

DRAFT NO. 1-07/11/2018 **THE BOROUGH OF MANTOLOKING**
MAYOR AND COUNCIL

MINUTES - COUNCIL AGENDA SETTING MEETING
July 10, 2018
Mantoloking Yacht Club
1224 Bay Avenue
Mantoloking, New Jersey

The Council Agenda Setting Meeting of the Mayor and Council was held this day in the Mantoloking Yacht Club, Mantoloking, New Jersey.

1. **CALL TO ORDER:** Mayor George C. Nebel called the meeting to order at 5:30 p.m.

2. **OPEN PUBLIC MEETING STATEMENT:** Mayor George C. Nebel 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:**

<u>COUNCIL</u>	<u>PRESENT</u>	<u>ABSENT</u>	<u>LATE</u>	<u>DIAL -IN</u>
Council President White	X			
Councilman Gillingham	X			
Councilman Amarante				X
Councilman Nelson	X			
Councilwoman O'Mealia	X			
Councilman Rzemieniewski	X			
Mayor George C. Nebel	X			
<u>ALSO PRESENT</u>				
Beverley A. Konopada, Borough Clerk	X			
Jean Cipriani, Borough Attorney	X			
Lynne Hazelet, Deputy Clerk	X			
April Yezzi, CFO, CTC, QPA	X			
Chief Stacy Ferris	X			

4. **PLEDGE OF ALLEGIANCE:** Mayor George C. Nebel led the assembly in the Pledge of Allegiance.

5. RESOLUTION: MINUTES OF PREVIOUS MEETINGS

RESOLVED, the Mantoloking Borough Council approves the following minutes as printed and distributed.

Council Agenda Setting Meeting- June 6, 2018
Council Regular Business Meeting- June 12, 2018
Closed Session- March 20, 2018

6. PRIVILEGE OF THE FLOOR: Mayor George C. Nebel will open the meeting for public comment and questions about the agenda.

7. MUNICIPAL SERVICES COMMITTEE, Council President White will present the monthly reports from the Public Works Superintendent, Construction Official, Land Use Officer and Building Committee and moves the following resolution.

A. RESOLUTION: PILOT PROGRAM FOR CONTRACTOR PARKING PASSES

Fee \$40.00 per pass/ 3 per contractor

Councilman Nelson asked how many parking passes for each job site.

Councilman White explained three passes per site and the contractor may pass the parking pass on to the next subcontractor.

Councilwoman O'Mealia asked if three passes were enough. Chief Ferris responded yes.

8. FINANCE COMMITTEE, Councilman Gillingham will present the monthly finance report and moves the following resolutions.

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

BOROUGH OF MANTOLOKING
Financial Report for the Month of May 31, 2018

Status of the Budget on May 31, 2018

FUND	APPROPRIATION	BALANCE LAST MONTH	EXPENDED DURING MONTH	ENCUMBERED DURING MONTH	APPROPRIATION BALANCE
2018 TEMPORARY BUDGET- CURRENT	\$2,879,130	\$4,165,015	\$1,748,956	\$120,665	\$2,295,394
2018 CAPITAL FUND	\$4,563,899	\$1,718,549	\$2,500	\$0	\$1,716,049
2017 Appropriation Reserves	\$525,079	\$322,403	\$560	\$0	\$321,843
SANDY EMERGENCY FUNDS	\$198,091	\$198,091	\$51,523	\$0	\$146,568
(Subcategory of Capital Fund)					
Construction-Municipal Building	\$5,072,712	\$2,283,000	\$199,756	\$1,646,850	\$436,394
TOTAL	\$13,238,910	\$8,687,057	\$2,003,295	\$1,767,515	\$4,916,247

(a)

Receipts, Disbursements and Changes in Cash Balance During the Month of May 31, 2018

FUND	CASH BALANCE JANUARY 1, 2018	CASH BALANCE BEGINNING OF MONTH	CASH RECEIVED	CASH DISBURSED	CASH BALANCE END OF MONTH
2018 CURRENT FUND	\$6,057,796	\$3,126,287	\$1,116,309	(\$295,279)	\$3,947,317
CAPITAL FUND	\$4,862,225	\$5,012,696	\$0	(\$540,464)	\$4,472,232
ANIMAL CONTROL FUND	\$139	\$173	\$0	\$0	\$173
OTHER TRUST FUNDS	\$501,673	\$503,379	\$2,502	(\$420)	\$505,461
PAYROLL ACCOUNT	\$14,240	\$505,461	\$1,201	(\$225)	\$506,437
UNEMPLOYMENT ACCOUNT	\$29,756	\$26,509	\$2	(\$2,121)	\$24,391
LAW ENFORCEMENT TRUST	\$2,837	\$2,838	\$0	\$0	\$2,838
TOTAL	\$11,468,666	\$9,177,344	\$1,120,014	(\$838,509)	\$9,458,848

(a) Balances encumbered were cancelled thereby increasing the available balance.

(b) This information is specific to Ordinance #656 Construction of Municipal Building. The encumbrance amount is not paid but reserved for future payment based on contractual obligations.

B. RESOLUTION: PAYMENT OF BILLS

WHEREAS, the municipal finance officer has presented

- A list of bills in the amount of \$289,310.94 with the recommendation they be paid, and
- A list of bills in the amount of \$141,931.39 that have been paid with the approval of the municipal clerk and the mayor, now, therefore, be it

RESOLVED, the council approves the payment of all the bills and directs that a copy of these lists be attached to and made part of the minutes of this meeting.

C. RESOLUTION: MEMORIALIZING THE EXTENSION OF GRACE PERIOD FOR SECOND TAX QUARTER FOR 2018

RESOLUTION: MEMORIALIZING THE EXTENSION OF THE GRACE PERIOD TO (date to be determined), FOR THE AUGUST 1ST, 2018 TAX QUARTER DUE TO DELAY IN MAILING THE TAX BILLS

WHEREAS, State Statute provides that the Grace Period must be extended to allow for 25 days from the date of the mailing of the tax bills for payments of the August 1, 2018 tax quarter to be made without interest, and;

WHEREAS, The Tax Collector has set the last day to pay the August 1st, 2018 tax quarter at (date to be determined), being the next business day after the 25 calendar days from the date the tax bills were mailed, and;

WHEREAS, The extension only applies to the August 1, 2018 tax quarter. The normal Borough grace period will apply to all other tax quarters on the bill.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mantoloking, in the County of Ocean, State of New Jersey as follows:

1. The Governing Body of Mantoloking Borough memorializes the extension of the grace period to (date to be determined) for the August 1, 2018 tax quarter and recognizes that the normal Borough grace period will apply to all other quarters on the tax bill.

D. RESOLUTION REQUESTING A TAX REFUND OF OVERPAYMENT OF TAXES DUE TO DUPLICATE PAYMENTS

WHEREAS, a duplicate tax payment was made on the 2nd and 3rd quarter 2018 property taxes on property owned by Caputo, John & Linda, for the fiscal year 2018; and,

WHEREAS, such duplicate payments have resulted in an overpayment of 2018 property taxes in the amount of \$4,135.60 and said property owner is requesting a refund of this overpayment in a total refund amount of \$4,135.60,

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Mantoloking, County of Ocean, State of New Jersey, that the Chief Financial Officer be hereby authorized to issue a check in the amount of \$4,135.60 for said overpayment for the property known as Block 7, Lot 6 aka 973 Ocean Avenue, Mantoloking, New Jersey to John and Linda Caputo, 973 Ocean Avenue, P. O, Box 228, Mantoloking, New Jersey as property owner.

BE IT FINALLY RESOLVED, that a certified copy of this Resolution be forwarded to the Tax Collector, Chief Financial Officer and property owner.

PUBLIC HEARING: Mayor Nebel will open the meeting to the public on Ordinance No. 680

E. ADOPTION OF ORDINANCE # 680 AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATIONS LIMITS AND TO ESTABLISH A CAP BANK

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit an increase in said budget to 2.50%, or the cost of living adjustment, whichever is less, unless authorized by ordinance to increase it to 3.50% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 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 3.50% 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 2018 budget by up to 3.50% 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 determined that a 3.50% increase in the budget for said year, amounting to \$143,710.98 of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is 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 an exception to the 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 2018 budget year, the final appropriations of the Borough of Mantoloking shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.50% amounting to \$143,710.98 and the CY 2018 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.

ROLL CALL VOTE:

F. RESOLUTION TO AMEND THE 2018 MUNICIPAL BUDGET

SEE ATTACHMENT

ROLL CALL VOTE:

PUBLIC HEARING: Mayor Nebel will open the meeting to the public for the 2018 Municipal Budget.

G. RESOLUTION: ADOPTION OF THE 2018 MUNICIPAL BUDGET

SEE ATTACHMENT

ROLL CALL VOTE:

9. **PUBLIC SAFETY COMMITTEE**, Councilman Rzemieniewski will present the monthly reports of the Police Department, Municipal Court, Fire Company, and Emergency Management and moves the following resolution.

A. RESOLUTION: APPOINTMENT OF PERSONNEL SEASONAL PART-TIME

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

Name	Position	Effective Date	Salary
Coral Cooper	Badge Checker	6/18/18-9/15/18	\$10.00
Flavia Cornejo	Badge Checker	6/18/18-9/15/18	\$10.50

10. **DUNE & BEACH COMMITTEE**: Councilman Nelson will present the reports of the Dune & Beach Committee and Ocean County Block Grant Program.

11. **ENVIRONMENTAL COMMITTEE** Councilwoman O’Mealia will present the report of the Environmental Committee.

Councilwoman O’Mealia stated that the Environmental commission has accepted Councilman White’s resignation from the committee. She announced that Barbara Turro will fill the unexpired term.

12. **MUNICIPAL RELATIONS COMMITTEE** Councilman Amarante will present the report of the Mantoloking Relations Committee.

13. **MAYOR AND COUNCIL COMMENTS**

Councilwoman O’Mealia talked about looking at 6 weeks of the lifeguard program and how to run a review process. She suggested that we engage services of a facilitator and not appoint a committee. Councilman Rzemieniewski agreed.

Councilwoman O’Mealia explained that she had spoken with the municipal consultant and has a package she can share.

Mayor Nebel responded that this idea was put to rest at a staff meeting.

Councilwoman O’Mealia expressed that all council members were not present and there should be a discussion, Councilman White agreed.

Councilman Nelson explained that we have professionals within our borough team, Chief Stacy Ferris, April Yezzi, CFO, Scott Hulse, Public Works’ Manager, and Bob Mainberger, PE., to analyze the data. It doesn’t make sense to spend money for someone to gather numbers. He also wanted to know what this consultant’s beach experience was.

Councilwoman O’Mealia said the cost of the project is \$2,500. She is concerned with the process evolving into chaos with many differences of opinions as it did with the lifeguard project. The goal is to look for an impartial and objective solution.

Councilman Rzemieniewski wanted to know why there was a \$.50 difference in pay for badge checkers. Chief Ferris, explained that one person has been working as a badge checker for several years.

14. PUBLIC COMMENTS PERIOD

Joann Lygas, 970 Barnegat Lane, had a question regarding the budget. Since there has been a significant increase in new homes why are 2017 and 2018 equal.

Councilman Gillingham explained that the assessed values have gone up since last tax rate was struck.

April Yezzi, Chief Financial Officer, advised that once a home gets a Certificate of Occupancy and the Tax Assessor goes out and assesses the home and property, then it will be put on the tax rolls.

Carol Leone, 1019 Ocean Ave., wanted to thank Scott Hulse, Public Works Manager, for the beautiful work he did on the portable sanitary facility at the end of Lyman Street.

15. NEXT MEETING:

Council Regular Business Meeting, Tuesday, July 17, 2018 at 5:30 p.m. at the Mantoloking Yacht Club, 1224 Bay Avenue, Mantoloking, NJ

16. ADJOURNMENT

There being no further business for this meeting, Councilman Rzemieniewski motioned to adjourn. The motion was seconded by Councilman White and approved by unanimous voice vote at 5:49 p.m.

Respectfully submitted,

Beverley A. Konopada,
Borough Clerk