

THE BOROUGH OF MANTOLOKING
MAYOR AND COUNCIL

MINUTES OF THE REGULAR BUSINESS MEETING
February 21, 2006

The regular monthly meeting of the Mayor and Council was held this day in the meeting room of Borough Hall.

1. CALL TO ORDER: TIME: 8:00 p.m.

2. OPEN PUBLIC MEETING STATEMENT: Mayor Dunbar

This meeting is called pursuant to the provisions of the New Jersey Open Public Meetings Law. This meeting date was included in a list of meetings sent to the Ocean County Observer, Asbury Park Press, and Ocean Star and posted continuously on the bulletin board in the Municipal Building since December 20, 2005. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

3. ROLL CALL

Mayor William K. Dunbar, III, Council President Elbert E. Husted, III, Councilmen John H. Jones, Peter R... Strohm, George C. Nebel, Douglas J. Popaca and Steve Gillingham

ABSENT:

4. PLEDGE OF ALLEGIANCE

Councilman Popaca moved the following:

MEMORIAL RESOLUTION NO. 02/21/2006 – 01: J. ROSS PILLING, JR.

WHEREAS, J. Ross Pilling, Jr., Retired Councilman, died on Friday, January 27, 2006 in Gladwyne, Pennsylvania at the age of 93; and

WHEREAS, J. Ross Pilling, Jr. served as a Councilman of the Borough of Mantoloking, Ocean County, New Jersey from January 1, 1977 to December 31, 1994; and

WHEREAS, during the course of his service he, at all times, demonstrated uncommon zeal in the execution of the responsibilities of office, in the interest of the residents of the Borough and the public, generally; and

WHEREAS, his untiring efforts in the development of beach dune management led to his recognition by the Association of State Floodplain Managers Flood Hazard Fellowship by their award in 1991; and

WHEREAS, his voluntary service to the Borough was accented by his long active membership in the Mantoloking Fire Company No. 1 which he acquired life membership status; and

WHEREAS, he was a member of the Publication Committee of the "Mantoloking Reporter" newsletter serving as Editor from August 23, 1979 to December 23, 1994; and

WHEREAS, Mayor Robert A. Roman was instrumental in adopting a proclamation in honor of J. Ross Pilling, Jr. which proclaimed December 9, 1994 as "J. ROSS PILLING, JR. DAY" in the Borough of Mantoloking.

IT IS NOW, THEREFORE, this 21st day of February, 2006, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. That the public service of J. Ross Pilling, Jr. to and for the residents of the Borough of Mantoloking was, in all respects, exemplary.
2. That the service of J. Ross Pilling, Jr., as a Councilman of conscientious accomplishment is hereby recognized and commended, with sincere appreciation.
3. That the Borough of Mantoloking, and its officials, do hereby extend to the family of J. Ross Pilling, Jr. their condolence and support.

Councilman Jones seconded the motion and was unanimously approved by voice vote.

5. PRIVILEGE OF THE FLOOR: The Mayor will open the meeting for public comment and questions about the agenda and any other matter of public interest.

6. MINUTES OF PREVIOUS MEETINGS:

RESOLUTION NO. 02/21/2006 – 02: APPROVAL OF COUNCIL MEETING MINUTES

Councilman Nebel moved that the following minutes as distributed are approved.

Regular Meeting of January 17, 2006 and Closed Session January 17, 2006. The motion was seconded by Councilman Husted and unanimously approved by voice vote.

7. MAYOR'S REPORT

Councilman Gillingham moved the following:

RESOLUTION NO. 02/21/2006 – 03: APPOINTMENT OF OFFICIALS/COMMITTEE MEMBERS (HISTORICAL COMMITTEE)

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey approves the following appointments of officials effective January 1, 2006

Jennifer Buck – Historical Committee

The motion was seconded by Councilman Jones and unanimously approved by voice vote.

Councilman Gillingham moved the following:

RESOLUTION NO. 02/21/2006 – 04: RESCHEDULE OF REGULAR COUNCIL MEETING OF MARCH 2006

WHEREAS, the 2006 Municipal Budget was introduced at the Regular Council Meeting of February 21, 2006; and

WHEREAS, in accordance with the Local Budget Laws of the State of New Jersey, a public hearing shall be held not less than twenty-eight (28) days after the approval (introduction) of the budget; and

WHEREAS, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey previously approved the 2006 roster of council meetings designating the March 2006 Regular Meeting to be held on March 20, 2006; and

WHEREAS, the date of March 20, 2006 is twenty-seven (27) days after the approval (introduction) of the 2006 Municipal Budget.

THEREFORE, RESOLVED, by the Mayor and Council of the Borough of Mantoloking to reschedule the March 2006 Regular Council Meeting to **Monday, March 27, 2006** in compliance with the Local Budget Laws.

FURTHER RESOLVED, that the legal newspapers of the Borough of Mantoloking shall be notified of this action.

The motion was seconded by Councilman Nebel and was unanimously approved by voice vote.

Councilman Gillingham moved the following:

RESOLUTION NO. 02/21/2006 – 05: SUPPORT OF LEGISLATION TO EXEMPT MUNICIPAL CLERKS FROM PENALTIES FOR OPEN PUBLIC RECORDS ACT VIOLATIONS UNDER CERTAIN CIRCUMSTANCES

WHEREAS, A-4063 was introduced during the 2004-2005 legislative session and failed to be enacted and has subsequently died; and

WHEREAS, A-4063 exempts the municipal clerk from penalties for Open Public Records Act violations under certain circumstances; and

WHEREAS, currently under the Open Public Records Act (OPRA) the municipal clerk is held responsible for not fulfilling the request, even when the record is in the possession of another official; and

WHEREAS, the proposed legislation would exempt the municipal clerk if it can be proven that a municipal clerk has exercised due diligence in attempting to collect a record requested under OPRA, by documenting at least two attempts to collect the record within seven days of receiving the request; and

WHEREAS, the municipal official in actual possession of the record will be deemed to be the custodian of the requested record, and therefore liable for any violations, penalties, or disciplinary proceedings that may result from an unreasonable denial of access to the requested record; and

WHEREAS, it is the belief of the Mayor and Council that the official in possession of the requested record should be the one responsible for violations of the Open Public Records Act and considered custodian of the record; and

WHEREAS, the Mayor and Council of the Borough of Mantoloking urges the State Assembly to re-introduce the amendments to the Open Public Records Act as proposed in A-4063; and

WHEREAS, the Mayor and Council of the Borough of Mantoloking also urges the State Senate to join the Assembly with companion legislation that would similarly amend the Open Public Records Act.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Mantoloking, County of Ocean, State of New Jersey, as follows:

1. That the Mayor and Council support the intent and provisions of the proposed amendments to the Open Public Records Act.
2. That the Mayor and Council urge the re-introduction of this legislation during the next legislative session.

3. That the Mayor and Council urge the State Senate to join the Assembly with companion legislation.

BE IT FURTHER RESOLVED, that the Borough Clerk shall forward a certified copy of this Resolution to the following:

1. All Ocean County Municipalities.
2. 9th, 10th and 30th Legislative Districts
3. New Jersey State League of Municipalities
4. State of New Jersey Government Records Council

The motion was seconded by Council Nebel and unanimously approved by voice vote.

Councilman Husted moved the following:

RESOLUTION NO. 02/21/2006 – 06: PROCLAMATION FOR AMERICAN HEART MONTH – FEBRUARY 2006

WHEREAS, heart disease is the leading cause of death in the United States; and

WHEREAS, approximately 950,000 people will die from cardiovascular disease each year and more than 64 million Americans suffer from one or more forms of cardiovascular disease, including high blood pressure, coronary heart disease, congestive heart failure, stroke and congenital heart defects; and

WHEREAS, many of the risk factors than can lead to heart disease, such as high blood pressure, high blood cholesterol, and diabetes, can be prevented or controlled; and

WHEREAS, research has shown that men and women who lead healthy lifestyles, including making healthy food choices, getting regular exercise, maintain a healthy weight and choosing not to smoke or drink excessively, can significantly decrease their risk of heart disease; and

WHEREAS, the President of the United States traditionally passes a Proclamation supporting February as American Heart Month which encourages organizations to observe this month with appropriate programs and activities; and

WHEREAS, the Mayor and Council of the Borough of Mantoloking concur with this proclamation and encourage its residents to become aware of the personal steps that they can take to improve their health by offering education programs and materials and encouraging our county residents to learn more about cardiovascular health; and

BE IT HEREBY RESOLVED that the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey joins with the President of the United States to declare February 2006 as AMERICAN HEART MONTH; and

BE IT FURTHER RESOLVED that a certified copy of this Proclamation be forwarded to the Ocean County Board of Chosen Freeholders and the Ocean County Board of Health.

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

8. DEPARTMENT REPORTS

- A. Police Report
- B. Municipal Court Report
- C. Fire Report
- D. Emergency Management Coordinator Report
- E. Public Works Superintendent Report
- F. Construction Official Report
- G. Land Use Officer Report
- H. Chief Financial Officer Report

Councilman Nebel moved the following:

RESOLUTION: ACCEPTANCE OF THE REPORT OF THE MUNICIPAL FINANCE OFFICER December 31, 2005

WHEREAS, the Chief Finance Officer has presented a report on the status of the 2005 municipal budget as of December 31, 2005; and

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

ACCOUNT	BUDGET	EXPENDED YEAR TO DATE	ENCUMBERED	BALANCE
2005 Current Year Appropriation	\$3,041,819.55	\$2,731,839.94	\$ 7,870.25	\$ 302,109.36
2004 Appropriation Reserves	\$ 249,250.37	\$ 97,826.93	\$ 7,105.63	\$ 144,317.81
Capital	\$1,365,667.29	\$ 620,227.50		\$ 745,439.79

ACCOUNT	REVENUE THIS MONTH	REVENUE YEAR TO DATE

Cash Receipts	\$ 125,537.43	\$9,085,255.97
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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.

The motion was seconded by Councilman Husted and unanimously approved by voice vote.

Councilman Nebel moved the following:

RESOLUTION NO. 02/21/2006 – 08: TO ADOPT A TEMPORARY CAPITAL BUDGET

WHEREAS, the Borough of Mantoloking has not adopted its 2006 municipal budget and therefore has not adopted the 2006 Capital portion of that budget,

WHEREAS, the Borough of Mantoloking desires to constitute the 2006 Temporary Capital Budget of said municipality,

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

SECTION 1. The 2006 Temporary Capital Budget of the Borough of Mantoloking is hereby constituted by the adoption of a schedule to read as follows:

PROJECT	EST COST	CAPITAL IMPROV FUND	DEBT AUTHORIZED
Road improvement Barnegat Lane	\$30,000	\$ 3,000	\$ 27,000
Runyon Lane Sewer & Road improve	255,000	13,000	242,000
GIS System	20,000	3,000	17,000
Police Equipment	17,000	2,000	15,000
Dump Truck	70,000	5,000	65,000
Walkway Improvements	20,000	3,000	17,000
Storm Sewer Inlets	15,000	2,000	13,000
HVAC Improvements	19,000	3,000	16,000
Flap Valve Program	19,000	3,000	16,000
TOTAL	465,000	37,000	428,000

Section 2. The Clerk be and is hereby authorized to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after adoption of these projects for 2006 Temporary Capital Budget, to be included in the 2006 Permanent Capital Budget as adopted.

The motion was seconded by Councilman Jones and unanimously approved by voice vote.

8. ORDINANCES:

Councilman Popaca moved the following seven (7) resolutions. The motion was seconded by Councilman Jones and unanimously approved by voice vote.

RESOLUTION NO. 02/21/2006 – 09: PUBLIC HEARING/ADOPTION OF ORDINANCE NO. 502

WHEREAS, on the 21st day of February, 2006 a public hearing on Ordinance No. 502 was held.

All council members present considered all comments made by two public commentators.

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, hereby adopt the following Ordinance entitled: (Copy attached)

ORDINANCE NO. 502

AN ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR STORMWATER CONTROL, IN THE BOROUGH OF MANTOLOKING, OCEAN COUNTY NEW JERSEY, AND PROVIDING PENALTIES FOR VIOLATIONS

RESOLUTION NO. 02/21/2006 – 10: PUBLIC HEARING/ADOPTION OF ORDINANCE NO. 503

WHEREAS, on the 21st day of February, 2006 a public hearing on Ordinance No. 503 was held.

All council members present considered all comments made by two public commentators.

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, hereby adopt the following Ordinance entitled: (Copy attached)

ORDINANCE NO. 503

AN ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR DISPOSAL OF PET SOLID WASTE IN THE BOROUGH OF MANTOLOKING, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

RESOLUTION NO. 02/21/2006 – 11: PUBLIC HEARING/ADOPTION OF ORDINANCE NO. 504

WHEREAS, on the 21st day of February, 2006 a public hearing on Ordinance No. 504 was held.

All council members present considered all comments made by two public commentators.

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, hereby adopt the following Ordinance entitled: (Copy attached)

ORDINANCE NO. 504

AN ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR CONTROL OF LITTERING IN THE BOROUGH OF MANTOLOKING AND PROVIDING FOR PENALTIES FOR VIOLATIONS

RESOLUTION NO. 02/21/2006 – 12: PUBLIC HEARING/ADOPTION OF ORDINANCE NO. 505

WHEREAS, on the 21st day of February, 2006 a public hearing on Ordinance No. 505 was held.

All council members present considered all comments made by two public commentators.

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, hereby adopt the following Ordinance entitled: (Copy attached)

ORDINANCE NO. 505

AN ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR PROPER HANDLING OF YARD WASTE IN THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

RESOLUTION NO. 02/21/2006 – 13: PUBLIC HEARING/ADOPTION OF ORDINANCE NO. 506

WHEREAS, on the 21st day of February, 2006 a public hearing on Ordinance No. 506 was held.

All council members present considered all comments made by two public commentators.

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, hereby adopt the following Ordinance entitled: (Copy attached)

ORDINANCE NO. 506

AN ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR PROHIBITION OF THE DISPOSAL OF MATERIALS OTHER THAN STORM WATER IN THE MUNICIPAL SEPARATE STORM WATER SYSTEM OF THE BOROUGH OF MANTOLOKING, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

RESOLUTION NO. 02/21/2006 – 14: PUBLIC HEARING/ADOPTION OF ORDINANCE NO. 507

WHEREAS, on the 21st day of February, 2006 a public hearing on Ordinance No. 507 was held.

All council members present considered all comments made by two public commentators.

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, hereby adopt the following Ordinance entitled: (Copy attached)

ORDINANCE NO. 507

AN ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR PROHIBITION OF THE FEEDING OF UNCONFINED WILDLIFE IN ANY PUBLIC PARK, OR PUBLIC LANDS OWNED OR OPERATED BY THE BOROUGH OF MANTOLKING, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

RESOLUTION NO. 02/21/2006 – 15: PUBLIC HEARING/ADOPTION OF ORDINANCE NO. 508

WHEREAS, on the 21st day of February, 2006 a public hearing on Ordinance No. 508 was held.

All council members present considered all comments made by two public commentators.

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, hereby adopt the following Ordinance entitled: (Copy attached)

ORDINANCE NO. 508

AN ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR THE PROHIBITION OF ILLICIT CONNECTIONS TO THE MUNICIPAL SEPARATE STORM WATER SYSTEM IN THE BOROUGH OF MANTOLOKING, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

Councilman Gillingham moved the following:

RESOLUTION NO. 02/21/2006 – 16: PUBLIC HEARING/ADOPTION OF ORDINANCE NO. 509

WHEREAS, on the 21st day of February, 2006 a public hearing on Ordinance No. 509 was held. No comments were made by the public.

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, hereby adopt the following Ordinance entitled: (Copy attached)

ORDINANCE NO. 509

AN ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR PRIVATE TRAFFIC DUTY BY MEMBERS OF THE POLICE DEPARTMENT OF THE BOROUGH OF MANTOLOKING, AND ESTABLISHING COMPENSATION AND ADMINISTRATIVE FEES FOR SUCH ACTIVITY
The motion was seconded by Councilman Husted and unanimously approved by voice vote.

Councilman Nebel moved the following:

RESOLUTION NO. 02/21/2006 – 17: PUBLIC HEARING/ADOPTION OF ORDINANCE NO. 510

WHEREAS, on the 21st day of February, 2006 a public hearing on Ordinance No. 510 as amended was held. No comments were made from the public.

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, hereby adopt the following Ordinance entitled: (Copy attached)

ORDINANCE NO. 510

ORDINANCE TO EXCEED THE 2006 MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

The motion was seconded by Councilman Jones and unanimously approved by voice vote.

Councilman Nebel moved the following:

RESOLUTION NO. 02/21/2006–18: INTRODUCTION OF ORDINANCE NO. 511 THROUGH 519 BOND ORDINANCES

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey hereby adopts on first reading (title only) the following Ordinances:

ORDINANCE NO. 511

BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR STORM DRAINAGE AND ROADWAY IMPROVEMENTS

TO RUNYON LANE AT A PROJECT COST OF \$255,000.00 AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$242,000.00, AND APPROPRIATING THE SUM OF \$13,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE

ORDINANCE NO. 512

BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR BARNEGAT LANE, PHASE 4 DRAINAGE IMPROVEMENTS, RESURFACING AND SUPPLEMENTING 2004 CAPITAL ORDINANCE NO. 486, AT A COST OF \$30,000.00 AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$27,000.00, AND APPROPRIATING THE SUM OF \$3,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE

ORDINANCE NO. 513

BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR GIS SYSTEM AND SUPPLEMENTING 2004 CAPITAL ORDINANCE NO. 477, AT A COST OF \$20,000.00 AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$17,000.00, AND APPROPRIATING THE SUM OF \$3,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE

ORDINANCE NO. 514

BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR PURCHASE OF MASONRY DUMP TRUCK FOR PUBLIC WORKS AT A COST OF \$70,000.00 AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$65,000.00, AND APPROPRIATING THE SUM OF \$5,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE

ORDINANCE NO. 515

BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR CONSTRUCTION OF HANDICAP ACCESSIBLE PUBLIC WALKWAY IMPROVEMENTS (1 WALKWAY FROM OCEAN AVENUE TO BARNEGAT BAY BETWEEN BLOCK 24, LOT 43 AND BLOCK 24, LOT 44 AND BLOCK 22, LOT 43 AND BLOCK 22, LOT 44) AT A COST OF \$20,000.00 AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$17,000.00, AND APPROPRIATING THE SUM OF \$3,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE

ORDINANCE NO. 516

BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR MODIFICATION OF EXISTING STORM SEWER INLETS TO COMPLY WITH NJDEP REGULATIONS AT A COST OF \$15,000.00 AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$13,000.00, AND APPROPRIATING THE SUM OF \$2,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE

ORDINANCE NO. 517

BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR IMPROVEMENTS TO HEATING SYSTEM IN THE WESTERN END OF THE MUNICIPAL BUILDING AT A COST OF \$19,000.00 AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$16,000.00, AND APPROPRIATING THE SUM OF \$3,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE

ORDINANCE NO. 518

BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR THE IMPLEMENTATION OF BACK BAY FLAP VALVE PROGRAM AT A COST OF \$19,000.00

AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$16,000.00, AND APPROPRIATING THE SUM OF \$3,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE

ORDINANCE NO. 519

BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF POLICE EQUIPMENT AT A COST OF \$17,000.00 AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$15,000.00, AND APPROPRIATING THE SUM OF \$2,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE

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, and provided to anyone at cost during regular business hours, M-F 9am–1 pm, 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 Husted and unanimously approved by voice vote.

Councilman Nebel moved the following:

RESOLUTION NO. 02/21/2006 – 19: INTRODUCTION OF ORDINANCE NO. 520

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. 520

AN ORDINANCE AMENDING ORDINANCES NO. 171 AND 500, THE MANTOLOKING BOROUGH SALARY ORDINANCE, REVISING SALARY FOR THE PLANNING BOARD RECORDER IN 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, and provided to anyone at cost during regular business hours, M-F 9am–1 pm, 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 Husted and unanimously approved by voice vote.

Councilman Gillingham moved the following:

RESOLUTION NO. 02/21/2006 – 20: INTRODUCTION OF ORDINANCE NO. 521

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. 521

AN ORDINANCE AMENDING ORDINANCE NO. 465, "THE LAND USE ORDINANCE 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, and provided to anyone at cost during regular business hours, M-F 9am–1 pm, 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 Popaca and unanimously approved by voice vote.

10. COMMITTEE REPORTS AND RECOMMENDATIONS

FINANCE COMMITTEE, COUNCILMAN NEBEL:

- A. Activities of the Finance Committee
- B. Action Items:

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

RESOLUTION NO. 02/21/2006 – 21: PAYMENT OF BILLS FOR THE MONTH OF FEBRUARY 2006

WHEREAS, the Municipal Finance Officer has presented a list of bills in the total amount of **\$1,495,365.62** and recommended that they be paid, now, therefore, be it

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey approves 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. 02/21/2006 – 22: AUTHORIZE SELF-EXAMINATION OF THE 2006 BUDGET

WHEREAS, N.J.S.A. 40A: 4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Mantoloking has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2006 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Mantoloking that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

- 1) That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a) Payment of interest and debt redemption charges
 - b) Deferred charges and statutory expenditures
 - c) Cash deficit of preceding year
 - d) Reserve for uncollected taxes
 - e) Other reserves and non-disbursement items
 - f) Any inclusions of amounts required for school purposes
- 2) That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
- 3) That the budget is in such form, arrangement, and content as required by the Local Budget law and N.J.A.C. 5:30-4 and 5:30-5.
- 4) That pursuant to the Local Budget Law:
 - a) All estimates of revenue are reasonable, accurate and correctly stated,
 - b) Items of appropriation are properly set forth
 - c) In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
- 5) The budget and associated amendments have been introduced and publicly advertised with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
- 6) That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Councilman Nebel moved the following resolution. The motion was seconded by Councilman Gillingham and unanimously approved by voice vote.

RESOLUTION NO. 02/21/2006 – 23: INTRODUCTION OF THE 2006 MUNICIPAL BUDGET

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2006;

BE IT FURTHER RESOLVED, that said Budget be published in the Ocean Star in the issue of 02/24/2006.

The Governing Body of the Borough of Mantoloking does hereby approve the following Budget for the year 2006:

RECORDED VOTE (Last Names)

AYES: Husted, Jones, Nebel, Strohm, Gillingham, Popaca

NAYS: NONE

ABSTAINED: NONE

ABSENT: NONE

and be it

FURTHER RESOLVED that notice is hereby given that the Budget and Tax Resolution was approved by the Governing Body of the Borough of Mantoloking, County of Ocean, on February 21, 2006. A hearing on the Budget and Tax Resolution will be held at the Municipal Building on March 27, 2006 at 8:00 p.m. at which time and place objections to said Budget and Tax Resolution for the year 2006 may be presented by taxpayers or other interested persons.

Summary of Revenues	Anticipated	
	2006	2005
1. Surplus	350,000.00	350,000.00
2. Total Miscellaneous Revenue	518,841.84	546,223.42
3. Receipts from Delinquent Taxes	30,000.00	52,000.00
4. a) Local Tax for Municipal Purpose	2,369,835.22	2,093,596.13
Addition to Local District School		
b) Tax	.00	.00
Total Amount to be Raised for Support of Municipal Budget	2,369,835.22	2,093,596.13
Total General Revenues	3,268,677.06	3,041,819.55

Summary of Appropriations	2006 Budget	Final 2005 Budget
1. Operating Expenses: Salaries and Wages	1,178,169.00	1,139,190.00
Other Expenses	1,542,362.84	1,392,547.42
Deferred Charges and Other		
2. Appropriations	43,000.00	43,671.43
3. Capital Improvements	75,000.00	75,000.00
4. Debt Service (Include for School Purposes)	217,000.00	192,600.00
5. Reserve for Uncollected Taxes	213,145.22	198,810.70
Total General Appropriations	3,268,677.06	3,041,819.55
Total Number of Employees		

Balance of Outstanding Debt			
	General	No Utilities	
Interest	21,000.00		
Principal	196,000.00		
Outstanding Balance	667,000.00		

Councilman Nebel moved the following six (6) resolutions. The motion was seconded by Councilman Husted and unanimously approved by voice vote.

RESOLUTION NO. 02/21/2006 – 24: APPROVE AWARD OF CONTRACTS FOR PROFESSIONAL SERVICES

WHEREAS, the Borough of Mantoloking has a need to acquire Professional Services as traditional contracts pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 (as appropriate); and,

WHEREAS, Chief Financial Officer has determined and certified in writing that the value of the acquisitions will exceed \$17,500; and,

WHEREAS, the anticipated term of the contracts is one (1) year; and

WHEREAS, the following have submitted proposals by January 17, 2006 indicating they will provide their listed services:

<u>POSITION</u>	<u>OFFICIAL</u>	<u>CONTRACT AMOUNT</u>	<u>BUSINESS NAME</u>
Planning Board Attorney	John J. DeVincens	\$225.00 - Meeting Attendance Fee	DeVincens & Associates, LLC

AND

WHEREAS, as may be applicable pursuant to N.J.S.A. 19:44-A-20.4, et seq. obligates the professional contractors to certify that they have not made any reportable contributions to a political or candidate committee in the Borough of Mantoloking in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract, and

WHEREAS, the Business Entity Disclosure Certification shall be executed prior to execution of the professional services contract, and

WHEREAS, a Certificates of Availability of Funds issued by the Chief Financial Officer has been submitted pursuant to N.J.A.C. 5:30-5.4.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Mantoloking authorize the Mayor to enter into the contracts with the professional contractors as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution. And,

BE IT FURTHER RESOLVED that notice of this action is published as a contract award without competitive bidding as professional services pursuant to N.J.S.A. 40:55D-24.

RESOLUTION NO. 02/21/2006 – 25: OTHER PROFESSIONAL SERVICE CONTRACTS FOR 2006

WHEREAS, the award of contracts for professional services and maintenance of Borough facilities, equipment and personnel obligations, enumerated in this resolution, is necessary and in the public interest to provide for the efficient operation of the Borough; and

WHEREAS, A Certificate of Funds Availability has been filed with the Borough Clerk; now, therefore, be it RESOLVED by the Mayor and Council of the Borough of Mantoloking as follows:

1. The Mayor and Clerk are hereby authorized and directed to execute service and maintenance agreements in accordance with the following list, which identifies the services and providers thereof. Said contracts are to be executed following approval, as to form, by the Borough Attorney. Copies of the contracts are available for inspection at the Clerk’s office during regular business hours.
2. Notice of this action is to be published as a contract award without competitive bidding as professional services pursuant to N.J.S.A. 40:55D-24.

<u>POSITION</u>	<u>OFFICIAL</u>	<u>CONTRACT AMOUNT</u>	<u>BUSINESS NAME</u>
Special Counsel	John J. DeVincens, Esq.	\$170.00 per hour	DeVincens & Associates, LLC
Conflicts Prosecutor	Joseph D. Coronato, Esq.	\$125/per hour Court Appearances/ \$100/per hour Preparation for Hearings/ Plus Misc. Expenses	Mulvaney Coronato & Brady

RESOLUTION NO. 02/21/2006 – 26: MISCELLANEOUS SERVICE AND MAINTENANCE CONTRACTS FOR 2006

WHEREAS, the award of contracts for services and maintenance of Borough facilities, equipment and personnel obligations enumerated in this resolution is necessary and in the public interest to provide for the efficient operation of the Borough; and

WHEREAS, A Certificate of Funds Availability has been filed with the Borough Clerk; now, therefore, be it RESOLVED by the Mayor and Council of the Borough of Mantoloking as follows:

3. The Mayor and Clerk are hereby authorized and directed to execute service and maintenance agreements in accordance with the following list, which identifies the services and providers thereof. Said contracts are to be executed following approval, as to form, by the Borough Attorney. Copies of the contracts are available for inspection at the Clerk’s office during regular business hours.

<u>SERVICE</u>	<u>CONTRACT AMOUNT</u>	<u>BUSINESS NAME</u>
Computer Software Maint.	\$125 per hour Instruction Service/ \$7,455 Annual Fee for Maintenance	Edmunds & Associates, Inc.
Medical Physical/Drug Testing/ Work Related Injury Treatment	\$25-\$65 per Procedure (Workers Comp Ins. Authorized)	Shore Health Group-Occupational Medicine

RESOLUTION NO. 02/21/2006 – 27: OCEAN COUNTY CONSTRUCTION INSP. DEPT. ALL CODE AGREEMENT

WHEREAS, the County of Ocean has offered to enter into an Agreement with the Borough (All Code Agreement) whereby the County will provide selected Subcode Official Services (Attached Exhibit “A”); and

WHEREAS, the Agreement has been reviewed by the Borough Attorney; and

WHEREAS, it is deemed appropriate and in the public interest for the Borough to enter into said Agreement and to avail itself of a portion of the available services.

IT IS NOW, THEREFORE, this 21st day of February, 2006, RESOLVED, by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The execution of the above referenced Agreement on behalf of the Borough is hereby authorized and directed.
2. The services to be provided to the Borough pursuant to said Agreement are Fire Protection Subcode Official, Plumbing and Electrical Subcode Official.

RESOLUTION NO. 02/21/2006 – 28: APPROVAL OF EMPLOYEE DENTAL PLAN POLICY ENDORSEMENT

WHEREAS, on March 17, 2003 the Mayor and Council approved the Borough’s participation in a dental health insurance plan with Peoples Benefit Life Insurance Company effective April 1, 2003, and

WHEREAS, the Borough employees have benefited from their participation in the plan at their own cost, and

WHEREAS, the Peoples Benefit Life Insurance Company has notified the Borough of Mantoloking that the monthly premium rates have changed. The change is a rate increase in all categories as outlined in the attached, Exhibit “B” policy endorsement effective April 1, 2006 and therefore, be it

RESOLVED, by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, that the attached Exhibit “B” schedule of changes to the Peoples Benefit Life Insurance Company Master Policy is hereby approved and, be it

FURTHER RESOLVED, that the Policy Endorsement be executed by the Borough’s Insurance Commissioner, Irene H. Ryan and made a part of the Master Policy.

RESOLUTION NO. 02/21/2006 – 29: PROVIDING FOR HEALTH BENEFIT WAIVERS FOR FULL-TIME BOROUGH EMPLOYEES

WHEREAS, under the provisions of the State Health Benefits Program Coverage, the Borough may elect to offer, to full time employees, the option to waive health benefits coverage; and

WHEREAS, under the applicable regulations, the Borough may offer, as an incentive to the employee, a sum of money not greater than FIFTY (50%) PERCENT of the amount saved by the Borough as the result of the employee’s exercise of the waiver; and

WHEREAS, It is deemed to be appropriate and in the public interest for the Borough to offer its full time employees the waiver option; and

WHEREAS, the Finance Committee of the Borough Council has reviewed the impact of this program;

IT IS NOW, THEREFORE, this 21st day of February, 2006, RESOLVED by the Mayor and Council of the Borough of Mantoloking, as follows:

1. The Borough does hereby exercise its right, under Chapter 259, P.L. 1995, to permit qualified full-time employees to waive coverage and to receive an incentive.
2. The incentive shall be FIFTY (50%) PERCENT of the **HEALTH NET #034** plan of the New Jersey Division of Pensions and Benefits to be experienced by the Borough as the result of an employee’s exercise of the waiver.
3. It is the burden of the employee to provide proof of coverage type including Single, Member & Spouse, Family or Parent & Child in order to determine annual premium savings by the Borough.
4. The incentive payment is to be made semiannually on June 30th and December 31st of any year employee is employed.

5. In the event that an employee who has waived coverage shall lose his or her coverage as a dependent, said employee may immediately resume coverage.
6. The Borough reserves the rights to, from time-to-time, adjust the incentive percentage, to the extent permitted by applicable law.
7. Upon the exercise of waiver (completion and filing of the prescribed form), the employee shall also acknowledge, in writing, that the income tax consequences of such election have been considered by the employee and that the employee has not acted in reliance upon any tax advice provided by the Borough or its representatives.
8. A certified true copy of this Resolution shall be filed with the New Jersey Division of Pensions and Benefits.
9. The Mayor and Clerk are authorized and directed to execute and deliver any documentation which may be required to permit implementation of this Resolution.

PUBLIC SAFETY COMMITTEE, COUNCILMAN GILLINGHAM:

- A. Activities of the Public Safety Committee
- B. Action Items: NONE

BEACH ORDINANCE & STAFFING REVIEW COMMITTEE COUNCILMAN GILLINGHAM

- A. Activities of the Beach Ordinance & Staffing Review Committee
- B. Action Items: NONE

GARBAGE & RECYCLING COMMITTEE, COUNCILMAN STROHM

- A. Activities of the Garbage and Recycling Committee
- B. Action Items:

Councilman Strohm moved the following:

RESOLUTION NO. 02/21/2006 – 30: EXERCISE OPTION TO EXTEND THE SOLID WASTE AND RECYCLABLE CONTRACT

WHEREAS, pursuant to the Contract with M & S Waste Services, Inc., the Borough has the right to exercise a one (1) year extension option for the period commencing March 1, 2006, at a cost of \$146,0000.00 (Solid Waste Collection Option III, Alternative (B)); and

WHEREAS, it is the desire of the Borough to exercise the one (1) year option.

IT IS NOW, THEREFORE, this 21st day of February 2006, RESOLVED by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The Borough shall and hereby does exercise the extension option (3rd year);
2. All rights concerning future extension options are reserved;

Notice of this exercise of contract extension option shall be provided forthwith to M & S Waste Services, Inc.

The motion was seconded by Councilman Popaca and was unanimously approved by voice vote.

DRUG & ALCOHOL ALLIANCE COMMITTEE, COUNCILMAN STROHM

- A. Activities of the Drug & Alcohol Alliance Committee
- B. Action Items:

PUBLIC WORKS COMMITTEE, COUNCILMAN POPACA

- A. Activities of the Public Works Department
- B. Action Items:

Councilman Popaca moves the following:

RESOLUTION NO. 02/21/2006 – 31: STORM SEWER IMPROVEMENTS FOR BARNEGAT LANE, (LYMAN STREET TO HERBERT STREET) - CHANGE ORDER NO. 1

WHEREAS, the Borough entered into Contract No. 2004-2 with Haskell Site Work LLC for drainage improvements for Barnegat Lane (Lyman Street to Herbert Street); and

WHEREAS, due to unforeseeable site conditions, Haskell Site Work LLC has submitted Change Order No. 1 for:

- a. Delete bid item No. 04, Construction Stakeout of Pipe – Work to be performed by Engineer
- b. Install additional type 4 Inlet at station 33+70, remove and relocate existing storm sewer.
- c. Relocate water services. (Low area with ponding.)

And

WHEREAS, it is deemed to be in the public interest to proceed with the work; and

WHEREAS, the Borough Engineer, Thomas Guldin, P.E. (Hatch Mott MacDonald) has, by letter dated February 2, 2006 (Exhibit “C” attached), recommended the execution of Change Order No. 1.

IT IS NOW, THEREFORE, this 21st day of February, 2006, RESOLVED by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, that Change Order No. 1 is hereby approved and shall forthwith be executed by the Mayor and Borough Clerk.

The motion was seconded by Councilman Nebel and unanimously approved by voice vote.

Councilman Popaca moved the following:

RESOLUTION NO. 02/21/2006 – 32: STORM DRAINAGE IMPROVEMENTS FOR BARNEGAT LANE (LYMAN STREET TO HERBERT STREET) – PAYMENT NO. 4

WHEREAS, the Borough has entered into a Contract with Haskell Site Work, LLC (Contract 2004-2) to provide storm drainage improvements; and

WHEREAS, the Contractor’s Application for Payment No. 4 has been reviewed and recommended for payment by the Borough Engineer, Thomas Guldin, P.E. in the sum of \$23,544.75, by letter dated February 9, 2006; and

WHEREAS, funds have heretofore been appropriated by Ordinance 474 and 497.

IT IS NOW, THEREFORE, this 21st day of February, 2006, RESOLVED by the Mayor and Council of the Borough of Mantoloking that the Application for Payment No. 4 to Haskell Site Work, LLC. is hereby approved in the sum of \$23,544.75 and shall be paid forthwith from funds heretofore appropriated and shall be disbursed upon receipt, by the Chief Financial Officer, of appropriate documentation.

The motion was seconded by Councilman Nebel and unanimously approved by voice vote.

Councilman Popaca moved the following:

RESOLUTION NO. 02/21/2006 – 33: SEWAGE PUMP STATION REPLACEMENT EMERGENCY GENERATOR WIRING WORK – APPLICATION FOR PAYMENT

WHEREAS, the Borough has entered into a contract with Municipal Maintenance Co. (Contract 2005-5) to provide electrical wiring work of the pump station replacement emergency generator; and

WHEREAS, the Contractor’s Application for Payment has been reviewed and recommended for payment by the Borough Engineer, Thomas Guldin, P.E. in the sum of \$14,750.00, by letter dated February 9, 2006; and

WHEREAS, funds have heretofore been appropriated by Ordinance 487.

IT IS NOW, THEREFORE, this 21st day of February, 2006, RESOLVED by the Mayor and Council of the Borough of Mantoloking that the Application for Payment to Municipal Maintenance Co. is hereby approved in the sum of \$14,750.00 and shall be paid forthwith from funds heretofore appropriated and shall be disbursed upon receipt, by the Chief Financial Officer, of appropriate documentation.

The motion was seconded by Councilman Jones and unanimously approved by voice vote.

OCEAN COUNTY BLOCK GRANT PROGRAM COMMITTEE COUNCILMAN POPACA

- A. Activities of the Ocean County Block Grant Program Committee
- B. Action Items: NONE

REGIONALIZATION & SHARED SERVICES COMMITTEE, COUNCILMAN POPACA:

- A. Activities of the Regionalization & Shared Services Committee
- B. Action Items: None

BEAUTIFICATION OF MANTOLOKING COMMITTEE, COUNCILMAN POPACA

- A. Activities of the Beautification of Mantoloking Committee
- B. Action Items: None

UTILITY SERVICES COMMITTEE, COUNCILMAN POPACA:

- A. Activities of the Utility Services Committee
- B. Action Items: None

LONG RANGE PLANNING COMMITTEE, COUNCILMAN POPACA

- A. Activities of the Long Range Planning Committee
- B. Action Items: None

ARCHIVES AND RECORDS COMMITTEE, COUNCILMAN POPACA

- A. Activities of the Archives and Records Committee
- B. Action Items: None

DUNE & BEACH RENOURISHMENT COMMITTEE, COUNCILMAN HUSTED:

- A. Activities of the Dune & Beach Renourishment Committee
- B. Action Items: None

LEGISLATIVE ACTION COMMITTEE, COUNCILMAN HUSTED:

- A. Activities of the Legislative Action Committee
- B. Action Items:

DUNE WALK COMMITTEE, COUNCILMAN JONES:

- A. Activities of the Dune Walk Committee
- B. Action Items:

Councilman Jones moved the following:

RESOLUTION NO. 02/21/2006 – 34: EMERGENCY STORM RESPONSE EARTH WORK ACTIVITIES CONTRACT

WHEREAS, the interest of the Borough and its residents necessitates the continued availability of emergency storm response capacity; and

WHEREAS, the emergency storm response contractor has consented to extend the term of the Contract to March 31, 2006, upon the same terms and conditions.

IT IS NOW, THEREFORE, this 21st day of February, 2006, RESOLVED by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The above referenced Contract extension is hereby approved and the Mayor is authorized to execute the Contract extension.
2. The Borough shall, forthwith, solicit proposals for a new storm emergency response Contract.

The motion was seconded by Councilman Husted and unanimously approved by voice vote.

FLOOD STRATEGY COMMITTEE, COUNCILMAN JONES:

- A. Activities of the Flood Strategy Committee
- B. Action Items: None

NFIP FLOOD HAZARD MITIGATION PLANNING COMMITTEE, COUNCILMAN JONES:

- A. Activities of the NFIP Flood Hazard Mitigation Planning Committee
- B. Action Items: None

11.EXECUTIVE SESSION AS NECESSARY

RESOLUTION NO. 02/21/2006 – 35: ADJOURN TO CLOSED SESSION IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

WHEREAS, the Open Public Meetings Act, N.J.S.A.10: 4-11, permits municipal governing bodies to meet in closed session to discuss certain matters, now, therefore be it

RESOLVED, the Mayor and Council adjourns to closed session to discuss pending or anticipated litigation or contract negotiation and/or matters of attorney-client privilege.

FURTHER RESOLVED, the minutes of this closed session be made public when the need for confidentiality no longer exists.

The motion was seconded by Councilman Popaca at 9:24 p.m. and was unanimously approved by voice vote.

12.OPEN SESSION AS NECESSARY

The Mayor and Council reconvened at 9:59 p.m. The public was invited to return to the meeting room. No action was taken.

13.NEXT MEETING Regular Meeting of Monday, March 27, 2006 at 8:00 p.m.

14. ADJOURNMENT

There being no further business for this meeting, it was moved by Councilman Husted to adjourn at 10:00 p.m. The motion was seconded by Councilman Nebel and unanimously approved by voice vote.

Respectfully submitted by,

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

