

MARCH 15, 2021

Regular Meeting of Mayor and Council was convened at 7:00 p.m. on March 15, 2021 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 welcomed the audience and invited them to join in a moment of silent prayer and a salute to the Flag.

ROLL CALL: Present: Council Members Jay Bryant, Jeff Lee, Michael Mangan, Gregg Olivera, and Richard Read

Absent: James Walsh

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

Audience Participation

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

Mark Apostolou, 13 Cherry Place voiced his opinion about ordinance 2341-21 as it relates to fees that can be charged to clean up a property.

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

Council Member Read made a motion to change resolution 68-2021 to read Change Order #3, seconded by Council Member Lee. Motion carried unanimously.

Council Member Lee made a motion to pull resolution 74-2021 from the Consent Agenda, seconded by Council Member Read. Motion carried unanimously.

Resolution

**RESOLUTION
65-2021**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,
APPOINTING A POLICE OFFICER**

WHEREAS, the Borough of Manasquan is desirous of appointing a full time Police Officer for the Manasquan Police Department; and

WHEREAS, the Chief of Police has reviewed the candidates for the position of Police Officer; and

WHEREAS, the Chief of Police has recommended that the Borough of Manasquan hire Kevin Istvanditsch as Police Officer effective March 15, 2021.

NOW, THEREFORE BE IT RESOLVED on the 15th day of March, 2021 by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. Kevin Istvanditsch is appointed to the position of Police Officer of the Borough of Manasquan.
2. The effective date of this appointment is March 15, 2021.
3. The salary for this position is \$35,000 per year.
4. A certified copy of this resolution shall be sent to:

Kevin Istvanditsch

MARCH 15, 2021

Council Member Lee made a motion to approve this resolution, seconded by Council Member Bryant. Motion carried unanimously.

Swearing In Ceremony

Mayor Donovan swore in Kevin Istvanditsch as a Manasquan Police Officer.

Approval of Minutes

Regular Meeting Minutes - February 16, 2021

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

Use of Borough Property

E25-21 Wedding - Inlet/Gazebo - May 13, 2022 - 2 to 5 pm

It was recommended that this event be held in order to gather additional information.

E26-21 Recreation Beach Yoga - sea Watch Beach - May 29 to Sept. 6, 2021 at 7:30 AM

Council Member Read made a motion to approve this request, seconded by Council Member Bryant. Motion carried unanimously.

E28-21 Wedding - Inlet Beach - June 27, 2021 - 7 pm

Council Member Lee made a motion to approve this request, seconded by Council Member Bryant. Motion carried unanimously.

E29-21 Recreation Annual Easter Egg Hunt - April 1 - 6 pm

Council Member Read made a motion to approve this request, seconded by Council Member Lee. Motion carried unanimously.

E30-21 Hope Community Church Easter Sunrise Services - Inlet Beach - April 4, 2021 - 6:30 am

Council Member Read made a motion to approve this request, seconded by Council Member Bryant. Motion carried unanimously.

CONSENT AGENDA

**RESOLUTION
62-2021**

**RESOLUTION APPROVING THE RENEWAL OF INACTIVE
RETAIL CONSUMPTION LIQUOR LICENSE NO. 1327-33-006-006
FOR THE COMMITTED PIG MANASQUAN LLC.**

WHEREAS, the Committed Pig Manasquan LLC. Plenary Retail Consumption License 1327-33-006-006 is under Special Ruling Pursuant to N.J.S.A. 33:1-12.39 due to having an "Inactive License" since December 30, 2019; and

WHEREAS, the licensee is required to file a Verified Petition for renewal of their ABC License to the Director of the Division of Alcoholic Beverage Control if a license is under "Special Ruling" N.J.S.A. 33:1-12.39; and

WHEREAS, the Committed Pig Manasquan LLC. has filed the Verified Petition for the licensing term July 1, 2020 to June 30, 2021; and

MARCH 15, 2021

WHEREAS, the Director of the the Division of Alcoholic Beverage Control has considered all the facts and circumstances related to the “Inactive Status” and found the Committed Pig Manasquan LLC. has established good cause in accordance with the statutory requirements of N.J.S.A. 33.1-12.39 to warrant an application for renewal of the Inactive Plenary Retail Consumption License No. 1327-33-006-006 for July 1, 2020 to June 30, 2021 license term.

NOW THEREFORE BE IT RESOLVED, by the Borough Council, Borough of Manasquan, County of Monmouth, State of New Jersey, that the renewal of the Committed Pig Manasquan LLC Inactive Plenary License No. 1327-33-006-006 is hereby approved for the July 1, 2020- to June 30, 2021 term.

**RESOLUTION
63-2021**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,
AUTHORIZING THE RELEASE OF A BOND POSTED BY
KENNETH & LESLIE NEWMAN PURSUANT TO SECTION 15-2 OF
CHAPTER 15 (RENTAL PROPERTY) OF THE MUNICIPAL CODE**

WHEREAS, Kenneth & Leslie Newman posted a bond on March 2, 2017 in the amount of \$1,500.00 pursuant to Section 15-2 et seq. of Chapter 15 (Rental Property) of the Municipal Code for property at 541 Brielle Road, Manasquan, New Jersey; and

WHEREAS, the \$1,500.00 bond was deposited pursuant to a Consent Agreement with a four year term; this agreement was signed in 2017 and has now expired; and

WHEREAS, the Borough Council has determined that there is no longer reason to retain the bond proceeds; and

NOW, THEREFORE BE IT RESOLVED on the 15th day of March, 2021, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. The Chief Financial Officer, is hereby authorized to return the bond proceeds in the amount of \$1,500 to Kenneth & Leslie Newman.
2. The check shall be sent to:

Kenneth & Leslie Newman
P.O. Box 714
New Hampton, New York 10958

**RESOLUTION
64-2021**

WHEREAS, the Borough of Manasquan is in need to hire a Chief Lifeguard and the Borough Council of the Borough of Manasquan desires to appoint Douglas Anderson as Chief Lifeguard at an annual salary of \$35,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth and State of New Jersey as follows:

1. Douglas Anderson is hereby appointed as Chief Lifeguard of Manasquan Beach at an annual salary of \$35,000.00
2. Douglas Anderson is hereby appointed with the starting date of April 1, 2021.

MARCH 15, 2021

3. That certified copy of this resolution be forwarded to Douglas Anderson.

**RESOLUTION
66-2021**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough of Manasquan retains the services of Colliers Engineering & Design, 331 Newman Springs Roads Suite 203, Red Bank, New Jersey 07701, to provide Grant Administration and Construction Administration Services for Euclid Areas Improvements Phase I. The fees are as follows:

- Phase 1.0 Grant Administration \$6,700.00
- Phase 2.0 Construction Administration 46,500.00

for a total amount not to exceed \$53,200.00 for the services outlined in a proposal dated March 5, 2021.

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

**RESOLUTION
67-2021**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough of Manasquan retains the Professional Engineering services of Colliers Engineering & Design, 331 Newman Springs Roads Suite 203, Red Bank, New Jersey 07701, to provide Engineering Design Services for the NJDOT Municipal Aid Project - Improvements to the First Avenue Phase I. Fees are as follows:

- Phase 1.0 Engineering Design, Construction documents, and Bidding
 - 1.1 Topographic Survey \$36,000.00
 - 1.2 Construction Documents \$46,250.00
 - 1.3 Bidding Services \$4,250.00

for a total amount not to exceed \$86,500.00 for the service outlined in a revised proposal dated March 10, 2021.

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

**RESOLUTION
68-2021**

CHANGE ORDER NO. 3

BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan of Monmouth County, New Jersey upon the recommendation of the Engineer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: Beach Headquarters Renovations and Additions

CONTRACTOR: Cypreco Industries, Inc.

MARCH 15, 2021

ENGINEER: H2M Associates, Inc.
4810 Belmar Blvd. Suite 201
Wall Township, NJ 07753

Change Order No. 3

AMOUNT OF CHANGE FOR THIS RESOLUTION: \$28,800.00

TOTAL AMOUNT OF CHANGE: \$60,736.00

TOTAL ORIGINAL CONTRACT PRICE \$578,500.00

REVISED CONTRACT PRICE \$639,236.00

All bills on file in the Finance Office. This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

**RESOLUTION
69-2021**

BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan that Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, be and is hereby authorized to advertise a Bid Notice for the Euclid Avenue Area Improvements Project- Phase I.

**RESOLUTION
70-2021**

WHEREAS, the Borough of Manasquan is desirous to secure services for Mobile Concession Truck at the Sea Watch property located at 95 Beachfront.

NOW THEREFORE BE IT RESOLVED, that the Borough of Manasquan authorizes the Municipal Clerk to advertise a Request for Proposal for Mobile Concession Truck at the Sea Watch property.

**RESOLUTION
71-2021**

WHEREAS, the Borough of Manasquan is desirous of appointing Seasonal Beach Employees for the Pre-Season Beach Badge Sales; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 15th of March 2021 appoint the following Seasonal Beach Employees to work during the Pre-Season, 2021.

Eileen McFadden	\$20.00 per hour
Tracy Sullivan	\$20.00 per hour
Mike Hurden	\$20.00 per hour
Frank Cavaleri	\$20.00 per hour
Steve Powers	\$20.00 per hour
Ron DePasquale	\$13.00 per hour
Glen Kritch	\$12.50 per hour
Gary McTighe	\$13.00 per hour
Madison Spera	\$11.50 per hour
Mike Matthews	\$11.50 per hour
Cindy Powers	\$11.50 per hour
Abby Tigar	\$11.50 per hour
Ben Tigar	\$11.50 per hour
Olivia White	\$11.50 per hour
Mary Kate Wolter	\$12.50 per hour

MARCH 15, 2021

Laurie Brandon \$13.75 per hour
Paul Mabin \$13.50 per hour

**RESOLUTION
72-2021**

WHEREAS, the Manasquan Beach Improvement Association wishes to donate ADA picnic tables to The Borough of Manasquan to be placed at Elks Handicapped Beach; and

WHEREAS, it will be the Borough of Manasquan’s responsibility to maintain the picnic tables.

NOW THEREFORE BE IT RESOLVED, the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough of Manasquan hereby accepts and acknowledges the donation of picnic tables from the Manasquan Beach Improvement Association.

**RESOLUTION
73-2021**

WHEREAS, the Borough of Manasquan is desirous to secure services for a Financial Advisor.

NOW THEREFORE BE IT RESOLVED, that the Borough of Manasquan authorizes the Municipal Clerk to advertise a Request for Proposal for services of a Financial Advisor.

**RESOLUTION
75-2021**

BE IT RESOLVED, that the Hon. Edward G. Donovan , Mayor of the Borough of Manasquan, be and is hereby authorized to sign the Agreements Between The Borough of Manasquan and the School Traffic Guards and the Special Law Enforcement Officers (SLEO) effective January 1, 2021 through December 31, 2025.

**RESOLUTION
76-2021**

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

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

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

Current Fund	\$155,091.07
Capital Fund	\$16,882.12
Water/Sewer Fund	\$339,794.20
Water/Sewer Utility Fund	
Beach Utility Fund	\$12,443.05
Beach Capital Fund	\$9,567.12
Recreation Building Trust	\$2,550.72
Recreation Trust	\$624.03
Affordable Housing	\$1,147.00
Developer’s Trust	\$6,968.25
Animal Trust	\$62.40

MARCH 15, 2021

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

Resolution

**RESOLUTION
74-2021**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough of Manasquan retains the services of Colliers Engineering & Design, 331 Newman Springs Roads Suite 203, Red Bank, New Jersey 07701, to provide Existing Conditions Assessment and Conceptual Renovations, St. Denis Elementary School. The fees are as follows:

- | | | |
|-------------|--------------------------------|-------------|
| • Phase 1.0 | Topographic Survey | \$ 6,800.00 |
| • Phase 2.0 | Existing Conditions Assessment | \$22,300.00 |
| • Phase 3.0 | Programming/Conceptual Design | \$27,750.00 |
| • Phase 4.0 | Reimbursables | \$ 1,500.00 |

for a total amount not to exceed \$58,350.00 for the services outlined in a proposal dated March 10, 2021.

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

Council Member Read made a motion to approve this resolution, seconded by Council Member Lee. Motion carried unanimously.

Ordinances – Second Reading

The Borough Attorney read the title of ordinance 2339-21 for second reading and final hearing.

ORDINANCE AMENDING CHAPTER 10 (PARKS AND RECREATION AREAS) SECTION 10-1.1 (PROHIBITED ACTS) OF THE BOROUGH OF MANASQUAN CODE, IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

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

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

Council Member Read made a motion to pass and publish ordinance 2339-21 accordingly law, seconded by Council Member Bryant: “yes” Council Members Bryant, Lee, Mangan, Olivera, and Read. “No” none.

The Borough Attorney read the title of ordinance 2340-21 for second reading and final hearing.

ORDINANCE AMENDING CHAPTER 12 (BEACHES AND BEACHFRONTS) SECTION 12-4 (CONDUCT AND USE RESTRICTIONS) TO INCLUDE 12-4.28 (RESTRICTIONS ON UMBRELLAS, TENTS, AND CANOPIES) 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 Read. Motion carried unanimously.

MARCH 15, 2021

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

Council Member Bryant made a motion to pass and publish ordinance 2340-21 accordingly law, seconded by Council Member Read: "yes" Council Members Bryant, Lee, Mangan, Olivera, and Read. "No" none.

Ordinances – First Reading

The Borough Attorney read the title of ordinance 2341-21 for introduction.

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 13 (PROPERTY MAINTENANCE) SECTIONS 13-1.1, (INTERNATIONAL PROPERTY MAINTENANCE CODE /2012 ADOPTED BY REFERENCE) SECTION 13-1.2 (COPIES ON FILE AVAILABLE FOR PURCHASE) SECTION 13-1.3 (AMENDMENTS TO CODE) SECTION 13-4.1 (DUTY OF OWNER OR TENANT TO CUT AND TRIM) SECTION 13-5.3 (SERVICE NOTICE) SECTION 13-5.9 (STAGNANT WATER) SECTION 13-6.3 (PROHIBITED CONDUCT) SECTION 13.2 (RESERVED) AND CHAPTER 15 RENTAL PROPERTY SECTION 15-1.2 (INSPECTIONS; APPLICATION FEES)

Council Member Bryant made a motion to introduce ordinance 2341-21, seconded by Council Member Lee: "yes" Council Members Bryant, Lee, Mangan, Olivera, and Read. "No" none.

The Borough Attorney read the title of ordinance 2342-21 for introduction.

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 3 (POLICE REGULATIONS) SECTION 3-28.7 (VIOLATIONS AND PENALTIES) AND ESTABLISHING SECTION 3-5 (PENALTIES)

Council Member Bryant made a motion to introduce ordinance 2342-21, seconded by Council Member Lee: "yes" Council Members Bryant, Lee, Mangan, Olivera, and Read. "No" none.

The Borough Attorney read the title of ordinance 2343-21 for introduction.

FIXING SALARIES AND COMPENSATION OF THE EMPLOYEES OF THE BOROUGH OF MANASQUAN

Council Member Bryant made a motion to introduce ordinance 2343-21, seconded by Council Member Read: "yes" Council Members Bryant, Lee, Mangan, Olivera, and Read. "No" none.

The Borough Attorney read the title of ordinance 2344-21 for introduction.

ORDINANCE AMENDING CHAPTER 15 (RENTAL PROPERTY) SECTION 15-2.3 (HEARING, POSTING OF BOND) OF THE BOROUGH CODE IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

Council Member Lee made a motion to introduce ordinance 2344-21, seconded by Council Member Bryant: "yes" Council Members Bryant, Lee, Mangan, Olivera, and Read. "No" none.

The Borough Attorney read the title of ordinance 2345-21 for introduction.

AN ORDINANCE BY THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES AND AMENDING CHAPTER 35 (ZONING) SECTION 35-7.6 (PROHIBITED USES) OF THE BOROUGH OF MANASQUAN MUNICIPAL CODE

MARCH 15, 2021

Council Member Bryant made a motion to introduce ordinance 2345-21, seconded by Council Member Olivera: “yes” Council Members Bryant, Lee, Mangan, Olivera, and Read. “No” none.

Committee Reports

Administration & Finance Committee – Council Member Olivera thanked everyone involved in the budget and stated the next budget meeting is scheduled for Saturday.

Council President Mangan – thanked everyone involved in getting the new system up and running and the video is great.

Beach & Recreation Committee – Council Member Read thanked council for approving Doug Anderson and he went over the beach crew supervisor notice of employment.

Public Safety Committee – Council Member Lee congratulated Officer Itsvanditsch and went over distracted driver program which the police are participating in.

Public Works & Construction Committee - Council Member Bryant congratulated Officer Itsvanditsch and went over some items that are being discussed in committee. He thanked MBIA for their donation of picnic tables and he went over the work that will be starting at the corners of Main, Broad, and South Streets.

Audience Participation

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

John Winterstella, 436 Cedar Avenue voiced his concerns about an ordinance that charges the homeowner for water service repairs in the street. He stated that he will be starting a citizen’s class action suit.

Linda Keenan, 283 Perrine Blvd. voiced her concerns about the bill she received regarding water service repairs in the amount of \$5,600.

Robert Olson, 12 Meadow Avenue inquired about the bungalows at Sea Watch and suggested that the buildings be removed. He also voiced his opinion and concerns on the Stockton Lake Blvd. paving project.

Mr. Raftery, Borough Engineer stated that he will look into the issues on Stockton Lake Blvd. and reach out to the bond company for any repairs.

Mr. Olson inquired about the Sea Watch Beach Building project and why there is an addition being built.

Council Member Bryant stated that there is watering entering the building and the remediation involves a search and find.

Mary Ryan, 113 Beachfront inquired about the beach building addition.

Mr. Flarity went over why the building needs to be remediated and corrected.

Wendy & Gary Gray, 145 Fletcher Avenue voiced their concerns with the outside entertainment at the Salty Whale continuing this year.

Mr. Flarity went over what the state is allowing the establishments to do with outside dining.

Chrissy Rice, 26 Fletcher Avenue inquired about First Avenue paving project and would like the town to look into underground wires.

There was discussion on the process of putting the wires underground on First Avenue.

Ms. Rice voiced her concerns and opinion on the cannabis law that was passed.

MARCH 15, 2021

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

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

Council Member Lee made a motion to close the regular meeting at 8:50 p.m., seconded by Council Member Bryant. Motion carried unanimously.

DATE APPROVED 4/5/2021