

JUNE 18, 2012

Regular Meeting of Mayor and Council was convened at 8:43 p.m. on June 18, 2012 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 7, 2011.

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, Jacobson, Mangan, and McCarthy

Absent: Council Member Jacobson

Council Member Bossone arrived at 9:49 p.m.

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

Council Member Connolly made a motion to vote on resolution 186-12 Authorizing signing of Contracts (2) for SBLSS, seconded by Council Member McCarthy. Motion carried by the following vote; "yes" Council Member Connolly, Donovan, Mangan, and McCarthy, "no" none.

APPOINTMENT: Mr. Charles Rooney – Borough Engineer's Report

Mr. Charles Rooney read the Engineer's report dated June 14, 2012.

Mr. Rooney asked the Mayor if he could comment on some of the things stated at the work sessions meeting that are untrue on his behalf. He stated that there were some questions on estimates that seem to imply that T&M is manipulating numbers which is not true.

Mayor Dempsey stated that the air should be cleared now.

Mr. Rooney stated that there was a statement saying that he now endorses or are in agreement with angle parking on a street and he continues to raise objection to that in terms of a safe practice. He stated that he has reviewed and did research the DOT and found a publication that indicated that the DOT suggests angle parking in commercial areas, where there are wide streets and low volume of traffic and the design presented tonight clearly does not pose a wide street, it has the angle parking, virtually similar to Main Street. He went over his experience with angled parking and the angled parking in the Plaza. He went over his plan and the aspects of parking spaces. He stated that T&M tried to be even handed on the estimates and he really wants the best plan for the town. He went over the amount of Green Space that his plan has.

CONSENT AGENDA

Council Member Donovan made a motion to remove resolution 173-122 Liquor License Renewal – Elks Lodge 2534 from the Consent Agenda, seconded by Council Member McCarthy. Motion carried unanimously.

RESOLUTION 171-2012

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.

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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, 2013, 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.

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- 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
172-2012**

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, 2013, 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:

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- 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 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
174-2012**

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, 2013, 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.

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- 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
175-2012**

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, 2013, subject, however, to the following condition:

- 1. At any time the licensed premises offers live entertainment or amplified music, all doors shall

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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
176-2012**

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, 2012.

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, 2013, 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.

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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 177-2012

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, 2013.

RESOLUTION 178-2012

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:

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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 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, 2013, subject, however, to the following conditions:

- a. At any time the licensed premises offers live entertainment, which is limited to three musician, all doors shall remain closed except for access to and from the licensed premises and all windows shall be closed. Exterior doors shall not be left open continuously.

**RESOLUTION
179-2012**

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, 2013, 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
180-2012**

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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, 2013, 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
181-2012**

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, 2013.

**RESOLUTION
191-2012**

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**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF
MANASQUAN, MONMOUTH COUNTY, NEW JERSEY, RETIRING
CLUB LICENSE NO. 1327-31-013-001 ISSUED TO MANASQUAN
FIRST AID SQUAD IN AND BY THE BOROUGH OF MANASQUAN,
MONMOUTH COUNTY, NEW JERSEY**

WHEREAS, Club License No. 1327-31-013-001 was previously issued to Manasquan First Aid Squad Inc. 1 (the "Club License"); and

WHEREAS, the municipality shall notify the Division of Alcoholic Beverage Control that the municipality is retiring this Club License.

NOW, THEREFORE BE IT RESOLVED on the 18th day of June, 2012, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, as follows:

1. Club License 1327-31-013-001, previously issued to Manasquan First Aid Squad Inc., is retired based upon the Licensee advising the Municipality that it did not wish to renew its license.
2. A certified copy of this Resolution shall be sent to

Director Jerry Fischer
Division of Alcoholic Beverage Control
140 East Front Street
P.O. Box 087
Trenton, NJ 08625-0087

Manasquan First Aid Squad Inc.
65 Broad Street
Manasquan, NJ 08736

**RESOLUTION
192-12**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey that Christopher Bryant Tucker be appointed Deputy Emergency Management Coordinator to a three-year term commencing June 18, 2012 through June 15, 2015.

**RESOLUTION
193-12**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE
BOROUGH OF MANASQUAN, MONMOUTH COUNTY,
NEW JERSEY, APPROVING TAXI / AUTOCAB
OWNERS LICENSES AND TAXI / AUTOCAB
OPERATORS LICENSES PURSUANT TO
MANASQUAN BOROUGH ORDINANCE 4-16**

WHEREAS, pursuant to Manasquan Borough Ordinance 4-16 entitled "An ordinance providing for the registration and regulation of taxis, autocabs and other vehicles engaged in the business of carrying passengers for hire, and the owners and drivers thereof and the business of operating taxis, fixing license fees and providing for penalties for the violation thereof"; and

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WHEREAS, Section 5 of said ordinance allows for the issuance of these licenses by the Mayor and Council upon notification from the Borough Clerk of the satisfactory fulfillment of the licensing requirements; and

WHEREAS, the Borough Clerk has notified the Mayor and Council that the licensing requirements have been satisfactorily fulfilled by a number of applicants; and

WHEREAS, the Mayor and Council hereby approve the issuance of licenses for the following:

A. Owners:

1. Jersey Shore Car Service
2. Super Cab Services

B. Operators:

1. Dieugrand Marcelus
2. Mark Gunning
3. Korrine Tabor
4. Richard Seidman
5. Joseph Shannon
6. Christopher McLeod
7. Matthew Clancy
8. Charles Rowan
9. Edward Gunnell
10. John Flynn
11. Chris Fortier
12. Shawn Teicher
13. Anthony Breaud
14. Anthony Arico
15. Edward McDonald
16. Wayne Kovacs
17. Paul Salgado
18. Bryan Harrison
19. John Flores
20. Wael Elsanhoury
21. Steven Rich
- 22.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 18th day of June , 2012, as follows:

1. The Borough Clerk has notified the Mayor and Council that all licensing requirements have been satisfactorily fulfilled pursuant to Section 5 of Borough Ordinance 4-16.

**RESOLUTION
194-2012**

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 Clean Energy Program and wishes to amend its 2012 Budget to include this additional amount as revenue.

JUNE 18, 2012

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 2012 in the sum of \$22,287.00 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:
Local Government Energy Audit

BE IT FURTHER RESOLVED that a like sum of \$22,287.00 be and the same is hereby appropriated under the caption of:

General Appropriations
Operations excluded from "PUBLIC AND PRIVATE" programs Off Set by Revenues:
Local Government Energy Audit

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

**RESOLUTION
195-2012**

WHEREAS, the Borough of Manasquan is desirous of appointing SLEO, Class II as Court Attendants; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 18th day of June, 2012 appoint the following SLEO for the Manasquan /Brielle Court at the rate of \$17.75 per hour:

Class II

- Craig, Randell, 48 Allen Avenue, Manasquan
- Terracciano, Michael, 21 Yosemite Road, Howell

**RESOLUTION
196-2012**

WHEREAS, the Borough of Manasquan is desirous of appointing a Seasonal Finance Employee for the Summer Season of 2012; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 18th day of June, 2012 appoint the following for the Summer Season of 2012 at the rate of \$17.50 per hour:

- Karen Rankin, 622 Homestead Road, Brielle

**RESOLUTION
197-12**

JUNE 18, 2012

**RESOLUTION CALLING FOR AN EXTENSION FOR AFFORDABLE HOUSING TRUST
FUNDS TO BE COMMITTED**

WHEREAS, P.L. 2008, c. 46 established a four year timetable for municipal housing trust dollars to be “committed for expenditure, or risk forfeiture to the State;” and

WHEREAS, the 2008 Act did not define the term “committed for expenditure” and deferred to the Council on Affordable Housing (COAH) to promulgate regulations as to the requirements to be met for “committed” as well as a timetable for expenditures; and

WHEREAS, neither COAH nor the Department of Community Affairs has adopted, nor proposed, the regulations pursuant PL 2008, c. 46; and

WHEREAS, hundreds of municipalities submitted spending plans to COAH, of which only a fraction of these plans were reviewed by the agency, and most of these municipalities have not been provided any guidance on their spending plans; and

WHEREAS, at the time of 2008 Act, COAH was prepared to adopt its “3rd round regulations” establishing municipal obligations under the “Fair Housing Act”; and

WHEREAS, COAH’s 3rd round regulations were highly controversial and fundamentally flawed, and subsequently set aside by the Appellate Division, and the appeal of that decision now awaits consideration by the State Supreme Court; and

WHEREAS, eight years of litigation over COAH’s methodology has had a chilling effect not only on the development of affordable housing, but on the ability of local governments to commit trust fund dollars without knowledge of their respective obligations, and certainty that such commitment would count towards its housing obligation; and

WHEREAS, in 2008 the State Legislature passed the Permit Extension Act providing developers additional time because of the economic recess, an extension that was further granted in 2010 and which a third extension is now under consideration by the Legislature; and

WHEREAS, many of the projects in which the permits have been extended include an affordable housing component, and no such extension to municipalities; and

WHEREAS, forfeiture of trust fund dollars starting in July 2012 would be fundamentally unfair, inequitable and indefensible since neither COAH nor DCA has provided the required guidance or certainty; and

WHEREAS, these trust fund dollars should be used as intended: to subsidize the costs for municipalities in meeting their affordable housing obligations while assuring that these costs do not fall to local taxpayers; and

WHEREAS, forfeiture of these dollars, estimated by some to be as much as \$200 million, would displace this financial obligation to the taxpayers in these communities; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Manasquan urges the Christie Administration and the State Legislature to extend the July 2012 to “commit” municipal affordable housing trust fund dollars and for the State to provide the needed regulatory guidance contemplated in PL 2008 c. 46; and

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BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Hon. Robert W. Singer, Hon. Sean T Kean & the Hon. David P. Rible, the New Jersey State League of Municipalities and the Office of the Governor.

RESOLUTION

198-2012

BE IT RESOLVED by the Council of the Borough of Manasquan, County of Monmouth, New Jersey that a return is due; and

WHEREAS, a return for a Bond posted on March 7, 2008 for the following properties are due on the below described property in the amount designated as follows per Chapter 15 section 15-2.3e.

NAME: Richard Tilton

PROPERTY LOCATION: 171 First Avenue/Lower

AMOUNT OF REFUND: \$1,000.00

REASON FOR REFUND: The four year bond has been fulfilled and has been approved for release.

REFUND CHECK TO BE MADE PAYABLE TO:

Richard Tilton
2112 Baileys Corner Road
Wall, NJ 07719

WHEREAS, the Borough Attorney has certified that Richard Tilton 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 Misc. Trust I account.

RESOLUTION

199-2012

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: WARD WIGHT AGENCY
206 E MAIN ST
MANASQUAN, NJ 08736

AMOUNT OF REFUND DUE: \$100.00

REASON FOR REFUND: DUPLICATE CERTIFICATE OF OCCUPANCY-
155 BEACHFRONT

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer is

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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
200-2012**

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: WARD WIGHT AGENCY
 206 E MAIN ST
 MANASQUAN, NJ 08736

AMOUNT OF REFUND DUE: \$100.00

REASON FOR REFUND: CERTIFICATE OF OCCUPANCY-
 115 THIRD AVE

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
201-2012**

WHEREAS, the Borough of Manasquan is desirous of appointing Seasonal Beach Employees for the Summer Season of 2012; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 18th day of June, 2012 appoint the following Seasonal Beach Employees to work during the Summer Season, 2012:

Lifeguards:

Elizabeth Finkenhauer	804 Pine Road, Brielle	\$10.00
Melissa Haley	65 Curtis Avenue, Manasquan	\$10.00
Shea Heavy	408 Osprey Point, Brielle	\$10.00
Zach Housen	802 Osprey Point, Brielle	\$10.00
Ian Roden	22 Minerva Avenue, Manasquan	\$10.00
Eric Tragnitz	96 Fletcher Avenue, Manasquan	\$10.00
Blake Turvey	96 Fletcher Avenue, Manasquan	\$10.00

Junior Guard Instructors:

Kelli Degnan	1010 Sunset Drive, Brielle	\$9.00
Rakel Dziobek	1128 Baybery Road	\$9.00
Corrie Gray	14 Bank Street, Princeton	\$9.00
Jake Hegna	4 Crescent Drive, Brielle	\$9.00
Dan Hermo	30 Ocean Avenue	\$9.00

Crew:

Kyle Reid	6 Watson Place, Manasquan	\$7.50
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JUNE 18, 2012

**RESOLUTION
202-2012**

BE IT RESOLVED by the Council of the Borough of Manasquan, County of Monmouth, New Jersey that: US BANK-CUST/SASS MUNI VI DTR

WHEREAS, refunds for *TAX TITLE LIEN REDEMPTION* are due on the below described property in the amount designated as follows:

BLOCK: 73 LOT: 95 NAME: Stuart, Lynn

PROPERTY LOCATION: 126 Morris Ave

AMOUNT OF REFUND: \$22,607.81

REASON FOR REFUND: Redemption of Tax Title Lien #10-00160

REFUND CHECK TO BE MADE PAYABLE TO: US Bank-Cust/Sass Muni VI DTR

WHEREAS, the Tax Collector has certified that the current lien holder 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
203-2012**

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

WHEREAS, refunds for DUPLICATE TAX PAYMENTS are due on the below described property in the amount designated as follows:

BLOCK: 103 LOT: 4.04 NAME: Leonard, John

PROPERTY LOCATION: 120 Lake Ave

AMOUNT OF REFUND: \$1,609.25

REASON FOR REFUND: Refund of Duplicate Tax Payment

REFUND CHECK TO BE MADE PAYABLE TO: JOHN LEONARD

WHEREAS, the Tax Collector has certified that the current property owner 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
204-2012**

JUNE 18, 2012

BE IT RESOLVED by the Council of the Borough of Manasquan, County of Monmouth, New Jersey that: US BANK-CUST/SASS MUNI VI DTR

WHEREAS, refunds for **PREMIUM PAID AT TAX SALE** are due on the below described property in the amount designated as follows:

BLOCK: 73 LOT: 95 NAME: Stuart, Lynn

PROPERTY LOCATION: 126 Morris Ave

AMOUNT OF REFUND: \$18,000.00

REASON FOR REFUND: Return of Premium Paid at Tax Sale Re: Lien #10-00160

REFUND CHECK TO BE MADE PAYABLE TO: US Bank-Cust/Sass Muni VI DTR

WHEREAS, the Tax Collector has certified that the current **lien holder** 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
205-2012**

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: LUBECK SHORE PROPERTIES
 FAMILY LIMITED PARTNERSHIP
 179 BEACHFRONT
 MANASQUAN, NJ 08736

AMOUNT OF REFUND DUE: \$500.00

REASON FOR REFUND: PARTIAL REFUND-STREET OPENING
SO#22/12

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
206-2012**

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:

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NAME: CAREN & MICHAEL MAHER
85 MINERVA AVE
MANASQUAN, NJ 08736

AMOUNT OF REFUND DUE: \$247.50

REASON FOR REFUND: REFUND BUILDING PERMIT #12-00149

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
207-2012**

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	\$	626,629.32 (includes 312,209.19 Fire District Payment)
Water/Sewer Fund	\$	298,378.37
Beach Fund	\$	20,301.03
General Capital Fund	\$	4,088.28
Water/Sewer Capital Fund	\$	105.56
Beach Capital Fund	\$	7,365.59

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

**RESOLUTION
173-2012**

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.

JUNE 18, 2012

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, 2013, 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.

Council Member Mangan made a motion to approve resolution 173-12, seconded by Council Member Connolly. Motion carried by the following vote; "yes" Council Member Connolly and Mangan, "no" none. Council Members Donovan and McCarthy abstained.

T&M Associates Resolutions

Mr. Kitrick stated that the proposed resolution would be to approving Squan Plaza Concept Plans and authorization that it go out to bid.

RESOLUTION 187-2012

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Borough of Manasquan would like to retain the services of T&M Associates, 9 Grande Avenue Toms River, New Jersey 08753 in regards to moving forward with the Squan Plaza Concept Plans and authorized to advertise a Bid Notice

Council Member Mangan made a motion to approve the DPW recommendation plan with the authorization to go out to bid, seconded by Council Member Donovan. Motion carried by the following vote; "yes" Council Member Donovan, Mangan, and McCarthy, "no" Council Member Connolly.

Council Member McCarthy made a motion to advertise the bid proposal for the Tree Pruning next week with a bid opening anticipated for July 20, 2012, seconded by Council Member Mangan. Motion carried by the following vote: "yes" Council Member Connolly, Donovan, Mangan, and McCarthy.

ORDINANCES

The Borough Attorney read the title of Ordinance 2117-12 for introduction.

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF TWO (2) FORD EXPLORERS AND ONE (1) ADDITIONAL SUV VEHICLE AND OTHER RELATED POLICE EQUIPMENT FOR THE BOROUGH OF MANASQUAN POLICE DEPARTMENT IN THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY APPROPRIATING \$67,500.00 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$64,125.00 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION

Council Member Mangan made a motion to introduce ordinance 2117-12, seconded by Council Member McCarthy. Motion carried by the following vote; "yes" Council Member Donovan, Mangan, and McCarthy, "no" Council Member Connolly.

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APPROVAL OF MINUTES

Budget Meeting – March 1, 5, & 12, 2012

Council Member Donovan made a motion to approve the minutes, seconded by Council Member McCarthy. Motion carried unanimously with Council Member Mangan abstaining from the March 5 & 12, 2012 minutes.

COMMITTEE REPORTS

Public Safety & Recycling – Council Member McCarthy reported that the number of summonses is up from last year. He advised that a letter was received from a resident from an incident over the summer commending the professionalism of the officers that responded including Officer Norcia and Special Officer Fernandez. He advised that starting tomorrow everyone coming into the Court during Court session will be screened with a metal detector and he advised that this has been imposed upon the Borough by the State of New Jersey and the cost is being shared with Brielle Court.

Public Property & Parks – Council Member Mangan reported that the committee went over the SBLSS agreement which was on the agenda for tonight. He also reported that the committee will be following up on the Borough Hall generators. He thanked the members of council for the work on the Squan Plaza Plan and he thanked the public also.

Public Works Committee – Council Member Donovan reported that the Wall and Manasquan Public Works will be meeting to go over the issues with the water quality on Ridge Avenue. He advised that they are going to try and create a loop in the water line to help with the issues on Ridge Avenue. He reported that there will be water meter readings beginning this week and continuing into next week and the parking lines of Borough Hall will be repainted this week. He thanked everyone that e-mailed, wrote, or called with regard to the Squan Plaza design with their input.

Administration and Finance – Council Member Connolly reported that the revenue that has come in for the liquor licenses that were approved tonight is \$20,700. She stated that the total bills that were approved tonight were \$956,868.15 which about \$300,000 went to the Fire Commission. She reported that Manasquan will be on Facebook now as it is very important to improve communications with the residents and advised that this has been funded through FEMA.

Mr. DeIorio clarified that in October 2011 T&M received two bids for the culvert piping, D&D was \$53,300 and American Pipe was \$12,528 and OEI elected not to bid. He stated that because of the various differences between the two bids American Pipe was asked if their bid was good and after inspecting the site again they retracted their bid. He stated that T&M went to Oswald a few months later and they provided a quote to clean and video the tape the pipe last fall for the amount of over \$50,000.

AUDIENCE PARTICIPATION

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

Carl Straub, 27 Willow Way stated that there is still discolored water and bad odor and that these problems are starting to affect plumbing, fixtures, bathrooms, showers, toilets, hot water heaters, etc. He advised what he and his neighbors are going through with the water issues on Willow Way.

Council Member Mangan asked Mr. Rooney what is next to be done after the flushing of the hydrants.

Mr. Rooney stated that he will have to talk to Mr. Nicastro on that and he inquired of the residents if samples have been taken by the DPW.

There was discussion on the water quality in the Willow Way area.

Mr. DeIorio stated that the DEP, County Board of Health reviewed the water and the problem with the water is not coming out of the plant but it is happening within the line which might be an additive that the new plant is using.

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Pat Straub, 27 Willow Way stated that she believes her house water is unusable for the summer with the current water condition. She stated that if someone has a steady diet of this type of water it is going to affect your kidneys and your liver. She stated that this is a quality of life and can not live in this area with the quality of water that is currently there. She stated that this is an emergency situation and she asks that they be hooked up to another reservoir or put pipes down the street on top of street because they can not live with this current situation.

Debbie Robinson, 18 Willow Way agreed with Ms. Straub and stated that they have to go out and buy bottled water because the water is not safe to consume.

Chuck Robinson, 18 Willow Way showed a picture of his toilet where 4 days ago he cleaned out the tank and the bowl and in 4 days it has come back. He agreed with the other residents of the area about the issues with the water.

Debbie Robinson, 18 Willow Way stated that it was in the Coast Star that this issue was not going to be addressed until September and that is unacceptable to them.

Mr. Delorio stated that is not the plan and it is being worked on currently.

Mr. Rooney stated that is misinformation and what is put off until September is additional work on well #5 which is currently functional and has not been used yet and needs some additional work. He stated that well #5 is not the issue with the water in the Willow Way area.

Carol Wilkens Kirkman, 22 Willow Way stated that she can not clean the bathrooms or other sinks in the house due to the stains that the discolored water is causing. She voiced her frustration with the water issue.

Jack Drew, 111 Third Avenue stated that there might be some differences in concept or in the specifications for the Squan Plaza estimates. He went over his view of the pave only plan and the costs. He stated that there is no way that the committee plan can be done for \$1.2 million.

Mr. Rooney went over his reasoning for the change in Levitsky's estimates. He stated that curbing is estimated by linear foot not square foot.

Mr. Drew stated that Levitsky is a landscape architect and they estimate differently.

Mr. Rooney continued with his reasoning for the Levitsky estimate.

Mr. Drew voiced his opinion about angled parking, green space, and removal of trees and stated that it shouldn't have been the controlling factor in the council's decision to vote on a plan. He stated that the council had no consideration for any of these aspects when deciding which plan to vote on.

There was discussion on the different plans that were submitted.

Council Member Connolly stated that she has not seen Mr. McHugh's plan and that she is very disturbed that other plans were submitted without her knowledge.

Council Member Mangan stated that every council member has been approached by members of the public and Mr. McHugh has offered his services to every member of the council.

Council Member Donovan stated that he received Mr. McHugh's plan tonight.

There was discussion on the plans that were submitted to council and the plan that was voted on tonight.

Fran Drew, 111 Third Avenue stated that she would hate to live the way the residents are on Willow Way with the water issues and that another engineer should be hired to take a look to see if there is something that is being missed. She stated that the applause for the Levitsky plan should show the council that this is the plan that the people of Manasquan want. She went over the amount of trees that are in the Levitsky plan.

There was discussion on the Levitsky plan and council not meeting with him.

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Mr. DeIorio stated that the plan that was approved tonight took in to consideration all plans and comments submitted and finally a plan has been approved after 10 years.

Ed Hyer, 56 Second Avenue thanked the council members for putting together the different improved plans.

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 adjourn the regular meeting at 10:03 p.m., seconded by Council Member McCarthy. Motion carried unanimously.

Respectfully submitted,

B. Ilaria

Barbara J. Ilaria
Municipal Clerk

DATE APPROVED 9-4-12