

7. **PUBLIC WORKS COMMITTEE**, Councilwoman Nelson will present reports from the Public Works Superintendent, Construction Official, and Land Use Officer and moves the following resolutions:

A. RESOLUTION: DEDICATION OF WILLIAM HECKMAN PUBLIC WORKS BUILDING

WHEREAS, William “Bill” Heckman, Borough Superintendent, retired in 2016 following 27 years of exemplary service to the Borough and its residents; and

WHEREAS, his pleasant and effective leadership, together with his unmatched skills have and continue to inure to the benefit of his fellow employees and the residents of the Borough of Mantoloking; and

WHEREAS, his leadership in the design and construction of the Public Works Building under his hand and at his direction are illustrative of his exceptional performance in the public interest; and

WHEREAS, it is the desire of the Mayor and Council to recognize and memorialize his contributions:

IT IS NOW, THEREFORE, this 18TH day of October, 2016, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The Mantoloking Public Works Building (Downer Avenue) shall be known as the

WILLIAM HECKMAN PUBLIC WORKS BUILDING.

2. This dedication shall be memorialized by appropriate signage placed and maintained on the Public Works Building.

PUBLIC HEARING ORDINANCE: Mayor George C. Nebel will open the meeting to the public on Ordinance No. 660

B. RESOLUTION: PROVIDING FOR THE ADOPTION OF ORDINANCE NO. 660 AMENDING CHAPTER XXX, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MANTOLOKING, LAND USE REGULATIONS

WHEREAS, on this 18th day of October, 2016, a public hearing on Ordinance No. 660 was held, now, therefore, be it

RESOLVED, The Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey hereby adopts the following ordinance.

Sponsored by: Councilwoman Beth Nelson

Date Introduced: September 20, 2016

Public Hearing: October 18, 2016

& Adoption: Land use changes

Synopsis:

ORDINANCE NO. 660

**AN ORDINANCE OF THE BOROUGH OF MANTOLOKING,
OCEAN COUNTY, NEW JERSEY, AMENDING CHAPTER XXX,
OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF
MANTOLOKING, LAND USE REGULATIONS**

is hereby introduced, by title only, First Reading. The Ordinance will be considered for final adoption following publication and a public hearing, on Tuesday, October 18, 2016, at 5:30 p.m.

BE IT ORDAINED as follows:

1. Appendix B - Bulk Standards (Zoning Chart), is hereby amended as follows:

Delete: ~~Second Floor Habitable Area to First Floor Habitable Area~~

~~Ratio.~~

~~-6See Land Use Ordinance for definition of Footprint Area.~~

Insert: Second Habitable Floor to First Habitable Floor Ratio.

2. Article 30-2.2 – Definitions, Accessory is hereby amended as follows:

(i) Delete: ~~ACCESSORY BUILDING—A building or structure subordinate to and customarily incidental to the principal building or structure on the same lot. Where an accessory building is attached to the principal building by a habitable area, the accessory building shall be considered a part of the principal building. A habitable area shall be a fully enclosed space with a roof, sides and floor; a mere enclosed passageway shall not constitute a habitable area. Accessory buildings in "V" zone areas as defined on the Borough's Flood Insurance Rate Map (FIRM), with the exception of garages, may be constructed below the Base Flood Elevation provided that they meet FEMA Technical Bulletin 5-93. Garages shall also be defined as accessory structures and when constructed in a "V" zone, shall comply with guidelines established in FEMA Technical Bulletin 9-99.~~

Insert: ACCESSORY DETACHED BUILDING – A building or structure subordinate to and customarily incidental to the principal building or structure on the same lot. Where an accessory building is attached to the principal building ~~by a habitable area~~, the accessory building shall be considered a part of the principal building. ~~A habitable area shall be a fully enclosed space with a roof, sides and floor; a mere enclosed passageway shall not constitute a habitable area.~~ The detached structure may not become attached to the principal dwelling unless it conforms to the principal building setbacks and coverage requirements. Accessory buildings in "V" zone areas as defined on the Borough's Flood Insurance Rate Map (FIRM), with the exception of garages, may be constructed below the Base Flood Elevation provided that they meet FEMA Technical Bulletin 5-93. Garages shall also be defined as accessory structures and when constructed in a "V" zone, shall comply with guidelines established in FEMA Technical Bulletin 9-99.

(ii) Delete: ~~FOOTPRINT AREA~~—~~The area of a building and attached structures, measured at the first floor level, whether with or without walls or a roof.~~

(iii) Delete: ~~HABITABLE AREA~~—~~A fully enclosed space with a roof, floor and sides; a mere enclosed passageway shall not constitute a habitable area. Habitable area does not include garage, dedicated laundry and equipment rooms for heating, air conditioning, and pool filters or heaters. Cellars shall not be constructed or utilized for habitation.~~

(iv) Add: HABITABLE FLOOR Habitable Floor- A floor of the dwelling that is code compliant at the time of construction. It could include living space, mechanical spaces or rooms, elevators, laundry rooms, hallways and the like. A covered porch is included as part of the habitable floor. Open uncovered decks, exterior stairs, and exterior landings are not included in the Habitable Floor calculations. If parking is not

integrated underneath the first habitable floor, an attached garage must be two (2) stories tall for it to be considered part of the first habitable floor. The second story of an attached garage may be utilized for habitation.

(v) Delete: ~~LOT COVERAGE, TOTAL~~ — ~~The maximum lot area which may be covered by buildings, structure, areas under roofs, awnings or eaves, decks, swimming pools, or impervious areas. The total lot coverage for all lots in all zones is forty five (45%) percent. See subsection 30-6.7, Lot Area, and subsection 30-6.8c for calculation of total lot coverage in all zones.~~

Insert: ~~LOT~~ IMPERVIOUS COVERAGE, TOTAL – The maximum lot area which may be covered by buildings, ~~structure,~~ structures areas under roofs, awnings (as defined in Section 30:6.8b.1(d) above) or eaves, decks, swimming pools, or impervious areas. The total ~~lot~~ impervious coverage for all lots in all zones is forty-five (45%) percent. See subsection 30-6.7, Lot Area, and subsection 30-6.8c for calculation of total ~~lot~~ impervious coverage in all zones.

(vi) Add: PARTIAL DESTRUCTION — The demolition or destruction of a structure (regardless of whether the act was intentional or inadvertent) which results in no less than two (2) complete walls and a foundation remaining.

(vii) Add: PORCH — A structure that is attached to a building and extends from the walls of the dwelling. It may be enclosed, but must have a roof and/or ceiling and floor.

(vii) Delete: ~~TOTAL LOT COVERAGE~~ — ~~See Lot Coverage, Total.~~

Insert: TOTAL LOT COVERAGE — Total ~~Lot~~ Impervious Coverage – See Lot Impervious Coverage, total.

3. Article 30-4.10, Swimming Pools, is hereby amended as follows:

Delete: g. Pools shall not be included in the calculation of lot coverage. Total lot coverage including the pool may not exceed forty five (45%) percent of the total lot area. See subsection 30-6.8.

Insert: g. Pools shall not be included in the calculation of lot coverage. Total ~~lot~~ impervious coverage including the pool may not exceed forty-five (45%) percent of the total lot area. See subsection 30-6.8

4. Article 30-6.8, Lot Coverage, is hereby amended as follows:

Delete: e. ~~Total Impervious Lot Coverage for All Zones.~~ In all events, the maximum lot area which may be covered by buildings, structures, areas under roofs, awnings or eaves, decks, swimming pools, or impervious areas shall be forty five (45%) percent. This requirement shall apply to all lots in all zones within the Borough.

~~The total lot coverage percentage for all elements included in lot coverage under paragraph b., 1, (a) through (f) shall be added to the total percentage of lot coverage attributable to the eighty (80%) percent of areas covered by pavers [as set forth in paragraph b., 2] as well as elements excluded from lot coverage under paragraph b., 3(a) and (b) [i.e., decks which are more than eight (8) inches above existing grade and swimming pools]. The combined total may not exceed forty five (45%) percent.~~

Insert: c. ~~Total Impervious~~ Total Impervious Coverage for All Zones. In all events, the maximum lot area which may be covered by buildings, structures, areas under roofs, awnings or eaves, decks, swimming pools, or impervious areas shall be forty-five (45%) percent. This requirement shall apply to all lots in all zones within the Borough.

The total ~~lot~~ impervious coverage percentage for all elements included in lot coverage under paragraph b., 1, (a) through (f) shall be added to the total percentage of lot coverage attributable to the eighty (80%) percent of areas covered by pavers [as set forth in paragraph b., 2] as well as elements excluded from lot coverage under paragraph

b., 3(a) and (b) [i.e., decks which are more than eight (8) inches above existing grade and swimming pools]. The combined total may not exceed forty-five (45%) percent.

5. All provisions of Chapter XXX not specifically amended hereby shall remain in full force and effect.
6. This Ordinance shall be effective upon final adoption.

ROLL CALL VOTE:

8. FINANCE COMMITTEE, Councilman Gillingham will present the monthly finance report and moves the following resolutions:

A. RESOLUTION: ACCEPT THE REPORT OF THE MUNICIPAL FINANCE OFFICER

WHEREAS, the Chief Finance Officer has presented a report on the status of the 2016 temporary Municipal budget as of August 31, 2016; and

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

<u>ACCOUNT</u>	<u>ORIGINAL BUDGET</u>	<u>2016 ADOPTED BUDGET</u>	<u>EXPENDED</u>	<u>ENCUMBERED</u>	<u>BALANCE</u>
2016 Adopted Budget		5,794,080.20	4,280,764.10	54,593.28	1,458,722.82
2015 Appropriation Reserve	5,683,083.23	402,537.39	88,803.57	44,713.72	269,020.10
2012 Emergency Appropriations					
Sandy Emergency #1	2,000,000.00				
Sandy Emergency #2	2,000,000.00				
Sandy Emergency #3	3,100,000.00	834,812.90	139,851.03	18,193.70	676,768.17
Subtotal Sandy Emergency		834,812.90	139,851.03	18,193.70	676,768.17
Capital		7,522,809.40	1,032,357.68	0.00	6,490,451.72

B. RESOLUTION: PAYMENT OF BILLS

WHEREAS, the municipal finance officer has presented

- A list of bills in the amount of \$1,540,883.74 with the recommendation they be paid, and
- A list of bills in the amount of \$335,542.86 that have been paid with the approval of the municipal clerk and the mayor, now, therefore, be it

RESOLVED, the council approves the payment of all the bills and directs that a copy of these lists be attached to and made part of the minutes of this meeting.

C. RESOLUTION: APPROVING OF ITEMS OF REVENUE AND APPROPRIATION N.J.S.A. 40A:4-87- 2016 DRIVE SOBER OR GET PULLED OVER YEAR END HOLIDAY CRACKDOWN GRANT DECEMBER 9, 2016 -JANUARY 1, 2017

WHEREAS, N.J.S.A. 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 2016 in the sum of \$5,000.00, which is now available from the New Jersey Highway Traffic Safety Administration, 2016 Drive Sober or Get Pulled Over Year End Holiday Crackdown Grant.

BE IT FURTHER RESOLVED, that the like sum of \$5,000 is hereby appropriated under the caption of 2016 Drive Sober or Get Pulled Over Year End Holiday Crackdown Grant and shall be applied in compliance with the terms and conditions as set forth in the grant.

9. **PUBLIC SAFETY COMMITTEE**, Councilwoman Nelson will present the monthly reports of the Police Department, Municipal Court, Fire Company, and Emergency Management and moves the following resolutions:

A. RESOLUTION: POLICE ACADEMY RECRUITS SPECIAL LAW ENFORCEMENT OFFICER II (SLEO II)

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	Salary
Jeffrey Bruder	Police Academy Recruit SLEO II	Minimum Wage \$8.38 per hour (Dec 1-31 st) Effective January 1, 2017 Minimum Wage \$ 8.44 per hour
David Molhem	Police Academy Recruit SLEO II	Minimum Wage \$8.38 per hour (Dec 1-31 st) Effective January 1, 2017 Minimum Wage \$ 8.44 per hour
Logan LaRue	Police Academy Recruit SLEO II	Minimum Wage \$8.38 per- Currently Enrolled in Police Academy Effective January 1, 2017 Minimum Wage \$ 8.44 per hour

B. RESOLUTION: PROVIDING FOR AGREEMENT WITH POINT PLEASANT BEACH CONCERNING SHARED RADIO CHANNEL

WHEREAS, Chief Ferris has recommended that the interest of public safety and convenience will be advanced by the shared availability of 477.825 Mhz (Point Pleasant Beach Common/Interoperability Channel); licensed by the Borough of Point Pleasant Beach; and

WHEREAS, the Borough of Point Pleasant Beach will grant shared utilization upon the condition that it will be held harmless from costs, loss or expense arising from or based upon the use of such radio channel; and

WHEREAS, it is the desire of the Mayor and Council to utilize the offered enhanced communication potential.

IT IS NOW, THEREFORE, this 18TH day of October, 2016, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, that the Mayor is authorized to execute such Agreement as may be necessary to achieve the purposes of this Resolution in such substance as shall be endorsed by Chief Ferris and approved by counsel as to form.

10. DUNE & BEACH RENOURISHMENT COMMITTEE: Councilman Nelson will present the reports of the Dune & Beach Renourishment Committee and Ocean County Block Grant Program.

11. MUNICIPAL SERVICES COMMITTEE, Councilman White will present the report of the Municipal Services Committee.

12. **MANTOLOKING COMMITTEE** Councilman Laymon will present the report of the Mantoloking Committee.

13. **MAYOR AND COUNCIL COMMENTS**

14. **PUBLIC COMMENTS PERIOD**

15. **NEXT MEETING:**

Comcast Franchise Renewal Public Hearing will take place at the conclusion of this meeting at 6:00 p.m.

Regular Council Meeting, Tuesday, November 22, 2016 at 5:30 p.m. at the Mantoloking Yacht Club, 1224 Bay Avenue, Mantoloking, NJ

16. **ADJOURNMENT**