

JUNE 12, 2023

Regular Meeting of Mayor and Council was convened at 7:00 p.m. on June 12, 2023 with Mayor Edward Donovan presiding. This meeting was held in person at Borough Hall and via Zoom.

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.

Mayor Donovan stated that zoom meetings are a courtesy and if the zoom platform fails the meeting will continue in person.

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 Bruce Bresnahan, Brian Holly, Jeffrey Lee, Gregg Olivera, and Lori Triggiano

Absent: Michael Mangan

Also present was Borough Attorney Mark Kitrick, Borough Administrator Tom Flarity.

Council Member Bresnahan made a motion to correct resolution 170-2023 (#3) 6/16/23, seconded by Council Member Triggiano. Motion carried unanimously.

Council Member Holly made a motion to carry the Tourism Commission appointment, seconded by Council Member Olivera. Motion carried unanimously.

Audience Participation

Council Member Lee made a motion to open the meeting to the public on agenda items, seconded by Council Member Triggiano. Motion carried unanimously.

Carol Kirkman, 22 Willow Way inquired about the beach playground resolution 152-2023 and where will the beach playground be put.

Council Member Lee stated that this resolution addresses the current playground at the beach.

Dick Meincke, 36 N. McClellan inquired about the Sea Watch Recreation Building and what the cost would be.

Mayor Donovan stated that there was a bid on the Sea Watch Rebuild but the bids came in over what was bonded for the project.

Mr. Flarity explained the process and why the bids are being rejected by resolution tonight. He stated that the estimate of bids coming in would be about \$4 million.

Mr. Meincke voiced his opinion and concerns about the cost of the rebuild.

Mr. Flarity went over the money that has been committed to this project by FEMA.

Pamela Martin, 30 Ridge Avenue inquired about liquor licenses.

Mayor Donovan stated that there will be a hearing on each of the liquor license renewals that are on the agenda tonight.

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

Approval of Minutes

Regular Meeting Minutes - May 1, 2023

Council Member Holly made a motion to approve the minutes, seconded by Council Member Lee. Motion carried unanimously.

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Regular Meeting Minutes - May 15, 2023

Council Member Holly made a motion to approve the minutes, seconded by Council Member Triggiano. Motion carried unanimously.

Engineer's Monthly Report

There was an issue with the zoom program where the participants could not be heard.

The Engineer's report will be presented at the June 26, 2023 meeting.

Consent Agenda

**RESOLUTION
153-2023**

**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 playground materials for Indian Hill Park; and

WHEREAS, the Borough of Manasquan intends to enter into a contract with: Rubber Recycle, located at 1985 Rutgers University Boulevard, Lakewood, New Jersey 08701, Quote # 109535-02-01 and through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current state contracts;

NOW THEREFORE BE IT RESOLVED, that the Borough of Manasquan authorizes the Purchasing Agent to purchase certain goods or services from said contractors by approved New Jersey State Approved #16-FLEET-00131 pursuant to all conditions of the individual state contracts, Rubber Recycle in the amount of \$98,050.00.

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
154-2023**

**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

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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 playground equipment for Olivia's Playground; and

WHEREAS, the Borough of Manasquan intends to enter into a contract with: MRC Recreation, located at P.O. Box 106, Spring Lake, New Jersey 07762, Quote #109856-01-04, and through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current state contracts.

NOW THEREFORE BE IT RESOLVED, that the Borough of Manasquan authorizes the Purchasing Agent to purchase certain goods or services from said contractors by New Jersey State Approved ESCNJ Contract #ESCNJ 20/21-06 pursuant to all conditions of the individual state contracts, with MRC Recreation in the amount of \$142,346.20; 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
157-2023**

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, accepts the resignation of Jameson Giardino from the position of SLEO II from the Manasquan Police Department effective May 25, 2023.

**RESOLUTION
160-2023**

**A RESOLUTION AUTHORIZING THE APPLICATION
TO LEAD GRANT ASSISTANCE PROGRAM**

WHEREAS, effective July 22, 2022, the Legislature enacted P.L. 2021, c. 182, "An Act concerning certain lead-based paint hazard, and residential rental property, and establishing lead-based paint hazard programs, supplementing P.L. 2003, c. 311 (C. 52:27D-437.1 et al.) amending various parts of the statutory law, and making an appropriation;" and

WHEREAS, pursuant to N.J.S.A. 52:27D-437.16(b)(1), a municipality that maintains a permanent local agency for the purpose of conducting inspections and enforcing laws, ordinances, and regulations concerning buildings and structures, is required to inspect for lead-based paint hazards in certain specified single-family, two-family, and multiple rental dwellings, at the time periods set forth in the statute; and

WHEREAS, pursuant to N.J.S.A. 52:27D-437.16(b)(2) a municipality that does not maintain such a permanent local agency must hire a lead evaluation contractor, certified to provide lead paint inspection services by DCA, or enter a shared services agreement as permitted by law, for the purpose of conducting the inspections for lead-based paint hazards; and

WHEREAS, Pursuant to Section 9 of P.L. 2021, c. 182, the State of New Jersey has allocated the sum of \$3,900,000 to effectuate the purposes of P.L. 2021, c. 182 (C. 52:27D-437.16). Further, pursuant to the FY 2023 Appropriations Act (P.L. 2022, Chapter 49), DCA received a grant-in-aid amount of \$3,900,000 for P.L. 2021, c. 182, for a total of \$7,800,000 in appropriations to effectuate the purpose of the Act.

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WHEREAS, DCA has allocated \$7,000,000 of this appropriation to the development of the Lead Grant Assistance Program (“LGAP”) for the issuance of grant funds to municipalities for the purpose of assisting in municipal compliance with P.L. 2021, c. 182.

WHEREAS, the Division of Local Government Services (DLGS), within DCA, administers the LGAP; and

WHEREAS the LGAP exists to provide funding to help off-set the costs to municipalities to provide the required inspections at stipulated times of certain single-family, two-family, and multiple rental dwelling units for lead-based paint hazards, pursuant to P.L. 2021, c. 182; and

WHEREAS an authorized municipal officer must execute the attached grant agreement in order to receive LGAP funding.

NOW, THEREFORE, BE IT RESOLVED, the Governing Body of, the Borough of Manasquan does hereby authorize the Mayor, Edward Donovan to sign the attached grant agreement, and thus bind the Borough of Manasquan to the grant agreement’s terms in order to receive the \$6,800.00 grant from the DLGS;

**RESOLUTION
161-2023**

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

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

NAME: PATEL, PARUL R.
253 GRACE AVENUE
SECAUCUS, NJ 07094

AMOUNT OF REFUND DUE: \$2,400.00

REASON FOR REFUND: DUPLICATE TAX PAYMENT
BLOCK 90
LOT 5
58 TAYLOR AVENUE

WHEREAS, the Tax Collector has certified that the homeowner is entitled to the refund.

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

**RESOLUTION
162-2023**

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

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

NAME: SCIME, EUGENE LOWELL & JENNIFER A.
PERRINE BLVD.
MANASQUAN, NJ 08736

AMOUNT OF REFUND DUE: \$3,361.06

REASON FOR REFUND: DUPLICATE TAX PAYMENT
BLOCK 130 LOT 20.03
376 PERRINE BLVD.

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WHEREAS, the Tax Collector has certified that the homeowner is entitled to the refund.

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

**RESOLUTION
165-2023**

**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 2023 Tahoe.

WHEREAS, the Borough of Manasquan intends to enter into contracts with: Gentilini Motors, 2703 Fire Road, Egg Harbor Township, NJ 08234 through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

NOW THEREFORE BE IT RESOLVED, that the Borough of Manasquan authorizes the Purchasing Agent to purchase certain goods or services from said contractor by approved New Jersey State Approved Contract #21-FLEET-01485 pursuant to all conditions of the individual State contracts, in the amount of \$48,979.60.

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.

**RESOLUTION
166-2023**

**RESOLUTION REJECTING ALL BIDS FOR THE SEA WATCH
RECREATION BUILDING IN THE BOROUGH OF MANASQUAN,
COUNTY OF MONMOUTH STATE OF NEW JERSEY**

WHEREAS, bids were requested and received pursuant to the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) for the Sea Watch Recreation Building; and

WHEREAS, the nine (9) bids received in response to the Public Bid for this project were:

BIDDERS	TOTAL BASE BID
Imperial Construction & Electric	\$3,529,000.00
H&S Construction and Mechanical	\$3,989,000.00
Kappa Construction	\$4,035,000.00
Hall Construction Co., Inc.	\$4,200,000.00
Shorelands Construction, Inc.	\$4,215,000.00
Catel, Inc.	\$4,298,888.00

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Benjamin R. Harvey Co.	\$4,398,000.00
Epic Management	\$4,768,000.00
McCauley Construction Co., Inc.	\$5,970,000.00

WHEREAS, the bid specifications advertised by the Borough of Manasquan stated: “The Borough of Manasquan reserves the right to reject any and all bids”; and

WHEREAS, on June 6, 2023, the borough engineer provided a report to the Borough of Manasquan regarding the above referenced bid and set forth their recommendation; and

WHEREAS, after a review of the bid packages it was determined that the bid amounts provided in each proposal exceed the available funding the Borough has to award this project; and

WHEREAS, the Borough Council is desirous of rejecting all bids for the Sea Watch Recreation Building pursuant to N.J.S.A. 40A11-13.2 et seq.

NOW, THEREFORE BE IT RESOLVED on the 12th day of June 2023, by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey, as follows:

1. The Borough Council rejects all bids for the project “Sea Watch Recreation Building”.
2. No contract for the project shall be executed on behalf of the Borough of Manasquan for the
3. project “Sea Watch Recreation Building”.
4. A certified copy of this resolution shall be sent to:

Imperial Construction & Electric
H&S Construction and Mechanical
Kappa Construction
Hall Construction Co., Inc.
Shorelands Construction, Inc.
Catel, Inc.
Benjamin R. Harvey Co.
Epic Management
McCauley Construction Co., Inc.

**RESOLUTION
167-2023**

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: ROBERT KENNEDY ENTERPRISES LLC
50 TOPSAIL ROAD
BRICK, NJ 08723

AMOUNT OF REFUND DUE: \$5,425.00

REASON FOR REFUND: Never Performed Street Opening
SO#12/23-400-401FirstAve/ Beachfront

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

**RESOLUTION
168-2023**

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WHEREAS, the Mayor and Council have determined that it will be necessary to add two (2) additional Council Meetings to the existing 2023 schedule; and

WHEREAS, the dates for these meetings shall be Monday, June 26, 2023 at 5pm and Monday, July 24, 2023 at 5pm.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey approve the two (2) additional Council Meetings to be held on Monday, June 26, 2023 at 5pm and on Monday, July 24, 2023 at 5pm.

BE IT FURTHER RESOLVED that the Municipal Clerk will provide notice to the Coast Star and Asbury Park Press and will post the two (2) additional dates to the website.

**RESOLUTION
169-2023**

WHEREAS, the Borough of Manasquan may be interested in purchasing the property located at 86 Main Street (Block 35 Lot 14); and

WHEREAS, a property value appraisal is necessary to determine the fair market value of the property prior to committing to such a purchase; and

WHEREAS, the Borough of Manasquan has sought two proposals to conduct a property appraisal.

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that the mayor is hereby authorized to execute the proposal submitted by Gagliano & Company, 287 Rumson Road, Little Silver, New Jersey, dated May 16, 2023.

**RESOLUTION
170-2023**

WHEREAS, the 2023 Manasquan Beach season officially opens permanently for the summer of 2023 on Saturday, June 17, 2023 at 9:00am; and

WHEREAS, prior to the official opening, the beach parking lots are only staffed and open on Friday nights after 5pm and weekends-only commencing on Memorial Day weekend.

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey and pursuant to Municipal Code 12-11.1F(3), designates the beach parking lots to be no-fee parking as follows:

#	Period
1	Tuesday, 5/30 thru Friday, 6/2 (until 5pm)
2	Monday, 6/5 thru Friday, 6/9 (until 5pm);
3	Monday, 6/12 thru Friday, 6/16 (until 5pm)

**RESOLUTION
171-2023**

WHEREAS, Yvonne Ray is currently an employee of the Borough of Manasquan and assigned to the Police Department in the Civil Service Commission (CSC) title of Record Support Technician 3; and

WHEREAS, it has been determined that Ms. Ray's responsibilities have grown over time to a point that significantly exceed the specifications of her current title; and

WHEREAS, an internal analysis has determined that Ms. Ray's appropriate CSC title should be Records Manager and this new title should be accompanied by a commensurate salary increase.

NOW, THEREFORE, BE IT RESOLVED, on this 12th day of June 2023 by the Borough Council of the Borough of Manasquan, County of Monmouth and State of New Jersey that in view of the foregoing, Yvonne Ray shall be promoted to Records Manager at an annual salary as follows:

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Employee	Department	New Civil Service Title(s)	Pensionable Annual Salary	Effective Date
Yvonne Ray	Police	Records Manager	\$52,804.02	June 12, 2023

**RESOLUTION
172-2023**

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR MANASQUAN MISCELLANEOUS II TRUST FUND REQUIRED BY N.J.S.A.40A:4-39

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A: 5-29 provides for receipt of donations by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Miscellaneous II Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Manasquan, County of Monmouth, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Miscellaneous II Trust Fund and N.J.S.A. 40A: 5-29.
2. The Clerk of the Borough of Manasquan, County of Monmouth is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

**RESOLUTION
173-2023**

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR MANASQUAN TRAFFIC TRUST FUND REQUIRED BY N.J.S.A.40A:4-39

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A: 5-29 provides for receipt of donations by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Traffic Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Manasquan, County of Monmouth, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Traffic Trust Fund and N.J.S.A. 40A: 5-29.
2. The Clerk of the Borough of Manasquan, County of Monmouth is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

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**RESOLUTION
174-2023**

**A RESOLUTION REQUESTING PERMISSION FOR THE
DEDICATION BY RIDER FOR MANASQUAN MISCELLANEOUS
I TRUST FUND REQUIRED BY N.J.S.A.40A:4-39**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A: 5-29 provides for receipt of donations by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Miscellaneous I Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Manasquan, County of Monmouth, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Miscellaneous I Trust Fund and N.J.S.A. 40A: 5-29
2. The Clerk of the Borough of Manasquan, County of Monmouth is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

**RESOLUTION
175-2023**

**A RESOLUTION REQUESTING PERMISSION FOR THE
DEDICATION BY RIDER FOR MANASQUAN TAX TITLE LIEN
REDEMPTION TRUST FUND REQUIRED BY N.J.S.A.40A:4-39**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A: 5-29 provides for receipt of donations by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Tax Title Lien Redemption Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Manasquan, County of Monmouth, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Tax Title Lien Redemption Trust Fund and N.J.S.A. 40A: 5-29.
2. The Clerk of the Borough of Manasquan, County of Monmouth is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

**RESOLUTION
176-2023**

JUNE 12, 2023

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR MANASQUAN UNEMPLOYMENT TRUST FUND REQUIRED BY N.J.S.A.40A:4-39.

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A: 5-29 provides for receipt of donations by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Unemployment Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Manasquan, County of Monmouth, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Unemployment Trust Fund and N.J.S.A. 40A: 5-29
2. The Clerk of the Borough of Manasquan, County of Monmouth is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

**RESOLUTION
177-2023**

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR MANASQUAN STREET OPENING TRUST FUND REQUIRED BY N.J.S.A.40A:4-39

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A: 5-29 provides for receipt of donations by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Street Opening Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Manasquan, County of Monmouth, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Street Opening Trust Fund and N.J.S.A. 40A: 5-29
2. The Clerk of the Borough of Manasquan, County of Monmouth is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

**RESOLUTION
178-2023**

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR MANASQUAN DEVELOPERS BOND TRUST FUND REQUIRED BY N.J.S.A.40A:4-39

JUNE 12, 2023

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A: 5-29 provides for receipt of donations by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Developers Bond Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Manasquan, County of Monmouth, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Developers Bond Trust Fund and N.J.S.A. 40A: 5-29
2. The Clerk of the Borough of Manasquan, County of Monmouth is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

**RESOLUTION
179-2023**

**A RESOLUTION REQUESTING PERMISSION FOR THE
DEDICATION BY RIDER FOR MANASQUAN TREE ESCROW
TRUST FUND REQUIRED BY N.J.S.A.40A:4-39**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A: 5-29 provides for receipt of donations by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Tree Escrow Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Manasquan, County of Monmouth, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Tree Escrow Trust Fund and N.J.S.A. 40A: 5-29
2. The Clerk of the Borough of Manasquan, County of Monmouth is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

**RESOLUTION
180-2023**

**A RESOLUTION REQUESTING PERMISSION FOR THE
DEDICATION BY RIDER FOR MANASQUAN TAX MAP TRUST
FUND REQUIRED BY N.J.S.A.40A:4-39**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

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WHEREAS, N.J.S.A. 40A: 5-29 provides for receipt of donations by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Tax Map Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Manasquan, County of Monmouth, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Tax Map Trust Fund and N.J.S.A. 40A: 5-29
2. The Clerk of the Borough of Manasquan, County of Monmouth is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

**RESOLUTION
182-2023**

WHEREAS, the Borough of Manasquan is desirous of appointing Summer Recreation Camp Staff for the 2023 Season; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 12th day of June 2023 appoint the following Summer Recreation Camp Staff to work during the 2023 Season:

Name	Title	Rate of Pay	Effective Date From and To	Seasonal
Kimberly Ward	Director	\$7500/Salary	06/28- 08/04	20 Hours/Week
Christopher Craig	Assistant Director	\$28/hr.	06/28- 08/04	20 Hours/Week
Gina DeMattia	Pre-K Coordinator	\$20/hr.	06/28- 08/04	20 Hours/Week
Harmony Schweir	Health and Wellness Coordinator	\$20/hr.	06/28- 08/04	20 Hours/ Week
Megan Farrell	Sports Director	\$20/hr.	06/28- 08/04	20 Hours/Week
Megan Liggett	Counselor	\$12/seasonal	06/28- 08/04	15 hours/week
Amanda Dingler	Counselor	\$12/Seasonal	06/28- 08/04	15 hours/week
Molly McCarthy	Counselor	\$12/Seasonal	06/28- 08/04	15 hours/week
Ally Attardo	Counselor	\$12/Seasonal	06/28- 08/04	15 hours/week
Liam Pollock	Counselor	\$12/Seasonal	06/28- 08/04	15 hours/week
Josey Lebeda	Counselor	\$12/Seasonal	06/28- 08/04	15 hours/week
Maeve Korth	Counselor	\$12/Seasonal	06/28- 08/04	15 hours/week
John DePalma	Counselor	\$12/Seasonal	06/28- 08/04	15 hours/week
Michael Loffredo	Counselor	\$12/Seasonal	06/28- 08/04	15 hours/week
Jake Romano	Counselor	\$12/Seasonal	06/28- 08/04	15 hours/week
Amelia Steger	Counselor	\$12/Seasonal	06/28- 08/04	15 hours/week
Regan Prime	Counselor	\$12/Seasonal	06/28- 08/04	15 hours/week
Jack Mead	Counselor	\$12/Seasonal	06/28- 08/04	15 hours/week
Mackenzie Heim	Counselor	\$12/Seasonal	06/28- 08/04	15 hours/week
Lucas Kubu	Counselor	\$12/Seasonal	06/28- 08/04	15 hours/week
Jack Weinstein	Counselor	\$12/Seasonal	06/28- 08/04	15 hours/week
Katie Tiedmann	Counselor	\$12/Seasonal	06/28- 08/04	15 hours/week
Grace Pupa	Counselor	\$12/Seasonal	06/28- 08/04	15 hours/week
Anthony Loffredo	Counselor	\$12/Seasonal	06/28- 08/04	15 hours/week
Veronica Cosentino	Counselor	\$12/Seasonal	06/28- 08/04	15 hours/week
Liam Burns	Counselor	\$12/Seasonal	06/28- 08/04	15 hours/week
O'Malley Eldridge	Counselor	\$12/Seasonal	06/28- 08/04	15 hours/week
Frank Lebeda	Counselor	\$12/Seasonal	06/28- 08/04	15 hours/week
Lauren Baker	Counselor	\$12/Seasonal	06/28- 08/04	15 hours/week

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**RESOLUTION
183-2023**

WHEREAS, the Borough of Manasquan is desirous of appointing Beach Staff for the 2023 Season;
and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 12th day of June 2023 appoint the following Beach Staff to work during the 2023 Season:

Name	Title	Rate of Pay Hourly	Effective Date From and To	Hours (Part Time/ Seasonal)
BEACH NON LIFEGUARD				
Diane Cheer	Checker/Booth	\$14.50/\$15.50	5/27/23 - 10/31/23	Seasonal
Stephanie Crofton	Checker/Booth	\$14.50/\$15.50	5/27/23 - 10/31/23	Seasonal
Marjorie Duryea	Checker/Booth	\$14.50/\$15.50	5/27/23 - 10/31/23	Seasonal
Samantha Holmes	Checker/Booth	\$14.50/\$15.50	5/27/23 - 10/31/23	Seasonal
Joann Lay	Checker/Booth	\$14.50/\$15.50	5/27/23 - 10/31/23	Seasonal
Barbara Liguori-Ford	Checker/Booth	\$14.50/\$15.50	5/27/23 - 10/31/23	Seasonal
Taylor Martin	Checker/Booth	\$14.50/\$15.50	5/27/23 - 10/31/23	Seasonal
Kelly Mullaney	Checker/Booth	\$14.50/\$15.50	5/27/23 - 10/31/23	Seasonal
Alexa Pelican	Booth/Office	\$15.50/\$15.50	5/27/23 - 10/31/23	Seasonal
Beth Purcell	Checker/Booth	\$14.50/\$15.50	5/27/23 - 10/31/23	Seasonal
Kim Smith	Checker/Booth	\$14.50/\$15.50	5/27/23 - 10/31/23	Seasonal
Samantha Wanamaker	Booth/Office	\$15.50/\$15.50	5/27/23 - 10/31/23	Seasonal
BEACH PATROL				
Thomas Bazzini	Beach Patrol	\$17.00	5/27/23 - 10/31/23	Seasonal
Ronalld Depasquale	Beach Patrol	\$17.00	5/27/23 - 10/31/23	Seasonal
Anthony Esdaile	Beach Patrol	\$16.00	5/27/23 - 10/31/23	Seasonal
Frank Manzi	Beach Patrol	\$16.00	5/27/23 - 10/31/23	Seasonal
Michael White	Beach Patrol	\$16.50	5/27/23 - 10/31/23	Seasonal
Edwin Roberts	Beach Patrol	\$15.70	5/27/23 - 10/31/23	Seasonal

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BEACH CREW				
Jake Sorino	Beach Crew	\$13.00	5/27/23 - 10/31/23	Seasonal
LIFEGUARD				
Julie Hines	Jr. Guard Instructor	\$13.00	5/27/23 - 10/31/23	Seasonal
Jason Bitzer	Lifeguard	\$18.20	5/27/23 - 10/31/23	Seasonal
Joseph Bellusci	Lifeguard	\$14.70	5/27/23 - 10/31/23	Seasonal
Thomas Shea	Lifeguard	\$16.70	5/27/23 - 10/31/23	Seasonal
Claire Falkowski	Jr. Guard Instructor	\$13.00	5/27/23 - 10/31/23	Seasonal
Paulina Maycher	Jr. Guard Instructor	\$13.00	5/27/23 - 10/31/23	Seasonal
Sophia Centrella	Lifeguard	\$18.20	5/27/23 - 10/31/23	Seasonal

**RESOLUTION
184-2023**

RESOLUTION AWARDING A CONTRACT FOR THE NORTH MAIN STREET PARKING LOT IMPROVMENTS 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 Improvements to the North Main Street Parking Lot; and

WHEREAS, the bids submitted for this project were:

Bidders	Base Bid Total
Shore Top Construction Corp.	\$529,053.00
Fernandes Construction, ,Inc.	\$553,928.25
Seacoast Construction, Inc.	\$603,479.50
Meco, Inc.	\$675,233.50

WHEREAS, four (4) bids were received for this project:

WHEREAS, Shore Top Construction Corp. submitted a base bid in the amount of \$529,053.00; and

WHEREAS, the Borough Engineer has determined the bid by Shore Top Construction Corp. complies with the bid specifications and includes all required documentation and has recommended the award of the bid; and

WHEREAS, the Borough Council has determined, for the reasons set forth below, that the bid of Shore Top Construction Corp. is a responsive and responsible bid; and

WHEREAS, the Borough Council is desirous of awarding a contract to Shore Top Construction Corp. for the total base bid of \$529,053.00 for the project.

NOW, THEREFORE BE IT RESOLVED on the 12th day of June 2023, by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey, as follows:

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1. This Bid award is subject to the review and approval of the Bid documents by the Manasquan Borough Attorney.
2. Subject to the above condition, a contract in the total amount of \$529,053.00 is awarded to Shore Top Construction Corp. for this project.
3. The Mayor and Municipal Clerk are authorized and directed to execute all necessary documents to effectuate a contract with Fernandes Construction Inc.
4. A certified copy of this resolution shall be sent to:

Shore Top Construction Corp.
23 Yellowbrook Road
Freehold, NJ 07728

**RESOLUTION
185-2023**

**APPROVAL TO SUBMIT A GRANT APPLICATION AND
EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY
DEPARTMENT OF TRANSPORTATION FOR THE FIRST
AVENUE PHASE 3 & RIVERSIDE DRIVE PROJECT**

NOW, THEREFORE, BE IT RESOLVED that Council of Borough of Manasquan formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk and Colliers Engineering & Design are hereby authorized to submit an electronic grant application identified as MA-2024-First Avenue Phase 3 & Riverside Dri-00026 to the New Jersey Department of Transportation on behalf of Borough of Manasquan.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Borough of Manasquan and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**RESOLUTION
186-2023**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough of Manasquan retains the services of Colliers Engineering & Design, 331 Newman Springs Roads Suite 203, Red Bank, New Jersey 07701, for purposes of providing professional services for the preparation and submittal of the 2023 Monmouth County Municipal Open Space Grant Program Application. The fees are as follows:

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

for a total amount not to exceed \$7,400.00 for the service outlined in a proposal dated June 8, 2023.

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

**RESOLUTION
188-2023**

**RESOLUTION OF THE BOROUGH OF MANASQUAN, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY AUTHORIZING THE
ACQUISITION OF CERTAIN INTERESTS IN REAL PROPERTY BY
NEGOTIATION AND PURCHASE**

WHEREAS, the Borough of Manasquan (“Borough”) has been approved for over \$3 million in

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grant funding to design and construct the downtown NJDOT/Federal Streetscapes Beautification Project (Streetscapes Project); and

WHEREAS, the final engineering design for the Streetscapes Project requires the acquisition of three (3) permanent maintenance easements and nine (9) temporary construction right-of-entry easements from private property owners; and

#	Property Address and Owner	Block and Lot	TCE Compensation	Permanent Easement Compensation	Total Compensation
1	Rajiv K. Kochhar 199 Main Street	L.65.02 B.120.01	\$3,600	\$12,000	\$15,600
2	G. and A. Angersbach 168-170 Main Street	L. 62 B. 7.01, 7.02	\$1,200	\$21,000	\$22,200
3	Manasquan Holdings, LLC 176 East Main Street	L. 90 B. 12	0	\$4,000	\$4,000
4	Lynn Ficalora 221 Main Street	L. 89 B. 2	\$500		\$ 500
5	Cara Larned 227 Main Street	L. 89 B. 1	\$500		\$ 500
6	NJ Transit 229 Main Street	L. 83 B. 52	\$1,500		\$1,500
7	Inn On Main, LLC 152-166 Main Street	L. 62 B. 3.01	\$500		\$ 500
8	23 Taylor Ave. LLC 23 Taylor Avenue	L. 62 B. 9	\$500		\$ 500
9	Doris Truex 28 Taylor Avenue	L. 90 B. 11.01	\$500		\$ 500

WHEREAS, the Mayor and Council of the Borough of Manasquan have determined that in order to satisfy the Streetscapes final engineering design, it is necessary, desirable and appropriate for the Borough to acquire the property interests related to these easements (Borough Ordinance 2385-22); and

WHEREAS, the Borough and its agents have negotiated the acquisition of the required property interests in accordance with the “*New Jersey Eminent Domain Act of 1971*”, N.J.S.A. 20:3-1, et. al., and the requirements of the Department of Transportation Right of Way Acquisition Manual; and

WHEREAS, settlement agreements have been reached with all of the interested property owners the details of which are as follows:

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that the Borough Administrator of the Borough of Manasquan, or his designee, and the Municipal Clerk are hereby authorized to execute any and all agreements, documents, and instruments necessary to effectuate the full intent and purpose of this Resolution.

BE IT FURTHER RESOLVED that the Borough of Manasquan is further authorized to record any and all instruments with the Monmouth County Clerk at its sole expense to effectuate the full intent and purpose of this Resolution.

**RESOLUTION
189-2023**

RESOLUTION AUTHORIZING THE PURCHASE OF 86 MAIN STREET, MANASQUAN, NEW JERSEY

WHEREAS, the Borough Council is desirous of purchasing property for a joint partnership project with Monmouth County; and

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WHEREAS, the property at 86 Main Street is available to purchase; and

WHEREAS, the Borough Council is interested in the purchase of the property located at 86 Main Street, Manasquan, NJ; and

NOW, THEREFORE BE IT RESOLVED on the 12th day of June, 2023, by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey, as follows:

1. The Borough attorney is authorized to move forward with the purchasing process for 86 Main Street.
2. The Mayor and Municipal Clerk are authorized and directed to execute all necessary documents to effectuate a contract for the property located at 86 Main Street.

**RESOLUTION
190-2023**

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	\$606,667.69
Water/Sewer Fund	\$454,192.16
Beach Fund	\$68,573.98
Grants	\$900.97
Recreation Trust	\$21,640.37
Misc Trust	\$27,260.45
Animal Control Trust	\$9.60
General Capital	\$57,555.29
E. Virginia Pump Station	\$1,050.00
Beach Capital	\$23,464.23

Council Member Triggiano made a motion to approve the consent agenda, seconded by Council Member Lee. Motion carried by the following vote: "yes" Council Members Bresnahan, Holly, Lee, Olivera, and Triggiano. "No" none.

Liquor License Renewal Hearings

**RESOLUTION
149-2023**

WHEREAS, application has been made to the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey by BPOE Manasquan Lodge 2534 for the issuance of Club License No. 1327-31-012-002 to cover premises at 17 Stockton Lake Boulevard 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:

1. The submitted application is complete in all respects, including the submission of the Club Member list.
2. The officers and directors of the Club are qualified according to all statutory and local governmental A.B.C. Laws and Regulations.

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3. The Club maintains all records required by N.J.C.A. 13:2-8.8 and N.J.C.A. 13:2-8.12; and

WHEREAS, the BPOE Manasquan Lodge 2534 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 issue and deliver the aforesaid Club License to the BPOE Manasquan Lodge 2534. This license is in effect until midnight, June 30, 2024, subject, however, to the following condition:

- a. 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.
- b. The licensee agrees to obtain professional training for its bartenders and managers to identify and properly control patrons who appear inebriated; the licensee shall keep proof of completion of this training at the premise for inspection.

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

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

Council Member Triggiano made a motion to approve this resolution, seconded by Council Member Lee. Motion carried by the following vote: "yes" Council Members Bresnahan, Holly, Lee, and Triggiano. "No" none.

RESOLUTION 150-2023

WHEREAS, application has been made to the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey by Coastal Restaurant Group LLC., t/a Reef & Barrel for renewal of Plenary Retail Consumption Liquor License No. 1327-33-011-013 to cover premises at 153 Sea Girt Avenue, Manasquan, New Jersey; and

WHEREAS, the governing body makes the following factual findings with respect to Plenary Retail Consumption Liquor Licenses issued by it:

1. The submitted application is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. Laws and Regulations.

WHEREAS, the governing body of the Borough of Manasquan has determined that Coastal Restaurant Group LLC., is entitled to a Plenary Retail Consumption 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 issue and deliver a Plenary Retail Consumption Liquor License to the said Coastal Restaurant Group LLC. t/a Reef & Barrel to sell any alcoholic beverages at 153 Sea Girt Avenue and also to store alcoholic beverages in a separate building until midnight, June 30, 2024, subject, however, to the following conditions:

1. At any time the licensed premises offers 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. No live music is permitted at the licensed premises after 1:30 am.
3. No bottles or cans shall be dumped in the solid waste dumpster maintained by the license holder between the hours of twelve (12) midnight and seven (7) a.m.
4. The licensee shall provide two (2) qualified uniformed security persons who shall be assigned to duty, about or adjacent to the parking lot serving the licensed premises from the hours of 7:00 p.m.

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to 3:00 a.m. on those Fridays, Saturdays and holidays from May 15th through September 15th when the licensee shall be open for business.

5. The licensee agrees to obtain professional training for its bartenders and managers to identify and properly control patrons who appear inebriated; the licensee shall keep proof of completion of this training at the premises for inspection.
6. The licensee shall provide a litter patrol which will remove litter within 200 feet of the licensed premises before 9:00 a.m. each morning following an operational day from May 15th to September 15th.
7. The Borough Council reserves the right to require the licensee to make appropriate arrangements to ensure that patrons of the licensed premises do not park or interfere with parking at 254-256-258 Parker Avenue.
8. There will be no audio speakers in the second floor dining area, no parties shall be planned and there will be no live entertainment.
9. Rooftop dining shall cease and the rooftop area will be vacated at 10:00 p.m., with the last seating at 9:00 p.m.
10. Rooftop dining shall have seating for 40 people only and shall be seasonally available during the months of May through September.

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

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

Council Member Triggiano made a motion to approve this resolution, seconded by Council Member Holly. Motion carried by the following vote: "yes" Council Members Bresnahan, Holly, Lee, Olivera, and Triggiano. "No" none.

**RESOLUTION
151-2023**

WHEREAS, application has been made to the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, by the Inshore Atlantic Inc. t/a Leggett's Sand Bar for renewal of Plenary Retail Consumption Liquor License No. 1327-33-007-007 to cover premises at 211-213-215-217 First Avenue, Manasquan, New Jersey; and

WHEREAS, the governing body makes the following findings with respect to Plenary Retail Consumption Liquor Licenses issued by it:

1. The submitted application form is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory, and local governmental laws and regulations of the Division of the Alcoholic Beverage Control.

WHEREAS, the said Inshore Atlantic, Inc. t/a Leggett's Sand Bar is adjudged to be entitled to a Plenary Retail Consumption Liquor License covering premises at 211-213-215-217 First Avenue, Manasquan, New Jersey.

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 be designated, authorized and instructed to issue and deliver a Plenary Retail Consumption Liquor License to the said Inshore Atlantic, Inc. t/a Leggett's Sand Bar to sell at 211-213-215- 217 First Avenue, Manasquan, New Jersey any alcoholic beverages and also to include in this license an additional building in the rear to be used for storage purposes until midnight, June 30, 2024, subject, however, to the following conditions:

- a. The licensee shall provide two (2) qualified uniformed security persons who shall be assigned to

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duty in the parking lot from the hours of 7:00 p.m. to 3:00 a.m. on those Fridays, Saturdays and holidays upon which the licensee shall be open for business.

- b. At any time the licensed premises offers 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.
- c. No bottles or cans shall be dumped in the solid waste dumpster maintained by the license holder between the hours of twelve (12) midnight and seven (7) a.m.
- d. No live music at the licensed premises after 1:30 a.m.
- e. Alcoholic beverages may only be served in connection with the service of food to patrons seated at tables in Section "B" of the premises (see diagram attached). Alcoholic beverages shall be served only by waiters or waitresses.
- f. No permanent or portable service bar shall be located in Section "B".
- g. The dining facilities and service of alcoholic beverages in Section "B" shall be closed and vacated no later than 12:00 midnight of each day. Further, Section "B" shall be open only when the kitchen is open.
- h. All patrons in Section "B" shall be seated.
- i. The 12' opening connecting Section "A" to Section "B" shall be reduced to a maximum of 8'. The restaurant area of Section "B" shall be physically secured after 12:00 midnight of each day to prevent patrons from using the area.
- j. The second floor of the building in Section "B" may only be used for administrative offices servicing the business on this site.
- k. All trash, refuse, and garbage shall be stored inside a separate designated enclosed area adjacent to the existing restaurant building and away from residential area.
- l. There shall be no outside storage of packaging material or building materials on the site.
- m. The hours of operation in Section "C" will include having the kitchen open until midnight with last seating at 11:00 p.m. and patrons out by midnight.
- n. No live music in Section "C" after 11:00 p.m.
- o. The licensee agrees to obtain professional training for its bartenders and managers to identify and properly control patrons who appear inebriated; the licensee shall keep proof of completion of this training at the premises for inspection.
- p. The licensee shall provide a litter patrol which will remove litter within 200 feet of the licensed premises before 9:00 a.m. each morning following an operational day from May 15th to September 15th.
- q. The licensee shall comply with all provisions of the "New Jersey Smoke-Free Air Act". N.J.S.A. 26:3d-55 et seq. If a smoking area is provided for patrons, the permitted smoking area cannot be on public property or the public sidewalk. The permitted smoking area, if any, shall be located within the licensed building, in accordance with applicable statutes, or on exterior grounds either owned, leased or otherwise controlled by the licensee.

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

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

Council Member Triggiano made a motion to approve this resolution, seconded by Council Member Bresnahan. Motion carried by the following vote: "yes" Council Members Bresnahan, Holly, Lee, Olivera, and Triggiano. "No" none.

RESOLUTION

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152-2023

WHEREAS, application has been made to the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey by Squan Tavern, Inc. for the renewal of the Plenary Retail Consumption Liquor License No. 1327-33-005-004 to cover premises at 15-17-19-21 Broad Street, Manasquan, New Jersey; and

WHEREAS, the governing body makes the following findings with respect to Plenary Retail Consumption Liquor Licenses issued by it:

1. The submitted application form is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. Laws and Regulations.

WHEREAS, the Squan Tavern, Inc. is adjudged to be entitled to a Plenary Retail Consumption Liquor 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 issue and deliver a Plenary Retail Consumption Liquor License to Squan Tavern, Inc. to sell any alcoholic beverages at 15-17-19-21 Broad Street, Manasquan, New Jersey until midnight, June 30, 2024, subject, however, to the following conditions;

- a. At any time the licensed premises offers 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.
- b. No bottles or cans shall be dumped in the solid waste dumpster maintained by the license holder between the hours of twelve (12) midnight and seven (7) a.m.
- c. Alcoholic beverages will only be served in the permitted outdoor area only between 11:00 a.m. to 11:00 p.m.
- d. The licensee shall provide a litter patrol which will remove litter within 200 feet of the licensed premises before (9) a.m. each morning following an operational day.
- e. The licensee agrees to obtain professional training for its bartenders and managers to identify and properly control patrons who appear inebriated; the licensee shall keep proof of completion of this training at the premises for inspection.
- f. The licensee shall comply with all provisions of the "New Jersey Smoke-Free Air Act". N.J.S.A. 26:3d-55 et seq. If a smoking area is provided for patrons, the permitted smoking area cannot be on public property or the public sidewalk. The permitted smoking area, if any, shall be located within the licensed building, in accordance with applicable statutes, or on exterior grounds either owned, leased or otherwise controlled by the licensee.

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

There being no comment Council Member Triggiano made a motion to close the public hearing, seconded by Council Member Bresnahan. Motion carried unanimously.

Council Member Holly made a motion to approve this resolution, seconded by Council Member Lee. Motion carried by the following vote: "yes" Council Members Bresnahan, Holly, Lee, Olivera, and Triggiano. "No" none.

RESOLUTION
155-2023

WHEREAS, application has been made to the Borough Council, Borough of Manasquan, County of Monmouth, State of New Jersey, by the Johannessen Sisti Inc., t/a Spirit of '76 Wines and Liquors for

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the renewal of the Plenary Retail Distribution Liquor License No. 1327-44-004-006 to cover premises at 119 Taylor Avenue, Manasquan, New Jersey; and

WHEREAS, the governing body makes the following findings with respect to Plenary Retail Distribution Licenses to be issued by it;

1. The submitted application form is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. Laws and Regulations.

WHEREAS, the said Johannessen Sisti Inc., is adjudged to be entitled to a Plenary Retail Distribution Liquor 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 issue and deliver a Plenary Retail Distribution Liquor License to the Johannessen Sisti Inc., to sell at 119 Taylor Avenue, Manasquan, New Jersey for consumption off the licensed premises any alcoholic beverages in their original containers until midnight, June 30, 2024.

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

There being no comment Council Member Holly made a motion to close the public hearing, seconded by Council Member Bresnahan. Motion carried unanimously.

Council Member Lee made a motion to approve this resolution, seconded by Council Member Holly. Motion carried by the following vote: "yes" Council Members Bresnahan, Holly, Lee, Olivera, and Triggiano. "No" none.

**RESOLUTION
156-2023**

WHEREAS, application has been made to the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey by Driftwood Hospitality Group LLC, t/a The Salty Whale & Guest House for the renewal of Plenary Retail Consumption Liquor License (Hotel/Motel Exception) No. 1327-36-001-011 to cover premises at 390 E. Main Street, Manasquan, New Jersey; and

WHEREAS, the governing body makes the following findings with respect to Plenary Retail Consumption Liquor License No. 1327-36-001-011 issued by it:

1. The submitted application is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and governmental A. B. C. Laws and Regulations.

WHEREAS, the said Driftwood Hospitality Group LLC, t/a The Salty Whale & Guest House judged to be entitled to a Plenary Retail Consumption Liquor License (Hotel/Motel Exception).

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 issue and deliver a Plenary Retail Consumption Liquor License (Hotel/Motel Exception) to the said, Driftwood Hospitality Group LLC, t/a The Salty Whale & Guest House to sell alcoholic beverages at 390 East Main Street in the Borough of Manasquan, New Jersey, until midnight, June 30, 2024, subject, however, to the following conditions:

1. There shall be no live music or entertainment of patrons by any group exceeding four people; however, the applicant shall have the privilege of applying to the governing body, or its designated committee, to have a larger group on special occasions. In such event, the applicant shall advise the governing body of the proposed date for the entertainment by live music of a group exceeding four people, the proposed time of the event and the number of entertainers proposed at the event.

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2. There shall be no consumption of alcoholic beverages outside of the structure on the property, except for the "proposed outdoor area" shown on a diagram submitted as part of the renewal application for this liquor license. The outdoor area consists of 510 square feet to the east of a portion of the structure labeled on the diagram as "ENCLOSED PORCH – roof over." Alcoholic beverages may only be served and consumed in this area between the hours of 11:00 a.m. and 10:00 p.m. Alcoholic beverages shall be available to patrons only through service by waiters or waitresses. Only a service bar may be maintained in this area. No patrons may be seated or standing at the service bar. No live music or amplified music shall be conducted in this area except for an acoustic guitar. Landscaping shall be provided in accordance with the diagram outlining this area.
3. The total lineal feet of public bar shall not exceed seventy (70) linear feet.
4. No alcoholic beverage signs on the exterior or adjacent grounds shall exceed 4½ square feet in area.
5. No renewal or transfer of this license will be allowed, except for or to a hotel containing at least 50 rooms.
6. The licensee shall provide two (2) qualified, uniformed security persons who shall be assigned to duty, about or adjacent to the parking lot serving the licensed premises from the hours of 7:00 p.m. to 3:00 a.m. on those Fridays, Saturdays and Holidays from May 15th through September 15th, when the licensee shall be open for business. At least one of the security persons shall be stationed directly in the parking lot during the hours of 7:00 p.m. to 3:00 a.m.
7. The licensee shall provide a litter patrol which will remove litter within 200 feet of the licensed premises before 9:00 a.m. each morning following an operational day from May 15th to September 15th.
8. No bottles or cans shall be dumped in the solid waste dumpster maintained by the license holder between the hours of midnight and 7:00 a.m.
9. At any time the licensed premises offers 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. This condition does not apply to any rooms available for rent.
10. No live music is permitted at the licensed premises after 1:30 a.m.
11. Alcoholic beverages shall be available for patrons in conjunction with food service in Dining Area "D."
12. Alcoholic beverages shall be available to patrons only through service by waiters or waitresses in Dining Area "D."
13. Alcoholic beverages may be served and consumed between the hours of 10:00 a.m. and 10:00 p.m. on Sunday, and 11:00 a.m. to 10:00 p.m. on Monday, Tuesday, Wednesday and Thursday, and between the hours of 11:00 A.m. and 11:00 p.m. in Friday and Saturday in Dining Area "D".
14. Dining Area "D" shall be vacated by 10:00 p.m. between Memorial Day and Labor Day and by 11:00 p.m. Between Labor Day and Memorial Day. After that hour, there shall be no service of alcoholic beverages or food in this area.
15. No amplification devices shall be located on the exterior of the building.
16. No outside bar area, portable bars or similar structures or equipment shall be located in Dining Area "D."
17. The licensee agrees to obtain professional training for its bartenders and managers to identify and properly control patrons who appear inebriated; the licensee shall keep proof of completion of this training at the premises for inspection.

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

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

Council Member Holly made a motion to approve this resolution, seconded by Council Member Bresnahan. Motion carried by the following vote: "yes" Council Members Bresnahan, Holly, Lee, Olivera, and Triggiano. "No" none.

**RESOLUTION
158-2023**

WHEREAS, application has been made to the Borough Council, Borough of Manasquan, County of Monmouth, State of New Jersey, by Max Devros L.L.C. for Plenary Retail Consumption Liquor License No. 1327-33-010-013 to cover premises at 142 Main Street, Manasquan, New Jersey; and

WHEREAS, the governing body makes the following findings with respect to Plenary Retail Consumption Liquor Licenses issued by it:

1. The submitted application form is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory, and local governmental A.B.C. Laws and Regulations.

WHEREAS, the said Max Devros L.L.C. is adjudged to be entitled to a Plenary Retail Consumption Liquor License.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council, Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough Clerk be designated, authorized and instructed to issue and deliver a Plenary Retail Consumption Liquor License to the said Max Devros L.L.C. to sell alcoholic beverages at 142 Main Street, Manasquan, New Jersey, until midnight, June 30, 2024, subject, however, to the following conditions:

1. At any time the licensed premises offers live entertainment, which is limited to three musicians, 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. No bottles or cans shall be dumped in the solid waste dumpster maintained by the license holder between the hours of twelve (12) midnight and seven (7) a.m.
3. Alcoholic beverages will only be served in the permitted outdoor area only between 11:00 a.m. to 11:00 p.m.
4. The licensee shall provide a litter patrol which will remove litter within 200 feet of the licensed premises before (9) a.m. each morning following an operational day.
5. The licensee agrees to obtain professional training for its bartenders and managers to identify and properly control patrons who appear inebriated; the licensee shall keep proof of completion of this training at the premises for inspection.
6. The licensee shall comply with all provisions of the "New Jersey Smoke-Free Air Act". N.J.S.A. 26:3d-55 et seq. If a smoking area is provided for patrons, the permitted smoking area cannot be on public property or the public sidewalk. The permitted smoking area, if any, shall be located within the licensed building, in accordance with applicable statutes, or on exterior grounds either owned, leased or otherwise controlled by the licensee.

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

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

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Council Member Holly made a motion to approve this resolution, seconded by Council Member Bresnahan. Motion carried by the following vote: “yes” Council Members Bresnahan, Holly, Lee, Olivera, and Triggiano. “No” none.

**RESOLUTION
159-2023**

WHEREAS, application has been made to the Borough Council, Borough of Manasquan, County of Monmouth, State of New Jersey, from C. Jung, LLC., t/a Manasquan Liquors for renewal of the Plenary Retail Distribution Liquor License No. 1327-44-002-007 to cover premises at 139 Main Street, Manasquan, New Jersey; and

WHEREAS, the governing body makes the following findings with respect to the Plenary Retail Distribution License to be issued by it;

1. The submitted application form is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A. B. C. Laws and Regulations.

WHEREAS, the governing body of the Borough of Manasquan has determined that C. Jung LLC., t/a Manasquan Liquors is entitled to a Plenary Retail Distribution 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 issue and deliver a Plenary Retail Distribution License to C. Jung LLC., t/a Manasquan Liquors to sell at 139 Main Street, Manasquan, New Jersey for consumption off the licensed premises of any alcoholic beverages in their original containers until midnight, June 30, 2024.

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

There being no comment Council Member Holly made a motion to close the public hearing, seconded by Council Member Bresnahan. Motion carried unanimously.

Council Member Holly made a motion to approve this resolution, seconded by Council Member Bresnahan. Motion carried by the following vote: “yes” Council Members Bresnahan, Holly, Lee, Olivera, and Triggiano. “No” none.

**RESOLUTION
163-2023**

WHEREAS, application has been made to the Borough Council, Borough of Manasquan, New Jersey by D&C Osprey Nightclub LLC., for the renewal of Plenary Retail Consumption Liquor License with Broad Package Privilege No. 1327-32-008-011 to cover premises at 201 First Avenue, Manasquan, New Jersey; and

WHEREAS, the governing body makes the following findings with respect to Plenary Retail Consumption Liquor License with Broad Package Privilege issued by it:

1. The submitted application is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and governmental A. B. C. Laws and Regulations.

WHEREAS, the said D&C Osprey Nightclub LLC., is adjudged to be entitled to a Plenary Retail Consumption Liquor License with Broad Package Privilege.

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

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instructed to issue and deliver a Plenary Retail Consumption Liquor License to D&C Osprey Nightclub LLC., to sell any alcoholic beverages with a Broad Package Privilege to sell any alcoholic beverages in original containers for consumption off the premises, and also to store alcoholic beverages in a separate building until midnight, June 30, 2024, subject, however, to the following conditions:

- a. The licensee shall provide six (6) qualified, uniformed, security persons who shall be assigned to duty, about or adjacent to the licensed premises from the hours of 7:00 p.m. to 3:00 a.m. on those Fridays, Saturdays, and legal holidays upon which the licensee is open for business. Three (3) qualified, uniformed security persons shall be assigned to duty about or adjacent to the licensed premises from the hours of 7:00 p.m. to 3:00 a.m. on Sundays, Mondays, Tuesdays, Wednesdays and Thursdays upon which the licensee is open for business unless such day is a legal holiday. One exterior security person shall be stationed in the Second Avenue parking area.
- b. The licensee agrees to obtain professional training for its bartenders and managers to identify and properly control patrons who appear inebriated; the licensee shall keep proof of completion of this training at the premises for inspection.
- c. The maximum occupancy for the licensed premises shall be equal to one (1) person for each five and one-half (5 ½) square feet of floor area which is not covered by bars or working spaces.
- d. There shall be no “go-go dancing,” “mud wrestling,” “nudity,” “topless dancing” or any lewd activity conducted on the licensed premises.
- e. The exterior security guards shall wear a shirt clearly marked, on front and back, “Osprey Security.”
- f. All windows to the licensed premises shall be closed at all times during hours of operation. All doors shall remain closed during hours of operation except for access to and from the licensed premises. Exterior doors shall not be left continuously open to provide access.
- g. No bottles or cans shall be dumped in the solid waste dumpster maintained by the license holder between the hours of twelve (12) midnight and seven (7) a.m.
- h. The licensee shall provide a litter patrol which will remove litter within 200 feet (except for the Municipal Beachwalk) of the licensed premises before nine (9) a. m. each morning following an operational day.
- i. At any time when there is a line of patrons awaiting entrance to the licensed premises, the line shall start at the front entranceway (corner of East Main Street and First Avenue) and proceed west along the north side of the licensed building and be located within 54" of the main wall of the licensed building. Temporary stanchions with rope or line shall connect each stanchion for the length of the patron line. If the line reaches the west side of the building, it shall be turned in a southerly direction, and be formed in the driveway on the west side of the licensed building. The patron line must be supervised by at least two employees of the licensee whenever there are people awaiting entry to the licensed premises.
- j. The driveway on the west side of the licensed building connecting the parking lot to East Main Street shall be closed between the hours of 6:00 pm and 6:00 am.
- k. No live music at the licensed premises after 1:30 a.m.
- l. The licensee shall comply with all provisions of the “New Jersey Smoke-Free Air Act”. N.J.S.A. 26:3d-55 et seq. If a smoking area is provided for patrons, the permitted smoking area cannot be on public property or the public sidewalk. The permitted smoking area, if any, shall be located within the licensed building, in accordance with applicable statutes, or on exterior grounds either owned, leased or otherwise controlled by the licensee.

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

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

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Council Member Holly made a motion to approve this resolution, seconded by Council Member Lee. Motion carried by the following vote: "yes" Council Members Bresnahan, Holly, Lee, Olivera, and Triggiano. "No" none.

**RESOLUTION
164-2023**

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. 1327-31-016-002 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:

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, 2024, subject, however, to the following conditions:

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 keep proof of completion of this training at the premise for inspection.
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.
7. The Licensee will be limited to hosting eight (8) advertised, outdoor events during the year.

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

Pamela Martin, 30 Ridge Avenue suggested music in the outside area be removed. She voiced her opinion and concerns on the outside music. She also voiced her concerns about the time outside events are shut down.

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Tom Crowley, Commander of the VFW stated that he is here to represent the interest of the post. He stated that last year multiple concessions were made regarding music and outside entertainment. He requested that the same conditions as last year be approved for this year's renewal.

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

Council Member Holly made a motion to approve this resolution, seconded by Council Member Triggiano. Motion carried by the following vote: "yes" Council Members Bresnahan, Holly, Lee, Olivera, and Triggiano. "No" none.

RESOLUTION
187-2023

WHEREAS, application has been made to the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey by Committed Pig Manasquan LLC, for the renewal of Plenary Retail Consumption Liquor License No. 1327-33-006-006 to cover premises at 165 Main Street in the Borough of Manasquan, New Jersey; and

WHEREAS, the Governing Body makes the following findings with respect to Plenary Retail Consumption Liquor Licenses issued by it;

1. The submitted application form is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A. B. C. Laws and Regulations.

WHEREAS, the governing body of the Borough of Manasquan has determined that The Committed Pig LLC is entitled to a Plenary Retail Consumption Liquor 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 issue and deliver to The Committed Pig LLC a Plenary Retail Consumption Liquor License to sell any alcoholic beverages at 165 Main Street in the Borough of Manasquan until midnight, June 30, 2024, subject, however, to the following condition:

1. At any time the licensed premises offers live entertainment 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. No bottles or cans shall be dumped in the solid waste dumpster maintained by the license holder between the hours of twelve (12) midnight and seven (7) a.m.
3. There shall be no outside storage of packaging material or building materials on the site.
4. The hours of operation on the outside second floor will include having the kitchen open until 11 pm with the last seating at 10 pm and patrons out by 11 pm.
5. No live or amplified music on the outside second floor after 10:00 p.m.
6. If live or amplified music is being played inside on the second floor all doors and windows shall be closed at 10 pm
7. The licensee agrees to obtain professional training for its bartenders and managers to identify and properly control patrons who appear inebriated; the licensee shall keep proof of completion of this training at the premises for inspection.
8. The licensee shall comply with all provisions of the "New Jersey Smoke-Free Air Act". N.J.S.A. 26:3d-55 et seq. If a smoking area is provided for patrons, the permitted smoking area cannot be on public property or the public sidewalk. The permitted smoking area, if any, shall be located within the licensed building, in accordance with applicable statutes, or on exterior grounds either owned, leased or otherwise controlled by the licensee.

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

There being no comment Council Member Holly made a motion to close the public hearing, seconded by Council Member Bresnahan. Motion carried unanimously.

Council Member Holly made a motion to approve this resolution, seconded by Council Member Triggiano. Motion carried by the following vote: "yes" Council Members Bresnahan, Holly, Lee, Olivera, and Triggiano. "No" none.

ORDINANCES – Second Reading

The borough attorney read the title of ordinance 2398-23 for second reading and final adoption.

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7 (PARKING), SECTION 7-7.7 (PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS), SECTION 7-7.5 (PARKING TIME LIMITED ON CERTAIN STREETS), SECTION 7-7.8 (PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS), AND SECTION 7-7.10 (ANGLE PARKING) OF THE BOROUGH OF MANASQUAN CODE IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

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

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

Council Member Holly made a motion to pass and publish ordinance 2398-23 according to law, seconded by Council Member Bresnahan. Motion carried by the following vote: "yes" Council Members Bresnahan, Holly, Lee, Olivera, and Triggiano. "No" none.

The borough attorney read the title of ordinance 2399-23 for second reading and final adoption.

ORDINANCE ESTABLISHING A NEW ZONE, SECTION 35-5.23 (R-2A ONE AND TWO FAMILY RESIDENTIAL ZONE) OF THE BOROUGH OF MANASQUAN CODE IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

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

Dick Meincke, 36 N. McClellan inquired as to where this zone is located.

Mr. Kitrick stated that it is on Broad Street.

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

Council Member Triggiano made a motion to pass and publish ordinance 2399-23 according to law, seconded by Council Member Lee. Motion carried by the following vote: "yes" Council Members Bresnahan, Holly, Lee, Olivera, and Triggiano. "No" none.

The borough attorney read the title of ordinance 2400-23 for second reading and final adoption.

ORDINANCE REZONING CERTAIN PROPERTIES KNOWN AS BLOCK 35, LOT 19; BLOCK 35, LOT 20; BLOCK 35, LOT 21 AND BLOCK 35, LOT 22.01A NEW ZONE, SECTION 35-5.23 FROM THE R-2 ONE-FAMILY RESIDENTIAL ZONE TO R-2A ONE AND TWO FAMILY RESIDENTIAL ZONE OF THE BOROUGH OF MANASQUAN CODE IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

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

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

Council Member Lee made a motion to pass and publish ordinance 2400-23 according to law, seconded by Council Member Bresnahan. Motion carried by the following vote: “yes” Council Members Bresnahan, Holly, Lee, Olivera, and Triggiano. “No” none.

The borough attorney read the title of ordinance 2401-23 for second reading and final adoption.

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 35 (ZONING) SECTION 35-5.12 (O OFFICE ZONE) OF THE BOROUGH OF MANASQUAN CODE IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

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

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

Council Member Lee made a motion to pass and publish ordinance 2401-23 according to law, seconded by Council Member Bresnahan. Motion carried by the following vote: “yes” Council Members Bresnahan, Holly, Lee, Olivera, and Triggiano. “No” none.

The borough attorney read the title of ordinance 2402-23 for second reading and final adoption.

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 35 (ZONING), SECTION 35-5.2 (R-1 ONE-FAMILY RESIDENTIAL ZONE) OF THE BOROUGH OF MANASQUAN CODE IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

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

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

Council Member Holly made a motion to pass and publish ordinance 2402-23 according to law, seconded by Council Member Bresnahan. Motion carried by the following vote: “yes” Council Members Bresnahan, Holly, Lee, Olivera, and Triggiano. “No” none.

ORDINANCES – First Reading

The borough attorney read the title of ordinance 2403-23 for first reading and introduction.

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 22 (WATER AND SEWER UTILITY), SECTION 22-56 (REPAIRS TO WATER METERS) AND AMENDING AND SUPPLEMENTING CHAPTER 16 (FEES), SECTION 22-56 (WATER METER & REMOTE READING SENSORS REPAIR FEES) OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

Council Member Holly made a motion to introduce ordinance 2403-23, seconded by Council Member Bresnahan. Motion carried by the following vote: “yes” Council Members Bresnahan, Holly, Lee, Olivera, and Triggiano. “No” none.

The borough attorney read the title of ordinance 2404-23 for first reading and introduction.

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**BOND ORDINANCE AMENDING IN ITS ENTIRETY BOND
ORDINANCE #2373-22, FINALLY ADOPTED JUNE 13, 2022, OF THE
BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH,
NEW JERSEY**

Council Member Lee made a motion to introduce ordinance 2404-23, seconded by Council Member Holly. Motion carried by the following vote: “yes” Council Members Bresnahan, Holly, Lee, Olivera, and Triggiano. “No” none.

Committee Reports

Beach Committee – Council Member Bresnahan thanked everyone for their hard work to get the beach ready for the season. He stated that Pompano parking lot is looking good with a few items still to be done by the county.

Public Works and Construction Committee - Council Member Holly reported on the South Street Parking Lot project and the hardscape at Curtis Park.

Public Safety Committee – Council Member Lee reported that Manasquan was featured in the NJ Municipality Magazine on the front page with Curtis Park Project. He reported on the issue with e-bikes in town and the dangers. He stated that there is information posted on the website regarding e-bikes and they are working on an ordinance for the rules and laws. He reported that there was a presentation at the school by the Manasquan Police Department going over the different types of bikes and the regulations. He reported on the activity in the police department in May. He reported that the Borough will be moving forward with a pilot program which would consist of expanding Ridge Avenue and Beams Terrace adding a 2 hour parking limit. He went over the process that will be followed for enforcement. He went over the N. Main Street Parking Lot project that was awarded tonight. He voiced his appreciation of Yvonne Ray who was promoted by resolution tonight.

Administration and Finance Committee – Council Member Olivera voiced his concerns about the e-bikes in town. He reported that the borough is looking at the website to update and modernize and he advised that if the public needs help finding something on the website or something added that will be beneficial to the community to reach out to the clerk’s office.

Code and Land Use Committee – Council Member Triggiano reported on the construction/code/zoning activities for the month.

Council Member Lee complimented the VFW for one of the best services for Memorial Day with the fly over and the speeches.

Audience Participation

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

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

Council Member Lee made a motion to close the regular meeting at 8:04 p.m., seconded by Council Member Olivera. Motion carried unanimously.

Respectfully submitted,



Barbara Ilaria
Municipal Clerk

DATE APPROVED 7-10-2023