

Manasquan Borough Council Meeting
In- Person at Borough Hall and Virtual Zoom Meeting
August 16, 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. Masks are optional.

During the meeting, as each Audience Participation Session is reached, the Mayor will announce the opening of the Audience Participation Session. You will stand in front of the public mic and clearly state your name, and full address followed by your question or comment. The Mayor will direct the response to the speaker as applicable. Once this speaker's participation is completed, the Mayor will ask if there is another person interested in commenting. This will continue until no other members of the audience request to be heard and this Session will be formally closed.

Zoom Meeting

<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.

BOROUGH OF MANASQUAN AGENDA
August 16, 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 5 minutes)

Proclamations

1. International Overdose Awareness Day August 31, 2021
2. The Osprey Hotel - 75th Anniversary

Approval of Minutes

1. Regular Meeting Minutes - August 2, 2021

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.](#) 221-2021 Emergency Purchase - Water Main - First and Ocean Avenues
- [2.](#) 222-2021 Authorizing Motorola State Contract - Police Radios
- [3.](#) 223-2021 Declining Open Space Grant - 21 N. Main Street Requisition
- [4.](#) 224-2021 Authorizing Scope of Work 2021 County Open Space Grant - Curtis Park
- [5.](#) 225-2021 Awarding First Avenue Road Improvements - Fernandes Construction, Inc.
- [6.](#) 226-2021 Return Planning Board Escrow - Conforti
- [7.](#) 227-2021 Payment of Bills

Ordinances - Second Reading

- [1.](#) 2362-21 Amending Chapter 12 Beaches and Beachfront Sea Watch Locker Use End Date

Committee Reports

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

Adjournment

**BOROUGH OF MANASQUAN
RESOLUTION
221-2021**

**RESOLUTION OF THE BOROUGH OF
MANASQUAN, RATIFYING THE EMERGENCY
REPAIR TO A WATER MAIN AT FIRST AND OCEAN
AVENUE**

WHEREAS, an emergency existed due to a Water Main Leak at First and Ocean Avenue; and

WHEREAS, pursuant to N.J.S.A.40A:11-6 a contract may be negotiated or awarded for a contracting unit without public advertising or solicitation of quotes therefor, when an emergency affecting the public and/or employee health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, immediate action was required for the repair of the Water Main at First and Ocean Avenue; and

WHEREAS, the Borough of Manasquan, pursuant to N.J.S.A. 40A:11-6 permits the authorization of an emergency purchase without prior consent by the governing body; and

NOW THEREFORE BE IT RESOLVED, the Borough of Manasquan, in compliance with all Local Public Contract Laws, emergency purchase provisions, does hereby ratify and approve the payment in the amount not to exceed \$21,432.50 to Mark Woszczak Mechanical Contractors, for the emergency repair of the Water Main at First and Ocean Avenue in the Borough of Manasquan.

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 August 16, 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
222-2021**

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

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

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

WHEREAS, the Borough of Manasquan intends to enter into a contract with: Motorola Solutions, Inc., located at 1301 E. Algonquin Road, Schaumburg, IL 20196, for APX8000 Portable-All Band Radios & APX8500 Mobile Radios, State of New Jersey Contract #83909 Radio Communications Equipment & Accessories, 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 contractor by approved New Jersey State Approved Contract #83909 Radio Communications Equipment & Accessories, pursuant to all conditions of the individual state contracts, with Motorola Solutions Inc. in the amount of \$191,484.80; 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

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 August 16, 2021.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

CERTIFICATION

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

MARK G. KITRICK

Mark G. Kitrick, Esq.
Municipal Attorney
2939 Highway 34, Suite 104
Manasquan, NJ 08736

CERTIFICATION

I am the financial officer charged with the responsibility of maintaining financial records of the Borough of Manasquan, State of New Jersey, and on this 16th day of August, 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 contracts, which is pending approval by the governing body:

Motorola Solutions, Inc.
C/o M &W Communications, Inc.
361 Quakertown Road
Flemington, NJ 08822

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

AMY SPERA
Chief Financial Officer

Accounts: _____

Amount \$ _____

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

**BOROUGH OF MANASQUAN
RESOLUTION
223-2021**

BE IT RESOLVED, by the Council of the Borough of Manasquan that:

WHEREAS, on May 1, 2020, the Borough received a grant award in the amount of \$250,000.00 from the Monmouth County Municipal Open Space Grant Program for the Clarke Property Acquisition located at 21 N. Main Street; and

WHEREAS, after careful consideration, the Mayor and Council have decided to decline the 2020 Monmouth County Municipal Open Space Grant for the Clarke Property Acquisition.

NOW THEREFORE BE IT RESOLVED, the borough is desirous of declining the 2020 Grant Award from the Monmouth County Municipal Open Space Grant in the amount of \$250,000.00.

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 August 16, 2021 meeting.

BARBARA ILARIA, RMC
Municipal Clerk

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

**BOROUGH OF MANASQUAN
RESOLUTION
224-2021**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough of Manasquan retains the services of Colliers Engineering & Design Inc. d/b/a Maser Consulting, 331 Newman Springs Roads Suite 203, Red Bank, New Jersey 07701, for purpose of submission of the 2021 Monmouth County Municipal Open Space Grant Program for the Barrier Free Park Improvements/Curtis Park Project. The fees are as follows:

- Prepare, coordinate and submit a complete Grant Application package.

for a total amount not to exceed \$1,900.00 for the service outlined in a proposal dated August 10, 2021.

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

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, State of New Jersey, do hereby certify that the foregoing Resolution was duly adopted by the Borough Council at the August 16, 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 16th day of August, 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:

Colliers Engineering & Design Inc. for preparation and submittal of the 2021 Monmouth County Municipal Open Space Grant Program for Barrier Free Park Improvements/Curtis Park Project.

Account: _____

Amy Spera
Chief Financial Officer

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

**BOROUGH OF MANASQUAN
RESOLUTION
225-2021**

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

WHEREAS, quotes were requested and received pursuant to the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) for the First Avenue Improvements Phase I Project in the Borough of Manasquan: and

WHEREAS, the bids submitted for this project were:

Bidders	Base Bid	Alternate A	Total
Fernandes Construction, Inc.	\$872,394.05	\$10,550.00	\$882,944.05
Black Rock Enterprises, LLC	\$880,875.35	\$29,000.00	\$909,875.35
Meco, Inc.	\$927,164.30	\$13,000.00	\$940,164.30
Lima Charlie Construction	\$962,962.00	\$15,015.00	\$977,977.00
S. Batata Construction, Inc.	\$991,076.00	\$40,000.00	\$1,031,076.00
Earle Asphalt Company	\$1,099,313.13	\$21,200.00	\$1,120,513.13
Assuncao Brothers, Inc.	\$1,249,821.00	\$36,000.00	\$1,285,821.00

WHEREAS, seven (7) bids for this project were received:

WHEREAS, Fernandes Construction, Inc. submitted a Base Bid in the amount of \$872,394.05 with Alternate A in the amount of \$10,550.00 for a Total of \$882,944.05; and

WHEREAS, Borough Engineers Colliers Engineering and Design has recommended Fernandes Construction, Inc. be awarded the project with the total monetary base bid of \$872,394.05 with Alternate A in the amount of \$10,550.00 for Total Bid amount of \$882,944.05; and

WHEREAS, the bid by Fernandes Construction, Inc. complies with the bid specifications and includes all required documentation; and

WHEREAS, the Borough Council is desirous of awarding a contract to Fernandes Construction, Inc.;

NOW, THEREFORE BE IT RESOLVED on the 16th day of August, 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 award is subject to the review and approval of the Manasquan Borough attorney
2. Subject to the above conditions, a contract in the amount of \$882,394.05 with Alternate A in the amount of \$10,550.00.
3. The Mayor and Municipal Clerk are authorized and directed to execute all necessary documents to effectuate a contract with Fernandes Construction Inc.
4. A certified copy of this resolution shall be sent to:

Fernandes Construction, Inc.
25 Stonegate Drive
Monroe, NJ 08831

Colliers Engineering & Design
331 Newman Springs Road, Suite 203
Red Bank, NJ 07701

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 August 16, 2021.

BARBARA ILARIA, RMC
Municipal Clerk

CERTIFICATION

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

MARK G. KITRICK, 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 4th day of August 16, 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 _____

AMY SPERA
Chief Financial Officer

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

**BOROUGH OF MANASQUAN
RESOLUTION
226-2021**

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

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

NAME: MICHAEL CONFORTI
 62 PEARCE AVENUE
 MANASQUAN, NJ 08736

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #15-2021
62 PEARCE AVENUE
BLOCK: 63– LOT: 25 – ZONE: R-2

AMOUNT OF REFUND DUE: \$756.00

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 August 16, 2021 meeting.

BARBARA ILARIA, RMC
Municipal Clerk

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

**BOROUGH OF MANASQUAN
RESOLUTION
227-2021**

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	\$3,338,674.05
Capital Fund	\$97.50
Water/Sewer Fund	\$44,405.69
Water/Sewer Utility Fund	
Beach Utility Fund	\$20,639.20
Beach Capital Fund	
Recreation Building Trust	\$2,370.15
Recreation Trust	\$1,786.60
Reserve for Animal Control	\$7.20
Miscellaneous Trust	\$1,600.00
Reserve for Junior Lifeguard	\$120.00
Affordable Housing Trust	\$315.00
Reserve for Developer's Trust	\$19,793.75

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, New Jersey do hereby certify that the foregoing resolution was duly adopted by the Council at their regular meeting on August 16, 2021.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

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

**BOROUGH OF MANASQUAN
ORDINANCE NO. 2362-21**

**ORDINANCE TO AMEND AND SUPPLEMENT
SECTION 12-12.1 (SEA WATCH BEACH SEASON
LOCKER PERMITS) OF CHAPTER 12 (BEACHES AND
BEACHFRONT) OF THE BOROUGH OF MANASQUAN
TO BE CONSISTENT WITH DATES FOR USE OF
LOCKERS IN THE BOROUGH OF MANASQUAN,
MONMOUTH COUNTY, NEW JERSEY.**

BE IT ORDAINED, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey, as follows:

Section 1. Section 12-12.1 (Sea Watch Beach Season Locker Permits) of Chapter 12 (Beaches and Beachfront) of the Borough of Manasquan Code is hereby amended as follows:

- a. Locker permits for Sea Watch Beach.
 1. Individuals may purchase a season permit for use of a locker at Sea Watch Beach and shall be valid from May 15th through September 30th in the year issued. The Borough of Manasquan shall not be responsible for any personal property of the permit holder. All personal property must be removed by September 30th in the year issued. If the permit holder fails to remove their personal property by that date, then the personal property shall become the property of the Borough of Manasquan.
 - (a) The locker permit fees shall be as stated in Chapter **16**, Fees.
 - (b) The Borough Council, by resolution, may adopt additional fees associated with this section.
 - (c) The locker permit shall be valid from May 15th through September 30th in the year issued.

Section 2. All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency. All other parts of Chapter 7 of the Borough of Manasquan Code not inconsistent herewith are ratified and confirmed.

Section 3. This Ordinance shall become effective immediately upon its final passage and publication.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2362-21 is being introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 2nd day of August 2021 and read for the first time. The said Ordinance is going to be 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 16th day of August 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: August 2, 2021
Approved on Second Reading and Final Hearing: August 16, 2021

Edward Donovan
Mayor