

DRAFT #3 04/17 /2014

MAYOR AND COUNCIL
BOROUGH OF MANTOLOKING
OCEAN COUNTY, NEW JERSEY

AGENDA – REGULAR BUSINESS MEETING

APRIL 22, 2014

5:30 p.m.

Mantoloking Yacht Club

1224 Bay Avenue

Mantoloking, New Jersey

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 George C. 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:** Mayor George C. Nebel will lead the assembly in the Pledge of Allegiance.
5. **PRIVILEGE OF THE FLOOR:** Mayor George C. Nebel will open the meeting for public comment and questions about the agenda.
6. **MINUTES OF PREVIOUS MEETINGS:**
Resolved, the Mantoloking Borough Council approves the following minutes as printed and distributed:

Special Meeting of December 10, 2013
Regular Meeting December 17, 2013
Workshop Meeting January 2, 2014
Business Organization Meeting January 7, 2014
Regular Meeting January 7, 2014
Workshop Meeting of February 5, 2014
Regular Meeting of February 11, 2014
Workshop Meeting March 12, 2014
Regular Meeting of March 18, 2014
Special Meeting of April 7, 2014
Workshop Meeting of April 16, 2014

COMMITTEE REPORTS AND RECOMMENDATIONS

7. **FINANCE COMMITTEE**, Councilman Gillingham will present the monthly finance report moves the following:

A. RESOLUTION: ACCEPT THE REPORT OF THE MUNICIPAL FINANCE OFFICER

WHEREAS, the Chief Finance Officer has presented a report on the status of the 2014 municipal budget as of February 28, 2014; and

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

<u>ACCOUNT</u>	<u>ORIGINAL BUDGET</u>	<u>2014 BUDGET</u>	<u>EXPENDED</u>	<u>ENCUMBERED</u>	<u>BALANCE</u>
2014 Temporary Budget		1,818,100.00	721,889.79	55,784.75	1,040,425.46
2013 Appropriation Reserve	5,671,304.96	405,798.24	71,994.35	55,845.40	277,958.49
2012 Emergency Appropriations					
Sandy Emergency #1	2,000,000.00				
Sandy Emergency #2	2,000,000.00				
Sandy Emergency #3	3,100,000.00				
Subtotal Sandy Emergency		1,371,644.74	60,149.06	9,692.50	1,301,803.18
Capital		2,006,853.92	0.00	0.00	2,006,853.92

B. RESOLUTION: PAYMENT OF BILLS FOR THE MONTH OF APRIL 2014

WHEREAS, the Municipal Finance Officer has presented a list of bills in the total amount of \$1,466,571.74 and recommended that they be paid, now, therefore, be it:

RESOLVED, the Mantoloking Borough Council approve payment of the above referenced bills and directs that a copy be attached to and made part of the minutes of this meeting.

C. RESOLUTION: REFUND OF FEES & OVERPAYMENTS

RESOLVED, the Borough Council authorizes the Chief Financial Officer to refund the following for the reason(s) indicated:

<u>TO</u>	<u>REASON</u>	<u>AMOUNT</u>
Louis & Luisa Angioletti	Overpayment of property taxes: Blk 13 Lt 7	\$1,320.80

PUBLIC HEARING: Mayor George C. Nebel will open the meeting to the public on Ordinance No. 636 –2014 Municipal Budget Appropriation Limits and to Established a CAP Bank

D. RESOLUTION: ADOPTION OF ORDINANCE NO. 636 – TO EXCEED THE 2014 MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

WHEREAS, on the 22nd day of April, 2014 a public hearing on Ordinance No. 636 was held and no 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. 636

ORDINANCE TO EXCEED THE 2014 MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

and be it

WHEREAS, the Local Government Cap law, NJSA 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to .5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, NJSA 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of the Borough of Mantoloking in the County of Ocean finds it advisable and necessary to increase its CY 2014 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 3% increase in the budget for said year, amounting to \$103,782.00 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, advisable and necessary; and,

WHEREAS, the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as a cap exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Mantoloking, in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2014 budget year, the final appropriations of the Borough of Mantoloking shall, in accordance with this ordinance and NJSA 40A:4-45.14, be increased by 3.5%, amounting to \$121,079.00 and that the CY 2014 municipal budget for the Borough of Mantoloking be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

PUBLIC HEARING: Mayor George C. Nebel will open the meeting to the public on the municipal budget for 2014.

RESOLUTION TO AMEND BUDGET

WHEREAS, the local municipal budget for the year 2014 was approved on March 18, 2014 and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget,

Now, therefore be it resolved by the Borough of Mantoloking, County of Ocean that the following amendments to the approved budget of 2014 be made

	<u>FROM</u>	<u>TO</u>
8. General Appropriations		
(A) Operations - Within "CAPS"		
Insurance		
Employee Group Health	326,494.00	327,404.00
Total Operations (Items 8(A)) Within "CAPS"	3,243,390.00	3,244,300.00
Total Operations including Contingent - Within "CAPS"	3,244,290.00	3,245,200.00
Detail:		
Other Expenses	1,521,414.00	1,522,324.00
(H-1) Total General Appropriations for Municipal Purposes within "CAPS"	3,583,590.00	3,584,500.00
8. General Appropriations		
(A) Operations - Excluded from "CAPS"		
Employee Group Health Insurance (P.L. 2007, C.62)	7,506.00	6,596.00
Total Other Operations - Excluded from "CAPS"	445,506.00	444,596.00
Total Operations - Excluded from "CAPS"	873,496.23	872,586.23
Other Expenses	719,496.23	718,586.23
(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	3,689,100.38	3,688,190.38
(O) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	3,689,100.38	3,688,190.38

Be it further resolved, that two certified copies of this resolution be filed forthwith to the office of the Director of Local Government Serviced for certification of the local municipal budget so amended.

E. RESOLUTION: ADOPTION OF THE 2014 MUNICIPAL BUDGET

WHEREAS, on March 18, 2014 Mayor & Council approved summary statements of revenues and appropriations and determined that they constitute the municipal budget for the year 2014 and **WHEREAS**, on the 22nd day of April, 2014 a public hearing on the 2014 municipal budget 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 budget for 2014.

Revenue and Appropriation Summaries

<u>Summary of Revenues</u>	<u>Anticipated Revenues</u>	
	<u>2014</u>	<u>2013</u>
1. Surplus	\$820,000.00	\$528,000.00
2. Total Miscellaneous Revenues	3,739,354.38	2,813,626.96
3. Receipts from Delinquent Taxes	35,000.00	70,000.00
4. Local Tax for Municipal Purposes	2,961,047.58	2,259,678.00
Total General Revenues	<u>\$7,555,401.96</u>	<u>5,671,304.96</u>

<u>Summary of Appropriations</u>	<u>Appropriations</u>	
	<u>2014</u>	<u>2013</u>
1. Operating Expenses: Salaries and Wages	\$1,876,876.00	\$1,629,920.00
Other Expenses	2,240,910.23	1,756,692.96
2. Deferred Charges and Statutory Expenditures	2,776,224.15	1,937,000.00
3. Capital Improvements	323,000.00	85,500.00
4. Debt Service	55,680.00	6,000.00
5. Reserve for Uncollected Taxes	282,711.58	256,192.00
Total General Appropriations	<u>\$7,555,401.96</u>	<u>\$5,671,304.96</u>

<u>Total Number of Employees (full and part-time)</u>	<u>33</u>	<u>59</u>
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Balance of Outstanding General Debt Obligations

Interest	\$0.00
Principal	0.00
Outstanding Balance at December 31, 2013	0.00

F. RESOLUTION: ESTABLISHMENT OF EMPLOYEE SALARIES FOR 2014

WHEREAS, the Mayor has recommended annual salaries for borough employees for 2014, 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 2014:

2014 REGULAR EMPLOYEES

<u>NAME</u>	<u>TITLE</u>	<u>SALARY</u>
Boettger, Elizabeth	Court Administrator	18,360.00
	Court Call Out Incidents (3HR. Minimum)	20.00/HR
DalCorso, Gary	Tax Assessor/Tax Appeal Agent	14,950.00
Dillon, Barbara Wooley-	Zoning & Land Use Official	25,500.00
Gilman, Laurence	Public Works Manager	61,973.85
	Janitor Services	44.69/HR
Hazelet, Lynne	Deputy Borough Clerk/Deputy Registrar/ Technical Assistant to Construction Off	40,430.21
	Planning Bd Recording Sec (3 HR Min)	25.00/HR
Heckman, William	Public Works Superintendent	78,370.58
Hulse, Paul Scott	Public Works Laborer	57,039.42
Konopada, Beverly	Police Dispatcher/Administrative Assistant 1/1/14-3/31/14	30,296.45
	Acting Municipal Clerk 4/1/13	
	Alt. Deputy Registrar 4/1/14-6/30/14	
	Registrar 7/1/14	500.00/month
Leuck, Priscilla	Administrative Assistant	36,308.41
Malvasio, Colleen	Administrative Assistant/TACO	38,760.00
	Planning Bd Recording Sec (3HR MIN)	25.00/HR
Popaca, Gregory	Police Officer 1/1/14-11/7/14	65,828.50
	11/8/14-12/31/14	72,276.98

Ryan, Irene	Municipal Clerk 1/1/14-6/30/14 Assessment Search Officer Public Agency Compliance Officer Insurance Commissioner Qualified Purchasing Agent Archives and Records Manager Contract Administrator Registrar of Vital Statics	95,953.26 200.00
Skinner, Tim	Construction Official/Acting Building Sub-code Official 1/1/14-4/11/14 Construction Official/Building Sub-Code Part-time 4/14/14	72,500.00 55.00/HR
Swisher, Michelle	Chief Financial Officer Tax Collector	80,566.00 12,414.63
Wills, Charles	Fire Official	3,504.62
Wright, Mark	Police Chief	130,960.50

2014 PART TIME/ SEASONAL EMPLOYEES

<u>NAME</u>	<u>TITLE</u>	<u>SALARY</u>
Applegate, Douglas	Deputy Construction Official Deputy Building Inspector Deputy Building Sub-code Inspector	28.00/HR 28.00/HR 28.00/HR
Morris, Samuel	Magistrate	1,492.14/Court Session
Safeer, Stuart	Acting Electrical Code Official	35.00/HR
Smith, Pat	Administrative Assistant	25.00/HR
Torrance, Robert	Acting Fire Subcode Official	35.00/HR
Newton, Lisa	Deputy Court Administrator Court Call-Outs (3hrs Min) Court Violations Clerk	15.00/HR 15.00/HR 100.00/Court Session

8. PUBLIC SAFETY COMMITTEE, Councilman McIntyre will present the monthly reports of the Police Department, Municipal Court, Fire Company, and Emergency Management and moves the following:

A. RESOLUTION : APPROVING PROFESSIONAL SERVICE AND MAINTENANCE CONTRACTS FOR 2014

RESOLVED the Mantoloking Borough Council authorizes the Mayor and Clerk to:

1. Execute the following service and maintenance agreements,
2. Make copies of the contracts available for inspection at the Clerk’s office during regular business hours, and
3. Publish notice of this action as a contract award without competitive bidding as professional services pursuant to N.J.S.A. 40:55D-24:

<u>Service</u>	<u>Contractor</u>	<u>Contract Amount</u>
<i>Public Defender</i>	<i>Margarie M. Herlihy, Esq.</i>	<i>\$250.00 per case \$100.00 Hr. for extra ordinary services</i>
<i>Police Physician</i>	<i>George Jarahian, Jr. M.D.</i> <i>General & Internal Medicine</i>	<i>\$327.00 Per examination</i>
<i>Deputy & Land Use Officer</i>	<i>Gregory Oross & Ervis Oross,Rehabco, Inc.</i>	<i>\$50.00/per hour effective 4/11/2014</i>
<i>Borough Architect</i>	<i>B.L.D.G Architecture, LLC</i>	

B. RESOLUTION: PROVIDING FOR AN AMENDMENT TO POLICE DEPARTMENT RULES AND REGULATIONS

9. PUBLIC WORKS COMMITTEE, Councilwoman Nelson will present reports from the Public Works Superintendent, Construction Official, and Land Use Officer and move the following:

A. RESOLUTION: PAYMENT NO. 15 – 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. 15, in the sum of

\$8,673.00; and

WHEREAS, the Borough Engineer, Lawrence Plevier, P.E. (Hatch Mott MacDonald) has recommended Payment Application No. 15 be paid, now, therefore, be it

RESOLVED, the Mantoloking Borough Council hereby approves payment of the claim.

B. RESOLUTION: ACCEPTANCE OF RESIGNATION, Timothy J. Skinner

RESOLVED, the Mantoloking Borough Council accepts the following resignation(s):

<u>Name</u>	<u>Position</u>	<u>Effective Date</u>
<i>Timothy J. Skinner</i>	<i>Construction Official and Building Subcode Official</i>	<i>April 11, 2014</i>

C. RESOLUTION: APPOINTMENT OF PERSONNEL

RESOLVED, Mantoloking Borough Council approves the following appointments with the terms and conditions indicated:

<u>Name</u>	<u>Position</u>	<u>Effective Date</u>	<u>Salary</u>
<i>Ronald J Pizar</i>	<i>PT Fire Subcode Official</i>	<i>March 27, 2014</i>	<i>\$4,500.00 / 2 hour per week. Anything over 2 hrs. rate is \$35.00 hr.</i>
<i>Timothy J. Skinner</i>	<i>PT Construction Official/Building Sub-Code</i>	<i>April 12, 2014</i>	<i>\$55.00/per hour</i>

D. RESOLUTION EXTENSION FOR LEASE ON TEMPORARY BOROUGH HALL

10. DUNE & BEACH RENOURISHMENT COMMITTEE, Councilman Strohm will present the Reports of the Dune & Beach Renourishment Committee and Ocean County Block Grant Program then move the following:

11. MUNICIPAL SERVICES COMMITTEE, Councilman Brown stated no report submitted for the Municipal Services Committee.

12. MANTOLOKING COMMITTEE, Councilman Chris Nelson will present the report of the Mantoloking Committee then move the following:

13. MAYOR AND COUNCIL COMMENTS

14. PUBLIC COMMENT PERIOD

15. EXECUTIVE SESSION (if required):

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.

16. OPEN SESSION (if required):

17. NEXT MEETING –

Council Workshop Meeting, Wednesday, May 14, 2014 at 8:30 a.m. at the Borough Temporary Offices, 340 Drum Point Road, Brick, NJ

Regular Council Meeting, Tuesday, May 20, 2014 at 5:30 p.m. at the Mantoloking Yacht Club, 1224 Bay Avenue, Mantoloking, NJ

18. ADJOURNMENT

