

JANUARY 18, 2022

Regular Meeting of Mayor and Council was convened at 7:00 p.m. on January 18, 2022 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 Brian Holly, Jeff Lee, Michael Mangan, Gregg Olivera, Richard Read and Lori Triggiano

Absent: None

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

Audience Participation

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

Al Sauer, 109 First Avenue inquired about liquor license training for the Osprey.

Mr. Kitrick stated that the training is required and this would be followed up by the ABC.

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

Appointments

Mayor Donovan made the following appointments:

Environmental Commission - Matthew Amato from Alternate #1 to Member for unexpired term - 1/1/20-12/31/22

Environmental Commission - Sharon Manni to Alternate #1 - Unexpired Term 1/1/22-12/31/23

Presentation

The Manasquan Tug Committee presented a check in the amount of \$23,500 to the Manasquan Recreation Department. They thanked everyone that was involved especially Joe Leone's and Make a Wish Foundation.

Approval of Minutes

Regular Meeting Minutes – December 20, 2021

Regular Meeting Minutes – December 30, 2021

Reorganization Meeting Minutes – January 3, 2022

Council Member Holly made a motion to approve the minutes, seconded by Council Member Read. Motion carried unanimously with Council Member Olivera abstaining from the December 30, 2021 and January 3, 2022 meeting minutes.

Beach Parking Lot Mobile Pay Initiative - Discussion

Mr. Flarity updated the council and the audience on the beach parking lot mobile pay initiative and the discussions that have taken place so far. He went over the financial aspects of this program and touched base on how the season parking pass holders would be incorporated into this program.

Chief Bauer went over the process for enforcement of the mobile pay application in the lots.

There was discussion by council on the implementation of this application and how it will work.

CONSENT AGENDA

JANUARY 18, 2022

**RESOLUTION
31-2022**

**APPOINTMENT OF TAX ASSESSOR AS
AGENT IN TAX APPEALS**

WHEREAS, from time to time the Tax Assessor discovers an error in calculation, transposition, measurement or typographical errors in the tax assessments on the tax list after the time the County Board of Taxation has certified the tax rates for the tax year; and

WHEREAS, the Mayor and Council of the Taxing District of Manasquan is desirous that every taxpayer pays his fair share of taxes; and

WHEREAS, if the above discovered errors are not corrected, the taxpayers affected would not be paying their fair share of taxes; and

WHEREAS, the method of correcting such errors is to file a Petition of Appeal for the current tax year with the Manasquan County Board of Taxation.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan that Robyn Palughi, Tax Assessor, is hereby authorized to act as the Agent for the Taxing District and file a Petition of Appeal or Appeals for the year 2022 with the Monmouth County Board of Taxation, to correct such assessments to the proper value and that a copy of any Petition of appeal with the Monmouth County Board of Taxation under this Resolution is to be filed with the Borough Clerk.

BE IT FURTHER RESOLVED, that Robyn Palughi, Tax, Assessor, is hereby authorized to execute stipulation of settlement of any tax appeal filed by the Taxing District or by a taxpayer for the tax year 2022.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Monmouth County Board of Taxation with such Petition of Appeal.

**RESOLUTION
32-2022**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,
RELEASING THE CASH PERFORMANCE BOND/GUARANTEE
FOR 236 SECOND AVENUE**

WHEREAS, Edward & Sofia Lilinshtein, posted a cash performance guarantee in the amount of \$15,797.40 with the Borough of Manasquan as a guarantee for site work for a project located at 236 Second Avenue, also known as Block 178, Lot 1.01 in the Borough of Manasquan; and

WHEREAS, As a result of a sale of the said property the Governing Body of the Borough of Manasquan is desirous of releasing the cash performance guarantee in the amount of \$15,797.40 to Edward & Sofia Lilinshtein.

NOW, THEREFORE BE IT RESOLVED, on the 18th day of January, 2022, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. The cash performance guarantee in the amount of \$15,797.40 posted by Edward & Sofia Lilinshtein for 236 Second Avenue, may be released.
2. The Chief Financial Officer is authorized to return the bond in the sum of \$15,797.40 to Edward & Sofia Lilinshtein.
3. A certified copy of this resolution shall be sent to:

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Edward & Sofia Lilinshtein
67 Marine Terrace
Long Branch, NJ 07740

**RESOLUTION
33-2022**

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

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

NAME: EDWARD & SOFIA LILINSHTEIN
67 MARINE TERRACE
LONG BRANCH, NJ 07740

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND/
SALE OF PROPERTY
APPLICATION #23-2021
236 SECOND AVENUE
BLOCK: 178 LOT: 9.01 ZONE: R-PM
AMOUNT OF REFUND DUE: \$1,635.48

NAME: JEFFREY MICHAELS
2507 AUTUMN DRIVE
MANASQUAN, NJ 08736

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #37-2021
297 EUCLID AVENUE
BLOCK: 118 LOT: 25.02 ZONE: R-2
AMOUNT OF REFUND DUE: \$1003.50

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
34-2022**

WHEREAS, pursuant to N.J.S.A. 54:4-3.30a Disabled Veterans are exempt from taxation; and

WHEREAS, the Tax Collector shall be and is hereby discharged from collecting 2021 taxes from the following, as he/she is a Disabled Veteran as per NJ Statute 54:4-3.30a and exempt from all taxes as of the effective date noted for an assessment listed,

WHEREAS, 2021 property taxes based on the assessment listed in the 2021 Tax Duplicate are to be cancelled and any monies showing a credit should be immediately refunded to the appropriate property owner stated.

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

NAME: Matthew Kyle & Erica Lyn Hart
81 Curtis Place
Block 47 Lot 60

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NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Manasquan that the appropriate Borough officials be and are hereby authorized to issue the cancellation in accordance with N.J.S.A. 54:4-3.30a.

**RESOLUTION
36-2022**

BE IT RESOLVED, that the Hon. Edward G. Donovan, Jr., Mayor of the Borough of Manasquan, be and is hereby authorized to sign the Service Agreement with Park Mobile, LLC for implementation and parking transaction services.

**RESOLUTION
37-2022**

BE IT RESOLVED, that the Hon. Edward G. Donovan, Jr., Mayor of the Borough of Manasquan, be and is hereby authorized to sign the Service Agreement with Motorola Solutions for electronic license plate readers for parking transactions.

**RESOLUTION
38-2022**

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

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

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

Current Fund	\$219,004.21
Current Capital Fund	\$2,228.49
Water/Sewer Fund	\$358,261.25
Beach Utility Fund	\$92,036.76
Beach Capital	\$557.12
Recreation Building Trust	\$101.97
Recreation Trust	\$3,999.49
Tourism	\$668.33
Junior Lifeguards	\$655.00
Reserve for Tax Maps	\$650.00
Miscellaneous Trust Fund I	\$2,400.00
Affordable Housing	\$775.00
Developers Escrow	\$542.86
Animal Trust	\$124.40

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

Resolutions

**RESOLUTION
35-2022**

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, AUTHORIZING THE PERSON TO PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE WITH BROAD

JANUARY 18, 2022

**PACKAGE PRIVILEGE NO. 1327-32-008-010 TO COVER PREMISE
AT 201 FIRST AVENUE, MANASQUAN, NEW JERSEY**

WHEREAS, application has been made to the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey by D&C Osprey Nightclub LLC. for the person to person transfer of Plenary Retail Consumption with a Broad Package Privilege License No. 1327-32-008-010 to cover premises known as The Osprey Hotel at 201 First Avenue, Manasquan, New Jersey; and

WHEREAS, the governing body makes the following findings with respect to the plenary retail distribution liquor license:

1. The submitted application is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and governmental laws and regulations of the Division of Alcoholic Beverage Control.
3. The applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and/or any additional financing obtained in the previous license term for use in the licensed business.

WHEREAS, D&C Osprey Nightclub LLC. is adjudged to be entitled to a person to person transfer for the Plenary Retail Consumption Liquor License with Broad Package Privilege covering premise at 201 First Avenue, Manasquan, New Jersey.

NOW, THEREFORE BE IT RESOLVED on the 18th day of January, 2022, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey, that the person to person transfer application of D&C Osprey Nightclub LLC is approved.

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

Ordinances –First Reading

The Borough attorney read the title of ordinance 2366-22 for first reading and introduction.

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2
(ADMINISTRATION) SECTION 2-5.20 STANDING COMMITTEES
DESIGNATED AND SECTIONS 2-5.21 CHAIRMAN; 2-5.26
ADMINISTRATION AND FINANCE COMMITTEE, SECTION 2-
5.27 BEACH AND RECREATION COMMITTEE, SECTION 2-5.28
CODE AND LAND USE COMMITTEE, 2-5.29 PUBLIC SAFETY
AND TRAFFIC COMMITTEE, 2-5.30 PUBLIC WORKS AND
CONSTRUCTION COMMITTEE AND SECTION 2-5.31
(RESERVED)**

Council Member Triggiano made a motion to introduce ordinance 2366-22, seconded by Council Member Read. Motion carried by the following vote: "yes" Council Members Holly, Lee, Mangan, Olivera, Read and Triggiano. "No" none.

Committee Reports

Public Works and Construction Committee – Council Member Holly reported on what DPW did for the incoming storm, beach sand off walkway and he reported on a downed tree at Mac's Pond.

Public Safety Committee – Council Member Lee thanked the police department for their expert work on handling a swatting incident on Broad Street. He reported on the violations handled by the police department in 2021 as well as the calls that were taken in and followed up on. He went over the officers that are currently in training at the academy.

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Recreation Committee – Council Member Mangan reported on a meeting with the BOE field house team regarding the use and access of the field house, a 501c3 group that is up and running “Friends of Manasquan Recreation” group, Skokos Park will have a minor upgrade in the spring, Curtis Park Project update, financial review of recreation which includes a 5 year look back, continuing negotiations with St. Denis regarding a long term lease of their facility, and biddy basketball has started.

Administration and Finance Committee – Council Member Olivera stated that he does not have a report at this time. He welcomed Council Members Holly and Triggiano to the dais.

Beach and Recreation Committee – Council Member Read reported on the beach badge mailings for pre-ordered badges, process for contacting the beach on the off season, beach staffing in all areas, upgrading and refurbishing the equipment and refurbishing the Brielle Road and Sea Watch bathrooms as well as putting the finishing touches on the Main Street building.

Mr. Raftery updated the council and audience on the progress of the Sea Watch Improvements and that the team has been developing conceptual site plans to develop an increase in parking. He stated that they he has been in contact with NJDEP and answering questions they may have regarding this improvement project.

Code and Land Use Committee – Council Member Triggiano reported that the code department advised that they had a very good year last year and that everything is running well.

Audience Participation

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

Brock Housan, 261 Euclid Avenue voiced his concerns about gas powered leaf blowers and believes DPW should be a model for the residents with these restrictions.

Council Member Triggiano made a motion to close the public portion, seconded by Council Member Olivera. 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 Holly made a motion to close the regular meeting at 9:43 p.m., seconded by Council Member Mangan. Motion carried unanimously.

DATE APPROVED 2/22/2022