

Manasquan Borough Council Meeting
In- Person at Borough Hall and Virtual Zoom Meeting
April 4, 2022 7 pm

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://us06web.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

April 04, 2022 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)

Approval of Minutes

1. Budget Meeting Minutes - March 19, 2022

Workshop Discussion:

1. Sea Watch Improvement Project - Update

Other Items

1. Engineer's Monthly Report

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. 97-2022 Approving Veteran Tax Deduction - 196 Third Avenue
2. 98-2022 Acknowledging Resignation Special Police Officers - Multiple
3. 99-2022 Appoint Part Time Police Dispatch - Pearce
4. 100-2022 Authorizing Scope of Work South Street and East Virginia Pump Stations - Colliers Engineering
5. 101-2022 Refund Duplicate Plumbing Permit Fee/Overpayment of Plumbing Permit - Jackwicz/Hunterdon Plumbing
6. 102-2022 Appoint Special Law Enforcement Officers I - Various
7. 103-2022 Boat Slip Refund - Taylor
8. 104-2022 Authorizing Mayor to Sign Mallard Park Proposals - BDL and Controlled Growth
9. 105-2022 Appoint Pre-Season Beach Staff - Various
10. 106-2022 Authorizing Mayor to Sign Interlocal with County - ITax Map/Collaboration Center System
11. 107-2022 Acknowledging Retirement of Planning Board Secretary - Salerno
12. 108-2022 Authorizing Scope of Work Borough Hall Improvements - Colliers Engineering
13. 109-2022 Payment of Bills

Ordinances - Second Reading

1. 2367-22 Bond Ordinance - First Avenue Improvement Project
2. 2368-22 Bond Ordinance Curtis Park Improvement Project

Ordinances - First Reading

1. 2369-22 Amending Chapter 12 Municipal Beach Parking

Committee Reports

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

Adjournment

Borough of Manasquan Engineering Status Report Through March 2022

A. ACTIVE ENGINEERING CAPITAL PROJECTS

1. Sea Watch Recreational Improvements

This project consists of the feasibility and permitting for improvements at the Sea Watch Recreational Area. It is our understanding that the Borough would like to construct a multi-story structure and improve the property for the purpose of providing multiple recreational uses for the community.

Anticipated facilities for beach goers include locker rentals, a sundries store, public restrooms, and a concession with an area for informal dining. We believe that to better enhance the recreational area, site improvements will also be needed for this project. Site improvements that have been discussed are improved ADA accessibility where needed within the site, the addition of sufficient bicycle parking, reconfiguration of the existing parking lot, and the introduction of a spray park.

Status: A proposal was authorized on December 2, 2019. A kickoff meeting took place on December 20, 2019 and survey work is underway. Programming and feasibility are underway. Topographic and Boundary Survey are completed. A meeting with Green Acres took place on March 12, 2020 to review uses within the property limits. A programming meeting took place with the project team on March 27, 2020. Further discussion between the Borough and the Project Team has been ongoing. Currently, the programming exercise for the building is ongoing to determine the necessary square footage based on the Borough's requested building uses. A conceptual plan of the building consisting of footprints and elevation views of the proposed building was provided to the Borough on June 12, 2020. A MCAC meeting occurred July 1, 2021. The conceptual site plan was provided to the Borough on July 23, 2021. A public meeting was held on August 12, 2021 and also discussed on August 17, 2021. A follow up public meeting was held on September 21, 2021 to discuss a revised concept. A NJDEP CAFRA Pre-Application Meeting occurred in late January. The Conceptual Site Plan was provided to the Borough. The CAFRA package was submitted to NJDEP in June of 2021. Colliers Engineering & Design (CED) responded to comments received by NJDEP in late August and is awaiting the application to be deemed Administratively Complete. This project has entered the Public Comment Period which ran until December 17, 2021. A decision from NJDEP is expected 60 days after that date. CED has received comments from NJDEP and responded in January 2022. **NJDEP has issued the Individual Permit to the Borough. A proposal for Environmental Services, Geotechnical Services, Design Development, Final Design, and Bidding Services is being developed for review by the Borough.**

2. Mount Lane Repairs

This project relates to the ongoing existing issues with the drainage system that passes thru Mount Lane that have been exposed from an event that consisted of a damaged South Monmouth Regional Sewer Authority pipe which needed immediate emergency repairs.

We are performing a hydrologic analysis of the drainage area tributary to the culvert in question. The analysis will take into account present land use, hydrologic soil group and cover type. Peak rates of runoff will be computed for the 100-year storm event plus 25%. The hydraulic capacity of the proposed structure will be analyzed to determine its design storm event capacity.

Remediation alternative analyses will be completed to determine improvements necessary to pass the storm events from which peak rates were computed. Possible remediation alternatives including the installation of a different size and material culvert, etc. will be investigated. Preliminary cost estimates and Environmental Permit issues associated with each alternative will be outlined.

Status: A proposal was authorized on February 18, 2020. A report consisting of proposed repairs was provided to the Borough for review in late March. A proposal for construction documents has been authorized to the Borough. Topographic Survey has been completed. NJ Transit permits and NJDEP permits are being coordinated. NJDEP declared the project administratively complete and our review period ended on March 15, 2021. A 30-day extension was applied for and the new deadline was April 15, 2021. Comments were provided by NJDEP and responded to in late March, and we are now awaiting the signed permit. Ongoing coordination will continue with NJ Transit to obtain an Occupancy Permit. NJDEP Permit has been obtained. NJ Transit Occupancy Permit is in progress. Meetings between NJ Transit, CED and the Borough have been ongoing. NJ Transit has provided concerns about the construction of this project. Currently, the Borough and CED is discussing potential fixes to the pipe with South Monmouth Regional Sewerage Authority, (SMRSA). The project has been adjusted to consist of replacement of the two (2) culverts in kind, which requires a technical modification to the NJDEP Permit. This technical modification was submitted to NJDEP late August. The Borough is awaiting comment/approval from NJDEP. The scope has been adjusted so that no work will be completed on NJ Transit property. NJDEP Fresh Water Wetlands comments have been received, and responded to in October 2021. Flood Hazard comments were received and responded to in January 2022. NJDEP has provided the technical modification permit. **This project is currently being advertised. Bids are being reviewed by CED and the Borough.**

3. Mount Lane Roadway and Drainage Improvements

This project consists of road and drainage improvements along Mount Lane between Euclid Avenue and Virginia Avenue that has a history of drainage problems that cause dangerous ponding conditions. The estimated total construction cost for the project is approximately \$240,000.00; however, the estimate will be subject to change based upon revisions to the project

scope. This project site is known for its chronic ponding, especially along Mount Lane's northing portion. Our goal is to improve the drainage throughout the project site that will help reduce nuisance flooding. ADA upgrades will be completed where required, as well as repairs to sidewalk and driveway aprons as needed. The entire project scope will be milled and overlaid upon completion of the improvements.

Status: Topographic Survey is completed. Design is ongoing. Recent information has informed us that South Monmouth Regional Sewerage Authority (SMRSA) is performing an analysis of the force main along Mount Lane and this project will be on hold until SMRSA informs the Borough about the severity of the required repairs. SMRSA informed the Borough no project will be required. **This project is on hold until the Mount Lane Culvert Replacement project concludes.**

4. Curtis Park – Final Design

This project will look at the various components and uses that are desired by the stakeholders for improvements to Curtis Park, and work with the Borough on developing a concept that will attempt to conceptualize these items into a plan that will fit the site and be within the project budget.

This phase assumes the preparation of one (1) concept with two (2) rounds of minor revisions to address client comments and a preliminary engineer's estimate. Once concepts are reviewed and approved, our team will prepare a schematic estimate of probable cost of construction for the Borough. The intention is to provide concepts that fit within the Borough's budget for this project.

Status: An internal kickoff meeting took place and conceptual design is underway. Conceptual plans were developed and released in October of 2021. Public feedback has been accumulated and revised concepts have been internally reviewed and coordinated. An updated concept plan was presented in early December. A proposal for Final Design and Bidding was authorized by Council at the 2nd meeting in December. Survey Services have been completed. An updated Conceptual Plan has been submitted to the Borough. A public meeting to gain input was conducted at the end of January. **Final Design is ongoing and a submission into Freehold Soil Conservation District will occur shortly.**

5. First Avenue Improvements – FY 2021 Local Aid

First Avenue is an essential roadway that provides access to the beach for the entire Borough. We know that the Borough wishes to proceed with the road improvements in an expedited manner after the summer season concludes on Labor Day and we have structured our services to accommodate the Borough's desired schedule. The Borough recently received a FY 2021 NJDOT Municipal Aid Grant in the amount of \$305,000.00 for the roadway project and will be looking at alternative funding to get the most value in this contract. The current project limits are from the Northern Terminus to East Main Street.

Status: Authorization took place on March 15, 2021. Survey of all of First Avenue is currently underway and is expected to be completed by Mid-April with design to follow. Design is slated to be from the Northern Terminus to East Main Street. Resident notices have been provided as a template to the Borough with the intent to submit to residents this Spring so that any utility work can be completed prior to the Fall. Design is completed. NJDOT Local Aid has provided the Borough authorization to advertise the project. This project was awarded to Fernandes Construction in mid-August. A pre-construction meeting occurred in September and Construction began in mid-October and ceased in December due to inclement weather. **All concrete curb, gutter, sidewalk, driveway, and ADA compliant ramps have been completed. Sanitary improvements followed by milling and paving will commence are expected this Spring. Work is to commence the week of March 21st, weather depending.**

6. 2022 Annual On-Call Water Utility Service Repairs

This project will consist of our team developing contract specifications that will be prepared and include Notice to Bidders, Form of Bid Proposal, Form of Bid Bond, Contract, Labor and Materials, Payment Bond, Performance Bond, Instructions to Bidders, General Conditions, Special Provisions and detailed Technical Specification Sections. The contract documents will provide a description of typical repairs, emergency repairs, and method of payment for the various classifications of contractor costs. We will coordinate with the Borough to discuss the proposed work, recent history of emergency repairs required and specific requirements to be proposed into the contract documents. Once the Borough is satisfied with the Contract Documents, we will proceed to advertisement of the project.

Status: A proposal was authorized in December of 2022. **Bids were received in mid-March. Bids are being reviewed by CED and the Borough.**

7. First Avenue Improvements – FY 2022 Local Aid

First Avenue is an essential roadway that provides access to the beach for the entire Borough. We know that the Borough wishes to proceed with the road improvements in an expedited manner after the summer season concludes on Labor Day and we have structured our services to accommodate the Borough's desired schedule. The Borough recently received a FY 2021 NJDOT Municipal Aid Grant in the amount of \$250,000.00 for the roadway project and will be looking at alternative funding to get the most value in this contract. The current project limits are from the Main Street to Riverside Drive.

Status: Authorization took place on February 22, 2022. Design is ongoing. Construction is expected in Fall of 2022.

B. GRANTS & FUNDING

1. NJHT Grant Management Assistance for Squan Beach Life Saving Station

The Borough was awarded a \$75,000.00 New Jersey Historic Trust (NJHT) Level I Capital Preservation Grant for Exterior Repairs at the Squan Beach Life Saving Station. The grant will be used to partially reimburse the Borough for the exterior repairs at the Squan Beach Life Saving Station project, part of which was completed. Our office is assisting with management and implementation of the grant. A kickoff meeting was held April 18, 2018.

Status: The grant agreement has been executed and our office is assisting with this request for reimbursement. A meeting was held with the Borough, CED and the NJHT on September 26, 2019. The historical architect and preservation committee are refining the scope of re-bid of remaining project items to draw down the entire grant balance. A hearing was held on March 2, 2020 on the adoption of prequalification regulations for general restoration contractors for the anticipated bid. Bid opening took place August 6, 2020.

2. 2020 Monmouth County Municipal Open Space Grant

An Application was submitted for the Multi-Park Playground Improvements Phase 1 project that includes Skokos Park and Curtis Park. A public hearing was held September 8, 2020.

Status: The grant agreement for \$90,000.00 for the Improvements to Curtis Park Phase I and the required Preliminary Assessment and Site Investigation (PASI) have been forwarded to the County for signature.

3. 2021 NJDCA Local Recreation Improvement Grant

An Application was submitted for Improvements to Curtis Park for the May 24, 2021 deadline.

Status: A January 5, 2022 press release announced the anticipated award. The Borough is expected to receive a \$55,000 grant.

4. 2022 NJDOT State Aid

The next round of NJDOT State Aid (Municipal Aid, Bikeways, Transit Village and Safe Streets to Transit) was due July 1, 2021. The proposed project is expected to be the second phase of First Avenue Improvements, following the 2021 round award for the first phase.

Status: The Borough was selected to receive a \$251,900 grant.

5. **2022 Monmouth County CDBG**

An application, due July 23, 2021 was made to the County CDBG program round for the next phase of improvements to Euclid Avenue, following the 2020 round award for the first phase.

Status: Application submitted. Awaiting award announcements.

6. **2021 Monmouth County Municipal Open Space Grant**

The project consists of Improvements to Curtis Park Phase II. A public hearing took place September 7, 2021.

Status: Application submitted. Awards were selected via a December 9, 2021 County resolution. The Borough is anticipated to receive a \$150,000 grant.

JJR/KH/sab

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**BOROUGH OF MANASQUAN
RESOLUTION
97-2022**

WHEREAS, pursuant to N.J.S.A. 54:4-8.10 et seq. Two hundred fifty dollars (\$250) may be deducted each year from taxes due on the real or personal property of qualified active duty veterans of their unmarried surviving spouses; and

WHEREAS, 2022 property taxes based on the assessment listed in the 2022 Tax Duplicate, are to be deducted \$250.00; and

WHEREAS, the Borough Tax Assessor and Tax Collector have reviewed the circumstances surrounding this deduction and have recommended to the Borough Council that the appropriate Borough officials be authorized to issue said deduction.

NOW THEREFORE BE IT RESOLVED, the Tax Collector shall be and is hereby authorized to deduct 2022 property taxes \$250.00, as he/she is a veteran as per NJ Statute 54:4-8.10 et seq.

NAME: ORAM, CHRISTIAN W & ALEXIS M
466 LONG AVE
MANASQUAN, NJ 08736

NAME: RONCHICK, ANTHONY J & COULTER, RYAN W
196 THIRD AVE
MANASQUAN, NJ 08736

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 4, 2022 meeting.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

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

**BOROUGH OF MANASQUAN
RESOLUTION
98-2022**

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, accepts the resignation of following Special Law Enforcement Officers from the Manasquan Police Department effective as of April 4, 2022:

- Special Officer Class II - Ryan Zacco
- Special Officer Class I - Sarah Sharpe
- Special Officer Class I - Nicholas Casais

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 4, 2022.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
HOLLY						
LEE						
MANGAN						
OLIVERA						
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TRIGGIANO						
ON CONSENT AGENDA ____ YES ____ NO						

**BOROUGH OF MANASQUAN
RESOLUTION
99-2022**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE
BOROUGH OF MANASQUAN, COUNTY OF
MONMOUTH, NEW JERSEY, APPOINTING DAVID
PEARCE AS PART TIME DISPATCH IN THE
MANASQUAN POLICE DEPARTMENT**

WHEREAS, the Borough of Manasquan is desirous of appointing a part –time Dispatcher for the Manasquan Police Department; and

WHEREAS, the Police Captain has recommended David Pearce for appointment as Dispatcher for the Manasquan Police Department at the current contractual rate of \$18.33 per hour.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 4th day of April 2022 appoint the following Part Time Dispatcher:

- David Pearce, Manasquan - hourly rate of \$8.33

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 April 4, 2022 meeting.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
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MANGAN						
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ON CONSENT AGENDA ___ YES ___ NO						

**BOROUGH OF MANASQUAN
RESOLUTION
100-2022**

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 Colliers Engineering & Design, 331 Newman Springs Roads Suite 203, Red Bank, New Jersey 07701, for purposes of providing the Engineering Design, Bidding Services and Construction Administrative Observation for the South Street Pump Station and East Virginia Avenue Pump Station Upgrades. Fees are as follows:

- Phase 1.0 Design Services \$31,900.00
- Phase 2.0 Bidding Services \$79,500.00
- Phase 3.0 Construction Administration and Observation \$3,000.00

for a total amount not to exceed \$63,840.00 for the service outlined in a proposal dated March 18, 2022.

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 Task 1.0 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 April 4, 2022 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 4th day of April, 2022 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 – Borough of Manasquan’s South Street Pump Station and East Virginia Avenue Pump Station Upgrades

Account: _____

Amy Spera
Chief Financial Officer

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

**BOROUGH OF MANASQUAN
RESOLUTION
101 -2022**

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: KELLY & JOHN JACKWICZ
23 FISK STRET
MANASQUAN, NJ 08736

AMOUNT OF REFUND DUE: \$186.00

REASON FOR REFUND: DUPLICATE PAYMENT
DUPLICATE PAYMENT OF A PLUMBING PERMIT

NAME: HUNTERDON PLUMBING
191 VINELAND ROAD
EDISON, NJ 08817

AMOUNT OF REFUND DUE: \$71.25

REASON FOR REFUND: OVERPAYMENT
OVERPAYMENT OF A PLUMBING PERMIT

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 April 4, 2022 meeting.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

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

**BOROUGH OF MANASQUAN
RESOLUTION
102-2022**

WHEREAS, the Borough of Manasquan is desirous of appointing Special Law Enforcement Officers Class I for the year 2022; and

WHEREAS, the Police Captain has submitted the below listed individuals for appointment as Special Law Enforcement Officers Class I for the Borough of Manasquan effective April 5, 2022, at the current contractual rate of \$15.64 per hour.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 4th day of April 2022 appoint the following Department of Public Works employee to Seasonal Laborer:

- Marshall R. Bitsko, Sea Girt, NJ
- Michael J. Klock Jr., Toms River, NJ
- Tyler Ely, Keyport, NJ
- Michael Adamczyk-Zapor , Highland Park, NJ
- Michael D. Attardi, Manasquan, NJ

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at their regular meeting held on April 4, 2022.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
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MANGAN						
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ON CONSENT AGENDA ___ YES ___ NO						

**BOROUGH OF MANASQUAN
RESOLUTION
103-2022**

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: Sean Taylor
1904 Cottage Place
West Belmar, NJ 07719

AMOUNT OF REFUND DUE: \$2010.00

REASON: Boat Lessee wished to leave slip. New Lessee already secured and paid for slip.

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 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 4, 2022 meeting.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
HOLLY						
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ON CONSENT AGENDA ____ YES ____ NO						

**BOROUGH OF MANASQUAN
RESOLUTION
104-2022**

BE IT RESOLVED that the Hon. Edward G. Donovan, Mayor of the Borough of Manasquan, be and is hereby authorized to sign the following Mallard Park proposals:

- By Design Landscape Inc.

Dugout & On-Deck Circle Revamp - \$3,250.00 plus tax

- Controlled Growth. LLC.

100% Organic Turf Care Program - \$5,370.00 plus tax

Core Aerate and Seed Bare Areas - \$3,200.00 plus tax

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 4, 2022, meeting.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
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MANGAN						
OLIVERA						
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TRIGGIANO						
ON CONSENT AGENDA ____ YES ____ NO						

**BOROUGH OF MANASQUAN
RESOLUTION
105-2022**

WHEREAS, the Borough of Manasquan is desirous of appointing Pre-Season Beach Employees for various beach responsibilities; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 4th day of April 2022 appoint the following Pre-Season Beach Employees to work during the 2022 Pre-Season.

Office Staff:

Laurie Brandon	\$14.50 per hour
Eileen McFadden	\$20.00 per hour
Tracey Sullivan	\$20.00 per hour
Abby Tigar	\$13.00 per hour
Pam Tigar	\$13.00 per hour

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 4, 2022.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
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MANGAN						
OLIVERA						
READ						
TRIGGIANO						
ON CONSENT AGENDA ___YES ___NO						

**BOROUGH OF MANASQUAN
RESOLUTION
106-2022**

**RESOLUTION TO APPROVE BOROUGH OF
MANASQUAN TO ENTER INTO A SHARED SERVICES
AGREEMENT WITH THE COUNTY OF MONMOUTH
TO PROVIDE THE ITAX MAP/COLLABORATION
CENTER SYSTEM (tax map conversion and maintenance
services)**

WHEREAS, The Uniform Shared Services and Consolidation Act (C.40A:565-1, et seq.), authorizes local units of this State to enter into a contract with any other local unit(s) for the joint provision within their several jurisdictions of any service, which any party to the agreement is empowered to render within its own jurisdiction; and

WHEREAS, each municipality is to provide for the preparation of yearly revisions to the tax map under New Jersey State law N.J.A.C. 18:23A-1.1, and this legal requirement is not followed by all municipalities based on limited financial, technical and professional resources; and

WHEREAS, each physical description of a parcel of land drives the mass-appraisal calculation of the land portion of its property tax assessment, and land data inaccuracies and errors lead to poor distribution of the annual tax levy, potentially resulting in years of tax bill overpayments and underpayments; and

WHEREAS, a County-to-Municipality shared services program would provide map conversion and maintenance services, ushering in the transition from analog to a Countywide standard of state-certified digital tax maps for all 53 municipalities; and

WHEREAS, the intent of the digital tax map shared services program is to reduce municipal costs in complying with the law and provide for the most up-to-date GIS parcel layer and tax map data for public and government stakeholders; and

WHEREAS, this service provides participating municipalities with numerous benefits, including: anticipated cost-savings through economies-of-scale; reduce cost to comply with state regulations and standards; transition from analog to state-certified digital maps; streamlined editing and ongoing maintenance procedures; more consistent and accurate municipal and County-wide information; unprecedented assemblage of data made available to taxpayers, municipalities and the County; and seamless flow of tax information into GIS and additional information systems.

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

NOW, THEREFORE, IT BE RESOLVED, that the governing body of the Borough of Manasquan hereby approves entry in the Agreement with the County of Monmouth consistent with the foregoing.

BE IT FURTHER RESOLVED, that the Mayor, Borough Administrator and Borough Clerk are each hereby authorized and directed to execute the attached Shared Services Agreement, for the provision of the iTax Map/Collaboration Center System, on behalf of the Borough.

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 4, 2022 meeting.

 BARBARA ILARIA, RMC, CMC
 Municipal Clerk

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

**BOROUGH OF MANASQUAN
RESOLUTION
107-2022**

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, accepts the retirement of Mary Salerno from the position of Code & Construction Clerk and Planning Board Secretary effective April 1, 2022.

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 4, 2022, meeting.

BARBARA I LARIA, RMC, CMC
Municipal Clerk

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

**BOROUGH OF MANASQUAN
RESOLUTION
108-2022**

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 Colliers Engineering & Design, 331 Newman Springs Roads Suite 203, Red Bank, New Jersey 07701, for purposes of providing the Engineering Design, Construction Documents and Bidding, Administrative Observation for the South Street Pump Station and East Virginia Avenue Pump Station Upgrades. Fees are as follows:

- Phase 1.0 Engineering Design, Construction Documents and Bidding
 - 1.1 Topographic Survey \$ 5,700.00
 - 1.2 Construction Documents \$24,750.00
 - 1.3 Bidding Services \$ 4,250.00

for a total amount not to exceed \$35,700.00 for the service outlined in a revised proposal dated March 30, 2022

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 with the provision that each subsequent phase/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 April 4, 2022 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 4th day of April, 2022 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 – Borough of Manasquan’s Borough Hall Parking Lot Improvements

Account: _____

Amy Spera
Chief Financial Officer

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

**BOROUGH OF MANASQUAN
RESOLUTION
109-2022**

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	\$2,777,283.36
Current Capital Fund	\$43.52
Water/Sewer Fund	\$345,771.39
Water/Sewer Capital Fund	\$19,925.00
Beach Utility Fund	\$9,221.82
Recreation Trust-Building	\$18,737.50
Recreation Trust	\$7,897.67
Miscellaneous Trust I	\$1,000.00
Developer's Escrow	\$1,510.21
Reserve For Animal Control	\$44.40

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 April 4, 2022.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

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

**BOROUGH OF MANASQUAN
ORDINANCE NO. 2367-22**

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$1,500,000, INCLUDING AN ADDITIONAL \$251,900 NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT, FOR THE FIRST AVENUE ROAD RECONSTRUCTION PROJECT IN AND BY THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$1,425,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE ADDITIONAL COST THEREOF

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

Section 1. The improvement described in Section 3(a) of this bond ordinance has heretofore been authorized to be undertaken by the Borough of Manasquan, in the County of Monmouth, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the supplemental amount of \$1,500,000, including an additional New Jersey Department of Transportation grant in the amount of \$251,900, such sum being in addition to the \$1,500,000 appropriated therefor by bond ordinance 2356-21 of the Borough, finally adopted June 21, 2021 (the "Original Bond Ordinance"), and including the sum of \$75,000 as an additional down payment under the Local Bond Law. The additional 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 additional cost of the improvement or purpose not covered by application of the additional down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,425,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is the First Avenue Road Reconstruction Project involving milling, paving, drainage structures and piping, ADA upgrades, sidewalks, concrete curb and gutter installation, driveway aprons, fire hydrant and water valve replacement, striping, signage, site restoration and incidental or related work and costs, as described in the Original Bond Ordinance.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is \$2,545,900, including the \$1,120,000 authorized by the Original Bond Ordinance and the \$1,425,000 bonds or bond anticipation notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$3,000,000, including the \$1,500,000 appropriated by the Original Bond Ordinance and the \$1,500,000 appropriated herein.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

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

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

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a 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 20 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 \$1,425,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$600,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement. Of this amount, \$300,000 was estimated for these items of expense in the Original Bond Ordinance, and \$300,000 is estimated therefor herein.

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

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

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

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable 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. 2367-22 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 21st day of March, 2022, 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 4th day of April, 2022. 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., 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: March 21, 2022
Approved on Second Reading and Final Hearing: April 4, 2022

EDWARD G. DONOVAN
Mayor

**BOROUGH OF MANASQUAN
ORDINANCE NO. 2368-22**

**BOND ORDINANCE PROVIDING FOR
IMPROVEMENT OF CURTIS PARK AND
PLAYGROUND IN AND BY THE BOROUGH OF
MANASQUAN, IN THE COUNTY OF MONMOUTH,
NEW JERSEY, APPROPRIATING \$1,200,000
THEREFOR, INCLUDING A \$240,000 MONMOUTH
COUNTY OPEN SPACE GRANT AND A \$55,000 NEW
JERSEY DEPARTMENT OF COMMUNITY
AFFAIRS LOCAL RECREATION GRANT, AND
AUTHORIZING THE ISSUANCE OF \$1,140,000
BONDS OR NOTES OF THE BOROUGH TO
FINANCE PART OF THE COST THEREOF**

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

Section 1. The improvement described in Section 3(a) of this bond ordinance 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 \$1,200,000, including a \$240,000 Monmouth County Open Space grant and a \$55,000 New Jersey Department of Community Affairs Local Recreation grant, and also including the sum of \$60,000 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 \$1,140,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the improvement of Curtis Park and playground involving installation of playground equipment, rubber surface area with curbing, lighting, picnic tables and benches, fencing, walking pathways, irrigation, landscaping, acquisition of materials and equipment, and work and costs necessary therefore or 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 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,140,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$240,000 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 other 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 those other grant 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. 2368-22 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 21st day of March, 2022, 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 4th day of April, 2022. 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., 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: March 21, 2022
Approved on Second Reading and Final Hearing: April 4, 2022

EDWARD G. DONOVAN
Mayor

**BOROUGH OF MANASQUAN
ORDINANCE NO. 2369-22**

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 12 (BEACHES AND BEACHFRONT)
SECTION 12-11 (SEASON PARKING PERMIT) SECTION
12-11.1 PARKING PERMIT FOR USE OF CERTAIN
MUNICIPAL PARKING LOTS AND AMENDING
CHAPTER 16 (FEES) SECTION 12-11 (SEASON
PARKING PERMIT) OF THE BOROUGH OF
MANASQUAN, COUNTY OF MONMOUTH, STATE OF
NEW JERSEY**

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

SECTION 1: Chapter 12-11 entitled Season Parking Permit of the Revised General Ordinances of the Borough of Manasquan is amended and shall read as follows:

12-11 Municipal Beach Parking

SECTION 2: Chapter 12-11.1 entitled Parking Permit for Use of Certain Municipal Parking Lots of the Revised General Ordinances of the Borough of Manasquan is amended and shall read as follows:

12-11.1 Municipal Beach Parking Rules

a. The Borough of Manasquan operates 5 pay-to-park Municipal Beach Parking Lots during the Summer Beach Season.

b. **Summer Beach Season.** The Summer Beach Season shall run from the Saturday of Memorial Day weekend through Labor Day.

c. **Operating Hours.** Pay-to-park hours in all Municipal Beach Parking Lots shall be from 9am through 5pm Monday through Sunday except as noted in paragraph 12-11.1(j & k) below.

d. **Municipal Beach Parking Lots.** The Municipal Beach Parking Lots are identified as Second Avenue Parking Lot-Zone #91500, Third Avenue Parking Lot-Zone #91501, Fourth Avenue Parking Lot-Zone #91502, Pompano Avenue Parking Lot-Zone #91503, and the Sea Watch Beach Parking Lot-Zone #91504.

e. **Season Parking Permits.** A limited number of Season Parking Permits shall be made available for purchase from the Borough, on a date(s) determined by the Borough Council, prior to the start of the Summer Beach Season, on a “first come, first served basis”. The Borough Council shall have the authority, by resolution, to establish a discount rate for Season Parking Permits.

1. A Season Parking Permit shall be valid for the entire Summer Beach Season and the holder of a Season Parking Permit may utilize any Municipal Beach Parking Lot whenever space is available.

2. A Season Parking Permit shall be issued to the owner of a registered vehicle to allow parking of that vehicle; the license plate associated with that registered vehicle shall serve as proof of the valid permit for parking enforcement purposes.

f. **Daily Parking Permits.** A Daily Parking Permit for parking in the Beach Municipal Parking Lots during the Summer Beach Season can be secured upon

arrival at a Municipal Beach Parking Lot using the pay-to-park ParkMobile™ payment system.

1. Daily Parking spaces cannot be reserved or paid for in advance.
2. Once paid for, parking for the registered vehicle shall only be valid in the parking lot/zone associated with the mobile-pay purchase and the license plate associated with that registered vehicle shall serve as the proof of payment for that vehicle for parking enforcement purposes.
3. The Borough Council shall have the authority, by resolution, to suspend the payment obligation for certain pay-to-park days during the Summer Beach Season.
4. The Borough Council shall have the authority, by resolution, to deem certain days that fall outside the Summer Beach Season (special events, etc.) as pay-to-park and to set the associated fee for those days.

g. **Payment.** Payment to park in the Municipal Beach Parking Lots shall be required during the Summer Beach Season. Payment for Season Parking Permits shall be made prior to the commencement of the Summer Beach Season. Payment for daily parking shall be made through use of the Borough's pay-to-park ParkMobile™ payment system utilizing a mobile cellular device.

h. **Fees.** The Fee schedule for Summer Beach Season paid parking in Municipal Beach Parking Lots can be found in Chapter 16, "Fees".

i. **Sea Watch Parking Lot-Zone 91504.** Only Season Parking Permit-holders shall be permitted to park in the Sea Watch Parking Lot during the Summer Beach Season. The vehicle registration of the permit holder shall serve as proof of the valid season parking permit. Daily parking is not permitted in the Sea Watch Parking Lot-Zone 91504.

j. **Third Avenue Parking Lot-Zone # 91501.** On Sundays, pay-to-park hours in the Third Avenue Municipal Beach Parking Lot shall be from 11:30am through 5pm. On Fridays and Saturdays pay-to-park hours shall be from 9am to 12am.

k. **Fourth Avenue Parking Lot-Zone 91502.** On Fridays and Saturdays, pay-to-park hours in the Fourth Avenue Parking Lot-Zone 91502 shall be from 9am to 12am.

l. Parking Prohibited Certain Hours.

1. No person shall park any motor vehicle in the Municipal Beach Parking Lots at Second Avenue-Zone 91500, Third Avenue-Zone 91501, Fourth Avenue-Zone 91502, Pompano Avenue-Zone 91503 and Sea Watch-Zone 91504 between the hours of 2:00 a.m. to 6:00 a.m. from October 1 through April 30.
2. No person shall park any motor vehicle in the Sea Watch Beach Parking Lot-Zone 91504 between the hours of 12:00 a.m. to 7:00 a.m. from May 1 to September 30.

m. Enforcement – Fines and Penalties

1. Any person violating the rules of this Section shall, upon conviction, be subject to a fine of \$54.00.

SECTION 3: Chapter 16 fees, 12-11.1 of the Borough of Manasquan Code shall be amended and shall read as follows:

16-1.1 Fee Schedule Established

12-11.1 Parking Permit for Use of Certain Municipal Parking Lots				
	a.	Fees		
		1.	Seasonal	\$100
		2.	Daily, Monday thru Thursday	\$10.60
		3.	Friday, Saturday, Sunday and Holidays	\$15.60

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. 2369-22 was introduced at a meeting of the Mayor and Borough Council of Manasquan on the 4th day of April, 2022 and was then read for the first time. The said ordinance will be further considered for final passage by the Mayor and Council at 7:00 p.m. on the 18th day of April, 2022. At such time and place, or at any such time or place to which said meeting may be adjourned, all persons interested 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 Office of the Municipal Clerk at ilaria@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

Passed on First Reading and Introduction: April 4, 2022
Approved on Second Reading and Final Reading: April 18, 2022

EDWARD G. DONOVAN
Mayor