

MARCH 2, 2020

Regular Meeting of Mayor and Council was convened at 7:02 p.m. on March 2, 2020 in Council Chambers of Borough Hall with Mayor Donovan presiding.

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

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

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

Absent: Council Member Gregg Olivera

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

Audience Participation

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

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

Certificate of Appreciation – Judy Boden

Mayor Donovan presented Judy Boden with the certification for her many years of service at the Borough.

Resolution

RESOLUTION 66-2020

WHEREAS, Nicholas Norcia is a Patrolman with the Borough of Manasquan Police Department;
and

WHEREAS, the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, has agreed to promote Patrolman Nicholas Norcia to the position of Sergeant in the Manasquan Police Department; and

WHEREAS, the salary for said position is consistent with the base salary for the position of Police Sergeant as reflected in the most recent collective bargaining agreement; and

WHEREAS, the promotion and requisite salary will become effective immediately; and

WHEREAS, Nicholas Norcia is hereby promoted to the position of Sergeant of the Borough of Manasquan Police Department.

NOW, THEREFORE, BE IT RESOLVED on this 2nd day of March 2020, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey that the Council hereby recognizes the following:

1. The Borough Council does hereby authorize the promotion of Patrolman Nicholas Norcia to the position of Police Sergeant with a salary consistent with the base salary of Sergeant as reflected in the most recent collective bargaining agreement.
2. A certified copy of this resolution shall be sent :

Nicholas Norcia
Point Pleasant NJ 08742

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

Mayor Donovan swore in Nicholas Norcia as Manasquan Police Sergeant.

Public Hearing – Adoption of Pre-Qualification Regulations – Squan Beach Life Saving Station

Mayor Donovan stated that this is a requirement under the State Historical Preservation Office.

Mr. Kitrick read the notice that was posted for this project.

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

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

Use of Borough Property

- E32-20 Big Brothers Big Sisters - Sept. 13, 2020 - Main Beach - 10 am to 2 pm (rain 9/27/2020)

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

- E33-20 SBLSS Kentucky Derby Fundraiser - May 2, 2020 - 4 to 7 pm

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

- E34-20 Surfrider Foundation Beach Clean Up - March 28, 2020 - 10 am to 12 pm

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

CONSENT AGENDA

**RESOLUTION
64-2020**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that the Borough of Manasquan authorize John Quigley to fill in for the Plumbing Sub Code Inspector on an “as needed” basis at a rate of \$35.00 per hour.

**RESOLUTION
65-2020**

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: MANASQUAN BANK
PO BOX E
MANASQUAN, NJ 08736

AMOUNT OF REFUND DUE: \$2,383.97

REASON FOR REFUND: DUPLICATE TAX PAYMENT - 2020/1

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BLOCK 73 / LOT 81
140 MORRIS AVE
SCHLATTER, DAVID & SANDRA

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
67-2020**

WHEREAS, on January 1, 2020, Frank Morris of Frank A. Morris Construction, Inc. posted a cash bond in the amount of \$10,000.00 for Beach Access Permit #1-20 for access to 159 Beachfront; and

WHEREAS, on February 20, 2020, Frank Morris presented a Letter of Credit #124001906 from Manasquan Bank in the amount of \$10,000.00 with an expiration of February 20, 2021 in lieu of the posted cash bond.

WHEREAS, the governing body of the Borough of Manasquan is desirous of releasing the cash bond in the amount of \$10,000.00

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

NAME: FRANK A. MORRIS CONSTRUCTION, INC.
2168 ALLENWOOD ROAD
WALL, NJ 07719

AMOUNT OF REFUND DUE: \$10,000.00

REASON FOR REFUND: Letter of Credit submitted in lieu of cash bond

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
68-2020**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE
BOROUGH OF MANASQUAN, MONMOUTH COUNTY,
RELEASING MORTGAGE MODIFICATION**

WHEREAS, Alice Hemphill, 162 Fletcher Avenue executed a mortgage to the Borough of Manasquan in the amount of \$18,525.00, dated March 20, 2007 and recorded in the Monmouth County Clerk's Office under the Housing Improvement Program; and

WHEREAS, a Mortgage Modification Agreement was entered into and dated October 15, 2007 to increase the amount of the mortgage from \$18,525.00 to \$19,300.00 and recorded in the Monmouth County Clerk's Office; and

WHEREAS, the Mortgage Modification was satisfied as of October 15, 2017 representing that all conditions have been satisfied; and

WHEREAS, the governing body of the Borough of Manasquan is desirous of releasing the Mortgage Modification Agreement; and

NOW, THEREFORE BE IT RESOLVED on the 2nd day of March 2020, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

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1. Mortgage Modification Agreement for Alice Hemphill is hereby satisfied to the terms as of October 15, 2017.
2. A certified copy of this Resolution shall be sent to:

C. Keith Henderson & Associates
52 Abe Voorhees Drive
Post Office Box 260
Manasquan, NJ 08736

Debbie Dovedytis, Program Analyst
Housing Improvement Program
County of Monmouth
One East Main Street
Freehold, NJ 07728

**RESOLUTION
69-2020**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE
BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW
JERSEY, RELEASING A PERFORMANCE BOND POSTED BY
MANASQUAN BANK**

WHEREAS, Manasquan Bank posted a Letter of Credit #0124001706 in the amount of \$35,017.65 and a Cash Bond in the amount of \$3,890.00 for a total of \$38,908.50 for the performance guarantee with the Borough of Manasquan as a guarantee for site work for a project located at 185 Main Street, also known as Block 65.02, Lot 22.01 in the Borough of Manasquan; and

WHEREAS, all conditions of the Engineering report dated February 19, 2020, referencing the Performance and Cash Bond requirements have been met and remain in a satisfactory condition; and

WHEREAS, the governing body of the Borough of Manasquan is desirous of releasing the performance bond Letter of Credit #0124001706 in the amount of \$35,017.65 and Cash Bond in the amount of \$3,890.00 for a total of \$38,908.50 in accordance with the Municipal Land Use Law.

NOW, THEREFORE BE IT RESOLVED on the 2nd day of March 2, 2020 by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. The performance bond Letter of Credit in the amount of \$35,017.65 and the Cash Bond in the amount of \$3,890.00 posted by Manasquan Bank be released
2. A certified copy of this resolution shall be sent to:

Manasquan Bank
2221 Landmark Place
Wall Township, NJ 08736

**RESOLUTION
70-2020**

BE IT RESOLVED, that the Hon. Edward G. Donovan, Mayor of the Borough of Manasquan, be and is hereby authorized to sign the Shared Service Agreement for the Provision of Emergency Dispatch Services with the County of Monmouth.

RESOLUTION

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71-2020

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

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

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

Current Fund	\$238,107.44
Capital Fund	\$73,244.10
Water/Sewer Fund	\$16,655.26
Water/Sewer Utility Fund	
Beach Utility Fund	\$10,200.19
Beach Capital Fund	\$50.05
Recreation Building Trust	\$2,396.09
Recreation Trust	\$9,702.95
Tourism Trust	\$115.00
Developer's Trust	\$333.50

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

Ordinances – Second Reading

The Borough Attorney read the title of ordinance 2310-20 for second reading and final hearing.

ORDINANCE AMENDING ORDINANCE 2277-19 (CHAPTER 7, SECTION 7-16.1 TAXI STANDS ESTABLISHED AND SECTION 4-16.2 FINES AND PENALTIES); ORDINANCE 2288-19 (CHAPTER 12, SECTION 12-14.26 ROUGH SURF MANAGEMENT PLAN); AND ORDINANCE 2291-19 (CHAPTER 12, SECTION 12-4.26 DRONES RESTRICTED) OF THE BOROUGH OF MANASQUAN CODE IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

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

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

Council Member Mangan made a motion to pass and publish ordinance 2310-20 according to law, seconded by Council Member Walsh. Motion carried by the following vote: "yes" Council Members Bryant, Lee, Mangan, Read, and Walsh. "No" none.

The Borough Attorney read the title of Ordinance 2315-20 for second reading and final hearing.

ORDINANCE AMENDING CHAPTER 16 (FEES) SECTION 16-1 FEE SCHEDULE ESTABLISHED OF THE BOROUGH OF MANASQUAN CODE IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

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

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

Council Member Read made a motion to pass and publish ordinance 2315-20 according to law, seconded by Council Member Walsh. Motion carried by the following vote: "yes" Council Members Bryant, Lee, Mangan, Read and Walsh. "No" none.

Ordinances – First Reading

The Borough Attorney read the title of ordinance 2316-20 for introduction.

ORDINANCE AMENDING SECTIONS 22-3 (WATER AND SEWER USAGE CHARGE) OF CHAPTER 22, WATER AND SEWER UTILITY OF THE REVISED GENERAL ORDINANCES IN ORDER TO INCREASE WATER AND SEWER RATES AND USAGE CHARGES IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

Council Member Bryant made a motion to introduce ordinance 2316-20, seconded by Council Member Mangan. Motion carried by the following vote: "yes" Council Members Bryant, Lee, Mangan, Read and Walsh. "No" none.

Audience Participation

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

Dick Meincke 36 M. McClellan inquired about the committee reports.

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

Council Member Mangan made a motion to amend the agenda to include committee reports and to include a second audience portion, seconded by Council Member Walsh. Motion carried unanimously.

Committee Reports

Public Works Committee – Council Member Walsh reported that he will be working with the code department to enforce the tree ordinances. He stated that he has not been able to meet with the Sea Lavender Garden Club but the plan is to increase their budget.

Administration Committee – Council Member Read reported on the boat slip rentals and advised that there are 18 slips available for the lottery which closes on Thursday. He reported that a survey will be going out to get input from the boaters to better serve them. He also reported on the program that the borough has regarding reporting a concern which is located on the front page of the website. He reported on the new registrar fees and that the borough should be receiving more money as compared to last year.

Beach & Recreation Committee – Council Member Mangan advised that everyone is working on the budget and one of the big things to fund with the 2020 budget is the start of the parks improvement plan which would be a sustainable plan. He also reported that the borough is working on a DEP permit for the beach, employee appreciation programs, improvements to junior guard program, parking lot meters, Sea Watch property improvements, and the Main Beach building repairs.

Public Safety Committee – Council Member Lee reported that budget review is under way with capital expenditures, vehicle maintenance plan, looking for ways to support first aid, and improvement on N. Main Street crosswalk. He thanked Administrator Flarity for his guidance with the courts and trying to alleviate the crowds in the hallway during court days. He stated that he was very impressed with a program led by Council Member Bryant "The Voice of Democracy" for the high school students. He went over the award to Officer Smith who was awarded officer of the year by the Manasquan VFW. He went over an event that occurred here at Borough Hall where Officer Smith helped a 98 year old World War II veteran to help the veteran get the necessary help. He advised that Detective Lt. Greg Restivo and Detective Ken Hamill will start a 4 day class on interviewing and interrogation techniques which is being hosted at Rutgers.

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Code & Zoning Committee – Council Member Bryant reported on the VFW Veterans of Foreign Wars Citizen Award luncheon where Sergeant Keith Smith was recognized as was the Mayor for Citizen of the Year, Fire Fighter of the Year was Tom Schofield, and reported on the students that placed from the elementary and the high school. He also advised of students who have moved on to the State and the Teacher of the Year Andrea Trischita. He reported on the code/construction numbers for February. He stated that they will be reviewing fees for possible changes in the upcoming months.

Mangan - reported that parking passes can be purchased through Community Pass starting April 1 with a limited amount of parking passes available for purchase online and in person purchase will start April 13 at St. Denis. He went over the hours of sale for pre-season and pick up instructions.

Administration Committee – Council Member Read congratulated the high school boys' basketball team as they won the shore conference championships over Toms River North 75 to 49. He stated that this is the first time since 1957. He reported that the high school hockey team is 3 time Dowd champions.

Audience Participation

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

Mary Ryan, 113 Beachfront thanked everyone for their work. He thanked Council Member Read for highlighting the Report a Concern program on the website. She inquired about the tug boats and the cranks in the river.

Mayor Donovan stated this is not a borough project and he is not sure of what they are doing. He believes they are staging there and there might be some dredging further north. He believes it would be the Army Corp of Engineers running this project.

Ms. Ryan inquired about the beach and DPW departments being merged.

Council Member Mangan advised that the two departments are not merged and he was just thanking both departments for getting the beaches ready.

Ms. Ryan inquired about Erik Ertle overseeing the DPW working on the beach in the winter time.

Council Member Mangan stated that there is an agreed upon list of maintenance items that will be done by DPW. He stated that the Beach and DPW are working together on beach items.

Ms. Ryan thanked Jay for his involvement with the VFW program.

Jeff Eirich, 76 N. Main Street thanked council for their efforts with the issues with the new high school fields.

Dick Meincke, 36 N. McClellan inquired about the beach meters and if it will affect the Inlet parking. Council Member Mangan stated that they are looking into pay stations for the parking lots only.

Mary Ryan, 113 Beachfront inquired about the 98 year old veteran who came to the police station for help. She recommended the Coast Star do a story on this.

Council Member Lee made a motion to close the public portion, seconded by Council Member Mangan. 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 Walsh made a motion to adjourn the meeting at 7:52, seconded by Council Member Mangan. Motion carried unanimously.

DATE APPROVED

5/19/2020