

**BOROUGH OF MANASQUAN AGENDA**  
**March 18, 2024 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.

As a courtesy to the public this meeting may be attended via zoom. If for any reason the zoom portion of this meeting fails or is disconnected the in-person meeting will continue and action can/will be taken. After signing in you will be put into a meeting room and the Municipal Clerk will allow you access just before the meeting time.

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

**ID# 883 004 6931**

**Moment of Silent Prayer**

**Pledge of Allegiance**

**Roll Call**

**Audience Participation - Limited to Agenda Items Only (time limit of 5 minutes)**

**Appointments**

<u>POSITION</u>	<u>TERM</u>	<u>NAME</u>
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**Open Space Committee**

Regular Member (unexpired term)	01/01/23-12/31/25	Paul Gleitz
Regular Member (unexpired term)	01/01/23-12/31/25	Nicole Loughrey
Regular Member (unexpired term)	01/01/23-12/31/25	Sara Jane Millard
Alternate Regular Member (unexpired term)	01/01/23-12/31-25	Marybeth Brenner

**Recreation Committee**

Member (unexpired term)	01/01/22-12/31/26	Maureen McCartney
Member (unexpired term)	01/01/24-12/31/28	Clifford Brenner
Member (unexpired term)	01/01/24-12/31/28	Brett Chase
Member (unexpired term)	01/01/24-12/31/27	Adam Schrek
Member (unexpired term)	01/01/24-12/31/27	James Ahern
Member (unexpired term)	01/01/24-12/31/27	Kortny Gordon
Alternate Member #1 (unexpired term)	01/01/21-12/31/25	James Henry
Alternate Member #2 (unexpired term)	01/01/20-12/31/24	Jaime Malone

**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.](#) 89-2024 Return Street Opening Security - 367 Cedar Avenue
- [2.](#) 90-2024 Authorizing Agreement with JCP&L to Install Electric Distribution Facilities - Sea Watch Project
- [3.](#) 91-2024 Return Beach Access Security Deposit - 337 Beachfront
- [4.](#) 92-2024 Payment of Bills

**Ordinances - First Reading**

- [1.](#) 2419-2024 Amending Chapter 12 Restrictions on Umbrellas, Tents and Canopies
- [2.](#) 2420-24 Amending Chapter 22 Water/Sewer & Establishing Certain Fees

**Committee Reports**

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

**Closed Session**

1. RFP - Contractual

**Adjournment**

**BOROUGH OF MANASQUAN  
RESOLUTION  
89-2024**

**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: STEVEN BUONTEMPO  
903 PENNSYLVANIA AVE  
WESTFIELD, NJ 07090-3433

AMOUNT OF REFUND DUE: \$1,000.00

REASON FOR REFUND: STREET OPENING BOND 1<sup>ST</sup>  
RETURN – 367 CEDAR AVE

**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.

**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 March 18, 2024, meeting.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRESNAHAN						
BRYANT						
HOLLY						
OLIVERA						
TRIGGIANO						
VIDREIRO						
ON CONSENT AGENDA <input type="checkbox"/> YES <input type="checkbox"/> NO						

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

**BOROUGH OF MANASQUAN  
RESOLUTION  
90-2024**

**BE IT RESOLVED** that Thomas Flarity, Administrator of the Borough of Manasquan, be and are hereby authorized to sign the Agreement between Borough of Manasquan and Jersey Central Power & Light (JCP&L) for the Installation of Electric Distribution Facilities for the Sea Watch Improvement Project.

**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 March 5, 2024, meeting.

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

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRESNAHAN						
BRYANT						
HOLLY						
OLIVERA						
TRIGGIANO						
VIDRERIO						
ON CONSENT AGENDA ___ YES ___ NO						

**BOROUGH OF MANASQUAN  
RESOLUTION  
91-2024**

**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: R. POPOVITCH BUILDERS INC.  
403 BEL AIRE ROAD  
BRIELLE, NJ 08730

AMOUNT OF REFUND DUE: \$10,000.00

REASON FOR REFUND: BEACH ACCESS SECURITY  
RETURN – 337 BEACHFRONT

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

**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 March 18, 2024, meeting.

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

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRESNAHAN						
BRYANT						
HOLLY						
OLIVERA						
TRIGGIANO						
VIDREIRO						
ON CONSENT AGENDA ___ YES ___ NO						

**BOROUGH OF MANASQUAN  
RESOLUTION  
92-2024**

**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	117,630.87
Water/Sewer Fund	\$372,655.37
Beach Fund	\$5,315.12
Grants	\$6,378.61
Recreation Trust	\$23,101.39
Animal Control Trust	\$49.80
General Capital	\$47,569.77
Beach Capital	\$69,548.63
Grand Total	\$642,249.56

**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 March 18, 2024.

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

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRESNAHAN						
BRYANT						
HOLLY						
OLIVERA						
TRIGGIANO						
VIDREIRO						
ON CONSENT AGENDA ___ YES ___ NO						

## BOROUGH OF MANASQUAN

### ORDINANCE NO. 2419-24

#### ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 12 (BEACHES AND BEACHFRONT) SECTION 12-4.28 (RESTRICTIONS ON THE USE AND ERECTION OF UMBRELLAS, TENTS AND CANOPIES) 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 Code Chapter 12, Section 12-4.28 refers to Restrictions on the Use and Erection of Umbrellas, Tents and Canopies; and,

**WHEREAS**, the Borough of Manasquan is desirous of amending Section 12-4.28 Restrictions on the Use and Erection of Umbrellas, Tents and Canopies to enhance safety and welfare; and

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

**Section 1:** Chapter 12 Section 12-4.28 is hereby amended to read as follows:

#### **12-4.28 Restrictions on the Use and Erection of Umbrellas, Tents and Canopies**

- (a) No person shall erect, maintain, use or occupy on or in any beach or bathing area any umbrella, tent, canopy, shelter or structure of any kind with the exception of the following:
  1. Umbrellas with one central stanchion to support shade whether upright or at a ninety-degree position that is a collapsible ~~circular~~ shade no greater than eight feet in diameter or radiating from its center pole greater than seven feet six inches in height and does not contain ~~staked~~ grounding lines, ~~staked~~ ropes or sides.
  2. Devices designed or used to shade infants and small children, also known as "baby tents," no larger than 50 inches high by 50 inches wide by 50 inches deep.
- (b) Umbrellas and baby tents anchoring lines, tethers, or the like shall not extend beyond the perimeter of the umbrella or baby tent.
- (c) No person shall locate an umbrella or baby tent in an area obscuring a lifeguard's view of the ocean or in an area impeding a lifeguard's egress from a lifeguard stand, as determined by a lifeguard.
- (d) All other umbrellas, tents, canopies or structures are strictly prohibited except when a Use of Borough Property application has been filed with the Clerk of the Borough of Manasquan and approved.

#### **Section 2:** 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. \_\_\_\_\_ was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 18<sup>th</sup> day of March 2024, 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 April 2024. 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.

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**Barbara Ilaria, RMC**  
**Municipal Clerk**

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

Passed on First Reading and Introduction: March 18, 2024  
Approved on Second Reading and Final Hearing: April 1, 2024

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Michael W. Mangan  
Mayor

**BOROUGH OF MANASQUAN  
ORDINANCE NO. 2420-24**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 22 (WATER AND SEWER UTILITY), ESTABLISHING SECTION 22-7.2 (TERMINATION OF WATER SERVICES) SECTION 22-9.1 (SWIMMING POOLS), SECTIONS 22-14.1 (TERMINATION OF SEWER LATERALS), SECTION 22-56.1 (METER EQUIPMENT IN DISREPAIR) AND AMENDING AND SUPPLEMENTING CHAPTER 16 (FEES), ESTABLISHING CHAPTER 16 (FEES) SECTION 22-9.1 (SWIMMING POOLS) AND CHAPTER 16 (FEES) SECTION 22-56.1 (METER EQUIPMENT IN DISREPAIR) OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

**WHEREAS**, pursuant to the Revised General Ordinance of the Borough of Manasquan Code Chapter 22 refers to Water and Sewer Utility within the Borough of Manasquan; and

**WHEREAS**, the Borough of Manasquan, County of Monmouth is desirous of establishing sections within Chapter 22 for the termination of water services, termination of sewer laterals, and address meter equipment in disrepair; and

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

**Section 1:** Chapter 22, Section 22-7.2 “Termination of Water Services” of the Borough of Manasquan Code shall read as follows:

Section 22-7.2 “Termination of Water Services”

- (a) Prior to the replacement and/or termination of any water service. The property owner or an authorized agent shall disconnect & cap the existing water service, specified for abandonment, no further than a distance of 12” from the point where the existing water service connects to the Borough’s Water Main. Any damage to the Borough’s Water Main during the excavation & capping process must be repaired at the cost of the property owner. Visual inspections shall be performed by the Water/Sewer Superintendent or designee; and

**Section 2:** Chapter 22, Section 22-9.1 “Swimming Pools” of the Borough of Manasquan Code shall read as follows:

Section 22-9.1 “Swimming Pools”

- (a) Water utilized for filling newly installed swimming pools shall be taken from the main service. An adjustment reducing the sewer portion of the bill shall be given upon receipt by the Water/Sewer Collector of a letter from the sales or installation company certifying the total capacity of the swimming pool.
- (b) Water utilized to fill existing swimming pools shall be taken from the main service. Prior to utilizing the water supply, the property owner shall contact the Water/Sewer Superintendent to obtain an auxiliary meter to be attached to an outside hose bib to be utilized to fill the swimming pool. An adjustment reducing the sewer portion of the bill shall be given based upon the auxiliary meter reading. **See Chapter 16, Fees.**

**Section 3:** Chapter 22, Section 22-14.1 “Termination of Sewer Laterals” of the Borough of Manasquan Code shall read as follows:



Section 22-14.1 “Termination of Sewer Laterals”

- (a) Prior to the replacement and/or termination of any sewer lateral, the property owner or an authorized agent shall disconnect & cap the existing sewer lateral, specified for abandonment, no further than a distance of 12” from the point where the existing sewer lateral connects to the Borough’s Sewer Main. Any damage to the Borough’s Sewer Main during the excavation & capping process must be repaired at the cost of the property owner. Visual inspections shall be performed as per Ordinance 22-13.

**Section 4:** Chapter 22, Section 22-56.1 “Meter Equipment in Disrepair” of the Borough of Manasquan Code shall read as follows:

Section 22-56.1 “Meter Equipment in Disrepair”

- (a) Charges shall be imposed on any customer whose water meter equipment is in disrepair. Meter equipment in disrepair is any situation that prevents a water meter from communicating with the meter reading software, or any situation that prevents the Water Department staff from troubleshooting or repairing the equipment. All violation charges shall be due and payable within thirty (30) days of the billing date. In the event that any violations are not paid within thirty (30) days of the billing date, then the violations will be considered delinquent, and water service to the customer having a delinquent account may be discontinued. Interest shall accrue on all unpaid balances at the rate of eighteen (18%) percent per annum from the date of the delinquency.

**Section 5:** Chapter 16, Section 22-9.1 “Swimming Pools” and Section 22-56.1 “Meter Equipment in Disrepair” of the Borough of Manasquan Code shall read as follows:

CHAPTER 16 FEES		
22-9.1 Swimming Pools	Use of an auxiliary meter	\$250.00 per use
22-56.1 Meter Equipment in Disrepair	Account in disrepair for 3 consecutive quarters	\$500.00 per quarter

**Section 6:** 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.2420-24 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 18<sup>th</sup> day of March 2024, 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 April 2024. 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.

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**Barbara Ilaria, RMC, CMC**  
**Municipal Clerk**

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

Passed on First Reading and Introduction: March 18, 2024  
Approved on Second Reading and Final Hearing: April 1, 2024

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Michael W. Mangan  
Mayor