

DRAFT #1 (03/29/11)

THE BOROUGH OF MANTOLOKING
MAYOR AND COUNCIL

MINUTES OF THE REGULAR BUSINESS MEETING
March 21, 2011

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 Donald S. Ness, Councilmen Steve Gillingham, Peter Strohm, Stanley F. Witkowski, James J. Brown 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 and Police Chief Mark Wright
- 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. 03/21/2011 - 01: APPROVAL OF MINUTES
Councilman Gillingham moved that the minutes of the Regular Meeting of February 22, 2011 be approved as distributed. The motion was seconded by Councilwoman Nelson and approved by unanimous voice vote.

Council President Donald Ness moved the following resolution:

RESOLUTION NO. 03/21/2011 – 02: APPRECIATION AND CONDOLENCE - JOHN KERR, JR.

WHEREAS, John Kerr, Jr., a former Councilman of the Borough of Mantoloking died on March 1, 2011; and
WHEREAS, it is the desire of the Mayor and Council to acknowledge and recognize his service to the Borough; and

WHEREAS, John Kerr, Jr., served as a Councilman from 1993 to 1998; and

WHEREAS, he served as Council President from 1995 to 1997; a Member of the Finance Committee, 1993, and Chairman of the Committee from 1994 to 1998; additionally, he served as a member of the Public Safety, Regionalization, Long Range Planning, Dune and Beach, Beach Ordinance Review and Insurance Committees; and

WHEREAS, John Kerr, Jr. completed all of his duties in a pleasant and diligent fashion; and

WHEREAS, his public service to the Borough of Mantoloking and its residents demonstrated a high commitment to exemplary performance of civic duty fulfilled with appropriate interpersonal sensitivity.

IT IS NOW, THEREFORE, this 21st day of March, 2011, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, that:

1. The Mayor and Council hereby extend their sincere condolence to his family, together with appreciation for his valued public service;
2. A copy of this Resolution shall be delivered to his family.

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

7. COMMITTEE REPORTS AND RECOMMENDATIONS

FINANCE COMMITTEE, COUNCILMAN WITKOWSKI

A. Councilman Witkowski introduced the Municipal Finance Officer Michelle Swisher who presented the monthly finance report.

B. Action Items:

Councilman Witkowski moved the following five (5) resolutions. The motion was seconded by Councilwoman Nelson and approved by unanimous voice vote.

RESOLUTION NO. 03/21/2011 – 03: ACCEPTANCE OF THE REPORT OF THE MUNICIPAL FINANCE OFFICER January 31, 2011

WHEREAS, the Chief Finance Officer has presented a report on the status of the 2010 municipal budget as of January 31, 2011; and

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

ACCOUNT	BUDGET	EXPENDED BALANCE YEAR TO DATE	ENCUMBERED
2011 Current Year Appropriation	\$ 908,100.00	\$ 132,336.74 751,657.25	\$ 24,106.01 \$
2010 Appropriation Reserves	\$ 376,253.59	\$ 44,223.92 275,615.03	\$ 56,414.64 \$
Capital	\$1,201,518.26	\$ 3,279.80 \$1,198,238.46	

ACCOUNT	REVENUE THIS MONTH	REVENUE YEAR TO DATE
Cash Receipts		

	\$ 676,800.56	\$ 676,800.56
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now, therefore, be it

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

RESOLUTION NO. 03/21/2011 – 04: PAYMENT OF BILLS FOR THE MONTH OF March 2011

WHEREAS, the Municipal Finance Officer has presented a list of bills in the total amount of **\$262,521.40** 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. 03/21/2011 – 05: TO ADOPT TEMPORARY EMERGENCY APPROPRIATIONS #1

WHEREAS, N.J.S.A. 40A: 4-20 provides that an addition to temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the Governing Body may, by resolution adopted by 2/3 vote of the full membership thereof, make emergency temporary appropriations for any purpose for which the appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year.

WHEREAS, the total emergency temporary resolutions adopted in the year 2011 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A: 4-20) including this resolution total \$1,439,000.00.

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 2011 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	\$ 40,000.00	\$15,000.00
Finance	20,000.00	4,000.00
Audit		10,000.00
Tax Collector	4,000.00	500.00
Tax Assessor	4,000.00	500.00
Legal		25,000.00
Engineering		45,000.00
Planning	12,000.00	2,000.00
Construction	14,000.00	1,000.00
Sub-Code Plumbing	1,000.00	
Sub-Code Fire	1,000.00	
Sub-Code Electrical	1,000.00	
Police	250,000.00	20,000.00
Liability Insurance		
Municipal Prosecutor		3,000.00
Public Defender		1,000.00

Workmen's Comp		25,000.00
Group Health Ins		60,000.00
Emergency Management		1,000.00
Fire Official	1,000.00	
Road Repair	39,000.00	7,000.00
Garbage		45,000.00
Buildings & Grounds		5,000.00
Sewer		10,000.00
Dog Account		1,000.00
Beach Guard		
Beach Maintenance		40,000.00
Celebration of Public Events		2,000.00
Electric		7,000.00
Telephone		4,000.00
Water		2,000.00
<u>DEPARTMENT</u>	<u>S&W</u>	<u>OE</u>
Fire Hydrant		10,000.00
Natural Gas		1,000.00
Gasoline		7,000.00
Ocean County Utility Auth		40,000.00
Contingent		
PERS		54,500.00
Social Security		20,000.00
PFRS		164,500.00
Court	17,000.00	2,000.00
Note Principal		390,000.00
Note Interest		10,000.00
TOTAL	\$404,000.00	\$1,035,000.00
GRAND TOTAL	\$1,439,000.00	

RESOLUTION NO. 03/21/2011 – 06: TO ADOPT A TEMPORARY CAPITAL BUDGET #1

WHEREAS, the Borough of Mantoloking has not adopted its 2011 municipal budget and therefore has not adopted the 2011 Capital portion of that budget,

WHEREAS, the Borough of Mantoloking desires to constitute the 2011 Temporary Capital Budget of said municipality,

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Mantoloking approve as follows:

SECTION 1. The 2011 Temporary Capital Budget of the Borough of Mantoloking is hereby constituted by the adoption of a schedule to read as follows:

EST PROJECT	CAPITAL COST	DEBT IMPROV FUND	AUTHORIZED
OLD BRIDGE & BAY AVE ROAD IMPROVEMENTS	\$240,000.00	\$12,000.00	\$228,000.00

PURCHASE COMPUTER EQUIP	\$ 26,000.00	\$ 2,000.00	\$ 24,000.00
ADA WALKWAY #4	\$ 26,000.00	\$ 2,000.00	\$ 24,000.00
REPLACE FIREHOUSE APRON	\$ 6,000.00	\$ 1,000.00	\$ 5,000.00
EST PROJECT	CAPITAL COST	DEBT IMPROV FUND	AUTHORIZED
IMPROVEMENTS TO BTMUA	\$ 10,000.00	\$ 1,000.00	\$ 9,000.00
FLAP VALVE PROGRAM	\$ 11,000.00	\$ 1,000.00	\$ 10,000.00
TOTAL	\$319,000.00	\$19,000.00	\$300,000.00

Section 2. The Clerk be and is hereby authorized to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after adoption of these projects for 2011 Temporary Capital Budget, to be included in the 2011 Permanent Capital Budget as adopted.

RESOLUTION NO. 03/21/2011 – 07: APPROVAL OF BYLAW AMENDMENTS TO THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND

WHEREAS: N.J.S.A. 40A:10-36 et seq. permits local units to join together to form a joint insurance fund; and

WHEREAS: Said statute was designed to give local units the opportunity to use alternative risk management techniques, providing they are based on sound actuarial principles; and

WHEREAS: The New Jersey Intergovernmental Insurance Fund, hereinafter the Fund, was established effective February 1, 1991 pursuant to said statutes; and

WHEREAS: The Borough of Mantoloking is a member of the Fund; and

WHEREAS: Revisions to the existing bylaws of the Fund were reviewed and approved by the Fund’s Executive Committee at their December 9, 2010 meeting.

NOW THEREFORE BE IT RESOLVED, the Borough of Mantoloking hereby adopts the following bylaw amendments hereto attached:

PUBLIC HEARING: Mayor Nebel opened the meeting to the public for a hearing on Ordinance No. 594 – 2011 CAP BANK. No comments were made.

Councilman Witkowski moved the following two (2) resolutions. The motion was seconded by Councilman Brown and approved by unanimous voice vote.

RESOLUTION NO. 03/21/2011 – 08: ADOPTION OF ORDINANCE NO. 594 – 2011 CAP BANK

WHEREAS, on the 21st day of March, 2011 a public hearing on Ordinance No. 546 was held and no comments were made by the public, now, therefore, be it

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, hereby adopt the following Ordinance:

**ORDINANCE NO. 594
ORDINANCE TO EXCEED THE 2011 MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**

WHEREAS, the Local Government Cap law, NJSA 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, NJSA 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of the Borough of Mantoloking in the County of Ocean finds it advisable and necessary to increase its CY 2011 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 1.5% increase in the budget for said year, amounting to \$46,469.10 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, advisable and necessary; and,

WHEREAS, the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as a cap exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Mantoloking, in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2011 budget year, the final appropriations of the Borough of Mantoloking shall, in accordance with this ordinance and NJSA 40A:4-45.14, be increased by 3.5%, amounting to \$108,427.90 and that the CY 2011 municipal budget for the Borough of Mantoloking be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

RESOLUTION NO. 03/21/2011 – 09: INTRODUCTION OF ORDINANCE NO. 596 – CAPITAL ORDINANCE, PURCHASE COMPUTER EQUIPMENT

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. 596
BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY,
PROVIDING FOR
PURCHASE OF COMUTER EQUIPMENT AT A COST OF \$26,000.00, AUTHORIZING THE
ISSUANCE OF BONDS
AND NOTES IN THE PRINCIPAL SUM OF \$24,000.00, AND APPROPRIATING THE SUM OF
\$2,000.00 FROM THE
CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE**

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 8:30am – 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.

PUBLIC SAFETY COMMITTEE, COUNCILMAN GILLINGHAM:

A. Reports of the Public Safety Committee: Councilman Gillingham introduced Chief Wright who presented

the reports of the Police Department. Councilman Gillingham concluded with the presentation of the reports of the Municipal Court and Fire Company.

B. Action Items:

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

RESOLUTION NO. 03/21/2011 – 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:

<i>Name</i>	<i>Position</i>	<i>Effective Date</i>	<i>Salary</i>
<i>Christopher Herdia</i>	<i>Special Class I Academy</i>	<i>March 23, 2011</i>	<i>\$ 7.25/Hour</i>
<i>Daniel Kenny</i>	<i>Special Class I Academy</i>	<i>March 23, 2011</i>	<i>\$ 7.25/Hour</i>

RESOLUTION NO. 03/21/2011 – 11: MISCELLANEOUS SUPPLY, SERVICE AND MAINTENANCE CONTRACT

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</u>	<u>CONTRACT AMOUNT</u>	<u>BUSINESS NAME</u>
Animal Control Officer & Use Of Facility	\$2,500.00 (annual)	Jersey Shore Animal Center

PUBLIC WORKS COMMITTEE, COUNCILWOMAN NELSON

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

C. Action Items:

Councilwoman Nelson moved the following two (2) resolutions. The motion was seconded by Councilman Ness and approved by unanimous voice vote.

RESOLUTION NO. 03/21/2011 – 12: AWARD OF THREE YEAR CONTRACT FOR PROVISION OF INSPECTIONS & REMEDIAL SERVICES FOR ALL FIRE PROTECTION SYSTEMS

WHEREAS, the Purchasing Agent, Irene H. Ryan solicited quotes for the furnishing of inspections and remedial services for all fire protection systems in the Borough of Mantoloking municipal facilities; and

WHEREAS, the quotations were received on March 11, 2011 with the following results:

Bidder	Amount of Bid	Business Reg.	PW Contractor	Permit/Licenc	Owner Infor	Insurance Cert	Employee Rep	DOT Approval
Allied Fire & Safety Equip	(See attached quotation)	x	x	x	x	x	x	x
FDC Fire Protection Inc.	No quotation received							
Northeast Fire Equipment	No quotation received							
Tomasella's Fire Protectio	No quotation received							
NJSTI	No quotation received							

And

WHEREAS, the quotation has been reviewed by the Purchasing Agent and the Borough Attorney, now, therefore, be it

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey awards a three (3) year contract (see attached) for the furnishing of inspections and remedial services for all fire protection systems to Allied Fire and Safety Equipment, Neptune, N.J. for the period of April 1, 2011 to March 31, 2014.

RESOLUTION NO.03/21/2011 – 13: AWARD OF THREE YEAR CONTRACT FOR PROVISION OF REMEDIAL SERVICES FOR ALL HARD WIRED TELEPHONE SYSTEMS

WHEREAS, the Purchasing Agent, Irene H. Ryan solicited quotes for the furnishing of remedial services for all hard wired telephone systems in the Borough of Mantoloking municipal facilities; and

WHEREAS, the quotations were received on March 8, 2011 with the following results:

Bidder	Amount of Bid	Business Reg.	PW Contractor	Owner Infor	Insurance Cert	Employee Rep		
GTS Telephone, Inc.	\$75(service call)\$75 ph labor	x	x	x	x			
Power System Security	No quotation received							
Shore Network Solutions	No quotation received							
Atlantic Telephone	No quotation received							
Atlanticom Communicate	No quotation received							
Com USA	No quotation received							

And

WHEREAS, the quotation has been reviewed by the Purchasing Agent and the Borough Attorney, now, therefore, be it

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey awards a three (3) year contract for the furnishing of remedial services for all hard wired telephone systems to GTS Telephone, Inc., Lakehurst, N.J. for the period of April 1, 2011 to March 31, 2014.

Councilwoman Nelson moved the following resolution.

RESOLUTION NO. 03/21/2011 – 14: INTRODUCTION OF 2011 CAPITAL ORDINANCES

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey hereby adopts on first reading (title only) the following Ordinance:

ORDINANCE NO. 595

BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR OLD BRIDGE STREET AND BAY AVENUE ROAD CONSTRUCTION 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. 597

BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR REPLACEMENT OF FIREHOUSE APRON AT A COST OF \$6,000.00, AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$5,000.00, AND APPROPRIATING THE SUM OF \$1,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE

ORDINANCE NO. 598

BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR IMPROVEMENTS TO SANITARY SEWER SYSTEM FACILITIES 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. 599

BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR FLAP VALVE PROGRAM AT A COST OF \$11,000.00, AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$10,000.00, AND APPROPRIATING THE SUM OF \$1,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE

ORDINANCE NO. 600

BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR CONSTRUCTION OF ADA WALKWAY #4 AT A COST OF \$26,000.00, AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$24,000.00, AND APPROPRIATING THE SUM OF \$2,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE

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 8:30am – 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.*

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

DUNE & BEACH RENOURISHMENT COMMITTEE, COUNCILMAN STROHM

A. Report of the Dune & Beach Renourishment Committee and Ocean County Block Grant Program

B. Action Items:

Councilman Strohm moved the following resolution.

RESOLUTION NO. 03/21/2011 – 15: AWARD OF CONTRACT FOR PROVISION OF LEASED EARTH MOVING EQUIPMENT FOR EMERGENCY DUNE RESTORATION

WHEREAS, the Purchasing Agent, Irene H. Ryan solicited quotes for the furnishing of leased earth moving equipment for emergency dune restoration in the Borough of Mantoloking; and

WHEREAS, the quotations were received on March 11, 2011 with the following results:

Bidder	Amount of Bid	Business Reg.	Owner Infor	Insurance Cert	Employee Rep
JESCO, Inc.	\$28,000(2)/\$14,000 (1)	x	x	no	x
Giles & Ransome Inc.	\$16,390(2)/\$8,195(1)	x	x	x	x
Harter Equipment	No quotation received				
United Rentals	No quotation received				
Foley Rentals	No quotation received				

And

WHEREAS, the quotation has been reviewed by the Purchasing Agent and the Borough Attorney, now, therefore, be it

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey awards a one (1) year contract for the furnishing of leased (30 days) earth moving equipment for emergency dune restoration to Giles & Ransome, Inc., Bensalem, Pa. for the period of April 1, 2011 to March 31, 2012.

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

MUNICIPAL SERVICES COMMITTEE, COUNCILMAN BROWN

- A. Councilman Brown will present the reports of the Municipal Services Committee.
- B. Action Items: None

MANTOLOKING COMMITTEE, COUNCILMAN NESS

- A. Councilman Ness will present the reports of the Mantoloking Committee and the Environmental Commission.
- B. Action Items: None

8. MAYOR AND COUNCIL COMMENTS

Councilman Witkowski stated that the creation of the 2011 Municipal Budget is progressing. The Council will introduce the budget at the April 18, 2011 meeting.

9. PUBLIC COMMENTS PERIOD

Public comments were made by two commentators about the 2011 School Board Elections and support of proposed Federal laws.

10. NEXT MEETING Regular Council Meeting, Monday, April 18, 2011 @ 4:30 p.m.

11. ADJOURNMENT

There being no further business for this meeting, it was motioned by Councilwoman Nelson to adjourn. The motion was seconded by Councilman Brown and approved by unanimous voice vote at 4:53 p.m.

Respectfully submitted,

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

BY TITLE ONLY - FIRST READING
DATE OF INTRODUCTION: _____
DATE OF PUBLICATION: _____
DATE OF FINAL ADOPTION: _____

ORDINANCE NO. 595

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR
OLD BRIDGE STREET AND BAY AVENUE ROAD CONSTRUCTION
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**

BE IT ORDAINED by the Borough Council of the Borough of Mantoloking, in the County of Ocean, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), as follows:

SECTION 1: The improvements described in Section 3 of this Bond Ordinance is hereby authorized by the Borough of Mantoloking, County of Ocean and State of New Jersey. For the said purpose stated in said Section 3, there is hereby appropriated the sum of \$240,000.00, said sum being inclusive of all appropriations heretofore made for this purpose. There is also appropriated from the capital improvement fund of the Borough of Mantoloking the sum of \$12,000.00 as a down payment for the contemplated project.

SECTION 2: For the financing of said purpose and to meet the said \$240,000.00 appropriation, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$228,000.00 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance

said improvements, the negotiable notes of the Borough in a principal amount not exceeding \$228,000.00 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law.

SECTION 3: (a) The purpose for which said obligations are to be issued is for Old Bridge Street and Bay Avenue Road Construction.

(b) The estimated amount of bonds or notes to be issued for said purpose is \$228,000.00.

(c) The estimated cost to the Borough of said project is \$240,000.00.

SECTION 4: The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this Bond Ordinance is a general improvement and the cost thereof will be paid by the Borough of Mantoloking.

(b) The period of usefulness of said improvements within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this Bond Ordinance, is twenty (20) years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the Office of the Borough Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough, as defined in said Law, is increased by the authorization of the bonds and notes provided in this Bond Ordinance by \$228,000.00, and the issuance of said obligations authorized by this Bond Ordinance will be within the debt limitations prescribed by Law.

(d) An aggregate amount not exceeding \$40,000.00 for interest on said obligations, cost of issuing said obligations and other items of expense listed in and permitted under Section 40A:2-20 of said Law may be included as part of the cost of said improvements, and is included in the foregoing estimate thereof.

(e) This Bond Ordinance authorizes obligations of the Borough solely for purposes described herein and said purposes are in the public interest and are for the health, welfare, convenience or betterment of the inhabitants of the Borough; the amounts to be expended for said purposes pursuant to this Bond Ordinance are not unreasonable or exorbitant and issuance of the said obligations will not materially impair the credit of the Borough or substantially reduce its ability to pay punctually the principal of and interest on its debts or to supply other essential public improvements and services.

SECTION 5: All funds received from any sources by way of grant, gift or otherwise for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations (Bonds and Notes) issued pursuant to this Ordinance. The amount of debt obligations authorized herein shall be directly reduced to the extent that the funds described herein are actually received.

SECTION 6: The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal and interest on the obligations authorized by this Bond Ordinance. Said obligations shall be direct, unlimited obligations of the Borough and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

SECTION 7: This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by said Local Bond Law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Bond Ordinance was introduced and passed upon first reading at a regular meeting of the Mayor and Council of the Borough of Mantoloking, in the County of Ocean and State of New Jersey held on the 21st day of March, 2011, and said Ordinance will be considered for final passage at the Borough Hall, Downer Avenue, Mantoloking, New Jersey at 4:30 p.m. on the 18th day of April, 2011, or as soon thereafter as said matter may be reached, at which time and place all persons interested will be given an opportunity to be heard.

IRENE H. RYAN, R.M.C.

BY TITLE ONLY - FIRST READING
DATE OF INTRODUCTION: _____
DATE OF PUBLICATION: _____
DATE OF FINAL ADOPTION: _____

ORDINANCE NO.: 600

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR
CONSTRUCTION OF ADA WALKWAY #4
AT A COST OF \$26,000.00,
AUTHORIZING THE ISSUANCE OF BONDS
AND NOTES IN THE PRINCIPAL SUM OF \$24,000.00, AND APPROPRIATING
THE SUM OF \$2,000.00 FROM THE CAPITAL IMPROVEMENT
FUND FOR SAID PURPOSE**

BE IT ORDAINED by the Borough Council of the Borough of Mantoloking, in the County of Ocean, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), as follows:

SECTION 1: The improvements described in Section 3 of this Bond Ordinance is hereby authorized by the Borough of Mantoloking, County of Ocean and State of New Jersey. For the said purpose stated in said Section 3, there is hereby appropriated the sum of \$26,000.00, said sum being inclusive of all appropriations heretofore made for this purpose. There is also appropriated from the capital improvement fund of the Borough of Mantoloking the sum of \$2,000.00 as a down payment for the contemplated project.

SECTION 2: For the financing of said purpose and to meet the said \$26,000.00 appropriation, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$24,000.00 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance

said improvements, the negotiable notes of the Borough in a principal amount not exceeding \$24,000.00 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law.

SECTION 3: (a) The purpose for which said obligations are to be issued is for Construction of ADA Walkway #4.

(b) The estimated amount of bonds or notes to be issued for said purpose is \$24,000.00.

(c) The estimated cost to the Borough of said project is \$26,000.00.

SECTION 4: The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this Bond Ordinance is a general improvement and the cost thereof will be paid by the Borough of Mantoloking.

(b) The period of usefulness of said improvements within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this Bond Ordinance, is fifteen (15) years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the Office of the Borough Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough, as defined in said Law, is increased by the authorization of the bonds and notes provided in this Bond Ordinance by \$24,000.00, and the issuance of said obligations authorized by this Bond Ordinance will be within the debt limitations prescribed by Law.

(d) An aggregate amount not exceeding \$4,000.00 for interest on said obligations, cost of issuing said obligations and other items of expense listed in and permitted under Section 40A:2-20 of said Law may be included as part of the cost of said improvements, and is included in the foregoing estimate thereof.

(e) This Bond Ordinance authorizes obligations of the Borough solely for purposes described herein and said purposes are in the public interest and are for the health, welfare, convenience or betterment of the inhabitants of the Borough; the amounts to be expended for said purposes pursuant to this Bond Ordinance are not unreasonable or exorbitant and issuance of the said obligations will not materially impair the credit of the Borough or substantially reduce its ability to pay punctually the principal of and interest on its debts or to supply other essential public improvements and services.

SECTION 5: All funds received from any sources by way of grant, gift or otherwise for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations (Bonds and Notes) issued pursuant to this Ordinance. The amount of debt obligations authorized herein shall be directly reduced to the extent that the funds described herein are actually received.

SECTION 6: The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal and interest on the obligations authorized by this Bond Ordinance. Said obligations shall be direct, unlimited obligations of the Borough and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

SECTION 7: This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by said Local Bond Law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Bond Ordinance was introduced and passed upon first reading at a regular meeting of the Mayor and Council of the Borough of Mantoloking, in the County of Ocean and State of New Jersey held on the 21st day of March, 2011, and said Ordinance will be considered for final passage at the Borough Hall, Downer Avenue, Mantoloking, New Jersey at 4:30 p.m. on the 18th day of April, 2011, or as soon thereafter as said matter may be reached, at which time and place all persons interested will be given an opportunity to be heard.

IRENE H. RYAN, R.M.C.