

FEBRUARY 1, 2021

Regular Meeting of Mayor and Council was convened at 7:02 p.m. on February 1, 2021 with Mayor Edward Donovan presiding. This meeting was held via Zoom due to the weather.

Mayor 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. He also apologized for the meeting being totally virtual due to the inclement weather.

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 Jay Bryant, Jeff Lee, Michael Mangan, Gregg Olivera, Richard Read, and James Walsh

Absent: None

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

Council Member Olivera made a motion to amend resolution 43-2021 to include the Superintendent of Recreation's salary as non-pensionable, second by Council Member Mangan. Motion carried unanimously.

Council Member Mangan made a motion to move the BOE Field House Interlocal – Discussion to the beginning of the meeting, seconded by Council Member Lee. Motion carried unanimously.

#### **Other Items**

#### **Board of Education Field Project Interlocal Proposal – Discussion**

Mayor Donovan stated that this project is not a borough project but a board of education project. He advised that the borough's part in this project would be financing for the school through a shared services agreement and the Borough would borrow money and loan it to the school for the project. He stated that this would give the Board of Education a longer period of time to pay the bond off. He advised that the school is looking to have a survey done to see if the taxpayers of Manasquan would be in favor of this shared services agreement or not.

Mr. Kitrick requested that Council Members Bryant and Read leave the meeting at this time.

Council Member Lee stated that he is in favor of a survey of the taxpayers to see how they feel about the shared service agreement and the Borough bonding and he is looking forward to hearing how the residents feel about the shared service agreement.

Council Member Mangan stated that he is a little blurry as to what is being considered tonight and he is not sure where the borough stands tonight as a commitment stands. He stated that he is on board with the shared services agreement and that details need to be worked out.

Council Member Walsh stated that the results should be in before voting on anything.

Council Member Olivera voiced his opinion prior and his focus is on the financial side of the shared services agreement.

Mayor Donovan stated that this will be tabled for 2 weeks and in the interim the school will do its best to get a survey out to the taxpayers of Manasquan to see how they feel about the shared services agreement.

#### **Audience Participation – Fieldhouse Discussion**

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

Mary Ryan, 113 Beachfront thanked Council Member Lee for his comments at the last meeting. She wanted to know if the Board of Education will be paying the interest on the bond money.

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Mayor Donovan stated that the sending districts will be paying the interest not the Borough of Manasquan. He stated that the school will pay the principal back to the borough and the sending districts will be paying the interest.

Ms. Ryan wanted to know if there will be sufficient parking for the public at the school to use the facility.

Council Member Mangan stated that in general the answer is yes as parking is one of the discussions. He stated that there will be a study as the community center will be across the street which will involve parking also.

Council Member Walsh stated that there should be some clarification on the principal and interest as he believes it is parceled out per student if it goes with the shared services agreement.

Mayor Donovan explained how it was told to him by the board of education.

Pete Crawley from the Board of Education stated that the interest is paid by the sending districts in their proportionate share of their student representation.

Mark Apostolou, 15 Cherry Place wanted to make sure that the survey is done correctly and that no one can come in after and contest it.

Marilyn Jacobson, 59 McClean Avenue stated that she is happy that the council is pausing and getting more information before moving forward with this shared services agreement. She inquired about what would be the question posed to the taxpayers on the survey. She voiced her concerns about setting a precedents and she is not in favor of this shared services.

Al Sauer, 109 First Avenue voiced his concern on how this will be paid back.

Mayor Donovan stated that the Board of Education has taxing authority which is separate from the municipal taxes. He explained the process and the taxing of the school.

Council Member Mangan stated that there is already a \$250,000 payment in the budget. He stated that the money is tax neutral.

Pete Crawley from the Board of Education stated that the school is already in debt that is structured the same way and that Council Member Mangan explained it correctly.

Greg Helfrich, 39 McLean Avenue, voiced his concern regarding a straw poll (survey) versus a referendum. He voiced his opinion on taxpayers versus registered voters.

Mayor Donovan stated that the survey would be sent to all registered voters and that if there was a referendum it would only be for registered voters not taxpayers.

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

### **Audience Participation**

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

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

### **Use of Borough Property**

E01-21 Recreation Marine Science Camp - 6/28 to 8/20/21 - M-F 9 am to 2 pm Stockton Park & Beach Use

Council Member Read made a motion to approve this request pending COVID 19 restrictions in place, seconded by Council Member Bryant. Motion carried unanimously.

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E02--21 Sea Lavender Garden Club Plant Sale - 5/8/21 - 7 am to 3 pm - Curtis Park (rain date 5/15/21)

E03-21 Manasquan Seniors Berry Festival - 8/1/21 - 7am to 3 pm - Plaza (rain date 8/8/21)

E04-21 MHS Swim Boosters One Mile Swim - 7/18/21 - 8 am - Sea Watch

Council Member Read made a motion to approve these requests pending COVID 19 restriction in place, seconded by Council Member Mangan. Motion carried unanimously.

**Use of Borough Property - 2021 Chamber Events**

E05-21 Spring Festival and Craft Fair - 4/24/21 - 10 am to 4 pm (rain date 4/25)

E06-21 Ladies Night Out - 5/6/21 - 5 to 9 pm

E07-21 Spring Sidewalk Sale - 5/14 & 5/15/21 - 10 am to 5 pm

E08-21 Ladies Night Out - 7/15/21 - 5 to 9 pm

E09-21 Summer Sidewalk Sale - 8/6 & 8/7/21 - 10 am to 5 pm

E10-21 Surfboard Art Contest - 8/23 to 8/28/21 - 9 am to 5pm

E11-21 Summer Festival and Craft Fair - 8/28/21 - 11 am to 6 pm (rain date 8/29)

E12-21 Fall Festival and Craft Fair - 9/25/21 - 10 am to 4 pm (rain date 9/26)

E13-21 Halloween Scarecrow Contest - 10/18 to 10/31/21 - 9 am to 5 pm

E14-21 Halloween Festival & Craft Fair - 10/23/21 10 am to 4 pm (rain date 10/24)

E15-21 Ladies Night Out - 11/11/21 - 4 to 8 pm

E16-21 Holliday Market & Craft Fair - 11/13/21 - 10 am to 4 pm (rain date 11/14)

Council Member Read made a motion to approve the Chamber requests pending COVID 19 restriction in place, seconded by Council Member Bryant. Motion carried unanimously.

**CONSENT AGENDA**

**RESOLUTION  
41-2021**

**RESOLUTION ADOPTING THE MONMOUTH COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN**

**WHEREAS**, the Borough of Manasquan, NJ, has experienced natural hazards that result in public safety hazards and damages to private and public property and;

**WHEREAS**, the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offer the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risks and;

**WHEREAS**, the New Jersey Office of Emergency Management has provided federal mitigation funds to support development of an updated mitigation plan and;

**WHEREAS**, a Multi-Jurisdictional Hazard Mitigation Plan has been developed by the County Office of Emergency Management and Mitigation Planning Committee and;

**WHEREAS**, the Multi-Jurisdictional Hazard Mitigation Plan includes a prioritized list of mitigation actions including activities that, over time will help minimize and reduce safety threats and damage to private and public property and;

**WHEREAS**, the draft plan was provided to each participating jurisdiction through a website hosted by Michael Baker International, the contracted vendor assisting with the planning process. Links were links

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also posted on the Emergency Management and Division of Planning websites so as to introduce the planning concept and to solicit questions and comments and to present the Plan and request comments, as required by law and;

**NOW, THEREFORE BE IT RESOLVED** by the Borough of Manasquan:

1. The Monmouth County Multi-Jurisdictional Hazard Mitigation Plan, as submitted on June 23, 2020 by the Monmouth County Office of Emergency Management to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency and subsequently approved by both agencies on August 27, 2020, be and is hereby adopted as an official plan of the County or Monmouth; with the required yearly updates and minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
2. The Borough of Manasquan departments identified in the Plan are hereby directed to further pursue potential or suggested implementation of the recommended high priority activities that are assigned to their departments.
3. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Borough of Manasquan, and this resolution shall not be interpreted so an to mandate any such appropriation.
4. The Borough of Manasquan, Emergency Management Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the New Jersey Office of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date agree upon by all stakeholders.

**BE IT FURHER RESOLVED** that the Municipal Clerk forward a certified true copy of this resolution to the Monmouth County Office of Emergency Management Coordinator.

**RESOLUTION  
42-2021**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, accepts the resignation of Michael Isselin from the position of Special Law Enforcement Officer II from the Manasquan Police Department effective

**RESOLUTION  
43-2021**

**BE IT RESOLVED** that the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, has authorized that the pensionable base salaries of the below listed employees as a result of agreements between Department Heads and the Borough of Manasquan for the calendar Year 2021 Effective January 1, 2021;

**Borough of Manasquan Department Heads**  
**Annual Pensionable Base Salaries**

Position	2021 Salary
Amy Spera, CFO/QPA, Deputy Administrator Interlocal Agreement with Sea Girt for CFO/QPA (Revised)	\$112,194.49 \$ 20,000.00
Erik Ertle, Superintendent of Recreation*	\$57,305.23

**WHEREAS**, the schedule above reflects the annual salaries for each of the employees listed and in each case represents 2% increase from the employee's 2020 salary.

\*Indicates a non-pensionable salary.

**WHEREAS**, pensionable base salaries are defined as those regulated by the Public Employees

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Retirement System (PERS) of New Jersey and the Defined Contribution Retirement Program (DCRP) when applicable and;

**NOW THEREFORE BE IT RESOLVED**, that the Hon. Edward G. Donovan, Mayor of the Borough of Manasquan, be and is hereby authorized to sign the Letters of Intent for the calendar year of 2021, which copies are on file in the Municipal Clerk's Office.

**RESOLUTION  
44-2021**

**BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough of Manasquan retains the Professional Engineering services of Maser Consulting, 331 Newman Springs Roads Suite 203, Red Bank, New Jersey 07701, for purposes of providing Graphic Information System (GIS) Services for the Recreation Department. Fees are as follows:

**Option No. 2**

- Phase 1.0 GIS- Recreation Department                      \$2,600.00
- Phase 2.0 Training    \$850.00

for a total amount not to exceed \$3,450.00 for the service outlined in a proposal dated December 15, 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 Option No. 2 with the provision that each subsequent task shall require additional authorization subject to the recommendation of the Governing Body.

**RESOLUTION  
45-2021**

**WHEREAS**, the Borough of Manasquan is desirous of appointing Manasquan Recreation Coordinators/Referees for the 2021 Recreation Manasquan Warrior Wrestling Program and the 2021 Bidy Basketball Program; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 1st day of February, 2021 appoint the following to work during 2021 Recreation winter season:

Manasquan Recreation Warrior Wrestling - January 4, 2021 - March 11, 2021

Coordinator

Justin Barowski                      \$3,500.00 onetime stipend

Bidy Basketball - January 2, 2021 – March 13, 2021

Referees

Thomas J. Reichey                      \$50.00 per game

Matthew Lisk                              \$50.00 per game

Vincent Sabatino                      \$50.00 per game

**RESOLUTION  
46-2021**

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**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	\$128,142.16
Capital Fund	\$1,340.00
Water/Sewer Fund	\$3,511.34
Water/Sewer Utility Fund	
Beach Utility Fund	\$1,147.48
Beach Capital Fund	\$60,270.00
Recreation Building Trust	\$6,970.00
Recreation Trust	\$352.28
Developer's Trust	\$1,828.50

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

**Ordinances – Second Reading**

The Borough Attorney stated that after review by the Planning Board paragraph 8 will be redacted from the ordinance and that in his opinion it is not a substantive change.

The Borough Attorney read the title of ordinance 2332-21 as amended for second reading and final hearing.

**ORDINANCE ESTABLISHING CHAPTER 33 (SITE PLAN REGULATIONS) SECTION 33-1 (TITLE) SECTION 33-2 (PURPOSE) SECTION 33-3 (APPROVING AGENCY) SECTION 33-4 (LANDSCAPE DESIGN) SECTION 33-5 (LOADING AND SERVICE AREAS) SECTION 33-6 (LIGHTING) AND SECTION 33-7 (APPLICABLE ZONES)**

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

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

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

Al Sauer, 109 First Avenue stated that he has a major concern with the ordinance and the impact it will have on the businesses in town. He stated that it would be adding a very large expense both to an application and what this ordinance is calling for. He voiced his concern on this ordinance. He stated that he believes this ordinance was put in place for the ACME but the ordinance does not include the ACME zone.

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

Council Member Olivera made a motion to pass and publish ordinance 2332-21 according to law, seconded by Council Member Walsh: "yes" Council Members Bryant, Lee, Mangan, Olivera, Read, and Walsh. "No" none.

**Ordinances – First Reading**

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The Borough Attorney read the title of ordinance 2333-21 for introduction.

**ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION)  
SECTION 2-19.4 (SUPERINTENDENT OF RECREATION) OF THE  
BOROUGH OF MANASQUAN CODE IN THE BOROUGH OF  
MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW  
JERSEY**

Council Member Walsh made a motion to introduce ordinance 2333-21, seconded by Council Member Mangan: "yes" Council Members Bryant, Lee, Mangan, Olivera, Read, and Walsh. "No" none.

**Committee Reports**

Administration & Finance Committee – Council Member Olivera reported that the budget meetings will be held on March on the 13<sup>th</sup> and 20<sup>th</sup>.

Code & Land Use Committee– Council Member Walsh advised that he does not have a report at this time. He wants everyone to keep the family that lost their home tonight due to a fire in their prayers.

Public Works & Construction Committee - Council Member Bryant congratulated the public works employees for a job well done with the recent storm and OEM for the constant updates. He reported that the borough received a 5 year CAFRA permit for the maintenance of the beach. He echoed Council Member Walsh's comments regarding the fire.

Beach & Recreation Committee – Council Member Read thanked the council for approving the recreation staff and the GIS which will allow the borough to build surveys. He reported that the beach is completing the final research on parking meters, looking into tent ordinances, and overnight parking. He reported that there has been discussion on spring parking pass sales and the committee has decided to have in person sales only. He reported that recreation is off to a good start with programs that have been planned. He reported on the Little Gym building and the DCI building and advised that the DCI building should be demolished. He had an update on the St. Denis lease. He stated that Council Member Mangan will continue to serve as liaison to the Tourism Commission and Council Member Walsh will be working with the Open Space and Environmental Commission.

Public Safety Committee – Council Member Lee sent condolences to Gary Smith's family for their loss. He reported that the police department has been busy assisting residents during the storm and have been working side by side with OEM, Fire Department and First Aid. He echoed Council Member Walsh's blessings for the family that had the fire tonight as well as the first aid and fire personnel. He went over the ordinances regarding restrictions during a snow storm. He stated that there is an IRS scam out and that the IRS would never call anyone they use the mail system.

Council Member Mangan echoed the sentiments of the council regarding the fire tonight. He reported that he is looking forward to planning for the sustainable infrastructure and the sustainable parks and playgrounds programs.

**Audience Participation**

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

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

The closed session portion of the minutes begins on the next page. The signature and approval date are located on the last page following the closed session meeting minutes.

Council Member Bryant made a motion to close the regular meeting at 8:23 p.m., seconded by Council Member Mangan. Motion carried unanimously.

DATE APPROVED

3/1/2021