

DRAFT #3 (03/18/11)

THE BOROUGH OF MANTOLOKING
MAYOR AND COUNCIL

AGENDA – REGULAR BUSINESS MEETING
March 21, 2011
4:30 P.M.
BOROUGH HALL

The regular monthly meeting of the Mayor and Council will be held this day in the meeting room of Borough Hall.

- 1. CALL TO ORDER: TIME:**

- 2. OPEN PUBLIC MEETING STATEMENT:** Mayor Nebel will read the following statement:
In compliance with the provisions of the New Jersey Open Public Meetings Act, adequate notice of this meeting of the Mantoloking Borough Council has been advertised in the manner provided by law.

- 3. ROLL CALL**
 Present:
 Absent:

 Also Present:

- 4. PLEDGE OF ALLEGIANCE:** The Mayor will lead the assembly in the Pledge of Allegiance.

- 5. PRIVILEGE OF THE FLOOR:** The Mayor will open the meeting for public comment and questions about the agenda.

- 6. MINUTES OF PREVIOUS MEETINGS:** Regular Meeting of February 22, 2011. (Final, complete copies attached.)

Council President Donald Ness moves the following resolution:

RESOLUTION: APPRECIATION AND CONDOLENCE - JOHN KERR, JR.

WHEREAS, John Kerr, Jr., a former Councilman of the Borough of Mantoloking died on March 1, 2011; and
 WHEREAS, it is the desire of the Mayor and Council to acknowledge and recognize his service to the Borough; and

WHEREAS, John Kerr, Jr., served as a Councilman from 1993 to 1998; and

WHEREAS, he served as Council President from 1995 to 1997; a Member of the Finance Committee, 1993, and Chairman of the Committee from 1994 to 1998; additionally, he served as a member of the Public Safety, Regionalization, Long Range Planning, Dune and Beach, Beach Ordinance Review and Insurance Committees; and

WHEREAS, John Kerr, Jr. completed all of his duties in a pleasant and diligent fashion; and

WHEREAS, his public service to the Borough of Mantoloking and its residents demonstrated a high commitment to exemplary performance of civic duty fulfilled with appropriate interpersonal sensitivity.

IT IS NOW, THEREFORE, this 21st day of March, 2011, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, that:

1. The Mayor and Council hereby extend their sincere condolence to his family, together with appreciation for his valued public service;
2. A copy of this Resolution shall be delivered to his family.

7. COMMITTEE REPORTS AND RECOMMENDATIONS

FINANCE COMMITTEE, COUNCILMAN WITKOWSKI

A. Councilman Witkowski will introduce the Municipal Finance Officer Michelle Swisher who will present the monthly finance report.

B. **Action Items:**

Councilman Witkowski moves the following _____ resolutions.

RESOLUTION: ACCEPTANCE OF THE REPORT OF THE MUNICIPAL FINANCE OFFICER January 31, 2011

WHEREAS, the Chief Finance Officer has presented a report on the status of the 2010 municipal budget as of January 31, 2011; and

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

ACCOUNT	BUDGET	EXPENDED	ENCUMBERED	
		BALANCE YEAR TO DATE		
2011 Current Year Appropriation	\$ 908,100.00	\$ 132,336.74 751,657.25	\$ 24,106.01	\$
2010 Appropriation Reserves	\$ 376,253.59	\$ 44,223.92 275,615.03	\$ 56,414.64	\$
Capital	\$1,201,518. 26	\$ 3,279.80 \$1,198,238.46		

ACCOUNT	REVENUE THIS MONTH	REVENUE YEAR TO DATE

Cash Receipts	\$ 676,800.56	\$ 676,800.56
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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: PAYMENT OF BILLS FOR THE MONTH OF March 2011

WHEREAS, the Municipal Finance Officer has presented a list of bills in the total amount of **\$262,521.40** 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: 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 2011 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A: 4-20) including this resolution total \$1,439,000.00.

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 2011 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	\$ 40,000.00	\$15,000.00
Finance	20,000.00	4,000.00
Audit		10,000.00
Tax Collector	4,000.00	500.00
Tax Assessor	4,000.00	500.00
Legal		25,000.00
Engineering		45,000.00
Planning	12,000.00	2,000.00
Construction	14,000.00	1,000.00
Sub-Code Plumbing	1,000.00	
Sub-Code Fire	1,000.00	
Sub-Code Electrical	1,000.00	
Police	250,000.00	20,000.00
Liability Insurance		
Municipal Prosecutor		3,000.00

Public Defender		1,000.00	
Workmen's Comp		25,000.00	
Group Health Ins		60,000.00	
Emergency Management		1,000.00	
Fire Official	1,000.00		
Road Repair	39,000.00	7,000.00	
Garbage		45,000.00	
Buildings & Grounds		5,000.00	
Sewer		10,000.00	
Dog Account		1,000.00	
Beach Guard			
Beach Maintenance		40,000.00	
Celebration of Public Events		2,000.00	
Electric		7,000.00	
Telephone		4,000.00	
Water		2,000.00	
<u>DEPARTMENT</u>	<u>S&W</u>		<u>OE</u>
Fire Hydrant		10,000.00	
Natural Gas		1,000.00	
Gasoline		7,000.00	
Ocean County Utility Auth		40,000.00	
Contingent			
PERS		54,500.00	
Social Security		20,000.00	
PFRS		164,500.00	
Court	17,000.00	2,000.00	
Note Principal		390,000.00	
Note Interest		10,000.00	
TOTAL		\$404,000.00	\$1,035,000.00
GRAND TOTAL	\$1,439,000.00		

RESOLUTION: TO ADOPT A TEMPORARY CAPITAL BUDGET #1

WHEREAS, the Borough of Mantoloking has not adopted its 2011 municipal budget and therefore has not adopted the 2011 Capital portion of that budget,

WHEREAS, the Borough of Mantoloking desires to constitute the 2011 Temporary Capital Budget of said municipality,

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Mantoloking approve as follows:

SECTION 1. The 2011 Temporary Capital Budget of the Borough of Mantoloking is hereby constituted by the adoption of a schedule to read as follows:

EST PROJECT	CAPITAL COST	DEBT IMPROV FUND	AUTHORIZED
OLD BRIDGE & BAY AVE ROAD IMPROVEMENTS	\$240,000.00	\$12,000.00	\$228,000.00

PURCHASE COMPUTER EQUIP	\$ 26,000.00	\$ 2,000.00	\$ 24,000.00
ADA WALKWAY #4	\$ 26,000.00	\$ 2,000.00	\$ 24,000.00
REPLACE FIREHOUSE APRON	\$ 6,000.00	\$ 1,000.00	\$ 5,000.00
EST PROJECT	CAPITAL COST	DEBT IMPROV FUND	AUTHORIZED
IMPROVEMENTS TO BTMUA	\$ 10,000.00	\$ 1,000.00	\$ 9,000.00
FLAP VALVE PROGRAM	\$ 11,000.00	\$ 1,000.00	\$ 10,000.00
PARKING LOT IMPROVE	\$ 17,000.00	\$ 2,000.00	\$ 15,000.00
TOTAL	\$336,000.00	\$21,000.00	\$315,000.00

Section 2. The Clerk be and is hereby authorized to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after adoption of these projects for 2011 Temporary Capital Budget, to be included in the 2011 Permanent Capital Budget as adopted.

RESOLUTION: APPROVAL OF BYLAW AMENDMENTS TO THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND

WHEREAS: N.J.S.A. 40A:10-36 et seq. permits local units to join together to form a joint insurance fund; and

WHEREAS: Said statute was designed to give local units the opportunity to use alternative risk management techniques, providing they are based on sound actuarial principles; and

WHEREAS: The New Jersey Intergovernmental Insurance Fund, hereinafter the Fund, was established effective February 1, 1991 pursuant to said statutes; and

WHEREAS: The Borough of Mantoloking is a member of the Fund; and

WHEREAS: Revisions to the existing bylaws of the Fund were reviewed and approved by the Fund's Executive Committee at their December 9, 2010 meeting.

NOW THEREFORE BE IT RESOLVED, the Borough of Mantoloking hereby adopts the following bylaw amendments hereto attached:

PUBLIC HEARING: Mayor Nebel will open the meeting to the public for a hearing on Ordinance No. 594 – 2011 CAP BANK. _____ comments were made.

RESOLUTION: ADOPTION OF ORDINANCE NO. 594 – 2011 CAP BANK

WHEREAS, on the 21st day of March, 2011 a public hearing on Ordinance No. 546 was held and no comments were made by the public, now, therefore, be it

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, hereby adopt

the following Ordinance:

**ORDINANCE NO. 594
ORDINANCE TO EXCEED THE 2011 MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**

WHEREAS, the Local Government Cap law, NJSA 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, NJSA 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of the Borough of Mantoloking in the County of Ocean finds it advisable and necessary to increase its CY 2011 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 1.5% increase in the budget for said year, amounting to \$46,469.10 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, advisable and necessary; and,

WHEREAS, the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as a cap exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Mantoloking, in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2011 budget year, the final appropriations of the Borough of Mantoloking shall, in accordance with this ordinance and NJSA 40A:4-45.14, be increased by 3.5%, amounting to \$108,427.90 and that the CY 2011 municipal budget for the Borough of Mantoloking be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

RESOLUTION: INTRODUCTION OF ORDINANCE NO. 596 – CAPITAL ORDINANCE, PURCHASE COMPUTER EQUIPMENT

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. 596

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY,
PROVIDING FOR**

**PURCHASE OF COMUTER EQUIPMENT AT A COST OF \$26,000.00, AUTHORIZING THE
ISSUANCE OF BONDS**

**AND NOTES IN THE PRINCIPAL SUM OF \$24,000.00, AND APPROPRIATING THE SUM OF
\$2,000.00 FROM THE**

CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE

and be it

FURTHER RESOLVED, the attached Comprehensive Resolution of Introduction is hereby adopted, and be it

FURTHER RESOLVED, that copies of all Ordinances introduced and all Resolutions adopted shall be maintained on file for public examination at the office of the Borough Clerk, published on the Borough's Website,

www.mantoloking.org, 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 will present the reports of the Police Department, Municipal Court, Fire Company and Emergency Management.

B. Action Items:

Councilman Gillingham moves the following resolution.

RESOLUTION: APPOINTMENT OF PERSONNEL – SEASONAL/PART TIME HELP

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

<i>Name</i>	<i>Position</i>	<i>Effective Date</i>	<i>Salary</i>
<i>Christopher Herdia</i>	<i>Special Class I Academy</i>	<i>March 28, 2011</i>	<i>\$ 7.25/Hour</i>
<i>Daniel Kenny</i>	<i>Special Class I Academy</i>	<i>March 28, 2011</i>	<i>\$ 7.25/Hour</i>

RESOLUTION: MISCELLANEOUS SUPPLY, SERVICE AND MAINTENANCE CONTRACT

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. 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 Officer & Use Of Facility	\$2,500.00 (annual)	Jersey Shore Animal Center

PUBLIC WORKS COMMITTEE, COUNCILWOMAN NELSON

A. Reports of the Public Works: Councilwoman Nelson will present reports from the Public Works Superintendent, Construction Official and Land Use Officer.

C. Action Items:

Councilwoman Nelson moves the following _____ resolutions.

RESOLUTION: AWARD OF THREE YEAR CONTRACT FOR PROVISION OF INSPECTIONS & REMEDIAL SERVICES FOR ALL FIRE PROTECTION SYSTEMS

WHEREAS, the Purchasing Agent, Irene H. Ryan solicited quotes for the furnishing of inspections and remedial services for all fire protection systems in the Borough of Mantoloking municipal facilities; and

WHEREAS, the quotations were received on March 11, 2011 with the following results:

Bidder	Amount of Bid	Business Reg.	PW Contractor	Permit/Licenc	Owner Infor	Insurance Cert	Employee Rep	DOT Approval
Allied Fire & Safety Equip	(See attached quotation)	x	x	x	x	x	x	x
FDC Fire Protection Inc.	No quotation received							
Northeast Fire Equipment	No quotation received							
Tomasella's Fire Protectio	No quotation received							
NJSTI	No quotation received							

And

WHEREAS, the quotation has been reviewed by the Purchasing Agent and the Borough Attorney, now, therefore, be it

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey awards a three (3) year contract (see attached) for the furnishing of inspections and remedial services for all fire protection systems to Allied Fire and Safety Equipment, Neptune, N.J. for the period of April 1, 2011 to March 31, 2014.

RESOLUTION: AWARD OF THREE YEAR CONTRACT FOR PROVISION OF REMEDIAL SERVICES FOR ALL HARD WIRED TELEPHONE SYSTEMS

WHEREAS, the Purchasing Agent, Irene H. Ryan solicited quotes for the furnishing of remedial services for all hard wired telephone systems in the Borough of Mantoloking municipal facilities; and

WHEREAS, the quotations were received on March 8, 2011 with the following results:

Bidder	Amount of Bid	Business Reg.	PW Contractor	Owner Infor	Insurance Cert	Employee Rep		
GTS Telephone, Inc.	\$75(service call)\$75 ph labor	x	x	x	x			
Power System Security	No quotation received							
Shore Network Solutions	No quotation received							
Atlantic Telephone	No quotation received							
Atlanticom Communicate	No quotation received							
Com USA	No quotation received							

And

WHEREAS, the quotation has been reviewed by the Purchasing Agent and the Borough Attorney, now, therefore, be it

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey awards a three (3) year contract for the furnishing of remedial services for all hard wired telephone systems to GTS Telephone, Inc., Lakehurst, N.J. for the period of April 1, 2011 to March 31, 2014.

RESOLUTION: INTRODUCTION OF 2011 CAPITAL ORDINANCES

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. 595

BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR OLD BRIDGE STREET AND BAY AVENUE ROAD CONSTRUCTION AT A COST OF \$240,000.00 AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$228,000.00, AND APPROPRIATING THE SUM OF \$12,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE

ORDINANCE NO. 597

BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR REPLACEMENT OF FIREHOUSE APRON AT A COST OF \$6,000.00, AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$5,000.00, AND APPROPRIATING THE SUM OF \$1,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE

ORDINANCE NO. 598

BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR IMPROVEMENTS TO SANITARY SEWER SYSTEM FACILITIES AT A COST OF \$10,000.00, AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$9,000.00, AND APPROPRIATING THE SUM OF \$1,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE

ORDINANCE NO. 599

BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR FLAP VALVE PROGRAM AT A COST OF \$11,000.00, AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$10,000.00, AND APPROPRIATING THE SUM OF \$1,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE

ORDINANCE NO. 600

BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR CONSTRUCTION OF ADA WALKWAY #4 AT A COST OF \$26,000.00, AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$24,000.00, AND APPROPRIATING THE SUM OF \$2,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE

ORDINANCE NO. 601

BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR PARKING LOT IMPROVEMENTS AT A COST OF \$17,000.00, AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$15,000.00, AND APPROPRIATING THE SUM OF \$2,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE

and be it

FURTHER RESOLVED, the attached Comprehensive Resolution of Introduction is hereby adopted, and be it FURTHER RESOLVED, that copies of all Ordinances introduced and all Resolutions adopted shall be maintained on file for public examination at the office of the Borough Clerk, published on the Borough's Website,

www.mantoloking.org, 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.

RESOLUTION: INTRODUCTION OF ORDINANCE NO. 602 - AMENDMENT OF THE CONSTRUCTION DEPARTMENT FEE SCHEDULE

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. 602

(NOTE: WILL BE AVAILABLE ON 03/21/11)

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.

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 moves the following resolution.

RESOLUTION: AWARD OF CONTRACT FOR PROVISION OF LEASED EARTH MOVING EQUIPMENT FOR EMERGENCY DUNE RESTORATION

WHEREAS, the Purchasing Agent, Irene H. Ryan solicited quotes for the furnishing of leased earth moving equipment for emergency dune restoration in the Borough of Mantoloking; and

WHEREAS, the quotations were received on March 11, 2011 with the following results:

Bidder	Amount of Bid	Business Reg.	Owner Infor	Insurance Cert	Employee Rep
JESCO, Inc.	\$28,000(2)/\$14,000 (1)	x	x	no	x
Giles & Ransome Inc.	\$16,390(2)/\$8,195(1)	x	x	x	x
Harter Equipment	No quotation received				
United Rentals	No quotation received				
Foley Rentals	No quotation received				

And

WHEREAS, the quotation has been reviewed by the Purchasing Agent and the Borough Attorney, now, therefore, be it

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey awards a one (1) year contract for the furnishing of leased (30 days) earth moving equipment for emergency dune restoration to Giles & Ransome, Inc., Bensalem, Pa. for the period of April 1, 2011 to March 31, 2012.

MUNICIPAL SERVICES COMMITTEE, COUNCILMAN BROWN

- A. Councilman Brown will present the reports of the Municipal Services Committee.
- B. Action Items:

MANTOLOKING COMMITTEE, COUNCILMAN NESS

- A. Councilman Ness will present the reports of the Mantoloking Committee and the Environmental Commission.
- B. Action Items:

8. MAYOR AND COUNCIL COMMENTS

9. PUBLIC COMMENTS PERIOD

10. EXECUTIVE SESSION

RESOLUTION: ADJOURN TO CLOSED SESSION IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10: 4-11, permits municipal governing bodies to meet in closed session to discuss certain matters, now, therefore be it

RESOLVED, the Mayor and Council adjourns to closed session to discuss: (select one or more)

- a matter rendered confidential by federal or state law
- a matter in which release of information would impair the right to receive government funds
- material the disclosure of which constitutes an unwarranted invasion of individual privacy
- a collective bargaining agreement and/or negotiations related to it
- a matter involving the purchase, lease, or acquisition of real property with public funds
- protection of public safety and property and/or investigations of possible violations or violations of law
- pending or anticipated litigation or contract negotiation and/or matters of attorney-client privilege

- specific prospective or current employees unless all who could be adversely affected request an open session*
- deliberation after a public hearing that could result in a civil penalty or other loss, and be it*

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

11. OPEN SESSION AS NECESSARY

12. NEXT MEETING Regular Council Meeting, Monday, April 18, 2011 @ 4:30 p.m.

13. ADJOURNMENT