

JUNE 3, 2013

Regular Meeting of Mayor and Council was convened at 8:07 p.m. on June 3, 2013 in Council Chambers of Borough Hall with Mayor George 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 4, 2012.

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 Sinneck, Donovan, Mangan, Olivera and McCarthy

Absent: Bossone

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

Mayor Dempsey acknowledged Senator Lautenburg's career and the recent passing of the Senator. There was a moment of silent prayer.

ORDINANCE

The Borough Attorney read the title of ordinance 2135-13 for first reading and introduction.

CALENDAR YEAR 2013 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

Mr. Delorio went over the process and the purpose of the ordinance and the time line of the ordinance.

Council Member Mangan made a motion to introduce ordinance 2135-13, seconded by Council Member Sinneck. Motion carried by the following vote; "yes" Council Member Sinneck, Donovan, Olivera, Mangan and McCarthy, "no" none.

The Borough Attorney read resolution 174-2013 by title.

RESOLUTION 174-2013

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY AUTHORIZING AN ADDITIONAL SPECIAL EMERGENCY APPROPRIATION AND AUTHORIZING THE ISSUANCE OF SPECIAL EMERGENCY NOTES IN THE AMOUNT OF \$5,309,222.84 PURSUANT TO N.J.S.A. 40A:4-55

WHEREAS, the Borough of Manasquan, in the County of Monmouth, New Jersey (the "Borough") adopted resolution 328-12 authorizing a special emergency appropriation pursuant to N.J.S.A. 40A:4-54 on November 19, 2012 appropriating \$900,977.40 to cover extraordinary expenses related to the Super Storm Sandy State of Emergency and indicated its intent to issue special emergency notes to fund such emergency costs; and

WHEREAS, the Borough adopted resolution 340-2012 authorizing a special emergency appropriation pursuant to N.J.S.A. 40A:4-54 on December 3, 2012 appropriating an additional \$2,223,745.44 to cover additional extraordinary expenses related to the Super Storm Sandy State of Emergency for total appropriations of \$3,124,722.44 and authorized the issuance of special emergency notes to fund such appropriations pursuant to N.J.S.A. 4-55; and

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WHEREAS, the Borough adopted resolution 364-2012 authorizing a special emergency appropriation pursuant to N.J.S.A. 40A:4-54 on December 3, 2012 appropriating an additional \$1,800,000.00 to cover additional extraordinary expenses related to the Super Storm Sandy State of Emergency for total appropriations of \$4,469,222.84 and authorized the issuance of special emergency notes to fund such appropriations pursuant to N.J.S.A. 4-55; and

WHEREAS, the Borough adopted resolution 54-2013 authorizing a special emergency appropriation pursuant to N.J.S.A. 40A:4-54 on December 3, 2012 appropriating an additional \$190,000.00 to cover additional extraordinary expenses related to the Super Storm Sandy State of Emergency for total appropriations of \$ 4,659,222.84 and authorized the issuance of special emergency notes to fund such appropriations pursuant to N.J.S.A. 4-55; and

WHEREAS, additional 2013 costs associated to the Super Storm Sandy State of Emergency for the following amounts:

SOLID WASTE	\$300,000
LANDFILL COSTS	\$300,000
SHADE TREE	\$ 50,000
TOTAL	\$650,000

Total amount of all special emergency resolutions	\$ 5,309,222.84
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WHEREAS, the emergency appropriation shall be provided for in the budgets of the next succeeding years beginning in 2013 by the inclusion of not less than \$1,061,844.56 (must be at least one fifth of the total amount) for the total of all special emergency resolutions or as otherwise permitted.

WHEREAS, that any amounts received by the Federal Emergency Management Agency (FEMA), State of New Jersey and other sources may reduce the impact by said amount.

WHEREAS, in order to fund these special emergency appropriations the Borough wishes to restate the authorization of the issuance of the special emergency notes pursuant to N.J.S.A. 40A:4-55 and to make certain determinations and authorizations with respect thereto; now therefore,

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY in accordance with the provisions of N.J.S.A. 40A:4-55 (with not less than two thirds of the full membership thereof affirmatively concurring) as follows:

1. The prior resolutions are hereby amended to provide for an additional emergency appropriation as follows:

SOLID WASTE	\$300,000
LANDFILL COSTS	\$300,000
SHADE TREE	<u>\$ 50,000</u>
TOTAL	\$650,000

Total amount of all special emergency resolutions	\$ 5,309,222.84
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2. The emergency appropriation shall be provided for in the budgets of the next succeeding years by the inclusion of not less than \$1,061,844.56 (must be at least one fifth of the total amount) for the total of all special emergency resolutions or as otherwise permitted.
3. That any amounts received by the Federal Emergency Management Agency (FEMA), State of New Jersey and other sources may reduce the impact by said amount.
4. That an "emergency note", not in excess of the amount authorized pursuant to law, be provided.
5. That such note shall be executed by Joseph Delorio, Chief Financial Officer.
6. That said note shall be dated as determined by the Chief Financial Officer and may be renewed from time to time provided that such note and any renewals shall mature and be paid

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in the amount of not less than one-fifth or one-third of the total amount appropriated by this resolution in each year after the authorization.

7. That the statement required by the Local Finance Board has been filed with the Clerk and a copy will be transmitted to the Director of the Division of Local Government Services.
8. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services; however, no approval is required from the Division.
9. The Borough is authorized to issue the special emergency notes in the amount of \$5,309,222.84 pursuant to N.J.S.A. 40A:4-55 to fund the emergency appropriations described above.

The following matters in connection with the notes are hereby determined.

(a) All notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date;

(b) All notes issued hereunder shall bear interest at such rate or rates as may be determined by the Chief Financial Officer;

(c) The notes shall be in the form determined by the Chief Financial Officer and the Chief Financial Officer's signature upon the notes shall be conclusive as to such determination;

(d) Notes issued hereunder may be renewed from time to time, provided, however, that at least 1/5 of all such notes and renewals thereof shall mature and be paid in each year so that all notes and renewals shall have matured and shall have been paid not later than the last day of the fifth year following the date of the emergency resolution, and the provisions of the Local Budget Law governing tax anticipation notes shall apply to the special emergency notes.

10. The Chief Financial Officer is hereby authorized and directed to determine all matters in connection with the notes not determined by this or a subsequent resolution, and the Chief Financial Officer's signature upon the notes shall be conclusive as to such determination.

11. The Chief Financial Officer is hereby authorized to sell the notes from time to time at public or private sale in such amounts as the Chief Financial Officer may determine at not less than par and to deliver them from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefore.

12. The Chief Financial Officer, in connection with other professionals of the Borough acting under the Chief Financial Officer's direction, is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document for the Borough, as it may be so updated from time to time, to be distributed in connection with the sale of obligations of the Borough. The Chief Financial Officer is hereby authorized to execute such disclosure document on behalf of the Borough.

13. Any instrument issued pursuant to this resolution shall be a general obligation of the Borough. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations.

14. The Borough hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the Notes, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Notes. The Borough does not intend to issue more than \$10,000,000 of tax-exempt obligations in calendar year 2013 that would count towards the limitation imposed by Section 265 of the Code and hereby designates the Notes as "bank-qualified" for purposes of Section 265 of the Code.

15. Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission, as amended and interpreted from time to time (the "Rule"), and provided that the Bonds are not exempt from the Rule and provided that the Bonds are not exempt

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from the following requirements in accordance with paragraph (d) of the Rule, for so long as the Bonds remain outstanding (unless the Bonds have been wholly defeased), the Borough shall provide for the benefit of the holders of the Bonds and the beneficial owners thereof:

(a) On or prior to 270 days from the end of each fiscal year, beginning December 31, 2012, electronically to the Municipal Securities Rulemaking Board's Electronic Municipal Market Access ("EMMA") system or such other repository designated by the SEC to be an authorized repository for filing secondary market disclosure information, if any, annual financial information with respect to the Borough consisting of the audited financial statements (or unaudited financial statements if audited financial statements are not then available, which audited financial statements will be delivered when and if available) of the Borough and certain financial information and operating data consisting of (1) Borough and overlapping indebtedness including a schedule of outstanding debt issued by the Borough; (2) the Borough's most current adopted budget; (3) property valuation information; and (4) tax rate, levy and collection data. The audited financial statements will be prepared in accordance with modified cash accounting as mandated by the State of New Jersey statutory principles in effect from time to time or with generally accepted accounting principles as modified by governmental accounting standards as may be required by New Jersey law in effect from time to time;

(b) If any of the following material events occur regarding the Bonds, a timely notice not in excess of ten (10) business days after the occurrence of the event shall be sent to EMMA:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TTB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
- (7) Modifications to rights of security holders, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution, or sale of property securing repayment of the securities, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the obligated person;
- (13) The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

For the purposes of the event identified in subparagraph (12) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an obligated person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the obligated person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the obligated person.

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(c) Notice of failure of the Borough to provide required annual financial information on or before the date specified in this resolution shall be sent in a timely manner to EMMA.

16. If all or any part of the Rule is not or ceases to be in effect for any reason, then the information required to be provided under this resolution, insofar as the provision of the Rule is not or is no longer in effect required the provision of such information, shall not or shall no longer be required to be provided.

17. The Chief Financial Officer shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of obligations of the Borough prior to their offering. Such officer is hereby authorized to enter into additional written contracts or undertakings to implement the Rule and is further authorized to amend such contracts or undertakings or the undertakings set forth in this resolution, provided such amendment is, in the opinion of nationally recognized bond counsel, in compliance with the Rule.

18. In the event that the Borough fails to comply with the Rule requirements or the written contracts or undertakings specified in this resolution, the Borough shall not be liable for monetary damages, remedy being hereby specifically limited to specific performance of the Rule requirements or the written contracts or undertakings therefore.

19. The Chief Financial Officer is authorized and directed to report in writing to the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this resolution is made, such report to include the amount, the description, the interest rate and the maturity of the notes sold, the price obtained and the name of the purchaser.

20. This resolution shall take effect immediately.

Mr. Delorio went over the resolution and the reason for the approval.

Council Member Mangan made a motion to approve this resolution, seconded by Council Member Sinneck. Motion carried by the following vote; "yes" Council Member Sinneck, Donovan, Olivera, Mangan and McCarthy, "no" none.

BUDGET INTRODUCTION & RELATED DOCUMENTS

Council Member Mangan and Mr. Delorio went over some highlights of the budget introduction.

Mr. Delorio presented a slide show of the budget and the impact that Super Storm Sandy has had on the budget. He went over the cuts that were made to the budget and the anticipated losses for the year. He also went over anticipated revenues.

Mr. Delorio read the summary of the budget for introduction.

Council Member Mangan made a motion to introduce the budget, seconded by Council Member Sinneck. Motion carried by the following vote; "yes" Council Member Sinneck, Donovan, Olivera, Mangan and McCarthy, "no" none.

CONSENT AGENDA

RESOLUTION

162-2012

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

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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, 2014, 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 163-2013

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that the Borough Clerk is hereby designated, authorized and instructed to issue and deliver the aforesaid Club License to the

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BPOE Manasquan Lodge 2534. This license is in effect until midnight, June 30, 2014, 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 164-2013

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, 2014, subject, however, to the following conditions:

- a. The licensee shall provide two (2) qualified uniformed security persons who shall be assigned to duty in the parking lot from the hours of 7:00 p.m. to 3:00 a.m. on those Fridays, Saturdays and holidays upon which the licensee shall be open for business.
- b. At any time the licensed premises offers live entertainment or amplified music, all doors shall remain closed except for access to and from the licensed premises and all windows shall be closed.
- c. No bottles or cans shall be dumped in the solid waste dumpster maintained by the license holder between the hours of twelve (12) midnight and seven (7) a.m.
- d. No live music at the licensed premises after 1:30 a.m.
- e. Alcoholic beverages may only be served in connection with the service of food to patrons seated at tables in Section "B" of the premises (see diagram attached). Alcoholic beverages shall be served only by waiters or waitresses.
- f. No permanent or portable service bar shall be located in Section "B".
- 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.

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- l. 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" 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 165-2013

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, 2014, 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 166-2013

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.

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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, 2014.

RESOLUTION 167-2013

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, 2013.

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, 2014, 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.

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- 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 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

168-2013

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

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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, 2014, 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 169-2013

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, 2014, 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 170-2013

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.

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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, 2014, 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 171-2013

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, 2014.

RESOLUTION 172-2013

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.

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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 PMB Enterprises, LLC, v/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, v/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 3, 2014, 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 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 $4\frac{1}{2}$ 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

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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 141-2013

WHEREAS, the Borough of Manasquan's Finance and Administration Committee is in the process of reviewing the administrative and purchase policy manual; and,

WHEREAS, with the advent of technology, the process in which purchase vouchers are reviewed and approved within state law and regulations can be streamlined saving personnel hours resulting saving tax dollars; and,

WHEREAS, the Borough Administrator/Chief Financial Officer / Qualified Purchasing Agent, in consultation with the Finance Department has recommend changes to the purchase payment process and the Borough's Finance and Administration Committee is desirous to implement these changes; and,

WHEREAS, the Finance and Administration Committee tested these changes and has found them effective and efficient,

NOW, THEREFORE BE IT RESOLVED on the 3rd day of June, 2013, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey amend and implement the following:

1. A payment of bills report listing all vouchers authorized for payment will be submitted to the Finance and Administration Committee for approval prior to the regular meeting of the Governing Body.
2. The report shall also accompany all purchase vouchers with details for individual inspection by the committee as needed.
3. The report shall contain the names of the committee members with a statement that the signatures certify the payment of bills report has been reviewed and authorize the Chief Financial Officer process the payment of bills in its entirety.

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4. In order for the timely processing of bills, the Mayor or his/her designee shall sign in lieu of any member of the committee who wishes to abstain from a particular bill(s), be absent from signing, wishes not to sign a particular bill(s) or refuses to sign the payment of bills report listing.
5. The payment of bills report shall be present in resolution form to the Governing Body of final approval and authorization to release payments.
6. The payment of bills report and accompanying vouchers shall be made available for public inspection at the meeting of the Governing Body in which a payment of bills resolution is scheduled for a vote of the same members.
7. When a conflict exists among the Finance and Administration Committee members as it relates to the signing of the payment of bills report, the following process shall be followed:
 - Any purchase voucher in question by a committee member shall inquire to the Chief Financial Officer.
 - If determined necessary by a majority of the committee, payment of said voucher will not be released until a majority of the committee determines that it is in the best interest that payment be released.
 - The Committee Chair shall determine the necessity of discussing said purchase voucher with the entire Governing Body.
 - The Governing Body shall have the authority to approve or overturn the decision of the committee regarding payment of bills at a meeting of the Governing Body as prescribed by State Law.
8. This resolution shall supersede the existing purchasing policy of the Borough of Manasquan as it pertains to the approval's process of bills by the Finance and Administration Committee and the Governing Body.
9. A certified copy of this resolution shall be provided to the Administrator, Chief Finance Officer, Qualified Purchasing Agent and Finance Department
10. This resolution shall take effect January 1, 2013.

**RESOLUTION
173-2013**

BE IT RESOLVED by the Borough Council of the Borough of

Manasquan, County of Monmouth, State of New Jersey, that the Mayor be authorized to sign
The State Local Cooperative Housing Inspection Program Agreement with the Bureau of
Housing Inspections to conduct State inspections during the period from July 1, 2013 to June 30,
2014.

**RESOLUTION
175-2013**

WHEREAS, the Borough of Manasquan is desirous of appointing Seasonal Beach
Employees for the Summer Season of 2013; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of
Manasquan, Monmouth County, New Jersey, on this 3rd day of June 2013 appoint the following
Seasonal Beach Employees to work during the Summer Season, 2013:

JUNE 3, 2013

Beach Patrol:	Address	Hourly Rate
Michael C. Smith	317 Main Street, South Amboy	\$8.50
Michael Tobin	1483 Samuel Drive, Wall	\$10.00

**RESOLUTION
176-2013**

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: ST OPENING REFUND SO#22/12
DEEP CREEK DR EMPTY LOT

**RESOLUTION
177-2013**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE
BOROUGH OF MANASQUAN, COUNTY OF
MONMOUTH, NEW JERSEY, APPOINTING LAUREN
RUSSNAK AS PART-TIME TEMPORARY VIOLATIONS
CLERK**

WHEREAS, the Borough of Manasquan is desirous of appointing a Seasonal Part-Time Violations Clerk for the Summer Season of 2013; and

NOW, THEREFORE BE IT RESOLVED on the 3th day of June, 2013, by the

Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New

Jersey as follows:

1. Lauren Russnak is appointed Temporary Part-Time Violations Clerk.
2. Salary rate shall be \$15.00 per hour.
3. The effective date of this appointment is June 3, 2013.
4. A certified copy of this resolution shall be sent to:

Lauren Russnak
1054 Audubon Drive
Toms River, NJ 08753

**RESOLUTION
178-2013**

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, that the resignation of Amy Gaudio, from the position of Temporary Assistant to the Borough Code Supervisor as of May 30, 2013 is hereby accepted.

JUNE 3, 2013

**RESOLUTION
179-2013**

**STATE OF NEW JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION GREEN
ACRES PROGRAM ENABLING RESOLUTION**

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Borough of Manasquan desires to further the public interest by obtaining a grant of \$280,000.00 from the State to fund the following projects:

1329-00-065-Manasquan Borough Open Space Acquisition

NOW, THEREFORE, the governing body/board resolves that George R. Dempsey Jr. or successor to the office of Mayor is hereby authorized to:

- (a) make application for such a loan and/or a grant,
- (b) provide additional application information and furnish such documents as may be required,
- (c) act as the authorized correspondent of the above named applicant;

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH OF MANASQUAN
THAT:**

- 1. The Mayor of the above named body or board is hereby authorized to execute an agreement and any amendment and any amendment thereto with the State known as Manasquan Borough Open Space Acquisition.
- 2. The applicant has its matching share of the project, if a match is required, in the amount of \$280,000.00
- 3. In the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;
- 4. The applicant agrees to comply with all applicable federal, state and local laws, rules, and regulations in its performance of the project.
- 5. This resolution shall take effect immediately.

**JUNE 3, 2013
RESOLUTION
180--2013**

WHEREAS, the through Executive Order 104 (October 27, 2012), the State of New Jersey declared a State of Emergency as a result of the impact of Super Storm Sandy and the aftermath; and

WHEREAS, the Borough of Manasquan had also declared a local State of Emergency; and,

WHEREAS, 60% of the community's housing stock was affected by flood, sand and wind damage from Super Storm Sandy; and,

WHEREAS, THE Borough of Manasquan beaches were severely damaged by the storm, including playground equipment; and,

WHEREAS, Jersey Cares Inc. has partnered with the BNP Paribas Bank for the renovations of the Sea Watch Building, DCI Recreation Building, Former Little League Building, Park Benches, etc.; and

WHEREAS, the Borough of Manasquan is desirously of these renovations; and,

NOW, THEREFORE BE IT RESOLVED on the 1st day of June 2013, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey the following:

1. Accepts the efforts of Jersey Cares Inc. and BNP Paribas Bank to volunteer labor and purchase materials and items to assist in the recovery from Super Storm Sandy.
2. Authorizes the Mayor and Borough Clerk to accept and sign contract agreements necessary from Jersey Cares and their affiliates.
3. The renovations will meet all local, state and federal regulations and guidelines.
4. A certified copy of this resolution shall be provided to the Zoning Officer and Construction Official.

**RESOLUTION
181-2013**

BE IT RESOLVED, that the Hon. George R. Dempsey, Jr., Mayor of the Borough of Manasquan, be and is hereby authorized to sign the Agreement Between The Borough of Manasquan and The Surf & Turf Truck Limited Liability Company for food concession at 95 Beachfront commencing from May 24, 2013 to September 8, 2013.

**RESOLUTION
182-2013**

BE IT RESOLVED, that the Hon. George Dempsey, Jr., Mayor of the Borough of Manasquan, be and is hereby authorized to sign the Hunter Technologies Support Agreement and Equipment Warranty for the Borough of Manasquan's phone system commencing from May 1, 2013 to April 30, 2014:

**RESOLUTION
183-2013**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE
BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW**

JUNE 3, 2013

**JERSEY, ESTABLISHING FEES FOR REPLACEMENT AND/OR
ADDITIONAL SEA WATCH BEACH SEASON PARKING
PERMITS AND LOCKER PERMITS**

WHEREAS, the Revised General Ordinances of the Borough of Manasquan establishes fees for Sea Watch Beach season parking permits and Sea Watch Beach season locker permits; and

WHEREAS, the Borough of Manasquan is cognizant of the fact that parking permits and/or locker permits may be lost or misplaced and that owners of a parking permit and/or locker permit may seek a replacement or additional permit from the Borough; and

WHEREAS, the Borough of Manasquan is desirous of establishing fees should permit holders seek a replacement permit or an additional permit(s) under the same permit number; and

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Manasquan on this 3rd day of June 2013 as follows:

1. There shall be a fee of \$25.00 for the issuance of any replacement Sea Watch Beach parking permit or Sea Watch Beach locker permit; and
2. There shall be a fee of \$25.00 for the issuance of any additional Sea Watch Beach parking permit or Sea Watch Beach locker permit under the same permit number.
3. This resolution will take effect immediately upon passage.

**BOROUGH OF MANASQUAN
RESOLUTION
185-2013**

WHEREAS, N.J.S.A. 40:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2013 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, amend the Temporary Budget as approved through Resolution 8-2013 and Resolution 123-13 with the following additional appropriations:

2013 TEMPORARY BUDGET AMMENDMENT

CURRENT BUDGET	Other Expenses
Administrative Other Expenses	3,000.00
Mayor and Council Other Expenses	150.00
Legal Other Expenses	7,000.00
Code Enforcement Other Expenses	1,000.00
Liability Insurance	33,384.66
Workman's Compensation Insurance	35,506.85
Group Health Insurance	82,225.88
Parks and Playground OE	2,000.00
Waterways	2,400.00
Utilities	9,000.00
Community Alliance Grant Match	9,500.00
Contractual – Mandated 911	5,720.24
Range Use - Howell	18.00
Interest on Bonds	5,185.33
Total Additional Temporary Current Budget Appropriations	<u>\$ 196,090.96</u>

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WATER/SEWER BUDGET	
Other Expenses	100,000.00
Payment of Bond Principal	2,361.88
Interest on Bonds	<u>13,753.12</u>
Total Temporary Budget Amendment -- Water/Sewer	<u>\$ 116,115.00</u>
BEACH BUDGET	
Other Expenses	150,000.00
Total Temporary Budget Amendment -- Beach	<u>\$ 150,000.00</u>

RESOLUTION
186-2013

**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

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. <u>Owner/Operator</u> | B. <u>Operator</u> : |
| 1) James Fisher – Mr. Taxi | 1) Islam Heikal- Heikal Taxi |
| 2) Mohamed Heikal – Heikal Taxi LLC. | 2) Craig Walzer – Squan Taxi |
| 3) Dieugrand Marcellus – D & M Taxi | 3) David Dalton – Squan Taxi |
| 4) Eugene Caprano – Caprano Taxi | 4) James Sweeney – Squan Taxi |
| 5) Clemente Martinez – Martinez | 5) Keith Collins – New Ocean |
| 6) John L. Case – Squan Taxi | 6) Timothy Russoniello - Able |

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 3rd day of June, 2013, 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
184-2013

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.

JUNE 3, 2013

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	46,997.18
Water/Sewer Fund	15,299.28
Beach Fund	6,665.54
General Capital Fund	2,604.68
Water/Sewer Capital Fund	65,528.00
Beach Capital Fund	455,391.06

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 Sinneck, Donovan, Olivera, Mangan and McCarthy, "no" none.

APPROVAL OF MINUTES

Budget Meeting Minutes February 23, 2013

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

Special Meeting Minutes February 23, 2013

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

Budget Meeting Minutes March 2, 2013 (Absent Donovan)

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

Work Session Minutes March 4, 2013 (Absent Mangan)

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

Regular Meeting Minutes March 4, 2013 (Abstain Mangan)

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

COMMITTEE REPORTS

Public Safety & Recycling – Council Member McCarthy reported on an update that he received from the Chief of Police on the arrests and tickets and that they are down compared to last year. He compared the last three years and the difference in the amount of summonses issued. He stated that taxis are not allowed to park in the streets of the Borough but are allowed to be parked over night on private property which includes driveways. He reported on the Shade Tree Committee and getting them back on track with elevations that has been contracted out. He touched on a shared services program with the county for tree elevations.

Parks & Public Property – Council Member Olivera commended the Manasquan citizens and Mayor and Council that participated in the Memorial Day Parade and he stated that he was proud to see the attendance this year. He reported on the docks and work to be done by Jersey Cares for the work to be done at Sea Watch, DCI building, Little League Shed, and the Boy Scout building.

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Administration and Finance Committee – Council Member Mangan stated that he has nothing to report at this time as it was all discussed earlier during the Budget Introduction. He read a brief article on the Red Cross and the money they have left from donations from Super Storm Sandy and that the Robin Hood Foundation distributed its entire relief fund amount within 4 months. He wanted to make sure that the residents are aware that there is still money available from the Red Cross for anyone who might need help.

Public Works Committee – Council Member Donovan stated that he has nothing to report at this time.

Law and Code Committee – Council Member Sinneck reported on the code/construction department permits and changes that are being made in that department.

Beach Committee – Council Member Donovan reported on behalf of Council Member Bossone. He went over beach revenue figures from the weekend and the total for the month of May compared to last year. He reported on the Third Avenue Parking lot repair, Inlet Bathrooms, Sea Watch Parking and Lockers.

AUDIENCE PARTICIPATION

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

Rich Bartholomew, 121 Lake Avenue inquired about resolution 179-2013 and stated that he was upset a lot by the way he was treated at the microphone. He stated that he also inquired about resolution 174-2013 which Mr. Delorio explained. He stated that he usually thanks the council after he speaks but not this time.

Mary Ryan, 113 Beachfront inquired about plumbing inspectors being backed up with work.

Council Member Sinneck explained the inspectors' schedules and how the inspectors are scheduled. He stated that he would look into it.

Bob Ferrante, 80 Ocean Avenue inquired about how the CDL number was derived.

Council Member Mangan stated that there is two ways that an award can be given. He stated that first you need to qualify and then once that happens up to 25% of operating expenses can be awarded and this is the maximum award that you can get and that is what the Borough received.

Kathy Lindemere, 321 Pine Avenue inquired about potholes and the Tischio case of a fall in a pothole.

Mayor Dempsey stated that there was not an award.

Council Member McCarthy stated that the Borough has insurance for claims like this one.

Marilyn Jacobson, 59 McLean advised that at 53 McLean the street is sinking after a street opening.

Council Member Donovan stated that he will have DPW look into.

Council Member Mangan made a motion to close audience participation, seconded by Council Member Sinneck. Motion carried unanimously.

Council Member Mangan made a motion to close the regular meeting at 9:03 p.m., seconded by Council Member Olivera. Motion carried unanimously.

Respectfully submitted,



Barbara J. Ilaria
Municipal Clerk

DATE APPROVED 10-7-13