BOROUGH OF MANASQUAN AGENDA
MAY 16, 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. **Proclamation – Safe Boating Week**
6. **Workshop Discussion:**

   Item #1: Use of Borough Property

   - Men's Summer Slam Hoops – Various Parks - Saturdays 6/4 - 8/6 9-12 noon
   - Inlet Outlet Recreational Surf Lesson – Inlet Beach - Weekends in July - 9 am or 3pm
   - Fitness Boot Camp – Sea Watch Beach – Saturdays May to September - 6:30 -7:30 am
   - Booktowne- Summer Reading Road Trip – Miller Preston Way - Sat. 7/23 - 9:30-12:30
   - Big Hearts to Little Hearts Walk – Beach Boardwalk - 9/25 – 10:00 - 11:00 am

   Item #2 Little League Fields Pilot Program – Discussion

   Item #3: JCP&L - Update

7. **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:

   151-2016 Authorizing Application for 2016 Pre-Disaster Mitigation Grant
   152-2016 Appointing Public Works Summer Help - Ellicott
   153-2016 Appointing Full Time Public works Laborer 1 – Shinn
   154-2016 Authorizing Execution of Squan Beach Life Saving Station Agreements
   155-2016 Renewing Central Jersey Health Insurance Fund
   156-2016 Exempting Life Members of Volunteer Engine Co. #2 for Certain Permit Fees
   157-2016 Appointing Jacob Kleinknecht to Provisional Police Captain
   158-2016 Recycling Tonnage Grant
   159-2016 Recycling Tax Reimbursement
   160-2016 Accepting Donation in Lieu of Annual Payment
   161-2015 Payment of Bills

8. **Ordinances – Second Reading and Final Hearing**

   2209-16 Amending Chapter 4 Towing and Storage Fees
   2210-16 Amending Chapter 2 Special Law Enforcement Officers Duties
   2211-16 Amending Chapter 29 Flood Damage Prevention

9. **Council Member's Committee Reports**
10. **Audience Participation On Any Subject** (comments limited to 5 minutes)
11. **Executive (Closed):**

    Item #1: Water Treatment Plant – Litigation
    Item #2: Mylod v. Borough of Manasquan - Litigation
    Item #3: COAH – Litigation
    Item #4: Bulkhead Project – Contractual
    Item #5: Police Department – Personnel

    Adjournment

BOROUGH OF MANASQUAN
RESOLUTION
151-2016

AUTHORIZATION FOR THE BOROUGH OF MANASQUAN OFFICE OF EMERGENCY MANAGEMENT TO APPLY FOR A FISCAL YEAR (FY) 2016 PRE-DISASTER MITIGATION GRANT

WHEREAS, the Borough of Manasquan is a coastal community, subject to the effects of coastal flooding and storm surge and the effects of long-term sea level rise will only serve to exacerbate these impacts; and

WHEREAS, the governing body of the Borough of Manasquan is desirous in developing a long-term, comprehensive plan to mitigate against the adverse effects of coastal flooding and its associated impacts to residents; and

WHEREAS, the Borough of Manasquan, Office of Emergency Management has identified a funding opportunity known as the Pre-Disaster Mitigation (PDM) Grant Program which may assist in the development of this comprehensive flood mitigation plan; and

WHEREAS, the Fiscal Year (FY) 2016 Pre-Disaster Mitigation Grant Program provides resources to assist states, tribal governments, territories and local communities in their efforts to implement a sustained pre-disaster natural hazard mitigation program, as authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended (42 U.S.C. 5133). This grant provides local governments with a 75% Federal / 25% Local cost share for eligible mitigation planning projects; and

WHEREAS: It is the recommendation of the Office of Emergency Management that the Borough pursue funding of a comprehensive municipal flood mitigation plan through the FY-2016 Pre-Disaster Mitigation Grant Program; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Manasquan authorize the Office of Emergency Management to apply for a Pre-Disaster Mitigation (PDM) Grant in the amount of $174,850.00 for the development of a comprehensive flood mitigation plan; and

BE IT FURTHER RESOLVED that the Municipal Administrator, as an authorized agency official, or their successors are authorized to sign the appropriate grant application documents; and

BE IT FURTHER RESOLVED that copies of this Resolution shall be forwarded to the Municipal Administrator / Chief Financial Officer, and the Office of Emergency Management Coordinator.

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 May 16, 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
152-2016

WHEREAS, the Borough of Manasquan is desirous of appointing Seasonal Laborers for the Department of Public Works; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 16th day of May, 2016 appoint the following Department of Public Works employee to Seasonal Laborer:

- Jonathan Ellicott, 106 Broad Street at the hourly rate of $8.00

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 May 16, 2016.

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
153-2016

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, APPOINTING RYAN SHINN AS FULL TIME LABORER IN THE DEPARTMENT OF PUBLIC WORKS IN THE BOROUGH OF MANASQUAN

WHEREAS, the Borough of Manasquan ("Manasquan") is in need of a Full-Time Laborer in the Department of Public Works; and

NOW, THEREFORE BE IT RESOLVED on the 16th day of May, 2016, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. Ryan Shinn is appointed Full Time Laborer in the Department of Public Works.

2. Salary rate shall be Full Time Laborer Base Salary of $35,380.56 per contract in affect at time of appointment.

3. The effective date of this appointment is May 17, 2016.

4. A certified copy of this resolution shall be sent to:

   Ryan Shinn
   60 Central Avenue
   Manasquan, NJ 08736

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 May 16, 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
154-2016

BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan that the Municipal Clerk and the Mayor of the Borough of Manasquan, be and are hereby authorized to sign the following 2016 Agreements with the Squan Beach Life Saving Preservation Committee:

AGREEMENT TO RESTORE & MAINTAIN THE SQUAN BEACH LIFE SAVING STATION

And

LIFE SAVING STATION USE 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 May 16, 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
155-2016

RESOLUTION TO RENEW CENTRAL JERSEY HEALTH INSURANCE FUND

WHEREAS, a number of public entities in the State of New Jersey have joined together to form the Central Jersey Health Insurance Fund, hereafter referred to as "FUND", as permitted by N.J.S.A. 11:15-3, 17:1-8.1, and 40A:10-36 et seq., and;

WHEREAS, the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date, and;

WHEREAS, the statutes and regulations governing the creation and operation of a joint insurance fund, contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a FUND;

WHEREAS, the governing body of, the Borough of Manasquan has determined that membership in the FUND is in the best interest of the Borough.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough of Manasquan hereby agrees as follows:

1. Become a member of the FUND for the period outlined in the Borough of Manasquan's Indemnity and Trust Agreements

2. Will participate in the following type (s) of coverage (s):

    a. Dental Insurance as defined pursuant to N.J.S.A. 17B:17-4, the FUND's Bylaws, and Plan of Risk Management.

3. Adopts and approves the FUND's Bylaws.

4. Execute an application for membership and any accompanying certifications.

BE IT FURTHER RESOLVED that the governing body of the the Borough of Manasquan is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the FUND as required by the FUND's Bylaws, and to deliver these documents to the FUND's Executive Director with the express reservation that these documents shall become effective only upon:

1. Approval of the Borough of Manasquan by the FUND.

2. Receipt from the Borough of Manasquan a Resolution accepting assessment.

3. Approval by the New Jersey Department of Insurance and Department of Community Affairs.

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 May 16, 2016 meeting.

_____
BARBARA ILARIA, RMC
Municipal Clerk

CENTRAL JERSEY HEALTH INSURANCE FUND

ADOPTED: _____

DATE: _____

BY: _____

ATTEST: _____

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
LEE						
WALSH						
McCARTHY						
OLIVERA						
READ						
MANGAN						
ON CONSENT AGENDA			___YES		___NO	

BOROUGH OF MANASQUAN
RESOLUTION
156-2016

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey, that Manasquan Volunteer Engine Company No. 2 has submitted the below Life Members that qualify under Ordinance 2005-07 Section 7 for "Exemption from the Payment of Permit Fees" these members were previously omitted from Resolution 76-2016 that was adopted on March 7, 2016.

Sean Boyle
Gary Clayton
Robert Clayton
Wilbur Danely
George Dempsey
Allan Dickson
John Garrity
Glen Gray
Howard Height
George Minier
William Sutton
David Walker

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 May 16, 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
157-2016

WHEREAS, the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, promoted Lieutenant Jacob Kleinknecht to the position of Police Captain on January 19, 2016 pending the Civil Service Commission Certification of Eligibles for Appointment; and

WHEREAS, the Municipal Clerk's office is in receipt of the Certification of Eligibles for Appointment where Jacob Kleinknecht is listed as the only eligible for the position of Police Captain.

NOW, THEREFORE BE IT RESOLVED, that Jacob Kleinknecht be appointed per Civil Service Certification of Eligibles for Appointment as provisional Police Captain as of May 16, 2016.

CERTIFICATION

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 May 16, 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
158-2016

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate records, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the **2015 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Manasquan Borough Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Manasquan that Manasquan Borough hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates John Keynton to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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 May 16, 2016 meeting.

BARBARA ILARIA, RMC
Municipal Clerk

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
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WALSH						
McCARTHY						
OLIVERA						
READ						
MANGAN						
ON CONSENT AGENDA ____YES ____NO						

BOROUGH OF MANASQUAN
RESOLUTION
159-2016

TAX CERTIFICATION

WHEREAS, The Recycling Enhancement Act, P.L.2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, There is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of $3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

WHEREAS, Whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

NOW THEREFORE BE IT RESOLVED by the Borough of Manasquan that Borough of Manasquan hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, chapter 311, in 2015 in the amount of $10,319.52. Documentation supporting this submission is available at 201 East Main Street, Manasquan, NJ 08736 and shall be maintained for no less than five years from this date.

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 May 16, 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
160-2016

WHEREAS, the Squan Beach Life Saving Station Committee Inc. of the Borough of Manasquan wishes to provide the necessary restoration and rehabilitation to the Squan Beach Life Saving Station; and

WHEREAS, the Squan Beach Life Saving Station Committee, Inc. (SBLSSC) wishes install new gutters and leaders on the station; and

WHEREAS, the SBLSSC is willing to make a donation of $9,800 to retain Connolly & Hickey Historical Architects and pay up to $30,000 towards the construction of gutters and leaders; and

WHEREAS, the SBLSSC has agreed to make the donation under the condition that amounts towards this project will be deducted from the SBLSSC annual donation obligations of $12,500 per year; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan that the Borough accepts a donation from the Squan Beach Life Saving Station Committee, Inc. in lieu of an annual contribution up to the total project cost stated in this resolution under the following conditions:

- All quotes, bids, specifications and contracts shall be authorized by the Mayor and Council of the Borough of Manasquan or their assigned representative.
- All procurement shall be authorized by the Mayor and Council of the Borough of Manasquan or their assigned representative.
- Amounts exceeding the $9,800 for architectural services and $30,000 shall be borne by the SBLSSC unless previously agreed upon by the Governing Body by resolution

BE IT FURTHER RESOLVED that the Borough hereby authorizes the CMFO to charge these funds against the appropriation associated with these costs.

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 May 16, 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
ORDINANCE NO. 2209-16

ORDINANCE AMENDING CHAPTER 4 (GENERAL LICENSING) SECTION 4-14.5 TOWING AND STORAGE FEES AND CHARGES; CHAPTER 16 (FEES) SECTION 16-1 FEE SCHEDULE ESTABLISHED 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 4 Section 4-14.0 refers to towing and storage and Chapter 16 refers to fees; and

WHEREAS, the Manasquan Borough Council of the Borough of Manasquan is desirous of amending Chapter 4 Section 14-4.5 entitled Towing and Storage Fees and Charges and Chapter 16 Section 16-1 entitled Fee Schedule Established; and

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

Section 1: Chapter 4 Section 14-4.5 Towing and Storage Fees and Charges shall be amended to read:

a. Towing fees and charges shall be stated in Chapter 16 Fees.

b. Storage fees and charges shall be as follows:

   1. Storage per day (or any part thereof) commencing after the vehicle is placed in storage (see Chapter 16, Fees). Tow operators are not required to pick up vehicles between 3:00 a.m. and 7:00 a.m., except in the case of an emergency. Tow operators will release impounds seven (7) days a week between the hours of 8:00 a.m. and 6:00 p.m. Vehicles involved in a MVA (motor vehicle accident) shall be released during normal business hours of the storage facility/body shop. The term "vehicles" shall mean all vehicles recognized under title 39 of the New Jersey Revised Statutes.

c. Show Up Fee. The towing service operator shall be entitled to a "show up" charge if the operator or owner of a vehicle appears at the stated located within the fifteen (15) minute period in which the tow operator is required to respond to the police dispatcher's request for towing service.

d. Hook Up Fee. A towing service operator shall be entitled to a "hook up" fee if the towing service operator responds to a request by the Borough, appears at the towing location and hooks up the tow truck to vehicle to be towed, regardless of whether the actual towing is commenced.

e. Every operator of a towing service shall give the owner a written estimate of cost and a written receipt when paid.

f. This towing fee schedule shall be posted in a conspicuous place at the business location of any authorized tower participating in the Towing Service Rotation Program.

Section 2: Chapter 16 Section 16-1 shall be amended to read:

a. The fees in the sections and subsections of the revised General Ordinances of the Borough of Manasquan below are hereby amended:

16-1 TOWING AND STORAGE.	16-1 Towing and Storage Fees and Charges.	
	a. Towing fees and charges 1. Light duty (a) Show up fee (b) Hook up fee without towing (c) Full towing charge	 $20 $30 $80
	2. Flatbed (roll back) truck with a tilt body: (a) Show up fee (b) Hook up fee without towing ... (c) Full towing charge	 $20 $30 $80
	3. Winch services or vehicle over ten thousand (10,000) pounds gross weight: (a) Show up fee (b) Hook up fee without towing (c) Full towing charge	 $100 $100 $100 hour
	b. Storage fees and charges: 1. Storage	 $20 per day

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.2209-16 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 2nd day of May 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 16th 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.

B. Ilaria

Barbara Ilaria, RMC
Municipal Clerk

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

Passed on First Reading and Introduction: May 2, 2016
Approved on Second Reading and Final Hearing: May 16, 2016

EDWARD G. DONOVAN
Mayor

BOROUGH OF MANASQUAN
ORDINANCE NO. 2210-16

ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION) SECTION 2-20.6 OF THE BOROUGH OF MANASQUAN CODE IN THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY.

WHEREAS, the Borough of Manasquan defines the duties of Class One Special Law Enforcement Officers within Chapter 2 (Administration) and therefore comply with the requirements of N.J.S.A. 40a:14-146-11(a)(1);

WHEREAS, the duties of the Class One Special Law Enforcement Officers shall be consistent with the requirements of N.J.S.A. 40a:14-146-11(a)(1) in the performance of their duties on behalf of the Borough of Manasquan Police Department;

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

Section 1: Section 2-20.6 entitled "Special Law Enforcement Officers" shall be amended to read:

The Borough Council may appoint Special Law Enforcement Officers in accordance with New Jersey Statutes for terms not exceeding one (1) year. They shall possess and exercise all the powers and duties provided by the statutes during their term in office, but shall not be continued as regular members of the Police Department and shall not be entitled to tenure. The Chief of Police may authorize Special Law Enforcement Officers when on duty to exercise the same powers and authority as regular members of the Police Department including the carrying of firearms and the power of arrest.

The number of Special Law Enforcement Officers designated as Class One members shall not exceed fifty (50) persons. The number of Special Law Enforcement Officers designated as Class Two members shall not exceed fifty (50) persons. (1972 Code § 21-7; Ord. No. 1630-94)

Class One. Officers of this class shall be authorized to perform routine traffic detail, spectator control and similar duties. If authorized by ordinance, Class One officers shall have the power to issue summonses for disorderly persons and petty disorderly persons offenses, violations of municipal ordinances and violations of Title 39 of the Revised Statutes. The use of a firearm by an officer of this class shall be strictly prohibited and no Class One officer shall be assigned any duties which may require the carrying or use of a firearm.

Section 2: 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. 2210-16 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 2nd day of May 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 16th 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.

B. Ilaria

Barbara Ilaria, RMC
Municipal Clerk

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

Passed on First Reading and Introduction: May 2, 2016
Approved on Second Reading and Final Hearing: May 16, 2016

EDWARD G. DONOVAN
Mayor

BOROUGH OF MANASQUAN
ORDINANCE 2211-16

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 29, SECTION 29-12.2 (SPECIFIC STANDARDS) OF THE FLOOD DAMAGE PREVENTION ORDINANCE FOR 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 29, Section 29-12.2 refers to Specific Standards of the Flood Damage Prevention Ordinance; and

WHEREAS, the Borough of Manasquan, County of Monmouth is desirous of amending and supplementing its current Ordinance entitled, "Flood Damage Prevention", specifically Sections 29-12.2; and

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

SECTION 1: Chapter 29, Section 29-12.2 entitled "Specific Standards" of the Revised General Ordinances of the Borough of Manasquan is hereby amended and supplemented to include the following:

a. *Residential Construction*:

1. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities, elevated to one foot above the NJ Flood Hazard Area Design Flood elevation, as defined in N.J.A.C. 7:13.

SECTION 2: 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 provision 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 2211-16 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 2nd day of May 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 16th day of May, 2016. At such time and place, or at any such time and place to which said meeting may be adjourned, all persons interested 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.

B. Ilaria

Barbara Ilaria, RMC
Municipal Clerk

MARK G. KITRICK
Borough Attorney
635 Duquesne Boulevard
Brick, NJ 08723

Passed on first reading and Introduction: May 2, 2016
Approved on Second reading and Final Hearing: May 16, 2016

EDWARD G. DONOVAN
Mayor