

DRAFT NO. 1 – 2/22/2017

THE BOROUGH OF MANTOLOKING
MAYOR AND COUNCIL

MINUTES– REGULAR BUSINESS MEETING

February 21, 2017
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:** Council President E. Laurence White called the meeting to order at 5:30 p.m.
2. **OPEN PUBLIC MEETING STATEMENT:** Council President White 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:**

<u>COUNCIL</u>	<u>PRESENT</u>	<u>ABSENT</u>	<u>LATE</u>	<u>DIAL -IN</u>
Council President White	X			
Councilman Gillingham	X			
Councilman Laymon	X			
Councilman Nelson	X			
Councilwoman O'Mealia	X			
Councilman Rzemieniewski	X			
Mayor George C. Nebel		X		
<u>ALSO PRESENT</u>				
Beverly A. Konopada, Borough Clerk	X			
Edwin J. O'Malley, Jr. Borough Attorney	X			
Lynne Hazelet, Deputy Clerk	X			
April Yezzi, CFO, CTC, QPA	X			
Chief Stacy Ferris	X			

4. **PLEDGE OF ALLEGIANCE:** Council President White led the assembly in the Pledge of Allegiance.

5. **RESOLUTION NO. 02/21/2017-01: MINUTES OF PREVIOUS MEETINGS**

RESOLVED, the Mantoloking Borough Council approved the following minutes as printed and distributed.

Special Meeting	November 29, 2016
Agenda setting Pre-Council Meeting,	January 10, 2017
Regular Council Business Meeting,	January 17, 2017

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

6. **PRIVILEGE OF THE FLOOR:** Council President White opened the meeting for public comment and questions about the agenda.

No comments were made.

7. **MUNICIPAL SERVICES COMMITTEE,** Council President White presented reports from the Public Works Superintendent, Construction Official, Land Use Officer, and the Mantoloking Borough Hall Construction Report and moved the following four resolutions.
The motion was seconded by Councilman Laymon and approved by unanimous voice vote.

Superintendent Larry Gilman presented the monthly report for the Public Works Department. Maintenance tasks performed by Public Work staff have resulted in cost savings to the Borough. Recent sale of surplus property yielded revenues of approximately \$130,000.00

A. **RESOLUTION NO.02/21/2017-02: PROVIDING FOR APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE ROUTE 35 PARKING IMPROVEMENT PROJECT**

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Mantoloking formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Council and Clerk are hereby authorized to submit an electronic grant application identified as LAIF-2017-Route 35 Parking Improvements-0049 to the New Jersey Department of Transportation on behalf of the Borough of Mantoloking.

BE IT FURTHER RESOLVED that Mayor and Council and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Mantoloking and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

B. RESOLUTION NO. 02/21/2017-03: PROVIDING FOR APPROVAL TO SUBMIT AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE MA-2017-ROUTE 35 PARKING-00040 PROJECT

NOW, THEREFORE, BE IT RESOLVED the Council of the Borough of Mantoloking formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2017-Route 35 Parking-00040 to the New Jersey Department of Transportation on behalf of the Borough of Mantoloking.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Mantoloking and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

C. RESOLUTION NO. 02/21/2017-04: PROVIDING FOR APPROVAL OF PAYMENT REQUEST NO. 1, \$202,274.47, UNDER CONTRACT BETWEEN THE BOROUGH OF MANTOLOKING AND WALLACE BROTHERS

WHEREAS, Wallace Brothers has submitted Application and Certification for Payment, #1; and

WHEREAS, B.L.D.G. Architecture, LLC (Daniel P. Lynch, R.A.) has reviewed the

Payment Request and has recommended payment of the requested sum of \$202,274.37 (work completed and stored less retainage); and

WHEREAS, the payment request has been reviewed and endorsed by Sibilia Construction Services, LLC; and

WHEREAS, the Chief Financial Officer has reviewed the Application; and

WHEREAS, a Certificate of Funds Availability is on file.

IT IS NOW, THEREFORE, this 21st day of February, 2017, **RESOLVED** by the

Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, that Payment Request No. 1, dated January 30, 2017, submitted by Wallace Brothers, as recommended by B.L.D.G.

Architecture, LLC is approved for payment in the sum of \$202,274.37.

D. RESOLUTION NO. 02/21/2017-05: PROVIDING FOR PAYMENT OF \$1,826.69 TO JERSEY CENTRAL POWER AND LIGHT COMPANY

WHEREAS, the Borough and Jersey Central Power and Light, by Letter Agreement dated December 22, 2016, agreed that Jersey Central Power and Light Company would relocate certain high voltage wires which would present safety risk during construction of the Borough Hall; and

WHEREAS, considerations of economy yielded the negotiation of a reduced charge for safety officers services, from \$4,617.08, to \$1,826.69, for police flagging, utilizing Borough officers; and

WHEREAS, the balance due to Jersey Central Power and Light Company is

\$1,826.69; and

WHEREAS, a Certificate of Funds Availability is on file.

IT IS NOW, THEREFORE, this 21st day of February, 2017, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, that the sum of \$1,826.69 shall be paid to Jersey Central Power and Light Company.

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

A. RESOLUTION NO. 02/21/2017-06: ACCEPT THE REPORT OF THE MUNICIPAL FINANCE OFFICER

WHEREAS, the Chief Finance Officer has presented a report on the status of the 2016 temporary Municipal budget as of December 31, 2016; and

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

<u>ACCOUNT</u>	<u>ORIGINAL BUDGET</u>	<u>2016 ADOPTED BUDGET</u>	<u>EXPENDED</u>	<u>ENCUMBERED</u>	<u>BALANCE</u>
2016 Adopted Budget		5,794,080.20	5,287,510.91	62,248.09	444,321.20
2015 Appropriation Reserve	5,683,083.23	402,537.39	89,918.82	2,999.80	309,618.77
2012 Emergency Appropriations					
Sandy Emergency #1	2,000,000.00				
Sandy Emergency #2	2,000,000.00				
Sandy Emergency #3	3,100,000.00	297,639.01	0.00	59,745.09	237,893.92
Subtotal Sandy Emergency		297,639.01	0.00	59,745.09	237,893.92
Capital		8,212,309.40	1,184,460.48	0.00	7,027,848.92

B. RESOLUTION NO. 02/21/2017-07: PAYMENT OF BILLS

WHEREAS, the municipal finance officer has presented

- A list of bills in the amount of \$193,486.39 with the recommendation they be paid, and
- A list of bills in the amount of \$210,295.78 that have been paid with the approval of the municipal clerk and the mayor, now, therefore, be it

RESOLVED, the council approves the payment of all the bills and directs that a copy of these lists be attached to and made part of the minutes of this meeting.

C. RESOLUTION NO. 02/21/2017-08: APPROVING REFUND OF ESCROW FEES

WHEREAS, the Finance Office of the Borough of Mantoloking has researched the balance of the following escrow account which has been completed,

WHEREAS, the Borough Engineer and Zoning Officer has been consulted and confer that the following account is completed as far as they are concerned and

WHEREAS, the balance left on the account is due back to the escrow applicant

NOW THEREFORE BE IT RESOLVED, that the Mayor and the Council of the Borough of Mantoloking authorize the Chief Financial Officer to refund the following escrow balance:

<u>Escrow Applicant</u>	<u>Amount</u>
Vernon Investors, Ltd. c/o William T. Gage, Esq. 536 Lake Avenue Bay Head, NJ 08742	\$1,500.00

RE: 1014 Ocean Avenue
Mantoloking, NJ
a/k/a Block 13, Lot 12

D. RESOLUTION NO. 02/21/2017-09: TO ADOPT APPROPRIATION RESERVE TRANSFER #2

WHEREAS, N.J.S.A. 40A: 4-59 provides that in the first 3 months of the fiscal year, the amount of any appropriation reserve for the immediately preceding fiscal year is insufficient to pay the claims authorized or incurred during said preceding year which were chargeable to said appropriation, and there shall be an excess in any appropriation reserves over and above the amount deemed to be necessary to fulfill its purpose, the governing body may, by resolution adopted by not less than a 2/3 vote of the full membership thereof, transfer the amount of such excess to an appropriation reserve or an appropriation in the prior budget deemed to be insufficient to fulfill its purpose or for which no reserve was provided.

WHEREAS, the Chief Financial Officer has advised the Mayor and Council of the Borough of Mantoloking that the need for certain transfers within the 2016 Appropriation Reserves exists; and

WHEREAS, it is recommended that these appropriation reserve transfers be made;

NOW, THEREFORE BE IT RESOLVED by the governing body of the Borough of Mantoloking that the following budget transfers be made for the 2016 Appropriation Reserve balances

<u>DEPARTMENT</u>		<u>TO</u>	<u>FROM</u>
Engineering	OE	\$15,000.00	
Group Insurance	OE		15,000.00
Total		\$15,000.00	\$15,000.00

E. RESOLUTION NO. 02/21/2017-10: TO ADOPT TEMPORARY EMERGENCY APPROPRIATIONS #1

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

WHEREAS, the total emergency temporary resolutions adopted in the year 2017 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A: 4-20) including this resolution total \$1,637,824.00.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Mantoloking, that in accordance with the provisions of N.J.S.A. 40A: 4-20, the Chief Financial Officer be authorized to make the following emergency temporary budget appropriations in the 2017 current fund temporary budget and that said amounts be included under the correct headings in the municipal budget as adopted.

BE IT FURTHER RESOLVED that one certified copy of this resolution be filed with the Director of the Division of Local Government Services and one certified copy with the Chief Financial Officer.

<u>DEPARTMENT</u>	<u>S&W</u>	<u>OE</u>
Municipal Clerk		\$ 19,590.00
Construction		\$ 2,000.00
Group Health Insurance		\$ 75,000.00
Garbage		\$ 50,000.00
Dog		\$ 3,600.00
Workers' Comp		\$ 10,250.00
Liability Insurance		\$ 20,000.00
Telephone		\$ 1,000.00
Electricity		\$ 1,000.00
TOTAL	\$ 0.00	\$ 182,440.00
GRAND TOTAL	\$ 182,440.00	

F. RESOLUTION NO. 02/21/2017-11: PROVIDING FOR AMENDMENT OF 2016 MUNICIPAL SALARY SCHEDULE AND APPROVAL OF 2017 SALARY SCHEDULE FOR POLICE OFFICERS

WHEREAS, on September 20, 2016, the Mayor and Council approved the 2016 Salary Schedule for Borough employees; and

WHEREAS, due to the then ongoing collective bargaining process, the 2016 Police salary list was omitted from the Salary Resolution, pending completion of the Collective Bargaining process; and

WHEREAS, the Borough, as a matter of historical practice, does not adopt an annual Salary Resolution until a date subsequent to approval of the Municipal Budget to thereby facilitate incorporation of any changes in salary for non-contractual employees; and

WHEREAS, the 2016 salary for the Members of the Police Department was determined by collective bargaining and is incorporated into the Contract between the Members of the Department and the Borough dated December 22, 2016; and

WHEREAS, it is the desire of Council to approve the Police Salary Schedule attached as Exhibit A (2016) and Exhibit B (2017); and

WHEREAS, the complete integrated 2017 Salary Resolution will be considered for approval following the adoption of the 2017 Budget. .

IT IS NOW, THEREFORE, this 21st day of February, 2017, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The 2016 Salary Resolution is hereby amended by the addition of the 2016 Police Salary schedule, Exhibit A, attached;
2. The 2017 Police Salary schedule, per Contract, Exhibit B, is approved;
3. The 2017 complete integrated Salary Resolution shall be considered for adoption upon completion of the 2017 Municipal Budget process.

G. RESOLUTION NO. 02/21/2017-12: PROVIDING FOR ACCEPTANCE OF FINANCE COMMITTEE REPORT DATED FEBRUARY 14, 2017, AND ENDORSING IMPLEMENTATION OF ITS RECOMMENDATIONS

WHEREAS, the Finance Committee has, following extensive consultation with the Borough's financial advisor, Phoenix, and Bond counsel, McManimon, Scotland and Baumann, Esqs., and exhaustive deliberation by the Committee, set forth recommendations concerning the debt to be incurred, its term and the prompt initiation of actions to achieve funding; and

WHEREAS, the Borough has previously authorized presently unfunded long term debt in a sum sufficient to provide for construction of the new Borough Hall, \$5,500,000.00, and up to nineteen additional capital projects; and

WHEREAS, the Committee has recommended issuance of Bonds in the sum of up to \$6,627,712.00, and up to a twenty-five (25) year term; and

WHEREAS, the Committee has recommended that the integrated financing program be initiated at this time and pursued expeditiously in the prospect of attaining terms most advantageous to the Borough and the taxpayers.

IT IS NOW, THEREFORE, this 21st day of February, 2017, **RESOLVED** by the

Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The Finance Committee Report (3 pages) shall be incorporated as an exhibit to this Resolution;
2. The recommendations of the Committee are accepted with appreciation for the efforts and results;
3. All Borough officers, officials and consultants involved in this financing effort are authorized and requested to initiate and coordinate all such actions as shall be necessary to promptly advance the finance project to bid receipt in conformity with implementation of the Committee's recommendations.

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

A. **RESOLUTION NO. 02/21/2017-13: IN SUPPORT OF THE KATE SHEA FOUNDATION AND THE 14TH ANNUAL BAY HEAD 5 K MEMORY RUN**

WHEREAS, the Kate Shea Foundation, have requested permission to utilize roadways in the Borough in conjunction with the 14th Annual Bay Head 5K Memory Run, on Saturday, May 20, 2017; and **WHEREAS**, the Mayor and Council wish to endorse and support the Kate Shea Foundation and the 14th annual Bay Head 5K Memory Run,

IT IS NOW, THEREFORE, this 21st day of February, 2017,

RESOLVED by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The request to utilize East Avenue, Lyman Street, and Barnegat Lane, is hereby granted subject only to endorsement by the Chief of Police.
2. Upon endorsement by the Chief, a copy of this Resolution shall be forwarded to The Kate Shea Foundation, Attention: Edward Shea Event Director
3. This approval and endorsement is subject to such conditions, if any, as shall be established by the Chief.

B. **RESOLUTION NO. 02/21/2017-14: IN SUPPORT OF THE MULTIPLE SCLEROSIS SOCIETY'S NEW JERSEY METRO CHAPTER AND THE "COAST TO COAST" BIKE MS RIDE**

WHEREAS, the Multiple Sclerosis Society, have requested permission to pass through the Borough utilizing County Road 528 (Herbert Street) , Barnegat Lane, Bay Avenue, Downer and State Highway Route 35 in conjunction with the "Coast to Coast" Bike MS Ride, on Saturday, May 20, 2017; and

WHEREAS, the Mayor and Council wish to endorse and support the Multiple Sclerosis Society New Jersey Metro Chapter and the "Coast to Coast" Bike MS Ride.

IT IS NOW, THEREFORE, this 21st day of February, 2017,

RESOLVED by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. Have requested permission to pass through the Borough utilizing County Road 528 (Herbert Street), Barnegat Lane, Bay Avenue, Downer and State Highway Route 35 in conjunction with the “Coast to Coast” Bike MS Ride, on Saturday, May 20, 2017; and is hereby granted subject only to endorsement by the Chief of Police.
2. Upon endorsement by the Chief, a copy of this Resolution shall be forwarded to Multiple Sclerosis Society, Attention: Amy Ferrone
3. This approval and endorsement is subject to such conditions, if any, as shall be established by the Chief.

C. RESOLUTION NO. 02/21/2017-15: PROVIDING FOR TRANSFER OF U.S. ARMY SURPLUS VEHICLE TO POINT PLEASANT BEACH FIRST AID SQUAD

WHEREAS, the Borough has acquired a surplus Army truck through GSA (General Services Administration); and

WHEREAS, pursuant to the terms of acquisition, the vehicle may not be sold but may be transferred to a qualified non-profit entity; and

WHEREAS, the Borough of Mantoloking has no use for the vehicle, having acquired a more suitable, functional replacement; and

WHEREAS, the Point Pleasant Beach First Aid Squad has a need for such vehicle and is familiar with the vehicle, its current condition and suitability for its intended use.

IT IS NOW, THEREFORE, this 14th day of February, 2017, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The vehicle described below shall be and hereby is transferred to the Point Pleasant Beach First Aid Squad, subject to and in conformance with GSA requirements and without representations, express or implied warranty, of any nature whatsoever concerning title, condition of the vehicle or any other aspect of the vehicle, and shall be moved from the Borough forthwith.
Identification Number: NL0ZFS Serial Number: 2307375
Cargo Truck 5 Ton 6X6
2. Acceptance of possession of the vehicle by the Point Pleasant Beach First Aid Squad shall constitute and comprise acknowledgment and acceptance of the terms and conditions recited above.
3. The Point Pleasant Beach First Aid Squad shall, upon possession of the vehicle, sign and deliver to the Borough Clerk a true copy of this Resolution signed with authority on behalf of the First Aid Squad.

D. RESOLUTION NO. 02/21/2017-16: IN SUPPORT OF THE DISTRACTED DRIVING 2017 STATEWIDE CRACKDOWN APRIL 1-21, 2017

WHEREAS, distracted driving is a dangerous epidemic on America's roadways. In 2014 alone, 3,179 people were killed in distracted driving crashes. An estimated 431,000 people were injured in motor vehicle crashes involving a distracted driver; and

WHEREAS, In New Jersey, driver inattention remains the most significant cause of fatal and incapacitating crashes. Driver inattention was listed as a contributing circumstance in 52 percent of the state’s crashes in 2014 and was a contributing factor in more than 800,000 crashes total from 2010-2014; and

WHEREAS, the State of New Jersey will participate in the Distracted Driving 2017 Statewide crackdown from April 1 – April 21, 2017 in an effort to raise awareness about the dangers of distracted driving, to offer deterrence through visible enforcement, and issue summonses for relevant motor vehicle violations; and

WHEREAS, the grant will pay for 100 hours of overtime enforcement during the crackdown period, with a maximum rate to be reimbursed of \$55.00 per hour.

IT IS NOW, THEREFORE, this 21st day of February, 2017, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, declares it’s support for the Distracted Driving 2017 Statewide Crackdown from April 1 – April 21, 2017.

E. RESOLUTION NO. 02/21/2017-17: OF THE MAYOR AND COUNCIL OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR PAYMENT OF ACCUMULATED COMPENSATION, SICK AND VACATION TIME, TO WILLIAM SHEWAN

WHEREAS, William Shewan, a former Member of the Police Department of the Borough, is entitled to payment for accrued benefits of his employment in accordance with Contract and applicable law; and **WHEREAS**, the attached schedule illustrates the calculation of Shewan’s entitlement; and

WHEREAS, the Chief and Chief Financial Officer has endorsed this schedule.

IT IS NOW, THEREFORE, this 21st day of February, 2017, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. William Shewan shall be paid the total sum of \$53,295.50 for and in satisfaction of all accrued and unpaid entitlements:
2. The sum, \$53,295.50, shall be paid:
 - (a) from the 2016 budget, \$36,000.00; and
 - (b) from the 2017 budget, \$17,295.50.

10. DUNE & BEACH COMMITTEE: Councilman Nelson stated no report of the Dune & Beach Committee and Ocean County Block Grant Program moved the following resolution. The motion was seconded by Councilman Rzemieniewski and approved by unanimous voice vote.

A. RESOLUTION NO. 02/21/2017-18: PROVIDING FOR APPOINTMENT OF DUNE CONSULTANT

WHEREAS, pursuant to the provisions of Ordinance No. 348, sub-article 2.5, a Dune Consultant shall be appointed by the Borough Council; and

WHEREAS, The Coastal Research Center at Stockton University (Stewart Farrell, PhD.), has served as the Borough’s Dune Consultant since 1994; and

WHEREAS, it is the desire of the Council to continue to utilize the services of The Coastal Research Center at Stockton University; and

WHEREAS, the terms of engagement, as set forth in the 2017 proposal to monitor the beaches of Mantoloking Semi-Annually; and

WHEREAS, the Local Public Contracts Law (N.J.S.A 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contract itself must be made available for public inspection; and

WHEREAS, a certificate of funds availability have been filed.

IT IS NOW, THEREFORE, this 21st day of February, 2017, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey as follows:

1. The Coastal Research Center at Stockton University (Stewart Farrell, PhD.) is hereby appointed Dune Consultant for the Borough of Mantoloking.
2. That the scope of engagement is set forth in the attached Semi-Annual Proposal.
3. This contract is awarded without competitive bidding as a “Professional Service” in accordance with the Local Public Contracts Law because the Contract is for a service performed by persons authorized by law to practice a recognized profession that is regulated by law.
4. A notice of this action shall be published once in the official newspaper of the Borough.

11. **ENVIRONMENTAL COMMITTEE** Councilwoman O’Mealia presented the report of the Environmental Committee and moved the following two resolutions. The motion was seconded by Councilman Gillingham and approved by unanimous voice vote.

A. RESOLUTION NO. 02/21/2017-19: SUBMISSION OF ANNUAL RECYCLING REPORT, ANNUAL TONNAGE REPORT AND APPLICATION FOR 2016 TONNAGE GRANT

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for the 2016 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Council to the efforts undertaken by the Borough of Mantoloking and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Mantoloking endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Joy Edly, Certified Recycling Professional to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

B. RESOLUTION NO. 02/21/2017-20: RECYCLING ENHANCEMENT ACT TAX IDENTIFICATION STATEMENT 2016

WHEREAS, The Recycling Enhancement Act, P.L. 2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, There is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

WHEREAS, Whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the “Local Public Contracts Law”, the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

NOW THEREFORE BE IT RESOLVED by the Borough of Mantoloking that the Borough of Mantoloking certifies a submission of expenditure for taxes paid pursuant to P.L. 2007, chapter 311, in 2016 in the amount of \$587.43. Documentation supporting this submission is available at 340 Drum Point Road, Brick, New Jersey and shall be maintained for no less than five years from this date.

12. **MANTOLOKING RELATIONS COMMITTEE** Councilman Rzemieniewski stated no report of the Mantoloking Relations Committee.

13. **MAYOR AND COUNCIL COMMENTS**

Councilman Nelson spoke about the Army Corp. project, easements and beach accesses. Councilwoman O’Mealia advised that residents are looking to reduce the volume of the Fire Siren. She also asked Chief Ferris for clarification regarding parking on Rt. 35.

Chief Ferris- additional parking required will be between Herbert Street and Lyman. The parking limit on East Avenue will be changed from two hour parking to four hour.

14. **PUBLIC COMMENTS PERIOD**

Questions regarding repairing dune platforms

Beach access

Wheel Chair access to beach

South Beach Association-walkway

Sand pushing will resume when bulldozers can access the beach and sand is available.

Traffic Light signal at Downer is too long

Concerns regarding run down home located on Ocean Avenue

Parking on Route 35

15. NEXT MEETING:

Agenda Setting Pre-Council Meeting March 14, 2017 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 Rzemieniewski to adjourn. The motion was seconded by Councilman Nelson and approved by unanimous voice vote at 6:13. p.m.

Respectfully submitted,

Beverley A. Konopada
Borough Clerk