

DRAFT #1 03/19/2014

THE BOROUGH OF MANTOLOKING
MAYOR AND COUNCIL

MINUTES OF THE REGULAR BUSINESS MEETING

MARCH 18, 2014

Mantoloking Yacht Club

1224 Bay Avenue

Mantoloking, New Jersey

1. **CALL TO ORDER:** Council President Steve Gillingham called the meeting to order at 5:30 pm.
2. **OPEN PUBLIC MEETING STATEMENT:** Council President Gillingham 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: Council President Steve Gillingham, Councilmen James J. Brown, Chris Nelson, Peter R. Strohm, Robert S. McIntyre, Councilwoman Ann Elizabeth Nelson
Absent: Mayor George C. Nebel
Also Present: Municipal Clerk Irene H. Ryan, Borough Attorney Edwin J. O'Malley, Jr., Chief Wright, Detective Stacy Ferris, Flood Plain Manager Robert Mainberger

4. **PLEDGE OF ALLEGIANCE:** The Council President lead the assembly in the Pledge of Allegiance.
5. **PRIVILEGE OF THE FLOOR:** The Council President opened the meeting for public comment and questions about the agenda.

Several audience members had questions regarding the appointment of an Architect for rebuilding the Borough Hall, cost of rebuilding Borough Hall, and whether there will be an opportunity for the public to comment on the Borough Hall replacement in the future.
There were also questions regarding the 2014 Municipal Budget.

Councilman Strohm moved to approve the Council Meeting Minutes as distributed. The motion was seconded by Councilwoman Nelson and approved by unanimous voice vote.

6. **RESOLUTION NO. 03/18/2014 – 01: MINUTES OF PREVIOUS MEETINGS:**
Resolved, the Mantoloking Borough Council approved the following minutes as printed and distributed.

Special Meeting of October 16, 2013
Regular Meeting of October 22, 2013
Special Meeting of October 29, 2013
Workshop Meeting of November 21, 2013
Regular Meeting of November 26, 2013

COMMITTEE REPORTS AND RECOMMENDATIONS

7. **FINANCE COMMITTEE,** Councilman Gillingham presented the monthly finance report and moved the following 5 Resolutions. The motion was seconded by Councilwoman Beth Nelson and approved by unanimous voice vote.

A. RESOLUTION NO. 03/18/2014 - 02: ACCEPT THE REPORT OF THE MUNICIPAL FINANCE OFFICER

WHEREAS, the Chief Finance Officer has presented a report on the status of the 2014 municipal budget as of January 31, 2014; and

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

ACCOUNT	ORIGINAL BUDGET	BUDGET	EXPENDED	ENCUMBERED	BALANCE
2014 Temporary Budget		1,282,900.00	176,011.71	53,804.98	1,053,083.31
2013 Appropriation Reserve	5,671,304.98	405,798.24	15,273.33	26,560.00	363,964.91
2012 Emergency Appropriations					
Sandy Emergency #1	2,000,000.00				
Sandy Emergency #2	2,000,000.00				
Sandy Emergency #3	3,100,000.00				
Subtotal Sandy Emergency		1,371,644.74	6,569.50	30,071.03	1,335,004.21
Capital		2,006,853.92	0.00	0.00	2,006,853.92

B. RESOLUTION NO. 03/18/2014 - 03: PAYMENT OF BILLS FOR THE MONTH OF MARCH 2014

WHEREAS, the Municipal Finance Officer has presented a list of bills in the total amount of \$801,130.28 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 be attached to and made part of the minutes of this meeting.

C. RESOLUTION NO. 03/18/2014 - 04: ADOPT TEMPORARY EMERGENCY APPROPRIATIONS #2

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, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2014 pursuant to N.J.S.A. 40A: 4-20 including this resolution will total \$998,200,

NOW THEREFORE BE IT RESOLVED the Mantoloking Borough Council authorize the Chief Financial Officer to make the following emergency temporary budget appropriations in the 2014 current fund temporary budget and that said amounts be included under the correct headings in the municipal budget as adopted, and

FUNCTION	S&W	O&E
State of NJ Route 35 Sheeting Project		\$406,000
Finance	\$10,000	
Construction		1,000
Police	30,000	
Municipal Prosecutor		1,000
Group Health Insurance		10,000
Road Repair	5,000	
TOTAL	\$45,000	\$418,000

and

BE IT FURTHER RESOLVED that a certified copy of this resolution be filed with the Director of the Division of Local Government Services.

D. RESOLUTION NO. 03/18/2014 - 05 : ADOPT APPROPRIATION RESERVE TRANSFER #3

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, and

WHEREAS, the Chief Financial Officer has advised the Mayor and Council of the Borough of Mantoloking that the need for certain transfers within the 2013 Appropriation Reserves exists; and

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

NOW, THEREFORE BE IT RESOLVED by the Mantoloking Borough Council that the following budget transfers be made for the 2013 Appropriation Reserve balances

FUNCTION	FROM		TO	
	S&W	O&E	S&W	O&E
Engineering				\$10,000
Police	\$4,000			3,000
Beach				10,000
Social Security		\$7,000		
Electric		5,000		
Fire Hydrant		3,000		
Group Health Insurance		4,000		
TOTAL		\$23,000		\$23,000

Councilman Gillingham moved to approve the following resolution. The motion was seconded by Councilman McIntyre and approved by unanimous voice vote.

E. RESOLUTION NO. 03/18/2014 - 06: INTRODUCE THE 2014 MUNICIPAL BUDGET

WHEREAS, the finance committee has proposed a municipal budget for 2014, a complete copy of which will be attached to the minutes of this meeting and is summarized as follows:

Revenue and Appropriation Summaries

<u>Summary of Revenues</u>	Anticipated Revenues	
	<u>2014</u>	<u>2013</u>
1. Surplus	\$820,000.00	\$528,000.00
2. Total Miscellaneous Revenues	3,739,354.38	2,813,626.96
3. Receipts from Delinquent Taxes	35,000.00	70,000.00
4. Local Tax for Municipal Purposes	2,961,047.58	2,259,678.00
Total General Revenues	\$7,555,401.96	5,671,304.96

<u>Summary of Appropriations</u>	Appropriations	
	<u>2014</u>	<u>2013</u>
1. Operating Expenses: Salaries and	\$1,876,876.00	\$1,629,920.00

Wages			
	Other Expenses	2,240,910.23	1,756,692.96
2. Deferred Charges and Statutory Expenditures		2,776,224.15	1,937,000.00
3. Capital Improvements		323,000.00	85,500.00
4. Debt Service		55,680.00	6,000.00
5. Reserve for Uncollected Taxes		282,711.58	256,192.00
	Total General Appropriations	<u>\$7,555,401.96</u>	<u>\$5,671,304.96</u>
			<u>6</u>
<u>Total Number of Employees (full and part-time)</u>		<u>33</u>	<u>59</u>

Balance of Outstanding General Debt Obligations

Interest	\$0.00
Principal	0.00
Outstanding Balance at December 31, 2013	0.00

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 18, 2014.

A hearing on the budget and tax resolution will be held at the Mantoloking Yacht Club located at 1224 Bay Avenue Mantoloking, New Jersey on April 22, 2014 at 5:30 PM at which time and place objections to the budget and tax resolution for the year 2014 may be presented by taxpayers or other interested persons.

Copies of the budget are available in the office of the Municipal Clerk, located at the temporary Borough Hall, 340 Drum Point Road (Yogi Plaza) 2nd Floor Brick, New Jersey 08723, 732-475-6983, during the hours of 8:30 AM to 4:30 PM.

F. RESOLUTION NO. 03/18/2014 - 07: INTRODUCE ORDINANCE NO. 636 - AUTHORIZATION TO EXCEED THE 2014 MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A 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. 636

ORDINANCE TO EXCEED THE 2014 MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

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, and be it

FURTHER RESOLVED, the Borough Clerk advertise and take 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.

Councilman Gillingham moved the following resolution. The motion was seconded by Councilman Strohm and approved by unanimous voice vote.

G. RESOLUTION NO. 03/18/2014 - 08: ACCEPT NOTICE OF RETIREMENT

RESOLVED, the Mayor & Council recognize Irene Ryan, Borough Clerk, for 27 years and 10 months of service to the Borough of Mantoloking and accept her notice of retirement effective July 1, 2014, and be it

FURTHER RESOLVED, The Mayor & Council approve her use of accumulated vacation and compensatory time for the period March 24 to June 30, 2014.

Councilman Gillingham moved the following resolution. The motion was seconded by Councilwoman Beth Nelson and approved by unanimous voice vote.

H. RESOLUTION NO. 03/18/2014 – 09: PUBLIC HEARING & ADOPTION OF ORDINANCE NO. 635 – DESIGNATION OF CHECK SIGNERS: Council President Gillingham will open the meeting for a public hearing on Ordinance No. 635 – AN ORDINANCE AMENDING SUB-ARTICLE 2-66.6 OF ARTICLE VIII OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MANTOLOKING, “THE CODE” then move the following:

WHEREAS, on the 18th day of March, 2014 a public hearing on Ordinance No. 635 was held and no comments were made by the public, now, therefore, be it

RESOLVED, the Mantoloking Borough Council hereby adopts the following Ordinance:

ORDINANCE NO. 635

AN ORDINANCE AMENDING SUB-ARTICLE 2-66.6 OF ARTICLE VIII OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MANTOLOKING, “THE CODE”

BE IT ORDAINED, by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows;

Sub-Article 2-66.6 is hereby amended by the addition of the underlined provisions below:

Preparation and Signing of Checks:

After the Municipal Clerk has certified that the claims have been approved, he shall deliver them to the Chief Financial Officer, who shall forthwith prepare the necessary checks for the payment thereof, which checks shall be signed by the Mayor and the Municipal Clerk and thereafter countersigned by the Chief Financial Officer. After preparing checks for the payment of claims, the Chief Financial Officer shall record them in proper books of account and thereafter mail or otherwise distribute the checks to the claimants. In the event that any of the above designated signers shall not, for any reason be available to sign, the persons designated below are hereby authorized to sign with the same legal effect as would be the case if the above designated signers had signed. Mayor: Alternate: President of Council; Borough Clerk: Alternate: Deputy Borough Clerk; Chief Financial Officer: Alternate: a person nominated by the Mayor and approved by Resolution of the Mayor and Council.

1. In the event that a court having jurisdiction shall determine that any portion of this Ordinance, as amended, is illegal, the provisions now amended shall be deemed to be in full force and effect to the same result pre-existing the adoption of this Ordinance.

2. This Ordinance shall be in full force and effect from and upon final adoption according to law.

8. PUBLIC SAFETY COMMITTEE, Councilman McIntyre will present the monthly reports of the Police Department, Municipal Court, Fire Company and Emergency Management and moved the following Resolution. The motion was seconded by Councilman Strohm and approved by unanimous voice vote.

A. RESOLUTION NO. 03/18/2014 - 10: SALE OF SURPLUS MUNICIPAL PROPERTY

WHEREAS, the Borough Clerk advertised for sealed bids for the sale of surplus municipal property; and

WHEREAS, bids were publicly opened and read aloud at 12:00 p.m. on March 7, 2014 in the office of the borough clerk with the following results:

Item A. - One (1) used, 2003 Parker Twenty-one ft. (21') Marine Patrol Boat, Model No. 2120, HIN: PXM19009H203 with one (1) used 2003 Yamaha 150 Outboard Motor and including one (1) Used 2010 Load Rite Dual Axle Trailer, Model No. 23T6000TG2, VIN: 5A4AH4W24A2010097. Boat, motor and trailer are sold without warranties, express or implied, "where is, as is". Minimum Bid \$7,500.00.

Bidder	Amount of Bid
Devino Trucks and Parts, Newark, NJ	\$1,888.00
John McKeon, South Amboy, NJ	\$8001.00

Item B - One (1) used, 1983 Ford Truck Sweeper, Model No. F-700, VIN: 1FDNK74N2DVA44679. Equipment is sold without warranties, express or implied, "where is, as is". No Minimum Bid required.

Bidder	Amount of Bid
Devino Trucks and Parts, Newark, NJ	\$777.00
Liberty Motors, Inc., Jersey City, NJ	\$713.99

Item C. - One (1) used, HP Design Jet Wide Format Color Printer T1100PS with stand, Model No. Q6684A, Serial No. MY7430C03H. Equipment is sold without warranties, express or implied, "where is, as is"

Bidder	Amount of Bid
Richard Campanelle, Brick, NJ	\$100

WHEREAS, the borough attorney has now determined the bid submissions are complete,

NOW, THEREFORE, BE IT RESOLVED, the Mantoloking Borough Council awards the sale to the highest bidders in the amounts of \$8,001 for **Item A**, \$771 for **Item B**, and \$100 for **Item C**.

IT IS NOW, THEREFORE, this 18th day of March, 2014 **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey that all sales are subject to the following conditions:

1. Payment for and removal of the items shall be completed no 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, submit payment and shall execute and deliver to the Mantoloking Clerk, a statement acknowledging that the sale is made on an “as is”, “where is” basis, without representations or warranties of any nature whatsoever.

9. PUBLIC WORKS COMMITTEE, Councilwoman Nelson will present reports from the Public Works Superintendent, Construction Official, and Land Use Officer and moved the following 11 Resolutions. The motion was seconded by Councilman Strohm. Councilman Brown recused himself from voting on Resolution A. A roll call vote was taken of remaining council members and the 11 resolutions were approved.

A. RESOLUTION NO. 03/18/2014 - 11: PROVIDING FOR ACCEPTANCE OF COMMITTEE REPORT CONCERNING MANTOLOKING BOROUGH HALL REPLACEMENT AND AUTHORIZING THE ENGAGEMENT OF ARCHITECT

WHEREAS, the Special Committee established to review, consider and report to Council concerning the utilization, repair, reconstruction or replacement of the Borough Hall has provided its report and recommendations; and

WHEREAS, Council has considered the report and recommendations of the Special Committee.

IT IS NOW, THEREFORE, this 18th day of March, 2014, RESOLVED by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The long term well-being of the Borough and its residents will be best served by the expeditious construction of a replacement Borough Hall facility, upon the same site.
2. Development of design concept and details, together with financial feasibility are prerequisites to advancing the project.
3. The Committee’s recommendation that the Borough engage B.L.D.G. Architecture, LLC to provide architectural services is approved, subject to the mutual execution of a Contract for professional services as reviewed by counsel and approved by the governing body.
4. Council shall, periodically, provide opportunities for informed public comment during the evaluation of the concept design development and financial feasibility phases of the Borough Hall Replacement project.

A. RESOLUTION NO. 03/18/2014 - 12: AUTHORIZE THE AWARD OF CONTRACTS FOR 2014 PROFESSIONAL DEPUTY ZONING & LAND USE OFFICER

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 following has submitted a proposal by March 17, 2014 indicating they will provide the listed service:

<u>POSITION</u>	<u>NAME</u>	<u>CONTRACT AMOUNT</u>	<u>BUSINESS NAME</u>
Deputy & Land Use Officer Services	Gregory Oross & Ervin Oross	\$50.00/Hour	Rehabco, Inc.

And

WHEREAS, this award is made subject to the following conditions:

- The term of the contracts shall not exceed one year, and
- 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
- 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 contract with the professional contractor 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.

B. RESOLUTION NO. 03/18/2014 - 13: PROVIDING FOR PURCHASE OF USED STREET SWEEPER FROM POINT PLEASANT BEACH

WHEREAS, there is a need to acquire a replacement street sweeper and the Borough of Point Pleasant Beach has offered to sell a used 2007 Elqin Pelican Sweeper, VIN: NP-0131D to the Borough for the sum of \$7,500.00, delivery upon payment; and

WHEREAS, a Certificate of Funds Availability has been filed (Ordinance 634).

IT IS NOW, THEREFORE, this 18th day of March, 2014, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, that the offer of Point Pleasant Beach shall be and hereby is accepted and the payment of \$7,500.00 shall issue forthwith.

C. RESOLUTION NO. 03/18/2014 - 14: APPROVE ONE-TIME EMPLOYEE BENEFITS

RESOLVED, the Mantoloking Borough Council approve the following one-time employee benefits:

Employee	Benefit	Amount
Laurence H. Gilman Public Works Manager	Convert 78 hours of unused vacation time @ 29.21/hour to cash payment	\$ 2,278.38

D. RESOLUTION NO. 03/18/2014 - 15: PROVIDING FOR COMPENSATED MEDICAL LEAVE FOR BARBARA ALLEN WOOLLEY-DILLON

WHEREAS, Barbara Allen Woolley-Dillon, the Land Use Officer of the Borough has requested compensated medical leave during medically required absence; and

WHEREAS, the governing body may, in its discretion, grant such leave upon such terms

as it shall deem appropriate.

IT IS NOW, THEREFORE, this 18th day of March, 2014, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, that the request of Barbara Allen Woolley-Dillon for compensated medical leave is hereby granted with immediate effect and until further action of the governing body.

E. RESOLUTION NO. 03/18/2014 - 16: PAYMENT NO. 14 – EMERGENCY BYPASS PUMPING SYSTEM (CONTRACT 2013-01)

WHEREAS, the Borough has entered into a Contract with Municipal Maintenance Co. (Contract 2013-01) to provide Emergency Bypass Pumping System; and

WHEREAS, the Contractor has submitted Payment Application No. 14, in the sum of \$5,782.00; and

WHEREAS, the Borough Engineer, Lawrence Plevier, P.E. (Hatch Mott MacDonald) has recommended Payment Application No. 14 be paid, now, therefore, be it

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

F. RESOLUTION NO. 03/18/2014 - 17: MISCELLANEOUS SUPPLY, SERVICE AND MAINTENANCE CONTRACTS FOR 2014

RESOLVED, the Mantoloking Borough Council approves the following service and maintenance agreements and authorizes the borough attorney and purchasing agent to approve the form of and execute the contracts. Copies of the contracts are available for inspection at the Clerk's office during regular business hours.

SERVICE	PROVIDER	CONTRACT AMOUNT	
Schedule "C" Program, Road Dept.	County of Ocean	Not to exceed	\$4,000
Schedule "C" Program, Vehicle Services	County of Ocean	Not to exceed	\$1,000
Road Maintenance & Supplies plus Special Project: Demolition of borough buildings	Ocean County Road Department	Not to exceed	\$60,000

G. RESOLUTION NO. 03/18/2014 - 18: PROVIDING FOR AWARD CONTRACT NO 2014-1 FOR BOROUGH HALL ASBESTOS ABATEMENT

WHEREAS, the Borough Engineer, Lawrence Plevier, P.E., solicited bids for a Public Works Contract for Borough Hall Asbestos Abatement Contract No. 2014-1 in the Borough of Mantoloking; and on by March 13, 2014 at 10:00 a.m. with the following results:

	Company Name & Address	Total Bid
1	SHADE ENVIRONMENTAL 623 Cutler Ave. Maple Shade, NJ 08052	\$42,900.00
2	ACADEMY CONSTRUCTION, INC. 205 Route 46 West, Suite 14 Totowa, NJ 07512	\$43,000.00
3	VMC COMPANY 208 Piaget Ave. Clifton, NJ 07013	\$43,000.00
4	EAST COAST HAZMAT REMOVAL, INC. 494 East 41 st St. Paterson, NJ 07504	\$48,500.00
5	BAKO CONSTRUCTION 265 Route 46 West, Suite 3D Totowa, NJ 07512	\$56,300.00
6	SAVIC CONSTRUCTION CORP. 205 Route 46 Suite 15 Totowa, NJ 07512	\$61,800.00
7	FOUR STRONG BUILDERS 180 Sargeant Ave. Clifton, NJ 07013	\$68,000.00
8	PLYMOUTH ENVIRONMENTAL 923 Haws Ave. Norristown, PA 09401	\$84,800.00
9	TWO BROTHERS CONTRACTING 250 Rutherford Boulevard Clifton, NJ 07014	\$94,400.00
10	NEW AMERICAN RESTORATION, INC. 421-423 Straight Street Paterson, NJ 07501-2969	\$98,000.00
11	ABATETECH, INC. P.O. Box 25 Lumberton, NJ 08048	\$152,700.00

And

WHEREAS, eleven bidders have submitted bids for the project at a cost ranging from \$42,900.00 to \$152,700.00; and

WHEREAS, the Borough Engineer, Larry Plevier, P.E., has, upon terms, recommended the award of the project contract to Shade Environmental, the lowest bidder; and

WHEREAS, the Borough Attorney has reviewed the bid documents submitted by Shade Environmental and has found that they are complete and in substantial compliance with the terms and conditions of the bid specifications and that the bidder's omission of its corporate seal, on page B-6, is a minor waiveable discrepancy; and

WHEREAS, the prompt commencement of the project is necessary and in the public interest.

IT IS NOW, THEREFORE, this 18th day of March, 2014, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The proposal of Shade Environmental is accepted as the lowest responsive, responsible bid. The project contract is awarded to Shade Environmental, subject only to compliance with the terms, conditions and requirements of the bid specifications.
2. The Mayor (or Council President) and Clerk are authorized and requested to execute and deliver the Contact upon receipt of advice from the Borough Attorney which confirms that the bidder has provided, in acceptable form, items mandatory for award (B-28), including but not limited to the Part II Certification.

H. RESOLUTION NO. 03/18/2014 - 19: APPROVE RELEASE OF SURETY BOND(S)

WHEREAS, the construction official, Timothy Skinner, has advised that (a) final inspection(s) has (have) been completed on certain properties and that debris has been completely cleared and it is appropriate to release surety bonds at this time, now, therefore, be it **RESOLVED**, the following surety bonds be released:

PROPERTY	POSTED BY	AMOUNT
972 Lagoon Lane	Dearborn Builders	\$1,000

I. **RESOLUTION NO. 03/18/2014 - 20: REFUND FEES & OVERPAYMENTS IN CONSTRUCTION DEPT.**

TO	REASON	AMOUNT
Klaus Construction	Fire permit not required	\$60

J. **RESOLUTION NO. 03/18/2001 - 21: INTRODUCE ORDINANCE NO. 637 AMEND CONSTRUCTION DEPARTMENT FEE SCHEDULE**

RESOLVED, the Mantoloking Borough Council hereby adopts on first reading (title only) the following Ordinance:

ORDINANCE NO. 637

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, AMENDING CHAPTER XIII, ARTICLE 13-3, BUILDING SUBCODE FEES OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MANTOLOKING – 2007

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 advertise and take 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.

10. **DUNE & BEACH RENOURISHMENT COMMITTEE**, Councilman Strohm presented the reports of the Dune & Beach Renourishment Committee and Ocean County Block Grant Program then moved the following Resolution. The motion was seconded by Councilwoman Beth Nelson and was approved by unanimous voice vote.

A. **RESOLUTION NO. 03/18/2014 - 22: PROVIDING FOR EMERGENCY PURCHASE OF SAND FOR DUNE RESTORATION**

WHEREAS, repeated storm events have caused the severe degradation of the temporary dune system in some locations; and

WHEREAS, the damaged and significantly deteriorated dune presented an unacceptable risk of overwash and breach if not promptly remediated; and

WHEREAS, the emergent and immediate need to obtain and place supplemental sand was the subject of discussion with the New Jersey DEP; and

WHEREAS, the New Jersey DEP has represented that it would reimburse Borough expenditure for emergency sand placement, up to \$100,000.00; and

WHEREAS, the exigencies of the emergency situation, the potential destruction of private and public property would not accommodate the requirements of local public contracts bidding; and

IT IS NOW, THEREFORE, this 18th day of March, 2014, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. All of the foregoing recitals are deemed substantive and are incorporated by reference.
2. The purchase of sand from New Jersey Gravel and Sand, delivered

for a sum not to exceed \$100,000.00 is hereby determined to be an unforeseen emergency purchase, not subject to bidding.

3. The invoice of New Jersey Gravel and Sand, not to exceed \$100,000.00, is approved and shall be paid in the ordinary course.

4. Application for reimbursement by the New Jersey DEP shall be initiated forthwith.

11. MUNICIPAL SERVICES COMMITTEE, Councilman Brown stated that residents can go on the website and sign up for notifications.

12. MANTOLOKING COMMITTEE, Councilman Chris Nelson presented the report of the Mantoloking Committee then moved the following resolution. The motion was seconded by Councilman McIntyre and was approved by unanimous voice vote.

A. RESOLUTION NO. 03/18/2014 - 23: DESIGNATION OF TOWN HISTORIAN

RESOLVED the Mantoloking Borough Council designates John Wesson as the town historian for the year 2014.

13. MAYOR AND COUNCIL COMMENTS

No comments

14. PUBLIC COMMENTS PERIOD

Chris Niebling spoke about the OEM radio station.

Stacy Ferris did a presentation on Recovery.

Robert Mainberger spoke about the steel revetment project.

There were numerous questions and comments from the audience.

15. NEXT MEETING –

Council Workshop Meeting, Wednesday, April 16, 2014 at 8:30 a.m. at the Borough Temporary Offices, 340 Drum Point Road, Brick, NJ

Regular Council Meeting, Tuesday, April 22, 2014 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 Councilwoman Beth Nelson to adjourn. The motion was seconded by Councilman Brown at 6:30 p.m.

Respectfully Submitted,

Irene H. Ryan,
Municipal Clerk

