

**DRAFT #1 (04/19/2012)**

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

**MINUTES OF THE REGULAR BUSINESS MEETING**  
**MARCH 26, 2012**

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 will 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 Donald S. Ness, Peter R. Strohm, Stanley F. Witkowski and James J. Brown.  
**Absent:** Councilwoman Ann Elizabeth Nelson  
  
**Also Present:** Municipal Clerk Irene H. Ryan, Borough Attorney Edwin J. O'Malley, Jr., Chief Financial Officer Michelle Swisher, Police Chief Mark Wright and Emergency Management Coordinator Robert McIntyre
- 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. 03/26/2012 – 01: APPROVAL OF MINUTES**  
Councilman Gillingham moved that the minutes of the Regular Meeting of February 21, 2012 be approved as distributed. The motion was seconded by Councilman Strohm and approved by unanimous voice vote.

**7. COMMITTEE REPORTS AND RECOMMENDATIONS**

**FINANCE COMMITTEE, COUNCILMAN WITKOWSKI**

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

**B. Action Items:**

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

**RESOLUTION NO. 03/26/2012 – 02: ACCEPTANCE OF THE REPORT OF THE MUNICIPAL FINANCE OFFICER January 31, 2012**

**WHEREAS**, the Chief Finance Officer has presented a report on the status of the 2012 municipal budget as of January 31, 2012; and

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

ACCOUNT	BUDGET	EXPENDED YEAR TO DATE	ENCUMBERED	BALANCE
2012 Current Year Appropriation	\$ 447,532.84	\$ 56,963.54	\$ 70,139.45	\$ 320,429.85
2011 Appropriation Reserves	\$ 871,100.00	\$ 194,448.89	\$ 46,456.11	\$ 630,195.00
Capital	\$1,295,592.49	\$ 5,310.34		\$1,290,282.15

ACCOUNT	REVENUE THIS MONTH	REVENUE YEAR TO DATE
Cash Receipts	\$630,209.77	\$630,209.77

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. 03/26/2012 – 03: PAYMENT OF BILLS FOR THE MONTH OF MARCH 2012**

**WHEREAS**, the Municipal Finance Officer has presented a list of bills in the total amount of **\$410,493.37** 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. 03/26/2012 – 04: REQUESTING A TAX REFUND OF OVERPAYMENT OF TAXES DUE TO A TAX APPEAL**

**WHEREAS**, a State Tax Court Judgment has been favorably awarded to Maroon Properties Inc., Block 6, Lot 4, for the fiscal year 2011; and,

**WHEREAS**, such judgment has resulted in an overpayment of 2011 property taxes in the amount of \$360.59,

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Mantoloking, County of Ocean, State of New Jersey, that the Chief Financial Officer be hereby authorized to issue a check in the amount of \$360.59 for said overpayment to Daniel G. Keough, Trustee, Maroon Properties and received by Ventura, Milesowitz, Keough, & Warner, 783 Springfield Ave, Summit, NJ 07901, attorney for Maroon Properties Inc., for the property known as 1006 East Ave, Mantoloking, NJ 08738.

**BE IT FINALLY RESOLVED**, that a certified copy of this Resolution be forwarded to the Tax Collector, Chief Financial Officer and property owner.

**RESOLUTION NO. 03/26/2012 – 05: FOR SELF-EXAMINATION OF THE 2012 BUDGET**

**WHEREAS**, N.J.S.A. 40A: 4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11,1997; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Mantoloking has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2012 budget year.

**NOW THEREFORE BE IT RESOLVED** by the governing body of the Borough of Mantoloking that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

- 1) That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a) Payment of interest and debt redemption charges
  - b) Deferred charges and statutory expenditures
  - c) Cash deficit of preceding year
  - d) Reserve for uncollected taxes
  - e) Other reserves and non-disbursement items
  - f) Any inclusions of amounts required for school purposes
- 2) That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
- 3) That the budget is in such form, arrangement, and content as required by the Local Budget law and N.J.A.C. 5:30-4 and 5:30-5.
- 4) That pursuant to the Local Budget Law:

- a) All estimates of revenue are reasonable, accurate and correctly stated,
- b) Items of appropriation are properly set forth
- c) In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
- 5) The budget and associated amendments have been introduced and publicly advertised with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
- 6) That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESLOVED** that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

**RESOLUTION NO. 03/26/2012 – 06: INTRODUCTION OF 2012 MUNICIPAL BUDGET**

**WHEREAS**, the Finance Committee has proposed a municipal budget for 2012, a complete copy of which is attached to the minutes of this meeting and is summarized as follows:

**REVENUE AND APPROPRIATION SUMMARIES**

<u>Summary of Revenues</u>	<u>Anticipated Revenues</u>	
	<u>2012</u>	<u>2011</u>
1. Surplus	\$531,500.19	\$618,254.00
2. Total Miscellaneous Revenues	533,104.59	501,402.21
3. Receipts from Delinquent Taxes	50,000.00	20,000.00
4. Local Tax for Municipal Purposes	2,920,124.00	2,920,355.73
Total General Revenues	\$4,034,728.78	\$4,060,011.94
	<u>Appropriations</u>	
<u>Summary of Appropriations</u>	<u>2012</u>	<u>Final 2011</u>
1. Operating Expenses: Salaries and Wages	\$1,462,150.00	\$1,418,170.00
Other Expenses	1,580,044.59	1,588,662.21
2. Deferred Charges and Statutory Expenditures	282,100.00	293,686.92
3. Capital Improvements	51,500.00	51,500.00
4. Debt Service	356,500.00	400,000.00
5. Reserve for Uncollected Taxes	302,434.19	307,992.81
Total General Appropriations	\$4,034,728.78	\$4,060,011.94
Total Number of Employees (full and part-time)	<u>59</u>	<u>59</u>

**Balance of Outstanding Debt**

Interest	\$6,500.00
Principal	350,000.00
Outstanding Balance at December 31, 2011	455,000.00

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 March 26, 2012.

A hearing on the budget and tax resolution will be held at the Municipal Building on April 23, 2012 at 4:30PM at which time and place objections to the budget and tax resolution for the year 2012 may be presented by taxpayers or other interested persons.

Copies of the budget are available in the office of Irene H. Ryan, Municipal Clerk, at the Municipal Building, 202 Downer Avenue, P.O. Box 247, Mantoloking, NJ 08738, 732-899-6600, during the hours of 8:30AM to 4:30PM.

This resolution was moved by Councilman Witkowski, seconded by Councilman Ness and approved by the following roll-call vote:

AYE: Brown, Strohm, Gillingham, Witkowski, Ness

NAY: None

ABSTAIN: None

ABSENT: Councilwoman Nelson

**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, Fire Company and Emergency Management.

**B. Action Items:**

Councilman Gillingham moves the following resolution.

**RESOLUTION NO. 03/26/2012 – 07: INTRODUCTION OF CAPITAL ORDINANCES NO. 608 AND 609**

*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. 608**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR REPLACEMENT OF FIREHOUSE DOORS AT A COST OF \$22,000.00, AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$20,000.00, AND APPROPRIATING THE SUM OF \$2,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE**

**ORDINANCE NO. 609**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR PURCHASE OF POLICE CAMERAS AT A COST OF \$70,000.00, AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$66,000.00, AND APPROPRIATING THE SUM OF \$4,000.00 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 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 Witkowski and approved by unanimous voice vote.

**PUBLIC WORKS COMMITTEE, COUNCILWOMAN NELSON (Absent)**

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

**B. Action Items:**

Councilman Gillingham moved the following resolution:

**RESOLUTION NO. 03/26/2012 – 08: CONSIDER WAIVER OF PERMIT FEES FOR MANTOLOKING PARTICIPANTS IN THE “PROJECT GRADUATION 2012” TOWN-WIDE GARAGE SALE CHARITY FUND RAISER” TO BE HELD ON JUNE 2, 2012 (RAIN DATE- JUNE 3, 2012) AND SEPTEMBER 29, 2012 (RAIN DATE-SEPTEMBER 30, 2012)**

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

**WHEREAS**, the Project Graduation 2012 Committee of Point Pleasant Beach High School desires to host garage sales 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 26<sup>th</sup> day of March, 2012, **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 Project Graduation Committee would be inimical to the spirit of the effort and the public interest.

2. Payment of the 2012 garage sale permit fee by the Project Graduation Committee garage sale participants is hereby waived as an expression of endorsement and appreciation for the efforts of the Project Graduation 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 Project Graduation Committee.

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

**PUBLIC HEARING:** Mayor Nebel will open the meeting for a Public Hearing on Capital Ordinance No. 607 – Amendment of Ordinance No. 595, Old Bridge Street and Bay Avenue Road Improvement Projects.

Councilman Gillingham moved the following three (3) resolutions. The motion was seconded by Councilman Ness and approved by unanimous voice vote.

**RESOLUTION NO. 03/26/2012 – 09: ADOPTION OF ORDINANCE NO. 607 – AMENDMENT OF ORDINANCE NO. 595, OLD BRIDGE STREET AND BAY AVENUE ROAD IMPROVEMENT PROJECTS**

**WHEREAS**, on the 26<sup>th</sup> day of March, 2012 a public hearing on Ordinance No. 607 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. 607**

**AN ORDINANCE SUPPLEMENTING BOND ORDINANCE 595 OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY AND PROVIDING ADDITIONAL FUNDS (\$90,000.00) FOR THE PROJECT: OLD BRIDGE STREET AND BAY AVENUE ROAD CONSTRUCTION AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$85,000.00, AND APPROPRIATING THE SUM OF \$5,000.00 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 are 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 \$90,000.00, said sum to supplement all appropriations heretofore made for this purpose. There is also appropriated from the capital improvement fund of the Borough of Mantoloking the sum of \$5,000.00 as a down payment for the contemplated project.

**SECTION 2:** For the financing of said purpose and to meet the said \$90,000.00 appropriation, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$85,000.00 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 \$85,000.00 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 the Old Bridge Street and Bay Avenue Road Construction project (Ordinance 595);

(b) The estimated amount of supplemental bonds or notes to be issued for said purpose is \$85,000.00.

(c) The estimated supplemental cost to the Borough is \$90,000.00.

**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 \$85,000.00, 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 \$18,000.00 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.

**RESOLUTION NO. 03/26/2012 – 10: PROVIDING FOR AWARD OF CONTRACT OLD BRIDGE STREET AND BAY AVENUE IMPROVEMENTS TO A-TEAM CONCRETE, INC., CONTRACT NO. 2011-2**

WHEREAS, the Borough has received a bid from A-Team, Inc., which bid is the lowest responsive, responsible bid submitted for the captioned project; and

WHEREAS, the Borough Engineer and the Borough attorney have reviewed the bid documents submitted and have recommended award of the Contract to A-Team, Inc., and;

IT IS NOW, THEREFORE, this 26<sup>th</sup> day of March, 2012, RESOLVED by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The Contract is hereby awarded to A-Team, Inc., in the sum of \$240,965.00;
2. The award of Contract is subject to the following:
  - (a) the filing of a Certificate of Funds Availability; and

- (b) approval by the New Jersey Department of Transportation pursuant to regulations and conditions of agreement (State Aid project);
3. Upon satisfaction of the forgoing and the bidder's compliance with post-award requirements, as approved by Borough counsel, the Mayor is authorized to execute the Contract with A-Team, Inc.
  4. The bid security of the unsuccessful bidders shall be released upon mutual execution of the Contract between the Borough and A-Team, Inc.

**RESOLUTION NO. 03/26/2012 – 11: INTRODUCTION OF CAPITAL ORDINANCES NO. 610 AND 611**

*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. 610**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR BAY AVENUE DRAINAGE IMPROVEMENTS AT A COST OF \$28,000.00, AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$26,000.00, AND APPROPRIATING THE SUM OF \$2,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE**

**ORDINANCE NO. 611**

**CAPITAL IMPROVEMENT ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR IMPROVEMENT OF ADA WALKWAY#4 AND APPROPRIATING THE SUM OF \$5,000.00 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.*

**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. 03/26/2012 – 12: INTRODUCTION OF CAPITAL ORDINANCE NO. 612 – LYMAN STREET DUNE WALKOVER**

*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. 612**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY,  
PROVIDING FOR CONSTRUCTION OF LYMAN STREET DUNE WALKOVER AT A COST OF \$85,000.00,  
AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$80,000.00, AND  
APPROPRIATING THE SUM  
OF \$5,000.00 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.*

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

**MUNICIPAL SERVICES COMMITTEE, COUNCILMAN BROWN**

- A. Councilman Brown reported that no reports of the Municipal Services Committee were submitted.
- B. Action Items: None

**MANTOLOKING COMMITTEE, COUNCILMAN NESS**

- A. Councilman Ness reported that no reports of the Mantoloking Committee and the Environmental Commission were submitted.
- B. Action Items: None

**8. MAYOR AND COUNCIL COMMENTS**

No comments were made.

**9. PUBLIC COMMENTS PERIOD**

Two commentators spoke about the 2012 Municipal Budget and clean-up of trash on Ocean Avenue

**10. EXECUTIVE SESSION**

Councilman Strohm moved the following resolution:

**RESOLUTION NO. 03/26/2012 – 13: ADJOURNED 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.

**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 Brown and approved by unanimous voice vote at 4:45 p.m.

## **11. OPEN SESSION AS NECESSARY**

The Mayor and Council resumed the open session. No action was taken on the Executive Session matter.

**12. NEXT MEETING** Regular Meeting, Monday, April 23, 2012 @ 4:30 p.m.

## **13. ADJOURNMENT**

There being no further business for this meeting, it was motioned by Councilman Brown to adjourn. The motion was seconded by Councilman Strohm and approved by unanimous voice vote at 5:01 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.: 608**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,  
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR  
REPLACEMENT OF FIREHOUSE DOORS  
AT A COST OF \$22,000.00,  
AUTHORIZING THE ISSUANCE OF BONDS  
AND NOTES IN THE PRINCIPAL SUM OF \$20,000.00, 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 improvement 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 \$22,000.00, 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 \$22,000.00 appropriation, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$20,000.00 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement, the negotiable notes of the Borough in a principal amount not exceeding

\$20,000.00 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 the replacement of firehouse doors.

(b) The estimated amount of bonds or notes to be issued for said purpose is \$20,000.00.

(c) The estimated cost to the Borough of said project is \$22,000.00.

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 improvement 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 thirty (30) 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 \$20,000.00, 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 improvement, 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 improvement 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 26th day of March, 2012, 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 23rd day of April, 2012, 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.

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IRENE H. RYAN, R.M.C.

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

**ORDINANCE NO.: 609**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,  
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR  
PURCHASE OF POLICE CAMERAS  
AT A COST OF \$70,000.00,  
AUTHORIZING THE ISSUANCE OF BONDS  
AND NOTES IN THE PRINCIPAL SUM OF \$66,000.00, AND APPROPRIATING  
THE SUM OF \$4,000.00 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 purchase 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 \$70,000.00, 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 \$4,000.00 as a down payment for the contemplated project.

**SECTION 2:** For the financing of said purpose and to meet the said \$70,000.00 appropriation, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$66,000.00 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said purchase, the negotiable notes of the Borough in a principal amount not exceeding

\$66,000.00 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 the purchase of police cameras.

(b) The estimated amount of bonds or notes to be issued for said purpose is \$66,000.00.

(c) The estimated cost to the Borough of said project is \$70,000.00.

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 improvement 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 ten (10) 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 \$66,000.00, 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 purchase, 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 purchase 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 26th day of March, 2012, 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 23rd day of April, 2012, 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.

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IRENE H. RYAN, R.M.C.

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

**ORDINANCE NO.: 610**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,  
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR  
BAY AVENUE DRAINAGE IMPROVEMENTS  
AT A COST OF \$28,000.00,  
AUTHORIZING THE ISSUANCE OF BONDS  
AND NOTES IN THE PRINCIPAL SUM OF \$26,000.00, 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 improvement 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 \$28,000.00, 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 \$28,000.00 appropriation, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$26,000.00 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 \$26,000.00 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 Bay Avenue Drainage Improvements.

(b) The estimated amount of bonds or notes to be issued for said purpose is \$26,000.00.

(c) The estimated cost to the Borough of said project is \$28,000.00.

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 forty (40) 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 \$26,000.00, 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 26th day of March, 2012, 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 23rd day of April, 2012, 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.

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IRENE H. RYAN, R.M.C.

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

ORDINANCE NO.: 611

**CAPITAL IMPROVEMENT ORDINANCE OF THE  
BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY,  
PROVIDING FOR IMPROVEMENT OF ADA WALKWAY #4  
AND APPROPRIATING THE SUM OF \$5,000.00 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 improvement of ADA Walkway #4 by the Borough of Mantoloking, in the County of Ocean and State of New Jersey is hereby authorized. For this purpose, there is hereby appropriated from the Capital Improvement Fund of the Borough of Mantoloking the sum of \$5,000.00. Said sum being inclusive of all appropriations hereto made for said purpose.

SECTION 2: The within contemplated project constitutes a general improvement and the cost hereof will be paid by the Borough of Mantoloking.

SECTION 3: The Capital Budget of the Borough of Mantoloking is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistencies between the Budget and this Ordinance.

SECTION 4: This Ordinance shall be effective upon its adoption according to law.

## NOTICE

NOTICE IS HEREBY GIVEN that the foregoing 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 26th day of March, 2012, 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 23rd day of April, 2012, 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.

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IRENE H. RYAN, R.M.C.

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

**ORDINANCE NO.: 612**

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,  
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR  
CONSTRUCTION OF LYMAN STREET DUNE WALKOVER  
AT A COST OF \$85,000.00,  
AUTHORIZING THE ISSUANCE OF BONDS  
AND NOTES IN THE PRINCIPAL SUM OF \$80,000.00, AND APPROPRIATING  
THE SUM OF \$5,000.00 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 improvement 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 \$85,000.00, 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 \$5,000.00 as a down payment for the contemplated project.

**SECTION 2:** For the financing of said purpose and to meet the said \$85,000.00 appropriation, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$80,000.00 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement

, the negotiable notes of the Borough in a principal amount not exceeding \$80,000.00 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 the construction of Lyman Street Dune Walkover.

(b) The estimated amount of bonds or notes to be issued for said purpose is \$80,000.00.

(c) The estimated cost to the Borough of said project is \$85,000.00.

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 improvement 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 \$80,000.00, 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 \$5,000.00 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 improvement, 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 improvement 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 26th day of March, 2012, 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 23rd day of April, 2012, 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.

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IRENE H. RYAN, R.M.C.