

**DRAFT #1 (05/11/11)**

**THE BOROUGH OF MANTOLOKING**  
**MAYOR AND COUNCIL**

**MINUTES OF THE REGULAR BUSINESS MEETING**  
**April 18, 2011**

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, Council President Donald S. Ness, Councilmen Steve Gillingham, Peter R. Strohm, Stanley F. Witkowski and Councilwoman Ann Elizabeth Nelson  
  
**Absent:** Councilman James J. Brown  
  
**Also Present:** Municipal Clerk Irene H. Ryan, Borough Attorney Edwin J. O'Malley, Jr., Chief Financial Officer Michelle Swisher and Police Lt. John Barcus
- 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. No comments were made.
- 6. MINUTES OF PREVIOUS MEETINGS:**  
**RESOLUTION NO. 04/18/2011 - 01: APPROVAL OF MINUTES**  
Councilwoman Nelson moved that the minutes of the Regular Meeting of March 21, 2011 be approved as distributed. The motion was seconded by Councilman Ness and approved by unanimous voice vote.

Council President Donald Ness moved the following resolution:

**RESOLUTION NO. 04/18/2011 – 02: APPRECIATION AND CONDOLENCE – Barbara Fisher Earle**

**WHEREAS**, Barbara Fisher Earle, a longtime resident and former Borough Official, died on April 7, 2011; and

**WHEREAS**, Barbara Fisher Earle, served as Borough Clerk from September, 1980 to October, 1986, and as a Member of the Board of Education (President 1987 to 1989); and

**WHEREAS**, she also was a Member of the Borough’s Centennial Celebration Committee; and

**WHEREAS**, she fulfilled all of her official duties in a competent and efficient manner; and

**WHEREAS**, she demonstrated sincere concern and desire to effectively assist all persons; and

**WHEREAS**, her engaging personality and keen sense of humor facilitated her services to the Borough; and

**WHEREAS**, she demonstrated great fortitude, courage and determination during adversity.

**IT IS NOW, THEREFORE**, this 18th day of April, 2011, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, that:

1. The public service of Barbara Fisher Earle is hereby acknowledged with sincere appreciation;
2. Her demonstrated strength of character was truly exemplary;
3. The Mayor and Council hereby convey their condolence to her family in recognition and appreciation for her service;
4. A true copy of this Resolution shall be delivered to her family.

The motion was seconded by Councilwoman Nelson and approved by unanimous voice vote.

## **7. COMMITTEE REPORTS AND RECOMMENDATIONS**

### **FINANCE COMMITTEE, COUNCILMAN WITKOWSKI**

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

**B. Action Items:**

Councilman Witkowski moved the following six (6) resolutions. The motion was seconded by Councilman Gillingham and approved by unanimous voice vote.

### **RESOLUTION NO. 04/18/2011 – 03: ACCEPTANCE OF THE REPORT OF THE MUNICIPAL FINANCE OFFICER February 28, 2011**

**WHEREAS**, the Chief Finance Officer has presented a report on the status of the 2011municipal budget as of February 28, 2011; and

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

<b>ACCOUNT</b>	<b>BUDGET</b>	<b>EXPENDED BALANCE YEAR TO DATE</b>	<b>ENCUMBERED</b>	
<b>2011 Current Year Appropriation</b>	<b>\$ 908,100.00</b>	<b>\$ 419,980.49 468,933.94</b>	<b>\$ 19,185.57</b>	<b>\$</b>
<b>2010 Appropriation Reserves</b>	<b>\$ 376,253.59</b>	<b>\$ 116,707.62 250,663.63</b>	<b>\$ 8,882.34</b>	<b>\$</b>
<b>Capital</b>	<b>\$1,201,518. 26</b>	<b>\$ 10,696.37 \$1,190,821.89</b>		

<b>ACCOUNT</b>	<b>REVENUE</b>	<b>REVENUE</b>
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	THIS MONTH	YEAR TO DATE
Cash Receipts	\$1,331,851. 96	\$2,008,652.52

**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. 04/18/2011 – 04: PAYMENT OF BILLS FOR THE MONTH OF April 2011**

*WHEREAS*, the Municipal Finance Officer has presented a list of bills in the total amount of **\$1,774,656.24** 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. 04/18/2011 – 05: TO ADOPT TEMPORARY EMERGENCY APPROPRIATIONS #2**

**WHEREAS**, N.J.S.A. 40A: 4-20 provides that an addition to temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the Governing Body may, by resolution adopted by 2/3 vote of the full membership thereof, make emergency temporary appropriations for any purpose for which the appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year.

**WHEREAS**, the total emergency temporary resolutions adopted in the year 2011 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A: 4-20) including this resolution total \$1,446,500.00.

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Mantoloking, that in accordance with the provisions of N.J.S.A. 40A: 4-20, the Chief Financial Officer be authorized to make the following emergency temporary budget appropriations in the 2011 current fund temporary budget and that said amounts be included under the correct headings in the municipal budget as adopted.

**BE IT FURTHER RESOLVED** that one certified copy of this resolution be filed with the Director of the Division of Local Government Services and one certified copy with the Chief Financial Officer.

<u>DEPARTMENT</u>	<u>S&amp;W</u>	<u>OE</u>
Celebration of Public Events		\$7,500.00
<b>TOTAL</b>		<b>\$7,500.00</b>
<b>GRAND TOTAL</b>	<b>\$7,500.00</b>	

**RESOLUTION NO. 04/18/2011 – 06: TO ADOPT A TEMPORARY CAPITAL BUDGET #2**

**WHEREAS**, the Borough of Mantoloking has not adopted its 2011 municipal budget and therefore has not adopted the 2011 Capital portion of that budget,

**WHEREAS**, the Borough of Mantoloking desires to constitute the 2011 Temporary Capital Budget of said municipality,

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the Borough of Mantoloking approve as follows:

**SECTION 1.** The 2011 Temporary Capital Budget of the Borough of Mantoloking is hereby constituted by the adoption of a schedule to read as follows:

<b>PROJECT</b>	<b>EST COST</b>	<b>CAPITAL IMPROV FUND</b>	<b>DEBT AUTHORIZED</b>	
Purchase of Radios	\$11,000.00	\$1,000.00	\$10,000.00	
<b>TOTAL</b>		<b>\$11,000.00</b>	<b>\$1,000.00</b>	<b>\$10,000.00</b>

**Section 2.** The Clerk be and is hereby authorized to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after adoption of these projects for 2011 Temporary Capital Budget, to be included in the 2011 Permanent Capital Budget as adopted.

**RESOLUTION NO. 04/18/2011 – 07: APPROVED THE REFUND OF HOMESTEAD REBATE CREDITS RESULTING IN A TAX OVERPAYMENT**

**WHEREAS**, the State of New Jersey has reimbursed funds attributable to the Homestead Rebate Credit per homeowner to the Borough of Mantoloking, and

**WHEREAS**, certain homeowners have already paid their 2<sup>nd</sup> quarter 2011 taxes and the Homestead Rebate has created an overpayment on their account, and

**WHEREAS**, the Borough of Mantoloking wishes to refund that balance back to the homeowner,  
**NOW THEREFORE BE IT RESOLVED**, that the Chief Financial Officer be authorized to refund the following:

<b>BLOCK/LOT</b>	<b>PROPERTY ADDRESS</b>	<b>REFUND NAME</b>	<b>AMOUNT</b>
Blk 23			
Lt 13	1045 Ocean Ave	John & Angela Jones	\$500.00
Blk 40			
Lt 16	1550 Ocean Ave	William Wesson	\$128.75

**RESOLUTION NO. 04/18/2011 – 08: INTRODUCED THE 2011 MUNICIPAL BUDGET**

**WHEREAS**, the Finance Committee has proposed a municipal budget for 2011, a complete copy of which is attached to the minutes of this meeting and is summarized as follows:

<b>SUMMARY OF REVENUES</b>	<b>2011 Anticipated</b>	<b>2010 Anticipated</b>
1. Surplus	\$ 618,254.00	\$ 618,254.00
2. Total Miscellaneous Revenue	496,808.93	578,331.52
3. Receipts from Delinquent Taxes	20,000.00	20,000.00
4. a) Local Tax for Municipal Purpose	2,920,355.73	2,868,038.33



Councilman Witkowski moved the following resolution:

**RESOLUTION NO. 04/18/2011 – 09: ADOPTION OF ORDINANCE NO. 596 – CAPITAL ORDINANCE, PURCHASE COMPUTER EQUIPMENT**

**WHEREAS**, on the 21<sup>st</sup> day of March, 2011, Ordinance No. 596 was introduced and passed upon first reading by title, only, and

**WHEREAS**, Ordinance No. 596 was published in The Ocean Star (newspaper) and on the Borough's Website, and

**WHEREAS**, on the 18<sup>th</sup> day of April, 2011 a public hearing on Ordinance No. 596 was held and no comments were made by the public, now, therefore, be it

**RESOLVED**, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, hereby adopt the following Ordinance:

**ORDINANCE NO. 596**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY,  
PROVIDING FOR PURCHASE OF COMPUTER EQUIPMENT AT A COST OF \$26,000.00,  
AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF  
\$24,000.00, AND APPROPRIATING THE SUM OF \$2,000.00 FROM THE CAPITAL  
IMPROVEMENT FUND FOR SAID PURPOSE**

BE IT ORDAINED by the Borough Council of the Borough of Mantoloking, in the County of Ocean, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), as follows:

**SECTION 1:** The improvement described in Section 3 of this Bond Ordinance is hereby authorized by the Borough of Mantoloking, County of Ocean and State of New Jersey. For the said purpose stated in said Section 3, there is hereby appropriated the sum of \$26,000.00, said sum being inclusive of all appropriations heretofore made for this purpose. There is also appropriated from the capital improvement fund of the Borough of Mantoloking the sum of \$2,000.00 as a down payment for the contemplated project.

**SECTION 2:** For the financing of said purpose and to meet the said \$26,000.00 appropriation, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$24,000.00 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements, the negotiable notes of the Borough in a principal amount not exceeding \$24,000.00 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law.

**SECTION 3:** (a) The purpose for which said obligations are to be issued is for the purchase of computer equipment.

(b) The estimated amount of bonds or notes to be issued for said purpose is \$24,000.00.

(c) The estimated cost to the Borough of said project is \$26,000.00.

**SECTION 4:** The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this Bond Ordinance is a general improvement and the cost thereof will be paid by the Borough of Mantoloking.

(b) The period of usefulness of said improvements within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this Bond Ordinance, is seven (7) years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the Office of the Borough Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough, as defined in said Law, is increased by the authorization of the bonds and notes provided in this Bond Ordinance by \$24,000.00, and the issuance of said obligations authorized by this Bond Ordinance will be within the debt limitations prescribed by Law.

(d) An aggregate amount not exceeding \$2,000.00 for interest on said obligations, cost of issuing said obligations and other items of expense listed in and permitted under Section 40A:2-20 of said Law may be included as part of the cost of said improvements, and is included in the foregoing estimate thereof.

(e) This Bond Ordinance authorizes obligations of the Borough solely for purposes described herein and said purposes are in the public interest and are for the health, welfare, convenience or betterment of the inhabitants of the Borough; the amounts to be expended for said purposes pursuant to this Bond Ordinance are not unreasonable or exorbitant and issuance of the said obligations will not materially impair the credit of the Borough or substantially reduce its ability to pay punctually the principal of and interest on its debts or to supply other essential public improvements and services.

SECTION 5: All funds received from any sources by way of grant, gift or otherwise for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations (Bonds and Notes) issued pursuant to this Ordinance. The amount of debt obligations authorized herein shall be directly reduced to the extent that the funds described herein are actually received.

SECTION 6: The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal and interest on the obligations authorized by this Bond Ordinance. Said obligations shall be direct, unlimited obligations of the Borough and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

SECTION 7: This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by said Local Bond Law. The motion was seconded by Councilwoman Nelson and approved by unanimous voice vote.

**PUBLIC SAFETY COMMITTEE, COUNCILMAN GILLINGHAM:**

**A. Reports of the Public Safety Committee:** Councilman Gillingham introduced Lt. Barcus who presented the report of the Police Department. Councilman Gillingham concluded with the presentation of the reports of the Municipal Court and Fire Company. No report was submitted by the Emergency Management Coordinator.

**B. Action Items:**

Councilman Gillingham moved the following two (2) resolutions. The motion was seconded by Councilwoman Nelson and approved by unanimous voice vote.

**RESOLUTION NO. 04/18/2011 – 10: 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:

<b>Name</b>	<b>Position</b>	<b>Effective Date</b>	<b>Salary</b>
David Gibson	Special Class I	May 1, 2011	\$9.50/Hour
John Popaca	Special Class II	May 1, 2011	\$13.00/Hour

**RESOLUTION NO. 04/18/2011 – 11: INTRODUCTION OF ORDINANCE NO. 601 – CAPITAL ORDINANCE, EMERGENCY MANAGEMENT RADIOS**

*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. 601**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR PURCHASE OF EMERGENCY MANAGEMENT RADIOS AT A COST OF \$11,000.00, AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$10,000.00, AND APPROPRIATING THE SUM OF \$1,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE**

*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](http://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 reports from the Public Works Superintendent, Construction Official and Land Use Officer.

**C. Action Items:**

Councilwoman Nelson moved the following two (2) resolutions. The motion was seconded by Councilman Ness and approved by unanimous voice vote.

**RESOLUTION NO. 04/18/2011 – 12: APPOINTMENT OF PERSONNEL – 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:

<b>Name</b>	<b>Position</b>	<b>Effective Date</b>	<b>Salary</b>
Patrick J. Callahan	Alternate Electrical Code Inspector	April 18, 2011	\$25.00/Hour

**RESOLUTION NO. 04/18/2011 – 13: INTRODUCTION OF ORDINANCE NO. 602 – AMEND CONSTRUCTION DEPARTMENT FEES**

*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. 602**

**AN ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, AMENDING CHAPTER 13 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MANTOLOKING, 2007 PROVIDING FOR CONSTRUCTION PERMIT FEES**

*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](http://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 HEARING:** Mayor Nebel opened the meeting to the public for a hearing on Capital Ordinances No. 595, 597, 598, 599 and 600. No comments were made.

Councilwoman Nelson moved the following five (5) resolutions. The motion was seconded by Councilman Gillingham and approved by unanimous voice vote.

**RESOLUTION NO. 04/18/2011 – 14: ADOPTION OF ORDINANCE NO. 595 – CAPITAL ORDINANCE, OLD BRIDGE STREET AND BAY AVENUE ROAD CONSTRUCTION**

**WHEREAS**, on the 21<sup>st</sup> day of March, 2011, Ordinance No. 595 was introduced and passed upon first reading by title, only, and

**WHEREAS**, Ordinance No. 595 was published in The Ocean Star (newspaper) and on the Borough's Website, and

**WHEREAS**, on the 18<sup>th</sup> day of April, 2011 a public hearing on Ordinance No. 595 was held and no

comments were made by the public, now, therefore, be it

**RESOLVED**, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, hereby adopt the following Ordinance:

**ORDINANCE NO. 595**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR OLD BRIDGE STREET AND BAY AVENUE ROAD CONSTRUCTION AT A COST OF \$240,000.00 AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$228,000.00, AND APPROPRIATING THE SUM OF \$12,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID**

**PURPOSE**

BE IT ORDAINED by the Borough Council of the Borough of Mantoloking, in the County of Ocean, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), as follows:

SECTION 1: The improvements described in Section 3 of this Bond Ordinance is hereby authorized by the Borough of Mantoloking, County of Ocean and State of New Jersey. For the said purpose stated in said Section 3, there is hereby appropriated the sum of \$240,000.00, said sum being inclusive of all appropriations heretofore made for this purpose. There is also appropriated from the capital improvement fund of the Borough of Mantoloking the sum of \$12,000.00 as a down payment for the contemplated project.

SECTION 2: For the financing of said purpose and to meet the said \$240,000.00 appropriation, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$228,000.00 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements, the negotiable notes of the Borough in a principal amount not exceeding \$228,000.00 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law.

SECTION 3: (a) The purpose for which said obligations are to be issued is for Old Bridge Street and Bay Avenue Road Construction.

(b) The estimated amount of bonds or notes to be issued for said purpose is \$228,000.00.

(c) The estimated cost to the Borough of said project is \$240,000.00.

SECTION 4: The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this Bond Ordinance is a general improvement and the cost thereof will be paid by the Borough of Mantoloking.

(b) The period of usefulness of said improvements within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this Bond Ordinance, is twenty (20) years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the Office of the Borough Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of

the State of New Jersey, and such statement shows that the gross debt of the Borough, as defined in said Law, is increased by the authorization of the bonds and notes provided in this Bond Ordinance by \$228,000.00, and the issuance of said obligations authorized by this Bond Ordinance will be within the debt limitations prescribed by Law.

(d) An aggregate amount not exceeding \$40,000.00 for interest on said obligations, cost of issuing said obligations and other items of expense listed in and permitted under Section 40A:2-20 of said Law may be included as part of the cost of said improvements, and is included in the foregoing estimate thereof.

(e) This Bond Ordinance authorizes obligations of the Borough solely for purposes described herein and said purposes are in the public interest and are for the health, welfare, convenience or betterment of the inhabitants of the Borough; the amounts to be expended for said purposes pursuant to this Bond Ordinance are not unreasonable or exorbitant and issuance of the said obligations will not materially impair the credit of the Borough or substantially reduce its ability to pay punctually the principal of and interest on its debts or to supply other essential public improvements and services.

SECTION 5: All funds received from any sources by way of grant, gift or otherwise for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations (Bonds and Notes) issued pursuant to this Ordinance. The amount of debt obligations authorized herein shall be directly reduced to the extent that the funds described herein are actually received.

SECTION 6: The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal and interest on the obligations authorized by this Bond Ordinance. Said obligations shall be direct, unlimited obligations of the Borough and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

SECTION 7: This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by said Local Bond Law.

**RESOLUTION NO. 04/18/2011 – 15: ADOPTION OF ORDINANCE NO. 597 – CAPITAL ORDINANCE, REPLACEMENT OF FIREHOUSE APRON**

**WHEREAS**, on the 21<sup>st</sup> day of March, 2011, Ordinance No. 597 was introduced and passed upon first reading by title, only, and

**WHEREAS**, Ordinance No. 597 was published in The Ocean Star (newspaper) and on the Borough's Website, and

**WHEREAS**, on the 18<sup>th</sup> day of April, 2011 a public hearing on Ordinance No. 597 was held and no comments were made by the public, now, therefore, be it

**RESOLVED**, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, hereby adopt the following Ordinance:

**ORDINANCE NO. 597**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR REPLACEMENT OF FIREHOUSE APRON AT A COST OF \$6,000.00, AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$5,000.00, AND APPROPRIATING THE SUM OF \$1,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE**

BE IT ORDAINED by the Borough Council of the Borough of Mantoloking, in the County of Ocean, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), as follows:

SECTION 1: The improvements described in Section 3 of this Bond Ordinance is hereby authorized by the Borough of Mantoloking, County of Ocean and State of New Jersey. For the said purpose stated in said Section 3, there is hereby appropriated the sum of \$6,000.00, said sum being inclusive of all appropriations heretofore made for this purpose. There is also appropriated from the capital improvement fund of the Borough of Mantoloking the sum of \$1,000.00 as a down payment for the contemplated project.

SECTION 2: For the financing of said purpose and to meet the said \$6,000.00 appropriation, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$5,000.00 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements, the negotiable notes of the Borough in a principal amount not exceeding \$5,000.00 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law.

SECTION 3: (a) The purpose for which said obligations are to be issued is for Replacement of Firehouse Apron.

(b) The estimated amount of bonds or notes to be issued for said purpose is \$5,000.00.

(c) The estimated cost to the Borough of said project is \$6,000.00.

SECTION 4: The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this Bond Ordinance is a general improvement and the cost thereof will be paid by the Borough of Mantoloking.

(b) The period of usefulness of said improvements within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this Bond Ordinance, is fifteen (15) years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the Office of the Borough Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough, as defined in said Law, is increased by the authorization of the bonds and notes provided in this Bond Ordinance by \$5,000.00, and the issuance of said obligations authorized by this Bond Ordinance will be within the debt limitations prescribed by Law.

(d) An aggregate amount not exceeding \$1,000.00 for interest on said obligations, cost of issuing said obligations and other items of expense listed in and permitted under Section 40A:2-20 of said Law may be included as part of the cost of said improvements, and is included in the foregoing estimate thereof.

(e) This Bond Ordinance authorizes obligations of the Borough solely for purposes described herein and said purposes are in the public interest and are for the health, welfare, convenience or betterment of the inhabitants of the Borough; the amounts to be expended for said purposes pursuant to this Bond Ordinance are not unreasonable or exorbitant and issuance of the said obligations will not

materially impair the credit of the Borough or substantially reduce its ability to pay punctually the principal of and interest on its debts or to supply other essential public improvements and services.

SECTION 5: All funds received from any sources by way of grant, gift or otherwise for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations (Bonds and Notes) issued pursuant to this Ordinance.

The amount of debt obligations authorized herein shall be directly reduced to the extent that the funds described herein are actually received.

SECTION 6: The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal and interest on the obligations authorized by this Bond Ordinance. Said obligations shall be direct, unlimited obligations of the Borough and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

SECTION 7: This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by said Local Bond Law.

**RESOLUTION NO. 04/18/2011 – 16: ADOPTION OF ORDINANCE NO. 598 – CAPITAL ORDINANCE, IMPROVEMENTS TO SANITARY SEWER SYSTEM FACILITIES**

**WHEREAS,** on the 21<sup>st</sup> day of March, 2011, Ordinance No. 598 was introduced and passed upon first reading by title, only, and

**WHEREAS,** Ordinance No. 598 was published in The Ocean Star (newspaper) and on the Borough's Website, and

**WHEREAS,** on the 18<sup>th</sup> day of April, 2011 a public hearing on Ordinance No. 598 was held and no comments were made by the public, now, therefore, be it

**RESOLVED,** the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, hereby adopt the following Ordinance:

**ORDINANCE NO. 598**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR IMPROVEMENTS TO SANITARY SEWER SYSTEM FACILITIES AT A COST OF \$10,000.00, AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$9,000.00, AND APPROPRIATING THE SUM OF \$1,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE**

BE IT ORDAINED by the Borough Council of the Borough of Mantoloking, in the County of Ocean, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), as follows:

SECTION 1: The improvements described in Section 3 of this Bond Ordinance is hereby authorized by the Borough of Mantoloking, County of Ocean and State of New Jersey. For the

said purpose stated in said Section 3, there is hereby appropriated the sum of \$10,000.00, said sum being inclusive of all appropriations heretofore made for this purpose. There is also appropriated from the

capital improvement fund of the Borough of Mantoloking the sum of \$1,000.00 as a down payment for the contemplated project.

SECTION 2: For the financing of said purpose and to meet the said \$10,000.00 appropriation, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$9,000.00 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements, the negotiable notes of the Borough in a principal amount not exceeding \$9,000.00 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law.

SECTION 3: (a) The purpose for which said obligations are to be issued is for Improvements to BTMUA.

(b) The estimated amount of bonds or notes to be issued for said purpose is \$9,000.00.

(c) The estimated cost to the Borough of said project is \$10,000.00.

SECTION 4: The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this Bond Ordinance is a general improvement and the cost thereof will be paid by the Borough of Mantoloking.

(b) The period of usefulness of said improvements within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this Bond Ordinance, is forty (40) years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the Office of the Borough Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough, as defined in said Law, is increased by the authorization of the bonds and notes provided in this Bond Ordinance by \$9,000.00, and the issuance of said obligations authorized by this Bond Ordinance will be within the debt limitations prescribed by Law.

(d) An aggregate amount not exceeding \$3,000.00 for interest on said obligations, cost of issuing said obligations and other items of expense listed in and permitted under Section 40A:2-20 of said Law may be included as part of the cost of said improvements, and is included in the foregoing estimate thereof.

(e) This Bond Ordinance authorizes obligations of the Borough solely for purposes described herein and said purposes are in the public interest and are for the health, welfare, convenience or betterment of the inhabitants of the Borough; the amounts to be expended for said purposes pursuant to this Bond Ordinance are not unreasonable or exorbitant and issuance of the said obligations will not materially impair the credit of the Borough or substantially reduce its ability to pay punctually the principal of and interest on its debts or to supply other essential public improvements and services.

SECTION 5: All funds received from any sources by way of grant, gift or otherwise for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations (Bonds and Notes) issued pursuant to this Ordinance. The amount of debt obligations authorized herein shall be directly reduced to the extent that the funds described herein are actually received.

SECTION 6: The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal and interest on the obligations authorized by this Bond Ordinance. Said

obligations shall be direct, unlimited obligations of the Borough and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

SECTION 7: This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by said Local Bond Law.

**RESOLUTION NO. 04/18/2011 – 17: ADOPTION OF ORDINANCE NO. 599 – CAPITAL ORDINANCE, FLAP VALVE PROGRAM**

**WHEREAS**, on the 21<sup>st</sup> day of March, 2011, Ordinance No. 599 was introduced and passed upon first reading by title, only, and

**WHEREAS**, Ordinance No. 599 was published in The Ocean Star (newspaper) and on the Borough's Website, and

**WHEREAS**, on the 18<sup>th</sup> day of April, 2011 a public hearing on Ordinance No. 599 was held and no comments were made by the public, now, therefore, be it

**RESOLVED**, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, hereby adopt the following Ordinance:

**ORDINANCE NO. 599**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR FLAP VALVE PROGRAM AT A COST OF \$11,000.00, SUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$10,000.00, AND APPROPRIATING THE SUM OF \$1,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE**

BE IT ORDAINED by the Borough Council of the Borough of Mantoloking, in the County of Ocean, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), as follows:

SECTION 1: The improvements described in Section 3 of this Bond Ordinance is hereby authorized by the Borough of Mantoloking, County of Ocean and State of New Jersey. For the said purpose stated in said Section 3, there is hereby appropriated the sum of \$11,000.00, said sum being inclusive of all appropriations heretofore made for this purpose. There is also appropriated from the capital improvement fund of the Borough of Mantoloking the sum of \$1,000.00 as a down payment for the contemplated project.

SECTION 2: For the financing of said purpose and to meet the said \$11,000.00 appropriation, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$10,000.00 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements, the negotiable notes of the Borough in a principal amount not exceeding \$10,000.00 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law.

SECTION 3: (a) The purpose for which said obligations are to be issued is for Flap Valve Program.

(b) The estimated amount of bonds or notes to be issued for said purpose is \$10,000.00.

(c) The estimated cost to the Borough of said project is \$11,000.00.

SECTION 4: The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this Bond Ordinance is a general improvement and the cost thereof will be paid by the Borough of Mantoloking.

(b) The period of usefulness of said improvements within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this Bond Ordinance, is forty (40) years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the Office of the Borough Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough, as defined in said Law, is increased by the authorization of the bonds and notes provided in this Bond Ordinance by \$10,000.00, and the issuance of said obligations authorized by this Bond Ordinance will be within the debt limitations prescribed by Law.

(d) An aggregate amount not exceeding \$2,000.00 for interest on said obligations, cost of issuing said obligations and other items of expense listed in and permitted under Section 40A:2-20 of said Law may be included as part of the cost of said improvements, and is included in the foregoing estimate thereof.

(e) This Bond Ordinance authorizes obligations of the Borough solely for purposes described herein and said purposes are in the public interest and are for the health, welfare, convenience or betterment of the inhabitants of the Borough; the amounts to be expended for said purposes pursuant to this Bond Ordinance are not unreasonable or exorbitant and issuance of the said obligations will not materially impair the credit of the Borough or substantially reduce its ability to pay punctually the principal of and interest on its debts or to supply other essential public improvements and services.

SECTION 5: All funds received from any sources by way of grant, gift or otherwise for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations (Bonds and Notes) issued pursuant to this Ordinance. The amount of debt obligations authorized herein shall be directly reduced to the extent that the funds described herein are actually received.

SECTION 6: The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal and interest on the obligations authorized by this Bond Ordinance. Said obligations shall be direct, unlimited obligations of the Borough and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

SECTION 7: This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by said Local Bond Law.

**RESOLUTION NO. 04/18/2011 – 18: ADOPTION OF ORDINANCE NO. 600 – CAPITAL ORDINANCE, CONSTRUCTION OF ADA WALKWAY #4**

**WHEREAS**, on the 21<sup>st</sup> day of March, 2011, Ordinance No. 600 was introduced and passed upon first reading by title, only, and

**WHEREAS**, Ordinance No. 600 was published in The Ocean Star (newspaper) and on the Borough's Website, and

**WHEREAS**, on the 18<sup>th</sup> day of April, 2011 a public hearing on Ordinance No. 600 was held and no comments were made by the public, now, therefore, be it

**RESOLVED**, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, hereby adopt the following Ordinance:

**ORDINANCE NO. 600**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR CONSTRUCTION OF ADA WALKWAY #4 AT A COST OF \$26,000.00, AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$24,000.00, AND APPROPRIATING THE SUM OF \$2,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE**

BE IT ORDAINED by the Borough Council of the Borough of Mantoloking, in the County of Ocean, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), as follows:

**SECTION 1:** The improvements described in Section 3 of this Bond Ordinance is hereby authorized by the Borough of Mantoloking, County of Ocean and State of New Jersey. For the said purpose stated in said Section 3, there is hereby appropriated the sum of \$26,000.00, said sum being inclusive of all appropriations heretofore made for this purpose. There is also appropriated from the capital improvement fund of the Borough of Mantoloking the sum of \$2,000.00 as a down payment for the contemplated project.

**SECTION 2:** For the financing of said purpose and to meet the said \$26,000.00 appropriation, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$24,000.00 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements, the negotiable notes of the Borough in a principal amount not exceeding \$24,000.00 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law.

**SECTION 3:** (a) The purpose for which said obligations are to be issued is for Construction of ADA Walkway #4.

(b) The estimated amount of bonds or notes to be issued for said purpose is \$24,000.00.

(c) The estimated cost to the Borough of said project is \$26,000.00.

**SECTION 4:** The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this Bond Ordinance is a general improvement and the cost thereof will be paid by the Borough of Mantoloking.

(b) The period of usefulness of said improvements within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this Bond Ordinance, is fifteen (15) years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the Office of the Borough Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough, as defined in said Law, is increased by the authorization of the bonds and notes provided in this Bond Ordinance by \$24,000.00, and the issuance of said obligations authorized by this Bond Ordinance will be within the debt limitations prescribed by Law.

(d) An aggregate amount not exceeding \$4,000.00 for interest on said obligations, cost of issuing said obligations and other items of expense listed in and permitted under Section 40A:2-20 of

said Law may be included as part of the cost of said improvements, and is included in the foregoing estimate thereof.

(e) This Bond Ordinance authorizes obligations of the Borough solely for purposes described herein and said purposes are in the public interest and are for the health, welfare, convenience or betterment of the inhabitants of the Borough; the amounts to be expended for said purposes pursuant to this Bond Ordinance are not unreasonable or exorbitant and issuance of the said obligations will not materially impair the credit of the Borough or substantially reduce its ability to pay punctually the principal of and interest on its debts or to supply other essential public improvements and services.

SECTION 5: All funds received from any sources by way of grant, gift or otherwise for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations (Bonds and Notes) issued pursuant to this Ordinance.

The amount of debt obligations authorized herein shall be directly reduced to the extent that the funds described herein are actually received.

SECTION 6: The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal and interest on the obligations authorized by this Bond Ordinance. Said obligations shall be direct, unlimited obligations of the Borough and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

SECTION 7: This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by said Local Bond Law.

**DUNE & BEACH RENOURISHMENT COMMITTEE, COUNCILMAN STROHM**

- A. Report of the Dune & Beach Renourishment Committee and Ocean County Block Grant Program
- B. Action Items: None

**MUNICIPAL SERVICES COMMITTEE, COUNCILMAN BROWN (Absent)**

- A. Councilman Brown will present the reports of the Municipal Services Committee.
- B. Action Items: None

**MANTOLOKING COMMITTEE, COUNCILMAN NESS**

- A. Councilman Ness will present the reports of the Mantoloking Committee and the Environmental Commission.
- B. Action Items: None

**8. MAYOR AND COUNCIL COMMENTS**

Mayor Nebel spoke about the Dune Ordinance and the Borough's intention to strictly enforce this ordinance. He commented on the recent beach dune violation letters sent to beachfront property owners. He stated that the Borough will extend the mandatory compliance date from thirty days to sixty days and that we will waive the installation of dune stairs on the east end of the dune until the spring storm season has passed. Mayor Nebel concluded with giving permission to Ms. Kevey Frantoni, a local landscaper, to use the extra sand at the east end of Downer Avenue to fill in where needed on her client's property.

**9. PUBLIC COMMENTS PERIOD**

One commentator spoke about beach dune violation letters.

**12. NEXT MEETING** Regular Council Meeting, Monday, May 16, 2011 @ 4:30 p.m.

**13. ADJOURNMENT**

There being no further business for this meeting, it was motioned by Councilwoman Nelson to adjourn. The motion was seconded by Councilman Strohm and unanimously approved by voice vote at 4:55 p.m.

Respectfully submitted,

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

ORDINANCE NO: 601

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,  
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR  
PURCHASE OF EMERGENCY MANAGEMENT RADIOS  
AT A COST OF \$11,000.00,  
AUTHORIZING THE ISSUANCE OF BONDS  
AND NOTES IN THE PRINCIPAL SUM OF \$10,000.00, AND APPROPRIATING  
THE SUM OF \$1,000.00 FROM THE CAPITAL IMPROVEMENT  
FUND FOR SAID PURPOSE**

BE IT ORDAINED by the Borough Council of the Borough of Mantoloking, in the County of Ocean, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), as follows:

SECTION 1: The improvements described in Section 3 of this Bond Ordinance are hereby authorized by the Borough of Mantoloking, County of Ocean and State of New Jersey. For the said purpose stated in said Section 3, there is hereby appropriated the sum of \$11,000.00, said sum being inclusive of all appropriations heretofore made for this purpose. There is also appropriated from the capital improvement fund of the Borough of Mantoloking the sum of \$1,000.00 as a down payment for the contemplated purchase.

SECTION 2: For the financing of said purpose and to meet the said \$11,000.00 appropriation, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$10,000.00 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements, the negotiable notes of the Borough in a principal amount not exceeding \$10,000.00 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law.

SECTION 3: (a) The purpose for which said obligations are to be issued is for the purchase of Emergency Management Radios.

(b) The estimated amount of bonds or notes to be issued for said purpose is \$10,000.00.

(c) The estimated cost to the Borough of said project is \$11,000.00.

SECTION 4: The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this Bond Ordinance is a general improvement and the cost thereof will be paid by the Borough of Mantoloking.

(b) The period of usefulness of said improvements within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this Bond Ordinance, is seven (7) years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the Office of the Borough Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough, as defined in said Law, is increased by the authorization of the bonds and notes provided in this Bond Ordinance by \$10,000.00, and the issuance of said obligations authorized by this Bond Ordinance will be within the debt limitations prescribed by Law.

(d) An aggregate amount not exceeding \$2,000.00 for interest on said obligations, cost of issuing said obligations and other items of expense listed in and

permitted under Section 40A:2-20 of said Law may be included as part of the cost of said improvements, and is included in the foregoing estimate thereof.

(e) This Bond Ordinance authorizes obligations of the Borough solely for purposes described herein and said purposes are in the public interest and are for the health, welfare, convenience or betterment of the inhabitants of the Borough; the amounts to be expended for said purposes pursuant to this Bond Ordinance are not unreasonable or exorbitant and issuance of the said obligations will not materially impair the credit of the Borough or substantially reduce its ability to pay punctually the principal of and interest on its debts or to supply other essential public improvements and services.

SECTION 5: All funds received from any sources by way of grant, gift or otherwise for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations (Bonds and Notes) issued pursuant to this Ordinance. The amount of debt obligations authorized herein shall be directly reduced to the extent that the funds described herein are actually received.

SECTION 6: The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal and interest on the obligations authorized by this Bond Ordinance. Said obligations shall be direct, unlimited obligations of the Borough and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

SECTION 7: This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by said Local Bond Law.

## **NOTICE**

NOTICE IS HEREBY GIVEN that the foregoing Bond Ordinance was introduced and passed upon first reading at a regular meeting of the Mayor and Council of the Borough of Mantoloking, in the County of Ocean and State of New Jersey held on the 18th day of April, 2011, and said Ordinance will be considered for final passage at the Borough Hall, Downer Avenue, Mantoloking, New Jersey at 4:30 p.m. on the 16<sup>th</sup> day of May, 2011, 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.

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IRENE H. RYAN, R.M.C.

**ORDINANCE NO. 602**

**AN ORDINANCE OF THE BOROUGH OF MANTOLOKING,  
OCEAN COUNTY, NEW JERSEY, AMENDING CHAPTER 13 OF THE  
REVISED GENERAL ORDINANCES OF THE  
BOROUGH OF MANTOLOKING, 2007  
PROVIDING FOR CONSTRUCTION PERMIT FEES**

**WHEREAS**, it is the desire of the Mayor and Council of the Borough of Mantoloking to amend the Construction Permit Fee Schedules set forth in sub-article 13-3 of Chapter 13.

Now, therefore, **BE IT ORDAINED** by the Borough Council of the Borough of Mantoloking, in the County of Ocean, State of New Jersey, that Chapter 13, Building and Housing, sub-article 13-3, Construction Permit Fees, is hereby amended as follows:

**13.3. Construction Permit Fees:**

**13-3.1 BUILDING SUBCODE FEES**

**BUILDING VOLUME OR COST: THE FEES FOR NEW CONSTRUCTION OR ALTERATION ARE AS FOLLOWS:**

a. Fees for new construction shall be based upon the volume of the structure. Volume shall be computed in accordance with N.J.A.C. 5:23-2.28. The new construction fee shall be in the amount of \$0.025 per cubic foot of volume for buildings and structures of all use groups and types of construction as classified and defined in Articles 3 and 4 of the Building Subcode; Except that the fee shall be \$0.013 per cubic foot of volume for use groups A-1, A-2, A-3, A-4, F-1, F-2, S-1 and S-2.

b. Fees for renovations, alterations, repairs, and site construction associated with premanufactured construction shall be based upon the estimated cost of the work. For \$1,000.00 or less, the fee shall be \$45.00. From \$1,001.00 to \$50,000.00 the additional fee shall be in the amount of \$20.00 per \$1,000.00.

From \$50,001.00 to and including \$100,000.00, the additional fee shall be in the amount of \$14.00 per \$1,000.00, for above \$100,000.00 the additional fee shall be in the amount of \$12.00 per \$1,000.00.

For the purpose of determining estimated cost, the applicant shall submit to the Construction Official such cost data as may be available produced by the architect or engineer of record, or by a recognized estimating firm, or by the contractor. A bona fide contractor's bid if available shall be submitted. The Construction Official shall make the final decision regarding estimated cost.

c. Fees for additions shall be computed on the same basis as for new construction for the added portion.

d. Fees for combination renovations and additions shall be computed separately in accordance with items (a) and (b) above.

e. For garden type utility sheds and similar structures not otherwise Exempt from permits at N.J.A.C.5:23-2.14(b)8.; Temporary structures, towers, fences greater than 6 feet in height, open decks not attached to a principal or accessory structure, and similar structures for which volume cannot be computed, the fee shall be \$50.00, except for sheds in excess of 100 square feet, where the fee shall be \$75.00.

f. The fee for roofing or siding in R-3 and R-4 uses shall be as set forth in sub-article b, above.

g. Swimming Pools:

In-Ground,	\$150.00
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### **13-3.2 PLUMBING SUBCODE FEES**

#### **PLUMBING FIXTURES AND EQUIPMENT:**

The fees shall be as follows:

a. For fixtures, pieces of equipment, hosebibs, vents, appliances connected to the plumbing system, and for appliances connected to the gas or oil piping system, except as listed in (b) below, \$20.00 for each.

b. Per specific device for the following:

Grease traps, oil separators, water cooled air conditioning units, refrigeration units, utility service connections, backflow preventers equipped with test ports (double check valve assembly, reduced pressure zone and pressure vacuum breaker backflow preventers), steam boilers, hot water boilers (excluding

those for domestic water heating), gas or fuel oil piping, sewer pumps, and interceptors \$75.00

**13-3.3 FIRE PROTECTION SUBCODE FEES:**

Fire protection and other hazardous equipment: Sprinklers, standpipes, detectors (smoke and heat), pre-engineered suppression systems, gas and oil fired appliances not connected to the plumbing system, kitchen exhaust systems and flues:

(a) The fee for sprinkler heads or detectors shall be as follows:

1 to 10 devices	\$ 50.00
11 to 20 devices	\$ 100.00
21 to 100 devices	\$ 150.00
101 to 200 devices	\$ 250.00
More than 200 devices	\$ 750.00

In computing fees for heads and detectors, the number shall be counted separately and two (2) fees, one (1) for heads and one (1) for detectors shall be charged.

(b) The fee for each standpipe shall be \$250.00

(c) The fee for each independent pre-engineered system shall be \$125.00

(d) The fee for each gas or oil fired appliance which is not connected to the plumbing system shall be \$ 75.00

(e) The fee for each kitchen exhaust system shall be \$ 85.00

(f) The fee for the installation of fuel tanks shall be:

Capacity under 600 gallons	\$ 100.00
Capacity over 600 gallons	\$125.00

**13-3.4 ELECTRICAL SUBCODE FEES:**

The fee shall be as follows:

(a) The fees for outlets (including lighting, wall switches, fluorescent fixtures, convenience receptacles or similar fixtures, and motors or devices of less than one (1) horsepower or one (1) kilowatt) shall be as follows:

Outlets 1 to 50 devices	\$ 70.00
Each additional 25 devices	\$ 15.00.

(b) The fees for service panels shall be as follows:

0 to 200 amps	\$ 70.00
201 to 400 amps	\$100.00
More than 400 amps	\$500.00

(c) The fees for transformers or generators shall be as follows:

1 kw to 10 kw	\$ 15.00
11 kw to 45 kw	\$ 50.00
46 kw to 112.5 kw	\$100.00
More than 112.5 kw	\$500.00.

(d) The fees for motors, except those in plug-in appliances, shall be counted, including control equipment, generators, transformers and all heating, cooking or other devices consuming or generating electric current shall be as follows:

1 hp to 10 hp	\$ 15.00
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11 hp to 50 hp	\$ 50.00
51 hp to 100 hp	\$ 100.00
More than 100 hp	\$ 300.00

(e) The fee for swimming pools shall be as follows:

In-ground	\$100.00
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(f) The fee for each of the following items shall be \$15.00:

Electric heater	Surface Units
Dishwasher	Heat Pump
Hot Tubs/Jacuzzi	Gas/Oil Heaters
Electric Dryer	Hot Water Heater
Range	Commercial Exhaust Fans
Oven	

(g) The fees for air conditioner feeders and disconnects shall be \$35.00.

**13-3.5 FEES APPLICABLE TO SECTIONS 13-1 TO 13-4.**

1. PLAN REVIEW FEE: The fee for plan review shall be 20 percent of the amount to be charged for a new construction permit.

2. THE BASIC CONSTRUCTION FEE shall be the sum of the parts computed on the basis of the volume or cost of construction, the number of plumbing fixtures and equipment, the number of electrical fixtures and devices, and the number of sprinklers, standpipes, and detectors (smoke and heat) at the unit rates provided herein plus any special fees.

3. CERTIFICATES AND OTHER PERMITS: The fees are as follows:

A. The fee for a demolition or removal permit including tanks, shall be \$200.00 for a structure of less than 5,000 square feet in area and less than 30 feet in height, for one or two family residences (Use Group R-3 of the Building Subcode), and structures on farms including commercial farm buildings under N.J.A.C.5:23-3.2(d), and \$200.00 for all other Use Groups.

- B. The fee for a Certificate of Occupancy shall be \$150.00.
- C. The fee for a temporary certificate of occupancy shall be \$50.00. Except where the full certificate of occupancy is paid at the time of the initial issuance of the temporary certificate.
- D. The fee for a renewal of a temporary certificate shall be \$25.00.
- E. For cross connections and backflow preventers that are subject to testing and require reinspection, the fee shall be \$75.00 for each device when they are tested;
- F. The fee for each construction permit issued for an asbestos abatement project shall be \$100.00.
- G. The fee for each Certificate of Occupancy issued following the successful completion of an asbestos abatement project shall be \$50.00.
- H. The fee for a permit for a lead hazard abatement project shall be \$150.00;
- I. The fee for a Lead Abatement Clearance Certificate shall be \$50.00.

13-3.6. All construction permit fees which are not specifically amended by this Ordinance shall remain in full force and effect.

13-3.7 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 of the Borough of Mantoloking, in the County of Ocean and State of New Jersey held on the 18th day of April, 2011, and said Ordinance will be considered for final passage at the Borough Hall, Downer Avenue, Mantoloking, New Jersey at 4:30 p.m. on the 16th day of May, 2011, 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.

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IRENE H. RYAN, R.M.C.

