



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

**A. RESOLUTION: PROMOTION OF JON WILLIAM MEYER TO THE RANK OF SERGEANT IN THE POLICE DEPARTMENT OF THE BOROUGH OF MANTOLOKING**

**WHEREAS**, upon the recommendation of the Chief of Police, Stacy Ferris, the Mayor and Council are pleased to announce the promotion of Patrolman Jon William Meyer to the position of Sergeant in the Mantoloking Police Department; and

**WHEREAS**, Patrolman Jon William Meyer has served as a Patrolman, Detective and Traffic Safety Officer for the Borough of Mantoloking Police Department since December 18, 2006. Based on his exemplary service and dedication to duty, Patrolman Meyer embodies the leadership qualities and skill set that is in line with our community policing model.

**NOW, THEREFORE**, this 6<sup>th</sup> day of January , 2015, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, that Patrolman Jon William Meyer is promoted to the rank of Sergeant effective January 1, 2015.

Acting Borough Clerk, Beverley Konopada, will administer the Oath of Office to Sergeant Meyer.

**B. RESOLUTION: APPOINTMENT OF PERSONNEL**

**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	Notes
Kelly Burdge	Administrative Assistant FEMA Reimbursement Manager Matron Confidential Police Secretary Discovery Terminal Access Coordinator Dispatcher <b>Effective Date:</b> December 1, 2014	\$45,000.00	

**C. RESOLUTION: APPROVING PROFESSIONAL SERVICE AND MAINTENANCE CONTRACT FOR 2015**

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

9. **FINANCE COMMITTEE**, Councilman Gillingham will present the monthly finance report and moves the following six resolutions:

A. **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 2015 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 2015 Appropriation Reserve balances

<u>DEPARTMENT</u>	<u>TO</u>	<u>FROM</u>
TBD		

**B. 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 November 30, 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					
2013 Appropriation Reserve					
2012 Emergency Appropriations					
Sandy Emergency #1					
Sandy Emergency #2					
Sandy Emergency #3					
Subtotal Sandy Emergency					
Capital					

**C. RESOLUTION: PAYMENT OF BILLS FOR THE MONTH OF JANUARY 2015**

**WHEREAS**, the Municipal Finance Officer presented a list of bills in the total Amount of \$ \_\_\_\_\_ 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.

**D. RESOLUTION: AUTHORIZE THE AWARD OF CONTRACTS FOR 2015 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 6, 2015 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

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, McManimon, Scotland & Baumann  
Bond Ordinance \$600.00

Note Sales: For services rendered in connection with each note sale, a fee equal to the hourly rates reflected in paragraph 7 below, with a minimum fee of \$.50 per thousand dollars of notes issued up to \$15,000,000 of notes issued and \$.40 per \$1,000 of notes in excess of \$15,000,000. If more than one series of notes are issued, there will be an additional charge of \$500 for each such additional series

Bond Sales: For services rendered in connection with each bond sale, a fee of \$3,500, plus \$1.00 per thousand dollars of bonds issued for the first \$15,000,000 of bonds issued and \$.75 per thousand dollars of bonds issued in excess of \$15,000,000. If there is more than 1 series of bonds issued, there will be an additional charge of \$1,000 for each such additional series.

Refunding Bond Issue: In the event of a refunding bond issue consistent with the provisions of the Internal Revenue Code to provide for the payment of a prior issue of bonds, there will be an additional fee of \$5,000 for each refunded issue.

Arbitrage Compliance: For services rendered in connection with arbitrage compliance and related tax analysis, a fee of \$250.

Credit Enhancement: In the event that a letter of credit, bond insurance, or similar credit enhancement facility is used in connection with either a bond or note issue, an additional fee of \$1,000 will be charged.

Hourly Fees: Services rendered on an hourly basis, including preparation of an application to and an appearance before the Local Finance Board, attendance at meetings, litigation, continuing disclosure undertakings and preliminary and final official statement or other offering or disclosure document work, will be billed at the blended hourly rate of \$215 per hour for attorneys and \$135 per hour for legal assistants.

Out of Pocket Expenses: Reasonable and customary out of pocket expenses and other charges, including but not limited to, photocopying, express delivery charges, travel expenses, telecommunications, telecopy, filing fees, computer-assisted research, book binding, messenger service or other costs advanced on behalf of the Client, shall be added to the fees referred to herein.

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.

**E. RESOLUTION : AUTHORIZED MISCELLANEOUS SUPPLY, SERVICE AND MAINTENANCE CONTRACTS FOR 2015**

**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:

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.

**F. RESOLUTION: OFFICIAL PERSONNEL DESIGNATION**

**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	Notes
Beverley Konopada	Acting Borough Clerk Assessment Search Officer Public Agency Compliance Officer-PACO Insurance Commissioner Records Project Manager-DARM Contract Administrator for Solid Waste Local Registrar of Vital Statistics <b>Effective</b> January 1, 2015	\$54,000.00	

**10. PUBLIC WORKS COMMITTEE**, Councilwoman Nelson will present reports from the Public Works Superintendent, Construction Official, and Land Use Officer and moves the following two resolutions:

**A. RESOLUTION: AUTHORIZE THE AWARD OF CONTRACTS FOR 2015 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 6, 2015 indicating they will provide their listed services:

<u>POSITION</u>	<u>OFFICIAL</u>	<u>CONTRACT AMOUNT</u>	<u>BUSINESS NAME</u>
Borough Engineer Stormwater Program Coordinator Ocean County Block Grant Program Representative	Lawrence Plevier P.E.	\$48- \$200/Hour + Misc Exp	Hatch, Mott, MacDonald
Assistant Engineer Municipal Planner Dune Inspector Flood Plain Manager Community Rating System Coordinator	Robert Mainberger, P.E.	\$48 -\$200/Hour + Misc Exp	Hatch, Mott, MacDonald    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.

**B. RESOLUTION : AUTHORIZED MISCELLANEOUS SUPPLY, SERVICE AND MAINTENANCE CONTRACTS FOR 2015**

**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>
Construction Official Computer Software Annual	Mitchell Humphrey & Co.	\$2,205.00

11. **DUNE & BEACH RENOURISHMENT COMMITTEE**, Councilman Strohm will present the Reports of the Dune & Beach Renourishment Committee and Ocean County Block Grant Program moves the following resolution:

**A. RESOLUTION: AUTHORIZED OTHER PROFESSIONAL SERVICE AND MAINTENANCE CONTRACTS FOR 2015**

**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 NAME</u>
Dune Consultant Coastal Res. Ctr.	Dr. Stewart Farrell	Monitor Beaches: (Not to exceed) \$21,695.66/Ann.; Meetings: \$1,370.49/Meet; Requested Special Services: \$6,999.45	Stockton College

12. **MUNICIPAL SERVICES COMMITTEE**, Councilman Laymon will present the report of the Municipal Services Committee.

13. **MANTOLOKING COMMITTEE**, Councilman Chris Nelson will present the report of the Mantoloking Committee.

14. **MAYOR AND COUNCIL COMMENTS:**

15. **PUBLIC COMMENTS PERIOD:**

16. **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.

17. **OPEN SESSION AS NECESSARY:**

18. **NEXT MEETING:**

Regular Council Meeting, Tuesday, February 10, 2015 at 5:30 p.m. at the Mantoloking Yacht Club, 1224 Bay Avenue, Mantoloking, NJ

19. **ADJOURNMENT:**

