

**DRAFT #1 (04/30/2008)**

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

**MINUTES OF THE REGULAR BUSINESS MEETING**  
**April 21, 2008**

The regular monthly meeting of the Mayor and Council was held this day in the meeting room of Borough Hall with the following actions:

- 1. CALL TO ORDER:** Mayor Nebel called the meeting to order at 4:30 p.m.
  
- 2. OPEN PUBLIC MEETING STATEMENT:** Mayor Nebel read the following statement:  
*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**  
**Present:** Mayor George C. Nebel, Council President Steve Gillingham, Councilmen John H. Jones, Peter R. Strohm, Donald S. Ness, Stanley F. Witkowski and Councilwoman Ann Elizabeth Nelson  
**Absent:** None  
  
**Also Present:** Municipal Clerk Irene H. Ryan, Borough Attorney Edwin J. O'Malley, Jr., Chief Financial Officer Michelle Swisher, Police Chief Mark Wright, Emergency Management Coordinator Robert McIntyre, Emergency Management Communications Coordinator Craig Symons, Environmental Commission Chairman Joseph DeAmicis and Tax Assessor James Anderson
  
- 4. PLEDGE OF ALLEGIANCE:** The Mayor led the assembly in the Pledge of Allegiance.
  
- 5. PRIVILEGE OF THE FLOOR:** The Mayor opened the meeting for public comment and questions about the agenda. No comments were made.
  
- 6. MINUTES OF PREVIOUS MEETINGS:**  
**RESOLUTION NO. 04/21/2008 – 01: APPROVAL OF MINUTES**  
Councilman Gillingham moved that the minutes of the Regular Meeting of March 17, 2008 be approved as distributed. The motion was seconded by Councilwoman Nelson and approved by unanimous voice vote.

**7. COMMITTEE REPORTS AND RECOMMENDATIONS**

**FINANCE COMMITTEE, COUNCILMAN WITKOWSKI**

**A. Report of the Municipal Finance Officer:** Councilman Witkowski introduced the Municipal Finance Officer who presented the financial reports for the month of February 2008.

**B. Action Items:**

Councilman Witkowski moved the following seven (7) resolutions. The motion was seconded by Councilman Gillingham and approved by unanimous voice vote.

**RESOLUTION NO. 04/21/2008 – 02: ACCEPTANCE OF THE REPORT OF THE MUNICIPAL FINANCE OFFICER February 29, 2008**

**WHEREAS**, the Chief Finance Officer has presented a report on the status of the 2008 municipal budget as of February 29, 2008; and

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

ACCOUNT	BUDGET	EXPENDED BALANCE YEAR TO DATE	ENCUMBERED	
2008 Current Year Appropriation	\$ 801,100.00	\$ 387,489.70 376,076.63	\$ 37,533.67	\$
2007 Appropriation Reserves	\$ 383,181.59	\$ 103,517.21 264,625.15	\$ 15,039.23	\$
Capital	\$ 957,851.17	\$ 23,006.04 934,845.13		\$

ACCOUNT	REVENUE THIS MONTH	REVENUE YEAR TO DATE
Cash Receipts	\$1,231,373. 18	\$1,776,477.48

**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. 04/21/2008 – 03: 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 2008 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A: 4-20) including this resolution total \$1,292,900.00.

**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 2008 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>
Fire		\$22,500.00
Total		\$22,500.00
<b>GRAND TOTAL</b>	<b>\$22,500.00</b>	

**RESOLUTION NO. 04/21/2008 – 04: PAYMENT OF BILLS FOR THE MONTH OF APRIL 2008**

*WHEREAS*, the Municipal Finance Officer has presented a list of bills in the total amount of **\$377,807.56** and recommended that they be paid, now, therefore, be it

*RESOLVED*, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey approve 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. 04/21/2008 – 05: FOR LATE INTRODUCTION OF THE 2008 BUDGET**

**RESOLVED**, that due to the economic uncertainties of the day, the time for accumulating and preparing the necessary information for the 2008 Budget for the Borough of Mantoloking exceeded the time fixed by State Statute of March 20, 2008.

**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. 04/21/2008 – 06: INTRODUCTION OF THE 2008 MUNICIPAL BUDGET**

**BE IT RESOLVED**, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2008;

**BE IT FURTHER RESOLVED**, that said Budget be published in the Ocean Star in the issue of 05/02/2008.

The Governing Body of the Borough of Mantoloking does hereby approve the following Budget for the year 2008:

**2008 Municipal Budget  
of the Borough of Mantoloking, County of  
Ocean for the fiscal year 2008.**

**Revenue and Appropriation Summaries**

Summary of Revenues	Anticipated	
	2008	2007
1. Surplus	617,000.00	600,000.00
2. Total Miscellaneous Revenue	498,737.61	532,370.20
3. Receipts from Delinquent Taxes	20,000.00	20,000.00
4. a) Local Tax for Municipal Purpose	2,650,480.87	2,511,765.98
b) Addition to Local District School Tax	.00	.00
Total Amount to be Released for Support of Municipal Budget	2,650,480.87	2,511,765.98
Total General Revenues	3,786,218.48	3,664,136.28

Summary of Appropriations	2008 Budget	Final 2007 Budget
1. Operating Expenses: Salaries and Wages	1,287,250.00	1,225,700.00
Other Expenses	1,745,587.61	1,712,163.28
2. Deferred Charges and Other Appropriations	81,655.00	50,034.00
3. Capital Improvements	75,000.00	125,000.00
4. Debt Service (Include for School Purposes)	347,200.00	326,500.00
5. Reserve for Uncollected Taxes	249,491.07	224,752.98
Total General Appropriations	3,786,218.48	3,664,136.26

Balance of Outstanding Debt		
	General	No LIPIEtax
Interest	35,200.00	
Principal	312,000.00	
Outstanding Balance	923,000.00	

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 April 21, 2008.

A hearing on the budget and tax resolution will be held at Municipal Building, on May 19, 2008 at 4:30 p.m. at which time and place objections to the Budget and Tax Resolution for the year 2008 may be presented by taxpayers or other interested persons.

Copies of the budget are available in the office of Irong E. Ryan, Municipal Clerk, at the Municipal Building, P.O. Box 247, Mantoloking, NJ 08738, 732-099-0600, during the hours of 8:30 a.m. to 4:30 p.m.

**RECORDED VOTE (Last Names)**

**AYES: NELSON, JONES, STROHM, WITKOWSKI, GILLINGHAM,**

**NESS**

**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 April 21, 2008. A hearing on the Budget and Tax Resolution will be held at the Municipal Building on May 19, 2008 at 4:30 p.m. at which time and place objections to said Budget and Tax Resolution for the year 2008 may be presented by taxpayers or other interested persons.

**RESOLUTION NO. 04/21/2008 – 07: TO CANCEL INTEREST ON PROPERTY TAXES LOCATED AT BLK 24 LOTS 18, ALSO KNOWN AS 1053 BARNEGAT LANE**

**WHEREAS**, the owner for the property known as 1053 Barnegat Lane, BLK 24, LOT 18 called into pay their property taxes on February 1, 2008 with a credit card; and

**WHEREAS**, the credit card information was taken over the telephone and was inputted into the credit card machine after the call was completed; and

**WHEREAS**, the credit card number was recorded incorrectly and no transaction could be completed as far as the charging of the tax amount, and

**WHEREAS**, the Borough of Mantoloking made every effort to contact the home owner by mail, telephone and certified mail and was finally successful on the 31<sup>st</sup> day of March 2008, and

**WHEREAS**, the home owner did originally attempt to pay said taxes in a timely manner,

**NOW THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Mantoloking, County of Ocean, State of New Jersey, that the principal amount of the taxes be accepted from the home owner on March 31, 2008 and the interest amount of \$16.87 which accrued from the period February 1, 2008 through March 31, 2008 be canceled:

<u>YEAR</u>	<u>QUARTER</u>	<u>INTEREST AMOUNT</u>
2008	1	\$ 16.87

**RESOLUTION NO. 04/21/2008 – 08: APPROVE RELEASE OF SURETY BOND TO FRANK AND KRISTA M. SPENO**

**WHEREAS**, the Borough is the beneficiary of a Surety Bond posted by Frank and Krista M. Speno in conjunction with the demolition of a single family home at property located at 1328 Ocean Avenue; and

**WHEREAS**, the Construction Official, John Wardell, has advised that a final inspection has been completed, the debris has been completely cleared and it is appropriate to release the Bond at this time.

**IT IS NOW, THEREFORE**, this 21<sup>st</sup> day of April, 2008, resolved by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The referenced Surety Bond posted by Frank and Krista M. Speno in the amount of \$1,000.00 shall be released, forthwith;
2. All officials having jurisdiction in the matter shall take such action as may be necessary to implement this Resolution.

**PUBLIC SAFETY COMMITTEE, COUNCILMAN GILLINGHAM:**

**A. Reports of the Public Safety Committee:** Councilman Gillingham introduced the Police

Chief and the Emergency Management Coordinator who presented their respective reports then presented the reports of the Municipal Court and Fire Company.

**B. Action Items:**

Councilman Gillingham moved the following four (4) resolutions. The motion was seconded by Councilwoman Nelson and approved by unanimous voice vote.

**RESOLUTION NO. 04/21/2008 – 09: INTRODUCTION OF ORDINANCE NO. 552 – 2008 PURCHASE OF POLICE VEHICLE**

*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. 552**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR REPLACEMENT POLICE UTILITY VEHICLE, 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**

*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 8:30am –4:30pm, 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. 04/21/2008 – 10: APPOINTMENT OF PERSONNEL – 2008 SEASONAL EMPLOYEES**

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

<b>Name</b>	<b>Position</b>	<b>Effective Date</b>	<b>Salary</b>
Edward Gamborella	Special Class I Officer	May 18, 2008	\$9.00/Hour

<i>Paul Scott Hulse</i>	<i>Special Class I Officer</i>	<i>May 18, 2008</i>	<i>\$9.00/Hour</i>
<i>James Airey</i>	<i>Special Class I Officer</i>	<i>May 18, 2008</i>	<i>\$9.00/Hour</i>
<i>Gloria Atkinson</i>	<i>Special Class I Officer</i>	<i>May 18, 2008</i>	<i>\$9.00/Hour</i>
<i>Shawn Blakely</i>	<i>Special Class I Officer</i>	<i>May 18, 2008</i>	<i>\$9.00/Hour</i>
<i>Jacquelyn Poretskin</i>	<i>Special Class I Officer</i>	<i>May 18, 2008</i>	<i>\$9.00/Hour</i>
<i>Dominick Puccio</i>	<i>Special Class I Officer</i>	<i>May 18, 2008</i>	<i>\$9.00/Hour</i>
<i>Steve Slack</i>	<i>Special Class I Officer</i>	<i>May 18, 2008</i>	<i>\$9.00/Hour</i>
<i>Jared England</i>	<i>Special Class II Officer</i>	<i>May 18, 2008</i>	<i>\$12.00/Hour</i>
<i>Steve Zucchi</i>	<i>Special Class II Officer</i>	<i>May 18, 2008</i>	<i>\$11.00/Hour</i>
<i>Michael Treadway</i>	<i>Special Class II Officer</i>	<i>May 18, 2008</i>	<i>\$11.00/Hour</i>
<i>Alexandria Intravatola</i>	<i>Beach Badge Sales</i>	<i>May 23, 2008</i>	<i>\$7.75/Hour</i>
<i>Helen Carver</i>	<i>Beach Badge Sales</i>	<i>May 23, 2008</i>	<i>\$9.00/Hour</i>

**RESOLUTION NO. 04/21/2008 – 11: CONFIRMING THE APPOINTMENT OF OFFICIALS**

**WHEREAS**, the Mayor has received a recommendation for an additional Alternate/Conflicts Prosecutor and a vacancy exists in the offices of Alternate Municipal Prosecutors;

**WHEREAS**, it is the responsibility of the Mayor with the consent of Council to appoint various individuals such Alternate/Conflicts Prosecutors and Alternate Municipal Prosecutors;

**WHEREAS, AFTER DUE DELIBERATION**, the Mayor and Council have determined that the following individuals are nominated for these positions:

1. 2008 Alternate Municipal Prosecutor, Colleen M. Dolcy, Esq.  
Of Citta, Holzapfel & Zabarsky-Attorneys at Law
2. 2008 Alternate/Conflicts Prosecutor, Bonnie R. Peterson, Esq.  
Of Peterson & Book-Attorneys at Law

**IT IS NOW, THEREFORE**, this 21<sup>st</sup> day of April 2008, 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 that officer and position wherein the Mayor has the right to nominate and appoint with the advice and consent of Council or otherwise, and as to that office and position wherein the Council has the right to select said individuals or entities.

**RESOLUTION NO. 04/21/2008 – 12: APPROVAL OF INTERLOCAL SERVICES AGREEMENT BETWEEN THE BOROUGH OF MANTOLOKING AND THE COUNTY OF OCEAN CONCERNING DRIVING WHILE INTOXICATED CHECKPOINTS**

**WHEREAS**, it is deemed to be in the public interest to participate in the Ocean County “Driving While Intoxicated Checkpoint Program”; and

**WHEREAS**, to the extent officers of the Borough’s Police Department provide services under this Agreement, the County will provide compensation at the rate of \$50.00 per hour; and

**WHEREAS**, all the terms and conditions of the proposed Interlocal Service Agreement have been reviewed by counsel; and

**WHEREAS**, participation has been endorsed by the Chief of Police.

**IT IS NOW, THEREFORE**, this 21<sup>st</sup> day of April, 2008, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County New Jersey, that the Borough shall participate in the Interlocal Services Agreement and the Mayor and Clerk are authorized to execute the Agreement in the form annexed.

**PUBLIC WORKS COMMITTEE, COUNCILWOMAN NELSON**

**A. Reports of the Public Works:** Councilwoman Nelson presented reports from the Borough Superintendent, Construction Official and Land Use Officer.

**C. Action Items:**

Councilwoman Nelson moved the following resolution.

**RESOLUTION NO. 04/21/2008 – 13: INTRODUCTION OF ORDINANCES NO. 548, 549, 550, 551, 553, 554 AND 555–CAPITAL PROJECTS AND ORDINANCE NO. 556-SEWER USE FEES AMENDMENT**

***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. 548**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR EAST AVENUE ROADWAY IMPROVEMENTS, AT A COST OF \$240,000.00, AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$228,000.00, AND APPROPRIATING THE SUM OF \$12,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE**

**ORDINANCE NO. 549**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR ARNOLD AVENUE REVETMENT, AT A COST OF \$12,000.00, AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$11,000.00, AND APPROPRIATING THE SUM OF \$1,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE**

**ORDINANCE NO. 550**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR STUDY AND EVALUATION OF THE FEASIBILITY OF UNIFORM BACK BAY BULKHEAD ELEVATIONS AND RELATED MUNICIPAL REGULATION THEREOF (FLOOD PROTECTION) AT A COST OF \$10,000.00, AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$9,000.00, AND APPROPRIATING THE SUM OF \$1,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE**

**ORDINANCE NO. 551**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR INSPECTION AND EVALUATION OF SANITARY SEWERAGE FORCE MAIN AS MANDATED BY THE UNITED STATES EPA AND NEW JERSEY DEP, AT A COST OF \$19,000.00, AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$18,000.00, AND APPROPRIATING THE SUM OF \$1,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE**

**ORDINANCE NO. 553**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR RAISING OF MUNICIPAL GARAGE EMERGENCY GENERATOR, AT A COST OF \$35,000.00, AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$33,000.00, AND APPROPRIATING THE SUM OF \$2,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE**

**ORDINANCE NO. 554**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR REMEDIATION OF BAY AVENUE LOT, 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. 555**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR SURGE SUPPRESSION SYSTEM FOR BOROUGH HALL AND FIRE HOUSE, AT A COST OF \$25,000.00, AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$23,000.00, AND APPROPRIATING THE SUM OF \$2,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE**

**ORDINANCE NO. 556**

**AN ORDINANCE AMENDING ORDINANCE 531, ADOPTING A CODIFICATION AND REVISION OF THE ORDINANCES OF THE BOROUGH OF MANTOLOKING, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY, TO PROVIDE FOR REVISION OF SEWER CHARGE PROVISIONS**

***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 8:30am –4:30pm, 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 ordinances at the next regular business meeting of the Mayor and Council following introduction, absent Council’s direction to the contrary upon introduction. The motion was seconded by Councilman Jones and approved by unanimous voice vote.

Councilwoman Nelson moved the following:

**RESOLUTION NO. 04/21/2008 – 14: AWARD OF CONTRACT FOR ANNUAL EMERGENCY STORM RESPONSE EARTH WORK ACTIVITIES**

**WHEREAS**, Mayor George C. Nebel solicited sealed bids for a two- year agreement on the furnishing of Emergency Storm Response Earth Work in the Borough of Mantoloking; and

**WHEREAS**, the sealed bids were received by March 25, 2008 with the following results:

Vendor	Amount of Bid	Bid Bond	Surety	Non-Collusion	Owner	Site Visitation	NJ Bus Reg	Subcontractor
B&B Construction	\$102,684.00	X						
RWV Land & Livestock	\$98,315.92	X					X	
Midlantic Construction	\$122,016.00	X						
Mount Construction	\$107,920.00	X						
Earle Asphalt	\$151,680.00	X						

And

**WHEREAS**, the bids have been reviewed by the Borough Attorney and the Borough Engineer, 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 \$98,315.92 for the furnishing of Emergency Storm Response Earth Work Activities to RWV Land & Livestock, Jackson, New Jersey.

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

Councilwoman Nelson moved the following:

**RESOLUTION NO. 04/21/2008 – 15: MISCELLANEOUS SUPPLY, SERVICE AND MAINTENANCE CONTRACTS FOR 2008**

**WHEREAS**, the award of contracts for services, supplies 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.

<u>SERVICE NAME</u>	<u>CONTRACT AMOUNT</u>	<u>BUSINESS</u>
Schedule "C" County Maintenance	\$500.00 Annually	County of Ocean Engineering Dept.

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

Councilwoman Nelson moved the following:

**RESOLUTION NO. 04/21/2008 – 16: RUNYON LANE ROADWAY IMPROVEMENTS PROJECT-CHANGE ORDER NO. 1 FINAL**

**WHEREAS**, the Borough entered into Contract No. 2006-4 with DeFino Contracting Co. for roadway improvements for Runyon Lane; and

**WHEREAS**, due to the final calculations of as-built quantities of work completed under the contract, DeFino Contracting Co. has submitted Change Order No.1.

**WHEREAS**, it is deemed to be in the public interest to accept Change Order No. 1; and

**WHEREAS**, the Borough Engineer, Thomas Guldin, P.E. (Hatch Mott MacDonald) has, by letter dated March 21, 2008, recommended the execution of Change Order No. 1 which added to an overall increase of the total cost of the project by \$8,462.90.

**IT IS NOW, THEREFORE**, this 21<sup>st</sup> day of April, 2008, RESOLVED by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, that Change Order No. 1 is hereby approved and shall forthwith be executed by the Mayor and Borough Clerk.

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

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

**A. Report of the Dune & Beach Renourishment Committee**

**B. Action Items:**

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

**RESOLUTION NO. 04/21/2008 – 17: PROVIDING FOR ACCEPTANCE OF THE PROPOSAL (4/15/08) OF BOROUGH ENGINEERS (HATCH, MOTT, MCDONALD) TO PROVIDE A FEASIBILITY STUDY FOR A BOROUGH FUNDED BEACH REPLENISHMENT PROJECT**

**WHEREAS**, the governing body has determined that the terms and conditions of a Federal and State funded beach replenishment project are not endorsed by a significant portion of residents, particularly as relate to the grant of perpetual easements, location of required restrooms and parking facilities; and

**WHEREAS**, it is the desire of the governing body to accept and to implement the recommendation of the Beach Protection Committee that the proposed feasibility study be completed; and

**WHEREAS**, it is the opinion of the governing body that the long term well-being of the Borough and all of its residents/owners will be materially enhanced by a significant beach and dune renourishment project; and

**WHEREAS**, funds are available in the Borough's Beach Replenishment Fund.

**IT IS NOW, THEREFORE**, this 21st day of April, 2008, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The April 16, 2008 Hatch, Mott, McDonald proposal for a beach renourishment project feasibility study is hereby accepted.
2. The cost of this study (not to exceed \$25,000.000) shall be paid by the Beach Renourishment Fund.

**LEGISLATIVE ACTION COMMITTEE, COUNCILMAN STROHM**

- A. **Report of the Legislative Action Committee**
- B. **Action Items: None**

**MANTOLOKING COMMITTEE, COUNCILMAN NESS**

- A. **Councilman Ness will present the reports Mantoloking Committee and the Environmental Commission.**
- B. **Action Items:**

Councilman Ness moved the following:

**RESOLUTION NO. 04/21/2008 – 18: SUBMISSION OF ANNUAL RECYCLING REPORT, ANNUAL TONNAGE REPORT AND APPLICATION FOR 2008 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 21<sup>st</sup> day of April, 2008, **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 2007 Recycling Tonnage Report and now applies for all of the Recycling Tonnage Grants for which it may be eligible, more particularly 2008 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.

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

**8. MAYOR AND COUNCIL COMMENTS**

No comments were made.

**9. PUBLIC COMMENTS PERIOD**

Members of the public commented on the upcoming projects and goals of the Environmental Commission and a question on the 2008 tax rate.

**10. NEXT MEETING** Regular Council Meeting of May 19, 2008 @ 4:30 p.m.

**11. ADJOURNMENT**

There being no further business for this meeting, it was moved by Councilwoman Nelson to adjourn. Councilman Gillingham seconded the motion and it was approved by unanimous voice vote at 4:59 p.m.

Respectfully submitted,

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