

DRAFT #4 (01/13/2012)

THE BOROUGH OF MANTOLOKING
MAYOR AND COUNCIL

AGENDA – REGULAR BUSINESS MEETING
JANUARY 17, 2012
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 December 19, 2011 and Organization Meeting of January 2, 2012 (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
November 30, 2011**

WHEREAS, the Chief Finance Officer has presented a report on the status of the 2011 municipal budget as of November 30, 2011; and

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

ACCOUNT	BUDGET	EXPENDED YEAR TO DATE	ENCUMBERED	BALANCE
2011 Current Year Appropriation	\$4,060,011.94	\$3,420,961.74	\$ 48,147.84	\$ 590,902.36
2010 Appropriation Reserves	\$ 376,253.59	\$ 143,195.72	\$ 175.00	\$ 232,882.87
Capital	\$1,650,518.26	\$ 342,631.60		\$1,307,886.66

ACCOUNT	REVENUE THIS MONTH	REVENUE YEAR TO DATE
Cash Receipts	\$1,399,721.93	\$9,375,760.95

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 JANUARY 2012

WHEREAS, the Municipal Finance Officer has presented a list of bills in the total amount of **\$229,279.83** 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 NO. 01/18/2011 – 04: AUTHORIZE THE AWARD OF CONTRACTS FOR 2011 PROFESSIONAL SERVICES

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 anticipated term of the contracts is one (1) year; and

WHEREAS, the following have submitted proposals by January 10, 2012 indicating they will provide their listed services:

<u>POSITION</u>	<u>OFFICIAL</u>	<u>CONTRACT AMOUNT</u>	<u>BUSINESS NAME</u>
Attorney	Edwin J. O'Malley, Jr., Esq	\$145.-\$225./Hr. +Misc Exp	O'Malley, Surman & Michelini

And

WHEREAS, 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

WHEREAS, 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 contracts with the professional contractors 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.

RESOLUTION: AUTHORIZE MISCELLANEOUS SUPPLY, SERVICE AND MAINTENANCE CONTRACTS FOR 2012

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 and Purchasing Agent. 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>
Computer Software Maint.	\$7,829.Annual+\$150/Hr Misc Serv	Edmunds & Associates, Inc.

RESOLUTION: ESTABLISH EMPLOYEE SALARIES FOR 2012

WHEREAS, the Mayor has recommended annual salaries for all borough employees for 2012, now, therefore, be it

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey approves the following schedule of salaries for 2012.

REGULAR EMPLOYEES

<u>NAME</u>	<u>TITLE</u>	<u>SALARY</u>
Anderson, James	Tax Assessor	14,430.00
Anderson, James	Tax Appeal Agent	520.00
Barcus, John	Police Detective Lt.	121,270.29
Clayton, Michael	Fire Subcode Official	4,080.00
Dryburgh, Scott	Police Officer	78,728.63
Dryburgh, Scott	After 07/31/2012	84,877.82

Eaton, Jennifer	Court Administrator	21,253.70 (3 Hr. Min)
Eaton, Jennifer	Court Call Out Incidents	20.00/Hr.
Eaton, Jennifer	Planning Board Administrative Assistant	22,026.94 (3 Hr. Min)
Eaton, Jennifer	Planning Board Recording Secretary	25.00/Hr.
Ferris, Stacy	Police Officer	91,628.76
Ferris, Stacy	After 04/16/2012	98,076.19
Gilman, Laurence	Public Works Manager	58,421.80
Hazelet, Lynne	Deputy Borough Clerk/Registrar	5,202.00
Hazelet, Lynne	Technical Assistant to the Construction Official	32,910.95 (3 Hr. Min)
Hazelet, Lynne	Planning Board Recording Secretary	25.00/Hr.
Heckman, William (Combined Salary)	Public Works Superintendent	73,878.75
	Deputy Zoning and Land Use Official	0.00
	Police Dispatcher/Administrative Assistant	28,560.00
Konopada, Beverly	Administrative Assistant	34,227.39
Leuck, Priscilla	Police Officer	91,628.76
Meyer, Jon	After 12/18/2012	98,076.19
Meyer, Jon	Plumbing Subcode Official	4,161.60
Nelson, Robert	Municipal Clerk	90,249.90
Ryan, Irene (Combined Salary)	Assessment Search Officer	0.00
	Public Agency Compliance Official	0.00
	Insurance Commissioner	0.00
	Purchasing Agent	0.00
	Archives and Records Manager	0.00
	Contract Administrator	0.00
	Registrar of Vital Statistics	200.00
Saccone, Eugene	Police Sergeant	112,286.81
Saccone, Eugene	After 06/01/2012	113,336.22
Shewan, William	Police Officer	101,999.24
Shewan, William	After 11/01/2012	103,960.76
Sudia, Eric	Electrical Subcode Official	4,161.60
Swisher, Michelle	Chief Financial Officer	75,948.34
Swisher, Michelle	Tax Collector	11,703.09
	Construction/Subcode Off. & Building Inspector	13,690.95
Wardell, V. John	Fire Official	3,303.75
Wills, Charles	Police Chief	130,960.50
Wright, Mark		

2012 PART

TITLE

SALARY

**TIME/SEASONAL
EMPLOYEES**

NAME

Applegate, Douglas (Combined Salary)	Deputy Construction Official Deputy Building Inspector Deputy Building Subcode Inspector	28.00/Hr.
Blakely, Shawn	Special Class II Police Officer	13.00/Hr.
Boettger, Elizabeth	Deputy Court Administrator	15.00/Hr.
Boettger, Elizabeth	Court Call Out Incidents	(3 Hrs. Min.) 15.00/Hr.
Boettger, Elizabeth	Court Violations Clerk Deputy Electrical Subcode Inspector	133.00/Court Session 25.00/Hr.
Callahan, Patrick	Inspector	25.00/Hr.
Furrange, Robert	Deputy Fire Subcode Official	25.00/Hr.
Gambarella, Edward	Special Class II Police Officer	13.00/Hr.
Hahn, Karissa	Special Class II Police Officer Deputy Plumbing Subcode Official	13.00/Hr. 25.00/Hr.
Hendricks, Brian	Official	25.00/Hr.
Marinaccio, Vito	Zoning and Land Use Official	21.64/Hr.
Morris, Samuel	Magistrate	1,406.62/Court Session
Popaca, John	Special Class II Police Officer	13.00/Hr.
Popaca, Gregory	Special Class II Police Officer	13.00/Hr.
Puccio, Dominick	Special Class II Police Officer Deputy Plumbing Subcode Official	13.00/Hr. 25.00/Hr.
West, S. Charles	Official	25.00/Hr.

RESOLUTION: INTRODUCTION OF ORDINANCE NO. 606 - 2012 MUNICIPAL BUDGET 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. 606

**ORDINANCE TO EXCEED THE 2012 MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK**

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 _____ resolutions:

RESOLUTION: CONSIDER THE SALE OF MUNICIPAL SURPLUS PROPERTY – ALL TERRAIN VEHICLE

WHEREAS, the Council has authorized solicitation of buyers for the purchase of surplus personal property, to

wit: One (1), used 2002 Polaris Sportsman ATV, Vin No: 4XACH42A12C558791; and

WHEREAS, the bid return date was 12:00 p.m. on Wednesday, January 11, 2012 in the office of the Borough Clerk with the following results:

Bidder	Amount of Bid
Fred Bourne	\$ 610.00
William Shewan	\$ 455.75
Jersey One Auto Sales, Inc.	\$ 1,681.99
Barten Baldwin	\$ 300.00
Robert Kowalski	\$ 1,251.25
Liberty Motors	\$ 628.99

WHEREAS, the bid submissions have now been reviewed by the Borough Attorney, now therefore, be it

RESOLVED, this 17th day of January, 2012, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The bid of Jersey One Auto Sales, Inc., the sum of \$1,681.99, is hereby accepted upon the following terms and conditions:

- (1.) payment for and removal of the vehicle from Borough property shall be completed not 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, upon delivery, accept the bill of sale or title document and shall execute and deliver to the Clerk a statement acknowledging that the sale is made on an "as is", "where is" basis, without representations or warranties of any nature whatsoever.

RESOLUTION: AUTHORIZE OTHER PROFESSIONAL SERVICE AND MAINTENANCE CONTRACTS FOR 2012

WHEREAS, the award of contracts for professional services 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 and Purchasing Agent. Copies of the contracts are available for inspection at the Clerk's office during regular business hours.

- 2. Notice of this action is to be published as a contract award without competitive bidding as professional services pursuant to N.J.S.A. 40:55D-24.

<u>POSITION</u>	<u>OFFICIAL</u>	<u>CONTRACT AMOUNT</u>	<u>BUSINESS NAME</u>
Prosecutor	Joseph D. Coronato, Esq.	\$100-\$150 per hour	Coronato, Brady & Kunz
Public Defender	James J. Gluck, Esq.	\$200 per case +Misc \$100/hr.	Gluck & Allen, LLC
Police Physician	George Jarahian, Jr., M.D.	\$335 per officer	Jarahian Medical LLC
Alt/Conflicts Prosecutor	Bonnie R. Peterson, Esq.	\$150. per hour + Misc. Exp.	Bonnie R. Peterson

RESOLUTION: AUTHORIZE MISCELLANEOUS SUPPLY, SERVICE AND MAINTENANCE CONTRACTS FOR 2012

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 and Purchasing Agent. 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 Services	\$3,000 Annual+Emergency Vet Care	Jersey Shore Animal Center

RESOLUTION: APPROVE AN INTERLOCAL SERVICES AGREEMENT BETWEEN THE BOROUGH OF MANTOLOKING AND THE COUNTY OF OCEAN CONCERNING THE PROSECUTOR’S PROGRAM FY 2012

WHEREAS, it is deemed to be in the public interest to participate in the Ocean County “Prosecutor’s Program”; and

WHEREAS, to the extent officers of the Borough’s Police Department provide services under this Agreement, the County will provide compensation at the rate of, not to exceed \$62.70 per hour; and

WHEREAS, all the terms and conditions of the proposed Interlocal Service Agreement have been reviewed by counsel; and

WHEREAS, participation has been endorsed by the Chief of Police.

IT IS NOW, THEREFORE, this 17th day of January, 2012, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County New Jersey, that the Borough shall participate in the 2012 Interlocal Services Agreement and the Mayor and Clerk are authorized to execute the Agreement in the form annexed.

RESOLUTION: APPROVE INTERLOCAL SERVICES AGREEMENT BETWEEN THE BOROUGH OF MANTOLOKING AND THE COUNTY OF OCEAN CONCERNING THE DRIVING WHILE INTOXICATED ENFORCEMENT PROGRAM FY2012

WHEREAS, it is deemed to be in the public interest to participate in the Ocean County “Driving While Intoxicated Enforcement Program”; and

WHEREAS, to the extent officers of the Borough’s Police Department provide services under this Agreement, the County will provide compensation at the rate of, not to exceed, \$62.70 per hour; and

WHEREAS, all the terms and conditions of the proposed Interlocal Service Agreement have been reviewed by counsel; and

WHEREAS, participation has been endorsed by the Chief of Police.

IT IS NOW, THEREFORE, this 17th day of January, 2012, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County New Jersey, that the Borough shall participate in the 2012 Interlocal Services Agreement and the Mayor and Clerk are authorized to execute the Agreement in the form annexed.

RESOLUTION: CANCELLATION; APPROVAL OF MANTOLOKING FIRE COMPANY NO. 1 MEMBER

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: CONSIDER THE SALE OF MUNICIPAL SURPLUS PROPERTY – BULLDOZER

WHEREAS, the Council has authorized solicitation of buyers for the purchase of surplus personal property, to

wit: One (1), used 1984 Fiat Allis 14C Bulldozer, Serial No.: 050769; and

WHEREAS, the bid return date was 12:00 p.m. on Wednesday, January 11, 2012 in the office of the Borough Clerk with the following results:

Bidder	Amount of Bid
Liberty Motors	\$ 3,118.99
Robert Kowalski	\$ 3,600.50
Mueller & Tenore Contractors, Inc.	\$ 500.00
Jersey One Auto Sales, Inc.	\$ 2,781.99
Devino Trucks & Parts	\$ 5,288.00

WHEREAS, the bid submissions have now been reviewed by the Borough Attorney, now therefore, be it

RESOLVED, this 17th day of January, 2012, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The bid of Devino Trucks & Parts, the sum of \$5,288.00, is hereby accepted upon the following terms and conditions:

- (1.) payment for and removal of the bulldozer from Ocean County property shall be completed not 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, upon delivery, accept the bill of sale or title document and shall execute and deliver to the Clerk a statement acknowledging that the sale is made on an "as is", "where is" basis, without representations or warranties of any nature whatsoever.

RESOLUTION: CONSIDER THE SALE OF MUNICIPAL SURPLUS PROPERTY – HYDRAULIC POWER BROOM

WHEREAS, the Council has authorized solicitation of buyers for the purchase of surplus personal property, to wit: One (1), used, 2007 M & B Companies, Inc., Hydraulic Power Broom, Model No. LB; with water tank & pump; Serial No. 17-0894; and

WHEREAS, minimum bid was set at \$5,000.00; and

WHEREAS, the bid return date was 12:00 p.m. on Wednesday, January 11, 2012 in the office of the Borough Clerk with the following results:

Bidder	Amount of Bid
Jesco, Inc.	\$ 5,007.00

WHEREAS, the bid submissions have now been reviewed by the Borough Attorney, now therefore, be it **RESOLVED**, this 17th day of January, 2012, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

- 1. The bid of Jesco, Inc., the sum of \$5,007.00 is hereby accepted upon the following terms and conditions:
 - (1.) payment for and removal of the hydraulic power broom from Borough property shall be completed not 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, upon delivery, accept the bill of sale or title document and shall execute and deliver to the Clerk a statement acknowledging that the sale is made on an "as is", "where is" basis, without representations or warranties of any nature whatsoever.

RESOLUTION: CONSIDER THE SALE OF MUNICIPAL SURPLUS PROPERTY – VINTAGE WINDOWS

WHEREAS, the Council has authorized solicitation of buyers for the purchase of surplus personal property, to wit: Eleven (11), used, Vintage-Circa 1928 Windows; and

WHEREAS, the bid return date was 12:00 p.m. on Wednesday, January 11, 2012 in the office of the Borough Clerk with the following results:

Bidder	Amount of Bid
Vito Marinaccio	\$ 10.00

WHEREAS, the bid submissions have now been reviewed by the Borough Attorney, now therefore, be it **RESOLVED**, this 17th day of January, 2012, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

- 1. The bid of Vito Marinaccio, the sum of \$10.00, is hereby accepted upon the following terms and conditions:

- (1.) payment for and removal of the windows from Borough property shall be completed not 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, upon delivery, accept the bill of sale or title document and shall execute and deliver to the Clerk a statement acknowledging that the sale is made on an "as is", "where is" basis, without representations or warranties of any nature whatsoever.

RESOLUTION: AUTHORIZE THE AWARD OF CONTRACTS FOR 2012 PROFESSIONAL SERVICES

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 anticipated term of the contracts is one (1) year; and

WHEREAS, the following have submitted proposals by January 10, 2012 indicating they will provide their listed services:

<u>POSITION</u>	<u>OFFICIAL</u>	<u>CONTRACT AMOUNT</u>	<u>BUSINESS NAME</u>
Borough Engineer	Lawrence Plevier P.E.	\$40.- \$200/Hour + Misc Exp	Hatch, Mott, MacDonald
Stormwater Program Coordinator			
Ocean County Block Grant Program Representative		" "	

Assistant Engineer	Robert Mainberger, P.E.	\$40-\$200/Hour + Misc Exp	Hatch, Mott, MacDonald
Municipal Planner			
Dune Inspector			
Flood Plain Manager			
Community Rating System Coordinator			And

WHEREAS, 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

WHEREAS, 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 contracts with the professional contractors 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.

RESOLUTION: AUTHORIZE MISCELLANEOUS SUPPLY, SERVICE AND MAINTENANCE CONTRACTS FOR 2012

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 and Purchasing Agent. Copies of the contracts are available for inspection at the Clerk's office during regular business hours.

<u>SERVICE</u>	<u>PROVIDER</u>	<u>CONTRACT AMOUNT</u>
Schedule "C" Program, Road Dept.	County of Ocean	\$4,000.00 (Not to exceed.)
Schedule "C" Program, Vehicle Services	County of Ocean	\$1,000.00 (Not to exceed.)
Construction Official Computer Software Maint.	Mitchell Humphrey & Co.	\$2,025.00
Elevator Maintenance	Sharp Elevator Company, Inc.	\$120/month

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: AUTHORIZE OTHER PROFESSIONAL SERVICE AND MAINTENANCE CONTRACTS FOR 2012

WHEREAS, the award of contracts for professional services 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 and Purchasing Agent. Copies of the contracts are available for inspection at the Clerk's office during regular business hours.
2. Notice of this action is to be published as a contract award without competitive bidding as professional services pursuant to N.J.S.A. 40:55D-24.

<u>POSITION</u>	<u>OFFICIAL</u>	<u>CONTRACT AMOUNT</u>	<u>BUSINESS NAME</u>
Special Counsel	Vito A. Gagliardi, Jr., Esq.	\$125-\$310/Hr.+Misc. Expenses	Porzio, Bromberg & Newman, PC
Dune Consultant	Dr. Stewart Farrell	Monitor Beaches: \$20,523.19/Ann.; Meetings: \$7,538.14/Meet	Stockton College Coastal Res. Ctr.

MUNICIPAL SERVICES COMMITTEE, COUNCILMAN BROWN

A. Councilman Brown will present the reports of the Municipal Services Committee.

B. Action Items:

Councilman Brown moves the following resolution:

RESOLUTION: AUTHORIZE MISCELLANEOUS SUPPLY, SERVICE AND MAINTENANCE CONTRACTS FOR 2012

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 and Purchasing Agent. Copies of the contracts are available for inspection at the Clerk's office during regular business hours.

<u>SERVICE</u>	<u>PROVIDER</u>	<u>CONTRACT AMOUNT</u>
Website Maintenance	Osprey Technology Consulting LLC	\$140/Month
Computer & Internet Support	Osprey Technology Consulting LLC	\$75/Hour

RESOLUTION: APPROVE THE OCEAN COUNTY MULTI-HAZARD MITIGATION PLAN

WHEREAS, the Ocean County Multi-Hazard Mitigation Plan has been prepared in accordance with FEMA requirements at 44 C.F.R. 201.6; and

WHEREAS, the Borough of Mantoloking participated in the preparation of a multi-jurisdictional plan, Ocean County Multi-Hazard Mitigation Plan; and

WHEREAS, the Borough of Mantoloking is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, the Borough of Mantoloking has reviewed the Plan and affirms that the Plan will be updated no less than every five years.

NOW THEREFORE, BE IT RESOLVED by the governing body that the Borough of Mantoloking adopts the Ocean County Multi-Hazard Mitigation Plan as this jurisdiction's Multi-Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

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 Meeting, Tuesday, February 21, 2012 @ 4:30 p.m.

13. ADJOURNMENT