

THE BOROUGH OF MANTOLOKING
MAYOR AND COUNCIL

MINUTES – REGULAR BUSINESS MEETING
Monday, April 19, 2004
8:00 P.M.
BOROUGH HALL

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 January 2, 2004. 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 Steve Gillingham, Councilmen Elbert E. Husted, III, John H. Jones, Alan C. Laymon, Douglas J. Popaca,

ABSENT: Councilman Nebel

4. PLEDGE OF ALLEGIANCE

5. PRIVILEGE OF THE FLOOR: The Mayor opened the meeting for public comment and questions about the agenda and any other matter of public interest. No comments were made.

6. MINUTES OF PREVIOUS MEETINGS:

RESOLUTION NO. 04/19/04 – 01: It was moved by Councilman Gillingham to approve the following: The Minutes from the Regular Meeting of February 24, 2003, Closed Session of February 24, 2003, Regular Meeting of March 15, 2004 and Special Meeting of March 29, 2004.

The motion was seconded by Councilman Laymon and was approved by voice vote.

7. MAYOR'S REPORT & PRESENTATIONS

Mayor Dunbar reported that the Yacht Club 4th of July Committee is getting ready for 2004 parade.

The Mantoloking Bridge construction has resumed after a period of waiting for flounder fish provisions, delivery of steel, etc. The bridge will open fewer times. However, during construction, delays for boat traffic will be expected due to only one lane that will be provided.

Mayor Dunbar expressed the need for residents to inquire about building permits before they start their projects.

The Mayor commended Peter Strohm for his efforts in opposition to the Highway 35 improvements and the proposed changes for Boards of Education.

Councilman Gillingham moved the following:

RESOLUTION NO. 04/19/04 – 02: APPOINTMENT OF ALTERNATE MEMBERS TO THE PLANNING BOARD

WHEREAS, Section 3.2.c of the Land Use Ordinance of the Borough permits the Mayor to appoint up to four (4) alternate Members of the Planning Board; and

WHEREAS, as presently constituted, the Planning Board has two (2) alternate Members (Class IV); and

WHEREAS, the Mayor has elected to appoint two (2) additional alternate Members to the Planning Board. See announcement of appointment attached as Exhibit A.

IT IS NOW, THEREFORE, this 19th day of April, 2004, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The appointments described in Exhibit "A" are hereby acknowledged, confirmed and ratified.
2. A copy of this Resolution shall be delivered forthwith to the Chairman and the Secretary of the Joint Planning Board/Board of Adjustment of the Borough of Mantoloking.

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

8. DEPARTMENT REPORTS

- A. Police Report
- B. Fire Report
- C. Emergency Coordinator Report
- D. Public Works Superintendent Report
- E. Construction Official Report
- F. Chief Financial Officer Report

Councilman Gillingham moved the following:

RESOLUTION NO. 04/19/04 – 03: ACCEPTANCE OF THE REPORT OF THE MUNICIPAL FINANCE OFFICER FOR FEBRUARY 29, 2004

WHEREAS, the Chief Finance Officer has presented a report on the status of the 2004 municipal budget as of February 2004; and

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

	Cash Balance	Appropriation Balance
Current Fund	2,069,235.38	
Trust & Escrow Fund	142,679.60	
General Capital Fund	540,363.35	
Total	2,752,278.33	726,978.11

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 Jones and was approved by voice vote.

Councilman Gillingham moved the following:

RESOLUTION NO. 04/19/04 – 04: REQUESTING APPROVAL OF 2004 BUDGET EMERGENCY

Prior Year Bill: Engineering **WHEREAS**, an emergency has arisen with respect to

Other Expenses
Hatch, Mott, MacDonald

and no adequate provision was made in the 2004 budget for the aforementioned purpose, and N.J.S. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned, and

WHEREAS, the total amount of emergency appropriation created including the appropriation to be created by this resolution is\$12,244.93 and three percent of the total operations in the budget for the year 2004 is.....\$86,902.54

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2004,

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-48,

1. An emergency appropriation be and the same is hereby made for Prior Year Bills: Engineering, Other Expenses, Hatch, Mott, MacDonald in the amount of \$12,244.93
 2. That said emergency appropriation shall be provided in full in the 2005 budget, and is requested to be excluded from CAPS, pursuant to NJS 40A:4-53.3c(1)
 3. That two certified copies of this resolution be filed with the Director of Local Government Services
- The motion was seconded by Councilman Popaca and was approved by voice vote.

9. ORDINANCES:

- A. Public Hearing(s)
- B. Consideration of Ordinances for Adoption After Public Hearing
- C. Introduction of Ordinances by Title Only (NONE)

Councilman Husted moved the following:

RESOLUTION NO. 04/19/04 – 05: ADOPTION OF ORDINANCE NO. 474

WHEREAS, on the 19th day of April, 2004 a public hearing was held and comments have been made and considered by all council members present,

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

ORDINANCE NO. 474

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR
ROADWAY IMPROVEMENTS, ON BARNEGAT LANE
(LYMAN STREET TO HERBERT STREET)
AT A PROJECT COST OF \$245,100.00
AND AUTHORIZING THE ISSUANCE OF BONDS
AND NOTES IN THE PRINCIPAL SUM OF \$232,100.00, AND APPROPRIATING
THE SUM OF \$13,000.00 FROM THE CAPITAL IMPROVEMENT
FUND FOR SAID PURPOSE**

The motion was seconded by Councilman Laymon and was approved by voice vote.

Councilman Husted moved the following:

RESOLUTION NO. 04/19/04 – 06: ADOPTION OF ORDINANCE NO. 475

WHEREAS, on the 19th day of April, 2004 a public hearing was held and no comments have been made.

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

ORDINANCE NO. 475

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR
RELOCATION OF STORM DRAINAGE FACILITIES ON RUNYON LANE
AT A PROJECT COST OF \$62,800.00
AUTHORIZING THE ISSUANCE OF BONDS
AND NOTES IN THE PRINCIPAL SUM OF \$59,600.00, AND APPROPRIATING
THE SUM OF \$3,200.00 FROM THE CAPITAL IMPROVEMENT
FUND FOR SAID PURPOSE**

The motion was seconded by Councilman Laymon and was approved by voice vote.

Councilman Husted moved the following:

RESOLUTION NO. 04/19/04 – 07: ADOPTION OF ORDINANCE NO. 476

WHEREAS, on the 19th day of April, 2004 a public hearing was held and no comments have been made.

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

ORDINANCE NO. 476

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR
THE CONSTRUCTION OF BULKHEAD REPLACEMENT
(DOWNER AVENUE) AT A COST OF \$79,500.00
AND AUTHORIZING THE ISSUANCE OF BONDS
AND NOTES IN THE PRINCIPAL SUM OF \$75,500.00, AND APPROPRIATING
THE SUM OF \$4,000.00 FROM THE CAPITAL IMPROVEMENT
FUND FOR SAID PURPOSE**

The motion was seconded by Councilman Laymon and was approved by voice vote.

Councilman Husted moved the following:

RESOLUTION NO. 04/19/04 – 08: ADOPTION OF ORDINANCE NO. 477

WHEREAS, on the 19th day of April, 2004 a public hearing was held and no comments have been made.

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

ORDINANCE NO. 477

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR
ACQUISITION OF GPS-GIS SYSTEM (MAPPING)
AT A PROJECT COST OF \$30,000.00
AUTHORIZING THE ISSUANCE OF BONDS
AND NOTES IN THE PRINCIPAL SUM OF \$28,500.00, AND APPROPRIATING
THE SUM OF \$1,500.00 FROM THE CAPITAL IMPROVEMENT
FUND FOR SAID PURPOSE**

The motion was seconded by Councilman Laymon and was approved by voice vote.

Councilman Husted moved the following:

RESOLUTION NO. 04/19/04 – 09: ADOPTION OF ORDINANCE NO. 478

WHEREAS, on the 19th day of April, 2004 a public hearing was held and no comments have been made.

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

ORDINANCE NO. 478

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR
MUNICIPAL BUILDING GARAGE RENOVATIONS
AT A PROJECT COST OF \$25,000.00
AUTHORIZING THE ISSUANCE OF BONDS
AND NOTES IN THE PRINCIPAL SUM OF \$23,750.00, AND APPROPRIATING
THE SUM OF \$1,250.00 FROM THE CAPITAL IMPROVEMENT
FUND FOR SAID PURPOSE**

The motion was seconded by Councilman Laymon and was approved by voice vote.

Councilman Husted moved the following:

RESOLUTION NO. 04/19/04 – 10: ADOPTION OF ORDINANCE NO. 479

WHEREAS, on the 19th day of April, 2004 a public hearing was held and no comments have been made.

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

ORDINANCE NO. 479

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR
ACQUISITION OF GENERATOR AND IMPROVEMENTS
FOR EMERGENCY MANAGEMENT SERVICE HEADQUARTERS
AT A PROJECT COST OF \$20,000.00
AUTHORIZING THE ISSUANCE OF BONDS
AND NOTES IN THE PRINCIPAL SUM OF \$19,000.00, AND APPROPRIATING
THE SUM OF \$1,000.00 FROM THE CAPITAL IMPROVEMENT
FUND FOR SAID PURPOSE**

The motion was seconded by Councilman Laymon and was approved by voice vote.

Councilman Husted moved the following:

RESOLUTION NO. 04/19/04 – 11: ADOPTION OF ORDINANCE NO. 480

WHEREAS, on the 19th day of April, 2004 a public hearing was held and no comments have been made.

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

ORDINANCE NO. 480

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR
REPLACEMENT OF FIRE/EMERGENCY SIGNAL
AT A PROJECT COST OF \$75,000.00
AUTHORIZING THE ISSUANCE OF BONDS
AND NOTES IN THE PRINCIPAL SUM OF \$71,200.00, AND APPROPRIATING
THE SUM OF \$3,800.00 FROM THE CAPITAL IMPROVEMENT
FUND FOR SAID PURPOSE**

The motion was seconded by Councilman Laymon and was approved by voice vote.

Councilman Husted moved the following:

RESOLUTION NO. 04/19/04 – 12: ADOPTION OF ORDINANCE NO. 481

WHEREAS, on the 19th day of April, 2004 a public hearing was held and comments have been made and considered by all council members present,

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

ORDINANCE NO. 481

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR
ACQUISITION OF COMPUTERS AND SOFTWARE
FOR FINANCE, POLICE, ETC. AT A PROJECT COST OF \$45,000.00
AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE
PRINCIPAL SUM OF \$42,700.00, AND APPROPRIATING
THE SUM OF \$2,300.00 FROM THE CAPITAL IMPROVEMENT
FUND FOR SAID PURPOSE**

The motion was seconded by Councilman Laymon and was approved by voice vote.

Councilman Popaca moved the following:

RESOLUTION NO. 04/19/04 – 13: ADOPTION OF ORDINANCE NO. 482

WHEREAS, on the 19th day of April, 2004 a public hearing was held and comments have been made and considered by all council members present,

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

ORDINANCE NO. 482

**AN ORDINANCE AMENDING ORDINANCE NO. 271 ENTITLED:
“AN ORDINANCE TO PROMOTE AND PRESERVE THE
PUBLIC PEACE, SAFETY AND GENERAL WELFARE
WITHIN THE BOROUGH OF MANTOLOKING IN THE
COUNTY OF OCEAN, NEW JERSEY; AND TO REPEAL
BOROUGH ORDINANCE NO. 115”
AND PROVIDING FOR LIMITATIONS OR PROHIBITION
OF COMMERCIAL CONSTRUCTION ACTIVITY**

The motion was seconded by Councilman Jones and opposed by Councilman Laymon. The resolution was approved by voice vote.

9. COMMITTEE REPORTS AND RECOMMENDATIONS

FINANCE COMMITTEE, COUNCILMAN JONES:

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

Councilman Jones moved the following:

RESOLUTION NO. 04/19/04 – 14: PAYMENT OF BILLS FOR THE MONTH OF APRIL 2004

WHEREAS, the interim Municipal Finance Officer has presented a list of bills in the total amount of \$225,672.71 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.

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

Councilman Gillingham moved the following:

RESOLUTION NO. 04/19/04 – 15: PROVIDING FOR ENGAGEMENT OF PAYROLL SERVICE PROVIDER

WHEREAS, the Borough of Mantoloking is of the view that efficient operation of the Borough is enhanced by the utilization of a payroll service provider; and

WHEREAS, the Chief Financial Officer has recommended the engagement of Action Data Services, of West Caldwell, New Jersey, as such provider; and

WHEREAS, the cost will be borne by Fleet Bank, the Borough of Mantoloking’s principal bank; and

WHEREAS, the undertaking will be on an at will basis,

NOW, THEREFORE BE IT RESOLVED, that this 19th day of April, 2004 that the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey as follows:

- 1) The Borough shall, effective July 1, 2004, utilize the services of Action Data Services as its payroll service provider.
- 2) The Chief Financial Officer is hereby authorized to take such action as may be necessary to implement the purposes of this Resolution.

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

Councilman Jones moved the following:

RESOLUTION NO. 04/19/04 – 16: TO CANCEL CAPITAL ORDINANCE BALANCES OF COMPLETED PROJECTS

WHEREAS, certain General Capital Improvement appropriation balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective Capital Improvement Fund or credited to Surplus, and unused debt authorizations may be canceled;

NOW THEREFORE, BE IT RESOLVED, by the Council of the Borough of Mantoloking, County of Ocean, State of New Jersey, that the following unexpended and dedicated balances of General Capital Appropriations be canceled:

ORD I.	NO.	DATE	AUTH	PROJECT	AMOUNT CANCELLED	
					FUNDED	UNFUNDED
276		09/18/89		Site Improvements	.72	
305		08/19/91		Curbs @ East Ave		29,215.87
347		11/21/94		Fire Apparatus		1,453.36
353		03/20/95		Downer Ave Lot	986.45	
376/401				Replace Bulkheads	852.50	
386		02/18/98		Boro Hall Electrical	1,624.12	
388		03/16/98		Bay & Princeton Rd	12,889.02	
405		07/19/99		Roadway Improvements	24.96	
416		04/18/00		Boro Hall Security	4,655.55	
420		07/17/00		Bay Ave Storage Yard	66.02	
423		08/21/00		Lagoon Lane Bulkhead	1,695.60	
428		04/16/01		Lyman Street Bulkhead	142.55	
436		12/17/01		Fuel Dispensing System	53.09	
440		02/19/02		PW Tractor	9,318.00	

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

Councilman Jones moved the following:

RESOLUTION NO. 04/19/04 – 17: APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Mantoloking in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2004 in the sum of **\$682.88**, which is now available from the State of New Jersey, **Department of Law and Public Safety**.

BE IT FURTHER RESOLVED, that the like sum of **\$682.88** is hereby appropriated under the caption of **2004 Body Armor Grant**; and

BE IT FURTHER RESOLVED, that the above is the result of funds from the State of New Jersey, Department of Law and Public Safety in the amount of \$682.88.

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

Councilman Jones moved the following:

RESOLUTION NO. 04/19/04 – 18: APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Mantoloking in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2004 in the sum of **\$4,000.00**, which is now available from the State of New Jersey, **Department of Environmental Protection**.

BE IT FURTHER RESOLVED, that the like sum of \$4,000.00 is hereby appropriated under the caption of **2004 Clean Communities Grant**; and

BE IT FURTHER RESOLVED, that the above is the result of funds from the State of New Jersey, **Department of Environmental Protection** in the amount of **\$4,000.00**.

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

Councilman Jones moved the following:

RESOLUTION NO. 04/19/04 – 19: APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Mantoloking in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2004 in the sum of **\$2,405.72**, which is now available from the State of New Jersey, **New Jersey Office of Emergency Management**.

BE IT FURTHER RESOLVED, that the like sum of **\$2,405.72** is hereby appropriated under the caption of **Emergency Management Grant**; and

BE IT FURTHER RESOLVED, that the above is the result of funds from the State of New Jersey, **New Jersey Office of Emergency Management** in the amount of **\$2,405.72**.

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

Councilman Jones moved the following:

RESOLUTION NO. 04/19/04 – 20: BOROUGH BEACH BADGES FREE OF CHARGE OR FEE

WHEREAS, in recognition of their service to and identification with the Borough, it has been customary for the Borough to distribute, free beach badges, to Borough employees and members of the Volunteer Fire Company; and

WHEREAS, it is the desire of Council, in the public interest, to continue this salutary policy.

IT IS NOW, THEREFORE, this 19th day of April, 2004, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. All Borough employees and members of the Mantoloking Volunteer Fire Company shall, upon application, receive Borough beach badges (2004) without charge or fee.

The motion was seconded by Councilman Laymon and was approved by voice vote.

Councilman Jones moved the following:

RESOLUTION NO. 04/19/04 – 21: GRANT OF UNPAID FAMILY LEAVE FOR SANDRA MAIDLING, COURT ADMINISTRATOR

WHEREAS, Sandra Maidling has petitioned for grant of unpaid family leave due to family health problems (spouse) from April 1, 2004 for an undetermined amount of time, and

WHEREAS, Sandra Maidling is a valued Borough employee, in good standing; and

WHEREAS, council deems it to be appropriate and in the interest of the employee and the Borough to grant the relief requested.

IT IS NOW, THEREFORE, this 19th day of April, 2004 **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, that the request of Sandra Maidling for grant of unpaid family leave, for good cause shown, effective April 1, 2004 not to exceed twelve (12) weeks between April 1, 2004 and March 31, 2005 is hereby approved.

The motion was seconded by Councilman Laymon and was approved by voice vote.

Councilman Jones moved the following:

RESOLUTION NO. 04/19/04 – 22: CANCELLATION OF SEWER CHARGES FOR DEMOLISHED RESIDENCE, BLOCK 21, LOT 15

WHEREAS, upon advice of the Tax Collector, it appears that the residence formerly erected upon the following premises:

Block 21, Lot 15, 964 Barnegat lane, owned by James & Patricia Hatfield; has been demolished; and

WHEREAS, a sewer charge invoice for said Block 21, Lot 15 has been issued for 2003, in the sum of \$253.34; and

WHEREAS, the issuance of the invoices was inadvertent and should be rescinded.

IT IS NOW, THEREFORE, this 19th day of April, 2004, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, that the 2003 sewer charges for Block 21, Lot 15 is hereby cancelled.

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

PUBLIC SAFETY COMMITTEE, COUNCILMAN GILLINGHAM:

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

Councilman Gillingham moved the following:

RESOLUTION NO. 04/19/04 – 23: APPOINTMENT OF PERSONNEL

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey approves the following appointments with the terms and conditions indicated:

Name	Position	Effective Date	Salary
Joseph Begyn	Seasonal Police Officer	June 1, 2004	\$7.00 per hour
Chris Fagan	Seasonal Police Officer	June 1, 2004	\$7.00 per hour
J. Reining	Seasonal Police Officer	June 1, 2004	\$7.00 per hour
Thomas Mauro	Seasonal Police Officer	June 1, 2004	\$7.00 per hour
Michael DeRosa	Seasonal Police Officer	June 1, 2004	\$7.00 per hour
Lisa Fischer	Temporary Deputy Court Administrator	March 30, 2004	\$15.00 per hour

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

Councilman Gillingham moved the following:

RESOLUTION NO. 04/19/04 – 24: AGREEMENT FOR PAYMENT OF NEW FIRE PUMPER WITH MANTOLOKING FIRE CO. NO. 1 (Copy attached.)

WHEREAS, at the request of the Fire Company, the Borough has contracted to purchase a new fire pumper truck from Sutphen Corporation for the sum of \$355,732.66; and

WHEREAS, as an inducement to the Borough to perform its obligations as purchaser of the new apparatus, the Fire Company has agreed, upon terms set forth below to contribute to and assist in payment of the costs expended and to be expended by the Borough for said purchase; and

WHEREAS, there is a mutual desire to, by this document, memorialize the terms of Agreement.

The motion was seconded by Councilman Laymon and was approved by voice vote.

GARBAGE & RECYCLING COMMITTEE, COUNCILMAN LAYMON:

- A. Activities of the Garbage and Recycling Committee**
- B. Action Items: None**

Councilman Laymon stated that the Ocean County Recycling rules and the provisions of the Borough’s pick up of the recyclables must be clarified. A new notice will be sent to every property owner in the Borough.

BEAUTIFICATION OF MANTOLOKING COMMITTEE, COUNCILMAN LAYMON:

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

Councilman Laymon reported that the Clean Ocean Action Spring Beach Sweep would take place this Saturday, April 26th from 9:00 am to 12:00 noon. All residents and friends are invited. The garden club is getting estimates for two new Mantoloking signs to be located on Barnegat Lane and Ocean Avenue at the North end of the Borough.

DRUG & ALCOHOL ALLIANCE & COUNTY BLOCK GRANT COMMITTEES, COUNCILMAN LAYMON:

- A. Activities of the Drug & Alcohol Alliance & Ocean County Block Grant Committees**
- B. Action Items: None**

Councilman Laymon stated that the Ocean County Block Grant Committee has organized for 2004. Mantoloking did not apply for a grant this year.

PUBLIC WORKS & PUBLIC WORKS FACILITIES COMMITTEES, Councilman Popaca:

- A. Activities of the Public Works & Public Works Facilities Committees**
- B. Action Items:**

Councilman Popaca moved the following:

RESOLUTION NO. 04/19/04 – 25: AWARD OF CONTRACT FOR DRY CHEMICAL SUPPRESSION SYSTEM (ARCHIVAL STORAGE)

WHEREAS, the Borough Clerk solicited written quotes to furnish and install a fire suppression system in the new archival storage room located in the renovated garage area of the Borough Hall, and

WHEREAS, written quotes were received with the following results:

Contractor	Amount of Quote
<i>Reliable Safety Systems, Inc., Howell, New Jersey</i>	\$8,055.00
<i>Allied Fire & Safety Equipment Co., Inc.</i>	\$8,975.00

And,

WHEREAS, a Certificate of Funds Availability has been filed with the Borough Clerk, 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 **\$8,055.00** for the furnishing and installation of a fire suppression system to the lowest quote of Reliable Safety Systems, Inc., Howell, New Jersey.

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

Councilman Popaca moved the following:

RESOLUTION: AWARD OF CONTRACT FOR PURCHASE OF SINGLE AXLE DUMP TRUCK

WHEREAS, the Borough Clerk advertised for sealed bids for the purchase of one (1), new, 2004 single axle dump truck and:

WHEREAS, bids were publicly opened and read aloud at 12:00 p.m. on April 13, 2004 in the office of the Borough Clerk with the following results:

Bidder	Amount of Bid
<i>DeHart & Son</i>	<i>No bid</i>
<i>Hunter Jersey Peterbuilt, LLP</i>	<i>\$106,800.00</i>

WHEREAS, the bid submissions have now been reviewed by the Borough Attorney and a Certificate of Funds Availability has been filed with the Borough Clerk, 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 **\$106,800.00** for the furnishing of a new single axle dump truck to the lowest bidder, Hunter Jersey Peterbuilt, LLP.

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

Councilman Laymon moved the following:

RESOLUTION NO. 04/19/04 – 27: PERMISSION TO APPLY PESTICIDES FROM AIRCRAFT

WHEREAS, the Ocean County Mosquito Extermination Commission has submitted its annual report for permission to make aerial application of pesticides within the Borough of Mantoloking; and

WHEREAS, the areas to be so treated are “only those which have significantly high mosquito populations determined to be either a nuisance or health hazard by the Ocean County mosquito Extermination Commission and verified by the surveillance records of the Commission.”; and

WHEREAS, prior to “each and every” application, the Ocean County Mosquito Extermination Commission will notify the Borough; and

WHEREAS, the Borough has, in recent years, granted the permission now requested and has not been subject to unwanted aerial application; and

WHEREAS, it is deemed to be in the public interest, health, safety and welfare to enable resort to such measures as may be necessary to protect the public health.

IT IS NOW, THEREFORE, this 19th day of April, 2004, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The permission requested by the Ocean County Mosquito Extermination Commission, to utilize aerial application, upon terms and conditions set forth in the attached “permission form” is hereby granted.
2. The Mayor is authorized to execute the permission document in the form annexed to this Resolution.

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

REGIONALIZATION & SHARED SERVICES COMMITTEE, COUNCILMAN POPACA:

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

UTILITY SERVICES COMMITTEE, COUNCILMAN POPACA:

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

Councilman Popaca stated that Jersey Central Power and Light Company would be holding a session on hurricane preparation. Representatives from our Police Department will be attending.

Mr. Popaca mentioned that the complaints about the brightness of the streetlights on East Avenue have been investigated. JCP&L informed us that the lights are a new type of bulb. The old bulbs are no longer available.

LONG RANGE PLANNING COMMITTEE, COUNCILMAN HUSTED:

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

Councilman Husted reported that all beachfront property owners that the Borough is ordering dune bulldozing when there is adequate sand available on the beaches. A second notice will go out when we have received permission from the Department of Environmental Protection and our Dune Consultant, Dr. Stewart Farrell has determined that the beaches have adequate sand supplies.

The funding for beach renourishment by the Army Corps of Engineers continues to be bounced around in the legislature. Efforts continue on this subject.

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: None**

DUNE WALK COMMITTEE, COUNCILMAN JONES:

- A. Activities of the Dune Walk Committee**
- B. Action Items: None**

Councilman Jones stated that after seeing our beach lobbyist down in Washington, he learned that they help write the legislation that Congress considers.

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**

Councilman Jones reported that only 35 surveys were completed which is disappointing. The next meeting of the committee is tomorrow morning April 20th.

12. ADJOURNMENT

The next meeting will take place on Monday, May 17, 2004..There being no further business for this public session, it was moved by Councilman Laymon and seconded by Councilman Husted to adjourn at 9:00 p.m.

Respectfully submitted,

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