Regular Meeting of Mayor and Council was convened at 7:01 p.m. on July 16, 2018 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 Jeffrey Lee, James Walsh, Michael Mangan, and Richard Read
Absent: Council Members Gregg Olivera and Joseph Bossone

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

Council Member Mangan made a motion to add to the workshop discussion a request from recreation for a wiffle ball tournament on the beach, seconded by Council Member Lee. Motion carried unanimously.

Audience Participation

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

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

Proclamation - Overdose Awareness Day

INTERNATIONAL OVERDOSE AWARENESS DAY

WHEREAS, since 2001, the international community has come to together every August 31st to commemorate family members, friends, and fellow citizens who have passed away due to drug overdose; and

WHEREAS, according to 2015 data from the Centers for Disease Control, there were 52,404 deaths, or 144 drug overdose deaths per day in the United States, which is an 11.4 percent increase in just one year; and

WHEREAS, according to the New Jersey Medical Examiner's Office, there were 1,587 drug overdose deaths in 2015, the most recent year for which official data is available. Heroin was identified in 918 cases.

WHEREAS, the Centers for Disease Control and Prevention reports that 174 Americans die each day from a drug overdose. For the 12 month period ending June 2017, CDS reported that 66,817 individuals died from a drug overdose. The United States saw an increase in drug overdose deaths of 21 percent between 2015 and 2016.

WHEREAS, 2,000 New Jersey residents died of a drug overdose in 2016 – more than from guns, car accidents and suicides combined.

WHEREAS, Overdose Awareness Day is committed to providing a platform to acknowledge the grief felt by families and friends who have lost loved ones to overdose and to raise awareness that the tragedy of overdose related death is preventable; and

WHEREAS, drug overdose knows no limits; it does not recognize victims' race, religion, socioeconomic status, or family ties; anyone can battle drug addiction and face a possible overdose; but, recognizing overdose warning signs enables and empowers families and friends to prevent overdose-related death by calling for help; and WHEREAS, members of the community and organizations associated with drug abuse prevention and aid will work to remove the stigma associated with overdose-related deaths and reinforce the belief that no one should feel shame or disgrace due to an overdose-related death of a loved one; and

WHEREAS, organizations such as Recovery Advocates for the Shore (RAFTS) and the Shore Community Alliance strive daily to make overdose and overdose-related deaths a thing of the past;

NOW, THEREFORE BE IT PROCLAIMED, that the Mayor and Council of the Borough of Manasquan declare August 31, 2018 as Overdose Awareness Day in Borough of Manasquan and ask residents to remember those who were lost, those who are struggling, and those who are in recovery.

BE IT FURTHER RESOLVED, true and official copies of this proclamation be spread upon the minutes of the Borough Council meeting held on July 16, 2018.

Approval of Minutes

Regular Meeting Minutes – June 4, 2018 Regular Meeting Minutes – June 18, 2018 Regular Meeting Minutes – July 2, 2018

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

Use of Borough Property

• MBRC Softboard Rodeo – Rain date request July 27, 2018 (postponed on 7/6/18)

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

• Block Party – Marcellus Avenue – July 21, 2018 – 4 to 9 pm

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

• Big Sea Day – Beach Area – August 11, 2018 – 7 am to 10 pm

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

• Family Fun Day – 1st Baptist Church–Curtis Park–July 28, 2018 – 10 am to 1 pm

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

• Block Party – Pike Avenue – September 1, 2018 – 3 to 9 pm

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

• Block Party - Tarpon Avenue - August 4, 2018 - 8:30 am to 8:30 pm

Council Member Mangan made a motion to deny the request, seconded by Council Member Walsh. Motion carried unanimously.

• Ladacin Plunge – Main Beach – January 19, 2019 – 12 noon start

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

• Block Party - Fletcher Avenue - September 2, 2018 - 3 to 9 pm

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

• Wiffle Wall Tournament - Between Riddleway and Main Beach - August 4, 2018

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

Street Opening Request – 125 Main Street

There was discuss on the request and the procedure.

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

Finance Department - Update

Amy Spera, CFO updated the governing body with what is going on in the finance, water/sewer and tax departments. She also updated the governing body on the budgeted amount and advised that about 40% of the budget has been utilized so far this year as compared to last year of 50% at this same time. She updated the governing body on the revenues which is at 58% of anticipated for the year.

CONSENT AGENDA

RESOLUTION 203-2018

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: Ryan Pharo

19 Lockwood Avenue Manasquan, NJ 08736

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND

APPLICATION #10-2015

RYAN PHARO

BLOCK: 150 – LOT: 14 –ZONE: R-3 AMOUNT OF REFUND DUE: \$89.92

NAME: Donald Prior

54 ½ Ocean Avenue Manasquan, NJ 08736

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND

APPLICATION #47-2014

DONALD PRIOR

BLOCK: 162 – LOT: 14 – ZONE: R-2 AMOUNT OF REFUND DUE: \$1300.00

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 204-2018

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: Jorge & Shelia Vidreiro 109 McLean Avenue Manasquan, NJ 08736

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND

APPLICATION #29-2015

JORGE & SHELIA VIDREIRO

BLOCK: 109 – LOT: 18 –ZONE: R-1

AMOUNT OF REFUND DUE: \$537.50

NAME: Linda Greenberg

67 N Farragut Avenue Manasquan, NJ 08736

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND

APPLICATION #11-2017 LINDA GREENBERG

BLOCK: 105 – LOT: 13 – ZONE: R-1 AMOUNT OF REFUND DUE: \$625.00

NAME: Erna Drum

29-31 Atlantic Avenue Manasquan, NJ 08736

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND

APPLICATION #22-2014

ERNA DRUM

BLOCK: 37 – LOT: 5.02 – ZONE: R-2 AMOUNT OF REFUND DUE: \$289.25

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 205-2018

COMMUNITY DEVELOPMENT BLOCK GRANT RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CERTIFICATION PROHIBITING THE USE OF EXCESSIVE FORCE AND A CERTIFICATION PROHITING THE USE OF FEDERAL FUNDS FOR LOBBYING

WHEREAS, a certain federal funds are potentially available to Monmouth County through the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the United States Department of Housing and Urban Development has allocated funding to the County of Monmouth for Fiscal Year 2018; and

WHEREAS, the County is making some of these funds available to certain participating municipalities and non-profit agencies; and

WHEREAS, it is required that the Borough of Manasquan execute a Project Agreement with Monmouth County to undertake a project known as ADA Roadway & Infrastructure Improvements Phase IIs; and

WHEREAS, the Borough of Manasquan has adopted a policy prohibiting the use of excessive force by its law enforcement agency (police force) within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and

WHEREAS, a copy of that policy is attached to and made part of this resolution; and

NOW THERFORE BE IT RESOLVED, that the Borough of Manasquan has met the conditions of receiving a Fiscal Year 2018 allocation by adopting a policy prohibiting the use of excessive force and by not using federal funds lobbying or by disclosing that funds have been used for lobbying.

BE IT FURTHER RESOLVED, that the Mayor of the Borough of Manasquan is hereby authorized to sign the attached certifications which will become part of the FY 2018 Project Agreement.

RESOLUTION 206-2018

COMMUNITY DEVELOPMENT BLOCK GRANT RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A PROJECT AGREEMENT WITH MONMOUTH COUNTY FOR PERFORMANCE AND DELIVERY OF FY 2018 COMMUNITY DEVELOPMENT PROJECTS

WHEREAS, certain federal funds are potentially available to Monmouth County through the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the County of Monmouth expects to receive an allocation for FY2018 from the United States Department of Housing and Urban Development; and

WHEREAS, the County of Monmouth has submitted its annual Plan for FY2018 to the U.S. Department of Housing and Urban Development, which included a project hereinafter referred to as ADA Roadway & Infrastructure Improvements Phase II with grant allocation of \$162,500.00; and

WHEREAS, the Borough of Manasquan hereby met all the requirements for the release of funds to begin incurring costs for this project: and

WHEREAS, the Borough of Manasquan has filed with the Monmouth County Community Development Program as acceptable timetable for completion and expenditure of grants funds, which is included as an appendix to the Project Agreement.

NOW THERFORE BE IT RESOLVED, that the Mayor and Municipal Clerk of the Borough of Manasquan are authorized to execute with the County of Monmouth the Street Improvements Project Agreement.

RESOLUTION 207-2018

CHANGE ORDER NO. 1

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan of Monmouth County, New Jersey upon the recommendation of the Chief Financial Officer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB:

2018 CSIP Tree Grant Project

CONTRACTOR:

Burke Environmental Inc.

Change Order No. 1

AMOUNT OF CHANGE FOR THIS RESOLUTION:

\$2,240.00

TOTAL AMOUNT OF CHANGE:

\$2,240.00

TOTAL ORIGINAL CONTRACT PRICE

\$27,755.00

REVISED CONTRACT PRICE

\$29,995.00

All bills are on file in the Finance Office. This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

RESOLUTION 208-2018

WHEREAS, the Borough of Manasquan is desirous of appointing Seasonal Beach Employees for the Summer Season of 2018; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 11 day of July, 2018 appoint the following Seasonal Beach Employees to work during the Summer Season, 2018:

Additional Names for Approval:

Doook	Crozzz	
Beach	ı Crew.	

Kieran Walsh	253 Euclid Ave., Manasquan	\$10.50
ixiciani wansh	233 Eucha Ave., Manasuan	910.5

Beach Patrol:

Jalan Cananta II	15 Old C D 1 M	Φ10.50
John Campbell	15 Old Squan Road, Manasquan	\$10.50

Badge Checker:

Dauge Checker.		
Delaney Heffernan	19 Captains Court, Manasquan	\$9.00
Kennedy Driscol	355 Cedar Ave., Manasquan	\$8.00
Addrianna Hendrickson	1308 Sunset Ave., Point Pleasant	\$8.00
Sofia Major	50 Davids Lane, Howell	\$8.00
Molly Rafter	2 Jason Drive, Spring Lake Heights	\$8.00
Claudia Hastings	2408 Emerson Ave., SLH	\$8.00

RESOLUTION 209-2018

RESOLUTION AWARDING A CONTRACT FOR THE STOCKTON LAKE BOULEVARD 2016 & 2017 MUNICIPAL AID ROADWAY IMPROVEMENTS PROJECT IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH STATE OF NEW JERSEY

WHEREAS, public bids were advertised for and received pursuant to the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) for the Stockton Lake Boulevard 2016 & 2017 Municipal Aid Roadway Improvements Project; and

WHEREAS, the bids submitted for this project were:

		<u>Alternate</u>	Total Base Bids
Contractor	Total Base Bid	<u>Bid A</u>	Phase 1 & 2 and
	Phase 1 & 2	Phase 1	Alternate

Fiore Paving	\$603,997.60	\$11,347.00	\$615,344.60
Earle Ashpalt	\$626.313.13	\$11,400.00	\$637,713.13
Lucas Construction	\$658,055.00	\$10,593.00	\$668,648.00
S. Brothers	\$684,301.75	\$13,457.00	\$697,758.75
Black Rock Enterprises	\$728,121.82	\$12.509.00	\$740,630.82

WHEREAS, upon review of the funding available for said project, the Borough Engineer has recommended awarding a contract for Phases 1 and 2, and Alternate Bid A Phase 1.

WHEREAS, Fiore Paving submitted a total bid with Phases 1 and 2, and Alternate Bid A Phase 1 in the amount of \$615,344.60.

WHEREAS, Maser Consulting, P.A. has determined the bid by Fiore Paving complies with the bid specifications and includes all required documentation and has recommended the award of the bid; and

WHEREAS, the Borough Council has determined, for the reasons set forth below, that the bid of Fiore Paving is a responsive and responsible bid; and

WHEREAS, the Borough Council is desirous of awarding a contract to Fiore Paving for the total bid in the amount of \$615,344.60 for the project;

NOW, THEREFORE BE IT RESOLVED on the 16th day of July 2018, by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey, as follows:

- 1. This Bid award is subject to the review and approval of the Bid documents by the Manasquan Borough Attorney.
- 2. Subject to the above condition, a contract in the amount of \$615,344.60 is awarded to Fiore Paving Inc. for this project.
- 3. The Mayor and Municipal Clerk are authorized and directed to execute all necessary documents to effectuate a contract with Fiore Paving.
- 4. A certified copy of this resolution shall be sent to:

Fiore Paving 4 Fiore Court Oceanport, NJ 07767

RESOLUTION 210-2018

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey is desirous of creating a Committee to oversee the Sea Watch Redevelopment Project

BE IT FURTHER RESOLVED that the following council members will form the committee: Council Member Lee, Council Member Walsh and Council Member Mangan

RESOLUTION 212-2018

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	109,097.37
Water/Sewer Fund	15,940.15
Beach Fund	15,015.51
Recreation Bldg Trust	150.83
Recreation Comm	6,992.80
Law Enforcement Trust	1,078.77
Tourism Trust	12,697.00
Junior Lifeguard	1,603.25
Affordable Housing	45.00
Animal Reserve	7.20
General Capital Fund	21,254.60
Water/Sewer Capital Fund	
Beach Capital Fund	21,425.88

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

Resolutions:

RESOLUTION 211-2018

WHEREAS, application has been made to the Borough Council, Borough of Manasquan, County of Monmouth, State of New Jersey, by Hickory Group, L. L. C. t/a Remington's for Plenary Retail Consumption Liquor License No. 1327-33-010-010 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 previous license term for the use in the licensed business.

WHEREAS, the said Hickory Group L.L.C. t/a Remington's 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 Hickory Group, L. L. C. t/a Remington's to sell alcoholic beverages at 142 Main Street, Manasquan, New Jersey, until midnight, June 30, 2019, 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.

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

There being comment Council Member Walsh made a motion to close the public portion, seconded by Council Member Read. Motion carried unanimously.

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

Ordinances - First Reading

The Borough Attorney read the title of ordinance 2261-18 for introduction.

AN ORDINANCE CREATING SECTION 5-13 ENTITLED "PERMITTING THE MANAGED CARE OF FREE-ROAMING CATS" TO THE REVISED GENERAL ORDINANCE OF THE BOROUGH OF MANASQUAN

Council Member Walsh made a motion to introduce ordinance 2261-18, seconded by Council Member Read. Motion carried by the following vote: "yes" Council Member Lee, Walsh, Mangan, and Read. "No" none.

The Borough Attorney read the title of ordinance 2263-18 for introduction.

ORDINANCE TO AMEND SECTION 7-16.1 (TAXI STANDS ESTABLISHED) AND TO ESTABLISH SECTION 7-16.2 (ACTIVE PICKUP AND DROP-OFF ZONE) OF CHAPTER 7 (TRAFFIC) AND SECTION 4-16.2 (FINES AND PENALTIES) OF CHAPTER 4 (LICENSING) OF THE BOROUGH OF MANASQUAN TO DESIGNATE TAXI PICKUP AND DROP-OFF ZONES IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

There was discussion on this ordinance and the Chief's recommendation that this ordinance move forward.

Council Member Mangan made a motion to carry ordinance 2263-18 to the next scheduled meeting, seconded by Council Member Lee. Motion carried unanimously.

Council Member Read left the meeting at 7:40 pm.

The Borough Attorney read the title of ordinance 2264-18 for introduction.

ORDINANCE TO AMEND SECTION 4-16 (TAXICABS, AUTOCABS) AND SECTION 4-16.6 (FEES) OF CHAPTER 4 (GENERAL LICENSING) AND SECTION 16-1 (GENERAL LICENSING) OF CHAPTER 16 (FEES) OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

There was discussion on this ordinance.

Council Member Mangan made a motion to carry ordinance 2264-18 to the next scheduled meeting, seconded by Council Member Lee. Motion carried unanimously.

The Borough Attorney read the title of ordinance 2265-18 for introduction.

ORDINANCE TO AMEND SECTION 2-69.3 (USE OF REVERSE ENERGY AUCTION) OF CHAPTER 2 (ADMINISTRATION) OF

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

Council Member Mangan made a motion to introduce ordinance 2265-18, seconded by Council Member Walsh. Motion carried by the following vote: "yes" Council Member Lee, Walsh, and Mangan. "No" none.

COMMITTEE REPORTS

Public Works Committee – Council Member Lee reported on the DPW efforts to keep up with potholes, tree work, park maintenance, line painting and keeping up on the new recycling mandates. He reported that the Sea Lavender Club is celebrating their 25 anniversary and they have plans for an event in Squan Plaza.

Code/Construction Committee – Council Member Walsh reported on the June numbers from the construction/zoning/code department.

Administration Committee — Council Member Mangan reported that the Inlet Celebration has been postponed until Wednesday. He reported on construction/engineering meetings and advised that there will be updates on all the upcoming projects moving forward. He reported on the Citizen Advisory Committee and advised that the committee has been assigned certain topics and they will be meeting with specific staff members to update each other and work together to better the Borough.

Council Member Lee reported that the Stockton Lake Blvd. Project was awarded tonight but the Mallard Park Project came in over budget and is in review at this time.

Audience Participation

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

Dick Meincke, 36 N. McClellan inquired about the proposed building on Broad Street.

Council Member Mangan stated that the building plans are still being negotiated in the courts.

Mayor Donovan stated that what has happened so far is a conversation with the court and a conversation with Fair Share regarding the Borough's COAH obligation and the density of developable land in Manasquan.

There was discussion on the process, the area covered by COAH and the Borough's obligations. There was discussion on the parking that will be required for the Broad Street project.

Alice Cavanaugh, Brielle inquired about Sea Watch Committee and what is being proposed.

Council Member Mangan stated that the council committee was just formed at the last council meeting and he stated that the bungalows can no longer be rented as bungalows and the building is in disrepair from Sandy. He stated that the committee is in the process of finding out the restrictions on the property as it relates to Green Acres, Open Space, CAFRA, and any federal or state agencies to make sure all the information is together prior to a larger committee being formed. He stated that this is going to be a multiple year process.

There was discussion on the council committee that was formed and the larger committee which would include citizens.

Carolyn Burke, 451 East Main Street inquired about the fence that is on the Main Street Bridge.

Mayor Donovan stated that the bridge belongs to Monmouth County and they will take it down if the homeowner requests that. He advised that she would need to reach out to the County.

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

JULY 16, 2018

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 Mangan made a motion to close the regular meeting at 8:37 p.m., seconded by Council Member Walsh. Motion carried unanimously.