

DRAFT # 1 08/19/2015

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

**MINUTES – REGULAR BUSINESS MEETING**

**August 18, 2015**  
**Mantoloking Yacht Club**  
**1224 Bay Avenue**  
**Mantoloking, New Jersey**

The regular monthly meeting of the Mayor and Council was held this day in the Mantoloking Yacht Club, Mantoloking, New Jersey.

1. **CALL TO ORDER:** Mayor Nebel called the meeting to order at 5:30 p.m.
2. **OPEN PUBLIC MEETING STATEMENT:** Mayor George C. 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 Ann Elizabeth Nelson, Councilmen Alan C. Laymon, Peter R. Strohm, Steve Gillingham, Robert S. McIntyre  
**Absent:** Councilman Chris Nelson  
**Also Present:** Beverly Konopada, Acting Borough Clerk, Edwin J. O'Malley, Jr., Borough Attorney
4. **PLEDGE OF ALLEGIANCE:** Mayor George C. Nebel led the assembly in the Pledge of Allegiance.
5. **PRIVILEGE OF THE FLOOR:** Mayor George C. Nebel opened the meeting for public comment and questions about the agenda.
6. **RESOLUTION NO. 08/18/2015-01: MINUTES OF PREVIOUS MEETINGS:**  
**Resolved,** the Mantoloking Borough Council approved the following minutes as printed and distributed:

Regular Council Meeting July 21, 2015

Councilwoman Nelson moved to approve the minutes as distributed. The motion was seconded by Councilman McIntyre and approved by unanimous voice vote.

**COMMITTEE REPORTS AND RECOMMENDATIONS**

7. **PUBLIC WORKS COMMITTEE**: Councilwoman Nelson presented reports from the Public Works Superintendent, Construction Official, and Land Use Officer and moved the following resolutions. The motion was seconded by Councilman McIntyre and approved by unanimous voice vote.

A. **RESOLUTION NO. 08/18/2015-02: PAYMENT NO. 6 – HERBERT STREET PUMP STATION RECONSTRUCTION (CONTRACT 2014-04)**

**WHEREAS**, the Borough has entered into a Contract with JEV Construction, LLC. (Contract 2014-04) to provide Herbert Street Pump Station Reconstruction; and

**WHEREAS**, the Contractor has submitted Payment Application No.6 in the sum of \$41,307.00 and

**WHEREAS**, the Borough Engineer, Lawrence Plevier, P.E. (Hatch Mott MacDonald) has recommended Payment Application No. 6 be paid, now, therefore, be it

**RESOLVED**, the Mantoloking Borough Council hereby approves payment of the claim.

B. **RESOLUTION NO. 08/18/2015-03: APPOINTMENT OF PERSONNEL – PART TIME**

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

Name	Position	Effective Date	Salary	Notes
Erich Herkloz	Part-Time Assistant to Zoning & Construction Officer	August 18, 2015	\$15.00 per Hour	As directed by the Mayor
Joseph P. Ehrhardt	Part-Time Construction Official 20 hours per week	January 1, 2015	\$43,860.00	Up to 5 additional hours per week \$42.17 per hour

8. **FINANCE COMMITTEE**: Councilman Gillingham presented the monthly finance report and moved the following resolutions. The motion was seconded by Councilwoman Nelson and approved by unanimous voice vote.

A. **RESOLUTION NO. 08/18/2015-04: ACCEPT THE REPORT OF THE MUNICIPAL FINANCE OFFICER**

**WHEREAS**, the Chief Finance Officer has presented a report on the status of the 2015 municipal Budget as of June 30, 2015; and

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

<u>ACCOUNT</u>	<u>ORIGINAL BUDGET</u>	<u>2015 BUDGET</u>	<u>EXPENDED</u>	<u>ENCUMBERED</u>	<u>BALANCE</u>
2015 Adopted Budget		5,683,083.23	2,409,741.22	41,829.07	3,231,512.94
2014 Appropriation Reserve	7,555,401.96	638,758.25	247,142.73	30,055.35	361,560.17
2012 Emergency Appropriations					

Sandy Emergency #1	2,000,000.00				
Sandy Emergency #2	2,000,000.00				
Sandy Emergency #3	3,100,000.00				
<b>Subtotal Sandy Emergency</b>		1,030,396.09	148,408.03	19,155.00	862,833.06
<b>Capital</b>		2,983,422.37	173,787.23	657,932.92	2,151,702.22

**B. RESOLUTION NO. 08/18/2015-05: PAYMENT OF BILLS FOR THE MONTH OF AUGUST 2015**

**WHEREAS**, the Municipal Finance Officer has presented a list of bills in the total amount of \$1,939,641.29 and recommended that they be paid, now, therefore, be it:

**RESOLVED**, the Mantoloking Borough Council Approve payment of the above referenced bills and directs that a copy attached to and made part of the minutes of this meeting.

**C. RESOLUTION NO. 08/18/2015-06 : APPROVING OF ITEMS OF REVENUE AND APPROPRIATION N.J.S.A. 40A:4-87- 2015 PEDESTRIAN SAFETY AND TRAFFIC CALMING MEASURES GRANT**

**WHEREAS, N.J.S.A. 40A:4-87** provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount, **NOW, THEREFORE, BE IT RESOLVED**, that the Council of the Borough of Mantoloking in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$20,700.00, which is now available from the State of New Jersey, Department of Transportation, 2015 Pedestrian Safety and Traffic Calming Measures;

**BE IT FURTHER RESOLVED**, that the like sum of \$20,700 is hereby appropriated under the caption of 2015 Pedestrian Safety and Traffic Calming Measures Grant and shall be applied in compliance with the terms and conditions as set forth in the grant.

**D. RESOLUTION NO. 08/18/2015-07: APPROVING OF ITEMS OF REVENUE AND APPROPRIATION N.J.S.A. 40A:4-87- 2015 DRIVING SOBER OR GET PULLED OVER GRANT**

**WHEREAS, N.J.S.A. 40A:4-87** provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount, **NOW, THEREFORE, BE IT RESOLVED**, that the Council of the Borough of Mantoloking in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$5,000.00, which is now available from the State of New Jersey, Division of Highway Traffic Safety, 2015 Drive Sober or Get Pulled Over Grant;

**BE IT FURTHER RESOLVED**, that the like sum of \$5,000 is hereby appropriated under the caption of

2015 Drive Sober or Get Pulled Over Grant and shall be applied in compliance with the terms and conditions as set forth in the grant.

9. **PUBLIC SAFETY COMMITTEE**: Councilman McIntyre presented the monthly reports of the Police Department, Municipal Court, Fire Company, and Emergency Management and moved the following resolutions. The motion was seconded by Councilman Laymon and approved by unanimous voice vote.

A. **RESOLUTION NO. 08/18/2015-08: APPLICATION FOR MEMBERSHIP-MANTOLOKING FIRE COMPANY NO.1**

**WHEREAS**, Michael R. Blondin has applied for membership in the Mantoloking Fire Company No. 1; and  
**WHEREAS**, the fire company has approved the application; and  
**WHEREAS**, pursuant to the provisions of the By-Laws of the Mantoloking Fire Company No. 1, all applications are also subject to approval of Council.  
**IT IS NOW, THEREFORE**, this 18<sup>th</sup> day of August, 2015, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, that the application of Michael R. Blondin is hereby approved, subject to receipt of satisfactory physical examination report.

B. **RESOLUTION NO. 08/18/2015-09 : INTRODUCTION TO ORDINANCE 650 AMENDING CHAPTER VII, TRAFFIC, SECTION 7-35 THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MANTOLOKING**

**Sponsored by:** Councilman McIntyre

**Date Introduced:** August 18, 2015

**Public Hearing** September 15, 2015

**Adoption:** September 15, 2015

**Synopsis:** The speed limit upon all streets and roadways in the Borough of Mantoloking, except for N.J. Route 35, is fixed at 25 m.p.h.

**BE IT ORDAINED as follows:**

1. Article 7-35, is hereby amended as follows:

The speed limit upon all streets and roadways in the Borough of Mantoloking, except for N.J. Route 35, is fixed at 25 m.p.h.

The speed limit on Route 35 shall be as approved by the New Jersey Department of Transportation.

2. All other provisions of Chapter VII, not specifically hereby amended, shall remain in full force and effect.
3. This Ordinance shall be effective upon final adoption according to law.

**C. RESOLUTION NO. 08/18/2015-10: APPOINTMENT OF PERSONNEL – SEASONAL PART TIME HELP**

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

<b>Name</b>	<b>Position</b>	<b>Effective Date</b>	<b>Salary</b>
Valeri Weinstein	Badge Checkers	8/01/2015	\$10.00

**D. RESOLUTION NO. 08/18/2015-11 : AUTHORIZING THE SALE OF MUNICIPAL PROPERTY 2010 FORD CROWN VICTORIA**

**WHEREAS**, the Acting Borough Clerk will advertise for sealed bids for the sale of One (1) used 2010 Ford Crown Victoria, Vehicle Identification Number 2FABP7BV2AX101510 with 104,195 miles; Equipment is sold without warranties, express or implied, “where is, as is”. And

**WHEREAS**, bids will be publicly opened and read aloud at a date and time to be determined in the office of the Clerk.

**WHEREAS**, all bid submissions will be reviewed by the Borough Attorney, now therefore, be it

**RESOLVED**, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey approves the sale of One (1) used 2010 Ford Crown Victoria

The successful bidder shall, within three (3) days of bid acceptance by the Borough, pay the entire purchase price (cash or certified check) payable to the order of the Borough of Mantoloking. The successful bidder shall, within five (5) days of acceptance, remove the 2010 Ford Crown Victoria from the municipality. Failure of removal shall be deemed abandonment.

The Borough reserves the right to reject any or all bids, in the public interest.

**E. PUBLIC HEARING**: Mayor George C. Nebel opened the meeting to the public on Ordinance No. 648 amending Chapter VII Traffic, of the revised General Ordinances.

**RESOLUTION NO. 08/18/2015-12: ADOPTION OF ORDINANCE NO. 648 AMENDING CHAPTER VII, TRAFFIC, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MANTOLOKING**

**WHEREAS**, on this 18th day of August, 2015 a public hearing 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 adopts the following ordinance

**See attached Ordinance**

10. **DUNE & BEACH RENOURISHMENT COMMITTEE**: Councilman Strohm  
No action

11. **MUNICIPAL SERVICES COMMITTEE**: Councilman Laymon  
No action

12. **MANTOLOKING COMMITTEE**: Councilman Chris Nelson  
No action

13. **MAYOR AND COUNCIL COMMENTS**

Issues regarding trash collection  
Bay Avenue Flood Mitigation meeting reminder  
Condemnation process

14. **PUBLIC COMMENT PERIOD**

Compliment to Mayor and Council for being 100% resolute about Beach Renourishment  
Casualty Loss filing deadline  
Request for speed reduction on Rt. 35  
Sulfur smell emanating from the pump station  
Enforcing rules for bicyclists  
Garbage cans remaining in street all week

**RESOLUTION NO. 08/18/2015-13: ADJOURN TO CLOSED SESSION IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT**

Councilman Strohm motioned to go into closed session at 5:52 p.m. The motion was seconded by Councilman Laymon and approved by unanimous voice vote.

**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 adjourn to closed session to discuss:

- a collective bargaining agreement and/or negotiations related to it

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

Councilwoman Nelson motioned to go back into open session as required. The motion was seconded by

Councilman McIntyre and approved by unanimous voice vote at 6:20 p.m.

15. **NEXT MEETING** –

Regular Council Meeting, Sept 15, 2015 at 5:30 p.m. at the Mantoloking Yacht Club, 1224 Bay Avenue, Mantoloking, NJ

16. **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 at 6:21 p.m.

Respectfully submitted,

Beverley A. Konopada,  
Acting Borough Clerk