

AUGUST 17, 2020

Regular Meeting of Mayor and Council was convened at 7:01 p.m. on August 17 2020 virtually via Zoom meeting 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, Gregg Olivera, and James Walsh

Absent: Council Member Richard Read

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

Audience Participation

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

Donovan Brown, 123 McClean Avenue, eighth grader at Manasquan Elementary stated that he started a petition regarding the surfing beach and expanding it.

Council Member Mangan thanked Donovan for coming forward and that this is a subject that is being discussed tonight.

Council Members Lee and Bryant thanked Donovan for coming forward with his concerns.

Mark Apostolou, 15 Cherry Place extended his gratitude to Council, Mayor and the entire staff for the outstanding work that they do setting aside differences and working for the betterment of Manasquan. He stated that he is proud to work with everyone. He inquired about seasonal parking at Sea Watch after the renovations and renovations to the old bathrooms. He voiced his concern regarding the renovations in light of the corona virus situation.

Pat Connolly, 65 Ocean Avenue inquired about the amount of money still owed for Sea Watch, a ball park figure for the new building at Sea Watch.

Amy Spero, CFO stated that she will look up the information for Ms. Connolly.

Mayor Donovan stated that there should be an estimate for the building in the presentation.

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

Presentation – Sea Watch Progress Update

Council Member Mangan stated that this is an update and it is not final plans for the area. He stated that tonight's presentation is mainly focused on the use of the main building. He introduced Joe Raftery from Maser Consulting who will be presenting the Sea Watch update. He also stated that tonight's presentation is on the borough website and will stay up.

Joe Raftery went through the presentation using slides which can be found on the website.

Council Member Mangan advised that this project would be paid entirely by the beach utility fees and funds. He stated that there is no plan to raise beach fees as a result of this project and the borough will apply for grants as well as the potential additional FEMA money. He expanded on the beach sustainability and he stated that he does not have an estimated budget for the entire project but will work within the footprint of what is available for existing financing to build. He stated tonight's update was for use of the building. He also stated that there has not been a final decision on the bungalows.

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Council Member Walsh made a motion to open the meeting to the public with regards to Sea Watch, seconded by Council Member Lee. Motion carried unanimously.

Mike Brown, 123 McClean inquired about the parking at Sea Watch and what the difference of the new design would be.

Mr. Raferty stated that tonight's presentation is giving an overall site plan. He stated that before anything is designed there would need to be approval from the borough and the public. He stated that tonight's presentation is something worth pursuing and is currently under development.

Mr. Brown stated that the parking should be looked at if there is going to be a business in that building as far as parking goes.

Al Sauer, 109 First Avenue voiced his concerns regarding the height of the building, selling of sundries and the moving of the kitchen. He voiced his concerns regarding the parking and the drop off of the public. He voiced his concerns and opinion on the frontage being stepped up instead of going straight across.

Mr. Raftery explained why the frontage is being stepped due to EIFP easements.

Mark Apostolou, 13 Cherry Place inquired about the use of the building and possibly using garage doors in case the corona virus stays with us they can be opened to the outside.

Carol Budisak, 77 Beachfront voiced her concern and opinion about the plan that was brought forth to the public. She stated that this plan should be revised to take into consideration public concerns.

James Sauer, 110 Second Avenue echoed the previous concerns and opinions of prior comments.

Council Member Mangan wanted to remind everyone that this is the second presentation on this subject and there are 2 more weeks where the Borough is accepting feedback.

Mr. Raftery commented on the height of the building and advised that this is a conceptual plan and there is room for the height to come down.

Arlene Donegan, 101 Beachfront voiced her concerns and opinion regarding the presentation that was presented tonight as well as the parking spaces and bike parking. She wanted to know how people would access the handicap wheelchairs if the bathroom building is going to be renovated.

Mr. Raftery stated that the ground level of the Sea Watch level will be increased for storage.

Ms. Donegan inquired about parking.

Mr. Raferty stated that he hears that parking is the number one issue and concern in the area and when the site plan is drawn up they will take this into consideration.

Council Member Mangan stated that the traditional way that the parking has been used will end this year and that the parking will be considered more Green Acres parking instead of beach parking. He also stated that it will not be handled the same way as the other beach parking lots.

There was discussion on the parking and the rates.

Mr. Flarity stated that the parking does not have to be free but the cost cannot be way above the other parking lots in the area and available to all NJ residents.

Ms. Donegan inquired about a wall adjacent to her house.

Mr. Raftery stated that it was probably picked up from the survey as a wall since it was not a flat surface or a curb.

Brian Budisak, 77 Beachfront, 76 First Avenue inquired about the restaurant part of the plans. He also agreed with previous comments about the parking being a concern.

Mr. Raftery stated that the kitchen will be a concession pickup type of area.

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Mr. Budisak inquired if there will be a liquor license provided for the restaurant.

Mr. Rafterty stated that the plan does not include a liquor license.

Mayor Donovan stated that the plan is to replace what was previously at the site as far as the restaurant goes.

There was discussion on the parking and Mayor Donovan advised that the total number of spots cannot be determined until a site plan is done.

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

Approval of Minutes:

Regular Meeting Minutes – July 20, 2020
Regular Meeting Minutes – August 3, 2020

Council Member Walsh made a motion to approve the minutes, seconded by Council Member Bryant. Motion carried unanimously with Council Member Olivera abstaining from the July 20, 2020 minutes.

Use of Borough Property

E52-20 The Ocean is Female Meet and Greet – 9/3/2020; 6-7:30 pm Sea Watch

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

E53-20 Short Dance Video Request – Beachfront

There was discussion on this request.

Council Member Lee made a motion to approve this request contingent on the Beach Committee approving the plans prior to the event, seconded by Council Member Walsh. Motion carried unanimously.

Surf Beach – Discussion

Council Member Mangan stated that the committee met to discuss this topic and wanted to start this year for the next few weeks as a test period to see how things would work.

Mr. Flarity stated that some beach staff and some individuals met to discuss the possibility of adding beaches for surfers as surfing has exploded during the pandemic.

There was discussion on this subject and different areas.

Council Member Lee stated that the Chief Lifeguard will have the final say as to the surf beaches.

CONSENT AGENDA

**RESOLUTION
192-2020**

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: Joseph Gethard
2908 Johnson Street
Wall, NJ 07719

AMOUNT OF REFUND DUE: \$1840.61

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REASON: Boat Lessee wished to leave slip. New Lessee already secured and paid for slip.

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

**RESOLUTION
193-2020**

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. 1327-44-002-006 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.
3. The applicant has disclosed and the issuing authority has reviewed the source of all funds used in the purchase of the license and the licensed premises and/or any additional financing obtained in the previous licensed term for use in the licensed business.

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, 2021.

**RESOLUTION
194-2020**

WHEREAS, the Borough of Manasquan is desirous of appointing Seasonal Beach Employees.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 17th day of August, 2020 appoint the following Seasonal Beach Employees to work during the 2020 Summer Season.

Lifeguards

Tom Pollock	\$11.00 per hour
Kayvon Haghighi	\$11.00 per hour

Mobile Rescue Technician

Marshal Bitsko	\$15.00 per hour
Eric McLaughlin	\$17.00 per hour

**RESOLUTION
195-2020**

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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 Maser Consulting, 331 Newman Springs Roads Suite 203, Red Bank, New Jersey 07701, for purposes of providing professional services relative to the proposed improvements at Curtis Park and Skokos Park. Fees are as follows:

- Phase 1.0 Municipal Open Space Grant & Project Scoping \$7,400.00
- Phase 2.0 Reimbursables (estimated) \$300.00

TOTAL ESTIMATED FEE \$7,700.00

For a total amount not to exceed \$7,700.00 for the service outlined in a proposal dated July, 2020.

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 and Phase 2.0 with the provision that each subsequent task shall require additional authorization subject to the recommendation of the Governing Body.

**RESOLUTION
196-2020**

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. 1327-31-012-001 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.
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, 2021, subject, however, to the following condition:

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.

**RESOLUTION
197-2020**

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

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

NAME: STEVE SWENSON
32 FENIMORE DRIVE
SCOTCH PLAINS, NJ 07076

AMOUNT OF REFUND DUE: \$150.00

REASON FOR REFUND: Beach Use Application Refund- One Mile Swim
canceled due to COVID-19.

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
198-2020**

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	\$487,732.04
Capital Fund	
Water/Sewer Fund	\$370,558.62
Water/Sewer Utility Fund	
Beach Utility Fund	
Beach Capital Fund	\$15,967.53
Recreation Building Trust	\$6,250.00
Recreation Trust	\$3,192.00
Open Space	\$31,995.19
Tourism Trust	\$2,350.00
Junior Lifeguard	\$360.00
Affordable Housing	\$877.00
Developer's Escrow	\$1,218.75

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

Ordinances – First Reading

The Borough Attorney read the title of ordinance 2311-20 for introduction.

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 20 (STREETS AND SIDEWALKS) SUBSECTION 20-4.1; CHAPTER 35 (ZONING) SUBSECTION 35-7.7; AND CHAPTER 35 (ZONING) AND CHAPTER 13 (PROPERTY MAINTENANCE), SUBSECTION 13-1.3(m) OF THE BOROUGH OF MANASQUAN CODE IN THE

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BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY.

Council Member Walsh made a motion to introduce ordinance 2311-20, seconded by Council Member Lee. Motion carried by the following vote: “yes” Council Members Bryant, Lee, Mangan, Olivera, and Walsh. “No” none.

The Borough Attorney read the title of ordinance 2312-20 for introduction.

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 35 (ZONING) SECTION 35-11 (LOT, HEIGHT AND YARD REQUIREMENT) AND SECTION 35-11.2 (PRINCIPAL BUILDINGS) OF THE BOROUGH OF MANASQUAN CODE IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

Council Member Mangan made a motion to introduce ordinance 2312-20, seconded by Council Member Walsh. Motion carried by the following vote: “yes” Council Members Bryant, Lee, Mangan, Olivera, and Walsh. “No” none.

The Borough Attorney read the title of ordinance 2313-20 for introduction.

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 35 (ZONING), SECTION 35-11 (SUPPLEMENTARY LOT, HEIGHT AND YARD REQUIREMENTS) 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 introduce ordinance 2313-20, seconded by Council Member Lee. Motion carried by the following vote: “yes” Council Members Bryant, Lee, Mangan, Olivera, and Walsh. “No” none.

The Borough Attorney read the title of ordinance 2314-20 for introduction.

ORDINANCE AMENDING CHAPTER 35 (ZONING) SECTION 35-3 (DEFINITIONS) OF THE BOROUGH OF MANASQUAN CODE IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

Council Member Olivera made a motion to introduce ordinance 2314-20, seconded by Council Member Bryant. Motion carried by the following vote: “yes” Council Members Bryant, Lee, Mangan, Olivera, and Walsh. “No” none.

Committee Reports

Public Works Committee – Council Member Walsh stated that he does not have anything to report tonight.

Public Safety Committee – Council Member Lee thanked DPW for their help with pedestrian crossing signs in the beach area. He thanked the first responders for all their efforts and support during the recent hurricane. He also thanked OEM and everyone else that was involved during the storm.

Beach & Recreation Committee – Council Member Mangan thanked the first responders as well as DPW for the phenomenal job of cleaning up the streets after the storm. He stated that the Recreation Committee will be meeting to start the process for the Community Center and anticipates having a public presentation in the fall. He reported that the 2020 anticipated beach revenue not including the use of surplus was \$1.769 million. He stated that as of July 31 the beach took in \$2.623 million which is in excess of \$854,000.

Finance Committee – Council Member Olivera reported that the balance due on the Sea Watch property is a little over \$1 million to pay off a \$3.1 million original cost and it will be paid off in 2025. He reported that the tax bills went out and the extended due date is August 28 and the water bills have gone out and the due date for those is September 4.

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Code & Zoning Committee – Council Member Bryant thanked DPW and the police for their support in the Main Street Shop and Dine Program and making it a success. He also thanked all the residents and visitors that have participated in the program by supporting the businesses and the restaurants. He stated that the current program will end on September 17 and the committee is currently discussing extending the program with changes to the days to possibly Friday and Saturdays into November.

Audience Participation

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

Dan Andrews, 69 Beachfront voiced her concerns and opinion on the Sea Watch rebuild and is not in favor of the current plan.

Mayor Donovan stated that the liquor license is not in the plan for Sea Watch.

Andrew Esposito, 46 Second Avenue voiced his concerns and opinion on the Sea Watch rebuild. He also voiced his concerns about moving surfers to the North End and is not in favor of it.

Pat Connolly, 65 Ocean Avenue inquired about the scope of work for the Multi-Purpose Park Improvement resolution that is on the agenda tonight as well as a cost estimate for the project.

Council Member Mangan stated that the information is available but he does not have those numbers in front of him and Ms. Connolly just needs to request the information.

Al Sauer, 109 First Avenue voiced his concerns about the bathrooms near Sea Watch and wanted to know if the bathrooms will be redesigned to accommodate more stalls for the women.

Council Member Mangan stated that the existing bathrooms will be renovated and reconfigured.

Mary Ryan, 113 Beachfront inquired about the expansion of the surfing beaches and suggested making limits on people coming to the beach to surf. She thanked the borough for getting the new pedestrian signs up in the beach area. She thanked everyone that was involved with working with JCP&L to make sure Manasquan was not left without power for 2 weeks as a result of the recent storm.

Mike Brown, 123 McClean advised that he met with a group of people regarding the surfing beaches and they met as private citizens and not part of the Boardriders. He stated that they met to see how to move the surfing camps out of the inlet. He voiced his concerns and opinion on the surfing beaches.

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

Council Member Olivera made a motion to close the regular meeting at 8:45 p.m., seconded by Council Member Bryant. Motion carried unanimously.

Respectfully submitted,



Barbara Ilaria, Municipal Clerk

DATE APPROVED 9/8/2020