

June 21, 2010

A Regular Meeting of Mayor and Council was convened at 8:53p.m., in Council Chambers of Borough Hall with Mayor Dempsey presiding.

Mayor Dempsey welcomed the audience and invited them to join in a moment of silent prayer and a salute to the Flag.

The Mayor stated that this meeting is being held in accordance with the Open Public Meetings Act of 1975 and that notice was given to the Coast Star and the Asbury Park Press on December 22, 2009.

ROLL CALL: Present: Council Members Bossone, Connolly, Donovan, Grasso, Lee, Lucas.

Absent: None.

Also present was Municipal Attorney James Kinneally.

Municipal Administrator John Trengrove was absent.

#### PROCLAMATION

The Mayor issued the following Proclamation.

**WHEREAS**, the mission of the Manasquan Elks Lodge No. 2534 since 1868 is to inculcate the principles of Charity, Justice, Brotherly Love and Fidelity; and

**WHEREAS**, the Benevolent and Protective Order of the Elks of the United States of America serves the people and communities through benevolent programs.; and

**WHEREAS**, public service is an integral part of being an Elk and in keeping with this tradition, Elks create and participate in many programs to better their communities with Scholarships, Youth Hoop and Soccer Shoots, Drug Awareness, and with Programs for Veterans, and for Children with Special Needs; and

**WHEREAS**, the Manasquan Elks Lodge No. 2534 was installed June 1, 1975 to serve *OUR* community and 17 Stockton Lake Boulevard was dedicated in 1977 as a home for fund-raisers and charitable endeavors; and

**WHEREAS**, through the generosity of its members Manasquan Elks Lodge donates more than \$3,000 and 100 hours of volunteer time each week demonstrating that *ELKS CARE* and *ELKS SHARE*; and

**WHEREAS**, Manasquan Elks Lodge No. 2534 purchased the initial walkway on Elks Beach for the handicap and bought and maintains at least 5 beach accessible wheel chairs for the use by handicap people to gain access to the beach. They also host a "Day at the Beach" for special needs kids through Camp Moore; and

**NOW, THEREFORE, BE IT RESOLVED**, that I, George R. Dempsey, Jr., Mayor of the Borough of Manasquan, on behalf of the Borough Council and the good people of Manasquan do hereby proclaim June 21, 2010 as *ELKS CARE* and *ELKS SHARE* day. Let true and official copies of the Proclamation be spread upon the minutes of the Borough Council meeting held on the 21<sup>st</sup> day of June, 2010.

Mayor Dempsey related that the Elks do a lot of great things that are unnoticed. He related that this proclamation will be presented at the Manasquan Tourism's July Fourth Celebration where they will be honored as the *Organization of the Year*.

#### APPOINTMENTS

Seasonal Beach Department – List on file in the Clerk's Office.

Council Member Lucas made a motion to approve the appointment, seconded by Council Member Donovan. Roll Call was taken and the motion was carried unanimously.

Council Member Lucas made a motion to appoint Andrew Ryder to the position of Part-Time Communications Operator Trainee, Salary 16.98 Per Hour (grand funded), Effective June 21, 2010, seconded by Council Member Lee. Roll Call was taken and the motion was carried unanimously.

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Council Member Lucas made a motion to appoint Michele Abbott to the position of Provisional Part-Time Violation Clerk, \$15.00 Per Hour, Effective June 21 2010, seconded by Council Member Bossone. Roll Call was taken and the motion was carried unanimously.

CONSENT AGENDA

The Borough Attorney presented the following resolutions for approval.

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 Law and Finance Committee and as set forth in the 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:	\$ 2,706,402.63
WATER/SEWER FUND:	289,403.53
BEACH FUND:	27,565.93
GENERAL CAPITAL FUND:	8,100.00
WATER/SEWER CAPITAL FUND:	172.50
BEACH IMPROVEMENT FUND:	

**BOROUGH OF MANASQUAN  
RESOLUTION NO. 70-2010**

**WHEREAS**, N. J. S. A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for an equal amount, and

**WHEREAS**, the Borough of Manasquan has additional monies from the State of New Jersey Solid Waste Administration and wishes to amend its 2010 Budget to include this additional amount as revenue.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Manasquan hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the beach budget of the year 2010 in the sum of \$14,048.10 which is now available as a revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written Consent  
of the Director of Local Government Services:

Public and Private Revenues Off-Set with the appropriations:  
Clean Community Grant

**BE IT FURTHER RESOLVED** that a like sum of \$14,048.10 be and the same is hereby appropriated under the caption of:

General Appropriations  
Operations excluded from "PUBLIC AND PRIVATE" programs Off Set by Revenues:  
Body Armor Replacement Fund

**BE IT FURTHER RESOLVED** that the Municipal Clerk forward two copies of this resolution to the Director of Local Government Services

BOROUGH OF MANASQUAN  
RESOLUTION NO. 86-2010

June 21, 2010

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A LICENSE AGREEMENT BETWEEN THE MUNICIPALITY AND DEMPSEY'S, LLC FOR PROPERTY IDENTIFIED ON THE MUNICIPAL TAX MAP AS BLOCK 63, LOT 52

WHEREAS, the Borough of Manasquan ("Manasquan") and Dempsey's LLC ("Property Owner") have agreed to enter a license agreement relating to property identified on the municipal tax map as Block 63, Lot 52 and designated in the license agreement as the "Site"; and

WHEREAS, the license agreement permits the Property Owner to locate a masonry wall in an area 110.00 square feet in size that is located on Borough of Manasquan property; and

WHEREAS, the license agreement is for one year, commencing June 21, 2010 and renewable at the sole discretion of the Borough of Manasquan; and

NOW, THEREFORE BE IT RESOLVED on the 21st day of June, 2010, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. The Mayor and Municipal Clerk are authorized and directed to execute the license agreement with Dempsey's LLC for the period commencing June 21, 2010 through June 20, 2011. A copy of the license agreement is attached to this resolution.
2. A certified copy of this resolution shall be sent to:  
Dempsey's LLC  
c/o William Sepe  
140 Main Street  
Manasquan NJ 08736.

**BOROUGH OF MANASQUAN  
RESOLUTION  
84-2010  
(AMENDING 10-2010)**

WHEREAS, N.J.S.A. 40A:11-5 (1) (a) (1) permits the governing body to award a professional services contract without publicly advertising for bids and bidding therefore; and

WHEREAS, the borough council has determined that there is a need for professional services during the 2010 calendar year; and

WHEREAS, the borough council has determined to provide the need to acquire these professional services as a non-fair and open contract pursuant to the provisions of N. J. S. A. 19:44A-20.5; and

WHEREAS, the chief financial officer of the municipality has determined and certified in writing that the value of these professional services will exceed \$21,000; and

WHEREAS, the anticipated term of this contract is one year (January 1, 2010 to December 31, 2010); and

WHEREAS, the following professional service provider has submitted a proposal indicating that they will provide their services for the agreed upon rate that is contained in their proposals/contracts that are on file in the Clerk's Office.

James Carton IV - Hearing Officer

This appointment is made pursuant to N. J. S. 2B:12-1 et seq.

WHEREAS, a certification as to the availability of funds executed by the chief financial officer is attached to this resolution pursuant to the provisions of N. J. A. C. 5:30-5-4;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 21<sup>st</sup> day of June, 2010 as follows:

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1. The Business Disclosure Entity Certification of this professional and the Determination of Value Certification of the chief financial officer shall be filed in the office of the municipal clerk, and shall be available for public inspection.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute a contract with this professional to provide professional services to the municipality for the 2010 contract year at the agreed upon rate that is contained in the contract/proposal on file in the Clerk's Office.
3. A notice stating the nature, duration, service and the amount of this contract shall be published in the Coast Star and this resolution shall be maintained on file and available for the public inspection in the office of the municipal clerk.
4. A certified copy of this resolution shall be sent to the professional included in this resolution.

Council Member Donovan made a motion to approve the consent agenda, seconded by Council Member Bossone. Roll Call was taken and the motion was carried unanimously.

#### LIQUOR LICENSE RENEWALS

The Borough Attorney presented the following resolutions for approval.

### **BOROUGH OF MANASQUAN RESOLUTION 71-2010**

**WHEREAS**, application has been made to the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey by Edgar's Pub, Inc. t/a Edgar's Pub for renewal of Plenary Retail Consumption Liquor License No. 1327-33-011-011 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 Edgar's Pub, Inc. 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 Edgar's Pub, Inc. 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, 2011, 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.

**BOROUGH OF MANASQUAN  
RESOLUTION  
81-2010**

**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, 2011, 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

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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.

**BOROUGH OF MANASQUAN  
RESOLUTION  
83-2010**

**WHEREAS**, application has been made to the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey by O'Neill's Bar-Grill & Guesthouse, LLC, t/a O'Neill's Bar-Grill & Guesthouse 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 O'Neill's Bar-Grill & Guesthouse, LLC, t/a O'Neill's Bar-Grill & Guesthouse is adjudged to be entitled to a Plenary Retail Consumption Liquor License (Hotel/Motel Exception).

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**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 O'Neill's Bar-Grill & Guesthouse, LLC 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, 2011, 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 O'Neill's Bar-Grill & Guesthouse, 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 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.

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- n. Dining Area "D" shall be vacated by 10:00 p.m. between Memorial Day and Labor Day and by 11:00 p.m. on Sunday, Monday, Tuesday, Wednesday and Thursday, and by 11:00 p.m. on Friday and Saturday 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."

**BOROUGH OF MANASQUAN  
RESOLUTION  
74-2010**

**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, 2011, 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.
- 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".

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- 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.

**BOROUGH OF MANASQUAN  
RESOLUTION  
77-2010**

**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

**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, 2011, 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.

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**BOROUGH OF MANASQUAN  
RESOLUTION  
75-2010**

**WHEREAS**, application has been made to the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey by G.B.M., Inc., t/a Maria's Colonial Inn, for the renewal of Plenary Retail Consumption Liquor License No. 1327-33-006-003 to cover premises at 165 Main Street in the Borough of 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 the additional financing obtained in the previous license term for use in the licensed business.

**WHEREAS**, the said G.B.M., Inc., t/a as Maria's Colonial Inn, 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 to G.B.M., Inc., a Plenary Retail Consumption Liquor License to sell any alcoholic beverages at 165 Main Street in the Borough of Manasquan and also include the outdoor walk in box to be used for storage purposes until midnight, June 30, 2011, 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.

**BOROUGH OF MANASQUAN  
RESOLUTION  
82-2010**

**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, 2011, subject, however, to the following conditions:

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- a. At any time the licensed premises offers live entertainment, which is limited to one 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.

**BOROUGH OF MANASQUAN  
RESOLUTION  
73-2010**

**WHEREAS**, application has been made to the Borough Council, Borough of Manasquan, County of Monmouth, State of New Jersey, by the Manasquan Hook and Ladder Company No. 1 for the issuance of a Club License No. 1327-31-014-001 to cover premises at 33 Abe Voorhees Drive in the Borough of Manasquan, New Jersey; and

**WHEREAS**, the governing body makes the following findings with respect to Club Licenses to be issued by it:

1. The submitted application is complete in all respects, including the submission of the Club Member list.
2. The officers and directors of the Club are qualified according to all statutory, regulatory and governmental A. B. C. Laws and Regulations.
3. The Club maintains all records required by N.J.C.A. 13:2-8.8 and N.J.C.A. 13:2-8.12; and

**WHEREAS**, the Manasquan Hook and Ladder No. 1 is adjudged to be entitled to a Club License.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that the Borough Clerk is hereby designated, authorized and instructed to issue and deliver the aforesaid Club License to the Manasquan Hook and Ladder Company No. 1. This license is in effect until midnight, June 30, 2011, 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.

**BOROUGH OF MANASQUAN  
RESOLUTION  
78-2010**

**WHEREAS**, application has been made to the Borough Council, Borough of Manasquan, County of Monmouth, State of New Jersey by Veterans of Foreign Wars Post 1838 t/a Manasquan VFW Post 1838 for the issuance of a Club License No. 1327-31-016-001 to cover premises at 30 Ridge Avenue in the Borough of Manasquan, New Jersey; and

**WHEREAS**, the governing body makes the following findings with respect to Club Licenses to be issued by it:

1. The submitted application is complete in all respects including submission of the Club Member list.
2. The officers and directors of the Club are qualified according to statutory, regulatory and local governmental A. B. C. Laws and Regulations.
3. The Club maintains all records required by N.J.C.A. 13:2-8.8 and N.J.C.A. 13:2-8.12; and

**WHEREAS**, the Manasquan VFW Post 1838 is adjudged to be entitled to a Club License;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that the Borough Clerk is hereby designated, authorized and instructed to execute the aforesaid Club License to the Manasquan VFW Post 1838. This license is in effect until midnight, June 30, 2011, 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

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licensed premises and all windows shall be closed. Exterior doors shall not be left open continuously.

**BOROUGH OF MANASQUAN  
RESOLUTION  
72-2010**

**WHEREAS**, application has been made to the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey by BPOE Manasquan Lodge 2534 for the issuance of Club License No. 1327-31-012-001 to cover premises at 17 Stockton Lake Boulevard in the Borough of Manasquan, New Jersey; and

**WHEREAS**, the governing body makes the following findings with respect to Club Licenses to be issued by it:

1. The submitted application is complete in all respects, including the submission of the Club Member list.
2. The officers and directors of the Club are qualified according to all statutory and local governmental A.B.C. Laws and Regulations.
3. The Club maintains all records required by N.J.C.A. 13:2-8.8 and N.J.C.A. 13:2-8.12; and

**WHEREAS**, the BPOE Manasquan Lodge 2534 is adjudged to be entitled to a Club License.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that the Borough Clerk is hereby designated, authorized and instructed to issue and deliver the aforesaid Club License to the BPOE Manasquan Lodge 2534. This license is in effect until midnight, June 30, 2011, 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.

**BOROUGH OF MANASQUAN  
RESOLUTION  
80-2010**

**WHEREAS**, application has been made to the Borough Council, Borough of Manasquan, County of Monmouth, State of New Jersey, by the Manasquan First Aid Squad, Inc. for the issuance of a Club License No. 1327-31-013-001 to cover premises at 65 Broad Street in the Borough of Manasquan, New Jersey; and

**WHEREAS**, the governing body makes the following findings with respect to Club Licenses to be issued by it:

1. The submitted application is complete in all respects including the submission of the club member list.
2. The officers and directors of the club are qualified according to all statutory, regulatory and local governmental A.B.C. Laws and Regulations.
3. The club maintains all records required by N.J.C.A.13:2-8.8 and N.J.C.A.13:2-8.8, 12.

**WHEREAS**, the Manasquan First Aid Squad, Inc. is adjudged to be entitled to a Club License,

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, New Jersey that the Borough Clerk is hereby designated, authorized and instructed to execute the aforesaid Club License to the Manasquan First Aid Squad, Inc. This license will be in effect until midnight, June 30, 2011, 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

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licensed premises and all windows shall be closed. Exterior doors shall not be left open continuously.

**BOROUGH OF MANASQUAN  
RESOLUTION  
79-2010**

**WHEREAS**, application has been made to the Borough Council, Borough of Manasquan, County of Monmouth, State of New Jersey, by the Spirit of '76 Corporation 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 Spirit of '76 Corporation is adjudged to be entitled to a Plenary Retail Distribution 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 Distribution Liquor License to the Spirit of '76 Corporation 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, 2011.

**BOROUGH OF MANASQUAN  
RESOLUTION  
76-2010**

**WHEREAS**, application has been made to the Borough Council, Borough of Manasquan, County of Monmouth, State of New Jersey, from Mac's Pond Associates, Inc., t/a Manasquan Liquors for renewal of the Plenary Retail Distribution Liquor License No. 1327-44-002-006 to cover premises at 139 Main Street, Manasquan, New Jersey; and

**WHEREAS**, the governing body makes the following findings with respect to the Plenary Retail Distribution License to be issued by it;

1. The submitted application form is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A. B. C. Laws and Regulations.
3. The applicant has disclosed and the issuing authority has reviewed the source of all funds used in the purchase of the license and the licensed premises and/or any additional financing obtained in the previous licensed term for use in the licensed business.

**WHEREAS**, the governing body of the Borough of Manasquan has determined that Mac's Pond Associates, Inc., 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 Mac's Pond Association, Inc., 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, 2011.

Council Member Grasso asked if two security guards is enough security for O'Neills.

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Mayor Dempsey related that it is sufficient and asked why Council Member Grasso didn't address this at the work session meeting.

Council Member Donovan made a motion to approve the liquor license renewal resolutions, seconded by Council Member Lee. Roll call was taken and the motion was approved unanimously with the exception of Council Member Bossone who abstained from voting.

#### APPROVAL OF MINUTES

Council Member Donovan made a motion to approve the work session meeting minutes of May 3<sup>rd</sup> and May 17<sup>th</sup> and the regular meeting Minutes of May 3<sup>rd</sup> and May 17<sup>th</sup>, seconded by council Member Lucas. Roll call was taken and the motion was unanimously approved.

#### COMMITTEE REPORTS

Public Works Committee – Council Member Donovan related that the Manasquan Environmental Commission is holding their towns clean up on October 3<sup>rd</sup>, 2010. He related that the DEP has approved the award of the bid for the Water Treatment Plant Project.

Law and Code Committee – Council Member Grasso had no report.

Administration and Finance Committee – Council Member Connolly had no report.

Public Safety and Recycling Committee – Council Member Lucas had no report.

Public Property and Parks Committee – Council Member Lee had no report.

Beach Committee – Council Member Bossone had no report.

#### AUDIENCE PARTICIPATION

Tom Pellegrino, 541 Harris Ave, Brielle and Jay Price, 615 Beacon Boulevard, Sea Girt and representatives of the Manasquan High School Athletic Hall of Fame related that it is their distinct pleasure and honor to represent individuals by virtue of their accomplishments, service or character who have made extraordinary contributions to the history and athletic traditions of Manasquan High School. He related that they are here to inform Mayor Dempsey of his induction into this year's Athletic Hall of Fame. He related that as the institutions first recipient of its award for *Outstanding Service* and recognition of over 25 years of dedicated voluntary service to the High School Football and for his never ending support of Manasquan High School and all its athletes. He related that an induction ceremony will take place in October.

Mayor Dempsey stated that he was shocked and also that he was thankful for the honor.

Council Member Connolly made a motion to adjourn the regular meeting at 9:10 p.m., seconded by Council Member Lee. Motion carried unanimously.

Respectfully submitted,



Colleen Scimeca  
Municipal Clerk

DATE APPROVED 7-12-10