

SEPTEMBER 8, 2020

Regular Meeting of Mayor and Council was convened at 7:01 p.m. on September 8, 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 Richard Read

Absent: Council Member James Walsh

Also present was Borough Attorney Mark Kitrick and Deputy Borough Administrator Amy Spera.

Council Member Lee made a motion to add Use of Borough Property E58-20, seconded by Council Member Read. Motion carried unanimously.

### **Audience Participation**

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

Shaun Brown, 14 Ridge Avenue voiced his concerns about the renewal of the VFW liquor license and issues he has in the area of the VFW. He requested a 90-120 day suspension for a review of the plans and the storage area.

Council Member Mangan stated that what is being discussed is outside the liquor license and should be looked at on an enforcement side either way.

Council Member Read made a motion to pull resolution 214-20 from the Consent Agenda, seconded by Council Member Mangan. Motion carried unanimously.

Council Member Olivera made a motion to table this resolution until the next scheduled meeting, seconded by Council Member Read. Motion carried unanimously.

Tim and Dana Woolley 41 Ridge Avenue voiced her concerns regarding the VFW and the issues she has with garbage, drunk driving and noise.

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

### **Proclamation – Hunger Action Month**

Mayor Donovan read the following Proclamation.

**WHEREAS**, hunger and poverty are issues of grave concern in the United States, the State of New Jersey and the Borough of Manasquan; and

**WHEREAS**, the Borough of Manasquan is committed to taking steps to raise awareness about the need to combat hunger; and

**WHEREAS**, the Borough of Manasquan is committed to working with Fulfill, formerly The FoodBank of Monmouth and Ocean Counties, to educate people about the role and importance of food banks in addressing hunger and to devote more resources and attention to hunger issues; and

**WHEREAS**, more than 215,000 individuals in Monmouth and Ocean Counties now rely on food provided by Fulfill and its partners since the beginning of the pandemic; and

**WHEREAS**, the unemployment level is the highest it has been in the history of the state and the

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poverty level for a family of four is \$25,465 and 9.5% of families live below that level; and

**WHEREAS**, since March 13, 2020, Fulfill has provided \$1,986,909 meals including 16,000 more meals per day than the year before and 903,984 of those meals were provided to Monmouth County residents; and the real cost of Living in Monmouth County is \$71,586; and one (1) in every households in Ocean County earns below the Real Cost of Living; and

**WHEREAS**, due to the pandemic, one (1) in every six (6) people in Monmouth and Ocean Counties received “emergency” food from Fulfill and their network of food pantries, soup kitchens, shelters and other community organizations; and

**WHEREAS**, food banks across the country, including Fulfill, will host numerous events throughout the month of September to bring awareness and attention to encourage involvement in efforts to end hunger in their local communities.

**NOW, THEREFORE BE IT PROCLAIMED**, the Mayor and Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey do hereby recognize September, as **HUNGER ACTION MONTH** in the Borough of Manasquan, and call this observance to the attention of its residents.

**BE IT FURTHER RESOLVED**, true and official copies of this proclamation be spread upon the minutes of the Borough Council Meeting held on September 8, 2020.

### **Open Space Public Hearing – Multi-Park Playground Improvements Phase I**

Council Member Mangan stated that the Borough has funding in place for improvements at Skokos Park and he stated that there is a complimentary project that the Borough has been trying to fund for next year which would be an all-inclusive park at Curtis Playground. He introduced Kelsey Howard from Maser Consulting.

Kelsey Howard from Maser Consulting stated that this hearing is part of the public program and it has been advertised at least 10 days prior to the hearing on August 27. She went over the power point presentation which included Skokos Park and Curtis Park.

Council Member Mangan highlighted the point of other grant and fundraising opportunities for Curtis Park.

Mayor Donovan inquired about the shuffle board court at Curtis Park.

Ms. Howard stated that she noticed that on the concept plans and she will be sure to add the shuffle board to the plan.

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

Christine Rice, 26 Fletcher Avenue stated that the ADA accessible playground is great for the town and asked if the basketball courts will remain at Curtis Park.

Ms. Howard stated that the concept plan shows the basketball courts will remain at Curtis Park.

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

### **Resolution**

#### **RESOLUTION 215-2020**

#### **RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN AUTHORIZING AN APPLICATION TO THE 2020 MONMOUTH COUNTY MUNICIPAL OPEN SPACE GRANT PROGRAM FOR THE MULTI PARK PLAYGROUND IMPROVEMENTS PHASE I 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

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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 \$250,000 to fund the Multi-Park Playground Improvements Phase I Project, located at two (2) parks; George P. Skokos Park, located 55 Manito Road (Block 2, Lot 1.02) and Curtis Park, located at 215 East Main Street (Block 87, Lot 1).

**WHEREAS**, the total construction cost of the project including all matching funds is \$955,000; 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 F. 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 F. 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 Mangan made a motion to approve this resolution, seconded by Council Member Lee. Motion carried by the following vote: "yes" Council Members Bryant, Lee, Mangan, Olivera, and Read. "No" none.

#### **Approval of Minutes:**

Regular Meeting Minutes – August 17, 2020

Council Member Mangan made a motion to approve the minutes, seconded by Council Member Olivera. Motion carried unanimously with Council Member Read abstaining.

#### **Use of Borough Property**

E54-20 Manasquan Fire Department 9/11 Ceremony - Plaza

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

E55-20 Pink Pineapple School - Whiting Beach; 9/8 - 10/1/2020 - 9 am

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

E56-20 Common Ground Grief Center - Light A Life Walk 11/28/2020 - 4-8 pm

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

E57-20 Rutgers University Scientific Research - 1 day for 24 hours between September 9-30,2020

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

E58-20 Gee Gee's Fall Volleyball – September 12 to October 10 from 9 to 11 am

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

## CONSENT AGENDA

### RESOLUTION 199-2020

**WHEREAS**, application has been made to the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, by the Inshore Atlantic Inc. t/a Leggett's Sand Bar for renewal of Plenary Retail Consumption Liquor License No. 1327-33-007-007 to cover premises at 211-213-215-217 First Avenue, Manasquan, New Jersey; and

**WHEREAS**, the governing body makes the following findings with respect to Plenary Retail Consumption Liquor Licenses 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 laws and regulations of the Division of the Alcoholic Beverage Control.
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 business and/or any additional financing obtained in the previous license term for use in the licensed business.

**WHEREAS**, the said Inshore Atlantic, Inc. t/a Leggett's Sand Bar is adjudged to be entitled to a Plenary Retail Consumption Liquor License covering premises at 211-213-215-217 First Avenue, Manasquan, New Jersey.

**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 be designated, authorized and instructed to issue and deliver a Plenary Retail Consumption Liquor License to the said Inshore Atlantic, Inc. t/a Leggett's Sand Bar to sell at 211-213-215- 217 First Avenue, Manasquan, New Jersey any alcoholic beverages and also to include in this license an additional building in the rear to be used for storage purposes until midnight, June 30, 2021, subject, however, to the following conditions:

- a. The licensee shall provide two (2) qualified uniformed security persons who shall be assigned to duty in the parking lot from the hours of 7:00 p.m. to 3:00 a.m. on those Fridays, Saturdays and holidays upon which the licensee shall be open for business.
- b. 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.
- c. No bottles or cans shall be dumped in the solid waste dumpster maintained by the license holder between the hours of twelve (12) midnight and seven (7) a.m.
- d. No live music at the licensed premises after 1:30 a.m.

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- e. Alcoholic beverages may only be served in connection with the service of food to patrons seated at tables in Section "B" of the premises (see diagram attached). Alcoholic beverages shall be served only by waiters or waitresses.
- f. No permanent or portable service bar shall be located in Section "B".
- g. The dining facilities and service of alcoholic beverages in Section "B" shall be closed and vacated no later than 12:00 midnight of each day. Further, Section "B" shall be open only when the kitchen is open.
- h. All patrons in Section "B" shall be seated.
- i. The 12' opening connecting Section "A" to Section "B" shall be reduced to a maximum of 8'. The restaurant area of Section "B" shall be physically secured after 12:00 midnight of each day to prevent patrons from using the area.
- j. The second floor of the building in Section "B" may only be used for administrative offices servicing the business on this site.
- k. All trash, refuse, and garbage shall be stored inside a separate designated enclosed area adjacent to the existing restaurant building and away from residential area.
- l. There shall be no outside storage of packaging material or building materials on the site.
- m. The hours of operation in Section "C" will include having the kitchen open until midnight with last seating at 11:00 p.m. and patrons out by midnight.
- n. No live music in Section "C" after 11:00 p.m.

**RESOLUTION  
200-2020**

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

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

NAME: Arianna Greco  
46 Academy Court  
Bedminster, NJ 07921

AMOUNT OF REFUND DUE: \$18.00

REASON FOR REFUNDS: Over payment for vital record request.

**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  
201 -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 are due to the following:

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NAME: DEIRDRE & THOMAS HOWARD  
329 EUCLID AVENUE  
MANASQUAN, NJ 08736

AMOUNT OF REFUND DUE: \$673.00

REASON FOR REFUND: BUILDING PERMIT REFUND  
DUPLICATE PAYMENT OF A BUILDING PERMIT

**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  
202-2020**

**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 8<sup>th</sup> day of September, 2020 appoint the following Seasonal Beach Employees to work during the remainder of the 2020 Summer Season.

Badge Checkers/Booth

Suzanne Ryan            \$11.50 per hour  
Noelle Schwalje        \$9.00 / \$11.50 per hour

Parking Lot/Bathroom Monitors

Sandra DeVico           \$11.50 / \$15.00 per hour  
Greg Ullrich             \$11.50 / \$15.00 per hour  
Suzanne Ryan            \$11.50 / \$15.00 per hour

Lifeguard

Tommy Dettlinger        \$15.00 per hour

**RESOLUTION  
203-2020**

**WHEREAS**, application has been made to the Borough Council, Borough of Manasquan, County of Monmouth, State of New Jersey, by Max Devros L.L.C. for Plenary Retail Consumption Liquor License No. 1327-33-010-012 to cover premises at 142 Main Street, Manasquan, New Jersey; and

**WHEREAS**, the governing body makes the following findings with respect to Plenary Retail Consumption Liquor Licenses 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 business and/or any additional financing obtained in the

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previous license term for the use in the licensed business.

**WHEREAS**, the said Max Devros L.L.C. is adjudged to be entitled to a Plenary Retail Consumption Liquor License.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council, Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough Clerk be designated, authorized and instructed to issue and deliver a Plenary Retail Consumption Liquor License to the said Max Devros L.L.C. to sell alcoholic beverages at 142 Main Street, Manasquan, New Jersey, until midnight, June 30, 2021, subject, however, to the following conditions:

- a. At any time the licensed premises offers live entertainment, which is limited to three musician, 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  
204-2020**

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

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

NAME: DAVID WEEKS  
15 LOCKWOOD AVENUE  
MANASQUAN, NJ 08736  
Tinton Falls, NJ 07724

AMOUNT OF REFUND DUE: \$500.00  
2<sup>nd</sup> Return

REASON FOR REFUND: STREET OPENING  
SO# 33/19-15 Lockwood Ave.

**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  
205-2020**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, that the resignation of Doris Cadigan from the position of Part Time Police Records Clerk /Technician in the Borough of Manasquan Police Department effective August 28, 2020 be and is hereby accepted.

**RESOLUTION  
206-2020**

**BE IT RESOLVED** that the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that Peter Moore be and is hereby granted an Unpaid Leave of Absence under the Family Medical Leave Act effective August 15, 2020 thru October 30, 2020.

**RESOLUTION  
207-2020**

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**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, AUTHORIZING ADVERTISEMENT FOR A PART-TIME RECORDS CLERK/TECHNICIAN**

**WHEREAS**, the Borough of Manasquan (“Manasquan”) is in need of a Part-Time Records Clerk/Technician in the Police Department Records; and

**NOW, THEREFORE BE IT RESOLVED** on the 8<sup>th</sup> day of September, 2020 by the Borough Council of the Borough of Manasquan hereby authorize the Clerk to advertise for a Part-Time Records Clerk/Technician.

**RESOLUTION  
208-2020**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, APPOINTING ANDY MILLS AS SOUTH MONMOUTH AFTER RESCUE TEAM SUPERVISOR**

**WHEREAS**, the Office of Emergency Management Coordinator has recommended Andrew Mills receive a stipend in the amount of \$2,500.00 for the year 2020 for his position as the South Monmouth After Hours Rescue Team Supervisor (SMART Team) retroactive from January 1, 2020.

**NOW, THEREFORE BE IT RESOLVED** on the 8<sup>th</sup> day of September, 2020, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. Andrew Mills will receive a stipend in the amount \$2,500 for his position as 2020 SMART Team Supervisor – Retroactive from January 1, 2020.
2. A certified copy of this resolution shall be sent to :

Andrew Mills  
39 Deep Creek Drive  
Manasquan, NJ 08736

**RESOLUTION  
209-2020**

**A RESOLUTION OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, EXTENDING THE MAIN STREET PEDESTRIAN ZONE**

**WHEREAS**, On June 1, 2020 the Borough of Manasquan through Resolution 133-2020, authorized a Main Street Pedestrian Zone for Retail and Dining to promote outdoor retail and dining on Wednesday and Thursday’s between the hours of 6 p.m. and 10 p.m. from June 17, 2020 thru September 17, 2020.

**WHEREAS**, due to the success of this initiative the Borough of Manasquan is desirous of extending the Main Street Pedestrian Zone for Retail and Dining from September 25, 2020 thru October 31, 2020 with the days changing from Wednesday and Thursday evenings to Friday and Saturday evenings from 6 p.m. until 10 p.m.

**NOW THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey due hereby authorize the Main Street Pedestrian Zone be



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changed to Friday and Saturday evenings and extend from September 25, 2020 thru October 31, 2020 between the hours of 6 p.m. to 10 p.m. weather permitting.

**RESOLUTION  
210-2020**

**WHEREAS**, the Borough of Manasquan is desirous of appointing Crossing Guards for the 2020-2021 school year; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 8<sup>th</sup> day of September, 2020 appoint the following for the 2020-2021 school year:

Full-Time Crossing Guards:

Tarra Balanche	\$22.14 per our
Ronald Horenburg	\$22.14 per hour

**RESOLUTION  
211-2020**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, AUTHORIZING A ONE YEAR EXTENSION FOR RECYCLABLE MATERIAL COLLECTION, REMOVAL AND DISPOSAL WITH DE LISA DEMOLITION, INC.**

**WHEREAS**, the current contract for the collection, removal and disposal of recyclable materials expires on December 31, 2020;

**WHEREAS**, the Borough of Manasquan wishes to extend the contract with DeLisa Demolition, Inc., Tinton Falls, NJ for Recycling Services for a period of one (1) year with the agreed upon terms and conditions set forth in the Agreement For Recycling Collection Service signed and dated on December 7, 2017 in the agreed upon bid amount of \$84,000; and

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Manasquan the Agreement awarded to DeLisa Demolition, Inc., of Tinton Falls, NJ for Recycling Collection Service for the Borough of Manasquan be extended for a period of one (1) year from January 1, 2021 thru December 31, 2021.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be sent to:

DeLisa Demolition, Inc.  
64 Steiner Avenue  
Neptune, NJ 07753

**RESOLUTION  
212-2020**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY AUTHORIZING A ONE YEAR EXTENSION FOR SOLID WASTE COLLECTION WITH DE LISA DEMOLITION, INC.**

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**WHEREAS**, the current contract for the collection, removal and disposal of recyclable materials expires on December 31, 2020;

**WHEREAS**, the Borough of Manasquan wishes to extend the contract with DeLisa Demolition, Inc., Tinton Falls, NJ for Solid Waste Collections Services for a period of one (1) year with the agreed upon terms and conditions set forth in the Agreement For Solid Waste Service signed and dated on December 7, 2017 in the agreed upon bid amount of \$283,000; and

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Manasquan the Agreement awarded to DeLisa Demolition, Inc., of Tinton Falls, NJ for Solid Waste Collections Services for the Borough of Manasquan be extended for a period of one (1) year from January 1, 2021 thru December 31, 2021.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be sent to:

DeLisa Demolition, Inc.  
64 Steiner Avenue  
Neptune, NJ 07753

**RESOLUTION  
213-2020**

**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: DALE R & SUSAN L MASCOLA  
1122 D ARGYLL CIRCLE  
LAKEWOOD, NJ 08701

**AMOUNT OF REFUND DUE: \$2,304.65**

REASON FOR REFUND: DUPLICATE TAX PAYMENT- 3<sup>RD</sup> QTR 2020  
560 POMPANO AVE  
BLOCK 182.03 / LOT 13

**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  
216-2020**

**WHEREAS**, application has been made to the Borough Council, Borough of Manasquan, New Jersey by Osprey Hotel, Inc., t/a Osprey Hotel for the renewal of Plenary Retail Consumption Liquor License with Broad Package Privilege No. 1327-32-008-008 to cover premises at 201 First Avenue, Manasquan, New Jersey; and

**WHEREAS**, the governing body makes the following findings with respect to Plenary Retail Consumption Liquor License with Broad Package Privilege issued by it:

1. The submitted application is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and governmental A.B. C. Laws and Regulations.
1. The applicant has disclosed and the issuing authority has reviewed the source of all funds used in

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the purchase of the license and the licensed business and/or any additional financing obtained in the previous licensed business.

**WHEREAS**, the said Osprey Hotel, Inc., trading as Osprey Hotel is adjudged to be entitled to a Plenary Retail Consumption Liquor License with Broad Package Privilege.

**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 Consumption Liquor License to Osprey, Hotel, Inc. t/a Osprey Hotel to sell any alcoholic beverages with a Broad Package Privilege to sell any alcoholic beverages in original containers for consumption off the premises, and also to store alcoholic beverages in a separate building until midnight, June 30, 2021, subject, however, to the following conditions:

- a. The licensee shall provide six (6) qualified, uniformed, security persons who shall be assigned to duty, about or adjacent to the licensed premises from the hours of 7:00 p.m. to 3:00 a.m. on those Fridays, Saturdays, and legal holidays upon which the licensee is open for business. Three (3) qualified, uniformed security persons shall be assigned to duty about or adjacent to the licensed premises from the hours of 7:00 p.m. to 3:00 a.m. on Sundays, Mondays, Tuesdays, Wednesdays and Thursdays upon which the licensee is open for business unless such day is a legal holiday. One exterior security person shall be stationed in the Second Avenue parking area.
- b. The maximum occupancy for the licensed premises shall be equal to one (1) person for each five and one-half (5 ½) square feet of floor area which is not covered by bars or working spaces.
- c. There shall be no "go-go dancing," "mud wrestling," "nudity," "topless dancing" or any lewd activity conducted on the licensed premises.
- d. The exterior security guards shall wear a shirt clearly marked, on front and back, "Osprey Security."
- e. All windows to the licensed premises shall be closed at all times during hours of operation. All doors shall remain closed during hours of operation except for access to and from the licensed premises. Exterior doors shall not be left continuously open to provide access.
- f. No bottles or cans shall be dumped in the solid waste dumpster maintained by the license holder between the hours of twelve (12) midnight and seven (7) a.m.
- g. The licensee shall provide a litter patrol which will remove litter within 200 feet (except for the Municipal Beachwalk) of the licensed premises before nine (9) a. m. each morning following an operational day.
- h. At any time when there is a line of patrons awaiting entrance to the licensed Premises, the line shall start at the front entranceway (corner of East Main Street and First Avenue) and proceed west along the north side of the licensed building and be located within 54" of the main wall of the licensed building. Temporary stanchions with rope or line shall connect each stanchion for the length of the patron line. If the line reaches the west side of the building, it shall be turned in a southerly direction, and be formed in the driveway on the west side of the licensed building. The patron line must be supervised by at least two employees of the licensee whenever there are people awaiting entry to the licensed premises.

The driveway on the west side of the licensed building connecting the parking lot to East Main Street shall be closed between the hours of 6:00 pm and 6:00 am.

- i. No live music at the licensed premises after 1:30 a.m.
- j. The licensee shall comply with all provisions of the "New Jersey Smoke-Free Air Act". N.J.S.A. 26:3d-55 et seq. If a smoking area is provided for patrons, the permitted smoking area cannot be on public property or the public sidewalk. The permitted smoking area, if any, shall be located within the licensed building, in accordance with applicable statutes, or on exterior grounds either owned, leased or otherwise controlled by the licensee.

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217-2020

**WHEREAS**, application has been made to the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey by Coastal Restaurant Group LLC., t/a Reef & Barrel for renewal of Plenary Retail Consumption Liquor License No. 1327-33-011-013 to cover premises at 153 Sea Girt Avenue, Manasquan, New Jersey; and

**WHEREAS**, the governing body makes the following factual findings with respect to Plenary Retail Consumption Liquor Licenses issued by it:

1. The submitted application 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 Coastal Restaurant Group LLC., is entitled to a Plenary Retail Consumption 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 Consumption Liquor License to the said Coastal Restaurant Group LLC. t/a Reef & Barrel to sell any alcoholic beverages at 153 Sea Girt Avenue and also to store alcoholic beverages in a separate building until midnight, June 30, 2021, subject, however, to the following conditions:

1. As to the area where the licensee enclosed an existing sundeck as approved by a resolution dated November 3, 1986, the following condition applies:
  - a. An aisle in conformance with BOCA Building and Fire Code Regulations must surround every side of the bar.
  - b. 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.
2. No bottles or cans shall be dumped in the solid waste dumpster maintained by the license holder between the hours of twelve (12) midnight and seven (7) a.m.
3. The licensee shall provide two (2) qualified uniformed security persons who shall be assigned to duty, about or adjacent to the parking lot serving the licensed premises from the hours of 7:00 p.m. to 3:00 a.m. on those Fridays, Saturdays and holidays from May 15<sup>th</sup> through September 15<sup>th</sup> when the licensee shall be open for business.
4. The Borough Council reserves the right to require the licensee to make appropriate arrangements to ensure that patrons of the licensed premises do not park or interfere with parking at 254-256-258 Parker Avenue.
5. There will be no audio speakers in the second floor dining area, no parties shall be planned and there will be no live entertainment.
6. Rooftop dining shall cease and the rooftop area will be vacated at 10:00 p.m., with the last seating at 9:00 p.m.

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7. Rooftop dining shall have seating for 40 people only and shall be seasonally available during the months of May through September.

**RESOLUTION  
218-2020**

**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	\$1,963,127.83
Capital Fund	\$26,983.64
Water/Sewer Fund	\$16,188.58
Water/Sewer Utility Fund	
Beach Utility Fund	\$54,685.67
Beach Capital Fund	\$20,323.30
Recreation Building Trust	\$6,409.99
Recreation Trust	\$1,517.37
Tourism	\$434.00
Junior Lifeguard	\$5,376.25
Affordable Housing	\$4,517.40
Dev Escrow	\$2,102.75
Animal Trust	\$30.00

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

**Committee Reports**

Code & Zoning Committee – Council Member Bryant reported on the permits issued for the month as well as summonses and warnings issued. He reminded everyone that the Pedestrian Zone after September 17 will be moving to Friday and Saturday nights from 6 to 10 pm from September 25 through October 31.

Public Safety Committee – Council Member Lee thanked the police department for all they did over the busy summer months. He stated that Doris Cadigan resigned from her position in the police and thanked council for approving the posting of the job. He stated that he will have a full update from the public safety committee at the next meeting. He thanked all the first responders for the great job during the summer season and the storms that came through town.

Beach & Recreation Committee – Council Member Mangan thanked the beach staff for an amazing season and advised there are still a couple of weekends left. He stated that the beach and the police worked hand in hand during the difficult circumstances and a challenging season. He stated that the revenue numbers will be reported at the next meeting. He reported on the upcoming recreation programs and thanked the recreation department for getting these programs up and running in a safe manner. He also reported that the Turkey Run will not be taking place this year and the organization will re-group for next year. He stated that he has appreciated all the feedback so far regarding Sea Watch Improvements and he is encouraging more input over the next few weeks. He also stated that he will be presenting a total new concept plan in the next few weeks based on the input that has been received.

Mayor Donovan stated that the plan that was previously presented was a concept plan and not what was actually going to be built there but to get input on the project and come up with a plan that best suits the area and use.

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Council Member Lee echoed what was previously said and is looking forward to the improvement project.

Council Member Read also echoed what was previously said he is glad to see the feedback on the conceptual plan and is looking forward to moving forward with the permitting part of the project to get the process moving forward.

Administration Committee – Council Member Read stated that he will have a report at the next scheduled meeting. He thanked all the staff in all the departments for a fantastic summer as they worked extremely hard and for a long period time.

Finance Committee – Council Member Olivera thanked Amy and the finance team for their hard work and flexibility during the pandemic and echoed Council Member Read's comments as to all of the teams' hard work over the summer. He reported that the finance team worked together to get the County COVID CARES program paperwork together and stated that the Borough will be putting in for reimbursement of \$120,000. He also reported that the tax collection rate for the third quarter was 95%.

### **Audience Participation**

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

Carol Budisak, 77 Beachfront thanked the council for listening to all of the input regarding Sea Watch. She stated that the resident concern is still growing and they have a petition signed by over 320 people to keep the plans simple and they have a local architect that is drawing up simple plans for the area.

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

Council Member Read made a motion to close the regular meeting at 7:51 p.m., seconded by Council Member Olivera. Motion carried unanimously.

Respectfully submitted,



Barbara Ilaria, Municipal Clerk

DATE APPROVED 9/21/2020