

JUNE 20, 2011

A Regular Meeting of Mayor and Council was convened at 8:10 p.m. on June 20, 2011 in Council Chambers of Borough Hall with Mayor Dempsey presiding.

Mayor Dempsey 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 21, 2010.

Mayor Dempsey 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 Connolly, Donovan, Grasso, Lee, Lucas, and McCarthy

Absent: None

Also present was Borough Attorney Mark Kitrick and Borough Administrator/CFO Joseph DeLorio

Glimmer Glass Phase II Improvement Assessment Hearing and Confirmation of Assessment Schedule

Charles Rooney, Borough Engineer went over the project for the Council and the audience.

Mayor Dempsey asked if there was anyone in the audience that would like to speak with regards to the Glimmer Glass Phase II Improvements.

Paul Pearsall, 395 River Place stated that he should not be assessed on the apron at his property.

Mr. Rooney looked over his assessment and advised that he will make that adjustment.

Richard Manthey, 372 River Place stated that he had 30 feet of landscape ties on his property as curbing.

Mr. Rooney looked over his assessment and advised that he will make that adjustment.

John Regan, 391 Pine Avenue stated that his assessment is not calculated correct.

Mr. Rooney looked over his assessment and advised that he will make that adjustment.

Tim Coyne, 78 S. Jackson voiced his disappointment on how this assessment was handled.

Marilyn Jacobson, 59 McLean Avenue voiced her opinion on how the assessment should have been done.

Council Member Lucas made a motion to close the hearing and accept the schedule as amended, seconded by Council Member McCarthy. Motion carried unanimously.

APPOINTMENT: Borough Engineer

Mr. Charles Rooney read the Engineer's report dated June 17, 2011. He also had a presentation with regards to the two (2) different fence options for around the new Water Treatment Plant and the Wells.

Mr. DeLorio recommended that T&M modify their fence plans for council and if council agrees to this plan, they will present this to the residents for their input.

Council Member Lee made a motion to allow T&M to proceed with a survey for the CAFRA Beach Permit modification not to exceed \$4,500, seconded by Council Member Donovan. Motion carried unanimously.

CONSENT AGENDA

**RESOLUTION
148-2011**

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

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WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate records, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the **2010 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Manasquan Borough Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Manasquan that Manasquan Borough hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Tom Nicastro to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

**RESOLUTION
149-2011**

TAX REIMBURSEMENT CERTIFICATION

WHEREAS, The Recycling Enhancement Act, P.L.2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, There is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

WHEREAS, Whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

NOW THEREFORE BE IT RESOLVED by the Borough of Manasquan that Borough of Manasquan hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, chapter 311, in 2010 in the amount of \$10,662.16. Documentation supporting this submission is available at 201 East Main Street, Manasquan, NJ 08736 and shall be maintained for no less than five years from this date.

**RESOLUTION
150-2011**

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

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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, 2012, 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 15th through September 15th 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.

**RESOLUTION
151-2011**

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:

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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, 2012, 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.

RESOLUTION 152-2011

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, 2012, 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

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

**RESOLUTION
153-2011**

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.

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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, 2012, 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.

**RESOLUTION
154-2011**

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, 2012.

**RESOLUTION
155-2011**

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:

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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, 2012, 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
156-2011**

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, 2012, 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.

RESOLUTION

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157-2011

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, 2012.

**RESOLUTION
166-2011**

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, 2012, subject, however, to the following conditions:

- a. At any time the licensed premises offers live entertainment, which is limited to one musician, all doors shall remain closed except for

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access to and from the licensed premises and all windows shall be closed. Exterior doors shall not be left open continuously.

**RESOLUTION
160-2011**

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).

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, 2012, 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 15th through September 15th, 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 15th to September 15th.
 - 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
167-2011**

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, subject to a background check completed and submitted by June 30, 2011.

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, 2012, subject, however, to the following conditions:

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

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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
168-2011**

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, subject to a background check completed and submitted by June 30, 2011.

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, 2012, 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.

**RESOLUTION
158-2011**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan,

County of Monmouth, New Jersey, that Manasquan First Aid Squad, Inc.

has submitted the attached members that qualify under Ordinance 2005- 07 "Free

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Season Beach Badge and Parking Permit for Certain Members of the First Aid Squad” and “Exemption from the Payment of Permits”. These Members responded to 20% or more of the calls of the Unit or are Life Members of The Manasquan First Aid Squad.

**RESOLUTION
159-2011**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF
MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,
RELEASING A MAINTENANCE BOND POSTED BY FIRST
PRESBYTERIAN CHURCH**

WHEREAS, The First Presbyterian Church posted a one-year maintenance bond in the form of a letter of credit in the amount of \$23,241.83 with the Borough of Manasquan as a guarantee for site work for a project located at 17 Virginia Avenue, Block 67, Lots 4.01, 7 (the “Project”); and

WHEREAS, the one-year period covering the maintenance bond has expired and it has been determined that the site work at the Project is acceptable; and

WHEREAS, the governing body of the Borough of Manasquan is desirous of releasing the maintenance bond in the form of a letter of credit in the amount of \$23,241.83 in accordance with the Municipal Land use Law.

NOW, THEREFORE BE IT RESOLVED on the 20th day of June, 2011, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. The maintenance bond in the form of a letter of Credit in amount of \$23,241.83 posted by the First Presbyterian Church may be released
2. A certified copy of this resolution shall be sent to:

The First Presbyterian Church
16 Virginia Avenue
Manasquan, NJ 08736

**RESOLUTION
161-2011**

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

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

STREET OPENING REFUND:

NAME: Mark & Sara Bateman
10 Watson Place
Manasquan, NJ 08736 AMOUNT OF REFUND DUE: \$500.00

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MANASQUAN JUNIOR GUARD:

NAME: Michele Brenner
64 Rogers Avenue
Manasquan, NJ 08736 AMOUNT OF REFUND DUE: \$140.00

DEVELOPERS ESCROW:

NAME: Mr. & Mrs Kevin Kearns
77 ½ Ocean Avenue
Manasquan, NJ 08736
Blk 157 Lot 20.05 AMOUNT OF REFUND DUE: \$414.45

NAME: Mr. Lee Karosen
333 First Avenue
Blk 184.01 Lot 12 AMOUNT OF REFUND DUE: \$387.50

Check made payable to: Mr. Lee Karosen
7 Gristmill Road
Cedar Knolls, NJ 07927

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 APPOINTING MUNICIPAL COURT JUDGE
PAUL CAPOTORTO
162-11**

WHEREAS, on May 30, 2011 the Honorable Mark Apostolou notified the Borough that he will retire as Municipal Court Judge on June 30, 2011; and

WHEREAS, the Governing Body of the Borough of Manasquan is desirous of appointing Paul Capotorto, Esq. on a temporary basis until a permanent appointment is made; and

WHEREAS, his annual salary shall not exceed \$30,000.00 per annum in accordance with the annual salary ordinance of the Borough of Manasquan; and

WHEREAS, Paul Capotorto, Esq., is to be considered a part-time employee of the Borough and therefore not entitled to benefits, such as medical benefits, afforded full-time permanent employees.

NOW, THEREFORE BE IT RESOLVED, that Paul Capotorto, Esq., is hereby appointed, as of July 1, 2011, to the position of Municipal Court Judge for the Borough of Manasquan at an annual salary of \$30,000.00 and shall be considered a part-time employee.

**RESOLUTION
163-2011**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE
BOROUGH OF MANASQUAN, MONMOUTH COUNTY,
NEW JERSEY, AUTHORIZING THE MAYOR AND
MUNICIPAL CLERK TO EXECUTE AN ADDENDUM TO
EMPLOYMENT AGREEMENT BETWEEN THE MUNICIPAL
TAX ASSESSOR AND THE BOROUGH OF MANASQUAN**

JUNE 20, 2011

WHEREAS, the Borough of Manasquan is desirous of amending Section 4 of the Municipal Tax Assessor's executed employment agreement to change the 4 year term dates from July 1, 2010 through June 30, 2014; and

WHEREAS, the proposed employment contract is attached and made a part of this Resolution; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 20th day of June, 2011, as follows:

1. The Borough Council authorizes and directs the Mayor and Municipal Clerk to execute the addendum to the employment contract with the Municipal Tax Assessor dated June 21, 2011. A certified copy of this Resolution shall be sent to:

Mr. Joseph DeIorio
Chief Financial Officer
Borough of Manasquan
201 East Main Street
Manasquan NJ 08736

Ms. Robyn Palughi
Municipal Tax Assessor
Borough of Manasquan
201 East Main Street
Manasquan NJ 08736

**RESOLUTION
164-11**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE
BOROUGH OF MANASQUAN, MONMOUTH COUNTY,
NEW JERSEY, AUTHORIZING THE EXECUTION OF AN
EMPLOYMENT AGREEMENT WITH MANASQUAN P.B.A.
LOCAL NO. 284 FOR THE PERIOD EFFECTIVE
JANUARY 1, 2010 THROUGH DECEMBER 31, 2012.**

WHEREAS, the Borough Council and Manasquan P.B.A. Local No. 284 ("PBA") have conducted negotiations for an employment agreement as required by law; and

WHEREAS, the negotiating committees for the Borough Council and the PBA were not able to establish the terms and conditions of employment for the period effective January 1, 2010 through December 31, 2012 as a result, entered into arbitration; and

WHEREAS, the Borough Council is desirous of ratifying the "Opinion and Award" executed by Robert Light, Labor Arbitrator, dated April 25, 2011 with the PBA for the period effective January 1, 2010 through December 31, 2012 and authorizing the preparation and execution of an employment contract.

NOW, THEREFORE BE IT RESOLVED on the 20th day of June 2012, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey, as follows:

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1. The Borough Council ratifies the attached "Opinion and Award", which is made part of this resolution.
2. The Mayor and Municipal Clerk are authorized and directed to execute an employment contract with the PBA for a period effective January 1, 2010 through December 31, 2012.
3. A certified copy of this resolution shall be sent to:

Joseph DeIorio, Chief Financial Officer and Administrator
Borough of Manasquan
201 East Main Street
Manasquan, NJ 0873

**RESOLUTION
170-2011**

BE IT RESOLVED that the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, has authorized that the base salary of the below listed employees as a result of the arbitrator's Opinion and Award submitted on April 25, 2011 and the executed agreement between the Borough of Manasquan and the Manasquan PBA Local 284 shall be increased as follows:

For the calendar years of 2010 – 2%, 2011 – 2%, and 2012 – 2.5%, there shall be an increase reflected on the base salary effective January 1 of each year.

Borough of Manasquan PBA Local 284 Members

	2010	2011	2012
<u>Captain</u>			
Elliott Correia	\$109,523	\$111,713	\$114,506
<u>Lieutenant</u>			
Mike Bauer	\$103,770	\$105,845	\$108,492
<u>Sergeant</u>			
Randal Craig	\$98,243	\$100,208(part)	Retired
Jake Kleinknecht	\$98,243	\$100,208	\$102,713
Jerry Murphy	\$98,243	\$100,208	\$102,713
Nick Tumminelli Patrol	\$98,243(12/6) \$91,808(1/1-12/5)	\$100,208	\$102,713
Mike Stoia (date) Patrol	N/A \$91,808	\$100,208(6/6) \$96,644 (1/1-6/5)	\$102,713
<u>Patrol</u>			
William Sutton	\$91,808	\$93,644	\$95,985
Mike Stoia (patrol)		n/a	n/a
Adam Pharo	\$91,808	\$93,644	\$95,985

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Keith Smith	\$91,808	\$93,644	\$95,985
Mike Tischio	\$91,808	\$93,644	\$95,985
Greg Restivo	\$91,808	\$93,644	\$95,985
Keith Stopera	\$91,808	\$93,644	\$95,985
Thomas Morton	\$91,808	\$93,644	\$95,985
John Mahoney	\$91,808	\$93,644	\$95,985
Nicholas Norcia	\$37,060	\$37,801/\$47,084	\$48,261/56,193

WHEREAS, any additional stipends, longevity payments or other benefits are as stated in the Manasquan Local 284 Agreement for years 2010 to 2012, Borough Ordinance, Resolutions or additional contracts, and;

BE IT FURTHER RESOLVED that the Borough Clerk is authorized to notify the employees upon passage of this resolution.

**RESOLUTION NO.
165-2011**

WHEREAS, the Borough of Manasquan is desirous of appointing Seasonal Beach Employees for the Summer Season of 2011; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 20th day of June, 2011 appoint the following Seasonal Beach Employees to work during the Summer Season, 2011:

Beach Patrol:	Address	Hourly Rate
Dom Trimarchi	59 Beachfront, Manasquan	\$11.00
Beach Crew Supervisor:		
Michael Acciavatti	73 Marcellus Ave, Manasquan	10.50
Lifeguards:		
Clinton Crawford	66 Central Ave, Manasquan	\$10.00
DJ Grogan	4 Captains Court, Manasquan	\$10.00
Charlie Mills	84 Morris Ave, Manasquan	\$10.00
Matt Nolan	2389 Apple Ridge Circle, Wall	\$10.00
Anna Pelligra	296 Perrine Blvd, Manasquan	\$10.00
Rake Operator:		
Brian Dreher	509 Magnolia Avenue, Brielle	\$12.50
Jr. Guard Instructors:		
Kelli Degnan	1010 Sunset Dr, Brielle	\$9.00
Rakel Dziobek	1128 Bayberry Rd, Manasquan	\$9.00
Elizabeth Finkenauer	804 Pine Road, Brielle	\$9.00
Corrie Gray	14 Bank St, Princeton	\$9.00

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Shea Heavey	408 Osprey Point, Brielle	\$9.00
Jane Posner	129 Woodcliff Blvd, Morganville	\$9.00
Ian Roden	22 Minerva Ave, Manasquan	\$9.00
Joe Torres	287 Rte 79 North, Morganville	\$9.00

Badge Checkers As Needed During Season:

Devin Gannon	344 Euclid Ave, Manasquan	\$7.50
Denis Moran	195 Broad St, Manasquan	\$7.50
Alison Maher	380 Euclid Ave, Manasquan	\$7.50
Daniel Place	38 Pearce Ave, Manasquan	\$7.50

**RESOLUTION
169-2011**

Be it resolved by the Mayor and Council of the Borough of Manasquan of Monmouth County, New Jersey upon recommendation of the Borough Engineer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: Manasquan Water Treatment Plant

CONTRACTOR: Patock Construction, 43 Gilbert Street North, Tinton Falls, NJ 07701

CHANGE ORDER NO. 6 for the replacement and abandonment of existing wells #2 & 6. The price includes drilling of double cased replacement wells (#8 & #9), abandoning of existing wells #2 & 6, new well houses, and associated mechanical and electrical work.

AMOUNT OF CHANGE THIS RESOLUTION: +\$544,552.06 (+15% above original contract)

TOTAL AMOUNT OF CHANGE: +\$601,479.91 (+16.58% above original contract amount)

This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

**RESOLUTION
171-2011**

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 Municipal 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 :	35,984.40
WATER/SEWER FUND:	275,397.74
BEACH FUND:	15,205.04
GENERAL CAPITAL FUND:	1,409.74
WATER/SEWER CAPITAL FUND:	261,811.72

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Council Member Donovan made a motion to accept the Consent Agenda, seconded by Council Member Lucas. Motion carried by the following vote: "yes" Council Member Connolly, Donovan, Grasso, Lee, Lucas, and McCarthy, "no" none.

ORDINANCES

The Borough Attorney read the title of ordinance 2084-11 for the second reading and final hearing.

BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION AND/OR RECONSTRUCTION OF THE ROADWAY, CONCRETE CURBS, SIDEWALKS AND DRIVEWAY APRONS ON BLAKEY AVENUE FROM PARKER AVENUE TO BROAD STREET, APPROPRIATING \$300,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$285,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION AND TO DETERMINE THAT SPECIAL ASSESSMENTS BE LEVIED FOR THE CONSTRUCTION OF THE CONCRETE CURBS, SIDEWALKS AND DRIVEWAY APRONS AGAINST PROPERTIES ABUTTING BLAKEY AVENUE TO PAY FOR THE COST OF SUCH IMPROVEMENTS IN AND BY THE BOROUGH OF MANASQUAN, MONMOUTH COUNTY, NEW JERSEY

Mayor Dempsey asked if there were any questions or comments regarding ordinance #2084-11.

There were no questions or comments.

Council Member Donovan made a motion to pass and publish ordinance 2084-11 according to law, seconded by Council Member McCarthy. Roll call was taken and the motion was unanimously approved.

The Borough Attorney read the title of ordinance 2085-11 for the second reading and final hearing.

BOND ORDINANCE PROVIDING FOR SEWER LINE REPLACEMENT ON BLAKEY AVENUE IN THE BOROUGH OF MANASQUAN, MONMOUTH COUNTY, NEW JERSEY, APPROPRIATING \$106,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$100,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION

Mayor Dempsey asked if there were any questions or comments regarding ordinance #2085-11.

There were no questions or comments.

Council Member Donovan made a motion to pass and publish ordinance 2084-11 according to law, seconded by Council Member McCarthy. Roll call was taken and the motion was unanimously approved.

The Borough Attorney read the title of ordinance 2086-11 for the first reading and introduction.

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2 "AMINISTRATION " AND CREATING CHAPTER 2-10 ENTITLED "DESIGNATING THE POSITION OF PURCHASING AGENT" IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

Council Member Donovan made a motion to introduce ordinance 2086-11 with the second reading schedule for July 11, 2011, seconded by Council Member Lee. Motion carried by the following vote: "Yes" Council Member Connolly, Donovan, Grasso, Lee, Lucas, and McCarthy, "No" none.

APPROVAL OF MINUTES

JUNE 20, 2011

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

The work session minutes of January 14, 2011 were on the agenda to show that there was not a quorum for that schedule meeting.

COMMITTEE REPORTS

Law & Code Committee – Council Member Grasso had nothing further at this time.

Administration and Finance Committee – Council Member Connolly encourages all to sign up for the Borough Website. She also requested the Council to consider a resolution at its next meeting to place all votes of the Council on resolutions and ordinance on the website after each Council meeting.

Public Safety & Recycling Committee – Council Member Lucas had nothing further at this time.

Public Property and Parks Committee – Council Member McCarthy had nothing further at this time.

Beach Committee – Council Member Lee had nothing further at this time.

Public Works Committee – Council Member Donovan had nothing further at this time.

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

AUDIENCE PARTICIPATION

James Brown, 19 Euclid Avenue stated that he sent an e-mail on Monday and then again on Tuesday and did not get a response from the Mayor. He advised that the taxi cab issues are getting worse and parking on his street. He wanted to know if there is a permit for tax cab's advertising on vehicles.

Mayor Dempsey apologized for not responding to Mr. Brown but there have been some issues with the Borough e-mails as the Borough has recently switch the carrier. He advised that he will talk to the Police Department as to parking for taxi cabs.

Council Member Lucas advised residents to call the Police Department if there is an issue with drivers.

Council Member McCarthy advised that the Law & Code Committee at their last meeting talked about how to word parking issues towards livery cabs only.

Cathy Trubenbach, 23 Euclid Avenue stated that the taxi cabs are speeding out of the train station and not stopping. She asked if the police can use radar in this area.

Council Member Lucas stated that he will talk to the Police Department about the Euclid Avenue issues with taxi cabs.

Council Member Grasso asked that Ocean Avenue be added to the Police Department discussion about taxi cabs.

Janice Shibla, 9 Euclid Avenue stated that the taxi cabs are parking on Euclid Avenue and people are waiting with luggage to be picked up.

Marilyn Jacobson, 59 McLean Avenue stated that if the Taxi Ordinance moves forward there should be background checks which would solve part of the problem. She also thanked Mr. Kitrick for his written response to a question she had at the last meeting with regards to construction vehicles on the roadway. She wanted to know who is responsible to enforce the Ordinance.

Council Member Lucas advised that it would be a parking issue so the Police Department should enforce it.

Council Member Grasso stated that he will talk to the Code Enforcer and ask him to keep an eye out for these situations.

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Ms. Jacobson wanted to know how much money the Borough saved due to the Boy Scouts collecting newspapers. She thought this would be information that would be nice to share with the public.

Norman Merz, 26 Second Avenue stated that a pedestrian's sign was put up on Saturday and on Sunday it was gone.

Mayor Dempsey stated that he would look into a new sign to replace the stolen one.

Mary Ryan, 113 Beachfront stated that the Police Department does a good job and they are very responsive and that she encourages the residents that have issues to call and they will take care of it.

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

There was a 5 minute recess.

Council Member Donovan made a motion to close the regular meeting at 10:35 p.m., seconded by Council Member McCarthy. Motion carried unanimously.

Respectfully submitted,

B. Ilaria

Barbara J. Ilaria
Municipal Clerk

DATE APPROVED 11-21-11