT	AGEN	DA _	YI	ES _	_NO	

Amy Spera Chief Financial Officer

BOROUGH OF MANASQUAN RESOLUTION 101-2021

WHEREAS, New Jersey Transit Rail Road Division (NJT) is conducting upgrades at the Main Street rail way crossing; and

WHEREAS, Main Street will be closed to thru traffic 24/7 and pedestrian traffic during work hours at the Main Street rail road crossing ; and

WHEREAS, the NJT project will run from Thursday, April 29 through Friday, May 7, 2021: and

WHEREAS, the Governing Body is desirous for this project to be completed in a timely manner.

NOW THEREFORE BE IT RESOLVED that the Borough of Manasquan authorizes New Jersey Transit to work on Sunday, May 2, 2021.

BE IT FURTHER RESOLVED a copy of this resolution shall be sent to New Jersey Transit.

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at the April 19, 2021 meeting.

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRYANT						
LEE						
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WALSH						
ON CONSENT AGENDAYESNO						

BOROUGH OF MANASQUAN RESOLUTION 102-2021

Governor's Council on Alcoholism and Drug Abuse Fiscal Grant Cycle July 2020-June 2026

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the Borough of Manasquan, County of Monmouth, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established municipal Alliance Committee; and

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Monmouth

NOW, THEREFORE, BE IT RESOLVED that the Borough of Manasquan, County of Monmouth, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Manasquan Municipal Alliance grant for the fiscal year 2022 in the amount of:

DEDR	\$ 23,250.00
Cash Match	\$ 5,812.50
In-Kind	\$ 17,437.50

GRAND TOTAL ALLIANCE DEDR BUDGET MANASQUAN, BRIELLE, SEA GIRT, SPRING LAKE HEIGHTS \$46,500.00

2. The Borough Council acknowledges the terms and conditions of administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED:

Edward G. Donovan Mayor

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, County of Monmouth, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Borough Council on this 19th day of April 2021.

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRYANT						
LEE						
MANGAN						
OLIVERA						
READ						

Barbara Ilaria, RMC Municipal Clerk

WALSH						
ON CONSENT A	AGEN	DA _	YI	ES _	_NO	

BOROUGH OF MANASQUAN RESOLUTION 103-2021

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate records, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2020 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Manasquan Borough Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Manasquan that Manasquan Borough hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Sean Price to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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 April 19, 2021 meeting.

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRYANT						
LEE						
MANGAN						
OLIVERA						
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WALSH						
ON CONSENT	ON CONSENT AGENDAYESNO					

BOROUGH OF MANASQUAN RESOLUTION 104-2021

TAX CERTIFICATION

WHEREAS, The Recycling Enhancement Act, P.L.2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, There is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

WHEREAS, Whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

NOW THEREFORE BE IT RESOLVED by the Borough of Manasquan that Borough of Manasquan hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, chapter 311, in 2020 in the amount of \$11,448.09 Documentation supporting this submission is available at 201 East Main Street, Manasquan, NJ 08736 and shall be maintained for no less than five years from this date.

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at the April 19, 2021 meeting.

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRYANT						
LEE						
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WALSH						
ON CONSENT AGENDAYESNO						

BOROUGH OF MANASQUAN RESOLUTION 105-2021

AUTHORIZING AN INTERLOCAL SERVICES AGREEMENT AMONG THE BOROUGH OF BRIELLE, BOROUGH OF MANASQUAN AND BOROUGH OF SEA GIRT FOR THE PROVISION OF ROAD SALT

WHEREAS, the Borough of Brielle and the Boroughs of Sea Girt and Manasquan are municipal corporations in the County of Monmouth, State of New Jersey and have been formed in compliance with applicable statutes; and,

WHEREAS, the Borough of Brielle and the Boroughs of Sea Girt and Manasquan previously entered into an agreement under the provisions of N.J.S.A. 40:8A-1 the "Interlocal Services Act" in order to provide for the construction of a structure (the "salt dome") for road salt storage; and,

WHEREAS, the salt dome has been constructed and is fully operational for the storage of road salt that is currently utilized by all three participants; and,

WHEREAS, all initial construction costs have been met and there is little or no annual maintenance of the salt dome required.

NOW, THEREFORE, BE IT RESOLVED that the Agreement for the provision of road salt is hereby approved for the period commencing retroactively to April 14, 2021 through December 31, 2026, inclusive, and the Mayor and Municipal Clerk are hereby authorized to execute the said Agreement.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be supplied to the Municipal Clerk of Brielle and Manasquan for their information and further action.

I, Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, County of Monmouth, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Borough Council on this 19th day of April 2021.

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT	
BRYANT							
LEE							
MANGAN							
OLIVERA							
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ON CONSENT	ON CONSENT AGENDAYESNO						

Barbara Ilaria, RMC, CMC Municipal Clerk

BOROUGH OF MANASQUAN RESOLUTION 106-2021

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, AUTHORIZING ADVERTISEMENT FOR BEACH EMERGENCY MEDICAL TECHNICIANS

WHEREAS, the Borough of Manasquan is in need of Emergency Medical Technicians in the Manasquan Beach Department; and

NOW, THEREFORE BE IT RESOLVED on the 19th day of April, 2021, by the Borough Council of the Borough of Manasquan, hereby authorize the Clerk to advertise for Emergency Medical Technicians for the Manasquan Beach Department.

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 April 19, 2021.

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

BOROUGH OF MANASQUAN RESOLUTION 107-2021

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	\$168,798.75
Capital Fund	\$11,472.77
Water/Sewer Fund	\$28,565.73
Water/Sewer Utility Fund	
Beach Utility Fund	\$7,318.96
Beach Capital Fund	\$27,508.86
Recreation Building Trust	\$1,272.17
Recreation Trust	\$3,564.45
Reserve for Unemployment	\$48.49
Miscellaneous Trust I	\$2,500.00
Animal Trust	\$19.20

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 April 19, 2021.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRYANT						
LEE						
MANGAN						
OLIVERA						
READ						
WALSH						
ON CONSENT AGENDAYESNO						

BOROUGH OF MANASQUAN ORDINANCE NO. 2347-21

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF EQUIPMENT FOR THE POLICE DEPARTMENT IN AND BY THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$350,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$332,500 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

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

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Manasquan, in the County of Monmouth, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$350,000, including the sum of \$17,500 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$332,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of equipment for the Police Department, including police body cams and communication/radio equipment, and all necessary related costs and expenditures necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond

anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby. (b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$332,500, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$70,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Borough hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The Borough hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the obligations, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the obligations. The Chief Financial Officer is hereby authorized to act on behalf of the Borough to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to

payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

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

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

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

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2347-21 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 5th day of April, 2021, and was then read for the first time. The said Ordinance will be further considered for final passage by the Mayor and Council at an audio conference call at 7:00 p.m. on the 19th day of April 2021. At such time and place, or at any such time or place to which said meeting may be adjourned, all interested persons will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public by contacting the Municipal Clerk at <u>bilaria@manasquan-nj.gov</u> or 732-223-0544 ext. 233 between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, except on legal holidays.

Barbara Ilaria, RMC, CMC Municipal Clerk

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

Passed on First Reading and Introduction: April 5, 2021 Approved on Second Reading and Final Hearing: April 19, 2021

EDWARD G. DONOVAN Mayor

BOROUGH OF MANASQUAN ORDINANCE 2348-21

CALENDAR YEAR 2021 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

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

WHEREAS, the Mayor and Council of the Borough of Manasquan in the County of Monmouth finds it advisable and necessary to increase its CY 2021 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 2.5% increase in the budget for said year, amounting to \$205,681.48 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Manasquan in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2021 budget year, the final appropriations of the Borough of Manasquan shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$287,954.07, and that the CY 2021 municipal budget for the Borough of Manasquan be approved and adopted in accordance with this ordinance; and,

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

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

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

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance 2348-21 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan in the County of Monmouth and State of New Jersey, on the 5th day of April, 2021 and was then read for the first time. The said Ordinance will be further considered for final passage by the Mayor and Council at Borough Hall at 7:00 pm on the 19th day of April, 2021. At such time and place, or at any time or place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning such Ordinance.

BARBARA ILARIA, RMC, CMC Municipal Clerk

Passed on First Reading and Introduction:April 5, 2020Approved on Second Reading and Final Hearing:April 19, 2020

EDWARD G. DONOVAN, MAYOR

BOROUGH OF MANASQUAN ORDINANCE NO. 2346-21

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

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

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

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

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

- 6. Registration forms for season parking stickers shall provide for the name and address of the owner, a description of the vehicle, the license plate number of the vehicle and the season parking sticker number.
- 7. Daily and season parking stickers shall not be loaned, given away, sold or transferred. Any person loaning, giving away, selling or transferring a parking sticker shall forfeit all rights to the sticker or ticket.
- c. Parking Prohibited Certain Hours. No person shall park any motor vehicle in the municipal parking lots at Second, Third, Fourth, Pompano Avenues, and Sea Watch Beach between the hours of 2:00 a.m. to 6:00 a.m. from October 1 through April 30. No person shall park any motor vehicle in the municipal parking lot at Third Avenue between the hours of 3:00 a.m. to 8:00 a.m. from May 1 to September 30.

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

Section 3: Chapter 16 is amended as follows:

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

Section 4: Construction and Effective Dates

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

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2346-21 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 5th day of April 2021, and was then read for the first time. The said Ordinance will be further considered for final passage by the Mayor and Council at a meeting held at Borough Hall, 201 East Main Street, Manasquan, NJ 08736 and remotely at 7:00 p.m. on the 19th day of March 2021. At such time and place, or at any such time or place to which said meeting may be adjourned, all interested persons will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m. on Monday through Friday, except on legal holidays.

Barbara Ilaria, RMC, CMC Municipal Clerk

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

Passed on First Reading and Introduction: April 5, 2021 Approved on Second Reading and Final Hearing: April 19, 2021

Edward G. Donovan Mayor