

THE BOROUGH OF MANTOLOKING
MAYOR AND COUNCIL

MINUTES OF THE REGULAR BUSINESS MEETING
April 23, 2007

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

1. **CALL TO ORDER:** **TIME: 7:30 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 will open the meeting for public comment and questions about the agenda.

6. **MINUTES OF PREVIOUS MEETINGS:**
RESOLUTION NO. 04/23/2007 - 01: APPROVAL OF MINUTES
Councilman Gillingham moved that the following minutes as distributed are approved.
Regular Meeting of March 19, 2007 and Closed Session of March 19, 2007. The motion was seconded by Councilman Jones and unanimously approved by voice vote.

7. **MAYOR'S REPORT**

- Correspondence:
- a. Affirmative Action Compliance
 - b. Clean Ocean Action Organization Spring Beach Sweep (Sat. April 28th)
 - c. Municipal Alliance Committee Spring Town-Wide Garage Sale (Sat. May 5th)

Councilman Popaca moved the following

RESOLUTION NO. 04/23/2007 – 02: CONFIRMING THE APPOINTMENT OF
OFFICIALS/COMMISSION/BOARD/COMMITTEE/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:

Marilyn Potter

Term Expires 12/31/2007

IT IS NOW, THEREFORE, this 23rd day of April, 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 nomination and appointment and term of office identified 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.

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
- I. Environmental Commission 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 three (3) resolutions.

RESOLUTION NO. 04/23/2007 – 03: ACCEPTANCE OF THE REPORT OF THE MUNICIPAL FINANCE OFFICER February 28, 2007

WHEREAS, the Chief Finance Officer has presented a report on the status of the 2007 municipal budget as of February 28, 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	\$336,155.23	\$ 55,279.93	\$ 382,864.84
2006 Appropriation Reserves	\$ 352,215.85	\$ 107,125.62	\$ 16,335.66	\$ 228,754.57
Capital	\$ 601,572.01	\$ 36,730.82		\$ 564,841.19

ACCOUNT	REVENUE THIS MONTH	REVENUE YEAR TO DATE
Cash Receipts	\$1,096,072.30	\$1,793,854.34

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. 04/23/2007 – 04: PAYMENT OF BILLS FOR THE MONTH OF APRIL 2007

WHEREAS, the Municipal Finance Officer has presented a list of bills in the total amount of **\$1,494,647.97** 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. 04/23/2007 – 05: REQUESTING THE CANCELLATION OF TAX OVERPAYMENTS OR DELINQUENT AMOUNTS LESS THAN \$10.00

WHEREAS, N.J.S.A. 40A:5-17 allows for the cancellation of property tax refunds or delinquent amounts in the amounts of less than \$10.00; and,

WHEREAS, the governing body may authorize a municipal employee chosen by said body to process, without further action on their part, any cancellation of property tax refunds or delinquencies of less than \$10.00.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Mantoloking, County of Ocean, State of New Jersey, hereby authorize the Tax Collector to cancel said tax amounts as deemed necessary.

BE IT FINALLY RESOLVED, that a certified copy of the Resolution be forwarded to the Tax Collector.

Councilman Witkowski moved the following:

RESOLUTION NO. 04/23/2007 – 06: PUBLIC HEARING AND ADOPTION OF ORDINANCE NO. 541 – ESTABLISH BUDGET CAP BANK

WHEREAS, on the 23rd day of April, 2007 a public hearing on Ordinance No. 541 was held and one (1) comment was 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. 541

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

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

PUBLIC HEARING OF THE 2007 MUNICIPAL BUDGET

Due to the anticipation of the introduction of an amendment to the 2007 Municipal Budget, the Public Hearing of the 2007 Municipal Budget is opened to the public and no action will be taken by the Council on the adoption of the budget. The meeting was opened for a public hearing on the proposed 2007 Municipal Budget. Comments were made by one (1) commentator. A public hearing on the amendment and adoption of the budget is to be held at the next Regular Council Meeting.

Councilman Witkowski moved the following. Councilman Gillingham seconded the motion and it was unanimously approved by voice vote.

RESOLUTION NO. 04/23/2007 – 07: INTRODUCTION OF AMENDMENT TO THE 2007 MUNICIPAL BUDGET

(See Attached Document)

Councilman Witkowski moved the following:

RESOLUTION NO. 04/23/2007 – 08: TO ADOPT TEMPORARY EMERGENCY APPROPRIATIONS #2

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 \$1,005,600.00.

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&W</u>	<u>OE</u>
Municipal Clerk	12,000.00	10,000.00
Finance	8,000.00	5,000.00
Auditor		8,000.00
Tax Collector	1,000.00	200.00
Tax Assessor	2,000.00	
Legal		10,000.00
Engineering		40,000.00
Planning	5,000.00	
Construction	4,000.00	
Liability Ins		
Workmens Comp		

Group Health Ins		50,000.00
Police	50,000.00	
Emergency Mngmt		
Fire		
Uniform Fire Safety	500.00	
Municipal Prosecutor		2,000.00
Road Repair	20,000.00	
Garbage		12,000.00
Buildings & Grounds		
Beach Guard	3,000.00	
Beach Maintenance		10,000.00
Beach Maint OC		
Electricity		2,000.00
Telephone		
Fire Hydrant		8,000.00
Natural Gas		1,000.00
Gasoline		5,000.00
PERS		
PFRS		
Social Security		15,000.00
Municipal Court	6,000.00	
Note Principal		
Note Interest		
Capital Improvement Fund		75,000.00
Municipal Alliance		400.00
Total	111,500.00	253,600.00
GRAND TOTAL	365,100.00	

Councilman Popaca seconded the motion and it was unanimously 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. 04/23/2007 – 09: PUBLIC HEARING AND ADOPTION OF ORDINANCE NO. 540 – BOND ORDINANCE FOR ACQUISITION OF POLICE RADIOS

WHEREAS, on the 23rd day of April, 2007 a public hearing on Ordinance No. 540 was held and 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. 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

Councilman Gillingham moved the following:

RESOLUTION NO. 04/23/2007 – 10: APPOINTMENT OF PERSONNEL – SEASONAL PART TIME HELP

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
Steven Kenney	Special Police Off. Cl. II	May 15, 2007	\$11.50 /Hour
Scott Dryburgh	Special Police Off. Cl. II	May 15, 2007	\$10.25/Hour
Jared England	Special Police Off. Cl. II	May 15, 2007	\$ 9.75/Hour
Michael Treadway	Special Police Off. Cl. I	May 15, 2007	\$ 7.75/Hour
Gloria Atkinson	Special Police Off. Cl. I	May 15, 2007	\$ 7.50/Hour
Jacquelyn Poretskin	Special Police Off. Cl. I	May 15, 2007	\$ 7.50/Hour
Steve Zucchi	Special Police Off. Cl. I	May 15, 2007	\$ 7.50/Hour
James Airey	Special Police Off. Cl. I	May 15, 2007	\$ 7.50/Hour
Shawn Blakely	Special Police Off. Cl. I	May 15, 2007	\$ 7.25/Hour
Michael Brown	Special Police Off. Cl. I	May 15, 2007	\$ 7.25/Hour

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

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. 04/23/2007 – 11: APPOINTMENT OF PERSONNEL – PUBLIC WORKS FULL TIME EMPLOYMENT

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County,

New Jersey approves the following appointments with the terms and conditions indicated:

<i>Name</i>	<i>Position</i>	<i>Effective Date</i>	<i>Salary</i>
<i>Laurence H. Gilman</i>	<i>FT Public Works Laborer</i>	<i>March 19, 2007</i>	<i>\$49,920.00 annual</i>

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

Councilman Popaca moved the following:

RESOLUTION NO. 04/23/2007 – 12: PUBLIC HEARING AND ADOPTION OF ORDINANCE NO. 533– BOND ORDINANCE FOR ROADWAY IMPROVEMENTS

WHEREAS, on the 23rd day of April, 2007 a public hearing on Ordinance No. 533 was held and two (2) 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. 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**

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

Councilman Popaca moved the following:

RESOLUTION NO. 04/23/2007 – 13: PUBLIC HEARING AND ADOPTION OF ORDINANCE NO. 534 – BOND ORDINANCE FOR BOROUGH YARD GARAGE

WHEREAS, on the 23rd day of April, 2007 a public hearing on Ordinance No. 534 was held and three (3) 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. 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**

Councilman Popaca moved the following:

**RESOLUTION NO. 04/23/2007 – 14: PUBLIC HEARING AND ADOPTION OF ORDINANCE NO. 535 – BOND
ORDINANCE FOR CONSTRUCTION OF PUBLIC WALKWAY (BAYSIDE)**

*WHEREAS, on the 23rd day of April, 2007 a public hearing on Ordinance No. 535 was held and two (2)
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. 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**

Councilman Popaca moved the following:

**RESOLUTION NO. 04/23/2007 – 15: PUBLIC HEARING AND ADOPTION OF ORDINANCE NO. 536 – BOND
ORDINANCE FOR CONSTRUCTION OF NEW BULKHEAD AT ARNOLD STREET**

*WHEREAS, on the 23rd day of April, 2007 a public hearing on Ordinance No. 536 was held and one (1) comment
was 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. 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**

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

Councilman Popaca moved the following:

RESOLUTION NO. 04/23/2007 – 16: PUBLIC HEARING AND ADOPTION OF ORDINANCE NO. 537 – BOND ORDINANCE FOR INSTALLATION OF FENCE FOR THE SEWER PUMP STATION

WHEREAS, on the 23rd day of April, 2007 a public hearing on Ordinance No. 537 was held and 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. 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**

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

Councilman Popaca moved the following:

RESOLUTION NO. 04/23/2007 – 17: PUBLIC HEARING AND ADOPTION OF ORDINANCE NO. 538 – BOND ORDINANCE FOR CONSTRUCTION OF CROSSWALKS

WHEREAS, on the 23rd day of April, 2007 a public hearing on Ordinance No. 538 was held and six (6) 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. 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**

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

Councilman Popaca moved the following:

RESOLUTION NO. 04/23/2007 – 18: PUBLIC HEARING AND ADOPTION OF ORDINANCE NO. 539 – BOND ORDINANCE FOR ACQUISITION OF A GIS/GPS SYSTEM

WHEREAS, on the 23rd day of April, 2007 a public hearing on Ordinance No. 539 was held and one (1) comment was 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. 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**

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

Councilman Popaca moved the following:

RESOLUTION NO. 04/23/2007 – 19: 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 23rd day of April, 2007, **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.

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

DUNE & BEACH RENOURISHMENT COMMITTEE, COUNCILMAN JONES

A. Activities of the Dune & Beach Renourishment Committee

B. Action Items:

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

Councilman Jones moved the following:

RESOLUTION NO. 04/23/2007 – 20: PROVIDING FOR EXERCISE OF CONTRACT EXTENSION OPTION FOR EMERGENCY STORM RESPONSE EARTH WORK ACTIVITIES

WHEREAS, pursuant to the Contract with R. W. V. Land and Livestock South, Inc., the Borough has the right to exercise a one (1) year extension option for the period commencing April, 2007, at a cost of \$45,390.40, in the event of activation, (Emergency Storm Response Earth Work Activity, Supplemental Bid A); and

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

WHEREAS, the Contractor has tendered a conforming Performance Labor and Material Payment Bond.

IT IS NOW, THEREFORE, this 23rd day of April, 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 exercise the option for Emergency Storm Response Earth Work Activities for the period April 30, 2007 through April 30, 2008;
2. Notice of this exercise of contract extension option and payment of the agreed retainer,

\$2,500.00, shall be provided and paid forthwith to R. W. V. Land and Livestock South, Inc. Councilman Gillingham seconded the motion and it was unanimously approved by voice vote.

LEGISLATIVE ACTION COMMITTEE, COUNCILMAN STROHM

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

Councilman Strohm moved the following:

RESOLUTION NO. 04/23/2007 - 21: CONSIDER WAIVER OF PERMIT FEES FOR MANTOLOKING PARTICIPANTS IN THE SPRING 2007 "MUNICIPAL ALLIANCE COMMITTEE OF PT. PLEASANT BEACH, BAY HEAD AND MANTOLOKING TOWN-WIDE GARAGE SALE CHARITY FUND RAISER"

WHEREAS, pursuant to Ordinance, any garage sale permit applicant shall pay a permit fee to the Borough; and

WHEREAS, the Municipal Alliance Committee of Point Pleasant Beach, Bay Head and Mantoloking desires to host a garage sale to support its charitable, public interest purposes; and

WHEREAS, it is the desire of the governing body to encourage and support the efforts of the Committee.

IT IS NOW, THEREFORE, this 23rd day of April, 2007, RESOLVED by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. That the collection of a garage sale permit fee from the Municipal Alliance Committee would be inimical to the spirit of the effort and the public interest.
2. Payment of the 2007 garage sale permit fee by the Municipal Alliance Committee of Point Pleasant Beach, Bay Head and Mantoloking is hereby waived as an expression of endorsement and appreciation for the efforts of the Municipal Alliance Committee.
3. Due to unsafe conditions concerning illegal parking on certain roadways, the Mantoloking Police Chief has ordered that the "No Parking" regulations of the Borough of Mantoloking will be strictly enforced.
4. Upon adoption, the Borough Clerk shall issue a certified copy of this resolution to the Coordinator of the Municipal Alliance Committee.

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

Councilman Strohm moved the following:

RESOLUTION NO. 04/23/2007 - 22: SUBMISSION OF ANNUAL RECYCLING REPORT, ANNUAL TONNAGE REPORT AND APPLICATION FOR 2007 TONNAGE GRANT

WHEREAS, the Borough has continued to implement its recycling program in accordance with applicable regulations; and

WHEREAS, it desires to apply for and to receive any entitlement available under the Recycling Tonnage Grant Program, for 2007; and

WHEREAS, it is the desire of the Borough of Mantoloking to apply for all grants for which it is eligible; and

NOW, THEREFORE, this 23rd day of April, 2007, RESOLVED by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The Borough of Mantoloking does hereby file its 2006 Recycling Tonnage Report and now applies for all of the Recycling Tonnage Grants for which it may be eligible, more particularly 2007 Tonnage Grant.
2. The Mayor and Borough Clerk and any other Borough Officer or Official are hereby authorized and directed to execute and deliver any other documents which may be necessary to implement the purposes of this Resolution.
3. A certified true copy of this Resolution shall forthwith be forwarded to the New Jersey DEP, Bureau of Recycling and Planning and to Ocean County District Recycling Coordinator.

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

MANTOLOKING COMMITTEE, COUNCILWOMAN ANN ELIZABETH NELSON

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

Councilwoman Nelson moved the following:

RESOLUTION NO. 04/23/2007 – 23: NATIONAL LIBRARY WEEK 2007

WHEREAS, our nation's public, academic, school and specialized libraries transform their communities;

WHEREAS, libraries play a vital role in supporting the quality of life in their communities;

WHEREAS, librarians are trained professionals, helping people of all ages and backgrounds find the resources they need to live, learn and work in the 21st century;

WHEREAS, libraries are part of the American Dream – places for opportunity, education, self-help and lifelong learning;

WHEREAS, libraries bring you a world of knowledge both in person and online;

WHEREAS, libraries are a key player in the national discourse on intellectual freedom, equity of access, and narrowing the "digital divide";

WHEREAS, libraries, librarians, library workers and supporters across America are celebrating National Library Week with The Campaign for America's Libraries.

NOW, THEREFORE, be it resolved that the Mayor and Council of the Borough of Mantoloking proclaim National Library Week, April 15-21, 2007. I encourage all residents to visit the Ocean County Library this week to take advantage of the wonderful library resources available and thank the library staff for making information accessible to all who walk through the library's doors. Come see why now is the perfect time to come together @ your library.

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

10. MAYOR AND COUNCIL COMMENTS

11. PUBLIC COMMENTS PERIOD

Police Chief Mark Wright made final comments on "Operation 15 Minutes".

12. EXECUTIVE SESSION

Councilwoman Nelson moved the following:

RESOLUTION NO. 04/23/2007 – 24: 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 matter involving the purchase, lease, or acquisition of real property with public funds and 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.

Councilman Jones seconded the motion and it was unanimously approved by voice vote at 9:08 p.m.

13. OPEN SESSION AS NECESSARY

Councilman Gillingham moved the following:

RESOLUTION NO. 04/23/2007 – 25: APPROVE AMENDMENT OF THE 2007 CAPITAL BUDGET

WHEREAS, the Borough of Mantoloking, County of Ocean, State of New Jersey, desires to amend the 2007 Capital Budget of the Borough of Mantoloking by inserting thereon or correcting the items therein as shown in such budget for the following reason:

Additional costs for the purchase of Land.

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

The 2007 Capital Budget of the Borough of Mantoloking is hereby amended by adding thereto a schedule to read as follows:

**AMENDMENT #1
CAPITAL BUDGET OF THE BOROUGH OF MANTOLOKING
PROJECTS SCHEDULE FOR 2007**

PROJECT	COST	CAPITAL IMP FUND	GENERAL BONDS
Purchase of Land	\$900,000.00	\$45,000.00	\$855,000.00
<u>Total</u>	\$900,000.00	\$45,000.00	\$855,000.00

**ROLL CALL: AYES – NELSON, JONES, STROHM, WITKOWSKI, GILLINGHAM, POPACA
NAYS – NONE
ABSTAIN – NONE
ABSENT – NONE**

Councilman Gillingham moved the following:

RESOLUTION NO. 04/23/2007 – 26: AUTHORIZE MAYOR TO EXECUTE CONTRACT FOR PURCHASE OF LAND

RESOLVED, to approve the Mayor to execute and enter into an agreement for the purchase of vacant land known as Block 34, Lot 10.01 (Tax Map) for the sum of \$900,000.

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

Councilman Popaca moved the following:

RESOLUTION NO. 04/23/2007 - 27: INTRODUCTION OF BOND ORDINANCE NO. 542 TO PROVIDE FOR THE PURCHASE OF VACANT LAND

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. 542
AN ORDINANCE OF THE BOROUGH OF MANTOLOKING,
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR THE
PURCHASE OF PREMISES KNOWN AS BLOCK 34, LOT 10.01 (TAX MAP)
A VACANT PARCEL, FOR THE SUM OF \$900,000.00;**

**FURTHER, PROVIDING FOR THE EXPENDITURE OF A SUM
NOT TO EXCEED \$900,000.00, APPROPRIATING \$45,000.00
FROM THE CAPITAL IMPROVEMENT FUND AND AUTHORIZING THE
ISSUANCE OF BONDS AND NOTES OF THE BOROUGH 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, 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.*

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

14. NEXT MEETING Regular Council Meeting of Monday, May 21, 2007 @ 4:30 p.m.

15. ADJOURNMENT

There being no further business for this meeting, Councilman Jones motioned to adjourn at 9:46 p.m. Councilman Strohm seconded the motion and it was unanimously approved by voice vote.

Respectfully submitted,

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