

**BOROUGH OF MANASQUAN AGENDA
APRIL 18, 2016 7:00 P.M.**

This Regular Meeting of the Mayor and Council of the Borough of Manasquan is called pursuant to the provisions of the Open Public Meetings Law. Adequate notice has been provided by transmitting the Resolution of Annual Meetings to the Asbury Park Press and the Coast Star, by posting it in the Borough Hall on a bulletin board reserved for such announcements, and by posting it on the official website of the borough. This agenda is complete to the extent known and formal action will be taken.

1. **Moment Silent Prayer**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Audience Participation – Limited to Agenda Items Only (time limit of 5 minutes)**
5. **Approval of Meeting Minutes:**
Regular Meeting Minutes – April 4, 2016
6. **Proclamations – Sarcoidosis
Arbor Day**
7. **Workshop Discussion:**
 - Item #1: Use of Borough Property**
 - Paint the Town Pink – Sea Watch Area/Beach – May 21, 2016 3-5 pm
 - Big Brothers/Sisters Volleyball Tourn. – September 11, 2016 Main Beach – 10 am -2 pm
 - Sea Lavender Club – Hancock Park Gazebo – June 29, 2016 – 8:30 am to 1:30 pm
 - Manasquan Turkey Run – November 11/19/16 – 10 am to 1 pm
 - Item #2: NJDOT Dredging Project - Update**
 - Item #3: COAH - Update**
8. **Consent Agenda:** These items will be enacted by one motion. If detailed deliberation is desired on any item, Council may remove that item from the consent agenda and consider it separately.
Resolutions:
 - 125-2016 Authorizing Mayor to Sign Certification Prohibiting Lobbying
 - 126-2016 Authorizing Execution of CDBG Project Agreement
 - 127-2016 Refund Planning Board Escrow - Various
 - 128-2016 Approving and Accepting NJDOT Dredging Project
 - 129-2016 Callahan v. Borough of Manasquan Settlement Agreement
 - 130-2016 Authorizing Bike Auction
 - 131-2016 Appointing Special Law Enforcement Officers Class I - Various
 - 132-2016 Accepting Resignation of Recreation Commission Member – Rice
 - 133-2016 Refunding Planning Board Escrow - Romano
 - 134-2016 Opposing NJNG Rate Hike
 - 135-2016 Payment of Bill
9. **Ordinances – First Reading and Introduction**
 - 2208-16 Amending Chapter 23 & 35 Streets/Sidewalks Driveway Dimensions
10. **Council Member’s Committee Reports**
11. **Audience Participation On Any Subject (comments limited to 5 minutes)**
12. **Executive (Closed):**
 - Item #1: Code/Construction Department – Personnel**
 - Item #2: Fair Sharing Housing v. Borough of Manasquan**
 - Item #3: Water Treatment Plant - Litigation**
13. **Adjournment**

**BOROUGH OF MANASQUAN
RESOLUTION
125-2016**

**CDBG BLOCK GRANT RESOLUTION
AUTHORIZING THE MAYOR TO SIGN
A CERTIFICATION PROHIBITING THE
USE OF FEDERAL FUNDS FOR LOBBYING**

WHEREAS, a certain federal funds are potentially available to Monmouth County through the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the United States Department of Housing and Urban Development has allocated funding to the County of Monmouth for FY 2014; and

WHEREAS, the County is making some of these funds available to certain participating municipalities and non-profit agencies; and

WHEREAS, it is required that the Borough of Manasquan execute a Project Agreement with Monmouth County to undertake a project known as ADA Roadway & Infrastructure Improvements; and

WHEREAS, the U.S. Department of Housing and Urban Development is requiring that the Mayor of the Borough of Manasquan sign additional certifications in order to receive these funds; and

WHEREAS, the Borough of Manasquan has adopted a policy prohibiting the use of excessive force by its law enforcement agency (police force) within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

WHEREAS, a copy of that policy is attached to and made part of this resolution; and

NOW THEREFORE BE IT RESOLVED, that the Borough of Manasquan has met the conditions of receiving a FY 2014 allocation by adopting a policy prohibiting the use of excessive force and by not using federal funds lobbying or by disclosing that funds have been used for lobbying.

BE IT FURTHER RESOLVED, that the Mayor of the Borough of Manasquan is hereby authorized to sign the attached certifications which will become part of the FY 2014 Project Agreement.

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, New Jersey, do hereby certify that the foregoing Resolution was duly adopted by the Borough Council at the April 18, 2016 meeting.

BARBARA ILARIA, RMC
Municipal Clerk

| | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|-------------------|------------|----------|-----|-----|---------|--------|
| LEE | | | | | | |
| WALSH | | | | | | |
| McCARTHY | | | | | | |
| OLIVERA | | | | | | |
| READ | | | | | | |
| MANGAN | | | | | | |
| ON CONSENT AGENDA | | | YES | NO | | |

**BOROUGH OF MANASQUAN
RESOLUTION
126-2016**

**COMMUNITY DEVELOPMENT BLOCK GRANT RESOLUTION
AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A PROJECT
AGREEMENT WITH MONMOUTH COUNTY FOR PERFORMANCE AND
DELIVERY OF FY 2014 COMMUNITY DEVELOPOMENT PROJECTS**

WHEREAS, certain federal funds are potentially available to Monmouth County through the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the County of Monmouth expects to receive an allocation for FY2014 from the United States Department of Housing and Urban Development; and

WHEREAS, the County of Monmouth has submitted its annual Plan for FY2014 to the U.S. Department of Housing and Urban Development, which included a project hereinafter referred to as ADA Roadway & Infrastructure Improvements with a grant allocation of \$146,091.00; and

WHEREAS, the Borough of Manasquan hereby met all the requirements for the release of funds to begin incurring costs for this project: and

WHEREAS, the Borough of Manasquan has filed with the Monmouth County Community Development Program as acceptable timetable for completion and expenditure of grants funds, which is included as an appendix to the Project Agreement.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Municipal Clerk of the Borough of Manasquan are authorized to execute with the County of Monmouth the "ADA Roadway & Infrastructure Improvements" Project Agreement.

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, New Jersey, do hereby certify that the foregoing Resolution was duly adopted by the Borough Council at the April 18, 2016 meeting.

BARBARA ILARIA, RMC
Municipal Clerk

| | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|-------------------|------------|----------|-----|-----|---------|--------|
| LEE | | | | | | |
| WALSH | | | | | | |
| McCARTHY | | | | | | |
| OLIVERA | | | | | | |
| READ | | | | | | |
| MANGAN | | | | | | |
| ON CONSENT AGENDA | | | YES | | NO | |

**BOROUGH OF MANASQUAN
RESOLUTION
127-2016**

BE IT RESOLVED by the Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that:

WHEREAS, a refund of monies is due to the following:

NAME: MR. HAROLD SPIEGEL & VERA WU
470 WEST END AVENUE – APT 4-E
NEW YORK, NEW YORK 10024-4933

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #10-2014
BLOCK: 109 - LOT: 8.04 – Zone: R-1

AMOUNT OF REFUND DUE: \$469.00

NAME: MR. KEVIN F. MURPHY
C/O LUM, DRASCO & POSITAN LLC
COUNSELORS AT LAW
103 EISENHOWER PARKWAY
ROSELAND, NJ 07068-1049

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #41-2014
576 BRIELLE ROAD
MANASQUAN, NJ 08736
BLOCK: 178 – LOT: 3 – ZONE: RPM

AMOUNT OF REFUND DUE: \$550.00

NAME: MR. KEVIN RIDER
2427 KIPLING AVENUE
SPRING LAKE, NEW JERSEY 07762-2311

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #25-2014
202 E MAIN STREET
MANASQUAN, NJ 08736
BLOCK: 95 – LOT: 7.01 – ZONE: B-3

AMOUNT OF REFUND DUE: \$641.00

NAME: MR. & MRS. JOHN TIGNER
105 BEACHFRONT
MANASQUAN, NEW JERSEY 08736

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #49-2013
105 BEACHFRONT
BLOCK: 167 – LOT: 3 – ZONE: R-4

AMOUNT OF REFUND DUE: \$718.00

NAME: MR. & MRS. RYAN ABRAHAMSEN
 100 W 26TH STREET
 NEW YORK, NY 10001-6840

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
 APPLICATION #11-2011
 288 FIRST AVE – 289 BEACHFRONT
 BLOCK: 181 – LOT: 6

AMOUNT OF REFUND DUE: \$45.75

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer is hereby authorized and directed to draw a warrant in the said amount to the above listed refunds with said warrant to be charged against the General Ledger.

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at the April 18, 2016 meeting.

 BARBARA ILARIA, RMC
 Municipal Clerk

| COUNCIL | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|-------------------|------------|----------|-----|-----|---------|--------|
| LEE | | | | | | |
| WALSH | | | | | | |
| McCARTHY | | | | | | |
| OLIVERA | | | | | | |
| READ | | | | | | |
| MANGAN | | | | | | |
| ON CONSENT AGENDA | | | YES | NO | | |

**BOROUGH OF MANASQUAN
RESOLUTION
128-2016**

**RESOLUTION OF THE BOROUGH COUNCIL
OF THE BOROUGH OF MANASQUAN,
COUNTY OF MONMOUTH, NEW JERSEY,
APPROVING AND ACCEPTING A
PARTNERSHIP WITH NJDOT FOR DREDGED
SAND ALONG THE MANASQUAN BEACH**

WHEREAS, the Borough has been contacted by the New Jersey Department of Transportation regarding their proposed Maintenance Dredging Project; and

WHEREAS, the area of the target dredging will take place along the Manasquan River and,

WHEREAS, it has been determined that the sand portion of the material to be dredged from this area can be used to retard beach erosion and provide improved beach protection along areas of the Manasquan Beach, and

WHEREAS, the Borough of Manasquan (Borough) is desirous to enter into a partnership with the New Jersey Department of Transportation (NJDOT)

NOW, THEREFORE BE IT RESOLVED that the Borough of Manasquan approves the acceptance of dredged sand along the Manasquan Beach under the following conditions:

1. All material to be placed on the oceanfront shall be of "beach quality," consisting of 90% or greater sand, and shall be in conformance with all applicable State and Federal environmental regulations.
2. All material shall be placed within the existing construction template of the U.S Army Corps of Engineers Beach Replenishment Project.
3. All engineering, design, permitting and contracting shall remain the responsibility of NJDOT.
4. All construction activities on the beachfront shall be conducted after September 6, 2016 (Labor Day) and shall be completed no later than February 1, 2017
5. All construction activities on the beachfront shall be conducted in a manner that minimizes beach closures and disturbance to adjacent properties.
6. The Borough waives all noise and light ordinances for this project in order for it to be completed in a timely manner.
7. The Borough reserves the right to restrict operations should construction activities deviate from the aforementioned conditions.

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at their regular meeting held on April 18, 2016.

| COUNCIL | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|-------------------|------------|----------|-----|-----|---------|--------|
| LEE | | | | | | |
| WALSH | | | | | | |
| McCARTHY | | | | | | |
| OLIVERA | | | | | | |
| READ | | | | | | |
| MANGAN | | | | | | |
| ON CONSENT AGENDA | | | YES | NO | | |

BARBARA ILARIA, RMC
Municipal Clerk

**BOROUGH OF MANASQUAN
RESOLUTION
130-2016**

WHEREAS, the Borough of Manasquan is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Mayor and Council are desirous of selling said bicycles in an "as is" condition without express or implied warranties.

WHEREAS, the Borough of Manasquan Police Department has determined that said bicycles/ items have come into the possession of the Manasquan Police Department by finding or being recovered from theft or robbery, and which have remained in possession of the Police Department for six (6) months or more and the owner or owners are unknown and cannot be found or refuse to receive same under the surplus items including but not limited to, various bicycles pursuant to the authority of N.J.S.A. 40A: 14-157as listed on Schedule B attached to this resolution; and

NOW, THEREFORE, BE IT RESOLVED by the Borough of Manasquan's Governing Body that the Borough of Manasquan is hereby authorized to conduct a public auction to sell the items listed on Schedule B as follows:

(1) The Public Auction shall take place on Saturday, May 14, 2016 at 11:00 a.m. in the Public Works Borough Garage, Iroquois Road, Manasquan, New Jersey. **RAIN OR SHINE;**

(2) No warranties shall be attached, implied and/or expressed to the items auctioned on this date. All items will be sold in "AS IS CONDITION." All sales will be final.

(3) Successful bidders shall be required to pay the total bid price in cash at the time of sale and immediately remove the property from the Borough's Garage.

(4) That a Representative of the Borough of Manasquan Public Works Department be authorized to sell at auction bicycles in the possession of the Manasquan Police in accordance with the Notice of Public Sale attached hereto which is to be published in The Coast Star.

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at the April 18, 2016 meeting.

BARBARA ILARIA, RMC
Municipal Clerk

| | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|-------------------|------------|----------|-----|-----|---------|--------|
| LEE | | | | | | |
| WALSH | | | | | | |
| McCARTHY | | | | | | |
| OLIVERA | | | | | | |
| READ | | | | | | |
| MANGAN | | | | | | |
| ON CONSENT AGENDA | | | YES | NO | | |

**THE BOROUGH OF MANASQUAN
PUBLIC AUCTION**

Notice is given that a public auction will be held by the Borough of Manasquan, Saturday, May 14, 2016 at 11:00 a.m. with a preview at 10:30 a.m. pursuant to the authority of N.J.S.A. 40A: 14-157 in the Public Works Borough Garage, Iroquois Road, Manasquan, New Jersey. **RAIN OR SHINE**

Said bicycles/ items have come into the possession of the Manasquan Police Department by finding or being recovered from theft or robbery, and which have remained in possession of the Police Department for six (6) months or more and the owner or owners are unknown and cannot be found or refuse to receive same.

The sale shall be made by public auction by a representative of the Department of Public Works Department of Manasquan. No warranties shall be attached, implied and/or expressed to the items auctioned on this date. All items will be sold in "AS IS CONDITION." All sales will be final.

Successful bidders shall be required to pay the total bid price in cash at the time of sale and immediately remove the property from the Borough's Garage. For inquiries, please call 732-223-0544, ext. 235.

The items to be auctioned include the following:

Miscellaneous Bicycles

2016 BICYCLE AUCTION LIST

| MAKE | MODEL | STYLE | SPEED | COLOR | |
|------------|--------------|---------|-------|--------------|--|
| MONGOOSE | PRO | MEN'S | 21 | RED | |
| SUN | CRUISER | WOMAN'S | | BLUE | |
| HAMPTON | CRUISER | WOMAN'S | | GREEN | |
| PAM AM | CRUISER | MEN'S | | BLUE | |
| HAMPTON | CRUISER | WOMAN'S | | GREEN | |
| MONGOOSE | BOLT | WOMAN'S | 21 | GREY | |
| MAGNA | CLIMBER | MEN'S | 21 | BLACK | |
| TREK | M220 | MEN'S | 7 | GREEN | |
| JAMIS | BOSS CRUISER | MEN'S | | BLUE | |
| HIGHLAND | FREE SPIRIT | MEN'S | 15 | GREEN | |
| NIRVE | LAHAINA | WOMAN'S | | BLUE | |
| CALOI | RIO CRUZ | WOMAN'S | | YELLOW | |
| ROADMASTER | MT SPORT | WOMAN'S | 18 | GREEN | |
| MONGOOSE | R30 | MEN'S | 21 | ORANGE | |
| HUFFY | SEA STAR | GIRL'S | | PINK/PURPLE | |
| FUJI | NEVADA | MEN'S | | GREY | |
| HUFFY | CRUISER | WOMAN'S | | BLUE | |
| HUFFY | CRUSADER | BOY'S | | BLUE | |
| TREK | SPORT | WOMAN'S | | PURPLE | |
| RALLY | | MEN'S | | BLACK | |
| BERMUDA | RS | WOMAN'S | | SILVER | |
| MONGOOSE | MGX PROWLER | BOY'S | | BLUE | |
| DYNO | LYRIC | WOMAN'S | 6 | WHITE/PURPLE | |
| SCHWINN | JAGUAR | WOMAN'S | | BLUE/SILVER | |
| NEXT | CHAOS | BOY'S | | GREEN | |
| UNKNOWN | CRUISER | WOMAN'S | | BLACK | |
| SUR | REVOLUTION | MEN'S | | BLACK | |

**BOROUGH OF MANASQUAN
RESOLUTION
131-2016**

WHEREAS, the Borough of Manasquan is desirous of appointing a Special Law Enforcement Officer Class I for the year 2016 and

WHEREAS, the Police Chief has submitted the following individual for appointment as Special Law Enforcement Officers Class I for the Borough of Manasquan effective May 9, 2016 at the current contractual rate of \$13.89 per hour;

Jesse David McMahon, Brick
Ryan Zito Quigley, Manasquan
Christopher Santos, Toms River
Ashley Nicole Zito, Manasquan

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at their regular meeting held on April 18, 2016.

BARBARA ILARIA, RMC
Municipal Clerk

| | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|-------------------|------------|----------|-----|-----|---------|--------|
| LEE | | | | | | |
| WALSH | | | | | | |
| McCARTHY | | | | | | |
| OLIVERA | | | | | | |
| READ | | | | | | |
| MANGAN | | | | | | |
| ON CONSENT AGENDA | | | YES | NO | | |

**BOROUGH OF MANASQUAN
RESOLUTION
132-2016**

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, that the resignation of Christine Rice , from the Manasquan Recreation Commission effective April 8, 2016 be and is hereby accepted.

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, New Jersey, do hereby certify that the foregoing resolution was adopted by the Borough Council at the April 18, 2016 meeting.

BARBARA ILARIA, RMC
Municipal Clerk

| | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|-------------------|------------|----------|-----|-----|---------|--------|
| LEE | | | | | | |
| WALSH | | | | | | |
| McCARTHY | | | | | | |
| OLIVERA | | | | | | |
| READ | | | | | | |
| MANGAN | | | | | | |
| | | | | | | |
| ON CONSENT AGENDA | | | YES | NO | | |

**BOROUGH OF MANASQUAN
RESOLUTION
133-2016**

BE IT RESOLVED by the Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that:

WHEREAS, a refund of monies is due to the following:

NAME: MR. & MRS. JAMES ROMANO
59 ROGERS AVENUE
MANASQUAN, NJ 08736

REASON FOR REFUND: PLANNING BOARD ESCROW REFUND
APPLICATION #30-2014
59 ROGERS AVENUE
MANASQUAN, NJ 08736
BLOCK: 152 – LOT: 5 – ZONE: R-3

AMOUNT OF REFUND DUE: \$524.46

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer is hereby authorized and directed to draw a warrant in the said amount to the above listed refunds with said warrant to be charged against the General Ledger.

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at the April 18, 2016 meeting.

BARBARA ILARIA, RMC
Municipal Clerk

| COUNCIL | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|-------------------|------------|----------|-----|-----|---------|--------|
| LEE | | | | | | |
| WALSH | | | | | | |
| McCARTHY | | | | | | |
| OLIVERA | | | | | | |
| READ | | | | | | |
| MANGAN | | | | | | |
| ON CONSENT AGENDA | | | YES | | NO | |

**BOROUGH OF MANASQUAN
RESOLUTION
134-2016**

WHEREAS, New Jersey Natural Gas is a public utility operating in the Borough of Manasquan, County of Monmouth providing natural gas energy to our residents and businesses; and

WHEREAS, New Jersey Natural Gas has proposed raising gas rates by 24% on Manasquan residents and business; and

WHEREAS, The proposed 24% rate increase by New Jersey Natural Gas would increase an average Manasquan homeowner's gas bill by \$260.00 a year; and

WHEREAS, while proposing such an increase, New Jersey Natural Gas paid their top executives \$13 Million in total compensation in 2015, a number 125% higher than 2013; and

WHEREAS, Manasquan Mayor and Council have worked to keep Manasquan an affordable place for working class families and senior citizens; and

WHEREAS, Manasquan residents and business owners cannot afford to see their utility rates increase by 24%; and

WHEREAS, Manasquan Mayor and Council have an obligation to advocate on behalf of their residents and business owners

NOW, THEREFORE, be it resolved by the Mayor and Council of the Council of the Borough of Manasquan in the County of Monmouth, that the 24% rate increase proposed New Jersey Natural Gas is excessive and unreasonable burden to Manasquan's residents and business owners and must not be implemented; and

LET IT BE FURHTER RESOLVED that the Mayor and Council of the Borough of Manasquan call upon all elected officials and government agencies in a position to block this increase do so in the best interests of Manasquan citizens and business.

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, New Jersey, do hereby certify that the foregoing resolution was adopted by the Borough Council at the April 18, 2016 meeting.

BARBARA ILARIA, RMC
Municipal Clerk

| | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|-------------------|------------|----------|-----|-----|---------|--------|
| LEE | | | | | | |
| WALSH | | | | | | |
| McCARTHY | | | | | | |
| OLIVERA | | | | | | |
| READ | | | | | | |
| MANGAN | | | | | | |
| | | | | | | |
| ON CONSENT AGENDA | | | YES | NO | | |

**BOROUGH OF MANASQUAN
RESOLUTION
135-2015**

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, IN THE County of Monmouth, New Jersey (not less than three (3) members thereof affirmatively concurring) as follows:

1. All bills or claims as reviewed and approved by the Administration & Finance Committee and as set forth in this Resolution are hereby approved for payment.
2. The Mayor, Municipal Clerk and Chief Financial Officer are hereby authorized and directed to sign checks in payment of bills and claims which are hereby approved.

The computer print-out of the list of checks will be on file in the Clerk's Office.

| | |
|-----------------------------|-----------|
| Current Fund | 93,265.42 |
| Water/Sewer Fund | 14,663.30 |
| Beach Fund | 3,065.75 |
| Recreation Bldg Trust | 389.94 |
| Recreation Commission Trust | 2,906.72 |
| General Capital Fund | 54,722.41 |
| Water/Sewer Capital Fund | 413.25 |
| Beach Capital Fund | 239.25 |

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, New Jersey do hereby certify that the foregoing resolution was duly adopted by the Council at their regular meeting on April 18, 2016.

BARBARA ILARIA, RMC
Municipal Clerk

| | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|--|------------|----------|-----|-----|---------|--------|
| BOSSONE | | | | | | |
| SINNECK | | | | | | |
| DONOVAN | | | | | | |
| MANGAN | | | | | | |
| OLIVERA | | | | | | |
| McCARTHY | | | | | | |
| ON CONSENT AGENDA <input type="checkbox"/> YES <input type="checkbox"/> NO | | | | | | |

**BOROUGH OF MANASQUAN
ORDINANCE NO. 2208-16**

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 20 STREETS AND SIDEWALKS SUBSECTION
20-4.1; CHAPTER 35 ZONING SUBSECTION 35-7.7 OF
THE BOROUGH OF MANASQUAN CODE IN THE
BOROUGH OF MANASQUAN, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY.**

WHEREAS, pursuant to the Revised General Ordinance of the Borough of Manasquan Code Chapter 20 Subsection 20-4.1 and Chapter 35 Subsection 35-7.7 refers to the dimensions and radii of driveway areas; and

WHEREAS, the Manasquan Borough Council of the Borough of Manasquan is desirous of amending Chapter 20 Subsection 20-4.1 and Chapter 35 Subsection 35-7.7 to clarify what is permissible for the composition of a driveway and the requirements for outlining a driveway; and

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

Section 1: Chapter 20 Streets and Sidewalks, Subsection 20-4.1 shall be amended to read:

- a. A driveway exclusive of curb return radii shall not exceed twelve (12) feet in width at the curb line; provided however, if a property contains a two-car garage facing a street, the driveway exclusive of curb return radii shall not exceed twenty (20) feet in width at the curb line.

Notwithstanding the above provision, an existing driveway exclusive of curb return radii may be replaced or reconstructed for its existing width; provided however, no repaired or reconstructed driveway exclusive of curb return radii shall exceed twenty (20) feet in width at the curb line.

- b. A curb return radius from a driveway at its entrance to a public street shall be a minimum of five (5) feet.
- c. The width of a driveway exclusive of curb return radii shall not exceed twenty (20) feet.
- d. A maximum of one (1) curb cut is permitted for each building lot.
- e. The outer edge of the driveway must be setback at least one (1) foot from the side property line.
- f. In the R-1 and R-2 zones a driveway may be expanded to the width of the two-car garage provided that the maximum width of the driveway at the property line does not exceed twenty (20) feet.

Section 2: Chapter 35 Zoning, Subsection 35-7.7 shall be amended to read:

- a. A driveway exclusive of curb return radii shall not exceed twelve (12) feet in width at the curb line; provided however, if a property contains a two-car garage facing a street, the driveway exclusive of curb return radii shall not exceed twenty (20) feet in width at the curb line.

Notwithstanding the above provision, an existing driveway exclusive of curb return radii may be replaced or reconstructed for its existing width; provided however, no repaired or reconstructed driveway exclusive of curb return radii shall exceed twenty (20) feet in width at the curb line.

- b. A curb return radius from a driveway at its entrance to a public street shall be a minimum of five (5) feet.

- c. The width of a driveway exclusive of curb return radii shall not exceed twenty (20) feet.
- d. A maximum of one (1) curb cut is permitted for each building lot.
- e. The outer edge of the driveway must be setback at least one (1) foot from the side property line.
- f. In the R-1 and R-2 zones a driveway may be expanded to the width of the two-car garage provided that the maximum width of the driveway at the property line does not exceed twenty (20) feet.

Section 3: Construction and effective date

- (a) Should any section or provision of this ordinance be held invalid in any proceedings, the same shall not affect any other section or provisions of this ordinance, except insofar as the section or provisions so held invalid shall be inseparable from the remainder of any such section or provision.
- (b) Chapter 97, et seq., of the Borough of Manasquan Code and all ordinances and parts of ordinances inconsistent with this Ordinance herewith are hereby repealed.
- (c) This ordinance shall become effective following its final passage and publication according to the law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2208-16 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 18th day of April 2016, and was then read for the first time. The said Ordinance will be further considered for final passage by the Mayor and Council at Borough Hall, 201 East Main Street, Manasquan, NJ 08736 at 7:00 p.m. on the 2nd day of May 2016. At such time and place, or at any such time or place to which said meeting may be adjourned, all interested persons will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m. on Monday through Friday, except on legal holidays.

Barbara Ilaria, RMC
Municipal Clerk

Mark G. Kitrick, Esquire
Municipal Attorney
241 Brick Boulevard
Brick, NJ 08723

Passed on First Reading and Introduction: April 18, 2016
Approved on Second Reading and Final Hearing: May 2, 2016

EDWARD G. DONOVAN
Mayor