

AUGUST 3, 2015

Regular Meeting of Mayor and Council was convened at 8:01 p.m. on August 3, 2015 in Council Chambers of Borough Hall with Mayor Dempsey presiding.

Mayor Dempsey read the statement re: Open Public Meetings Act of 1975 and that notice was given to the Coast Star and the Asbury Park Press on December 18, 2014 and January 5, 2015.

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 Lee, Sinneck, Donovan, Mangan, and McCarthy.

Absent: Council Member Olivera

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

### **SWEARING IN CEREMONY**

Mayor Dempsey swore in Kevin Kleinknecht as Police Officer.

### **PRESENTATION**

Mayor Dempsey stated that the new Manasquan Tourism Slogan is "Manasquan: The Shore and So Much More".

Council Member Mangan stated that there was a contest for a Manasquan Tourism Slogan and he presented a plaque to Katie Pyott for the winning slogan.

### **CONSENT AGENDA**

### **RESOLUTION 193-2015**

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

**WHEREAS**, the governing body makes the following findings with respect to Plenary Retail Consumption Liquor License No. 1327-36-001-008 issued by it:

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

**WHEREAS**, the said PMB Enterprises, LLC, t/a Manasquan Beach House judged to be entitled to a Plenary Retail Consumption Liquor License (Hotel/Motel Exception).

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough Clerk is hereby designated, authorized and instructed to issue and deliver a Plenary Retail Consumption Liquor License (Hotel/Motel Exception) to the said PMB Enterprises, LLC, t/a Manasquan Beach House to sell alcoholic beverages at 390 East Main Street in the Borough of Manasquan, New Jersey, and also include modifications and alterations in the licensed premises according to the plans and specifications prepared by Christopher Rice, licensed architect, dated March 1, 2004, until midnight, June 30, 2016, subject, however, to the following conditions:

- a. There shall be no live music or entertainment of patrons by any group exceeding four people; however, the applicant shall have the privilege of applying to the governing body, or its designated committee, to have a larger group on special

occasions. In such event, the applicant shall advise the governing body of the proposed date for the entertainment by live music of a group exceeding four people, the proposed time of the event and the number of entertainers proposed at the event.

- b. There shall be no consumption of alcoholic beverages outside of the structure on the property, except for the "proposed outdoor area" shown on a diagram submitted as part of the renewal application for this liquor license. The outdoor area consists of 510 square feet to the east of a portion of the structure labeled on the diagram as "ENCLOSED PORCH – roof over." Alcoholic beverages may only be served and consumed in this area between the hours of 11:00 a.m. and 10:00 p.m. Alcoholic beverages shall be available to patrons only through service by waiters or waitresses. Only a service bar may be maintained in this area. No patrons may be seated or standing at the service bar. No live music or amplified music shall be conducted in this area except for an acoustic guitar. Landscaping shall be provided in accordance with the diagram outlining this area. It is the intention of this provision to prohibit the consumption of alcoholic beverages in the yard or parking lot areas of the premises known as Manasquan Beach House, except in the outdoor area described above.
- c. The total lineal feet of public bar shall not exceed seventy (70) linear feet.
- d. No alcoholic beverages sign on the exterior or adjacent grounds shall exceed 4½ square feet in area.
- e. No renewal or transfer of this license will be allowed, except for or to a hotel containing at least 50 rooms.
- f. The licensee shall provide two (2) qualified, uniformed security persons who shall be assigned to duty, about or adjacent to the parking lot serving the licensed premises from the hours of 7:00 p.m. to 3:00 a.m. on those Fridays, Saturdays and Holidays from May 15<sup>th</sup> through September 15<sup>th</sup>, when the licensee shall be open for business. At least one of the security persons shall be stationed directly in the parking lot during the hours of 7:00 p.m. to 3:00 a.m.
- g. The licensee shall provide a litter patrol which will remove litter within 200 feet of the licensed premises before 9:00 a.m. each morning following an operational day from May 15<sup>th</sup> to September 15<sup>th</sup>.
- h. No bottles or cans shall be dumped in the solid waste dumpster maintained by the license holder between the hours of midnight and 7:00 a.m.
- i. At any time the licensed premises offers live entertainment or amplified music, all doors shall remain closed except for access to and from the licensed premises and all windows shall be closed. Exterior doors shall not be left open continuously. This condition does not apply to any rooms available for rent.
- j. No live music is permitted at the licensed premises after 1:30 a.m.
- k. Alcoholic beverages shall be available for patrons in conjunction with food service in Dining Area "D."
- l. Alcoholic beverages shall be available to patrons only through service by waiters or waitresses in Dining Area "D."
- m. Alcoholic beverages may be served and consumed between the hours of 11:00 a.m. and 10:00 p.m. on Sunday, Monday, Tuesday, Wednesday and Thursday, and between the hours of 11:00 a.m. and 11:00 p.m. on Friday and Saturday in Dining Area "D". Between Memorial Day and Labor Day, this area shall be enclosed with screens or a Plexiglas type material. Between Labor Day and Memorial Day, this area shall be enclosed with a Plexiglas type material.
- n. Dining Area "D" shall be vacated by 10:00 p.m. between Memorial Day and Labor Day and by 11:00 p.m. between Labor Day and Memorial Day. After that hour,

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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  
194-2015**

**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, 2016, 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.

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- f. No bottles or cans shall be dumped in the solid waste dumpster maintained by the license holder between the hours of twelve (12) midnight and seven (7) a.m.
- g. The licensee shall provide a litter patrol which will remove litter within 200 feet (except for the Municipal Beachwalk) of the licensed premises before nine (9) a. m. each morning following an operational day.
- h. At any time when there is a line of patrons awaiting entrance to the licensed Premises, the line shall start at the front entranceway (corner of East Main Street and first Avenue) and proceed west along the north side of the licensed building and be located within 54" of the main wall of the licensed building. Temporary stanchions with rope or line shall connect each stanchion for the length of the patron line. If the line reaches the west side of the building, it shall be turned in a southerly direction, and be formed in the driveway on the west side of the licensed building. The patron line must be supervised by at least two employees of the licensee whenever there are people awaiting entry to the licensed premises.

The driveway on the west side of the licensed building connecting the parking lot to East Main Street shall be closed between the hours of 6:00 pm and 6:00 am.

- i. No live music at the licensed premises after 1:30 a.m.
- j. The licensee shall comply with all provisions of the "New Jersey Smoke-Free Air Act". N.J.S.A. 26:3d-55 et seq. If a smoking area is provided for patrons, the permitted smoking area cannot be on public property or the public sidewalk. The permitted smoking area, if any, shall be located within the licensed building, in accordance with applicable statutes, or on exterior grounds either owned, leased or otherwise controlled by the licensee.

**RESOLUTION  
195-2015**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF  
MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,  
ESTABLISHING AGREEMENT WITH BOY SCOUT TROOP 59  
REGARDING NEWSPAPER RECYCLING.**

**WHEREAS**, the Borough of Manasquan is a supporter of Boy Scouts of America and a proponent of recycling initiatives; and

**WHEREAS**, the Borough of Manasquan wishes to formalize its relationship with Boy Scout Troop 59 whereby Troop 59 shall be responsible for collecting newspapers curbside from residents consistent with established recycling properties on the second and last Sundays of the month; and

**WHEREAS**, Boy Scout Troop 59 shall deliver the collected recycled newspapers to dumpster provided by DeLisa Waste Services located at the North Main Street parking lot; and

**WHEREAS**, Boy Scout Troop 59 shall be responsible for maintaining the concrete shed located at the North Main Street parking lot, ensuring the North Main Street parking lot will be free of all newspaper and related debris and provide activity reports to the Governing Body from time to time; and

**WHEREAS**, this service will be funded by the Borough of Manasquan recycling grant and other similar grants; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Manasquan on this 3<sup>rd</sup> day of August 2015 as follows:

1. The Borough of Manasquan shall pay an annual fee of \$3,500.00 to Troop 59 for the collection and delivery of newspapers on the 2<sup>nd</sup> and last Sunday of each month.

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2. The term of this Agreement shall be from January 1, 2015 through December 31, 2015.

**RESOLUTION  
196-2015**

**RESOLUTION ADOPTING MANASQUAN'S  
POLICIES AND PROCEDURES FOR  
MANAGING FEDERAL AID PROJECTS**

**WHEREAS**, the Borough of Manasquan has been selected to receive \$225,000 from the Federal Highway Administration (FHWA) Safe Routes to School Program for the Pedestrian Sidewalk Improvements project;

**WHEREAS**, the Borough of Manasquan must be considered eligible to receive and manage the funds by the New Jersey Department of Transportation;

**WHEREAS**, the Borough of Manasquan is required to have written policy and procedure documents for managing a federal aid project in order to be considered eligible;

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Manasquan that the document entitled "Policies and Procedures for Managing Federal Aid Projects" dated July 2015, is hereby approved and adopted.

**RESOLUTION  
197-2014**

**RESOLUTION AUTHORIZING THE BOROUGH  
TO PARTICIPATE IN THE STATE OF NEW JERSEY  
PILOT PROGRAM FOR ELECTRONIC TAX SALES**

**WHEREAS**, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of Government Services, and

**WHEREAS**, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/Real Auction.com to conduct pilot programs, and

**WHEREAS**, the rules and regulations authorize a municipality to submit an application for participation in the pilot program for an electronic tax sale, and

**WHEREAS**, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process; and

**WHEREAS**, the Borough of Manasquan wishes to participate in the pilot program for an electronic tax sale.

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Borough of Manasquan, New Jersey, that the Tax Collector is hereby authorized to complete an application to participate in the electronic tax sale program and submit same to the Director of the Division of Local Government Services.

**RESOLUTION  
198-2015**

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

**WHEREAS**, a refund of monies is due to the following:

NAME: PAUL C SAMUEL

AUGUST 3, 2015

134 MARCELLUS AVE  
MANASQUAN, NJ 08736

REASON FOR REFUND: REFUND PERMIT FEES  
VOLUNTEER EXEMPTION

AMOUNT \$65.00 #15-00692  
\$60.00 #15-00755

**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  
199-2015**

**BE IT RESOLVED** by the Council of the Borough of Manasquan that:

**WHEREAS**, refunds for 2013/2014 State Tax Court Appeals for the following properties are due on the below described property in the amount designated as follows:

BLOCK: 32 / LOT: 1.03 NAME: Kevin & Sue Thompson  
PROPERTY LOCATION: 27 Osborn Ave  
AMOUNT: \$4694.22  
REASON FOR REFUND: 2013/2014 Tax Appeal

REFUND CHECK TO BE MADE PAYABLE TO:

Kevin & Sue Thompson  
62 Atlantic Ave  
Manasquan, NJ 08736

BLOCK: 61 / LOT: 40.01 NAME: Golden East of Manasquan, LLC  
PROPERTY LOCATION: 87-99 Taylor Ave  
AMOUNT: \$13,112.02  
REASON FOR REFUND: 2013/2014 Tax Appeal

REFUND CHECK TO BE MADE PAYABLE TO:

Golden East of Manasquan, LLC  
99 Taylor Ave  
Manasquan, NJ 08736

BLOCK: 61 / LOT: 13.01 NAME: Sunrise TM of MSQN, LLC  
PROPERTY LOCATION: 109 Taylor Ave  
AMOUNT: \$5,123.74  
REASON FOR REFUND: 2013/2014 Tax Appeal

REFUND CHECK TO BE MADE PAYABLE TO:

Sunrise TM of MSQN, LLC  
6 Sherwood Drive  
Brielle, NJ 08730

BLOCK: 178 / LOT: 9.01 NAME: 236 AV, LLC; Krutayarsky & Lilinsht  
PROPERTY LOCATION: 236 Second Ave  
AMOUNT: \$5,974.50

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REASON FOR REFUND: 2014 Tax Appeal

REFUND CHECK TO BE MADE PAYABLE TO:

236 AV, LLC; KRUTAYARSKY & LILINSHT  
67 Marine Terrace  
Long Branch, NJ 07740

BLOCK: 189.02 / LOT: 3 NAME: Marcus Cagnetti A Etals

PROPERTY LOCATION: 10 Deep Creek Drive

AMOUNT: \$1,223.92

REASON FOR REFUND: 2014 Tax Appeal

REFUND CHECK TO BE MADE PAYABLE TO:

MARCUS COGNETTI, A ETALS  
2022 Arrowwood Drive  
Scotch Plains, NJ 07076

**WHEREAS**, the Tax Collector has certified that the current homeowner is entitled to the refund.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Chief Financial Officer is hereby authorized and directed to draw a warrant in the said amount to the above listed property with said warrant to be charged against the General Ledger.

**RESOLUTION  
200-2015**

**WHEREAS**, pursuant to the Revised General Ordinances of the Manasquan Borough Code Section 7-7.5(d), parking is limited to two (2) hours on both sides of Main Street from Route NJ 71 to South Street (CR# 20) and on the north side from Broad Street (CR #20) to a point 375 feet west therefrom; and

**WHEREAS**, the Borough of Manasquan is desirous of temporarily expanding the time limitation for parking to a maximum of three (3) hours at the above locations beginning August 7, 2015 and ending August 8, 2015; and

**NOW, THEREFORE, BE IT RESOLVED** on this 3<sup>rd</sup> day of August 2015 by the Borough Council of the Borough of Manasquan, in the County of Monmouth, and State of New Jersey that the Council hereby recognizes the following:

1. The Borough Council does hereby expand the two (2) hour time limitation for parking to three (3) hours on both sides of Main Street from Route NJ 71 to South Street (CR# 20) and on the north side from Broad Street (CR #20) to a point 375 feet west therefrom for the period beginning August 7, 2015 and ending August 8, 2015.

**RESOLUTION  
202-2015**

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

**WHEREAS**, a refund of monies is due to the following:

NAME: Mr. Ralph Hennings  
90 Roland Road

AUGUST 3, 2015

Murray Hill, NJ 07974

REASON FOR REFUND: Fourth Avenue Slip #34 is not being utilized this year by the lessee Mr. Hennings. Due to a Cedar Avenue Boat Slip problem the borough is allowing the Cedar Avenue lessee to utilize the Fourth Avenue slip leased to Mr. Hennings for the remainder of the year.

AMOUNT OF REFUND DUE: \$1075.00

**NOW, THEREFORE, BE IT RESOLVED** that the Chief Financial Officer is hereby authorized and directed to draw a warrant in the said amount to the above listed refunds with said warrant to be charged against the General Ledger.

**RESOLUTION  
201-2015**

**BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, IN** THE County of Monmouth, New Jersey (not less than three (3) members thereof affirmatively concurring) as follows:

1. All bills or claims as reviewed and approved by the Administration & Finance Committee and as set forth in this Resolution are hereby approved for payment.
2. The Mayor, Municipal Clerk and Chief Financial Officer are hereby authorized and directed to sign checks in payment of bills and claims which are hereby approved.

The computer print-out of the list of checks will be on file in the Clerk's Office.

Current Fund	1,607,674.63 (Includes 1,508,392.74 County Taxes)
Water/Sewer Fund	12,439.90
Beach Fund	4,310.21
Recreation Bldg Trust	610.69
Recreation Commission Trust	6,878.15
General Capital Fund	
Water/Sewer Capital Fund	4,130.50

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

**ORDINANCES**

The Borough attorney read the title of ordinance 2185-15 for second reading and final hearing.

**AN ORDINANCE AMENDING CERTAIN FINES AND PENALTIES IN THE  
REVISED GENERAL ORDINANCES OF THE BOROUGH OF MANASQUAN,  
MONMOUTH COUNTY, NEW JERSEY**

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



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There being no public comment, Council Member Sinneck made a motion to close the public hearing, seconded by Council Member McCarthy. Motion carried unanimously.

Council Member Mangan made a motion to pass and publish ordinance 2185-15 according to law, seconded by Council Member McCarthy. Motion carried by the following vote: "yes" Council Member Lee, Sinneck, Donovan, Mangan, and McCarthy. "No" none.

The Borough attorney read the title of ordinance 2186-15 for second reading and final hearing.

**AN ORDINANCE OF THE BOROUGH OF MANASQUAN ESTABLISHING AN ENERGY AND NATURAL GAS AGGREGATION PROGRAM**

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

There being no public comment, Council Member Sinneck made a motion to close the public hearing, seconded by Council Member McCarthy. Motion carried unanimously.

Council Member Mangan made a motion to pass and publish ordinance 2186-15 according to law, seconded by Council Member McCarthy. Motion carried by the following vote: "yes" Council Member Lee, Sinneck, Donovan, Mangan, and McCarthy. "No" none.

The Borough attorney read the title of ordinance 2187-15 for first reading and introduction.

**BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION, RECONSTRUCTION AND/OR RESURFACING OF THE SECOND AVENUE PARKING LOT IN THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$232,500 THEREFORE, AND AUTHORIZING THE ISSUANCE OF \$220,875 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.**

Council Member Lee made a motion to introduce ordinance 2187-15, seconded by Council Member Mangan. Motion carried by the following vote: "yes" Council Member Lee, Sinneck, Donovan, Mangan, and McCarthy. "No" none.

The Borough attorney read the title of ordinance 2188-15 for first reading and introduction.

**ORDINANCE PROVIDING FOR AN ADVANCED METERING INFRASTRUCTURE PROJECT IN AND BY THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$1,743,313 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,743,313 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.**

Council Member Donovan made a motion to introduce ordinance 2188-15, seconded by Council Member McCarthy. Motion carried by the following vote: "yes" Council Member Lee, Sinneck, Donovan, Mangan, and McCarthy. "No" none.

The Borough attorney read the title of ordinance 2189-15 for first reading and introduction.

**ORDINANCE PROVIDING FOR AN INFRASTRUCTURE PROTECTION AND STORMWATER CONVEYANCE PROJECT IN AND BY THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$4,450,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,450,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

Council Member Sinneck made a motion to introduce ordinance 2189-15, seconded by Council Member Mangan. Motion carried by the following vote: "yes" Council Member Lee, Sinneck, Donovan, Mangan, and McCarthy. "No" none.

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The Borough attorney read the title of ordinance 2190-15 for first reading and introduction.

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF ONE MASON DUMP WITH PLOW AND ONE PICK UP TRUCK WITH PLOW AND LINE PAINTING MACHINE FOR THE BOROUGH OF MANASQUAN PUBLIC WORKS DEPARTMENT IN THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY APPROPRIATING \$76,500.00 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$72,675.00 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION**

Council Member Donovan made a motion to introduce ordinance 2190-15, seconded by Council Member McCarthy. Motion carried by the following vote: "yes" Council Member Lee, Sinneck, Donovan, Mangan, and McCarthy. "No" none.

**APPROVAL OF MINUTES**

Work Session and Regular Meeting – July 20, 2015

Council Member Mangan made a motion to approve the minutes, seconded by Council Member McCarthy. Motion carried unanimously with Council Member Sinneck abstaining.

**COMMITTEE REPORTS**

Public Safety Committee – Council Member McCarthy congratulated Kevin Kleinknecht on his appointment to a full time officer. He reported on the Fireman's Fair and advised that there were no major incidents reported. He reported that there should be no parking on S. Potter to allow pedestrians to walk on the side of the road rather than in the middle with vehicular traffic.

Administration & Finance Committee – Council Member Mangan reported for Tourism and thanked Council Member McCarthy and Lee, former Council Member Bossone and Mayor Dempsey for their work on the Christie Rampone event. He reported that the clambake is Sunday, August 30, 2015, 2 – 6 p.m. and tickets can only be purchased in advance and tickets are available at Squan Tavern, Manasquan Lighting and any tourism member. He also reported that this Saturday is the sand castle contest along with Big Sea Day. He reported that the administration and finance committee met last week and discussed monitoring the Borough's debt and there are 2 major items to be discussed which is the 2015 road improvement ordinance and a buildings and grounds ordinance. He reported that the finance committee will be meeting with the public works committee and the grounds committee to come up with a reasonable solution to those 2 ordinances going forward so more streets and building repairs can be done this year while still maintaining the conservative approach to financial planning for the future.

Public Works & Grounds Committee – Council Member Donovan reported on the new hot box, elevation of the pumping stations, storm drain pump at Kiddie Beach, cleaning up after Fireman's Fair, and the new water main connecting N. Main Street to Willow Way has been completed.

Building, Planning & Zoning Committee – Council Member Sinneck reported on the year to date permits issued, certificate of occupancies issued and zoning applications that have been processed.

Beach Committee – Council Member Lee reported on the July revenues for the beach and he thanked the staff. He mentioned Big Sea Day, Lifeguard Tournament, the Christie Rampone Celebration, and the wiffle ball tournament.

**AUDIENCE PARTICIPATION**

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

Lauren Franklin, 150 Second Avenue, also owner of 135 Third Avenue, 163 Beachfront, and 164 First Avenue and family owns 152 Second Avenue and 15 Riddleway inquired about passing ordinances and residents being grandfathered.

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Mr. DeIorio stated that it would depend on the ordinance.

Ms. Franklin inquired about the process to amend or change an ordinance.

Council Member Sinneck stated that it generally would come from the committee that has jurisdiction or responsibility over that part of the Borough.

Ms. Franklin inquired about a zoning ordinance and went over an issue regarding a code enforcement and tickets that she received. She asked council to rescind the resolution to 13-1.3 that was made at the second reading in April and resolve to change it back to "or" as the ordinance has read for 20 years.

There was discussion on code 13-1.3, 20.4 and 35-7.7 and the house in question and the houses that Ms. Franklin mentioned that were in violation.

Council Member Sinneck advised why this ordinance was changed and the public safety of the residents and blocking the front door for emergency purposes. He advised that there will be a committee meeting that will take a look at the whole situation again. He also stated that he cannot promise that the ordinance will be rescinded but they will take a look at the facts provided.

Mr. Kitrick stated that there was thoughtful consideration given to it which also included the planning board weighing in and evaluating. He also stated that there are a few layers to it and that the ordinances are not written or adopted out of spite.

Ms. Franklin stated that it seemed very suspicious.

Mr. Kitrick stated that what he is addressing is that ordinances are not presented and adopted out of spite.

Marilyn Jacobson 59 McLean Avenue inquired about ordinances that she has sent letters on not being enforced in town. She stated that if there is an ordinance in town it needs to be uniformly enforced so there is not the situation that people are being discriminated against and it is not up to discretion. She stated that it is frustrating to see things going on that are violations and nothing is being done about it. She voiced her opinion on ordinances that are not being enforced.

Bob Young, 142 Second Avenue wanted to know if the County was going to repair the Main Street Bridge as it has been scaling for a while and he noticed rebar exposed.

Mayor Dempsey asked Mr. DeIorio to get a hold of the county to report the issue.

Bob Grunder, 416 Perrine Blvd. commended the Mayor and Council for acquiring the sand that is going to be dredged out of the Manasquan River and he inquired about the Glimmer Glass being dredged.

Mayor Dempsey stated that the dredging will only go up to the Drawbridge.

There was discussion on trying to get the Glimmer Glass dredged and the boat slips.

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

Council Member Donovan made a motion to close the regular meeting at 8:48 p.m. seconded by Council Member Mangan. Motion carried unanimously.

Respectfully submitted,

*B. Ilaria*  
Barbara J. Ilaria  
Municipal Clerk

DATE APPROVED 8-17-15