

SEPTEMBER 21, 2020

Regular Meeting of Mayor and Council was convened at 7:01 p.m. on September 21, 2020 virtually via Zoom meeting with Mayor Donovan presiding.

Mayor Edward Donovan read the statement re: Open Public Meetings Act of 1975 and that adequate notice has been provided by transmitting the Resolution of Annual Meetings to the Asbury Park Press and the Coast Star, by posting it in the Borough Hall on a bulletin board reserved for such announcements, and by posting it on the official website of the borough.

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

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

Absent: None

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

Audience Participation

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

Ellen Lafferty, 403 Kenley Lane, Brielle advised that she sent a letter regarding the Sea Watch Project and echoed those comments that the project needs to be simplified.

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

Proclamation – National Recovery Month

Mayor Donovan read the following Proclamation.

WHEREAS, behavioral health is an essential part of health and one's overall wellness; and

WHEREAS, prevention of mental and substance use disorders works, treatment is effective, and people recover in our area and around the nation; and

WHEREAS, preventing and overcoming mental and substance abuse disorders is essential to achieving healthy lifestyles both physically and emotionally; and

WHEREAS, we encourage relatives and friends of people with mental and substance use disorders to implement preventive measures, recognize the signs of a problem, and guide those in need to appropriate treatment and recovery support services; and

WHEREAS, millions of people across the United States are affected by these conditions; and

WHEREAS, to help more people achieve and sustain long term recovery, the Borough of Manasquan invites all residents of Manasquan to participate in National Recovery Month; and

NOW, THEREFORE BE IT PROCLAIMED, that the Mayor and Council of the Borough of Manasquan declare the month of September as **NATIONAL RECOVERY MONTH** in the Borough of Manasquan and call upon the people of Manasquan to observe this month with appropriate programs, activities, and ceremonies to support this year's Recovery Month theme, *Join the Voices for Recovery: Invest in Health, Home, Purpose, and Community*.

BE IT FURTHER RESOLVED, true and official copies of this proclamation be spread upon the minutes of the Borough Council meeting held on September 21, 2020.

Certificate of Acknowledgement

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Mayor Donovan read a Certificate of Acknowledgement for Lee Weisert for his many years of service to the Borough and Manasquan High School.

Approval of Minutes

Regular Meeting Minutes – September 8, 2020

Council Member Read made a motion to approve the minutes, seconded by Council Member Olivera. Motion carried unanimously with Council Member Walsh abstaining.

Use of Borough Property

E09-20 Stomp the Monster Request to Change Date

Council Member Read made a motion to approve this request with the condition that if the pandemic is still around that the event be re-evaluated, seconded by Council Member Lee. Motion carried unanimously.

E61-20 Ladacin Plunge

Council Member Read made a motion to approve this request with the condition that the executive orders be followed regarding COVID, seconded by Council Member Mangan. Motion carried unanimously.

Sea Watch Continued Design and Permitting Presentation

Council Member Mangan recapped the things that brought the Borough to this point and he introduced Joe Rafferty, Borough Engineer to present the revised plans. He stated that there will be no votes on this project tonight. He advised that future meetings will include site plans, bathroom building and the SMRSA building.

Mr. Rafferty presented an updated version of the plans as it relates to changes made due to resident input.

Council Member Mangan stated that no tax dollars will be spent on this project as it will be paid for by the beach utility.

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

Carol Budisak, 77 Beachfront stated that she appreciates that the Borough is listening to their concerns. She stated that she has a plan from a local architect and would like to bring that plan to the council at the next council meeting and put it on the agenda. She went over what her plan would cover. She voiced her concerns with the project and how it would affect the area. She wanted to know how many residents are in favor of the project.

Council Member Mangan stated that the borough solicits as much feedback as they can and there is usually not a tally.

Ms. Budisak inquired about the beach utility and the funding.

Mayor Donovan stated that the beach is run as a separate utility. The money brought in for the parking lots and the beach are used solely for the beach function.

Al Sauer, 109 First Avenue voiced his concerns on the site plan and the beach walk angled across the front pushing the building back towards the street.

Joe Raftery stated that the borough is keeping the building on the same footprint as the existing building. He went over some of the FEMA requirements required for the new building.

Mr. Sauer asked questions regarding the walkway and moving it to the east as well as the building.

Mr. Raftery stated that the building or walkway cannot move to the east as there is an EIFP line (easement) that cannot be encroached on.

There was discussion on the plans with Mr. Sauer and Council Member Mangan.

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Mr. Raftery stated that he understands what is being asked but it is his experience that when a building is going back on the same footprint it is much easier with permitting.

Ellen Lafferty, 403 Kenley Lane, Brielle resident thanked the work that has been done to make the changes.

Pat Connolly, 65 Ocean Avenue referenced Carol Budisak's request to be put on the agenda to present her architects rendering of Sea Watch.

Council Member Mangan stated that Ms. Budisak can send an email and it will be looked into for the next meeting.

Bob Young, 142 Second Avenue thanked the beach committee for everyone's comments and stated that the structure is in more character with the neighborhood. He inquired about the new building being built on the current foundation.

Mr. Raftery stated that it would not be on the current foundation but the current footprint. He stated that the new building would need to be built for coastal resilience and meet all the FEMA requirements for a VE zone.

Mr. Young inquired about the mechanicals on the ground level and wanted to know which mechanicals would be down below a base flood elevation.

Mr. Raftery stated that plumbing is allowed to get down to the existing sewer and storm system.

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

CONSENT AGENDA

RESOLUTION 219-2020

WHEREAS, the Monmouth county Board of Chosen Freeholders. Along with the Monmouth County Department of Human Services, supports the designation of Stigma-Free Communities in every municipality; and

WHEREAS, at their June 26, 2018 , meeting the Monmouth County Board of Chosen Freeholders unanimously passed a resolution supporting the designation of Monmouth County as a Stigma -Free Community; and

WHEREAS, Monmouth County recognizes that one in four Americans has experienced mental illness, including substance use disorders, in a given year according to the National Institute of Mental Health; and

WHEREAS, mental health problems are more common than cancer and heart disease combined, affecting children and adults, including more than half of our Iraq and Afghanistan Veterans treated at Veteran's Administration hospitals; and

WHEREAS, given the serious nature of this public health, we must continue to reach the millions who need help; and

WHEREAS, the stigma associated with the disease of mental illness is identified as the primary reason individuals fail to seek the help they need to recover from the disease; and

WHEREAS, Stigma-Free Communities aim to inspire public interest and open dialogue about stigma, raise awareness of the disease of mental illness and substance use disorder and create a culture wherein residents who have the disease of mental illness and/or substance use feel supported by their community and neighbors and feel free to seek treatment for the disease without fear of stigma; and

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WHEREAS, promoting awareness that there can be no “health” without mental health will break down barriers and encourage residents of all ages to be mindful of their mental health and ask for help when needed; and

WHEREAS, local resources are available to treat the disease of mental illness and substance abuse use disorder so no one resident needs to suffer alone or feel hopeless; and

WHEREAS, establishing Stigma-Free Communities will raise awareness of resources, inclusive language and encourage residents to engage in care as soon as the need is identified so recovery can begin, hope is inspired and tragedies are avoided; and

NOW THEREFORE BE IT RESOLVED that the Borough of Manasquan recognizes the community needs and supports the efforts of the County of Monmouth in designating the Borough of Manasquan as a Stigma-Free Community.

**RESOLUTION
220-2020**

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, accepts the resignation of Ronald Horenburg from the position of Full Time Crossing Guard from the Manasquan Police Department effective September 8, 2020.

**RESOLUTION
221-2020**

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

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

WHEREAS, the Borough of Manasquan has the need on a timely basis to purchase goods or services utilizing State contracts for the purpose of the acquisition of a 2021 Ford Police Interceptor Utility Vehicle; and

WHEREAS, the Borough of Manasquan intends to enter into contracts with: CHERRY HILL WINNER FORD, located at 250 Berlin Road, Cherry Hill, NJ 08034 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 Contract #20-FLEET-01189 pursuant to all conditions of the individual State contracts, in the amount of \$45,456.87; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Manasquan pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

**RESOLUTION
222-2020**

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RESOLUTION REJECTING ALL BIDS SUBMITTED FOR THE WINDOW RESTORATION AND EXTERIOR REPAIRS FOR THE BEACH LIFE SAVING STATION #9 PROJECT IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

WHEREAS, public bids were advertised for and received pursuant to the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) for the Beach Life Saving Station #9; and

WHEREAS, the three (3) bids for this project were:

Wallace Bros., Inc. - \$73,000.00

Hall Construction Co., Inc. - \$153,000.00

Lewis-Graham, Inc. - \$171,000.00

WHEREAS, the Borough of Manasquan reserved the right to reject all bids for any reason; and

WHEREAS, the Project Architect provided a report dated September 2, 2020 to the Borough of Manasquan regarding the above referenced bids and set forth their recommendation; and

WHEREAS, the low bidder (Wallace Bros., Inc.) failed to complete qualification forms that must be presented for projects funded by the NJ Historic Trust. Failure to present verifiable experience with historic presentation projects of similar scope to the work proposed to the Life Saving Station #9, constitutes a fatal defect as set forth in 40A: 11-23.2; and

WHEREAS, the bid submitted by the second bidder, as well as the remaining bids submitted, exceeds the architect's estimates and the Borough's appropriations for the project as set forth in 40A:11-13.2.

WHEREAS, the Historical Architect has recommended that all bids be rejected; and

WHEREAS, the Borough Council is desirous of rejecting all bids pursuant to N.J.S.A. 40A: 11-13.2 et seq.

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

1. In the best interest of the Borough of Manasquan, all bids be rejected, and the project be re-bid after modifications are made to the contract documents and Bond Ordinance.
2. A certified copy of this resolution shall be sent to:

Wallace Bros., Inc.
Hall Construction Co., Inc.
Lewis-Graham, Inc.

**RESOLUTION
223-2020**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough of Manasquan retains the Professional Engineering services of Maser Consulting, 331 Newman Springs Roads Suite 203, Red Bank, New Jersey 07701, for purposes of providing professional services for the coordination of technical studies to New Jersey Transit for the impact on railroad operations in regard to the Mount Lane Culvert Improvement Project. Fee is as follows:

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Per Diem/Hourly TOTAL ESTIMATED FEE \$11,500.00

for a total amount not to exceed \$11,500.00 for the service outlined in a proposal dated September 10, 2020.

AND BE IT FURTHER RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the borough authorizes Task 1.0 with the provision that each subsequent task shall require additional authorization subject to the recommendation of the Governing Body.

**RESOLUTION
225-2020**

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

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

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

Current Fund	\$146,087.17
Capital Fund	\$6,932.50
Water/Sewer Fund	\$300,559.87
Water/Sewer Utility Fund	
Beach Utility Fund	\$12,553.41
Beach Capital Fund	\$10,472.50
Recreation Building Trust	\$600.00
Recreation Trust	\$797.61
Public Defender	\$250.00
Affordable Housing	\$1,032.00
Animal Control Trust	\$3.60
Dev Escrow	\$2,653.25

Also presented by the Borough Attorney was a Capital Budget Amendment Resolution for a Dehumidification System Project (Ordinance 2325-20).

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

Resolution

Mayor Donovan went over what has transpired over the last few weeks regarding the issues that have been brought to the council's attention regarding the VFW.

Borough Attorney Mark Kitrick read the following resolution.

**RESOLUTION
214-2020**

WHEREAS, application has been made to the Borough Council, Borough of Manasquan, County of Monmouth, State of New Jersey by Veterans of Foreign Wars Post 1838 t/a Manasquan VFW Post 1838 for the issuance of a Club License No. 1327-31-016-001 to cover premises at 30 Ridge Avenue in the Borough of Manasquan, New Jersey; and

WHEREAS, the governing body makes the following findings with respect to Club Licenses to be issued by it:

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1. The submitted application is complete in all respects including submission of the Club Member list.
2. The officers and directors of the Club are qualified according to statutory, regulatory and local governmental A. B. C. Laws and Regulations.
3. The Club maintains all records required by N.J.A.C. 13:2-8.8 and N.J.A.C. 13:2-8.12; and

WHEREAS, the Manasquan VFW Post 1838 is adjudged to be entitled to a Club License;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that the Borough Clerk is hereby designated, authorized and instructed to execute the aforesaid Club License to the Manasquan VFW Post 1838. This license is in effect until midnight, June 30, 2021, subject, however, to the following condition:

1. At any time the licensed premises offers indoor live entertainment or amplified music, all doors shall remain closed except for access to and from the licensed premises and all windows shall be closed. Exterior doors shall not be left open continuously.
2. The licensee agrees to obtain professional training for its bartenders and managers to identify and properly control patrons who appear inebriated; the licensee shall provide the Borough with proof of completion of that training for these employees/volunteers.
3. The licensee will "police" for litter, etc., the perimeter of the VFW Post property and the neighboring vicinity before 8:00 am on weekends and during the week when warranted.
4. The premises will not open for business/service before 1 pm.
5. From May 15 to October 15 the following conditions apply:
 - a. Sunday through Thursday the outside area may be open from 1 pm to 8 pm.
 - b. Sunday through Thursday outside music shall end at 8 pm.
 - c. Friday and Saturday the outside area may be open from 1 pm to 9 pm.
 - d. Friday and Saturday outside music shall end at 9 pm.
6. From October 16 through May 14 the following conditions apply:
 - a. There shall be no outdoor music.
 - b. The outside area may open, weather permitting, with the same hours as stated in #5 above.

Mr. Kitrick stated that the outside bar is being looked at by the construction/code department. He stated that zoning violations will be handled through the borough and the ABC handles the liquor license. They will be handled separately.

Council Member Olivera stated that the VFW is a not for profit organization that depends on fundraisers and hospitality serves to run their charitable programs. He stated that during COVID in order to keep their operations going they had to move their operations solely to an outside operation as did the Elks.

Council Member Walsh wanted to know when the reports and investigations would done from code.

Mr. Flarity stated that a visit took place at the VFW to look at the situation and a comprehensive report will be forthcoming. He stated that there are findings that need to be addressed and the report will reflect this.

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

Stephanie Brown, 14 Ridge Avenue requested the immediate and permanent termination of VFW Post 1838 liquor license from 30 Ridge Avenue due to the non-compliance and/or lack of enforcement by Post 1838, local law enforcement and the town code enforcement. She voiced her concerns regarding the planning board resolution and the town's lack of enforcement. She stated that if this liquor license is not terminated she will report the issues to the ABC and the prosecutor office immediately.

Shaun Brown, 14 Ridge Avenue voiced his opinion on how the Mayor opened the hearing about the VFW. He voiced his concerns and opinion about the VFW and the borough regarding the renewal of this liquor license and the outside bars.

Council Member Walsh wanted to know when the council was made aware of these issues with Shaun Brown's letter.

Mr. Brown repeated 2018.

Council Member Mangan asked if there are changes to this liquor license from last year.

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Mr. Kitrick stated that there are conditions on this resolution that did not appear last year and have been included since the last meeting. He stated that if there are zoning violations there are mechanisms in place to deal with that and that the structure itself does not prohibit alcohol from being served in that area.

Dana Woolley, 41 Ridge Avenue voiced her concerns about the VFW and the impact it is having on the neighborhood.

Mark Apostolou, 15 Cherry Place stated that he is a member of the planning board and was a member when this came before the planning board. He wanted to clarify for the general public that once the planning board hears a case and issues an edict and there is a resolution therefrom the planning board has no enforcement powers to seek violations. He stated that this is for other departments in the town to pursue.

Stephanie Brown, 14 Ridge Avenue inquired about planning board resolution 21-2013 being read by the borough attorney and the enforcement of it.

Mr. Kitrick stated that when a matter comes before the planning board, assuming it gets approved, then a resolution is adopted. Once this happens the planning board involvement in the process has ended and any enforcement of any conditions is for another department.

Ms. Brown voiced her concerns about serving alcohol at the premises.

Mr. Flarity stated that according to the ABC handbook zoning issues cannot be used to not renew a liquor license. He stated that if zoning violations are present they will be dealt with immediately.

Shaun Brown, 14 Ridge Avenue voiced his concern on the outside bar and the structure that has been built without permits.

Dana Woolley, 41 Ridge Avenue wanted to know the number of parties that they VFW is allowed to have each year.

Mr. Kitrick stated that in the planning board application there was reference to 3 events a year. He stated that this was testimony but was not a condition of the approval from the planning board.

Mr. Flarity stated that he had a discussion with these neighbors which was accompanied by an apology because it was a misinterpretation of the planning board resolution. He went over the planning board process and how a resolution comes about. He stated that the mention of the 3 events was testimony and not enforceable.

Mayor Donovan asked if there were a specific number of events on the current resolution.

Mr. Flarity stated that there is not a specific number of events just the hours of operation.

Mayor Donovan wanted to know if this could be added to the resolution.

Mr. Flarity stated that the report has not been generated year and that if the liquor license renewal is carried the time to renew will have passed by the next meeting and the VFW would need to file for an extension which would cost them \$75 a day until it is approved. He stated that the VFW is entitled to 5 days' notice of any changes to the resolution prior to approving.

Nadia Jaworiw, 133 Third Avenue wanted to know if there is an occupancy limit in this location.

Mayor Donovan stated that there is an occupancy limit inside and outside and need to maintain social distancing.

Ms. Jaworiw wanted to know if they are held to that.

Mayor Donovan stated that the board of health would need to be notified and the borough uses the Monmouth County Board of Health. He explained the process that would take place if the resolution is not approved by September 30.

Mr. Kitrick read the conditions on the current resolution that is on the agenda.

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Gregory Crane, Esq., representing the VFW Post 1838 reiterated the Posts position that they have always intended to be good neighbors and act responsibly and that intention is exemplified by the agreement without much push back or back and forth for the resolution that is being proposed tonight. He stated that within reason he believes the post would consider or enter into future voluntary discussions about amendments or tweaks to their operations that might help build a bond or bridge the gap within the community. He stated that it is hard to respond to broad assertion about drunk driving, garbage and items thrown on the yards of neighbors without any proof. He also stated that he will take this information back to his client to discuss. He stated that the issues that have been brought forward should not hold up the issuance of this license.

Stephanie Brown, 14 Ridge Avenue voiced her concerns again about the VFW and the events to be held.

Mr. Kitrick stated again that the planning board resolution was not a condition of approval and was testimony at the planning board hearing. He stated that they have more restrictive times for events now which were not in effect before.

Ms. Brown voiced her concern on approving the resolution.

Mayor Donovan stated that the code enforcement will be putting together a report and if the VFW is in violation they will need to go before the planning board for a variance or remove it. If work was done without permits a violation will be issued.

Dana Woolley, 41 Ridge Avenue stated that she wants a definite number of parties that they are allowed to have a year.

Mayor Donovan went over the events that he is aware of.

Mark Apostolou, 15 Cherry Lane suggested that the town waive the \$75 a day fee in order for the parties to hash things out.

Mr. Kitrick stated that this is a state fee not a local fee.

There was discussion on the time line and the possibility of a special meeting.

Gregory Crane, Esq. attorney for the VFW stated that he and his client will work to get to a common ground regarding the conditions on the resolution for the renewal of their liquor license.

Mr. Kitrick stated that he will make himself available to work on this to get it done in a timely manner.

Shaun Brown, 14 Ridge Avenue voiced his concern about the noise and stated that it should take 90 to 120 days to hammer out the issues.

Mr. Kitrick asked Mr. Brown if he sees lessening after October 15.

Mr. Brown stated that the VFW has heaters out and he stated that it will not lessen it will get worse.

Mr. Kitrick stated that from a legal perspective the 90 to 120 day delay cannot happen. He advised that there is a timeline that has to be addressed and this time frame would not work.

There was discussion on the process and Mr. Kitrick went over the process if the license was not renewed by September 30.

Mary Ryan, 113 Beachfront voiced her concerns about people being overserved at the VFW and the narrow streets in the area.

Stephanie Brown, 14 Ridge Avenue voiced her concerns again about the issues she has with the VFW and the affect it has on the neighborhood.

Gregory Crane, Esq., counsel for the VFW stated that he respects the views and perspectives of the residents who have commented on this issue. He reiterated that he and his client are willing to work, within reason, and his client has rights. He stated that there is no proof of the allegations against his client as it relates to

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drunk driving and over served patrons. He also stated that the zoning issues are not a reason to deny the renewal of the liquor license.

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

There discussion amongst the council regarding how to move forward with this and their thoughts.

Gregory Crane, Esq. stated the has heard the concerns that were raised during the discussion. He stated that he will work very diligently to come to an agreement regarding the issues that have been brought before the council in the short time that is requested. He stated again that the zoning issues are not a basis for the denial of the renewal of a liquor license.

Mr. Kitrick stated that he will also make himself available to get the agreement done in a short period of time.

Council Member Walsh made a motion to table the resolution and to have a special meeting, seconded by Council Member Mangan. Motion carried unanimously.

Ordinances – Second Reading

The Borough Attorney read the title of ordinance 2311-20 for second reading and final hearing.

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 20 (STREETS AND SIDEWALKS) SUBSECTION 20-4.1; CHAPTER 35 (ZONING) SUBSECTION 35-7.7; AND CHAPTER 35 (ZONING) AND CHAPTER 13 (PROPERTY MAINTENANCE), SUBSECTION 13-1.3(m) OF THE BOROUGH OF MANASQUAN CODE IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY.

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

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

Council Member Lee made a motion to pass and publish ordinance 2311-20 accordingly to law, seconded by Council Member Mangan. Motion carried by the following vote: “yes” Council Members Bryant, Lee, Mangan, Olivera, Read, and Walsh. “No” none.

The Borough Attorney read the title of ordinance 2312-20 for second reading and final hearing.

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 35 (ZONING) SECTION 35-11 (LOT, HEIGHT AND YARD REQUIREMENT) AND SECTION 35-11.2 (PRINCIPAL BUILDINGS) OF THE BOROUGH OF MANASQUAN CODE IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

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

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

Council Member Bryant made a motion to pass and publish ordinance 2312-20 according to law, seconded by Council Member Mangan. Motion carried by the following vote: “yes” Council Members Bryant, Lee, Mangan, Olivera, Read, and Walsh. “No” none.

The Borough Attorney read the title of ordinance 2313-20 for second reading and final hearing.

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 35 (ZONING), SECTION 35-11 (SUPPLEMENTARY LOT, HEIGHT

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**AND YARD REQUIREMENTS) OF THE BOROUGH OF
MANASQUAN CODE IN THE BOROUGH OF MANASQUAN,
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

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

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

Council Member Bryant made a motion to pass and publish ordinance 2313-20 according to law, seconded by Council Member Olivera. Motion carried by the following vote: "yes" Council Members Bryant, Lee, Mangan, Olivera, Read, and Walsh. "No" none.

The Borough Attorney read the title of ordinance 2314-20 for second reading and final hearing.

**ORDINANCE AMENDING CHAPTER 35 (ZONING) SECTION 35-3
(DEFINITIONS) OF THE BOROUGH OF MANASQUAN CODE IN
THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY**

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

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

Council Member Walsh made a motion to pass and publish ordinance 2314-20 according to law, seconded by Council Member Bryant. Motion carried by the following vote: "yes" Council Members Bryant, Lee, Mangan, Olivera, Read, and Walsh. "No" none.

Ordinances – First Reading

The Borough Attorney read the title of ordinance 2323-20 for introduction.

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A
STREET SWEEPER IN AND BY THE BOROUGH OF MANASQUAN,
IN THE COUNTY OF MONMOUTH, NEW JERSEY,
APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE
ISSUANCE OF \$285,000 BONDS OR NOTES OF THE BOROUGH TO
FINANCE PART OF THE COST THEREOF.**

Council Member Walsh made a motion to introduce ordinance 2323-20, seconded by Council Member Bryant. Motion carried by the following vote: "yes" Council Members Bryant, Lee, Mangan, Olivera, Read, and Walsh. "No" none.

The Borough Attorney read the title of ordinance 2324-20 for introduction.

**ORDINANCE TO AMEND SECTION 7-11 (STOP INTERSECTIONS)
OF CHAPTER 7 (TRAFFIC) OF THE BOROUGH OF MANASQUAN
TO ESTABLISH STOP INTERSECTIONS AT VARIOUS LOCATIONS
IN THE BOROUGH OF MANASQUAN, MONMOUTH COUNTY, NEW
JERSEY**

Council Member Olivera made a motion to introduce ordinance 2324-20, seconded by Council Member Lee. Motion carried by the following vote: "yes" Council Members Bryant, Lee, Mangan, Olivera, Read, and Walsh. "No" none.

The Borough Attorney read the title of ordinance 2325-20 for introduction.

**ORDINANCE PROVIDING FOR PURCHASE AND INSTALLATION
OF DEHUMIDIFICATION SYSTEM FOR THE WATER TREATMENT**

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**PLANT AND APPROPRIATING \$50,000 AUTHORIZED IN AND BY
THE BOROUGH OF MANASQUAN, IN THE COUNTY OF
MONMOUTH, NEW JERSEY**

Council Member Bryant made a motion to introduce ordinance 2325-20, seconded by Council Member Walsh. Motion carried by the following vote: "yes" Council Members Bryant, Lee, Mangan, Olivera, Read, and Walsh. "No" none.

Committee Reports

Administration Committee – Council Member Read reported that there will be no local drop box for mail in ballets at Borough Hall, polling place will be at St. Denis and it will handicap accessible. He reported that all of the boat slips have been rented for the season and there is discussion on a possible dock master next year to monitor the actions that take place. He advised that the Borough is looking to get back to the in person meetings and opening of Borough Hall. He stated that the Governor has signed state legislation to make June 19 a stated holiday in recognition of Juneteenth. He reported on the events that have taken place in the borough this year as compared to last year.

Beach & Recreation Committee – Council Member Mangan thanked Rich for touching on borough hall and meetings. He reported that the anticipated beach revenue for the season was \$1.789 million with actual revenue being \$300,001,000 and change with a difference of about \$1.2 million in revenue more than anticipated. He reported on the painting of the Olivia playground at the beach and thanked everyone for the park and the upkeep.

Public Safety Committee – Council Member Lee did a shout out for the work that Supreme Court Justice Ruth Bader Ginsburg had performed over her years and thanked her for her many years of service. He reported on the violations over the summer by the police department and advised that there were 16 violations for animal house which will be investigated.

Finance Committee – Council Member Olivera reported that the \$119,840 has been approved for this quarter for COVID reimbursement to the borough.

Public Works Committee- Council Member Walsh reported on leaf pickup, pot holes, and flushing hydrants. He stated that at the last meeting there was a rendering from the borough engineer regarding ADA accessible playground. He advised that if the grant is received by the borough there will be input from the organizations and residents that are a key component.

Code & Zoning Committee – Council Member Bryant reported on the permits, violations and summonses issued for the month. He stated that he is looking forward to getting the VFW findings from the code/zoning office for review. He reported that the pedestrian zone for retail and dining is moved this week to Friday and Saturday until October 31 with a start time of 5 pm.

Audience Participation

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

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

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

Respectfully submitted,



Barbara Ilaria, Municipal Clerk

DATE APPROVED 11/2/2020