

DRAFT #2 (05/18/2012)

THE BOROUGH OF MANTOLOKING
MAYOR AND COUNCIL

AGENDA – REGULAR BUSINESS MEETING
MAY 21, 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 April 23, 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
February 29, 2012**

WHEREAS, the Chief Finance Officer has presented a report on the status of the 2012 municipal budget as of February 29, 2012; and

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

ACCOUNT	BUDGET	EXPENDED YEAR TO DATE	ENCUMBERED	BALANCE
2012 Current Year Appropriation	\$2,022,700.00	\$ 1,203,428.98	\$ 65,284.93	\$ 753,986.09
2011 Appropriation Reserves	\$ 447,532.84	\$ 152,925.93	\$ 87.76	\$ 294,519.15
Capital	\$1,295,592.49	\$ 7,957.69		\$1,287,634.80

ACCOUNT	REVENUE THIS MONTH	REVENUE YEAR TO DATE
Cash Receipts	\$ 100,814.84	\$2,264,803.68

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 APRIL 2012

WHEREAS, the Municipal Finance Officer has presented a list of bills in the total amount of **\$281,546.24** 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: APPROVE 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, Ocean County, New Jersey 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 March 21, 2012 meeting.

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

RESOLUTION: APPROVE RELEASE OF SURETY BOND TO GITHENS MANTOLOKING LLC

WHEREAS, the Borough is the beneficiary of a Surety Bond posted by Githens Mantoloking LLC in conjunction with the demolition of a single family home at property located at 908 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 21st day of May, 2012, resolved by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The referenced Surety Bond posted by Githens Mantoloking LLC 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.

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:

<i>Name</i>	<i>Position</i>	<i>Effective Date</i>	<i>Salary</i>
<i>Blomquist, Kaitlyn</i>	<i>Badge Checker</i>	<i>June 1, 2012</i>	<i>\$ 8.50/hour</i>
<i>Caruso, Melanie</i>	<i>Badge Checker</i>	<i>June 1, 2012</i>	<i>\$ 8.50/hour</i>
<i>Carver, Helen</i>	<i>Badge Sales</i>	<i>May 24, 2012</i>	<i>\$ 9.18/hour</i>
<i>Castor, Kody</i>	<i>Badge Checker</i>	<i>June 1, 2012</i>	<i>\$ 8.50/hour</i>
<i>Colby, Amy</i>	<i>Badge Checker</i>	<i>June 1, 2012</i>	<i>\$ 8.50/hour</i>
<i>Coman, Tara</i>	<i>Badge Sales</i>	<i>May 24, 2012</i>	<i>\$ 8.50/hour</i>
<i>Cornejo, Flavia</i>	<i>Badge Checker</i>	<i>June 1, 2012</i>	<i>\$ 8.50/hour</i>
<i>Coyle, Corinne</i>	<i>Badge Checker</i>	<i>June 1, 2012</i>	<i>\$ 8.50/hour</i>
<i>Cuthbert, Brittany</i>	<i>Badge Checker</i>	<i>June 1, 2012</i>	<i>\$ 8.50/hour</i>
<i>Federici, Ann</i>	<i>Badge Checker</i>	<i>June 1, 2012</i>	<i>\$ 8.50/hour</i>
<i>Gilman, Taylor</i>	<i>Badge Checker</i>	<i>June 1, 2012</i>	<i>\$ 8.50/hour</i>
<i>Goble, Amanda</i>	<i>Badge Checker</i>	<i>June 1, 2012</i>	<i>\$ 8.50/hour</i>
<i>Hahn, Sara</i>	<i>Badge Checker</i>	<i>June 1, 2012</i>	<i>\$ 8.50/hour</i>
<i>Hazelet, Hilary</i>	<i>Badge Checker</i>	<i>June 1, 2012</i>	<i>\$ 8.50/hour</i>
<i>Jaeger, Kelsey</i>	<i>Badge Checker</i>	<i>June 1, 2012</i>	<i>\$ 8.50/hour</i>
<i>Laboy, Casey</i>	<i>Badge Checker</i>	<i>June 1, 2012</i>	<i>\$ 8.50/hour</i>
<i>Montedoro, Anthony</i>	<i>Badge Checker</i>	<i>June 1, 2012</i>	<i>\$ 8.50/hour</i>
<i>Nieves, Ashley</i>	<i>Badge Checker</i>	<i>June 1, 2012</i>	<i>\$ 8.50/hour</i>
<i>Wriston, Anthony</i>	<i>Badge Checker</i>	<i>June 1, 2012</i>	<i>\$ 8.50/hour</i>
<i>Wright, Megan</i>	<i>Badge Checker</i>	<i>June 1, 2012</i>	<i>\$ 8.50/hour</i>

RESOLUTION: CONSIDER 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 23, 2012, 8:00 a.m. to 11:00 p.m. | August 11, 2012, 7:00 p.m. to 11:00 p.m. |
| July 4, 2012, 8:00 a.m. to 4:00 p.m. | August 23, 2012, 4:00 p.m. to 9:00 p.m. |
| July 7, 2012, 8:00 a.m. to 4:00 p.m. | August 24, 2012, 8:00 a.m. to 5:00 p.m. |
| July 21, 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 21st day of May, 2012, **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 23, 2012, 8:00 a.m. to 11:00 p.m.	August 11, 2012, 7:00 p.m. to 11:00 p.m.
July 4, 2012, 8:00 a.m. to 4:00 p.m.	August 23, 2012, 4:00 p.m. to 9:00 p.m.
July 7, 2012, 8:00 a.m. to 4:00 p.m.	August 24, 2012, 8:00 a.m. to 5:00 p.m.
July 21, 2011, 7:00 p.m. to 11:00 p.m.	
2. All prohibited parking regulations will be enforced.

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: 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:

<i>Name</i>	<i>Position</i>	<i>Effective Date</i>	<i>Salary</i>
<i>Safeer, Stuart M.</i>	<i>Deputy Electrical Subcode Official</i>	<i>May 21, 2012</i>	<i>\$ 25.00/hour</i>

RESOLUTION: REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87

WHEREAS, **NJS 40A:4-87** provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Mantoloking in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the

insertion of an item of revenue in the budget of the year 2012 in the sum of \$3,245.00, which is now available from the State of New Jersey, NJ Division of Elections, HAVA Grant.

BE IT FURTHER RESOLVED, that the like sum of \$3,245.00 is hereby appropriated under the caption of 2012 HAVA Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from the State of New Jersey, NJ Division of Elections in the amount of \$3,245.00.

RESOLUTION: CONSENTING TO THE PROPOSED WATER QUALITY MANAGEMENT (WQM) PLAN AMENDMENT ENTITLED: OCEAN COUNTY WASTEWATER MANAGEMENT PLAN

WHEREAS, the Borough of Mantoloking, Ocean County, New Jersey desires to provide for the orderly development of wastewater facilities within Ocean County, New Jersey; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, a proposed WQM plan amendment noticed in the New Jersey Register on May 21, 2012 for the Ocean County Wastewater Management Plan has been prepared by Ocean County;

NOW, THEREFORE, BE IT RESOLVED on this 21st day of May, 2012, by the governing body of the Borough of Mantoloking, Ocean County, New Jersey that:

1. The Mayor and Council of the Borough of Mantoloking hereby consents to the amendment entitled Ocean County Wastewater Management Plan, and publicly noticed on May 21, 2012, prepared by Ocean County, for the purpose of its incorporation into the applicable WQM plan(s).
2. This consent shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.4.

RESOLUTION: INTRODUCTION ORDINANCES NO. 613 – REVISE CONSTRUCTION PERMIT FEES

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey hereby adopts on first reading (title only) the following Ordinances:

ORDINANCE NO. 613

AN ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, AMENDING CHAPTER 13, SUBCHAPTER 13-3.1, 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.

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: None

Councilman Ness moves the following resolution:

RESOLUTION: REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Mantoloking in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$4,000.00, which is now available from the State of New Jersey, Solid Waste Administration, 2012 Clean Communities Grant.

BE IT FURTHER RESOLVED, that the like sum of \$4,000.00 is hereby appropriated under the caption of 2012 Clean Communities Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from the State of New Jersey, Solid Waste Administration in the amount of \$4,000.00.

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, Monday, June 18, 2012 @ 4:30 p.m.

13. ADJOURNMENT