

**MAYOR AND COUNCIL
BOROUGH OF MANTOLOKING
OCEAN COUNTY, NEW JERSEY**

**MINUTES OF THE SPECIAL MEETING
DECEMBER 6, 2004**

A special meeting of the Mayor and Council was held this day in the Public Meeting Room of the Borough Hall. The meeting commenced at 4:00 p.m.

PUBLIC COMMENTS

There were no public comments made.

PLEDGE OF ALLEGIANCE

SUNSHINE LAW ANNOUNCEMENT

Mayor William K. Dunbar announced: This Special Meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting date was posted on the bulletin board on December 1, 2004. Notices were sent to The Ocean County Observer, the Asbury Park Press and the Ocean Star Newspapers. A copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

ROLL CALL Present: Mayor William K. Dunbar, III, Councilmen Steve Gillingham, John Jones, Alan Laymon, Elbert Husted, George Nebel, Douglas Popaca, Borough Clerk, Irene H. Ryan and Borough Attorney, Edwin J. O'Malley, Jr.

OLD BUSINESS:

- a. Pending litigation matters.
- b. Contractual negotiations.

Councilman Laymon moved the following:

Resolution No. 12/06/2004 – 01: Adjourn to Closed Session in Compliance With the Open Public Meetings Act

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

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

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

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

RECONVENE

The Mayor and Council reconvened in open session at 4:30 p.m. The public was invited to return to the meeting room.

Councilman Gillingham moved the following:

RESOLUTION NO. 12/06/2004 – 02: PROVIDING FOR REJECTION OF ALL BIDS EMERGENCY WARNING SYSTEM

WHEREAS, three (3) bidders, Federal Signal Corporation, Sodon's Electric, Inc. and Fire Fighters Equipment Co., have submitted proposals to provide an emergency warning system for the Borough; and

WHEREAS, analysis of the bid proposals, including suggested alternates or options, reveals that the acquisition and installation of equipment in strict compliance with bid specifications will not yield the desired functionality and will not serve the public interest; and

Whereas, the Borough has reserved the right to reject all bids.

IT IS NOW, THEREFORE, this 6th day of December, 2004, RESOLVED by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. All bids received for the proposed emergency warning system are rejected.
2. All bid security shall be released.
3. Prior to any rebidding of this project, Council shall consult with an independent engineer who shall provide technical guidance concerning the acquisition of an emergency warning system.

The motion was seconded by Councilman Laymon. This was unanimously approved by voice vote.

NEXT MEETING Regular Meeting of December 20, 2004 at 8:00 p.m.

ADJOURNMENT

There being no further business for this meeting, it was moved by Councilman Laymon and seconded by Councilman Jones to adjourn at 4:31 p.m. This was unanimously approved by voice vote.

Recorded and respectfully submitted by,

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