

DRAFT #1 (01/26/2012)

THE BOROUGH OF MANTOLOKING
MAYOR AND COUNCIL

MINUTES OF THE REGULAR BUSINESS MEETING
JANUARY 17, 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 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, 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 Environmental Commission Chairman Joseph DeAmicis
- 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. 01/17/2012 - 01: APPROVAL OF MINUTES
Councilwoman Nelson moved that the minutes of the Regular Meeting of December 19, 2011 and Organization Meeting of January 2, 2012 be approved as distributed. The motion was seconded by Councilman Brown 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 six (6) resolutions. The motion was seconded by Councilman Gillingham and approved by unanimous voice vote.

RESOLUTION NO. 01/17/2012 – 02: ACCEPTANCE OF THE REPORT OF THE MUNICIPAL FINANCE OFFICER November 30, 2011

WHEREAS, the Chief Finance Officer has presented a report on the status of the 2011 municipal budget as of November 30, 2011; and

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

| ACCOUNT | BUDGET | EXPENDED YEAR TO DATE | ENCUMBERED | BALANCE |
|---------------------------------|----------------|--------------------------|--------------|----------------|
| 2011 Current Year Appropriation | \$4,060,011.94 | \$3,420,961.74 | \$ 48,147.84 | \$ 590,902.36 |
| 2010 Appropriation Reserves | \$ 376,253.59 | \$ 143,195.72 | \$ 175.00 | \$ 232,882.87 |
| Capital | \$1,650,518.26 | \$ 342,631.60 | | \$1,307,886.66 |

| ACCOUNT | REVENUE THIS MONTH | REVENUE YEAR TO DATE |
|---------------|-----------------------|-------------------------|
| Cash Receipts | \$1,399,721.93 | \$9,375,760.95 |

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. 01/17/2012 – 03: PAYMENT OF BILLS FOR THE MONTH OF JANUARY 2012

WHEREAS, the Municipal Finance Officer has presented a list of bills in the total amount of **\$229,279.83** 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. 01/17/2012 - 04: AUTHORIZE THE AWARD OF CONTRACTS FOR 2012 PROFESSIONAL SERVICES

WHEREAS, the Borough of Mantoloking has a need to acquire Professional Services as traditional contracts pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 (as appropriate); and,

WHEREAS, Chief Financial Officer has determined and certified in writing that the value of the acquisitions will exceed \$17,500; and,

WHEREAS, the anticipated term of the contracts is one (1) year; and

WHEREAS, the following have submitted proposals by January 10, 2012 indicating they will provide their listed services:

| <u>POSITION</u> | <u>OFFICIAL</u> | <u>CONTRACT AMOUNT</u> | <u>BUSINESS NAME</u> |
|-----------------|-----------------------------|-----------------------------|------------------------------|
| Attorney | Edwin J. O'Malley, Jr., Esq | \$145.-\$225./Hr. +Misc Exp | O'Malley, Surman & Micheline |

And

WHEREAS, as may be applicable pursuant to N.J.S.A. 19:44-A-20.4, et seq. obligates the professional contractors to certify that they have not made any reportable contributions to a political or candidate committee in the Borough of Mantoloking in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract, and

WHEREAS, the Business Entity Disclosure Certification shall be executed prior to execution of the professional services contract, and

WHEREAS, a Certificates of Availability of Funds issued by the Chief Financial Officer has been submitted pursuant to N.J.A.C. 5:30-5.4.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Mantoloking authorize the Mayor to enter into the contracts with the professional contractors as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution. And,

BE IT FURTHER RESOLVED that notice of this action is published as a contract award without competitive bidding as professional services pursuant to N.J.S.A. 40:55D-24.

RESOLUTION NO. 01/17/2012 – 05: AUTHORIZE MISCELLANEOUS SUPPLY, SERVICE AND MAINTENANCE CONTRACTS FOR 2012

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 and Purchasing Agent. 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> |
|--------------------------|-----------------------------------|----------------------------|
| Computer Software Maint. | \$7,829.Annual+\$150/Hr Misc Serv | Edmunds & Associates, Inc. |

RESOLUTION NO. 01/17/2012 - 06: ESTABLISHED EMPLOYEE SALARIES FOR 2012

WHEREAS, the Mayor has recommended annual salaries for all borough employees for 2012, now, therefore, be it

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey approves the following schedule of salaries for 2012.

REGULAR EMPLOYEES

| <u>NAME</u> | <u>TITLE</u> | <u>SALARY</u> |
|------------------|-----------------------|---------------|
| Anderson, James | Tax Assessor | 14,430.00 |
| Anderson, James | Tax Appeal Agent | 520.00 |
| Barcus, John | Police Detective Lt. | 121,270.29 |
| Clayton, Michael | Fire Subcode Official | 4,080.00 |
| Dryburgh, Scott | Police Officer | 78,728.63 |
| Dryburgh, Scott | After 07/31/2012 | 84,877.82 |
| Eaton, Jennifer | Court Administrator | 21,253.70 |

| | | |
|---------------------------------------|--|--------------------------|
| | | (3 Hr. Min) |
| Eaton, Jennifer | Court Call Out Incidents | 20.00/Hr. |
| Eaton, Jennifer | Planning Board Administrative Assistant | 22,026.94 (3 Hr. Min) |
| Eaton, Jennifer | Planning Board Recording Secretary | 25.00/Hr. |
| Ferris, Stacy | Police Officer | 91,628.76 |
| Ferris, Stacy | After 04/16/2012 | 98,076.19 |
| Gilman, Laurence | Public Works Manager | 58,421.80 |
| Hazelet, Lynne | Deputy Borough Clerk/Registrar | 5,202.00 |
| Hazelet, Lynne | Technical Assistant to the Construction Official | 32,910.95 (3 Hr. Min) |
| Hazelet, Lynne | Planning Board Recording Secretary | 25.00/Hr. |
| Heckman, William (Combined Salary) | Public Works Superintendent | 73,878.75 |
| | Deputy Zoning and Land Use Official | 0.00 |
| | Police Dispatcher/Administrative Assistant | 28,560.00 |
| Konopada, Beverly | Administrative Assistant | 34,227.39 |
| Leuck, Priscilla | Police Officer | 91,628.76 |
| Meyer, Jon | After 12/18/2012 | 98,076.19 |
| Meyer, Jon | Plumbing Subcode Official | 4,161.60 |
| Nelson, Robert | Municipal Clerk | 90,249.90 |
| Ryan, Irene (Combined Salary) | Assessment Search Officer | 0.00 |
| | Public Agency Compliance Official | 0.00 |
| | Insurance Commissioner | 0.00 |
| | Purchasing Agent | 0.00 |
| | Archives and Records Manager | 0.00 |
| | Contract Administrator | 0.00 |
| | Registrar of Vital Statistics | 200.00 |
| Saccone, Eugene | Police Sergeant | 112,286.81 |
| Saccone, Eugene | After 06/01/2012 | 113,336.22 |
| Shewan, William | Police Officer | 101,999.24 |
| Shewan, William | After 11/01/2012 | 103,960.76 |
| Sudia, Eric | Electrical Subcode Official | 4,161.60 |
| Swisher, Michelle | Chief Financial Officer | 75,948.34 |
| Swisher, Michelle | Tax Collector | 11,703.09 |
| | Construction/Subcode Off. & Building Inspector | 13,690.95 |
| Wardell, V. John | Fire Official | 3,303.75 |
| Wills, Charles | Police Chief | 130,960.50 |
| Wright, Mark | | |

2012 PART
TIME/SEASONAL

TITLE

SALARY

EMPLOYEES

| <u>NAME</u> | | |
|---|---|-------------------------|
| Applegate, Douglas (Combined Salary) | Deputy Construction Official Deputy Building Inspector Deputy Building Subcode Inspector | 28.00/Hr. |
| Blakely, Shawn | Special Class II Police Officer | 13.00/Hr. |
| Boettger, Elizabeth | Deputy Court Administrator | 15.00/Hr. |
| Boettger, Elizabeth | Court Call Out Incidents | (3 Hrs. Min.) 15.00/Hr. |
| Boettger, Elizabeth | Court Violations Clerk Deputy Electrical Subcode Inspector | 133.00/Court Session |
| Callahan, Patrick | Inspector | 25.00/Hr. |
| Furrange, Robert | Deputy Fire Subcode Official | 25.00/Hr. |
| Gambarella, Edward | Special Class II Police Officer | 13.00/Hr. |
| Hahn, Karissa | Special Class II Police Officer Deputy Plumbing Subcode Official | 13.00/Hr. |
| Hendricks, Brian | Official | 25.00/Hr. |
| Marinaccio, Vito | Zoning and Land Use Official | 21.64/Hr. |
| Morris, Samuel | Magistrate | 1,406.62/Court Session |
| Popaca, John | Special Class II Police Officer | 13.00/Hr. |
| Popaca, Gregory | Special Class II Police Officer | 13.00/Hr. |
| Puccio, Dominick | Special Class II Police Officer Deputy Plumbing Subcode Official | 13.00/Hr. |
| West, S. Charles | Official | 25.00/Hr. |

RESOLUTION NO. 01/17/2012 – 07: INTRODUCTION OF ORDINANCE NO. 606 - 2012 MUNICIPAL BUDGET CAP BANK

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. 606

ORDINANCE TO EXCEED THE 2012 MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

and be it

FURTHER RESOLVED, the attached Comprehensive Resolution of Introduction is hereby adopted, and be it FURTHER RESOLVED, that copies of all Ordinances introduced and all Resolutions adopted shall be maintained on file for public examination at the office of the Borough Clerk, published on the Borough's Website, www.mantoloking.org, and provided to anyone free of charge during regular business hours, M-F 8:30am – 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 presented the reports of the Police Department, Municipal Court, Fire Company and Emergency Management.

B. Action Items:

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

RESOLUTION NO. 01/17/2012 – 08: CONSIDERED THE SALE OF MUNICIPAL SURPLUS PROPERTY – ALL TERRAIN VEHICLE

WHEREAS, the Council has authorized solicitation of buyers for the purchase of surplus personal property, to

wit: One (1), used 2002 Polaris Sportsman ATV, Vin No: 4XACH42A12C558791; and

WHEREAS, the bid return date was 12:00 p.m. on Wednesday, January 11, 2012 in the office of the Borough Clerk with the following results:

| Bidder | Amount of Bid |
|-----------------------------|----------------------|
| Fred Bourne | \$ 610.00 |
| William Shewan | \$ 455.75 |
| Jersey One Auto Sales, Inc. | \$ 1,681.99 |
| Barten Baldwin | \$ 300.00 |
| Robert Kowalski | \$ 1,251.25 |
| Liberty Motors | \$ 628.99 |

WHEREAS, the bid submissions have now been reviewed by the Borough Attorney, now therefore, be it

RESOLVED, this 17th day of January, 2012, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The bid of Jersey One Auto Sales, Inc., the sum of \$1,681.99, is hereby accepted upon the following terms and conditions:
 - (1.) payment for and removal of the vehicle from Borough property shall be completed not later than seven (7) days from the date of this Resolution;
 - (2.) payment shall be in cash or unendorsed bank check, payable to the order of the Borough of Mantoloking;
 - (3.) the purchaser shall, upon delivery, accept the bill of sale or title document and shall execute and deliver to the Clerk a statement acknowledging that the sale is made on an "as is", "where is" basis, without representations or warranties of any nature whatsoever.

RESOLUTION NO. 01/17/2012 – 09: AUTHORIZED OTHER PROFESSIONAL SERVICE AND MAINTENANCE CONTRACTS FOR 2012

WHEREAS, the award of contracts for professional services 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 and Purchasing Agent. Copies of the contracts are available for inspection at the Clerk's office during regular business hours.
2. Notice of this action is to be published as a contract award without competitive bidding as professional services pursuant to N.J.S.A. 40:55D-24.

| <u>POSITION</u> | <u>OFFICIAL</u> | <u>CONTRACT AMOUNT</u> | <u>BUSINESS NAME</u> |
|--------------------------|----------------------------|--------------------------------|------------------------|
| Prosecutor | Joseph D. Coronato, Esq. | \$100-\$150 per hour | Coronato, Brady & Kunz |
| Public Defender | James J. Gluck, Esq. | \$200 per case +Misc \$100/hr. | Gluck & Allen, LLC |
| Police Physician | George Jarahian, Jr., M.D. | \$335 per officer | Jarahian Medical LLC |
| Alt/Conflicts Prosecutor | Bonnie R. Peterson, Esq. | \$150 per hour + Misc. Exp. | Bonnie R. Peterson |

RESOLUTION NO. 01/17/2012 – 10: AUTHORIZED MISCELLANEOUS SUPPLY, SERVICE AND MAINTENANCE CONTRACTS FOR 2012

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 and Purchasing Agent. 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 Services | \$3,000 Annual+Emergency Vet Care | Jersey Shore Animal Center |

RESOLUTION NO. 01/17/2012 – 11: APPROVED AN INTERLOCAL SERVICES AGREEMENT BETWEEN THE BOROUGH OF MANTOLOKING AND THE COUNTY OF OCEAN CONCERNING THE PROSECUTOR'S PROGRAM FY 2012

WHEREAS, it is deemed to be in the public interest to participate in the Ocean County "Prosecutor's 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, not to exceed \$62.70 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 17th day of January, 2012, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County New Jersey, that the Borough shall participate in the 2012 Interlocal Services Agreement and the Mayor and Clerk are authorized to execute the Agreement in the form annexed.

RESOLUTION NO. 01/17/2012 – 12: APPROVED INTERLOCAL SERVICES AGREEMENT BETWEEN THE BOROUGH OF MANTOLOKING AND THE COUNTY OF OCEAN CONCERNING THE DRIVING WHILE INTOXICATED ENFORCEMENT PROGRAM FY2012

WHEREAS, it is deemed to be in the public interest to participate in the Ocean County "Driving While Intoxicated Enforcement 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, not to exceed, \$62.70 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 17th day of January, 2012, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County New Jersey, that the Borough shall participate in the 2012 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 Public Works Superintendent, Construction Official and Land Use Officer.

B. Action Items:

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

RESOLUTION NO. 01/17/2012 - 13: APPROVED THE SALE OF MUNICIPAL SURPLUS PROPERTY – BULLDOZER

WHEREAS, the Council has authorized solicitation of buyers for the purchase of surplus personal property, to wit: One (1), used 1984 Fiat Allis 14C Bulldozer, Serial No.: 050769; and

WHEREAS, the bid return date was 12:00 p.m. on Wednesday, January 11, 2012 in the office of the Borough Clerk with the following results:

| Bidder | Amount of Bid |
|------------------------------------|----------------------|
| Liberty Motors | \$ 3,118.99 |
| Robert Kowalski | \$ 3,600.50 |
| Mueller & Tenore Contractors, Inc. | \$ 500.00 |
| Jersey One Auto Sales, Inc. | \$ 2,781.99 |
| Devino Trucks & Parts | \$ 5,288.00 |

WHEREAS, the bid submissions have now been reviewed by the Borough Attorney, now therefore, be it

RESOLVED, this 17th day of January, 2012, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The bid of Devino Trucks & Parts, the sum of \$5,288.00, is hereby accepted upon the following terms and conditions:
 - (1.) payment for and removal of the bulldozer from Ocean County property shall be completed not later than seven (7) days from the date of this Resolution;
 - (2.) payment shall be in cash or unendorsed bank check, payable to the order of the Borough of Mantoloking;
 - (3.) the purchaser shall, upon delivery, accept the bill of sale or title document and shall execute and deliver to the Clerk a statement acknowledging that the sale is made on an "as is", "where is" basis, without representations or warranties of any nature whatsoever.

RESOLUTION NO. 01/17/2012 – 14: APPROVED THE SALE OF MUNICIPAL SURPLUS PROPERTY – HYDRAULIC POWER BROOM

WHEREAS, the Council has authorized solicitation of buyers for the purchase of surplus personal property, to wit: One (1), used, 2007 M & B Companies, Inc., Hydraulic Power Broom, Model No. LB; with water tank & pump; Serial No. 17-0894; and

WHEREAS, minimum bid was set at \$5,000.00; and

WHEREAS, the bid return date was 12:00 p.m. on Wednesday, January 11, 2012 in the office of the Borough Clerk with the following results:

| Bidder | Amount of Bid |
|---------------|----------------------|
| Jesco, Inc. | \$ 5,007.00 |

WHEREAS, the bid submissions have now been reviewed by the Borough Attorney, now therefore, be it **RESOLVED**, this 17th day of January, 2012, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The bid of Jesco, Inc., the sum of \$5,007.00 is hereby accepted upon the following terms and conditions:
 - (1.) payment for and removal of the hydraulic power broom from Borough property shall be completed not later than seven (7) days from the date of this Resolution;
 - (2.) payment shall be in cash or unendorsed bank check, payable to the order of the Borough of Mantoloking;
 - (3.) the purchaser shall, upon delivery, accept the bill of sale or title document and shall execute and deliver to the Clerk a statement acknowledging that the sale is made on an “as is”, “where is” basis, without representations or warranties of any nature whatsoever.

RESOLUTION NO. 01/17/2012 – 15: APPROVED THE SALE OF MUNICIPAL SURPLUS PROPERTY – VINTAGE WINDOWS

WHEREAS, the Council has authorized solicitation of buyers for the purchase of surplus personal property, to wit: Eleven (11), used, Vintage-Circa 1928 Windows; and

WHEREAS, the bid return date was 12:00 p.m. on Wednesday, January 11, 2012 in the office of the Borough Clerk with the following results:

| Bidder | Amount of Bid |
|-----------------|----------------------|
| Vito Marinaccio | \$ 10.00 |

WHEREAS, the bid submissions have now been reviewed by the Borough Attorney, now therefore, be it **RESOLVED**, this 17th day of January, 2012, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The bid of Vito Marinaccio, the sum of \$10.00, is hereby accepted upon the following terms and conditions:
 - (1.) payment for and removal of the windows from Borough property shall be completed not later than seven (7) days from the date of this Resolution;
 - (2.) payment shall be in cash or unendorsed bank check, payable to the order of the Borough of Mantoloking;
 - (3.) the purchaser shall, upon delivery, accept the bill of sale or title document and shall execute and deliver to the Clerk a statement acknowledging that the sale is made on an “as is”, “where is” basis, without representations or warranties of any nature whatsoever.

RESOLUTION NO. 01/17/2012 – 16: AUTHORIZED THE AWARD OF CONTRACTS FOR 2012 PROFESSIONAL SERVICES

WHEREAS, the Borough of Mantoloking has a need to acquire Professional Services as traditional contracts pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 (as appropriate); and,

WHEREAS, Chief Financial Officer has determined and certified in writing that the value of the acquisitions will exceed \$17,500; and,

WHEREAS, the anticipated term of the contracts is one (1) year; and

WHEREAS, the following have submitted proposals by January 10, 2012 indicating they will provide their listed services:

| <u>POSITION</u> | <u>OFFICIAL</u> | <u>CONTRACT AMOUNT</u> | <u>BUSINESS NAME</u> |
|---|-------------------------|------------------------------|------------------------|
| Borough Engineer | Lawrence Plevier P.E. | \$40.- \$200/Hour + Misc Exp | Hatch, Mott, MacDonald |
| Stormwater Program Coordinator | | | |
| Ocean County Block Grant Program Representative | | “ “ | |
| Assistant Engineer | Robert Mainberger, P.E. | \$40-\$200/Hour + Misc Exp | Hatch, Mott, MacDonald |
| Municipal Planner | | | |
| Dune Inspector | | | |
| Flood Plain Manager | | | |
| Community Rating System Coordinator | | | And |

WHEREAS, as may be applicable pursuant to N.J.S.A. 19:44-A-20.4, et seq. obligates the professional contractors to certify that they have not made any reportable contributions to a political or candidate committee in the Borough of Mantoloking in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract, and

WHEREAS, the Business Entity Disclosure Certification shall be executed prior to execution of the professional services contract, and

WHEREAS, a Certificates of Availability of Funds issued by the Chief Financial Officer has been submitted pursuant to N.J.A.C. 5:30-5.4.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Mantoloking authorize the Mayor to enter into the contracts with the professional contractors as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution. And,

BE IT FURTHER RESOLVED that notice of this action is published as a contract award without competitive bidding as professional services pursuant to N.J.S.A. 40:55D-24.

RESOLUTION NO. 01/17/2012 – 17: AUTHORIZED MISCELLANEOUS SUPPLY, SERVICE AND MAINTENANCE CONTRACTS FOR 2012

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 and Purchasing Agent. Copies of the contracts are available for inspection at the Clerk’s office during regular business hours.

| <u>SERVICE</u> | <u>PROVIDER</u> | <u>CONTRACT AMOUNT</u> |
|--|-------------------------|-----------------------------|
| Schedule “C” Program, Road Dept. | County of Ocean | \$4,000.00 (Not to exceed.) |
| Schedule “C” Program, Vehicle Services | County of Ocean | \$1,000.00 (Not to exceed.) |
| Construction Official Computer Software Maint. | Mitchell Humphrey & Co. | \$2,025.00 |

Elevator Maintenance

Sharp Elevator Company, Inc.

\$120/month

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. 01/17/2012 – 18: AUTHORIZED OTHER PROFESSIONAL SERVICE AND MAINTENANCE CONTRACTS FOR 2012

WHEREAS, the award of contracts for professional services 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 and Purchasing Agent. Copies of the contracts are available for inspection at the Clerk’s office during regular business hours.
2. Notice of this action is to be published as a contract award without competitive bidding as professional services pursuant to N.J.S.A. 40:55D-24.

| <u>POSITION</u> | <u>OFFICIAL</u> | <u>CONTRACT AMOUNT</u> | <u>BUSINESS NAME</u> |
|-----------------|------------------------------|---|------------------------------------|
| Special Counsel | Vito A. Gagliardi, Jr., Esq. | \$125-\$310/Hr.+Misc. Expenses | Porzio, Bromberg & Newman, PC |
| Dune Consultant | Dr. Stewart Farrell | Monitor Beaches: (Not to exceed) \$20,523.19/Ann.; Meetings: \$7,538.14/Meet | Stockton College Coastal Res. Ctr. |

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

MUNICIPAL SERVICES COMMITTEE, COUNCILMAN BROWN

A. Councilman Brown stated that no reports of the Municipal Services Committee were submitted.

B. Action Items:

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

RESOLUTION NO. 01/17/2012 – 19: AUTHORIZED MISCELLANEOUS SUPPLY, SERVICE AND MAINTENANCE CONTRACTS FOR 2012

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 and Purchasing Agent. Copies of the contracts are available for inspection at the Clerk's office during regular business hours.

| <u>SERVICE</u> | <u>PROVIDER</u> | <u>CONTRACT AMOUNT</u> |
|-----------------------------|----------------------------------|------------------------|
| Website Maintenance | Osprey Technology Consulting LLC | \$140/Month |
| Computer & Internet Support | Osprey Technology Consulting LLC | \$75/Hour |

RESOLUTION NO. 01/17/2012 – 20: APPROVED THE OCEAN COUNTY MULTI-HAZARD MITIGATION PLAN

WHEREAS, the Ocean County Multi-Hazard Mitigation Plan has been prepared in accordance with FEMA requirements at 44 C.F.R. 201.6; and

WHEREAS, the Borough of Mantoloking participated in the preparation of a multi-jurisdictional plan, Ocean County Multi-Hazard Mitigation Plan; and

WHEREAS, the Borough of Mantoloking is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, the Borough of Mantoloking has reviewed the Plan and affirms that the Plan will be updated no less than every five years.

NOW THEREFORE, BE IT RESOLVED by the governing body that the Borough of Mantoloking adopts the Ocean County Multi-Hazard Mitigation Plan as this jurisdiction's Multi-Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

MANTOLOKING COMMITTEE, COUNCILMAN NESS

A. Councilman Ness will present the report of the Environmental Commission.

B. Action Items: None

8. MAYOR AND COUNCIL COMMENTS

Councilman Ness requested that residents do not put electronic waste on the curb for pick up at this time. Residents can drop off electronics at the Northern Ocean County Recycling Center or hold on to the items till June when the Borough will do their annual pick up for recycling of these items.

9. PUBLIC COMMENTS PERIOD

One commentator reported that electronic items for recycling can be dropped off at the Point Pleasant Beach Recycling facility .

10. NEXT MEETING Regular Meeting, Tuesday, February 21, 2012 @ 4:30 p.m.

11. ADJOURNMENT

There being no further business for this meeting, it was motioned by Councilman Strohm to adjourn. The motion was seconded by Councilwoman Nelson and approved by unanimous voice vote.

Respectfully submitted,

Irene H. Ryan, R.M.C.