

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

**MINUTES OF THE REGULAR BUSINESS MEETING**  
**March 19, 2007**

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: 4:30 p.m.**
  
2. **OPEN PUBLIC MEETING STATEMENT: Mayor Nebel**  
*In compliance with the provisions of the New Jersey Open Public Meetings Act, adequate notice of this meeting of the Mantoloking Borough Council has been advertised in the manner provided by law.*
  
3. **ROLL CALL**  
Mayor George C. Nebel, Council President Douglas J. Popaca, Councilmen John H. Jones, Peter R. Strohm, Steve Gillingham, Stanley F. Witkowski and Councilwoman Ann Elizabeth Nelson  
**Absent:: None**
  
4. **PLEDGE OF ALLEGIANCE**
  
5. **PRIVILEGE OF THE FLOOR:** The Mayor opened the meeting for public comment and questions about the agenda.
  
6. **MINUTES OF PREVIOUS MEETINGS:**  
**RESOLUTION NO. 03/19/2007 - 01: APPROVAL OF MINUTES**  
Councilman Gillingham moved that the following minutes as distributed are approved.  
Regular Meeting of February 13, 2007 and Closed Session of February 13, 2007 The motion was seconded by Councilwoman Nelson and unanimously approved by voice vote.

**7. MAYOR'S REPORT**

Councilman Popaca moved the following:

**RESOLUTION NO. 03/19/2007 – 02: CONFIRMING THE APPOINTMENT OF OFFICIALS/COMMISSIONS/BOARDS/COMMITTEES/SUB-COMMITTEE MEMBERS**

**WHEREAS**, it is the responsibility of the Mayor with the consent of Council to appoint various individuals such officials and members of municipal boards or committees; and

**WHEREAS, AFTER DUE DELIBERATION**, the Mayor and Council have determined that the following individuals are nominated for the Environmental Commission and the Alternate Beach Replenishment Funding Sub-Committee:

**ENVIRONMENTAL COMMISSION**

Joseph DeAmicis	Chairman	Term Expires 12/31/2009
Constance E. Pilling	Member	Term Expires 12/31/2009

Peter Chance	Member	Term Expires 12/31/2008
Jennifer Buck	Member	Term Expires 12/31/2008
Richard Bradley	Member	Term Expires 12/31/2007

**ALTERNATE BEACH REPLENISHMENT FUNDING SUB-COMMITTEE**

Craig Goldman	Member	Term Expires 12/31/2007
Anthony Grella	Member	Term Expires 12/31/2007

**IT IS NOW, THEREFORE,** this 19<sup>th</sup> day of March, 2007, Resolved by the Mayor and Council of the Borough of Mantoloking, as follows:

1. That the Council does, by this Resolution, hereby confirm, ratify, and approve the nominations and appointments and terms of office identified in both as to those officers and positions wherein the Mayor has the right to nominate and appoint with the advice and consent of Council or otherwise, and as to those offices and positions wherein the Council has the right to select said individuals or entities.

The motion was seconded by Councilman Jones 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

**9. COMMITTEE REPORTS AND RECOMMENDATIONS**

**FINANCE COMMITTEE, COUNCILMAN WITKOWSKI**

- A. Report of the Municipal Finance Officer
- B. Action Items:

Councilman Witkowski moved the following eleven (11) resolutions. Councilman Gillingham seconded the motion and it was unanimously approved by voice vote.

**RESOLUTION NO. 03/19/2007 – 03: ACCEPTANCE OF THE REPORT OF THE MUNICIPAL FINANCE OFFICER January 31, 2007**

**WHEREAS,** the Chief Finance Officer has presented a report on the status of the 2007 municipal budget as of January 31, 2007; and

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

ACCOUNT	BUDGET	EXPENDED YEAR TO DATE	ENCUMBERED	BALANCE
2007 Current Year Appropriation	\$ 774,300.00	\$184,124.62	\$ 36,345.44	\$ 553,829.94

<b>2006 Appropriation Reserves</b>	<b>\$ 352,215.85</b>	<b>\$ 53,877.19</b>	<b>\$ 55,368.50</b>	<b>\$ 242,970.16</b>
<b>Capital</b>	<b>\$601,572.01</b>	<b>\$ 24,404.07</b>		<b>\$ 577,167.94</b>

<b>ACCOUNT</b>	<b>REVENUE THIS MONTH</b>	<b>REVENUE YEAR TO DATE</b>
<b>Cash Receipts</b>	<b>\$ 697,782.04</b>	<b>\$697,782.04</b>

now, therefore, be it

**RESOLVED**, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey accept the above referenced and summarized report and directs that a copy be attached to and made part of the minutes of this meeting.

**RESOLUTION NO. 03/19/2007 – 04: TO ADOPT APPROPRIATION RESERVE TRANSFER #3**

**WHEREAS**, N.J.S.A. 40A: 4-59 provides that in the first 3 months of the fiscal year, the amount of any appropriation reserve for the immediately preceding fiscal year is insufficient to pay the claims authorized or incurred during said preceding year which were chargeable to said appropriation, and there shall be an excess in any appropriation reserves over and above the amount deemed to be necessary to fulfill its purpose, the governing body may, by resolution adopted by not less than a 2/3 vote of the full membership thereof, transfer the amount of such excess to an appropriation reserve or an appropriation in the prior budget deemed to be insufficient to fulfill its purpose or for which no reserve was provided.

**WHEREAS**, the Chief Financial Officer has advised the Mayor and Council of the Borough of Mantoloking that the need for certain transfers within the 2006 Appropriation Reserves exists; and

**WHEREAS**, it is recommended that these appropriation reserve transfers be made;

**NOW, THEREFORE BE IT RESOLVED** by the governing body of the Borough of Mantoloking that the following budget transfers be made for the 2006 Appropriation Reserve balances

<b><u>DEPARTMENT</u></b>		<b><u>TO</u></b>	<b><u>FROM</u></b>
Municipal Clerk	OE		\$1,000.00
Construction	SW		1,000.00
Road Repair	OE		1,000.00
Engineering	OE	4,000.00	
Garbage	OE		1,000.00
<b>Total</b>		<b>\$ 4,000.00</b>	<b>\$ 4,000.00</b>

**RESOLUTION NO. 03/19/2007 – 05: TO ADOPT TEMPORARY EMERGENCY APPROPRIATIONS #1**

**WHEREAS**, N.J.S.A. 40A: 4-20 provides that an addition to temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the Governing Body may, by resolution adopted

by 2/3 vote of the full membership thereof, make emergency temporary appropriations for any purpose for which the appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year.

**WHEREAS**, the total emergency temporary resolutions adopted in the year 2007 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A: 4-20) including this resolution total \$640,500.00.

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Mantoloking, that in accordance with the provisions of N.J.S.A. 40A: 4-20, the Chief Financial Officer be authorized to make the following emergency temporary budget appropriations in the 2007 current fund temporary budget and that said amounts be included under the correct headings in the municipal budget as adopted.

**BE IT FURTHER RESOLVED** that one certified copy of this resolution be filed with the Director of the Division of Local Government Services and one certified copy with the Chief Financial Officer.

<u>DEPARTMENT</u>	<u>S&amp;W</u>	<u>OE</u>
Municipal Clerk	10,000.00	10,000.00
<b>Finance</b>	5,000.00	2,000.00
Tax Collector	2,000.00	
<b>Tax Assessor</b>	2,000.00	500.00
Planning	5,000.00	10,000.00
<b>Construction</b>	4,000.00	2,000.00
Liability Ins		20,000.00
<b>Group Health Ins</b>		5,000.00
Police	50,000.00	30,000.00
<b>Emergency Mngmt</b>		500.00
Fire		5,000.00
<b>Road Repair</b>	5,000.00	
Garbage		12,000.00
<b>Buildings &amp; Grounds</b>		10,000.00
Beach Guard		2,000.00
<b>Beach Maint OC</b>		5,000.00
Electricity		2,000.00
<b>Telephone</b>		2,000.00
PERS		12,500.00
<b>PFRS</b>		97,500.00
Municipal Court	3,000.00	
<b>Note Principal</b>		300,000.00
Note Interest		26,500.00
<b>Total</b>	<b>86,000.00</b>	<b>554,500.00</b>

GRAND TOTAL 640,500.00

**RESOLUTION NO. 03/19/2007 – 06: PAYMENT OF BILLS FOR THE MONTH OF FEBRUARY 2007**

*WHEREAS, the Municipal Finance Officer has presented a list of bills in the total amount of \$ 1,384,954.73 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. 03/19/2007 – 07: OTHER PROFESSIONAL SERVICE AND MAINTENANCE CONTRACTS FOR 2007**

**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>
Planning Bd. Attorney	John J. DeVincens	\$225.00/hr meetings \$170.00/hr all other	DeVincens & Associates, LLC

**RESOLUTION NO. 03/19/2007 – 08: MISCELLANEOUS SERVICE AND MAINTENANCE CONTRACTS FOR 2007**

**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>
Janitorial Services	\$1,014.25/mo	Clean Sweep of New Jersey

**RESOLUTION NO. 03/19/2007 – 09: TO ADOPT A TEMPORARY CAPITAL BUDGET #2**

**WHEREAS**, the Borough of Mantoloking has not adopted its 2007 municipal budget and therefore has not adopted the 2007 Capital portion of that budget,

**WHEREAS**, the Borough of Mantoloking desires to constitute the 2007 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 2007 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
<b>ROADWAY IMPROVEMENTS</b>	\$285,000.00	\$20,000.00	\$265,000.00
CONSTRUCTION OF BORO			
YARD GARAGE	120,000.00	10,000.00	110,000.00
<b>PUBLIC WALKWAY</b>	16,000.00	800.00	15,200.00
CONSTRUCT BULKHEAD-			
ARNOLD STREET	40,000.00	2,000.00	38,000.00
<b>FENCE-SEWER STATION</b>	12,000.00	2,000.00	10,000.00
CROSSWALKS	27,000.00	2,000.00	25,000.00
<b>GIS/GPS SYSTEM</b>	20,000.00	2,000.00	18,000.00
PURCHASE POLICE RADIOS	10,000.00	2,000.00	8,000.00
<b>TOTAL</b>	<b>\$530,000.00</b>	<b>\$40,800.00</b>	<b>\$489,200.00</b>

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 2007 Temporary Capital Budget, to be included in the 2007 Permanent Capital Budget as adopted.

**RESOLUTION NO. 03/19/2007 – 10: INTRODUCTION OF ORDINANCE NO. 541 TO ESTABLISH A CAP BANK FOR 2007**

**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. 541**

**ORDINANCE TO EXCEED THE 2007 MUNICIPAL BUDGET  
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**

***and be it***

***FURTHER RESOLVED***, the attached Comprehensive Resolution of Introduction is hereby adopted, and be it

**FURTHER RESOLVED**, that copies of all Ordinances introduced and all Resolutions adopted shall be maintained on file for public examination at the office of the Borough Clerk, published on the Borough's Website, [www.mantoloking.org](http://www.mantoloking.org), and provided to anyone, free of charge, during regular business hours, M-F 8:30a.m. – 4:30p.m. 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.

**RESOLUTION NO. 03/19/2007 – 11: LATE INTRODUCTION OF 2007 BUDGET**

**RESOLVED**, that due to the economic uncertainties of the day, the time for accumulating and preparing the necessary information for the 2007 Budget for the Borough of Mantoloking exceeded the time fixed by State Statute of March 12.

**BE IT FURTHER RESOLVED**, that the Borough of Mantoloking, County of Ocean, State of New Jersey that the Borough Clerk be and hereby is authorized and directed to forward two (2) certified copies of this resolution to the Office of the Director of Local Government Services and furnish said Director with any further information required to act upon this matter.

**RESOLUTION NO. 03/19/2007 – 12: AUTHORIZE SELF-EXAMINATION OF THE 2007 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 2007 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.

**RESOLUTION NO. 03/19/2007 – 13: INTRODUCTION OF THE 2007 MUNICIPAL BUDGET**

**BE IT RESOLVED**, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2007;

**BE IT FURTHER RESOLVED**, that said Budget be published in the Ocean Star in the issue of 03/23/2007.

The Governing Body of the Borough of Mantoloking does hereby approve the following Budget for the year 2007:

**RECORDED VOTE (Last Names)**  
**AYES: NELSON, JONES, STROHM, WITKOWSKI, 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 March 19, 2007. A hearing on the Budget and Tax Resolution will be held at the Municipal Building on April 23, 2007 at 4:30 p.m. at which time and place objections to said Budget and Tax Resolution for the year 2007 may be presented by taxpayers or other interested persons.

## **Revenue and Appropriation Summaries**

Summary of Revenues	Anticipated	
	2007	2006
1. Surplus	550,000.00	350,000.00
2. Total Miscellaneous Revenue	521,454.29	525,709.59
3. Receipts from Delinquent Taxes	20,000.00	30,000.00
4. a) Local Tax for Municipal Purpose	2,516,920.62	2,369,835.22
Addition to Local District School		
b) Tax	.00	.00
Total Amount to be Raised for Support of Municipal Budget	2,516,920.62	2,369,835.22
<b>Total General Revenues</b>	<b>3,608,374.91</b>	<b>3,275,544.81</b>

Summary of Appropriations	2007 Budget	Final 2006 Budget
1. Operating Expenses: Salaries and Wages	1,226,700.00	1,195,669.00
Other Expenses	1,702,233.29	1,529,730.59
Deferred Charges and Other		
2. Appropriations	48,034.00	45,000.00
3. Capital Improvements	80,000.00	75,000.00
4. Debt Service (Include for School Purposes)	326,500.00	217,000.00
5. Reserve for Uncollected Taxes	224,907.62	213,145.22
Total General Appropriations	3,608,374.91	3,275,544.81

Balance of Outstanding Debt			
	General	No Utilities	
Interest	26,500.00		
Principal	300,000.00		
Outstanding Balance	740,000.00		

**PUBLIC SAFETY COMMITTEE, COUNCILMAN GILLINGHAM:**

- A. Activities of the Public Safety Committee
- B. Action Items:

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

**RESOLUTION NO. 03/19/2007 – 14: APPROVAL OF AWARD OF CONTRACT FOR PURCHASE OF A POLICE VEHICLE**

**WHEREAS**, the Borough Clerk advertised for sealed bids for the purchase of one (1), new, police vehicle.  
**WHEREAS**, bids were publicly opened and read aloud at 3:00p.m. on March 15, 2007 in the office of the Borough Clerk with the following results:

Bidder	Amount of Bid
<i>Hertrich Fleet Services.</i>	20,194.00
<i>Werner Ford</i>	20,664.00
<i>Warnock Fleet</i>	20,257.00
<i>Larson Ford (2008 Vehicle)</i>	22,582.00
<i>Rt 23 Ford &amp; Nissan</i>	19,997.00

**WHEREAS**, the bid submissions have now been reviewed by the Borough Attorney, now therefore, be it **RESOLVED**, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey awards a contract in the amount of **\$19,997.00** for the furnishing of a new police vehicle to the lowest bidder, Rt 23 Ford & Nissan, 1301 Route 23 South, Butler, NJ

**RESOLUTION NO. 03/19/2007 – 15: INTRODUCTION OF 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 Ordinance:

**ORDINANCE NO. 540**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,  
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR  
THE ACQUISITION OF POLICE RADIOS  
AT A COST OF \$10,000.00,  
AUTHORIZING THE ISSUANCE OF BONDS  
AND NOTES IN THE PRINCIPAL SUM OF \$8,000.00, AND APPROPRIATING  
THE SUM OF \$2,000.00 FROM THE CAPITAL IMPROVEMENT  
FUND FOR SAID PURPOSE**

**RESOLUTION NO. 03/19/2007 – 16: PROVIDING FOR RATIFICATION OF EMPLOYMENT OF POLICE RECRUIT**

**WHEREAS**, there exists a need for the Police Department to engage special officers; and

**WHEREAS**, historically, a source of such personnel has been through sponsorship of individuals as police recruit trainees, at the Police Academy; and

**WHEREAS**, current regulations mandate that any such arrangement constitutes employment of the sponsored recruit, by the Borough; and

**WHEREAS**, a form of Employment agreement has been prepared to formalize the scope and terms of the employment of police recruits; and

**WHEREAS**, the Chief has identified the recruit, and it is necessary to formally ratify such employment, as is memorialized in the form of Agreements.

**IT IS NOW, THEREFORE**, this 19<sup>th</sup> day of March, 2007, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The practice of employing police recruits under the terms and conditions of the above described Contract is hereby approved.
2. Each individual Contract is subject to Council approval.
3. The Contract with recruit **Shawn R. Blakely**, is hereby ratified.
4. The Contract with recruit **Michael D. Brown**, is hereby ratified.
5. Salary is designated to be \$7.15 per hour for the above named recruits.
6. The Chief of Police shall, not less than annually, report to Council concerning the efficacy of this procedure.

**PUBLIC WORKS COMMITTEE, COUNCILMAN POPACA**

**A. Activities of the Public Works & Public Works Facilities Committees**

**B. Action Items:**

Councilman Popaca moved the following:

**RESOLUTION NO. 03/19/2007 – 17: APPOINTMENTS AND EMPLOYEE SALARY DESIGNATION**

**RESOLVED**, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey approves the following amendment of the 2007 Salary Resolution with the terms and conditions indicated:

<b>Name</b>	<b>Position</b>	<b>Effective Date</b>	<b>Salary</b>
Laurence H. Gilman	FT Public Works Laborer	March 19, 2007	\$24.00/Hour

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

Councilman Popaca moved the following:

**RESOLUTION NO. 03/19/2007 – 18: PETITIONING FOR EXEMPTION FROM REQUIREMENT TO APPOINT A PRINCIPAL PUBLIC WORKS MANAGER**

**WHEREAS**, N.J.S.A. 40A:9-154.5, ET SEQ. PERMITS THE Director of the Division of Local Government Services to grant exemptions, in certain cases, from the requirement to appoint a principal Public Works Manager; and

**WHEREAS**, the Borough was previously exempt, which exemption will expire on March 27, 2007; and

**WHEREAS**, it is the desire of the governing body to re-apply for exemption for the Borough based upon the minimal public works activities conducted by the Borough; and

**WHEREAS**, the Division has issued a form of application for exemption.

**IT IS NOW, THEREFORE**, this 19<sup>th</sup> day of March, 2007, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The Borough shall, and hereby does, petition for grant of exemption from the requirement to appoint a principal Public Works Manager, with certificate.
2. The Chairperson of the Public Works Committee is hereby authorized and directed to complete and file the application, together with a copy of this Resolution with the Certification Unit of the Division of Local Government Services for a Certificate of Exemption.

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

Councilman Popaca moved the following:

**RESOLUTION NO. 03/19/2007 – 19: PUBLIC HEARING AND ADOPTION OF ORDINANCE NO. 532 – BOND ORDINANCE FOR PURCHASE OF PUBLIC WORKS BACKHOE**

**WHEREAS**, on the 19<sup>th</sup> day of March, 2007 a public hearing on Ordinance No. 532 was held and three 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. 532**  
**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,  
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR THE  
ACQUISITION OF PUBLIC WORKS BACKHOE AT A COST OF \$94,000.00  
AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL**

**SUM OF \$84,000.00, AND APPROPRIATING THE SUM OF \$10,000.00  
FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE**

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

Councilman Popaca moved the following:

**RESOLUTION NO. 03/19/2007 – 20: INTRODUCTION OF 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. 533**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,  
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR  
ROADWAY IMPROVEMENTS, AT A COST OF \$285,000.00,  
AUTHORIZING THE ISSUANCE OF BONDS  
AND NOTES IN THE PRINCIPAL SUM OF \$265,000.00, AND APPROPRIATING  
THE SUM OF \$20,000.00 FROM THE CAPITAL IMPROVEMENT  
FUND FOR SAID PURPOSE**

**ORDINANCE NO. 534**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,  
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR  
CONSTRUCTION OF BOROUGH YARD GARAGE, AT A COST OF \$120,000.00,  
AUTHORIZING THE ISSUANCE OF BONDS  
AND NOTES IN THE PRINCIPAL SUM OF \$110,000.00, AND APPROPRIATING  
THE SUM OF \$10,000.00 FROM THE CAPITAL IMPROVEMENT  
FUND FOR SAID PURPOSE**

**ORDINANCE NO. 535**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,  
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR  
CONSTRUCTION OF A PUBLIC WALKWAY, AT A COST OF \$16,000.00,  
AUTHORIZING THE ISSUANCE OF BONDS  
AND NOTES IN THE PRINCIPAL SUM OF \$15,200.00, AND APPROPRIATING  
THE SUM OF \$800.00 FROM THE CAPITAL IMPROVEMENT  
FUND FOR SAID PURPOSE**

**ORDINANCE NO. 536**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,  
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR  
CONSTRUCTION OF NEW BULKHEAD AT ARNOLD STREET, AT A  
COST OF \$40,000.00,  
AUTHORIZING THE ISSUANCE OF BONDS  
AND NOTES IN THE PRINCIPAL SUM OF \$38,000.00, AND APPROPRIATING  
THE SUM OF \$2,000.00 FROM THE CAPITAL IMPROVEMENT  
FUND FOR SAID PURPOSE**

**ORDINANCE NO. 537**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,  
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR  
INSTALLATION OF A FENCE FOR THE SEWER PUMP STATION,  
AT A COST OF \$12,000.00,  
AUTHORIZING THE ISSUANCE OF BONDS  
AND NOTES IN THE PRINCIPAL SUM OF \$10,000.00, AND APPROPRIATING  
THE SUM OF \$2,000.00 FROM THE CAPITAL IMPROVEMENT  
FUND FOR SAID PURPOSE**

**ORDINANCE NO. 538**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,  
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR  
CONSTRUCTION OF CROSSWALKS AT THE ROAD INTERSECTIONS OF  
LYMAN STREET AND BARNEGAT LANE AND  
BERGEN AVENUE AND BARNEGAT LANE  
AT A PROJECT COST OF \$27,000.00 AUTHORIZING THE ISSUANCE OF BONDS  
AND NOTES IN THE PRINCIPAL SUM OF \$25,000.00, AND APPROPRIATING  
THE SUM OF \$2,000.00 FROM THE CAPITAL IMPROVEMENT  
FUND FOR SAID PURPOSE**

**ORDINANCE NO. 539**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,  
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR  
THE ACQUISITION OF A GIS/GPS SYSTEM  
AT A COST OF \$20,000.00,  
AUTHORIZING THE ISSUANCE OF BONDS  
AND NOTES IN THE PRINCIPAL SUM OF \$18,000.00, 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](http://www.mantoloking.org), and provided to anyone, free of charge, during regular business hours, M-F 8:30a.m. – 4:30p.m.  
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.*

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

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

Councilman Jones reports on the Borough Administrative Code (Ordinance No. 531).

**LEGISLATIVE ACTION COMMITTEE, COUNCILMAN STROHM**

- A. Activities of the Legislative Action Committee**

**B. Action Items: None**

**MANTOLOKING COMMITTEE, COUNCILWOMAN ANN ELIZABETH NELSON**

A. Activities of the Mantoloking Committee

B. Action Items: None

**10. MAYOR AND COUNCIL COMMENTS**

**11. PUBLIC COMMENTS PERIOD**

**12. EXECUTIVE SESSION**

To discuss police contract

Councilwoman Nelson moved the following:

**RESOLUTION NO. 03/19/2007 – 21: 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: a collective bargaining agreement and/or negotiations related to it, pending or anticipated litigation or contract negotiation and/or matters of attorney-client privilege and a matter involving the purchase, lease, or acquisition of real property with public funds.*

*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 Jones and unanimously approved by voice vote at 5:14 p.m.

**13. OPEN SESSION AS NECESSARY**

The Mayor and Council reconvened at 6:20 p.m. No further action was taken.

**14. NEXT MEETING** Regular Council Meeting of Monday, April 23, 2007 at 4:30 p.m.

**15. ADJOURNMENT**

There being no further business for this meeting, it was motioned by Councilman Gillingham to adjourn at 6:21 p.m. The motion was seconded by Councilwoman Nelson and unanimously approved by voice vote.

Respectfully submitted,

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

