

MARCH 21, 2011

A Work Session Meeting of Mayor and Council was convened at 7:00 p.m. on March 21, 2011 in Council Chambers of Borough Hall with Mayor Dempsey presiding.

Mayor Dempsey related that this meeting is being held in accordance with the Open Public Meetings Act of 1975 and that notice was given to the Coast Star and the Asbury Park Press on December 21, 2010.

ROLL CALL: Present: Council Members Connolly, Donovan, Grasso, Lee, Lucas and McCarthy

Absent: None

Also present was Borough Attorney James Kinneally and Borough Administrator/CFO Joseph Delorio

ITEM #1 Use of Borough Property:

***Sea Lavender Garden Club – Mother's Day Plant Sale – 5/7/11**

Council Member Connolly made a motion to approve this request, seconded by Council Member Lee. Motion carried unanimously.

***VFW Memorial Day parade – 5/30/11**

Council Member Connolly made a motion to approve this request, seconded by Council Member McCarthy. Motion carried unanimously.

***Marinero Beach Wedding – 4/30/11**

Mayor Dempsey stated that the wedding is to be held on First and Ocean on the Beach with six (6) chairs and an archway. There being no questions by Council,

Council Member Lee made a motion to approve this request, seconded by Council Member Connolly. Motion carried unanimously.

***Shore Point Fitness Beach Boot Camp – various Tuesdays & Saturdays**

Mayor Dempsey stated that the Boot Camp will run on various Tuesdays & Saturdays from April through October. He also stated that this event is in conjunction with Recreation.

Council Member Connolly stated that the group wants to use either the Inlet or Sea Watch and wanted to know if that decision has been made.

Mayor Dempsey stated that he is not sure which location the group wishes to use but the event can be approved with the understanding that it would be either the Inlet or Sea Watch.

The Municipal Clerk advised that she would follow up on the request.

Council Member Lucas made a motion to approve this request, seconded by Council Member Donovan. Motion carried unanimously.

***Reid Beach Wedding – 6/19/11 (held over from 3/7/11)**

Mayor Dempsey stated that this Use of Borough Property was carried over from the last meeting. He stated that there will be approximately 115 people and chairs. He asked Council Member Lee if he had any further information on this request.

Council Member Lee stated that he believes the policy has been that if it is on a beach day the property will not be roped off for the wedding.

The Municipal Clerk advised that a letter will go to the requestor advising them of the situation of the use of the beach and that there are no guarantees of the space available.

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Council Member Connolly made a motion to approve this request, seconded by Council Member Lee. Motion carried unanimously.

ITEM #2 34 Forest Avenue – Request to carry over street opening fee

Mayor Dempsey stated that this is a request to carry over a street opening fee that was paid for in 2009. He stated that the homeowner found that there was an underground oil tank and the street was never opened and he is looking to open the street now.

Council Member Lucas made a motion to approve this request, seconded by Council Member Grasso. Roll call was taken and the motion carried unanimously.

**ITEM #3 Acknowledge receipt of letter from Brielle/Manasquan Court Officer:
re: amendment to salary**

Mayor Dempsey suggested that this request go to the Administration and Finance Committee for review.

There was a discussion on which committee should handle this request Administration and Finance or Law and Code.

Council Member McCarthy stated that Council Member Grasso and himself are on both committees and that they will sit down with Council Member Connolly and go over the request.

Mayor Dempsey suggested that the committee review this request and report back to the Council at the next meeting.

ITEM #4: Planning Board – Amendment to Zoning Ordinance

Council Member McCarthy introduced Tom Carroll and Patrick Callahan who are part of the Planning Board Subcommittee. He went over the Report of the Planning Board Subcommittee dated March 21, 2011. This report covered W.F Sherman & Son Property, Cell Towers, Arcades, Microbreweries, Digital Illuminated Signs, Taxi Stands and Bus Passenger Stations, and Plantings in Right of Way.

Mayor Dempsey asked if Council has any more comments or questions. There being none he asked Council Member McCarthy to take this to the Planning Board and get their approval and then the Ordinance can be started.

ITEM #5 Review of Resolutions for Consideration at the Regular Meeting.

Mayor Dempsey asked if the Council has any questions with regards to the resolutions that are on the Consent Agenda.

Council Member Connolly stated that she has questions regarding the Budget.

Mayor Dempsey informed Council Member Connolly that is not a resolution.

Council member Connolly stated that it is on the Regular Meeting.

Mayor Dempsey asked Mr. Kinneally is that could be heard now.

Mr. Kinneally stated that it is on the Regular Agenda but it is not a resolution or an ordinance so it is up to the Mayor.

Mayor Dempsey asked the Council what they would like to do? He stated that the Budget shouldn't be discussed at this point because it is not a resolution or ordinance.

The Municipal Clerk made the Council aware that she received a phone call today and advised the resident that the discussion on the budget would be at the 8:00 p.m. meeting.

Council Member Grasso made a motion to discuss the Budget at this time, seconded by Council Member Connolly. Roll call was taken and the motion carried unanimously.

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Council Member Connolly stated that there are two (2) items that she would like to go over. One of them is to acknowledge a letter from the Library and the Library is asking the Council to re-consider the \$1,000 that was removed from the budget for the Library. She referred to a letter that was sent to the Borough earlier requesting no increase in their budget. She stated that the Library sent their financial statement to prove that the decrease of \$1,000 from the amount of \$134,537 would be a hardship to them. She stated that she believes that the \$1,000 be replaced in their budget.

Council Member Connolly made a motion that the \$1,000 be re-established in the Library Budget and that \$1,000 should be taken away from the following: \$500 from the Clerk's Office and \$500 from the Shade Tree Commission, there was not a second.

Mayor Dempsey stated that some of the numbers that the Borough has received from the Library are not true numbers. He stated that between 2008 and 2009 their money in the bank and assets and cash was \$221,000 in 2008 and at the end of 2009 it was \$230,000. He stated that according to these numbers the Library grew \$9,000 in a year in their surplus.

There was a discussion on what the Library reported to the Borough and what was actually on their tax returns.

Council Member Connolly stated that on January 30, 2010 the council voted to establish a new line for the Beach Department for water usage of \$2,000. She stated that in this year's budget it was not included.

Mayor Dempsey stated that there is an ordinance in affect that states the Beach does not pay for water usage. He advised that the ordinance exempts the Fire Companies, First Aid, Library and the Beach.

There was a discussion on what was discussed last year and what was actually followed up on.

Mayor Dempsey asked Mr. Bossone (former Council Member on the Beach Committee) to advise the Council on his memory on the Beach paying for water.

Mr. Bossone stated that Mr. Trengrove did not report to the Council that the water can not be charged because it was reported in the committee report.

Council Member Connolly stated that she never heard of that and she does not think that the Beach should be exempt because the amount of water that is being used.

Mr. Bossone stated that before the budget was introduced last year it was announced that the Beach could not be charged for water.

Mr. DeIorio stated that if the Governing Body wishes to allocate the \$2,000 into this year's budget and if the funds are not used it will revert back to surplus.

Mayor Dempsey stated that he believes that the Beach can not be charged for something that is an Ordinance that they don't get charged for. He stated that the Borough would be violating the ordinance.

Mr. DeIorio advised the Governing Body that the worksheets that were provided does have the \$2,000 allotment in there, but it was not decided how much or where it would be applied.

Mayor Dempsey asked Council if they had anything further to discussion. There being no response the Mayor moved on to the Committee Reports.

COMMITTEE REPORTS

Public Works Committee—Council Member Donovan deferred his report to the Regular Meeting.

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Public Property & Parks Committee – Council Member McCarthy deferred his report to the Regular Meeting.

Beach Committee – Council Member Lee deferred his report to the Regular Meeting.

Public Safety & Recycling Committee – Council Member Lucas deferred his report to the Regular Meeting.

Administration & Finance Committee – Council Member Connolly deferred her report to the Regular Meeting.

Law & Code Committee – Council Member Grasso deferred his report to the Regular Meeting.

Council Member Lucas requested that the Closed Session Resolution be amended to add Employee Concerns – Public Safety Dept.

AUDIENCE PARTICIPATION

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

Jack Drew, 23 Virginia Avenue commented on the Planning Board section of the ordinance having to do with Marquees, as founder of the Algonquin Arts Theatre they are anxious to attract patrons. He requested that Theatres be excluded from the restrictions on marquees so that with the technology improves and the price comes down it would be possible for the Theatre to have images that may be changed quite frequently because more information would be able to get out to the public.

Council Member McCarthy informed Mr. Drew that he will take it under advisement.

Fran Drew, 23 Virginia Avenue commented on the plantings in the right of way and suggested that maybe it could be considered plantings that do not impinge on the right of way because some people like to plant annuals or hosta that grow and do not impinge the right of way. She advised that there a few master gardens in town who could be a part of that committee.

Council Member McCarthy advised that he will take the comments back to the Planning Board Sub Committee.

Joe Bossone, 46 Ridge Avenue stated that 22-10 in the Code Book states “the following users receive water and sewer rates shall be exempt from paying rates and charges established under this section” in addition there is the Borough of Manasquan which he believes to be the Beach and the Manasquan Library. He wanted to know the amount of the referendum for the Library that the town supported.

Council Member Connolly stated that the approval of the referendum was for full funding, which at that time their initial request was \$115,000. She stated that in addition they were to be given a CPI every year thereafter and they were not.

Mr. Bossone asked as far as the money goes the amount that was approved back then was \$115,000.

Council Member Connolly stated that was what they requested.

Mr. Bossone asked if that was what the Library received.

Council Member Connolly stated \$115,000 in 2003.

Mr. Bossone stated that now it is \$134,000 and to say that the Council has not supported the Library since then is not being fair since it took a \$20,000 increase since then. He stated that he believes that to cut it back a little bit is only right with everything else that is being cut.

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Council Member Connolly stated that if you look at the CPI every year thereafter you would find that it was not supported.

Council Member Donovan made a motion to close the public portion of the work session meeting, seconded by Council Member McCarthy. Motion carried unanimously.

Council Member Donovan made a motion to close the work session meeting at 8:20 p.m., seconded by Council Member Lee. Motion carried unanimously.

The closed session portion of the minutes begins on the next page. The signature and approval date are located on the last page following the closed session meeting minutes.