

DRAFT NO. 4 – 01/06/2014

THE BOROUGH OF MANTOLOKING
MAYOR AND COUNCIL

AGENDA – REGULAR BUSINESS MEETING
JANUARY 7, 2014
4:30 p.m.
Mantoloking Yacht Club
1224 Bay Avenue
Mantoloking, New Jersey

(Subject to change pursuant to N.J.S.A. 10:4-8(d) – this agenda is tentative to the extent known at time of posting.)

The regular monthly meeting of the Mayor and Council will be held this day in the Mantoloking Yacht Club, Mantoloking, New Jersey.

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. **RESOLUTION: MINUTES OF PREVIOUS MEETINGS:**

None

7. **COMMITTEE REPORTS AND RECOMMENDATIONS:**

FINANCE COMMITTEE, COUNCILMAN STEVE GILLINGHAM

A. Councilman Gillingham will present the monthly finance report.

B. Action Items:

RESOLUTION: ACCEPTANCE OF THE REPORT OF THE MUNICIPAL FINANCE OFFICER (Note: Not Available for this meeting.)

WHEREAS, the Chief Finance Officer has presented a report on the status of the 2013 municipal budget as of _____; and

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

<u>ACCOUNT</u>	<u>ORIGINAL 2012 BUDGET</u>	<u>2013 BUDGET</u>	<u>EXPENDED YEAR TO DATE</u>	<u>ENCUMBERED</u>	<u>BALANCE</u>
2013 Current Yr. Appropriation		\$	\$	\$	\$
2012 Appropriation Reserves	\$4,034,728.78				
Sandy Emergency #1	2,000,000.00	\$	\$	\$	\$
Sandy Emergency #2	2,000,000.00				
2011 Appropriation Reserves	\$7,007,120.00				
Sandy Emergency #1	2,000,000.00	\$	\$	\$	\$
Sandy Emergency #2	2,000,000.00				
Sandy Emergency #3	3,100,000.00				
Sub-Total 5 Yr. Sandy Emer.		\$	\$	\$	\$
Total 2012 Approp Reserve		\$	\$	\$	\$
CAPITAL		\$	\$	\$	\$
		<u>REVENUE THIS MONTH</u>	<u>REVENUE YEAR TO DATE</u>		
CASH RECEIPTS		\$	\$		

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 TO ADOPT APPROPRIATION RESERVE TRANSFER #1

WHEREAS, N.J.S.A. 40A: 4-59 provides that in the first 3 months of the fiscal year, the amount of any appropriation reserve for the immediately preceding fiscal year is insufficient to pay the claims authorized or incurred during said preceding year which were chargeable to said appropriation, and there shall be an excess in any appropriation reserves over and above the amount deemed to be necessary to fulfill its purpose, the governing body may, by resolution adopted by not less than a 2/3 vote of the full membership thereof, transfer the amount of such excess to an appropriation reserve or an appropriation in the prior budget deemed to be insufficient to fulfill its purpose or for which no reserve was provided.

WHEREAS, the Chief Financial Officer has advised the Mayor and Council of the Borough of Mantoloking that the need for certain transfers within the 2013 Appropriation Reserves exists; and

WHEREAS, it is recommended that these appropriation reserve transfers be made;

NOW, THEREFORE BE IT RESOLVED by the governing body of the Borough of Mantoloking that the following budget transfers be made for the 2013 Appropriation Reserve balances

<u>DEPARTMENT</u>		<u>TO</u>	<u>FROM</u>
Police	OE	\$2,000.00	
Beach	OE	3,000.00	
Audit	OE		\$ 500.00
Tax Collector	OE		400.00
Tax Assessor	OE		500.00
Construction	OE		1,000.00
Plumbing Sub-Code	SW		2,000.00
Liability Insurance	OE		600.00
Total		\$5,000.00	\$5,000.00

RESOLUTION: PAYMENT OF BILLS FOR THE MONTH OF JANUARY 2014

WHEREAS, the Municipal Finance Officer has presented a list of bills in the total amount of \$2,346,447.51 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: AUTHORIZE THE AWARD OF CONTRACTS FOR 2014 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 7, 2014 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	\$ /Hr. +Misc Exp	O'Malley, Surman & Michelini
Auditor	Robert S. Oliwa, R.M.A.	\$24,000+\$30-115/Hr.+ Misc. Exp.	Oliwa and Company, CPA
Bond Counsel	Matthew Jessup	\$180-325/Hr. General Services, + \$2,500/Bond Sale+\$1.00/thousand dollars of bonds issued+\$.75/thousand dollars of bonds issued in excess of \$15,000,000, + \$450/review of bond ordinance, compiling & review of certified record of proceedings, + \$.50/thousand dollars of notes issued up to \$15,000,000 (minimum fee), + \$.40/\$1,000 of notes in excess of \$15,000,000 but not less than \$800. (minimum fee), + \$250/arbitrage compliance and related tax analysis, + \$1,000/credit enhancement facility, + (minimum fee), + \$250/arbitrage compliance and related tax analysis, + \$1,000/credit enhancement facility, + \$5,000/refunding bond issue, + \$135-215/Hr. for preparation & appearances before the Local Finance Board	McManimon, Scotland & Baumann

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: AUTHORIZED MISCELLANEOUS SUPPLY, SERVICE AND MAINTENANCE CONTRACTS FOR 2014

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
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>
Computer Software Maint.	\$7,829/Annual+\$150/Hr Misc Serv	Edmunds & Associates, Inc.
Financial Consultant	\$2,500/Annual	Phoenix Advisors, LLC

RESOLUTION: APPOINTMENT OF PERSONNEL – PART TIME TEMPORARY HELP

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

<i>Name</i>	<i>Position</i>	<i>Effective Date</i>	<i>Salary</i>
<i>Christopher Neibling</i>	<i>Part Time Mayoral Administrative Assistant</i>	<i>January 1, 2014</i>	<i>\$25.00/hour</i>

PUBLIC SAFETY COMMITTEE, COUNCILMAN ROBERT MC INTYRE:

A. Reports of the Public Safety Committee: Councilman McIntyre will present the reports of the Police Department, Municipal Court, Fire Company and Emergency Management.

B. Action Items:

Councilman McIntyre will move the following resolution:

RESOLUTION: APPROVING OTHER PROFESSIONAL SERVICE AND MAINTENANCE CONTRACTS FOR 2014

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, 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>NAME</u>	<u>CONTRACT AMOUNT</u>	<u>BUSINESS NA</u>
Prosecutor	Kim A. Pascarella, Esq	\$100-150 /Hr+Misc Exp	Kim A. Pascarella, Esq, Attorney-at-Law

RESOLUTION: AUTHORIZED MISCELLANEOUS SUPPLY, SERVICE AND MAINTENANCE CONTRACTS FOR 2014

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>
Animal Control Services	Jersey Shore Animal Shelter	\$3,000 Annual+Emergency Vet Care
Police Dept. Trailer Facilities	Nadler Mobile,LLC11/29/13-11/28/14,	\$875/Mo+\$1,750 Security Deposit

RESOLUTION: APPROVE AN INTERLOCAL SERVICES AGREEMENT BETWEEN THE BOROUGH OF MANTOLOKING AND THE COUNTY OF OCEAN CONCERNING THE PROSECUTOR'S PROGRAM FY 2014

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 7th day of January, 2014, RESOLVED by the Mayor and Council of the Borough of Mantoloking, Ocean County New Jersey, that the Borough shall participate in the 2014 Interlocal Services Agreement and the Mayor and Clerk are authorized to execute the Agreement in the form annexed.

RESOLUTION: APPROVE AN INTERLOCAL SERVICES AGREEMENT BETWEEN THE BOROUGH OF MANTOLOKING AND THE COUNTY OF OCEAN CONCERNING THE DRIVING WHILE INTOXICATED ENFORCEMENT PROGRAM FY2014

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

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 7th day of January, 2014, RESOLVED by the Mayor and Council

of the Borough of Mantoloking, Ocean County New Jersey, that the Borough shall participate in the 2014 Interlocal Services Agreement and the Mayor and Clerk are authorized to execute the Agreement in the form annexed.

PUBLIC WORKS COMMITTEE, COUNCILWOMAN BETH 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: PROVIDING FOR PAYMENT ESTIMATE NO. 12 – EMERGENCY BYPASS PUMPING SYSTEM (CONTRACT 2013-01)

WHEREAS, the Borough has entered into a Contract with Municipal Maintenance Co. (Contract 2013-01) to provide Emergency Bypass Pumping System; and

WHEREAS, the Contractor has submitted Payment Application No. 12, in the sum of \$4,336.50; and

WHEREAS, the Borough Engineer, Lawrence Plevier, P.E. (Hatch Mott MacDonald) has, by letter dated December 26, 2013, (Exhibit A, attached) recommended Payment Application No. 12 be paid.

IT IS NOW, THEREFORE, this 7th day of January, 2014, RESOLVED by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, that Payment Application No. 12 is hereby approved and shall forthwith be executed by the Mayor and Borough Clerk.

RESOLUTION: AUTHORIZE THE AWARD OF CONTRACTS FOR 2014 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, 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 7, 2014 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.	\$48- \$200/Hour + Misc Exp	Hatch, Mott, MacDonald

Stormwater Program Coordinator

Ocean County Block Grant Program Representative “ “

Assistant Engineer Robert Mainberger, P.E. \$48 -\$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.

~~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: AUTHORIZED MISCELLANEOUS SUPPLY, SERVICE AND MAINTENANCE CONTRACTS FOR 2014

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:

2. 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>
Construction Official Computer Software Maint.	Mitchell Humphrey & Co.	\$2,140.00 Annual

RESOLUTION: INTRODUCTION OF ORDINANCE NO. 634 – CAPITAL ORDINANCE FOR THE PURCHASE OF USED STREET SWEEPER

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. 634
AN ORDINANCE PROVIDING FOR THE APPROPRIATION
OF THE SUM OF \$7,500.00 FROM THE CAPITAL IMPROVEMENT FUND FOR
ORDINANCE NO. 634
AN ORDINANCE PROVIDING FOR THE APPROPRIATION
OF THE SUM OF \$7,500.00 FROM THE CAPITAL IMPROVEMENT FUND FOR
THE PURCHASE OF USED STREET SWEEPER
IN THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY

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 PETER STROHM

A. Report of the Dune & Beach Renourishment Committee and Ocean County Block Grant Program

B. Action Items:

Councilman Strohm moves the following _____ resolutions.

RESOLUTION: AUTHORIZED OTHER PROFESSIONAL SERVICE AND MAINTENANCE

CONTRACTS FOR 2013

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:

3. 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.
4. 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.
5. 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>NAME</u>	<u>CONTRACT AMOUNT</u>	<u>BUSINESS NAME</u>
Dune Consultant	Dr. Stewart Farrell	Monitor Beaches: (Not to exceed) \$21,477.32/Ann.; Meetings: \$1,318.14/Meet; Requested Special Services: \$6,997.03	Stockton College Coastal Res. Ctr.

RESOLUTION: PROVIDING FOR PAYMENT OF FEE CLAIM

WHEREAS, as a result of the Borough's refusal to provide to the requestor the identity of property owners (holdouts who had not voluntarily granted U.S. Army Corps project easements), the requestor filed a Complaint in the New Jersey Superior Court (Ocean County) seeking remedies under the Open Public Records Act; and

WHEREAS, the Court has determined that the failure to provide the requested information constituted a violation of the Open Public Records Act, notwithstanding the Borough's strategy and desire to avoid such disclosure due to the potential for negative and unacceptable impact on the then ongoing negotiations for easement acquisition by voluntary grant; even when viewed in the context of the overwhelming success ultimately attained by the easement acquisition project; and

WHEREAS, the statute provides for an award of legal fees to counsel for a prevailing requestor; and

WHEREAS, counsel, Donald Burke, Esq. has, by way of settlement, requested \$22,352.50; and

WHEREAS, the Borough Attorney has advised that the public interest and economy will be advanced by settlement of the fee issue in lieu of continued litigation with significant risk and exposure that an adjudicated award would significantly exceed the proposed settlement sum and would necessitate additional expenditure of Borough resources in defense of the application for a judicial award of an "enhanced" fee and the attendant prospect for appeal by the Plaintiff; and

WHEREAS, the claimant will, as a result of negotiations, accept the sum of \$18,000.00 in final settlement of the matter.

IT IS NOW, THEREFORE, this 7th day of January, 2014 RESOLVED by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The Borough shall pay the sum of \$18,000.00 to Donald Burke, Esq.;
2. Payment is conditioned upon execution and delivery of such releases by Donald Burke, Esq. and Stephen Burke and a Stipulation of Dismissal with prejudice as shall be approved by the Borough Attorney.

approved by the Borough Attorney.

MUNICIPAL SERVICES COMMITTEE, COUNCILMAN JAMES J. BROWN

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

MANTOLOKING COMMITTEE, COUNCILMAN CHRISTOPHER NELSON

- A. Councilman Nelson 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
- 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 –

Council Workshop Meeting, Wednesday, February 5, 2014 at 8:30 a.m. at the Borough Temporary Offices, 340 Drum Point Road, Brick, NJ

Regular Council Meeting, Tuesday, February 11, 2014 at 4:30 p.m. at the Mantoloking Yacht Club, 1224 Bay Avenue, Mantoloking, NJ

13. ADJOURNMENT