

**DRAFT #2 (12/06/10)**

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

**MINUTES OF THE REGULAR BUSINESS MEETING**  
**November 22, 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, Council President Stanley F. Witkowski, Councilmen Steve Gillingham, Peter R. Strohm, Donald S. Ness, James J. Brown and Councilwoman Ann Elizabeth Nelson  
**Absent:** None  
  
**Also Present:** Municipal Clerk Irene H. Ryan, Borough Attorney Edwin J. O'Malley, Jr., Chief Financial Officer Michelle Swisher, Police Chief Mark Wright and Emergency Management Coordinator Robert S. McIntyre
- 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. 11/22/2010 - 01: APPROVAL OF MINUTES**  
Councilman Brown moved that the minutes of the Regular Meeting of October 18, 2010 be approved as distributed. 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 four (4) resolutions. The motion was seconded by Councilman Gillingham and approved by unanimous voice vote.

**RESOLUTION NO. 11/22/2010 – 02: ACCEPTANCE OF THE REPORT OF THE MUNICIPAL FINANCE OFFICER September 30, 2010**

**WHEREAS**, the Chief Finance Officer has presented a report on the status of the 2010 municipal budget as of September 30, 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	\$4,083,920. 03	\$2,769,235.47 1,249,182.82	\$ 65,501.74 \$
2009 Appropriation Reserves	\$ 385,348.95	\$ 128,932.55 256,416.40	\$ \$
Capital	\$1,643,939. 99	\$ 263,455.84 \$1,380,484.15	

ACCOUNT	REVENUE THIS MONTH	REVENUE YEAR TO DATE
Cash Receipts	\$ 147,325.94	\$7,247,784.75

**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. 11/22/2010 – 03: PAYMENT OF BILLS FOR THE MONTH OF NOVEMBER, 2010**

**WHEREAS**, the Municipal Finance Officer has presented a list of bills in the total amount of **\$5,937,817.92** 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. 11/22/2010 – 04: APPROVED INDEMNITY AND TRUST AGREEMENT FOR PARTICIPATION IN NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND (“NJIIF”)**

AGREEMENT made this 22<sup>nd</sup> day of November, 2010, between the New Jersey Intergovernmental Insurance Fund, hereinafter referred to as the “NJIIF”, with an address c/o Polaris Galaxy Insurance, LLC., 777 Terrace Avenue, Hasbrouck Heights, New Jersey 07604 and the Borough of Mantoloking hereinafter referred to as “Local Unit”, located at 202 Downer Avenue, Mantoloking, New Jersey.

**WHEREAS**, Local Unit has adopted a Resolution dated November 22, 2010, agreeing to participate in the NJIIF and approving the NJIIF’s Bylaws.

**WHEREAS**, N.J.S.A. 40A:10-36 ET seq, and the regulations implemented thereunder in N.J.A.C. 1:15-2.1 ET seq, require a written agreement between the NJIIF and its members.

**NOW, THEREFORE**, in consideration of the mutual promises and covenants contained herein, Local Unit and the NJIIF agree as follows:

1. Local Unit shall participate as a member of the NJIIF, shall abide the NJIIF's By-Laws (as same may, from time to time, be amended): and shall pay to the NJIIF such sums that may be assessed or charged to Local Unit as claim deductibles or program compliance fees (such assessments, charges and fees being individually and collectively referred to herein as "Assessments") by the NJIIF for Local Unit's participation in the following lines of coverage:

- a) Workers Compensation and Employers Liability Monoline
- b) General Liability (including Police Professional & Public Officials Liability);
- c) Motor Vehicle and Equipment Liability Coverage;
- d) Property Damage (including Building & Contents, Automobile Physical Damage, Contractors Equipment and Boiler & Machinery)
- e) Environmental Impairment Liability

2. Local Unit represents that it has not been in default on any insurance premium due any insurance carrier in the preceding two (2) years, or on any claim due under any self insurance.
3. Local Unit hereby accepts the Bylaws of the NJIIF and agrees to be bound by and comply with same.
4. Local Unit agrees to participation in the "NJIIF" to the extent designated in Paragraph 1 above for a period from January 1, 2011 until and including December 31, 2013 (hereinafter referred to as the "Term").
5. NJIIF agrees to operate the insurance pool established by the parties and administer all monies contributed to the NJIIF in compliance with the provisions of the Local Fiscal Affairs Law (N.J.S.A. 40A:5-1 et seq), the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq), the enabling legislation authorizing the NJIIF, (N.J.S.A. 40A:10-36 et seq), the Bylaws of the NJIIF, and such other rules and regulations as govern the custody, investment and expenditures of public funds by local units. In furtherance thereof, NJIIF agrees to employ an individual duly certified as a Municipal Finance Officer to administer the funds of the NJIIF.
6. Local Unit agrees to be jointly and severally liable for the assumption and discharge of the liabilities of each and every other member of the NJIIF, but only for the lines of coverage specifically designated in Paragraph 1 above.
7. Local Unit agrees to abide by all risk management and safety and loss control requirements and participate in all related programs as same may be directed by the NJIIF.
8. Local Unit acknowledges that upon payment of its Assessments to the NJIIF, it shall not have any further right to said funds except to the extent that same maybe declared as surplus and returnable by the NJIIF in accordance with the NJIIF's Bylaws and applicable law of the State of New Jersey, or in the event of termination of the "NJIIF", and then only to the extent authorized by the NJIIF's Bylaws and laws of the State of New Jersey.
9. Local Unit agrees that no later than ninety (90) days prior to the expiration of the Term, Local Unit shall serve the NJIIF Administrator via certified mail, with correspondence indicating its intent to either renew or terminate its membership in the NJIIF. The NJIIF, at its sole option, shall be entitled to conclude that if Local Unit fails to serve timely notice of termination, as set forth above; Local Unit's membership in the NJIIF shall be deemed renewed for a subsequent three year term. Written notice by Local Unit of its intent to "seek alternate insurance quotes" or similar language alone shall not constitute proper notice of termination as required under this section.
10. Local Unit agrees that if it fails to promptly pay any Assessment or to comply with the Bylaws and requirements of the NJIIF, that it shall indemnify the "NJIIF", its officers, commissioners and Agencies for any loss or damage resulting from such failure and shall be further obligated to pay the NJIIF all penalties, fines and interest due the NJIIF for any late or non payment.
11. This agreement shall be governed by the Laws of the State of New Jersey.

**RESOLUTION NO. 11/22/2010 – 05: PROVIDING FOR DESIGNATION OF PUBLIC WORKS MANAGER (LAURENCE GILMAN) AND QUALIFIED PURCHASING AGENT (IRENE H. RYAN, R.M.C.)**

**WHEREAS**, Laurence Gilman has provided public works management services for the past five (5) years; and

**WHEREAS**, it is the desire of the Mayor and Council to recognize his performance and to facilitate his continuing education by granting designation as “Public Works Manager”; and

**WHEREAS**, the designation is not an appointment to a term of office and does not involve any increase in compensation; and

**WHEREAS**, Irene H. Ryan, R. M. C. is completing courses required for designation as a Qualified Purchasing Agent; and

**WHEREAS**, it is deemed fiscally beneficial to the Borough to have a designated Qualified Purchasing Agent to enable the Borough to participate at higher bid contractual thresholds, while utilizing less expensive process and procedures; and

**WHEREAS**, the designation is not an appointment to a term of office and does not involve any increase in compensation.

**IT IS NOW, THEREFORE**, this 22nd day of November, 2010, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. Laurence Gilman is hereby designated as Public Works Manager;
2. Irene H. Ryan, R. M.C. is hereby designated as Qualified Purchasing Agent;
3. The foregoing designations are effective upon the adoption of this Resolution and completion of the required course work.

Councilman Witkowski moved the following resolution:

**RESOLUTION NO. 11/22/2010 – 06: INTRODUCTION OF ORDINANCE NO. 591-MANTOLOKING BOROUGH SALARY ORDINANCE**

*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. 591**

**AN ORDINANCE FIXING SALARY AND COMPENSATION OF CERTAIN OFFICERS, POSITIONS AND EMPLOYEES IN THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, TO BE KNOWN AS THE “MANTOLOKING BOROUGH SALARY ORDINANCE” AND RESCINDING ORDINANCE 561**

*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](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.*

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

**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 and Fire Company. No written report was submitted by the Emergency Management Coordinator

**B. Action Items:**

Councilman Witkowski moved the following resolution:

**RESOLUTION NO. 11/22/2010 – 07: AMEND PROPOSED ORDINANCE NO. 592 PRIOR TO INTRODUCTION**

**WHEREAS**, proposed Ordinance No. 592, Section 30-3.4, C15.1[new], requires a construction permit applicant to submit a parking plan for approval of a zoning permit; and

**WHEREAS**, this provision states that a zoning permit for a parking plan is restricted to all properties contiguous with N.J. Route 35 or Barnegat Lane; and

**WHEREAS**, the Mayor and Council desire to expand the requirements of Section 30-3.4, C15.1 [new].

**THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Mantoloking amend proposed Ordinance No. 592, Section 30-3.4, C15.1 [new] to include all roads in the jurisdiction of the Borough of Mantoloking.

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

Councilman Gillingham moved the following resolution to introduce Ordinance No. 592, as revised.

**RESOLUTION NO. 11/22/2010 – 08: INTRODUCTION OF ORDINANCE NO. 592 – AMENDMENT TO BOROUGH CODE, CHAPTER XXX, LAND USE FOR THE REQUIREMENT OF A PARKING PLAN FOR ALL NEW OR RENOVATION CONSTRUCTION**

*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. 592**

**AN ORDINANCE PROVIDING FOR AMENDMENT OF CHAPTER XXX, SECTION 30-3.4, C.15 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY**

*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](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.*

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

**PUBLIC WORKS COMMITTEE, COUNCILWOMAN NELSON**

**A. Reports of the Public Works:** Councilwoman Nelson will 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 unanimous by voice vote.

**RESOLUTION NO. 11/22/2010 – 09: APPROVED RELEASE OF SURETY BOND TO HERRINGTON BUILDERS, LLC**

**WHEREAS**, the Borough is the beneficiary of a Surety Bond posted by Herrington Builders, LLC in conjunction with the demolition of a single family home at property located at 1500 Runyon Lane; and

**WHEREAS**, the Construction Official, John Wardell, has advised that a final inspection has been completed, the debris has been completely cleared and it is appropriate to release the Bond at this time.

**IT IS NOW, THEREFORE**, this 22<sup>nd</sup> day of November, 2010, resolved by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The referenced Surety Bond posted by Herrington Builders, LLC in the amount of \$1,000.00 shall be released, forthwith;
2. All officials having jurisdiction in the matter shall take such action as may be necessary to implement this Resolution.

**RESOLUTION NO. 11/22/2010 – 10: APPROVED RELEASE OF SURETY BOND TO DAVID W. SCHUSLER**

**WHEREAS**, the Borough is the beneficiary of a Surety Bond posted by Davis W. Schusler in conjunction with the demolition of a single family home at property located at 921 Lagoon Lane; and

**WHEREAS**, the Construction Official, John Wardell, has advised that a final inspection has been completed, the debris has been completely cleared and it is appropriate to release the Bond at this time.

**IT IS NOW, THEREFORE**, this 22<sup>nd</sup> day of November, 2010, resolved by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

3. The referenced Surety Bond posted by David W. Schusler in the amount of \$1,000.00 shall be released, forthwith;
4. All officials having jurisdiction in the matter shall take such action as may be necessary to implement this Resolution.

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

**A. Report of the Dune & Beach Renourishment Committee and Ocean County Block Grant Program**

**B. Action Items:**

Councilman Strohm moved the following resolution:

**RESOLUTION NO. 11/22/2010 – 11: APPOINTMENT OF PERSONNEL – OCEAN COUNTY BLOCK GRANT PROGRAM LOCAL REPRESENTATIVE**

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

<i>Name</i>	<i>Position</i>	<i>Effective Date</i>	<i>Salary</i>
<i>Lawrence Plevier, P.E., Hatch, Mott, MacDonald</i>	<i>CDBG Local Representative</i>	<i>January 1, 2011</i>	<i>In accordance with approved contract</i>

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

Councilman Strohm moved the following resolution:

**RESOLUTION NO. 11/22/2010 – 12: INTRODUCTION OF ORDINANCE NO. 593-AMENDMENT OF BOROUGH CODE, PROVIDING FOR WAIVER OF BUILDING PERMIT FOR REPLACEMENT OF DUNE WALKWAYS AND STAIRS**

*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. 593**

**AN ORDINANCE PROVIDING FOR AMENDMENT OF CHAPTER XXX, SECTION 11-3.9 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR RECONSTRUCTION AND REINSTALLATION OF PERMITTED DUNE AREA STRUCTURES**

*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](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.*

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

**MUNICIPAL SERVICES COMMITTEE, COUNCILMAN BROWN**

- 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 announced that the Holiday Tree Lighting will take place on December 12, 2010 at 4:30 p.m. at Borough Hall. Refreshments will be served by the Mantoloking Fire Company immediately following the tree lighting.

**9. PUBLIC COMMENTS PERIOD**

Three (3) comments were made by the public concerning the U.S. Bill of Rights, electronic trash and Ordinance No. 592.

**10. NEXT MEETING** Regular Council Meeting, December 20, 2010 @ 4:30 p.m.

**11. 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 approved by unanimous voice vote at 5:00 p.m.

Respectfully submitted,

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

**ORDINANCE NO. 591**

**AN ORDINANCE FIXING SALARY AND COMPENSATION  
OF CERTAIN OFFICERS, POSITIONS AND EMPLOYEES  
IN THE BOROUGH OF MANTOLOKING,  
OCEAN COUNTY, NEW JERSEY, TO BE KNOWN AS THE  
“MANTOLOKING BOROUGH SALARY ORDINANCE”  
AND RESCINDING ORDINANCE 561**

**WHEREAS**, it is necessary and appropriate to set forth the salary and compensation ranges for all officers and employees of the Borough of Mantoloking;

Now, therefore, **BE IT ORDAINED** by the Borough Council of the Borough of Mantoloking, in the County of Ocean, State of New Jersey, as follows:

**SECTION 1:** The offices and positions under the municipal government of the Borough of Mantoloking shall be compensated at the amount fixed in this Ordinance.

**SECTION 2:** The Borough’s Chief Financial Officer is hereby authorized to transfer such sums of money from the Municipal Current Account and other such accounts that may permit periodical payrolls in the amounts fixed by this Ordinance.

**SECTION 3:** Officers and employees of the Borough of Mantoloking shall be compensated at the following rates:

<b><u>POSITION</u></b>	<b><u>SALARY RANGE</u></b>	
	<b><u>Minimum</u></b>	<b><u>Maximum</u></b>
Chief Financial Officer	\$ 40,000.00	\$ 90,000.00
Tax Assessor	\$ 9,000.00	\$ 25,000.00
Borough Clerk	\$ 41,000.00	\$ 100,000.00
Deputy Borough Clerk	\$ 17,000.00	\$ 50,000.00
Tax Collector (Full-Time)	\$ 10,000.00	\$ 30,000.00
Tax Collector (Part-Time)	\$ 25.00/hr	\$ 50.00/hr
Registrar of Vital Statistics	\$ 200.00	\$ 250.00

<b><u>POSITION</u></b>	<b><u>SALARY RANGE</u></b>	
	<b><u>Minimum</u></b>	<b><u>Maximum</u></b>
Qualified Purchasing Agent	\$ .00	\$ 5,000.00
Administrative Assistant	\$ 14,040.00	\$ 50,000.00
Clerical Help (hourly)	Min. Wage	\$ 25.00/hr
Council Meeting Recorder (per session)		\$40.00/session
Magistrate	\$ 8,000.00	\$ 25,000.00
Magistrate - Special Court Session	1/12th of annual salary	
Municipal Court Administrator	\$ 15,000.00	\$ 35,000.00
Deputy Municipal Court Administrator	\$10.00/hour	\$ 25.00/hour
Municipal Court Violations Clerk	\$100.00/Day	\$130.00/Day
Municipal Court Recorder (per session)		\$40.00/session
Municipal Court Personnel Call-Out Time (hourly)	-	
	Min. 3 hr. - not to exceed \$ 25.00 per hour	
Fire Official	\$ 2,000.00	\$ 4,000.00
Deputy Fire Official	Min. \$ 25.00/hr.	\$ 40.00/hr
Police Dispatcher	\$ 17,000.00	\$ 35,000.00
Police Salary Range (Full Time)	\$ 26,069.00	\$ 140,000.00
Special Police (hourly)	Min. Wage	\$ 25.00/hr
Beach Patrol (hourly)	Min. Wage	\$ 25.00/hr.
Police Recruit Trainees	Minimum hourly wage	
Zoning Officer	\$ 10,000.00	\$ 40,000.00
Municipal Planner	\$ 3,885.00	\$ 10,000.00
Dune Inspector	\$ 1,000.00	\$ 5,000.00
Planning Board Recorder (Hourly-Minimum 3 Hours), Not to Exceed	\$30.00/hr.	
Construction Official	\$ 6,500.00	\$ 25,000
Deputy Construction Official-(hourly)-	\$ 25.00/hr	\$ 40.00/hr
Deputy Building Subcode Official-(hourly)	\$25.00/hr.	\$ 40.00/hr.
Deputy Building Inspector-(hourly)	\$25.00/hr.	\$ 40.00/hr.

<u>POSITION</u>	<u>SALARY RANGE</u>	
	<u>Minimum</u>	<u>Maximum</u>
Fire Subcode Official	\$ 2,000.00	\$ 6,000.00
Plumbing Subcode Official	\$ 2,000.00	\$ 6,000.00
Electrical Subcode Official	\$ 2,000.00	\$ 6,000.00
Borough Superintendent	\$ 38,000.00	\$ 90,000.00
Assistant Borough Superintendent	\$ 35,000.00	\$ 65,000.00
Public Works Laborer (hourly)	\$ 9.00/hr	\$ 40.00/hr
Public Works Laborer (Full Time)	\$ 35,000.00	\$ 65,000.00
Public Works Building Custodian	\$ 5,000.00	\$ 20,000.00

**SECTION 4:** All salary or compensation provided for by this Ordinance shall be effective from the date of passage of this Ordinance, unless otherwise provided by the Borough Council.

Employees no longer employed by the Borough at the time of adoption of this Ordinance shall not be eligible for retroactive pay. Salaries shall not be paid to employees represented by any Union until such time as a Contract has been duly ratified and signed by both the Union and the Borough.

**SECTION 5:** Individual officer and employee compensation, within the salary range provided by this Ordinance, shall be fixed in accordance with duly adopted Resolution(s) of the Mayor and Council.

**SECTION 6:** All Ordinances or portions of Ordinances adopted prior to this date which are inconsistent with the provisions of this Ordinance, including but not limited to Ordinance 561 are hereby repealed.

**SECTION 7:** If any sentence, clause or other portion of this Ordinance is declared invalid by any court of law of appropriate jurisdiction, the remaining provisions of this Ordinance shall remain in full force and effect.

**SECTION 8:** This Ordinance shall become effective upon its final passage and publication as required by law.

**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 22<sup>nd</sup> day of November, 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 the 20<sup>th</sup> day of December, 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.

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IRENE H. RYAN, R.M.C.

BY TITLE ONLY - FIRST READING

DATE OF INTRODUCTION: \_\_\_\_\_

DATE OF PUBLICATION: \_\_\_\_\_

DATE OF FINAL ADOPTION: \_\_\_\_\_

**ORDINANCE NO. 593**

**AN ORDINANCE PROVIDING FOR AMENDMENT OF  
CHAPTER XXX, SECTION 11-3.9 OF THE REVISED GENERAL  
ORDINANCES OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY,  
NEW JERSEY,  
PROVIDING FOR RECONSTRUCTION AND REINSTALLATION OF  
PERMITTED DUNE AREA STRUCTURES**

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

1. Chapter XXX, Section 11-3.9 is hereby amended by addition of the  
following:

[New] Section 11-3.9.1:

The owner shall not be required to obtain a new Dune Area Permit for the reconstruction, repair or identical replacement of elevated walkways or dune stairs for which a permit was previously issued. At least ten (10) days prior to commencement of the construction, repair or replacement, the owner shall provide written notice of the proposed activity to the Dune Inspector and to the Borough Clerk by personal delivery or certified mail return receipt requested. The notice shall include the owner's certification that the structure(s) will be constructed and placed in compliance with the terms of the previously issued permit. A copy of the permit shall be attached to the notice. Absent timely objection by the Dune Inspector following his receipt of the proper notice, the owner may proceed. In the event that the Dune Inspector shall take exception to the proposed project,

no work shall commence until all issues are resolved. A building permit shall not be required for elevated walkways or dune stairs, new or replacement. The proposed construction, repair, modification or replacement of dune platforms shall require application for issuance of Dune Area Permit.

2. This Ordinance shall be in full force and effect 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 22nd day of November, 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 the 20<sup>th</sup> day of December, 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.

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Irene H. Ryan, R. M. C.