

Councilman Witkowski moves the following _____ resolutions.

RESOLUTION: ACCEPTANCE OF THE REPORT OF THE MUNICIPAL FINANCE OFFICER August 30, 2011

WHEREAS, the Chief Finance Officer has presented a report on the status of the 2011 municipal budget as of August 30, 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	\$4,055,418. 66	\$2,563,779.45 \$1,425,807.29	\$ 65,831.92
2010 Appropriation Reserves	\$ 376,253.59	\$ 132,830.73 243,247.86	\$ 175.00
Capital	\$1,650,518. 26	\$ 265,097.81 \$1,385,420.45	

ACCOUNT	REVENUE THIS MONTH	REVENUE YEAR TO DATE
Cash Receipts	\$2,407,936. 56	\$6,777,731.81

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 OCTOBER 2011

WHEREAS, the Municipal Finance Officer has presented a list of bills in the total amount of **\$246,431.83** 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 THE CANCELLATION OF GRANT RESERVE BALANCES

WHEREAS, there exists a balance on a grant from the Department of Transportation for a Study of Route 35 on the balance sheet of the Current Account; and

WHEREAS, all funds applicable to this grant have been spent and all funds have been reimbursed on this grant there does remain a balance of \$174.56, funds creating these reserves have been investigated and it has been determined that these reserves should be canceled;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Mantoloking that the following reserves in the amount of \$174.56 be and the same are hereby canceled:

Reserve for DOT Route 35 Study Grant	\$174.56
Total	\$174.56

RESOLUTION: INTRODUCTION OF ORDINANCE NO. 604 - AMENDMENT OF THE BOROUGH GENERAL 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. 604

AN ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR AMENDMENT OF CHAPTER II (ADMINISTRATION), ARTICLE IX, FEES, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MANTOLOKING, 2007

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: IN SUPPORT OF THE JERSEY SHORE RUNNING CLUB, JERSEY SHORE RELAY TO BENEFIT SPECIAL OLYMPICS

WHEREAS, the Jersey Shore Running Club, have requested permission to utilize roadways in the Borough in conjunction with the "Jersey Shore Relay", on Saturday, April 21, 2012; and

WHEREAS, the Mayor and Council wish to endorse and support the Jersey Shore Running Club.

IT IS NOW, THEREFORE, this 17th day of October, 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 "Jersey Shore Relay" 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 Jersey Shore Running Club, Mr. Bob Both, Event Director
2. This approval and endorsement is subject to such conditions, if any, as shall be established by the Chief.

RESOLUTION: APPROVAL OF AWARD OF CONTRACT FOR PURCHASE OF A POLICE VEHICLE

WHEREAS, the Borough Clerk advertised for sealed bids for the purchase of one (1), new, police vehicle

WHEREAS, bids were publicly opened and read aloud at 4:00 p.m. on October 13, 2011 in the office of the Borough Clerk with the following results:

Bidder	Amount of Bid
Mall Chevrolet	\$30,250.00

WHEREAS, the bid submissions have now been reviewed by the Purchasing Agent 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 \$30,250.00 for the furnishing of a new police vehicle to the lowest bidder Mall Chevrolet, Cherry Hill, N.J.

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.

B. Action Items:

Councilwoman Nelson moves the following _____ resolutions.

RESOLUTION: APPROVE GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE BAY AVENUE DRAINAGE IMPROVEMENTS PROJECT

NOW THEREFORE, BE IT RESOLVED that Council of Mantoloking Borough 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-2012-Mantoloking Borough-00657 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 Mantoloking Borough and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

RESOLUTION: APPROVE RELEASE OF SURETY BOND TO SALVATORE AND LEONA CALABRESE

WHEREAS, the Borough is the beneficiary of a Surety Bond posted by Salvatore and Leona Calabrese in conjunction with the demolition of a single family home at property located at 1093 Ocean Avenue; and

WHEREAS, the Construction Official, John Wardell, has advised that a final inspection has been completed, the debris has been completely cleared and it is appropriate to release the Bond at this time.

IT IS NOW, THEREFORE, this 17th day of October, 2011, resolved by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The referenced Surety Bond posted by Salvatore and Leona Calabrese in the amount of \$1,000.00 shall be released, forthwith;
2. All officials having jurisdiction in the matter shall take such action as may be necessary to implement this Resolution.

RESOLUTION: APPROVE RELEASE OF SURETY BOND TO LAGOON LANE LLC (PETER W. EHRGOOD)

WHEREAS, the Borough is the beneficiary of a Surety Bond posted by Lagoon Lane LLC (Peter W. Ehrgood) in conjunction with the demolition of a single family home at property located at 915 Lagoon Lane; and

WHEREAS, the Construction Official, John Wardell, has advised that a final inspection has been completed, the debris has been completely cleared and it is appropriate to release the Bond at this time.

IT IS NOW, THEREFORE, this 17th day of October, 2011, resolved by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

3. The referenced Surety Bond posted by Lagoon Lane LLC (Peter W. Ehrgood) in the amount of \$1,000.00 shall be released, forthwith;
4. All officials having jurisdiction in the matter shall take such action as may be necessary to implement this Resolution.

RESOLUTION: CONFIRMING THE APPOINTMENT OF OFFICIALS – FIRE SUB CODE OFFICIAL

WHEREAS, a vacancy exists in the offices of Fire Sub Code Official;

WHEREAS, it is the responsibility of the Mayor with the consent of Council to appoint various individuals such as Fire Sub Code Official;

WHEREAS, AFTER DUE DELIBERATION, the Mayor and Council have determined that the following individual is nominated for this vacancy:

Michael Clayton

Effective: October 3, 2011 to December 31, 2011

Salary: \$4,000.00 Annual (Prorated)

IT IS NOW, THEREFORE, this 17th day of October, 2011, Resolved by the Mayor and Council of the Borough of Mantoloking, as follows:

1. That the Council does, by this Resolution, hereby confirm, ratify, and approve the nomination and appointment and term of office identified as to that officer and position wherein the Mayor has the right to nominate and appoint with the advice and consent of Council or otherwise, and as to that office and position wherein the Council has the right to select said individuals or entities.

RESOLUTION: APPOINTMENT OF PERSONNEL – 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
Robert Furrange	Deputy Fire Sub Code Official	October 3, 2011	\$ 25.00/Hour

RESOLUTION: APPROVE SHARED SERVICE AGREEMENT FOR SALT SHED USE WITH BOROUGH OF BAY HEAD

(SEE ATTACHED RESOLUTION AND FORM OF AGREEMENT)

DUNE & BEACH RENOURISHMENT COMMITTEE, COUNCILMAN STROHM

- A. Report of the Dune & Beach Renourishment Committee and Ocean County Block Grant Program
- B. Action Items:

MUNICIPAL SERVICES COMMITTEE, COUNCILMAN BROWN

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

Councilman Brown will move the following resolution:

RESOLUTION: APPROVE SOLID WASTE & RECYCLING CONTRACT OPTION YEAR NO. 4 WITH REPUBLIC SERVICES OF NJ, LLC (D/B/A MARPAL COMPANY)

WHEREAS, pursuant to Contract dated March, 2009, between the Borough and Republic Services of NJ, LLC, the Borough may extend the Contract for an additional one (1) year term; and

WHEREAS, it is the judgment of the Mayor and Council that the public interest will be served by the exercise of the one (1) year extension option, at a price of \$130,924.00, for a term ending March 2, 2013.

IT IS NOW, THEREFORE, this 17th day of October, 2011, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County New Jersey, as follows:

1. The 4th year Contract option shall be and hereby is exercised for the term ending March 2, 2013, at a cost of \$130,924.00;
2. Notice of this election of exercise of option shall be provided forthwith to Republic Services of NJ, LLC.

MANTOLOKING COMMITTEE, COUNCILMAN NESS

- A. Councilman Ness will present the reports of the Mantoloking Committee and the Environmental Commission.
- B. Action Items: None

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, November 21, 2011 @ 4:30 p.m.

13. ADJOURNMENT

**AGREEMENT BETWEEN THE BOROUGHS OF
BAY HEAD AND MANTOLOKING, OCEAN COUNTY, NEW JERSEY
FOR CONSTRUCTION AND USE OF
SALT STORAGE FACILITY**

WHEREAS, the Borough of Mantoloking has for many years enjoyed the benefits of an informal Intermunicipal Agreement with the Borough of Bay Head concerning the purchase and storage of road salt; and

WHEREAS, the Borough of Bay Head has determined that the previous shed space is now required for sole use of Bay Head; and

WHEREAS, Bay Head has offered to Mantoloking the opportunity to construct and utilize a new salt storage facility in Bay Head; and

WHEREAS, the availability of such facility will be mutually beneficial.

IT IS NOW, THEREFORE, agreed as follows:

1. The Borough of Mantoloking will, at its sole expense, construct a salt storage facility in Bay Head at the location described in the attached sketch. The shed will comply with applicable regulations. Construction and maintenance of the new shed will be performed by Mantoloking personnel.
2. Proof of worker's compensation and general public liability insurance will be provided prior to on-site activity.
3. The new salt shed shall be the property of Bay Head. The Borough of Mantoloking may, exclusively, utilize the shed for storage of salt (or similar road maintenance material) for a term of 15 years. Reasonable access shall not be impeded.
4. Prior practice concerning salt purchase (cost sharing) shall continue as at present.

5. Construction of the salt shed shall be completed not later than _____, 2011.
6. This Agreement shall be operative upon approval by the governing body of each Municipality.

IN WITNESS WHEREOF, the parties have hereunto caused this Agreement to be executed by their proper officials.

WITNESS:

BOROUGH OF BAY HEAD

BY: _____

BOROUGH OF MANTOLOKING

BY: _____

**RESOLUTION: APPROVAL OF AGREEMENT
WITH BAY HEAD FOR SALT STORAGE SHED ADDITION**

WHEREAS, Mantoloking has, for several years, been permitted to utilize a portion of the road salt storage facility in Bay Head; and

WHEREAS, Bay Head will now require use of the space presently utilized by Mantoloking; and

WHEREAS, Bay Head will permit Mantoloking to construct additional salt storage space for the use of Mantoloking; and

WHEREAS, it is in the public interest for Mantoloking to accept the neighborly offer of continuing accommodation;

IT IS NOW, THEREFORE, resolved as follows:

1. The attached proposed Agreement shall constitute a shared service Inter-municipal Agreement for implementation of the purposes of the project.
2. The Agreement may be executed by the Mayor and Clerk, upon advice of counsel as to form, and shall be operative upon execution on behalf of Bay Head.
3. Project cost shall not exceed \$4,500 for material. Labor by Borough Public Works.