

DRAFT #1 (05/28/10)

THE BOROUGH OF MANTOLOKING
MAYOR AND COUNCIL

MINUTES OF THE REGULAR BUSINESS MEETING
May 17, 2010

The regular monthly meeting of the Mayor and Council was held this day in the meeting room of Borough Hall with the following actions:

- 1. CALL TO ORDER:** Mayor Nebel called the meeting to order at 4:30 p.m.
- 2. OPEN PUBLIC MEETING STATEMENT:** Mayor Nebel read the following statement:
In compliance with the provisions of the New Jersey Open Public Meetings Act, adequate notice of this meeting of the Mantoloking Borough Council has been advertised in the manner provided by law.
- 3. ROLL CALL**
Present: Mayor George C. Nebel, Councilmen Steve Gillingham, Peter R. Strohm, Donald S. Ness, James J. Brown and Councilwoman Ann Elizabeth Nelson
Absent: Council President Stanley F. Witkowski

Also Present: Municipal Clerk Irene H. Ryan, Borough Attorney Edwin J. O'Malley, Jr., Chief Financial Officer Michelle Swisher and Police Chief Mark Wright
- 4. PLEDGE OF ALLEGIANCE:** The Mayor led the assembly in the Pledge of Allegiance.
- 5. PRIVILEGE OF THE FLOOR:** The Mayor opened the meeting for public comment and questions about the agenda.
- 6. MINUTES OF PREVIOUS MEETINGS:**
RESOLUTION NO. 05/17/2008 - 01: APPROVAL OF MINUTES
Councilwoman Nelson moved that the minutes of the Regular Meeting of April 19, 2010 be approved as distributed. The motion was seconded by Councilman Gillingham and approved by unanimous voice vote.

7. COMMITTEE REPORTS AND RECOMMENDATIONS

FINANCE COMMITTEE, COUNCILMAN WITKOWSKI (Absent)

A. Councilman Gillingham introduced Municipal Finance Officer Michelle Swisher who presented the monthly finance report.

B. **Action Items:**

Councilman Gillingham moved the following four (4) resolutions. The motion was seconded by Councilwoman Nelson and approved by unanimous voice vote

RESOLUTION NO. 05/17/2010 – 02: ACCEPTANCE OF THE REPORT OF THE MUNICIPAL FINANCE OFFICER March 31, 2010

WHEREAS, the Chief Finance Officer has presented a report on the status of the 2010 municipal budget as of March 31, 2010; and

WHEREAS, that report indicates the following status as of that date:

ACCOUNT	BUDGET	EXPENDED BALANCE YEAR TO DATE	ENCUMBERED	
2010 Current Year Appropriation	\$2,420,863.00	\$ 817,125.08 1,542,238.54	\$ 61,499.38	\$
2009 Appropriation Reserves	\$ 385,348.95	\$ 104,559.79 271,510.40	\$ 9,278.76	\$
Capital	\$1,071,939.99	\$ 166,957.07 904,982.92		\$

ACCOUNT	REVENUE THIS MONTH	REVENUE YEAR TO DATE
Cash Receipts	\$ 492,848.43	\$2,415,345.50

now, therefore, be it

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey accept the above referenced and summarized report and directs that a copy be attached to and made part of the minutes of this meeting.

RESOLUTION NO. 05/17/2010 – 03: PAYMENT OF BILLS FOR THE MONTH OF April 2010

WHEREAS, the Municipal Finance Officer has presented a list of bills in the total amount of **\$392,372.73** and recommended that they be paid, now, therefore, be it

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey approve payment of the above referenced bills and directs that a copy be attached to and made part of the minutes of this meeting.

RESOLUTION NO. 05/17/2010 – 04: REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87 – 2010 CLEAN COMMUNITIES GRANT

WHEREAS, NJS 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 was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Mantoloking in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2010 in the sum of \$4,000.00, which is now available from the State of New Jersey, Solid Waste Administration.

BE IT FURTHER RESOLVED, that the like sum of \$4,000.00 is hereby appropriated under the caption of 2010 Clean Communities Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from the State of New Jersey, Solid Waste Administration in the amount of \$4,000.00.

RESOLUTION NO. 05/17/2010 – 05: REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87, 2010 BODY ARMOR GRANT

WHEREAS, NJS 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 was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Mantoloking in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2010 in the sum of \$670.93, which is now available from the State of New Jersey, Division of Criminal Justice.

BE IT FURTHER RESOLVED, that the like sum of \$670.93 is hereby appropriated under the caption of 2010 Body Armor Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from the State of New Jersey, Division of Criminal Justice in the amount of \$670.93.

PUBLIC SAFETY COMMITTEE, COUNCILMAN GILLINGHAM:

A. Reports of the Public Safety Committee: Councilman Gillingham introduced Chief Wright who presented

the report of the Police Department. Councilman Gillingham concluded with the presentation of the reports of the Municipal Court, Fire Company and Emergency Management.

B. Action Items:

Councilman Gillingham moved the following seven (7) resolutions. The motion was seconded by Councilwoman Nelson and approved by unanimous voice vote.

RESOLUTION NO. 05/17/2010 – 06: APPOINTMENT OF PERSONNEL – SEASONAL/PART TIME HELP

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey approves the following appointments with the terms and conditions indicated:

Name	Position	Effective Date	Salary
Anderson, Jacquelyn	Beach Badge Checker	May 22, 2010	\$ 8.50/Hour
Britt, Lindsey	Beach Badge Checker	May 22, 2010	\$ 8.50/Hour
Caruso, Melanie	Beach Badge Checker	May 22, 2010	\$ 8.50/Hour
Colby, Amy	Beach Badge Checker	May 22, 2010	\$ 8.50/Hour
Coman, Tara	Beach Badge Sales	May 22, 2010	\$ 8.50/Hour
Cornejo, Flavia	Beach Badge Checker	May 22, 2010	\$8.50/Hour
Cox, Courtney	Beach Badge Checker	May 22, 2010	\$8.50/Hour
Daniels, Jessica	Beach Badge Checker	May 22, 2010	\$8.50/Hour
Gagnon, Alex	Beach Badge Checker	May 22, 2010	\$8.50/Hour
Hazelet, Hilary	Beach Badge Checker	May 22, 2010	\$8.50/Hour
Laboy, Casey	Beach Badge Checker	May 22, 2010	\$8.50/Hour
Lettier, Cory	Beach Badge Checker	May 22, 2010	\$8.50/Hour
Nieves, Ashley	Beach Badge Checker	May 22, 2010	\$8.50/Hour
Pearson, Laurelyn	Beach Badge Checker	May 22, 2010	\$8.50/Hour

Ryan, Rachel	Beach Badge Checker	May 22, 2010	\$8.50/Hour
Tressito, Dana	Beach Badge Checker	May 22, 2010	\$8.50/Hour
Walters, Morgan	Beach Badge Checker	May 22, 2010	\$8.50/Hour
Colby, Jeremy	Crossing Guard	May 22, 2010	\$8.50/Hour
Hansen, Chris	Special Class I Officer	May 22, 2010	\$9.50/Hour
Hulse, Scott	Special Class I Officer	May 22, 2010	\$9.50/Hour
Mason, Samuel	Special Class I Officer	May 22, 2010	\$9.50/Hour
Popaca, John	Special Class I Officer	May 22, 2010	\$9.50/Hour
Vitolo, Anthony	Special Class I Officer	May 22, 2010	\$9.50/Hour
Atkinson, Gloria	Special Class II Officer	May 22, 2010	\$13.00/Hour
Blakely, Shawn	Special Class II Officer	May 22, 2010	\$13.00/Hour
Gambarella, Ed	Special Class II Officer	May 22, 2010	\$13.00/Hour
Hahn, Karissa	Special Class II Officer	May 22, 2010	\$13.00/Hour
Popaca, Greg	Special Class II Officer	May 22, 2010	\$13.00/Hour
Puccio, Dominick	Special Class II Officer	May 22, 2010	\$13.00/Hour
Carver, Helen	Beach Badge Sales	May 27, 2010	\$9.00/Hour

RESOLUTION NO. 05/17/2010 – 07: SUSPENSION OF ENFORCEMENT OF TWO (2) HOUR TIME LIMIT PARKING ON BAY AVENUE FOR MANTOLOKING YACHT CLUB EVENTS

WHEREAS, the Mantoloking Yacht Club has requested that enforcement of two-hour time limit parking regulations on Bay Avenue be suspended on the following dates and times:

- | | |
|--|--|
| June 26, 2010, 8:00 a.m. to 5:00 p.m. | August 2, 2010, 8:00 a.m. to 5:00 p.m. |
| July 4, 2010, 8:00 a.m. to 4:00 p.m. | August 21, 2010, 7:00 p.m. to 11:00 p.m. |
| July 10, 2010, 8:00 a.m. to 5:00 p.m. | August 26, 2010, 4:00 p.m. to 9:00 p.m. |
| July 17, 2010, 7:00 p.m. to 11:00 p.m. | August 27, 2010, 8:00 a.m. to 5:00 p.m. |

And

WHEREAS, Chief Mark Wright has considered this request and will direct personnel not to enforce two (2) hour time limit parking on said dates, during the above listed events; and

WHEREAS, it is the desire of the governing body to grant the request and to endorse the Chief's determination.

IT IS NOW, THEREFORE, this 17th day of May, 2010, RESOLVED by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The suspension of enforcement of two (2) hour time limit parking, on Bay Avenue, during the following events is hereby approved and endorsed.

- | | |
|--|--|
| June 26, 2010, 8:00 a.m. to 5:00 p.m. | August 2, 2010, 8:00 a.m. to 5:00 p.m. |
| July 4, 2010, 8:00 a.m. to 4:00 p.m. | August 21, 2010, 7:00 p.m. to 11:00 p.m. |
| July 10, 2010, 8:00 a.m. to 5:00 p.m. | August 26, 2010, 4:00 p.m. to 9:00 p.m. |
| July 17, 2010, 7:00 p.m. to 11:00 p.m. | August 27, 2010, 8:00 a.m. to 5:00 p.m. |

2. All prohibited parking regulations will be enforced.

RESOLUTION NO.05/17/2010 – 08: APPROVAL OF AWARD OF CONTRACT FOR PURCHASE OF A LAW ENFORCEMENT VEHICLE

WHEREAS, the Borough Clerk advertised for sealed bids for the purchase of one (1), new, 2010 OR 2011 Chevrolet Tahoe 4x4 SSV Specifications Law Enforcement Vehicle.

WHEREAS, bids were publicly opened and read aloud at 4:00 p.m. on May 14, 2010 in the office of the Borough Clerk with the following results:

Bidder	Amount of Bid
<i>Municipal Equipment Enterprises, Egg Harbor Twp., NJ</i>	<i>\$28,317.10</i>
<i>Mall Chevrolet, Cherry Hill, NJ</i>	<i>\$28,250.00</i>

WHEREAS, the bid submissions have now been reviewed by the Borough Attorney, now therefore, be it **RESOLVED**, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey awards a contract in the amount of **\$28,250.00** for the furnishing of a new Chevrolet Tahoe 4x4 SSV Specifications Law Enforcement vehicle to Mall Chevrolet, Cherry Hill, New Jersey.

RESOLUTION NO. 05/17/2010 – 09: CONSIDER THE SALE OF MUNICIPAL SURPLUS PROPERTY – FIRE COMPANY VEHICLE

WHEREAS, the Council has authorized solicitation of buyers for the purchase of surplus personal property, to wit: One (1), used 1992 Chevrolet Van with long wheel base, VIN No: 2GAGG39KON4119962; and

WHEREAS, a minimum bid was set at \$5,000.00; and

WHEREAS, the bid return date was 3:30 p.m. on May 14, 2010 in the office of the Borough Clerk with the following results:

Bidder	Amount of Bid
<i>Robert Ferreira, Wall, New Jersey</i>	<i>\$3,228.00</i>
<i>Junk-4-Less, Orlando, Florida</i>	<i>\$12,850.00</i>

WHEREAS, the bid submissions have now been reviewed by the Borough Attorney, now therefore, be it **RESOLVED**, this 17th day of May, 2010, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The bid of Junk-4-Less, Orlando, Florida, the sum of \$12,850.00, is hereby accepted upon the following terms and conditions:

- (i) payment for and removal of the vehicle from Borough property shall be completed not later than seven (7) days from the date of this Resolution;
- (ii) payment shall be in cash or unendorsed bank check, payable to the order of the Borough of Mantoloking;
- (iii) the purchaser shall, upon delivery, accept the bill of sale or title document and shall execute and deliver to the Clerk a statement acknowledging that the sale is made on an “as is”, “where is” basis, without representations or warranties of any nature whatsoever. Title shall pass upon delivery of payment to the Borough.

RESOLUTION NO. 05/17/2010 – 10: APPROVED INTERLOCAL SERVICES AGREEMENT BETWEEN THE BOROUGH OF MANTOLOKING AND THE COUNTY OF OCEAN CONCERNING DRIVING WHILE INTOXICATED ENFORCEMENT PROGRAM IN 2010

WHEREAS, it is deemed to be in the public interest to participate in the Ocean County “Driving While Intoxicated Enforcement Program”; and

WHEREAS, to the extent officers of the Borough’s Police Department provide services under this Agreement, the County will provide compensation at the rate of \$62.70 per hour; and

WHEREAS, all the terms and conditions of the proposed Interlocal Service Agreement have been reviewed by counsel; and

WHEREAS, participation has been endorsed by the Chief of Police.

IT IS NOW, THEREFORE, this 17th day of May, 2010, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County New Jersey, that the Borough shall participate in the 2010 Interlocal Services Agreement and the Mayor and Clerk are authorized to execute the Agreement in the form annexed.

RESOLUTION NO. 05/17/2010 – 11: APPROVING AGREEMENT WITH POINT PLEASANT BEACH-MANTOLOKING SCHOOL DISTRICT AND CERTIFYING 2010-2011 SCHOOL LEVY TAX

WHEREAS, the proposed general fund tax levy for the base budget of the joint Point Pleasant Beach-Mantoloking School District was defeated by the voters at the annual school election and it became the responsibility of the municipal governing bodies of both municipalities to certify the annual taxes to the Ocean County Board of Taxation, and

WHEREAS, representatives of both municipalities have now consulted with the Board of Education as required by law and arrived at a mutually acceptable solution.

IT IS NOW, THEREFORE, this 17th day of May, 2010, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, that the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, hereby certifies \$10,483,546 as the general fund tax levy, which is to be raised in the merged school district for the support of the public schools during the 2010-2011 school year, inclusive of the amount to be raised in Mantoloking, \$93,466.39, and be it

FURTHER RESOLVED that the Mayor and Council endorse the specific line item reductions identified by representatives of the board of education and the municipalities as required by law

Salaries - School Sponsored Co/Extra Curr. Activities	11-401-100-100	\$79,005.00
Regular Programs - Instruction - Grades 6-8 – Salaries of Teachers	11-130-100-101	\$14,015.00
Regular Programs - Instruction - Grades 9-12 - Salaries of Teachers	11-140-100-101	\$10,548.00
Undistributed Exp. - Sal Non Instructional Aides	11-000-262-107	\$16,326.50
Student Transportation Services - Contracted Services	11-000-270-512	\$2,430.00
Regular Programs - Undistributed Instruction - Supplies	11-190-100-610	\$84,561.50
Tuition - <u>Additional Revenue</u> - Private Tuition	10-1300	\$45,289.00
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		\$252,175.00

and be it

FURTHER RESOLVED that a true copy of this Resolution shall be forwarded forthwith to the Ocean County Executive Superintendent of Schools.

RESOLUTION NO. 05/17/2010 – 12: INTRODUCTION OF ORDINANCE NO.587 – AMEND LAND USE ORDINANCE (DUMPSTER AND STORAGE UNIT CONTAINERS)

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey hereby adopts on first reading (title only) the following Ordinance:

ORDINANCE NO.587

AN ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR RESCISSION OF SECTION 30-4.14, TEMPORARY FACILITIES, CHAPTER XXX, LAND USE REGULATIONS, ORDINANCE 531, AND ADOPTION OF REVISED REGULATIONS FOR TEMPORARY FACILITIES

and be it

FURTHER RESOLVED, the attached Comprehensive Resolution of Introduction is hereby adopted, and be it **FURTHER RESOLVED**, that copies of all Ordinances introduced and all Resolutions adopted shall be maintained on file for public examination at the office of the Borough Clerk, published on the Borough's Website, www.mantoloking.org, and provided to anyone free of charge during regular business hours, M-F 8:30am – 4:30pm, and be it

FURTHER RESOLVED, the Borough Clerk advertises and takes all other steps required by law to conduct a public hearing on the proposed ordinance at the next regular business meeting of the Mayor and Council following introduction, absent Council's direction to the contrary upon introduction.

PUBLIC WORKS COMMITTEE, COUNCILWOMAN NELSON

A. Reports of the Public Works: Councilwoman Nelson presented the reports of the Public Works Superintendent, Construction Official and Land Use Officer.

C. Action Items:

Councilwoman Nelson moved the following resolution:

RESOLUTION NO. 05/17/2010 – 13: APPOINTMENT OF PERSONNEL – SEASONAL/PART TIME HELP

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey approves the following appointments with the terms and conditions indicated:

Name	Position	Effective Date	Salary
Popaca, John	Public Works Laborer	May 7, 2010	\$ 9.50/Hour

The motion was seconded by Councilman Strohm and approved by unanimous voice vote.

DUNE & BEACH RENOURISHMENT COMMITTEE, COUNCILMAN STROHM

A. Report of the Dune & Beach Renourishment Committee

B. Action Items: None

MANTOLOKING COMMITTEE, COUNCILMAN NESS

A. Councilman Ness: No reports of the Mantoloking Committee and the Environmental Commission were submitted.

B. Action Items:

2011 CENTENNIAL CELEBRATION PRESENTATION BY COUNCILMAN NESS AND WILLIAM TUBBS

Councilman Ness and Mr. William Tubbs unveiled the new edition the of the Borough flag. The flag commemorates the 2011 Centennial Celebration of the incorporation of the Borough of Mantoloking. The flags will be sold for the remainder of this year and in 2011 for \$75 for the large size and \$30 for the smaller flag.

MUNICIPAL SERVICES COMMITTEE, COUNCILMAN BROWN

- A. Councilman Brown: No reports of the Municipal Services Committee were submitted.
- B. Action Items:

Councilman Brown moved the following resolution:

RESOLUTION NO. 05/17/2010 – 14: OPPOSING ELIMINATION OF THE OCEAN COUNTY HAZARDOUS WASTE DISPOSAL PROGRAM

WHEREAS, residents of the Borough and all other municipalities in Ocean County have, for several years, relied upon the availability, in Ocean County, of facilities for safe and environmentally appropriate disposal of hazardous waste; and

WHEREAS, it appears that the Freeholders of Ocean County have determined that the expense of operation is not warranted due to budgetary constraints; and

WHEREAS, it appears that there are no local reasonably feasible legitimate alternatives for residents to dispose of the hazardous waste which is generated in Ocean County; and

WHEREAS, a significant portion of the hazardous waste stream may be directed to means and methods of disposal which are detrimental to the public health and to environmental conditions, including but not limited to contaminated soil and groundwater and the waters of Barnegat Bay; and

WHEREAS, the accumulation of such materials may, in the residential situation, endanger the well-being of children; and

WHEREAS, individual reliance upon remotely located service providers will be impractical and burdensome to the residents of Ocean County; and

WHEREAS, other counties are, in recognition of the environmental issues, continuing to provide facilities for proper disposal of hazardous materials.

IT IS NOW, THEREFORE, this 17th day of May, 2010, RESOLVED by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey as follows:

1. That the Freeholders Ocean County are hereby petitioned to reconsider and to reverse the decision to eliminate this vital service;
2. That a copy of this Resolution shall immediately be forwarded to the Freeholders of Ocean County and to the governing bodies of each municipality in the County.

The motion was seconded by Councilman Gillingham and approved by unanimous voice vote.

8. MAYOR AND COUNCIL COMMENTS

Mayor Nebel announced that a property tax reassessment project will be conducted in the fall of 2010. New property values will take effect January 2, 2011. Mayor Nebel reported that the gas main project on Ocean Avenue will be finished by June 30, 2010.

9. PUBLIC COMMENTS PERIOD

Three commentators asked questions and offered suggestions in regards to the sand dune system and pedestrian crossing of East Avenue to the South Beach Access.

10. NEXT MEETING Regular Council Meeting, June 21, 2010 @ 4:30 p.m.

11. ADJOURNMENT

There being no further business for this meeting, it was moved by Councilwoman Nelson to adjourn. The motion was seconded by Councilman Brown and was approved by unanimous voice vote at 4:52 p.m.

Respectfully submitted,

Irene H. Ryan, R.M.C.
Municipal Clerk

BY TITLE ONLY - FIRST READING
DATE OF INTRODUCTION: _____
DATE OF PUBLICATION: _____
DATE OF FINAL ADOPTION: _____

ORDINANCE NO. 587

**AN ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY,
NEW JERSEY, PROVIDING FOR RESCISSION OF SECTION 30-4.14, TEMPORARY
FACILITIES, CHAPTER XXX, LAND USE REGULATIONS, ORDINANCE 531, AND
ADOPTION OF REVISED REGULATIONS FOR TEMPORARY FACILITIES**

BE IT ORDAINED by the Mayor and Council of the Borough of Mantoloking,
Ocean County, New Jersey, as follows:

1. Section 30-4.14 is rescinded.
2. New Section 30-4.14, set forth below, is adopted.
3. Section 30-4.14 Temporary Facilities:

(a) Permits shall be obtained from the Land Use Officer for temporary placement of dumpsters, construction trailers, storage trailers, modular temporary storage units and sanitary waste facilities on any lot within the municipality.

(b) Prior to the placement of any temporary construction facility within the Borough, an application, with the required fee and a plan identifying the proposed location of the temporary facilities and the proposed duration of use, shall be submitted to the Land Use Officer for approval.

(c) Such facilities shall be placed within the building envelope whenever possible. In no event may any such facility be placed on sidewalks or other public property.

- (d) (i) It shall be the applicant's responsibility to maintain such facilities in a neat and sanitary condition at all times and so as not to become a nuisance to abutting or nearby property owners. The Land Use Officer may revoke the permit, after notice to the permit holder, if the facility is deemed to be a nuisance.
- (ii) Permits issued for modular temporary storage units shall expire 30 days following initial placement of the storage unit;
- (iii) All permits for temporary facilities shall be revocable by the Land Use Officer upon cessation of continuous construction activity or such other approved use, subject to terms and conditions of the approved permit.
- (iv) No temporary facility shall be utilized for habitation and shall not include plumbing, heating, cooling or electrical equipment or devices of any nature.
- (v) Any temporary structure which, in the opinion of the Construction Official or the Chief of Police, shall constitute a hazard to the safety of persons or property, shall be removed immediately, at the expense of the permit holder.
- (vii) Applicants for a temporary facility permit shall complete the application form and submit it to the Land Use Officer with their permit/application fee, \$25.00. Fees are not refundable.
- (e) No temporary facility may be used to mount a sign for any

advertising purpose. A temporary facility may include identification information which shall not exceed two and one-half (2.5 S.F.) square feet in size.

(f) No Certificate of Compliance shall be issued until all temporary facilities have been removed from the site.

4. Except as specifically amended herein, all other provisions of the Land Use Ordinance shall remain in full force and effect.

5. This Ordinance shall be effective upon final adoption.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed upon first reading at a regular meeting of the Mayor and Council for the Borough of Mantoloking, in the County of Ocean and State of New Jersey, held on May 17, 2010, and said Ordinance will be considered for final passage at the Borough Hall, Downer Avenue, Mantoloking, New Jersey, at 4:30 p.m. on June 21, 2010, or as soon thereafter as said matter may be reached, at which time and place all persons interested will be given an opportunity to be heard.

Irene H. Ryan, R.M.C.
Municipal Clerk