JUNE 17, 2014

The Manasquan Planning Board held a Second meeting at 4PM on Tuesday, June 17, 2014 in the Council Chambers of the Borough Hall, 201 East Main Street, Manasquan, New Jersey.

Salute to the Flag.

ROLL CALL:
Board Members Present:
Mayor George Dempsey, Chairman Neil Hamilton, John Muly, Paul Rabenda, Councilman McCarthy, John Burke, Leonard Sullivan, Mark Apostolou, Kevin Thompson

Board Members Absent:
Greg Love, Joan Harriman, Peter Ragan, and Robert Young

Professionals Present:
Geoffrey S. Cramer – Planning Board Attorney
Albert D. Yodakis – Planning Board Engineer/Planner T & M Associates

Chairman Hamilton said T & M is here and he introduced the two principals that are here for an announcement. In the meantime he had two pieces of correspondence, the first is the application of Christina Kim, 125 Main Street – they provided a letter to this Board they are the ones whose design was rejected by the Board. They are still in design mode; they are requesting to be carried without prejudice to the meeting of July 15, 2014 at 4PM without further notice. Mr. Cramer said this matter was heard two meetings ago, they decided to come back with revised plans, we gave them a continuance to tonight's meeting, it is within the Board's discretion to grant them a further continuance without the need to re-publish and re-serve. The Board did not have a problem with this and granted the continuance to July 15th at 4PM. Next, Liam Carr who was on the Agenda for tonight, had an emergency medical situation and he asked to be carried to the July 1, 2014 4PM meeting. The Board had no issues with that and granted the continuance without prejudice.

Attorney Geoffrey S. Cramer read the Open Public Meeting Act of 1975 and that notice was given to the Coast Star and forwarded to the Website on December 12, 2013.

James M. Oris of T & M Associates, came forward stating that Mr. Yodakis has tendered his resignation with T & M and Mr. Rooney is away on vacation. Mr. Oris and Mr. Rooney spoke and thought it would be in Manasquan's best interest for a T & M representative to be at the meeting this afternoon in case the Board had any questions or

concerns with service to the Board. He said T & M values the opportunity to provide professional services to Manasquan and the Planning Board and they would like the opportunity to continue to do that if the Board so choose. Mr. Yodakis is moving onto another opportunity and they wish him all the best and they are willing to work with Mr. Yodakis on any transition issues as well. If you do choose to maintain T & M as your appointed Engineer we would have the opportunity to have Mr. Sabacool serve in that role and/or Charlie Rooney. We are here in case you have any questions, if you would like us to continue on we certainly would enjoy that and that concludes his presentation this evening. Chairman Hamilton said we appreciate that and the Board will discuss the termination and how we are going to handle the Engineer position and your service to the Borough in closed session after this meeting and you will be notified.

APPLICATION #18-2014 – Carr, Liam – 155 Third Avenue – Block: 169.01 – Lot: 50.04 – Zone: R-3
THIS APPLICATION IS CARRIED TO JULY 1, 2014 REGULAR MEETING 7PM

APPLICATION #19-2014 – Waring, Andrew – 376 Pine Avenue / 53 S Jackson Avenue – Block: 121 – Lot: 16.02 – Zone: R-2 – Mr. Cramer swore in Andrew Waring, owner/applicant as well as the Board Engineer. Mr. Waring stated he purchased his property at 53 S Jackson Avenue which abuts 375 Pine Avenue. Al Yodakis in addressing his report, stated this was the subject of a previous application, when the house was built there were several Variances approved and they differ slightly from what's shown on the current survey. He said there was a monument which needs to be set. Mr. Waring said it has been set and had a picture which was marked into evidence as Exhibit A-1. This is a picture of the set monument done by Acre Survey. Al said if this will be filed by Deed, we need copies of the Deed to review. Mr. Waring said yes he will be filing by Deed. Board members making statements or asking questions were Board members: Dempsey, Burke, and Apostolou. Board member Apostolou made a motion to open the meeting to the public, Councilman McCarthy seconded the motion, all in favor none opposed.
There was no public participation.
Board Member Apostolou made a motion to close the public portion of the meeting; Councilman McCarthy seconded the motion, all in favor none opposed.
Board member Thompson made a motion to approve the application; the motion was seconded by Mayor Dempsey.
Board Members Voting Yes:
Mayor Dempsey, Chairman Hamilton, Councilman McCarthy, Board Members: Muly, Rabenda, Burke, Sullivan, Apostolou and Thompson.
APPLICATION APPROVED

RESOLUTION #16-2014 – Atlantic Resource Group, LLC – Edgars Pub – 153 Sea Girt Avenue – Block: 52 – Lot: 6.01 – Zone: B-1 – with the change that the upstairs dining area will be vacated at 10PM. Kevin Thompson moved to memorialize the Resolution, the motion was seconded by Leonard Sullivan.
Board Members Voting Yes:
John Muly, Leonard Sullivan, Kevin Thompson and Neil Hamilton
RESOLUTION MEMORIALIZED

<u>RESOLUTION #17-2013</u> – Gallagher, Robert – 468 Euclid Avenue – Block: 146 – Lot: 2 – Zone: R-2 – Kevin Thompson made a motion to memorialize the Resolution, motion seconded by Leonard Sullivan.
<u>Board Members Voting Yes</u>:
Mayor Dempsey, Neil Hamilton, John Muly, Paul Rabenda, Leonard Sullivan, Kevin Thompson and Councilman McCarthy.
RESOLUTION MEMORIALIZED

Minutes of June 4, 2014 – Regular Meeting, 7PM.
John Muly, made a motion to approve, the motion was seconded by Paul Rabenda, all in favor none opposed.
MINUTES APPROVED

There were no Vouchers for approval.

There was no one present in the public to open the meeting to.

There was a letter with enclosures from the Borough of Lavallette's Planning Board Chairman. The Board each received a copy for their review and discussion. The subject of this is to request legislation to prohibit illegal subdivisions by creating condominium forms of ownership of two houses on one lot. It was decided that a letter would be written and the Council would be copied.

Mark Apostolou wanted to disclose the fact that he submitted his name is on the Advisory Panel to the BOE for Drug Panel. He disclosed that he was a member of the Planning Board and that his daughter is a teacher/coach at the School. The Board said he would be a good choice and wished him well.

The Chairman told the audience the Board would be going into closed session and they asked everyone to please vacate the room. Mayor Dempsey made the motion, seconded by Mark Apostolou, this happened at 4:39PM.

The recording machine was shut down.

Al Yodakis left the room at 4:44PM.

The Board came out of closed session at 4:47PM.

CLOSED SESSION MINUTES
JUNE 17, 2014 – 4PM MEETING

The Planning Board went into closed session at 4:39PM. At this time Board Engineer Al Yodakis was present, the Board decided that because they were discussing his termination by T & M Engineering and the fact that he wished to stay on as Engineer/Planner to the Manasquan Planning Board he would need to leave the room. Geoff Cramer had a copy of the Resolution from the Re-Organization meeting where Al Yodakis was appointed to represent the Planning Board as Planner. He also had a copy of Al Yodakis' Contract. The Board asked Mr. Cramer to confer with the Borough /attorney Mr. Kitrick concerning the issues presented by Mr. Yodakis leaving T & M Associates but desiring to continue his professional relationship with the Planning Board. It is anticipated that the attorneys will identify a course of action by the end of the week for the Board's consideration.

John Burke went into the hall to ask the gentlemen to return to the room. The only one remaining was Al Yodakis, the T & M representatives had left the building.

Closed Session ended at 4:47PM

Respectfully Submitted,

Mary C. Salerno
Planning Board Secretary

Al Yodakis returned to the Courtroom at 4:48PM – he was told by Owen McCarthy that both the Board Attorney and the Borough Attorney would be reviewing the information regarding whether or not he would be able to stay on as Engineer and both he and the T & M representatives would be informed of the decision by the end of the week.

A motion was made to adjourn the meeting by Kevin Thompson, seconded by Leonard Sullivan, all in favor none opposed.
MEETING ADJOURNED AT 5:00PM

Respectfully Submitted,

Mary C. Salerno
Planning Board Secretary