

JULY 10, 2023

Regular Meeting of Mayor and Council was convened at 7:00 p.m. on July 10, 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, Michael Mangan, Gregg Olivera, and Lori Triggiano

Absent: None

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

Council Member Mangan made a motion to remove resolution 199-2023, seconded by Council Member Triggiano. Motion carried unanimously.

Mr. Kitrick stated that ordinance 2405-23 was introduced at the last meeting regarding 86 Main Street and was advertised for a second reading for this meeting in error and will be re-noticed for July 24, 2023.

Monmouth County Municipal Park Improvement Grant Public Hearing

Council Member Mangan stated the county will have \$6 million for municipalities and there are a lot of municipalities in the county so we will just have to wait and see. He stated that the ranking should be known around the holidays.

Borough Engineer Joseph Raftery, Colliers Engineering advised that the grant program provides funding to assist municipalities with their local programs, a park and open space development and re-development. He stated that the notice of this hearing was advertised in the Coast Star at least 10 days prior to this hearing date and posted on the Borough website. He presented the Municipal Improvement Grant Program for John L. Winterstella Park, block 142, lot 10 located at Mallard Park which is at the corner of S. Potter Avenue and Cedar Avenue at block 133, lot 21; block 137 lot 13; block 138 lot 1; block 140 lot 13; block 141 lot 13; and block 142 lot 10. He went over the concept plan and what is currently at the area.

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

Arlene Rudo, 425 Euclid Avenue inquired about the whole area being fenced in.

Council Member Mangan stated that fencing is not the plan for this park.

Maureen McCarthy inquired about adding more equipment to the concept plan.

Council Member Mangan stated that the plan is to have what is already there, but no final decision has been made on any piece of equipment and can be discussed. He stated that they are not looking to expand dramatically or at all the footprint of the playground which would come down to equipment selection.

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

Resolution

RESOLUTION 201-2023

**RESOLUTION AUTHORIZING THE BOROUGH OF
MANASQUAN TO APPLY FOR A 2023 MONMOUTH COUNTY
MUNICIPAL PARK IMPROVEMENT GRANT FOR THE**

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**WINTERSTELLA PARK PLAYGROUND IMPROVEMENTS
PROJECT**

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS, the Governing Body of the **Borough of Manasquan** desires to obtain County Open Space Trust Funds in the amount of **\$209,000.00** to fund the **Winterstella Park Playground Improvements project. John L. Winterstella Park (Block 142, Lot 10) is located at Mallard Park, at S Potter Ave and Cedar Ave, Block 133, Lot 21; Block 137, Lot 13; Block 138, Lot 1; Block 140, Lot 13; Block 141, Lot 13; and Block 142, Lot 10., that consists of the construction of new playground equipment and associated facilities at Winterstella Park;** and

WHEREAS, the total cost of the project including all matching funds is **\$418,000.00**; and

WHEREAS, the **Borough of Manasquan** is the owner of and controls the project site.

NOW, THEREFORE, BE IT RESOLVED BY the Mayor and Council of the Borough of Manasquan THAT:

1. **Thomas Flarity, Administrator** or his/her successor is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the municipal contact person and correspondent of the above named municipality; and
2. The **Borough of Manasquan** is committed to this project and will provide the balance of funding necessary to complete the project as described in the grant application in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations and statutes thereto; and
4. **Thomas Flarity, Administrator** or his/her successor is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and
5. This resolution shall take effect immediately.

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

Audience Participation

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

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

Approval of Minutes

Regular Meeting Minutes – June 12, 2023

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

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Engineer's Monthly Report

Borough Engineer Joseph Raftery from Colliers Engineering presented the engineer's report for June.

Consent Agenda

**RESOLUTION
197-2023**

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: LADACIN NETWORK INC.
1703 KNEELEY BLVD
WANAMASSA, NJ 07712

AMOUNT OF REFUND DUE: \$400.00

REASON FOR REFUND: Beach Security Return-Plunge

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
198-2023**

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: BURKE CONTRACTING, LLC
1001 HOPEWELL AVE
OCEAN, NJ 07712

AMOUNT OF REFUND DUE: \$1,075.00

REASON FOR REFUND: Never Performed Street Opening
SO#27/22- 401 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
200-2023**

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 10th day of July 2023 appoint the following Beach Staff to work during the 2023 Season:

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| Name | Town | Title | Rate of Pay (Hourly/Salary/Seasonal) | Effective Date From and To | Hours (Part Time/ Seasonal) |
|--------------------------------------|------------|---------------|---|-------------------------------------|--------------------------------------|
| BEACH - NON LIFEGUARD | | | | | |
| Denise Ingold | Brick | Booth/Checker | \$14.50/\$15.50 | 5/26/23- 9/30/23 | Seasonal |
| Bridget Degnan | Brielle | Booth/Checker | \$13.00/\$14.00 | 6/17/23- 9/30/23 | Seasonal |
| Mayah Yates | Manasquan | Booth/Checker | \$13.00/\$14.00 | 6/17/23- 9/30/23 | Seasonal |
| Jake Sorino | Manasquan | Badge Checker | \$13.00 | 6/17/23- 9/30/23 | Seasonal |
| Connor Cole | Brielle | Badge Checker | \$13.00 | 6/17/23- 9/30/23 | Seasonal |
| James O Toole | Brielle | Badge Checker | \$13.00 | 6/17/23- 9/30/23 | Seasonal |
| Brandon Hill | Manasquan | Badge Checker | \$13.00 | 6/17/23- 9/30/23 | Seasonal |
| John Waldyer | Manasquan | Badge Checker | \$13.00 | 6/17/23- 9/30/23 | Seasonal |
| Liam Byrne | Manasquan | Badge Checker | \$13.00 | 6/17/23- 9/30/23 | Seasonal |
| Desmond Nuzzolo | Manasquan | Badge Checker | \$13.00 | 6/17/23- 9/30/23 | Seasonal |
| Aiden Correia | Manasquan | Badge Checker | \$13.00 | 6/17/23- 9/30/23 | Seasonal |
| Myles Kline | Manasquan | Badge Checker | \$13.00 | 6/17/23- 9/30/23 | Seasonal |
| Cameron Monteverdi | Park Ridge | Badge Checker | \$13.00 | 6/17/23- 9/30/23 | Seasonal |

**RESOLUTION
202-2023**

BE IT RESOLVED, that the Hon. Edward G. Donovan, Mayor of the Borough of Manasquan, be and is hereby authorized to sign a Shared Service Agreement with the County of Monmouth through the Monmouth County Sheriff's Office, Communications Division for the Public Safety Answering Point (PSAP)

**RESOLUTION
203-2023**

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: CSG LAW
105 EISENHOWER PARKWAY
ROSELAND, NJ 07068

AMOUNT OF REFUND DUE: \$10.00

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REASON FOR REFUND: VARIANCE LIST PAYMENT WAS FOR A WALL TWP PROPERTY

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
204-2023**

WHEREAS, Ms. Wendy Pearce serves as the Technical Assistant to the Construction Official (TACO) and the Administrative Assistant to the Construction Department Head; and

WHEREAS, the technical and volume-driven demands on the Borough TACO position have grown and continue to grow significantly; and

WHEREAS, an analysis of the salary market for the TACO position in Monmouth County reflects significant increases in all jurisdictions; and

WHEREAS, it is recognized that the TACO employment market in Monmouth County is extremely competitive; and

WHEREAS, Ms. Pearce continues to provide superlative service in her position as the Borough TACO.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 10th day of July 2023 authorize the following salary increase.

| Employee | Borough Position | Civil Service Titles | Pensionable Annual Salary | Effective Date |
|--------------|---|------------------------------------|---------------------------|----------------|
| Wendy Pearce | 1. Technical Assistant to the Construction Official (TACO) 2. Administrative Assistant to the Construction Department Head | 1. TACO 2. Administrative Clerk | \$65,000 | July 12, 2023 |

**RESOLUTION
205-2023**

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 | \$50,373.45 |
| Water/Sewer Fund | \$2,359.76 |
| Beach Fund | \$7,440.36 |
| Grants | \$1,100.97 |
| Recreation Trust | \$17,362.01 |
| Misc Trust | \$1,338.50 |
| General Capital | \$44,332.00 |

| | |
|---------------|---------|
| Beach Capital | \$45.56 |
|---------------|---------|

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

ORDINANCES – Second Reading

The borough attorney read the title of ordinance 2406-23 for second reading and final adoption.

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7 (PARKING), SECTION 7-7.5 (PARKING TIME LIMITED ON CERTAIN STREETS) 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 Holly made a motion to close the public portion, seconded by Council Member Triggiano. Motion carried unanimously.

Council Member Holly made a motion to pass and publish ordinance 2406-23 according to law, seconded by Council Member Bresnahan. Motion carried by the following vote: “yes” Council Members Bresnahan, Holly, Lee, Mangan, Olivera, and Triggiano. “No” none.

The borough attorney read the title of ordinance 2407-23 for second reading and final adoption.

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7 (PARKING), ESTABLISHING SECTION 7-7.5(e) (PARKING PERMIT PILOT PROGRAM) 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 Holly made a motion to close the public portion, seconded by Council Member Mangan. Motion carried unanimously.

Council Member Holly made a motion to pass and publish ordinance 2407-23 according to law, seconded by Council Member Triggiano. Motion carried by the following vote: “yes” Council Members Bresnahan, Holly, Lee, Mangan, Olivera, and Triggiano. “No” none.

Committee Reports

Public Safety Committee – Council Member Lee advised that he was having some issues with zoom and passed on his report.

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

Administration and Finance Committee – Council Member Olivera thanked the council for the consent agenda and advised that the Tourism Beach Concerts start this Thursday.

Recreation Committee – Council Member Mangan thanked the volunteers and the members who worked hard on setting up of the fireworks and unfortunately had to be postponed. He stated that the fireworks will be re-scheduled with a date to be announced. He reported on the move from the DCI Annex to what will be the new community senior center.

Public Works and Construction Committee - Council Member Holly reported on the South Street Parking Lot Project and the Curtis Park Project. He requested that everyone be careful of pedestrians as they drive throughout town.

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Beach Committee – Council Member Bresnahan reported on the beach and thanked Tourism and everyone who tried to get the fireworks off but unfortunately it did not work out. He reminded everyone that a badge is needed to get on the beach.

Audience Participation

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

Carol Wilkens Kirkman, Willow Way inquired about a post on facebook regarding a restaurant at the Inlet that will be open from 11:30 pm to 3 am and wanted to know if this was allowed in Manasquan.

Mayor Donovan stated that the borough has received a call regarding this and zoning is looking into it. He stated that he believes that there is no ordinance against being open at those hours.

Ms. Kirkman inquired about the swings at the new playset area that will be replacing the one at the beach.

Council Member Mangan stated that he does not believe that the swing set is not part of the replacement package.

There was discussion on Olivia's playground and swing sets.

Ms. Kirkman inquired about the oversight of vacant properties in town with overgrowth.

Council Member Triggiano stated that this would be a code violation under land use and if you see something just call the code department or report a concern through the website.

Mary Ryan, 113 Beachfront inquired about the Inlet restaurant and the hours that were posted on facebook and will there be a way to control what happens at the Inlet in terms of noise, cars racing and people being out on the streets.

Mayor Donovan stated that the borough could encourage the Riverside Café to comply with common standards.

Ms. Ryan inquired about outside dining during the 11:30 pm to 3 am pancake service.

Mayor Donovan advised that there is no restriction on outside dining in that area. He stated that any noise issues would need to be reported to the police.

Ms. Ryan also inquired about the playground equipment on the beach and wanted to know if the new equipment has been delivered yet.

Council Member Bresnahan stated that the new playground equipment has not been delivered yet.

Mr. Ryan stated that the MBIA is looking to provide some adaptive swing availability at the beach for children and will work with the borough to accomplish this. She inquired about the policy for overnight parking at Third Avenue Parking Lot.

Council Member Bresnahan stated that the only parking lot you can not park overnight is Sea Watch.

Judy Richardson, 415 First Avenue inquired about the restaurant at the Inlet serving pancakes from 11:30 pm to 3 am and she believes there has to be an ordinance zoning or something. She wanted to know if there was any kind of restriction on the hours that the restaurant can be open.

Mayor Donovan stated that there is no ordinance limiting the hours of operation for this restaurant.

Chief Tumminelli stated that the facebook post was put out 3 days ago and his assumption was that the restaurant would be open Saturday night and assuming Sunday night. He advised that there were no calls received for any type of violations noise, music, littering. He stated that code will look into the food aspect. He reiterated that if you hear or see something please call the police and they will go down to investigate.

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

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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 9:10 p.m., seconded by Council Member Olivera. Motion carried unanimously.

DATE APPROVED 8/14/2023