

JUNE 20, 2016

Regular Meeting of Mayor and Council was convened at 7:03 p.m. on June 20, 2016 in Council Chambers of Borough Hall with Mayor Donovan presiding.

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 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 Lee, Walsh, McCarthy, Olivera, Read, and Mangan.

Absent: None

Also present was Assistant Borough Attorney William Wells and Borough Administrator/CFO Joseph DeIorio.

**Resolution:**

**RESOLUTION  
186-2016**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH  
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,  
APPOINTING A POLICE OFFICER**

**WHEREAS**, due to retirements, the Borough of Manasquan ("Manasquan") is in need of a Police Officer; and

**WHEREAS**, the Chief of Police has reviewed the candidates for the position of Police Officer; and

**WHEREAS**, the Chief of Police has recommended that the Borough of Manasquan hire Stephen Kircher as Police Officer effective June 21, 2016.

**NOW, THEREFORE BE IT RESOLVED** on the 20<sup>th</sup> day of June, 2016 by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. Stephen Kircher is appointed to the position of Police Officer of the Borough of Manasquan.
2. The effective date of this appointment is June 21, 2016.
3. The salary for this position is \$35,000 per year.
4. A certified copy of this resolution shall be sent to:

Stephen Kircher  
91 Marcellus Avenue  
Manasquan, NJ

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

**Swearing In Ceremony:**

Mayor Donovan swore in Stephen Kircher as Police Officer.

**Presentation by HD Supply – Advanced Metering System Install**

Fred Schweighardt from HD Supply Waterworks gave a presentation to council and the audience on the new metering system that will be installed in the Borough in late July. He also went over the process of installation and how the new program will work.

### **Audience Participation – Agenda Items**

Council Member Walsh made a motion to open the meeting to audience participation, seconded by Council Member Olivera. Motion carried unanimously.

Mary Ryan, 113 Beachfront inquired about the new meters and asked if they will freeze and break. She also inquired about the cost to the homeowners.

Mr. Schweighardt stated that the way meters operate there is no guarantee that they will not freeze and break but they operate at 32 degree to 115 degrees. He also advised that the cost of the meter would depend on the size of the meter and there is no increase to the new meter.

Mr. DeIorio stated that the ordinance will stay the same and the homeowner will be responsible for broken meters.

Council Member Lee inquired about the start of the installation of the new meters.

Mr. Schweighardt advised that once all paperwork is completed the installation can start. He is hoping for the end of July beginning of August. He went over the process to make appointments for the installation.

Bob Young, 142 Second Avenue inquired as to where the notices for the water meters will be sent.

Mr. DeIorio advised that the notices will be mailed to the homeowner of record.

There was discussion on how the program will work for the town and the homeowner.

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

### **Approval of Minutes:**

Regular Meeting Minutes – May 16, 2016

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

Proclamations for the Eagle Scouts was held until the next regular scheduled meeting.

### **Use of Borough Property**

- Sunshine Girls Run/Walk – Change of Date – TBD

There was discussion on this event and the requested dates.

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

- NSSA Surf Contest – July 10 at 8 am, (no wave dates 7/17 or 7/24)

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

- The Training Room – Tuesday and Thursdays from June 21 to August 30, 6 am – 8 am

Council Member Lee made a motion to approve this request with the understanding that if the noise becomes a problem the approval will be revoked, seconded by Council Member Read. Motion carried unanimously.

- Eat Clean Bro/Beach Bro – Showcase Live Music – July 3, 12 to 4 pm

There was discussion on this request and Jamie Giovinazzo, president of Eat Clean Bro was present to answer questions. Mr. Giovinazzo informed the council that the date has been changed to July 27, 2016

JUNE 20, 2016

with lunch with 101.5 from 10 am to 2 pm and there will be no live music. He also stated that a portion of the proceeds from that day will go to a local charity.

Council Member McCarthy made a motion to approve the July 27, 2016 date with no live music subject to working out the details with the Beach Manager, seconded by Council Member Walsh. Motion carried unanimously.

The closed session portion (action to be taken) 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.

## CONSENT AGENDA

### RESOLUTION 176-2016

**WHEREAS**, the Borough of Manasquan is desirous of appointing Seasonal Recreation Employees for the Summer Season of 2016; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 20<sup>th</sup> day of June, 2016 appoint the following Seasonal Recreation Employees to work during the Summer Season, 2016:

Counselor:	Address	Hourly Rate
Kimberly Ward	2423 Hemlock Lane, Pt. Pleasant	\$5,700- Salary
Chris Craig-Asst. Director	48 Allen Avenue	\$25.00
Marisa Marco-Art Director	191-1 6 <sup>th</sup> Avenue, Long Branch, NJ	\$13.00
Megan Freeman-Sports Director	49 Allen Avenue	\$14.00
Gina Sommese	168 Yellowbank Road, Toms River, NJ	\$12.50
Jack Haley	65 Curtis Avenue	\$10.00
John Moriarty	110 Manito Road	\$9.00
Daniel Mopsick	52 Parker Avenue	\$8.75
Shannon Kirk	919 Wall Road, Spring Lake Heights, NJ	\$8.75
Abby Schwind	50 Curtis Avenue	\$8.75
Chris Driscoll	11 Muriel Place	\$8.75
Brinley Schmidt	68 Morris Avenue	\$8.75
Tommy Antonucci	7 Allen Avenue	\$8.75
Madison Rydholm	158 2 <sup>nd</sup> Avenue	\$8.75
Greg Love	293 Pine Avenue	\$8.75
Trey Triggiano	50 Central Avenue	\$8.75
Annie Ragan	228 Broad Street	\$8.75
Julianna DeGenova	54 Iroquois Road	\$8.75
Gabriella Farneti	4 Pearce Court	\$8.75
Peter Pastelak	70 Colby Avenue	\$8.63
Bridget Walsh	356 Cedar Avenue	\$8.63
Megan Gallagher	332 Euclid Avenue	\$8.63
Joey Attardo	390 East Virginia Avenue	\$8.63
Alec Wells	328 Pine Avenue	\$8.63
Carter Schmidt	68 Morris Avenue	\$8.63
Maura Wilson	146 North Main Street	\$8.63
Elise Schmieder	285 Cedar Avenue	\$8.38
Mary Kathleen Huth	220 Broad Street	\$8.38
Matthew Driscoll	11 Muriel Place	\$8.38
Anna DePalma	7 Gardners Lane	\$8.38
Jane Antonucci	7 Allen Avenue	\$8.38
Ryan Ritchey (Head Tennis)	1119 Minnehaha Tr.	\$45.00
Conor Ritchey (Tennis Ints. #2)	1119 Minnehaha Tr.	\$27.00
Luke Tausek (Tennis Ins. #3)	606 New York Blvd. Sea Girt 08750	\$20.00

### RESOLUTION 177-2016

**WHEREAS**, application has been made to the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey by Squan Tavern, Inc. for the renewal of the Plenary Retail Consumption Liquor License No. 1327-33-005-003 to cover premises at 15-17-19-21 Broad Street, Manasquan, New Jersey; and

JUNE 20, 2016

**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 additional financing obtained in the previous license term for use in the licensed business.

**WHEREAS**, the Squan Tavern, Inc. is adjudged to be entitled to a Plenary Retail Consumption Liquor 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 Squan Tavern, Inc. to sell any alcoholic beverages at 15-17-19-21 Broad Street, Manasquan, New Jersey until midnight, June 30, 2017, 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.
2. Alcoholic beverages will only be served in the permitted outdoor area only between 11:00 a.m. to 11:00 p.m.

**RESOLUTION  
178-2016**

**WHEREAS**, application has been made to the Borough Council, Borough of Manasquan, County of Monmouth, State of New Jersey, by the Johannessen Sisti Inc., t/a Spirit of '76 Wines and Liquors for the renewal of the Plenary Retail Distribution Liquor License No. 1327-44-004-003 to cover premises at 119 Taylor Avenue, Manasquan, New Jersey; and

**WHEREAS**, the governing body makes the following findings with respect to Plenary Retail Distribution Licenses 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 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 Johannessen Sisti Inc., is adjudged to be entitled to a Plenary Retail Distribution Liquor License.

JUNE 20, 2016

**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 Liquor License to the Johannessen Sisti Inc., to sell at 119 Taylor Avenue, Manasquan, New Jersey for consumption off the licensed premises any alcoholic beverages in their original containers until midnight, June 30, 2017.

**RESOLUTION  
179-2016**

**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.
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 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, 2017, 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."

JUNE 20, 2016

- 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.

**RESOLUTION  
180-2016**

**AUTHORIZATION FOR THE BOROUGH OF MANASQUAN  
TO APPLY FOR AND ACCEPT A SUBGRANT AWARD OF THE  
FEDERAL FISCAL YEAR 2015 DEPARTMENT OF HOMELAND  
SECURITY EMERGENCY MANAGEMENT PERFORMANCE  
GRANT PROGRAM FUNDING**

**WHEREAS**, the Borough of Manasquan, Office of Emergency Management has been awarded a Federal Homeland Security Emergency Management Agency Assistance (EMAA) Grant CFDA #97.042, Award #FY15-EMPG-EMAA-1329 from the New Jersey State Police Office of Emergency Management. The Subgrant, consisting of a total amount of up to \$14,000.00 including up to \$7,000.00 Federal Award and up to \$7,000.00 Local Matching Funds, is for the purpose of enhancing the Borough of Manasquan's ability to plan for, mitigate against, respond to and recover from natural and man-made disasters and other catastrophic events and emergencies; and

**WHEREAS**, The Borough of Manasquan Office of Emergency Management, as designated by the New Jersey State Police, Office of Emergency Management, will submit an Application for Subgrant Award as required by the New Jersey State Police Office of Emergency Management; and

**WHEREAS**, The Application for Subgrant Award covers the performance period from July 1, 2015 through June 30, 2016, and calls for a match in the amount of up to \$7,000.00

JUNE 20, 2016

which the Borough of Manasquan adequately satisfies through the approved FY2015 budget and proposed FY2016 for the Hazard Mitigation Program; and

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Manasquan accepts the award of the FFY15 Emergency Management Agency Assistance (EMAA) grant in the amount of up to \$7,000.00 in Federal Funds from the New Jersey State Police, Office of Emergency Management; and

**BE IT FURTHER RESOLVED** that the Municipal Administrator, as an authorized agency official, or their successors are authorized to sign the appropriate Subgrant award documents; and

**BE IT FURTHER RESOLVED** that the Office of Emergency Management is hereby authorized to ensure compliance with the provisions of the Subgrant, including maintaining and updating of the municipal Emergency Operations Plan (EOP), coordinating meetings of the Local Emergency Planning Committee (LEPC), conducting local emergency response exercises; and attending County/State OEM meetings and training as required; and

**BE IT FURTHER RESOLVED** that copies of this Resolution shall be forwarded to the New Jersey State Police, Office of Emergency Management; the Monmouth County Office of Emergency Management and the municipal Administrator / Chief Financial Officer, and the municipal Emergency Management Coordinator.

**RESOLUTION  
181-2016**

**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: PAUL AND NANCY SUTOR  
28 OLD SQUAN RD  
MANASQUAN, NJ 08736

REASON FOR REFUND: REFUND – COAH FEES  
BLK 45.02 LOT 15

AMOUNT \$ 146.50

**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  
182-2016**

**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.

JUNE 20, 2016

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, 2017, 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  
183-2016**

**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: BRYAN FODOR  
39 CLAREMONT AVE  
SOUTH RIVER, NJ 08882

REASON FOR REFUND: REFUND – SOLICITOR'S APP

AMOUNT \$ 50.00

**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  
184-2016**

**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.



JUNE 20, 2016

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, 2017.

**RESOLUTION  
185-2016**

**RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN  
APPROVED STATE CONTRACT VENDORS FOR CONTRACTING  
UNITS PURSUANT TO N.J.S.A. 40A:11-12a**

**WHEREAS**, the Borough of Manasquan, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

**WHEREAS**, the Borough of Manasquan has the need on a timely basis to purchase goods or services utilizing State contracts for the purpose of the acquisition of a 2017 Police Interceptor Utility All Wheel Drive Vehicle; and

**WHEREAS**, the Borough of Manasquan intends to enter into contracts with: CHERRY HILL WINNER FORD, located at 250 Berlin Road, Cherry Hill, NJ 08034 through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

**NOW THEREFORE BE IT RESOLVED**, that the Borough of Manasquan authorizes the Purchasing Agent to purchase certain goods or services from said contractor by approved New Jersey State Contract #T-2776/88728 pursuant to all conditions of the individual State contracts, in the amount of \$31,535.98; and

**BE IT FURTHER RESOLVED**, that the governing body of the Borough of Manasquan pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

**RESOLUTION  
187-2016**

**AUTHORIZING THE BOROUGH OF MANASQUAN  
SAFE ROUTES TO SCHOOL PROJECT AND THE**

JUNE 20, 2016

**APPLICATION FOR SAFE ROUTES TO SCHOOL FUNDING  
TO MAKE INFRASTRUCTURE IMPROVEMENTS THAT WILL  
IMPROVE THE WALKING AND BIKING ENVIRONMENT FOR STUDENTS**

**WHEREAS**, the Borough of Manasquan is applying for funding to construct pedestrian safety improvements along the school routes for the Manasquan Elementary School within the Borough of Manasquan; and

**WHEREAS**, the Borough of Manasquan proposes to install sidewalk and other necessary pedestrian safety improvements along Woodland Avenue from Broad Street (County Route 20) to Parker Avenue; Parker Avenue from Woodland Avenue to Stockton Lake Boulevard; Stockton Lake Boulevard from Parker Avenue, crossing Taylor Avenue (State Highway Route 71), to N McClellan Avenue; N Potter Avenue from Lake Avenue to E Main Street; and S Potter Avenue from E Main Street to Euclid Avenue to connect to Mallard Park; and

**WHEREAS**, the project is the second phase of, and will complement, the Pedestrian Sidewalk Improvements project, which was selected to receive funding through the 2014 Safe Routes to School grant program; and

**WHEREAS**, the grant application is identified as SRS-I-2016-Manasquan Borough-00081; and

**WHEREAS**, the project will help to continue and improve the promotion and encouragement of pedestrian and bicycle access and safety for school children; and

**WHEREAS**, maintenance of the facility, once constructed, will be assumed by the Borough of Manasquan with the exception of (1) local ordinances that places maintenance responsibility with each individual property owner, and (2) those crosswalks on State or County Highways;

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan that it hereby supports the submission of a grant application for the Safe Routes to School Program within the State of New Jersey Department of Transportation and authorizes the Mayor, Administrator and the Municipal Clerk to execute any and all documents necessary and related to the submission of said grant application or grant agreement.

**RESOLUTION  
188-2016**

**WHEREAS**, N.J.S.A. 40:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2016 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

**WHEREAS**, the Total Temporary Budget Appropriations, including this amendment resolution is attached to this resolution for the Current Budget, Water/Sewer Utility Budget and Beach Utility Budget, Open Space Budget inclusive of Salary and Wages, Other Expenses, Debt Service, and other charges, and

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, amend the Temporary Budget as approved through Resolutions 8-2016 and 119-2016, with the following appropriations attached.

**RESOLUTION  
189-2016**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH  
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,  
AUTHORIZING ADDITIONAL AS NEEDED HOURS FOR WENDY**

JUNE 20, 2016

**PEARCE, SEASONAL PART TIME KEYBOARDING CLERK 1 IN  
THE MANASQUAN CODE/CONSTRUCTION DEPARTMENT**

**WHEREAS**, Wendy Pearce was appointed as Seasonal Part Time Keyboarding Clerk 1 on March 21, 2016; and

**WHEREAS**, the Code/Construction Department is now in need of additional hours of work to help cover the office work load.

**NOW, THEREFORE BE IT RESOLVED** on the 20<sup>th</sup> day of June, 2016, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. Wendy Pearce will provide additional hours on an as needed basis.
2. The rate for this position is \$15.00 per hour with the hours.
3. The effective date of the additional as needed hours is June 6, 2016.
4. A certified copy of this resolution shall be sent to:

Ms. Wendy G. Pearce  
2396 Linden Place  
Manasquan, NJ 08736

**RESOLUTION  
190-2016**

**RESOLUTION AWARDING A CONTRACT FOR THE 2016 RECREATION  
FACILITIES IMPROVMENTS 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 2016 Recreation Facilities Improvements Project; and

**WHEREAS**, the bids submitted for this project were:

\*The totals have been adjusted due to mathematical error

<u>Contractor</u>	<u>Base Bid</u>	<u>Total Bid</u>
All Surface Asphalt Paving Inc. (ASAP)	\$168,618.40	\$169,378.40*
Mark Woszczak Mechanical Contractors	\$188,008.00	\$188,008.00
V & K Construction	\$228,537.00	\$277,537.00*

**WHEREAS**, All Surface Asphalt Paving Inc. submitted a total bid in the amount of \$169,378.40; and

**WHEREAS**, the Borough Engineer has determined the bid by All Surface Asphalt Paving Inc. 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 All Surface Asphalt Paving Inc. is a responsive and responsible bid; and

**WHEREAS**, the Borough Council is desirous of awarding a contract to All Surface Asphalt Paving Inc. for the total bid in the amount of \$169,378.40 for the project;

**NOW, THEREFORE BE IT RESOLVED** on the 20<sup>th</sup> day of June, 2016, by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey, as follows:

JUNE 20, 2016

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 \$169,378.40 is awarded to All Surface Asphalt 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 All Surface Asphalt Paving, Inc.
4. A certified copy of this resolution shall be sent to:

All Surface Asphalt Paving, Inc.  
528 Hardenburg Avenue  
Point Pleasant, NJ 08742

**RESOLUTION  
191-2016**

**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 Edgar's Pub to sell any alcoholic beverages at 153 Sea Girt Avenue and also to store alcoholic beverages in a separate building until midnight, June 30, 2017, 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.

JUNE 20, 2016

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

**RESOLUTION  
192-2016**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH  
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,  
APPOINTING ROBERTA PICARELLO-BERDEL AS CLERK III 1 IN  
THE MANASQUAN CODE/CONSTRUCTION DEPARTMENT**

**WHEREAS**, due to a vacancy, the Borough of Manasquan ("Manasquan") Code/Construction Department is in need of a Clerk III; and

**WHEREAS**, Supervising Code Enforcement Officer Frank DiRoma has reviewed the candidates for the position of Clerk III; and

**WHEREAS**, the Supervising Code Enforcement Officer has recommended that the Borough of Manasquan appoint Roberta Picarello-Berdel as Clerk III.

**NOW, THEREFORE BE IT RESOLVED** on the 20<sup>th</sup> day of June, 2016, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

5. Roberta Picarello-Berdel is appointed to Clerk III.
6. The salary for this position is \$39,000 per year.
7. The effective date of this appointment is June 27, 2016.
8. A certified copy of this resolution shall be sent to:

Roberta Picarello-Berdel  
9 Holland Lane  
Colts Neck, NJ 07722

**RESOLUTION  
193-2016**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Manasquan that Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, be and is hereby authorized to advertise Bid Notice for the rental of 205 East Main Street.

JUNE 20, 2016

**RESOLUTION  
194-2016**

**WHEREAS**, application has been made to the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey by PMB Enterprises, LLC, t/a Manasquan Beach House for the renewal of Plenary Retail Consumption Liquor License (Hotel/Motel Exception) No. 1327-36-001-008 to cover premises at 390 E. Main Street, Manasquan, New Jersey; and

**WHEREAS**, the governing body makes the following findings with respect to Plenary Retail Consumption Liquor License No. 1327-36-001-008 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.
3. The applicant has disclosed and the issuing authority 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 PMB Enterprises, LLC, t/a Manasquan Beach House judged to be entitled to a Plenary Retail Consumption Liquor License (Hotel/Motel Exception).

**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 (Hotel/Motel Exception) to the said PMB Enterprises, LLC, t/a Manasquan Beach House to sell alcoholic beverages at 390 East Main Street in the Borough of Manasquan, New Jersey, and also include modifications and alterations in the licensed premises according to the plans and specifications prepared by Christopher Rice, licensed architect, dated March 1, 2004, until midnight, June 30, 2017, subject, however, to the following conditions:

- a. There shall be no live music or entertainment of patrons by any group exceeding four people; however, the applicant shall have the privilege of applying to the governing body, or its designated committee, to have a larger group on special occasions. In such event, the applicant shall advise the governing body of the proposed date for the entertainment by live music of a group exceeding four people, the proposed time of the event and the number of entertainers proposed at the event.
- b. There shall be no consumption of alcoholic beverages outside of the structure on the property, except for the "proposed outdoor area" shown on a diagram submitted as part of the renewal application for this liquor license. The outdoor area consists of 510 square feet to the east of a portion of the structure labeled on the diagram as "ENCLOSED PORCH – roof over." Alcoholic beverages may only be served and consumed in this area between the hours of 11:00 a.m. and 10:00 p.m. Alcoholic beverages shall be available to patrons only through service by waiters or waitresses. Only a service bar may be maintained in this area. No patrons may be seated or standing at the service bar. No live music or amplified music shall be conducted in this area except for an acoustic guitar. Landscaping shall be provided in accordance with the diagram outlining this area. It is the intention of this provision to prohibit the consumption of alcoholic beverages in the yard or parking lot areas of the premises known as Manasquan Beach House, except in the outdoor area described above.
- c. The total lineal feet of public bar shall not exceed seventy (70) linear feet.
- d. No alcoholic beverages sign on the exterior or adjacent grounds shall exceed 4½ square feet in area.
- e. No renewal or transfer of this license will be allowed, except for or to a hotel containing at least 50 rooms.
- f. 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. At least one of the

JUNE 20, 2016

security persons shall be stationed directly in the parking lot during the hours of 7:00 p.m. to 3:00 a.m.

- g. The licensee shall provide a litter patrol which will remove litter within 200 feet of the licensed premises before 9:00 a.m. each morning following an operational day from May 15<sup>th</sup> to September 15<sup>th</sup>.
- h. No bottles or cans shall be dumped in the solid waste dumpster maintained by the license holder between the hours of midnight and 7:00 a.m.
- i. 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. This condition does not apply to any rooms available for rent.
- j. No live music is permitted at the licensed premises after 1:30 a.m.
- k. Alcoholic beverages shall be available for patrons in conjunction with food service in Dining Area "D."
- l. Alcoholic beverages shall be available to patrons only through service by waiters or waitresses in Dining Area "D."
- m. Alcoholic beverages may be served and consumed between the hours of 11:00 a.m. and 10:00 p.m. on Sunday, Monday, Tuesday, Wednesday and Thursday, and between the hours of 11:00 a.m. and 11:00 p.m. on Friday and Saturday in Dining Area "D". Between Memorial Day and Labor Day, this area shall be enclosed with screens or a Plexiglas type material. Between Labor Day and Memorial Day, this area shall be enclosed with a Plexiglas type material.
- n. Dining Area "D" shall be vacated by 10:00 p.m. between Memorial Day and Labor Day and by 11:00 p.m. between Labor Day and Memorial Day. After that hour, there shall be no service of alcoholic beverages or food in this area.
- o. No amplification devices shall be located on the exterior of the building.
- p. No outside bar area, portable bars or similar structures or equipment shall be located in Dining Area "D."

**RESOLUTION  
195-2016**

**RESOLUTION AWARDING A PURCHASE OF A TOWABLE  
GENERATOR SET FOR THE BOROUGH OF MANASQUAN,  
COUNTY OF MONMOUTH STATE OF NEW JERSEY**

**WHEREAS**, a Request for Quotes were requested and received pursuant to the Local Public Contracts Law (N.J.S.A. 40A: 11-5 et seq.) for the purchase of a Towable Generator Set and

**WHEREAS**, five quotes for this purchase were received:

Norris Sales Company Inc.	\$28,949.42
Geoff Tractor	\$29,340.00
Penn Jersey Machinery	\$30,900.00
Cooper Power Systems	\$32,316.00
Warshauer Generator LLC	\$34,700.00

**WHEREAS**, the Office of Emergency Management Director, Borough Attorney and Chief Financial Officer/Qualified Purchasing Agent has determined that the lowest responsive and responsible quote was submitted by Norris Sales Company Inc. who submitted a monetary quote in the amount of \$28,949.42

JUNE 20, 2016

**WHEREAS**, the quote by Norris Sales Company Inc. complies with the quote specifications and includes all required documentation; and

**WHEREAS**, the Borough Council is desirous of awarding a contract to Norris Sales in the amount of \$28,949.42;

**NOW, THEREFORE BE IT RESOLVED** on the 20<sup>th</sup> day of June 2016, by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey, as follows:

2. Subject to the above conditions, a contract in the amount of \$28,949.42 is awarded Norris Sales Company Inc. for this project.
3. The Mayor and Municipal Clerk are authorized and directed to execute all necessary documents to effectuate a contract with Norris Sales Company Inc.
4. A certified copy of this resolution shall be sent to:

Norris Sales Company Inc.  
668 Berlin Cross Keys Road  
Sicklerville, New Jersey 08081

**RESOLUTION  
196-2016**

**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	2,726,750.78 (Includes 2,692,111.50 Bd Of Ed Tax)
Water/Sewer Fund	284,441.03
Beach Fund	6,751.84
Recreation Bldg Trust	609.68
Recreation Commission Trust	289.26
General Capital Fund	324,755.06
Water/Sewer Capital Fund	3,540.53
Beach Capital Fund	2,627.79

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

**COMMITTEE REPORTS**



JUNE 20, 2016

Administration and Finance Committee – Council Member Mangan reported that the Borough will be going out to advertise for the Provident Bank space in the Borough Hall and the Borough is obligated by state bidding laws to put it out to bid. He reported that he hopes to have an update on COAH at the next meeting.

Special Services Committee – Council Member Read reported on the elementary school graduation and the high school graduation and he reminded residents to be mindful of the increase in bike traffic for the summer.

Public Safety Committee – Council Member Olivera congratulated Stephen Kircher to his appointment of police officer. He reported that he and Council Member McCarthy attended Fire Company #2 annual awards dinner and it was a great night. He reported on the arrests and violations that were issued during the week of June 13. He went over reports of criminal mischief which most have been breaking mirrors off cars.

Beach Committee – Council Member McCarthy went over the beach figures and reported that the revenues are ahead of the last few years at this time and he thanked the beach staff for making the beach an enjoyable experience for all the guests. He reported that Saturday was the opening day of the beach full time. He reported that the Fourth of July celebration will be on July 1 this year with a rain date of July 2 and he went over the events of the evening starting at 5:30 with the patriotic bike decorating contest. He also reported that the Thursday concert series will be starting on the beach following the holiday weekend. He advised that he attended the MBIA meeting this weekend along with other members of the council, police and beach department and there was discussion on the crowds for the Thursday night concerts and the bathroom closing time.

Building, Planning & Zoning – Council Member Walsh thanked Bob Young and Mary Ryan for the MBIA for the question and answer session over the weekend. He reported that there was a resolution on the agenda for the new hire in the code department and the person hired a few weeks ago is working out well. He reported on a piece of software that would help stream line the department and there should be a recommendation and justification for that for the July meeting.

Public Works & Grounds – Council Member Lee thanked Fred from HD Supply for his presentation on the new meters and is looking forward to the project getting started. He thanked council for their support on the award of the Recreational Facilities Improvement which is for the renovation for the inline hockey, shuffle board and the basketball courts in August early September time frame. He reported that the committee met earlier and it is the committee's recommendation that the DPW look for a new hire in advance to some projected retirements coming up. He thanked Chief Bauer as the skate park opened on Friday with repairs being completed and the police will open and close the park.

## **AUDIENCE PARTICIPATION**

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

Margaret Devane, 14 Beams Terrace, inquired about the status of Mr. Sepe's Motion to Intervene.

Council Member McCarthy stated that the Judge will decide when the motion will be heard and will render her decision when she is ready. He stated that there will be updates on the website along with the documents and decisions that have been submitted and rendered.

Larry Leyham, 19 Beams Terrace, stated that he tried to get a copy of the plans and was denied as it is privileged information.

Mayor Donovan stated that Mr. Sepe has never made a formal application before the planning board.

There was discussion on the plans and that the plans are an exception since they have not been formally submitted.

Council Member McCarthy stated that in Mr. Sepe's Motion to Intervene there is no plan and states that he is the owner of two properties and he has an interest in four consecutive lots. He also stated that there are certain things that might not be open to the public if there are settlement negotiations.

JUNE 20, 2016

Mary Ryan, 113 Beachfront thanked everyone for coming to the MBIA meeting on Saturday. She inquired about the meter installation project.

Mayor Donovan stated that this project will be moving forward and the notification will go to wherever the water bill is sent.

There was discussion on how the homeowners will be notified.

Ms. Ryan inquired about the Training Room request that was on the agenda for tonight and about it being a private vendor.

Council Member McCarthy advised that this event falls under Recreation and went over the process of payment and advised that Recreation gets a portion of the fee charged.

Ms. Ryan stated that there is a deed restriction on the use of the beachfront by private vendors.

There was discussion on the events held on the beach and who sponsors them.

Ms. Ryan voiced her opinion on the event being held at the beach with the radio station 101.5.

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

The closed session portion (no action will be taken) 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 Olivera made a motion to close the regular meeting at 8:53 p.m., seconded by Council Member McCarthy. Motion carried unanimously.