

DRAFT #3 (05/13/11)

THE BOROUGH OF MANTOLOKING
MAYOR AND COUNCIL

AGENDA – REGULAR BUSINESS MEETING
May 16, 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 April 18, 2011. (Final, complete copies attached.)

- 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 March 31, 2011

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

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

ACCOUNT	BUDGET	EXPENDED BALANCE YEAR TO DATE	ENCUMBERED
2011 Current Year Appropriation	\$2,347,100.00	\$ 824,143.71 \$1,497,646.57	\$ 25,309.72
2010 Appropriation Reserves	\$ 376,253.59	\$ 128,594.94 246,562.13	\$ 1,096.52
Capital	\$1,201,518.26	\$ 15,606.41 \$1,185,911.85	\$

ACCOUNT	REVENUE THIS MONTH	REVENUE YEAR TO DATE
Cash Receipts	\$ 155,798.01	\$2,164,450.53

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 May 2011

WHEREAS, the Municipal Finance Officer has presented a list of bills in the total amount of **\$280,745.01** 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: REQUESTING A TAX REFUND OF OVERPAYMENT OF TAXES DUE TO A TAX APPEAL

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WHEREAS, a State Tax Court Judgment has been favorably awarded to Kenneth & Barbara Fischer, Block 37, Lot 17, for the fiscal year 2010; and,

WHEREAS, such judgment has resulted in an overpayment of 2010 property taxes in the amount of \$937.68,

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Mantoloking, County of Ocean, State of New Jersey, that the Chief Financial Officer be hereby authorized to issue a check in the amount of \$937.67 for said overpayment to Marcus, Brody, Ford, Kessler & Sahner, attorney for Kenneth & Barbara Fischer, for the property known as 202 Albertson Street, Mantoloking, NJ 08738. The refund check will be dated no earlier than May 30, 2011 and no later than June 14, 2011.

BE IT FINALLY RESOLVED, that a certified copy of this Resolution be forwarded to the Tax Collector, Chief Financial Officer and property owner.

PUBLIC HEARING: Mayor Nebel will open the meeting to the public for a hearing on the 2011 MUNICIPAL BUDGET. _____ comments were made.

Councilman Witkowski moves the following resolution:

RESOLUTION: APPROVAL OF THE 2011 MUNICIPAL BUDGET

WHEREAS, on April 18, 2011 the Mayor and Council approved summary statements of revenues and appropriations and determined that they constitute the Municipal Budget for the year 2011 and

<u>SUMMARY OF REVENUES</u>	<u>2011 Anticipated</u>	<u>2010 Anticipated</u>
1. Surplus	\$ 618,254.00	\$ 618,254.00
2. Total Miscellaneous Revenue	496,808.93	578,331.52
3. Receipts from Delinquent Taxes	20,000.00	20,000.00
4. a) Local Tax for Municipal Purpose	2,920,355.73	2,868,038.33
b) Addition to Local District School Tax	.00	.00
Total Amount to be Raised for Support		
of Municipal Budget	2,920,355.73	2,868,038.33
Total General Revenues	\$ 4,055,418.66	\$ 4,084,623.85

<u>SUMMARY OF APPROPRIATIONS</u>	<u>2011 Budget</u>	<u>Final 2010</u>
<u>Budget</u>		
1. Operating Expenses: Salaries and Wages	\$ 1,433,170.00	\$ 1,428,000.00
Other Expenses	1,571,068.93	1,583,728.37
2. Deferred Charges and Other Appropriations	291,686.92	249,202.95
3. Capital Improvements	51,500.00	55,000.00
4. Debt Service (Include for School Purposes)	400,000.00	462,763.15
5. Reserve for Uncollected Taxes	307,992.81	305,929.38
Total General Appropriations	\$ 4,055,418.66	\$ 4,084,623.85

<u>BALANCE OF OUTSTANDING DEBT</u>	<u>GENERAL</u>	<u>No Utilities</u>
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Interest	\$ 10,000.00
Principal	390,000.00
Outstanding Balance	585,000.00

now, therefore, be it

WHEREAS, since its approval, the proposed municipal budget for 2011 has been:

- Available for public review,
- Advertised as required by law, and
- The subject of a public hearing in the Borough Hall at 4:30 pm May 16, 2011 now, therefore be it

RESOLVED, the Mayor and council of the Borough of Mantoloking, Ocean County, New Jersey, hereby approves this budget for 2011 in full compliance with the Local Budget Law, N.J.S. 40A:4-1 et seq. and authorizes the Borough Clerk to include a complete copy of this adopted budget as part of the minutes of this meeting.

This resolution was moved by _____, seconded by _____ and approved by the following roll-call vote:

AYE: Council Members:
 NAY: None
 ABSTAIN: None
 ABSENT: None

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 _____ resolutions.

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:

Name	Position	Effective Date	Salary
<i>Blomquist, Kaitlyn</i>	<i>Badge Checker</i>	<i>June 4, 2011</i>	<i>\$8.50/Hour</i>
<i>Cahill, Katelyn</i>	<i>Badge Checker</i>	<i>June 4, 2011</i>	<i>\$8.50/Hour</i>
<i>Cartaino, Alyssa</i>	<i>Badge Checker</i>	<i>June 4, 2011</i>	<i>\$8.50/Hour</i>
<i>Caruso, Melanie</i>	<i>Badge Checker</i>	<i>June 4, 2011</i>	<i>\$8.50/Hour</i>
<i>Carver, Helen</i>	<i>Badge Sales</i>	<i>May 26, 2011</i>	<i>\$9.18/Hour</i>
<i>Castor, Kody</i>	<i>Badge Checker</i>	<i>June 4, 2011</i>	<i>\$8.50/Hour</i>
<i>Colby, Amy</i>	<i>Badge Checker</i>	<i>June 4, 2011</i>	<i>\$8.50/Hour</i>
<i>Coman, Tara</i>	<i>Badge Checker/Sales</i>	<i>May 26, 2011</i>	<i>\$8.50/Hour</i>
<i>Cornejo, Flavia</i>	<i>Badge Checker</i>	<i>June 4, 2011</i>	<i>\$8.50/Hour</i>
<i>Coyle, Corinne</i>	<i>Badge Checker</i>	<i>June 4, 2011</i>	<i>\$8.50/Hour</i>
<i>Federici, Ann</i>	<i>Badge Checker</i>	<i>June 4, 2011</i>	<i>\$8.50/Hour</i>
<i>Goble, Amanda</i>	<i>Badge Checker</i>	<i>June 4, 2011</i>	<i>\$8.50/Hour</i>
<i>Hahn, Sara</i>	<i>Badge Checker</i>	<i>June 4, 2011</i>	<i>\$8.50/Hour</i>
<i>Hazelet, Hilary</i>	<i>Badge Checker</i>	<i>June 4, 2011</i>	<i>\$8.50/Hour</i>

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<i>Hoffman, Lauren</i>	<i>Badge Checker</i>	<i>June 4, 2011</i>	<i>\$8.50/Hour</i>
<i>Jaeger, Kelsey</i>	<i>Badge Checker</i>	<i>June 4, 2011</i>	<i>\$8.50/Hour</i>
<i>Laboy, Casey</i>	<i>Badge Checker</i>	<i>June 4, 2011</i>	<i>\$8.50/Hour</i>
<i>LaRue, Lindsey</i>	<i>Badge Checker</i>	<i>June 4, 2011</i>	<i>\$8.50/Hour</i>
<i>Montecallo, Jackie</i>	<i>Badge Checker</i>	<i>June 4, 2011</i>	<i>\$8.50/Hour</i>
<i>Montedoro, Anthony</i>	<i>Badge Checker</i>	<i>June 4, 2011</i>	<i>\$8.50/Hour</i>
<i>Nieves, Ashley</i>	<i>Badge Checker</i>	<i>June 4, 2011</i>	<i>\$8.50/Hour</i>
<i>Pearson, Laurelyn</i>	<i>Badge Checker</i>	<i>June 4, 2011</i>	<i>\$8.50/Hour</i>
<i>Tressito, Dana</i>	<i>Badge Checker</i>	<i>June 4, 2011</i>	<i>\$8.50/Hour</i>
<i>Wright, Megan</i>	<i>Badge Checker</i>	<i>June 4, 2011</i>	<i>\$8.50/Hour</i>

RESOLUTION: APPOINTMENT OF PERSONNEL – REGULAR FULL TIME EMPLOYEE

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>Konopada, Beverley</i>	<i>PoliceDispatcher/Admin- istrative Assistant</i>	<i>May 9, 2011</i>	<i>\$28,000.00/Annual</i>

RESOLUTION: RELEASE OF UNUSED COMP TIME FOR POLICE

WHEREAS, Jon Meyer, Patrolman, has accrued unused comp time and he would like to turn in 40 hours of said comp time, and;

WHEREAS, it is the desire of Council to now pay Jon Meyer for these benefits in lieu of the continued accrual thereof; and

WHEREAS, funds are available for this purpose.

IT IS NOW, THEREFORE, this 16th day of May 2011, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. That the Chief Financial Officer is hereby authorized to make payment to Jon Meyer by way of a payroll check for his accrued comp time, 40 hours, as of May 16, 2011, at the gross rate of \$39.24 per hour.

RESOLUTION: IN SUPPORT OF THE NATIONAL MULTIPLE SCLEROSIS SOCIETY'S NEW JERSEY METRO CHAPTER "COAST THE COAST" BIKE MS RIDE

WHEREAS, the National Multiple Sclerosis Society's New Jersey Metro Chapter, have requested permission to utilize roadways in the Borough in conjunction with the "Coast the Coast" Bike MS Ride, on Saturday, May 21, 2011 and Sunday, May 22, 2011; and

WHEREAS, the Mayor and Council wish to endorse and support National Multiple Sclerosis Society's New Jersey Metro Chapter.

IT IS NOW, THEREFORE, this 16th day of May, 2011, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The request to utilize roadways within the Borough, as part of the "Coast the Coast" Bike MS Ride is hereby granted subject only to endorsement by the Chief of Police.
1. Upon endorsement by the Chief, a copy of this Resolution shall be forwarded to The National Multiple Sclerosis Society's New Jersey Metro Chapter, Attention: Brian Hurwitz, Logistics & Special Projects Director.
2. This approval and endorsement is subject to such conditions, if any, as shall be established by the Chief.

RESOLUTION: SUSPENSION OF ENFORCEMENT OF TWO (2) HOUR TIME LIMIT PARKING ON BAY AVENUE FOR MANTOLOKING YACHT CLUB EVENTS

WHEREAS, the Mantoloking Yacht Club has requested that enforcement of two-hour time limit parking regulations on Bay Avenue be suspended on the following dates and times:

June 25, 2011, 8:00 a.m. to 5:00 p.m.	August 20, 2011, 7:00 p.m. to 11:00 p.m.
July 4, 2011, 8:00 a.m. to 4:00 p.m.	August 25, 2011, 4:00 p.m. to 9:00 p.m.
July 7, 2011, 8:00 a.m. to 5:00 p.m.	August 26, 2011, 8:00 a.m. to 5:00 p.m.
July 16, 2011, 7:00 p.m. to 11:00 p.m.	

And

WHEREAS, Chief Mark Wright has considered this request and will direct personnel not to enforce two (2) hour time limit parking on said dates, during the above listed events; and

WHEREAS, it is the desire of the governing body to grant the request and to endorse the Chief's determination.

IT IS NOW, THEREFORE, this 17th day of May, 2010, RESOLVED by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The suspension of enforcement of two (2) hour time limit parking, on Bay Avenue, during the following events are hereby approved and endorsed.

June 25, 2011, 8:00 a.m. to 5:00 p.m.	August 20, 2011, 7:00 p.m. to 11:00 p.m.
July 4, 2011, 8:00 a.m. to 4:00 p.m.	August 25, 2011, 4:00 p.m. to 9:00 p.m.
July 7, 2011, 8:00 a.m. to 5:00 p.m.	August 26, 2011, 8:00 a.m. to 5:00 p.m.
July 16, 2011, 7:00 p.m. to 11:00 p.m.	
2. All prohibited parking regulations will be enforced.

RESOLUTION: SUSPENSION OF TWO (2) HOUR TIME LIMIT PARKING ON BAY AVENUE FOR CENTENNIAL CELEBRATION EVENTS

WHEREAS, the Mantoloking Centennial Celebration Committee has requested that enforcement of the time limit parking regulations be suspended on the following dates and times:

June 30, 2011 from 12:00 noon to 7:00 p.m.;
July 1, 2011 from 12:00 noon to 11:00 p.m.; and
July 3, 2011 from 6:00 a.m. to 12:00 midnight.

WHEREAS, Chief Wright has endorsed this request and will direct personnel to suspend enforcement of time limit parking regulations for the above described period; and

WHEREAS, it is the desire of the governing body to grant the request and to endorse the Chief's determination.

IT IS NOW, THEREFORE, this 16th day of May, 2011, RESOLVED by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The suspension of enforcement of two (2) hour time limit parking on Bay Avenue on the following dates and times are hereby approved and endorsed:

June 30, 2011 from 12:00 noon to 7:00 p.m.;
July 1, 2011 from 12:00 noon to 11:00 p.m.; and
July 3, 2011 from 6:00 a.m. to 12:00 midnight;
2. All prohibited parking regulations will be enforced.

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PUBLIC HEARING: Mayor Nebel will open the meeting to the public for a hearing on Ordinance No. 601– PURCHASE OF EMERGENCY MANAGEMENT RADIOS. _____ comments were made.

RESOLUTION: ADOPTION OF ORDINANCE NO. 601 – CAPITAL ORDINANCE, PURCHASE OF EMERGENCY MANAGEMENT RADIOS

WHEREAS, on the 18th day of April, 2011, Ordinance No. 601 was introduced and passed upon first reading by title, only, and

WHEREAS, Ordinance No. 601 was published in The Ocean Star (newspaper) and on the Borough's Website, and

WHEREAS, on the 16th day of May, 2011 a public hearing on Ordinance No. 601 was held and _____ 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. 601

BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR PURCHASE OF EMERGENCY MANAGEMENT RADIOS 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

BE IT ORDAINED by the Borough Council of the Borough of Mantoloking, in the County of Ocean, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), as follows:

SECTION 1: The improvements described in Section 3 of this Bond Ordinance are hereby authorized by the Borough of Mantoloking, County of Ocean and State of New Jersey. For the

said purpose stated in said Section 3, there is hereby appropriated the sum of \$11,000.00, said sum being inclusive of all appropriations heretofore made for this purpose. There is also appropriated from the capital improvement fund of the Borough of Mantoloking the sum of \$1,000.00 as a down payment for the contemplated purchase.

SECTION 2: For the financing of said purpose and to meet the said \$11,000.00 appropriation, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$10,000.00 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements, the negotiable notes of the Borough in a principal amount not exceeding \$10,000.00 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law.

SECTION 3: (a) The purpose for which said obligations are to be issued is for the purchase of Emergency Management Radios.

(b) The estimated amount of bonds or notes to be issued for said purpose is \$10,000.00.

(c) The estimated cost to the Borough of said project is \$11,000.00.

SECTION 4: The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this Bond Ordinance is a general improvement and the cost thereof will be paid by the Borough of Mantoloking.

(b) The period of usefulness of said improvements within the limitations of the Local

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Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this Bond Ordinance, is seven (7) years

(c) The supplemental debt statement required by said Law has been duly made and filed in the Office of the Borough Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough, as defined in said Law, is increased by the authorization of the bonds and notes provided in this Bond Ordinance by \$10,000.00, and the issuance of said obligations authorized by this Bond Ordinance will be within the debt limitations prescribed by Law.

(d) An aggregate amount not exceeding \$2,000.00 for interest on said obligations, cost of issuing said obligations and other items of expense listed in and permitted under Section 40A:2-20 of said Law may be included as part of the cost of said improvements, and is included in the foregoing estimate thereof.

(e) This Bond Ordinance authorizes obligations of the Borough solely for purposes described herein and said purposes are in the public interest and are for the health, welfare, convenience

(f) or betterment of the inhabitants of the Borough; the amounts to be expended for said purposes pursuant to this Bond Ordinance are not unreasonable or exorbitant and issuance of the said obligations will not materially impair the credit of the Borough or substantially reduce its ability to pay punctually the principal of and interest on its debts or to supply other essential public improvements and services.

SECTION 5: All funds received from any sources by way of grant, gift or otherwise for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations (Bonds and Notes) issued pursuant to this Ordinance. The amount of debt obligations authorized herein shall be directly reduced to the extent that the funds described herein are actually received.

SECTION 6: The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal and interest on the obligations authorized by this Bond Ordinance. Said obligations shall be direct, unlimited obligations of the Borough and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

SECTION 7: This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by said Local Bond Law.

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: CONSIDER CHANGE ORDER REQUEST FOR THE CHANNEL LANE & BERGEN AVENUE IMPROVEMENTS, CONTRACT NO. 2010-2, CHANGE ORDER NO. 1

WHEREAS, the Borough has entered into a Contract with Jads Construction Co., Inc. (Contract No. 2010-2) to provide roadway improvements: and

WHEREAS, due to the need for the removal and disposal of concrete for sidewalks to be replaced with topsoil and for driveway to be replaced with landscape stone and the retrofitting of existing inlets for ADA compliance, Jads Construction Co., Inc. has submitted Change Order No. 1.

WHEREAS, it is deemed to be in the public interest to accept Change Order No. 1; and

WHEREAS, the Borough Engineer, Lawrence Plevier P.E. (Hatch Mott MacDonald) has, by letter dated May 9, 2011, (Exhibit "A", attached) recommended the execution of Change Order No. 1 which added to an overall increase of the total cost of the project by \$3,372.50.

IT IS NOW, THEREFORE, this 16th day of May, 2011, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, that Change Order No. 1, is hereby approved and shall forthwith be executed by the Mayor and Borough Clerk.

FURTHER RESOLVED, that this Mayor and Council approval is subject to the New Jersey Department of Transportation executed approval.

RESOLUTION: APPROVE PAYMENT FOR ROAD IMPROVEMENTS (CHANNEL LAND AND BERGEN AVENUE) – PAYMENT NO. 1

WHEREAS, the Borough has entered into a Contract with Jads Construction Company, Inc. (Contract 2010-2) to provide storm drainage improvements; and

WHEREAS, the Contractor's Application for Payment No. 1 has been reviewed and recommended for payment by the Borough Engineer, Lawrence Plevier, P.E. in the sum of \$62,198.57, by letter dated May 9, 2011; and

WHEREAS, funds have heretofore been appropriated by Ordinance No. 586.

IT IS NOW, THEREFORE, this 16th day of May, 2011, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking that the Application for Payment No. 1 to Jads Construction Company is hereby approved in the sum of \$62,198.57 and shall be paid forthwith from funds heretofore appropriated and shall be disbursed upon receipt, by the Chief Financial Officer, of appropriate documentation.

RESOLUTION: AWARD OF CONTRACT FOR FIREHOUSE APRON IMPROVEMENTS

***WHEREAS**, the Borough Engineer, Lawrence Plevier, P.E., solicited quotes for improvements to the firehouse apron in the Borough of Mantoloking; and*

***WHEREAS**, the quotations were received on May 6, 2011 with the following results:*

Bidder	Amount of Bid	Ins. Certificate	Business Reg.	PW Contractor	Affirmative
Jads Construction Company, Inc.	\$7,150.00	X	X	X	X
Meco, Inc.	No quotation				
L.N. Rothberg & Son, Inc.	No quotation				
S. Brothers Construction	No quotation				

Dumor Contracting, Inc.	No quotation				
Lucas Construction Group, Inc.	No quotation				

And

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

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey awards a contract in the amount of \$7,150.00 for the firehouse apron improvements to Jads Construction Company, Inc.

PUBLIC HEARING: Mayor Nebel will open the meeting to the public for a hearing on Ordinance No. 602– AMEND CONSTRUCTION DEPARTMENT FEES. _____ comments were made.

Councilwoman Nelson moves the following resolution:

RESOLUTION: ADOPTION OF ORDINANCE NO. 602 – AMEND CONSTRUCTION DEPARTMENT FEES

WHEREAS, on the 18th day of April, 2011, Ordinance No. 602 was introduced and passed upon first reading by title, only, and

WHEREAS, Ordinance No. 602 was published in The Ocean Star (newspaper) and on the Borough’s Website, and

WHEREAS, on the 16th day of May, 2011 a public hearing on Ordinance No. 602 was held and _____ 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. 602

AN ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, AMENDING CHAPTER 13 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MANTOLOKING, 2007 PROVIDING FOR CONSTRUCTION PERMIT FEES

WHEREAS, it is the desire of the Mayor and Council of the Borough of Mantoloking to amend the Construction Permit Fee Schedules set forth in sub-article 13-3 of Chapter 13.

Now, therefore, **BE IT ORDAINED** by the Borough Council of the Borough of Mantoloking, in the County of Ocean, State of New Jersey, that Chapter 13, Building and Housing, sub-article 13-3, Construction Permit Fees, is hereby amended as follows:

13.3. Construction Permit Fees:

13-3.1 BUILDING SUBCODE FEES

BUILDING VOLUME OR COST: THE FEES FOR NEW CONSTRUCTION OR ALTERATION ARE AS FOLLOWS:

- a. Fees for new construction shall be based upon the volume of the

structure. Volume shall be computed in accordance with N.J.A.C. 5:23-2.28. The new construction fee shall be in the amount of \$0.025 per cubic foot of volume for buildings and structures of all use groups and types of construction as classified and defined in Articles 3 and 4 of the Building Subcode; Except that the fee shall be \$0.013 per cubic foot of volume for use groups A-1, A-2, A-3, A-4, F-1, F-2, S-1 and S-2.

b. Fees for renovations, alterations, repairs, and site construction associated with premanufactured construction shall be based upon the estimated cost of the work. For \$1,000.00 or less, the fee shall be \$45.00. From \$1,001.00 to \$50,000.00 the additional fee shall be in the amount of \$20.00 per \$1,000.00.

From \$50,001.00 to and including \$100,000.00, the additional fee shall be in the amount of \$14.00 per \$1,000.00, for above \$100,000.00 the additional fee shall be in the amount of \$12.00 per \$1,000.00.

For the purpose of determining estimated cost, the applicant shall submit to the Construction Official such cost data as may be available produced by the architect or engineer of record, or by a recognized estimating firm, or by the contractor. A bona fide contractor's bid if available shall be submitted. The Construction Official shall make the final decision regarding estimated cost.

c. Fees for additions shall be computed on the same basis as for new construction for the added portion.

d. Fees for combination renovations and additions shall be computed separately in accordance with items (a) and (b) above.

e. For garden type utility sheds and similar structures not otherwise Exempt from permits at N.J.A.C.5:23-2.14(b)8.; Temporary structures, towers, fences greater than 6 feet in height, open decks not attached to a principal or accessory structure, and similar structures for which volume cannot be computed, the fee shall be \$50.00, except for sheds in excess of 100 square feet, where the fee shall be \$75.00.

f. The fee for roofing or siding in R-3 and R-4 uses shall be as set forth in sub-article b, above.

- g. Swimming Pools:
 - In-Ground, \$150.00

13-3.2 PLUMBING SUBCODE FEES

PLUMBING FIXTURES AND EQUIPMENT:

The fees shall be as follows:

a. For fixtures, pieces of equipment, hosebibs, vents, appliances connected to the plumbing system, and for appliances connected to the gas or oil piping system, except as listed in (b) below, \$20.00 for each.

b. Per specific device for the following:

Grease traps, oil separators, water cooled air conditioning units, refrigeration units, utility service connections, backflow preventers equipped with test ports (double check valve assembly, reduced pressure zone and pressure vacuum breaker backflow preventers), steam boilers, hot water boilers (excluding those for domestic water heating), gas or fuel oil piping, sewer pumps, and interceptors

\$75.00

13-3.3 FIRE PROTECTION SUBCODE FEES:

Fire protection and other hazardous equipment: Sprinklers, standpipes, detectors (smoke and heat), pre-engineered suppression systems, gas and oil fired appliances not connected to the plumbing system, kitchen exhaust systems and flues:

(a) The fee for sprinkler heads or detectors shall be as follows:

1 to 10 devices	\$ 50.00
1 to 20 devices	\$ 100.00

21 to 100 devices	\$ 150.00
101 to 200 devices	\$ 250.00
More than 200 devices	\$ 750.00

In computing fees for heads and detectors, the number shall be counted separately and two (2) fees, one (1) for heads and one (1) for detectors shall be charged.

(b) The fee for each standpipe shall be	\$250.00
(c) The fee for each independent pre-engineered system shall be	\$125.00
(d) The fee for each gas or oil fired appliance which is not connected to the plumbing system shall be	\$ 75.00
(e) The fee for each kitchen exhaust system shall be	\$ 85.00
(f) The fee for the installation of fuel tanks shall be:	
Capacity under 600 gallons	\$ 100.00
Capacity over 600 gallons	\$125.00

13-3.4 ELECTRICAL SUBCODE FEES:

The fee shall be as follows:

- (a) The fees for outlets (including lighting, wall switches, fluorescent fixtures, convenience receptacles or similar fixtures, and motors or devices of less than one (1) horsepower or one (1) kilowatt) shall be as follows:

Outlets 1 to 50 devices	\$ 70.00
Each additional 25 devices	\$ 15.00.
- (b) The fees for service panels shall be as follows:

0 to 200 amps	\$ 70.00
201 to 400 amps	\$100.00
More than 400 amps	\$500.00
- (c) The fees for transformers or generators shall be as follows:

1 kw to 10 kw	\$ 15.00
11 kw to 45 kw	\$ 50.00
46 kw to 112.5 kw	\$100.00
More than 112.5 kw	\$500.00.
- (d) The fees for motors, except those in plug-in appliances, shall be counted, including control equipment, generators, transformers and all heating, cooking or other devices consuming or generating electric current shall be as follows:

1 hp to 10 hp	\$ 15.00
11 hp to 50 hp	\$ 50.00
51 hp to 100 hp	\$ 100.00
More than 100 hp	\$ 300.00
- (e) The fee for swimming pools shall be as follows:

In-ground	\$100.00
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- (f) The fee for each of the following items shall be \$15.00:

Electric heater	Surface Units
Dishwasher	Heat Pump

- | | |
|------------------|-------------------------|
| Hot Tubs/Jacuzzi | Gas/Oil Heaters |
| Electric Dryer | Hot Water Heater |
| Range | Commercial Exhaust Fans |
| Oven | |

(g) The fees for air conditioner feeders and disconnects shall be \$35.00.

13-3.5 FEES APPLICABLE TO SECTIONS 13-1 TO 13-4.

1. PLAN REVIEW FEE: The fee for plan review shall be 20 percent of the amount to be charged for a new construction permit.
2. THE BASIC CONSTRUCTION FEE shall be the sum of the parts computed on the basis of the volume or cost of construction, the number of plumbing fixtures and equipment, the number of electrical fixtures and devices, and the number of sprinklers, standpipes, and detectors (smoke and heat) at the unit rates provided herein plus any special fees.
3. CERTIFICATES AND OTHER PERMITS: The fees are as follows:
 - A. The fee for a demolition or removal permit including tanks, shall be \$200.00 for a structure of less than 5,000 square feet in area and less than 30 feet in height, for one or two family residences (Use Group R-3 of the Building Subcode), and structures on farms including commercial farm buildings under N.J.A.C.5:23-3.2(d), and \$200.00 for all other Use Groups.
 - B. The fee for a Certificate of Occupancy shall be \$150.00.
 - C. The fee for a temporary certificate of occupancy shall be \$50.00. Except where the full certificate of occupancy is paid at the time of the initial issuance of the temporary certificate.
 - D. The fee for a renewal of a temporary certificate shall be \$25.00.
 - E. For cross connections and backflow preventers that are subject to testing and require reinspection, the fee shall be \$75.00 for each device when they are tested;
 - F. The fee for each construction permit issued for an asbestos abatement project shall be \$100.00.
 - G. The fee for each Certificate of Occupancy issued following the successful completion of an asbestos abatement project shall be \$50.00.
 - H. The fee for a permit for a lead hazard abatement project shall be \$150.00;
 - I. The fee for a Lead Abatement Clearance Certificate shall be \$50.00.

13-3.6. All construction permit fees which are not specifically amended by this Ordinance shall remain in full force and effect.

13-3.7 This Ordinance shall be effective upon final adoption.

DUNE & BEACH RENOURISHMENT COMMITTEE, COUNCILMAN STROHM

- A. Report of the Dune & Beach Renourishment Committee and Ocean County Block Grant Program
- B. Action Items: None

MUNICIPAL SERVICES COMMITTEE, COUNCILMAN BROWN

- A. Councilman Brown will present the reports of the Municipal Services Committee.
- B. Action Items: None

MANTOLOKING COMMITTEE, COUNCILMAN NESS

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

Councilman Ness moves the following ____ resolutions.

RESOLUTION: CONFIRMING APPOINTMENT OF MANTOLOKING HISTORICAL COMMITTEE MEMBER

WHEREAS, the Mayor desires to appoint an additional member to serve on the Historical Committee of the Borough of Mantoloking; and

WHEREAS, such Member shall be appointed by the Mayor with the consent of Council; and

WHEREAS, the Mayor has recommended John G. Wesson for the position; and

WHEREAS, it is the desire of Council to accept the nomination and to confirm the appointment.

IT IS NOW, THEREFORE, this 16th day of May, 2011, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, that John G. Wesson is hereby appointed as a member of the Mantoloking Historical Committee.

RESOLUTION: CONFIRMING APPOINTMENT OF MANTOLOKING ENVIRONMENTAL COMMISSION MEMBER

WHEREAS, a vacancy exists on the Mantoloking Environmental Commission; and

WHEREAS, such Member shall be appointed by the Mayor with the consent of Council; and

WHEREAS, the Mayor has recommended Ann Elizabeth Nelson to serve as a member; and

WHEREAS, it is the desire of Council to accept the nomination and to confirm the appointment.

IT IS NOW, THEREFORE, this 16th day of May, 2011, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, that Ann Elizabeth Nelson is hereby appointed as a member of the Mantoloking Environmental Commission.

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, June 20, 2011 @ 4:30 p.m.

13. ADJOURNMENT