

DRAFT NO. 1–11/14/2018 **THE BOROUGH OF MANTOLOKING**
MAYOR AND COUNCIL

COUNCIL REGULAR BUSINESS MEETING

November 20, 2018

5:30 p.m.

Mantoloking Yacht Club

1224 Bay Avenue

Mantoloking, New Jersey

The Council Agenda Setting 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. **RESOLUTION: MINUTES OF PREVIOUS MEETINGS**

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

Council Agenda Setting Meeting- October 9, 2018

Executive Session- October 9, 2018

Council Regular Business Meeting- October 16, 2018

Executive Session – October 16, 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 resolutions.
- A. **RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, REAPPOINTING BEVERLEY A. KONOPADA AS BOROUGH CLERK FOR THE BOROUGH OF MANTOLOKING**

WHEREAS, there exists a need to appoint a Borough Clerk for the Borough of Mantoloking due to the expiration of the current term on December 31, 2018; and

WHEREAS, Ms. Beverley A. Konopada is duly qualified to be reappointed to the position of Borough Clerk; and

WHEREAS, N.J.S.A. 40A:9-133 provides that the Borough Clerk shall be appointed for a term of three years; and

WHEREAS, it is the desire of the governing body to reappoint Ms. Beverley A. Konopada to serve as Borough Clerk for the Borough of Mantoloking, effective January 1, 2019, for a term of three years in accordance with the provisions of N.J.S.A.40A:9-133.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Mantoloking, County of Ocean, State of New Jersey as follows:

1. That the Mayor and Borough Council hereby appoint Ms. Beverley A. Konopada as the Borough Clerk to serve for a term of three years in accordance with the provisions of N.J.S.A. 40A:9-133, said term ending on December 31, 2021.
2. Based on provisions of N.J.S.A. 40A:9-133.7 including Ms. Konopada's initial appointment and her subsequent re-appointment, she is hereby granted tenure in the position of Borough Clerk.
3. That a certified copy of this resolution shall be forwarded to the Chief Financial Officer and Ms. Beverley A. Konopada.

- B. **RESOLUTION : PROVIDING FOR APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION MA-2019-BARNEGAT LANE(NORTH SECTION) IMPROVEMENT PROJECT- 00664**

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Mantoloking formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Council and Clerk are hereby authorized to submit an electronic grant application identified as MA-2019-Barnegat Lane (North Section) Improv-00664 to the New Jersey Department of Transportation on behalf of the Borough of Mantoloking.

BE IT FURTHER RESOLVED that Mayor and Council and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Mantoloking and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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 SEPTEMBER 30, 2018**

Status of the Budget on September 30, 2018

FUND	APPROPRIATION	BALANCE LAST MONTH	EXPENDED DURING MONTH	ENCUMBERED DURING MONTH	APPROPRIATION BALANCE
2018 ADOPTED BUDGET- CURRENT	\$6,324,802	\$2,149,665	\$168,973	\$124,168	\$1,856,523
2018 CAPITAL FUND	\$4,563,899	\$1,480,150	\$454	\$0	\$1,479,696
2017 Appropriation Reserves	\$525,079	\$321,393	\$2,560	\$24,764	\$294,069
SANDY EMERGENCY FUNDS	\$198,091	\$198,091	\$51,523	\$0	\$146,568
(Subcategory of Capital Fund)					
Construction-Municipal Building	\$5,072,712	\$187,339	\$0	\$63,052	\$124,287
TOTAL	\$16,684,582	\$4,336,638	\$223,510	\$211,985	\$3,901,143

(a)

Receipts, Disbursements and Changes in Cash Balance During the Month of September 30, 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	\$1,766,973	\$1,259,652	(\$321,368)	\$2,705,257
CAPITAL FUND	\$4,862,225	\$4,166,108	\$0	(\$239,843)	\$3,926,265
ANIMAL CONTROL FUND	\$139	\$181	\$0	(\$1)	\$179
OTHER TRUST FUNDS	\$501,673	\$513,128	\$818	(\$1,425)	\$512,521
PAYROLL ACCOUNT	\$14,240	\$62,871	\$181,581	(\$192,587)	\$51,865
UNEMPLOYMENT ACCOUNT	\$29,756	\$24,691	\$3	\$0	\$24,694
LAW ENFORCEMENT TRUST	\$2,837	\$2,839	\$0	\$0	\$2,839
TOTAL	\$11,468,666	\$6,536,790	\$1,442,055	(\$755,224)	\$7,223,620

(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 \$318,701.08 with the recommendation they be paid, and
- A list of bills in the amount of \$95,319.04 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: TRANSFERRING CURRENT YEAR APPROPRIATIONS #1-2018

WHEREAS, N.J.S.A. 40A: 4-58 provides for transfers within certain appropriations within the Municipal Budget during the last two months of the fiscal year; and

WHEREAS, the Chief Financial Officer has advised the Mayor and Council of the Borough of Mantoloking that the need for certain transfers within the 2018 Appropriation exists; and

WHEREAS, it is recommended that these budget transfers be made in the 2018 Municipal Budget;

NOW, THEREFORE BE IT RESOLVED, that the following budget transfers be made in the 2018 Municipal Budget:

<u>DEPARTMENT</u>		<u>TO</u>	<u>FROM</u>
Municipal Clerk	SW		\$ 5,000.00
Municipal Clerk	OE	\$ 10,000.00	
Auditing	OE		\$ 2,500.00
Tax Assessor	SW	\$ 500.00	
Tax Assessor	OE	\$ 1,500.00	
Legal	OE	\$25,000.00	
Planning Board	OE		\$15,000.00
Construction	SW		\$ 4,500.00
Construction	OE		\$ 3,500.00
Liability Insurance	OE	\$13,000.00	
Sub-Code Official Plumbing	SW		\$ 1,500.00
Sub-Code Official – Fire	SW		\$ 2,000.00
Sub-Code Official – Electrical	SW		\$ 4,500.00
Road Repairs	SW		\$10,000.00
Road Repair	OE		\$14,100.00
Buildings & Grounds	OE		\$ 5,000.00
Dog	OE	\$ 600.00	
Beach Guards SW – Summer Quad Beach Patrol	SW	\$ 9,000.00	
Beach Guards	OE		\$ 9,000.00
Beach Maintenance	OE	\$25,000.00	
Utilities – Fire Hydrant	OE		\$ 5,000.00
Social Security	OE		\$ 3,000.00
Police	SW	\$26,369.48	
Police	OE		\$26,369.48
Total		\$ 110,969.48	\$ 110,969.48

D. RESOLUTION: ACCEPTING BEST PRACTICES 2018 CHECK LIST

WHEREAS, the Borough of Mantoloking is required by statute to complete the Best Practices Check List as instituted by the Division of Local Government Services, and

WHEREAS, the Best Practices Check List is a constructive way to encourage municipalities to consider and embrace a range of best practices that will help improve financial accountability and transparency, and.

WHEREAS the inventory results for 2018 are as follows: 38 yes, 5 no, 12 N/A, and 6 prospective for a total percentage of 92% with no State Aid to be withheld,

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Mantoloking hereby approves the Best Practices Check List as required by the State of New Jersey Department of Community Affairs for the 2018 Budget Year.

E. RESOLUTION: AMENDMENT TO ESTABLISHED EMPLOYEES SALARIES FOR 2018 AND 2019

<u>NAME</u>	<u>POSITION</u>	<u>EFFECTIVE DATE</u>	<u>SALARY</u>
Ronald J. Pizar	Fire Subcode Official	January 1, 2018	\$5,076.83
Ronald J. Pizar	Fire Subcode Official	January 1, 2019	\$5,203.75

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 resolutions.

A. RESOLUTION: SHARED SERVICE AGREEMENT WITH OCEAN COUNTY PROSECUTOR'S OFFICE DRUG RECOGNITION EXPERT CALLOUT PROGRAM

WHEREAS, it is deemed to be in the public interest to participate in the Ocean County "Drug Recognition Expert Callout Program" (hereinafter referred to as D.R.E.C.P.); and

WHEREAS, the purpose of this program is to identify and remove drug impaired drivers from the roadway; and

WHEREAS, the D.R.E.C.P. receives funding from the State of New Jersey and County of Ocean; and

WHEREAS, the Shared Services Act, N.J.S.A. 401:8A-1 et seq., authorizes local units as defined in the Act to enter into a joint agreements for the provision of governmental services; and

WHEREAS, the Municipality wishes to enter into an Agreement with the County for purpose of setting forth the terms and conditions regarding the assignment of police offers employed by the Municipality to the D.R.E.C.P.; and

WHEREAS, all the terms and conditions of the proposed Shared Services Agreement have been reviewed by counsel; and

IT IS NOW, THEREFORE, this 20th day of November, 2018, **RESOLVED** by the Mayor and Council

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

B. RESOLUTION: SHARED SERVICE AGREEMENT WITH OCEAN COUNTY PROSECUTOR'S OFFICE DRIVING WHILE INTOXICATED ENFORCEMENT PROGRAM

WHEREAS, it is deemed to be in the public interest to participate in the Ocean County “Driving While Intoxicated Enforcement Program” (hereinafter referred to as D.W.I.E.P.); and;

WHEREAS, the purpose of this program is to identify and remove intoxicated drivers from the roadway; and

WHEREAS, the D.W.I.E.P. receives funding from the State of New Jersey and County of Ocean; and

WHEREAS, the Shared Services Act, N.J.S.A. 401:8A-1 et seq., authorizes local units as defined in the Act to enter into a joint agreements for the provision of governmental services; and

WHEREAS, the Municipality wishes to enter into an Agreement with the County for purpose of setting forth the terms and conditions regarding the assignment of police offers employed by the Municipality to the D.W.I.E.P.; and

WHEREAS, all the terms and conditions of the proposed Shared Services Agreement have been reviewed by counsel; and

IT IS NOW, THEREFORE, this 20th day of November, 2018, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County New Jersey, that the Borough shall participate in the Shared Services Agreement and the Mayor and Clerk are authorized to execute the Agreement in the form annexed.

C. RESOLUTION: SHARED SERVICE AGREEMENT “MOVE OVER” LAW ENFORCEMENT PROGRAM

WHEREAS, it is deemed to be in the public interest to participate in the Ocean County “Move Over Law Enforcement Program” (hereinafter referred to as M.O.L.E.P.); and;

WHEREAS, the purpose of this program is to identify, educate and remove reckless drivers from the roadway; and

WHEREAS, the M.O.L.E.P. receives funding from the State of New Jersey and County of Ocean; and

WHEREAS, the Shared Services Act, N.J.S.A. 401:8A-1 et seq., authorizes local units as defined in the Act to enter into a joint agreements for the provision of governmental services; and

WHEREAS, the Municipality wishes to enter into an Agreement with the County for purpose of setting forth the terms and conditions regarding the assignment of police offers employed by the Municipality to the M.O.L.E.P.; and

WHEREAS, all the terms and conditions of the proposed Shared Services Agreement have been reviewed by counsel; and

IT IS NOW, THEREFORE, this 20th day of November, 2018, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County New Jersey, that the Borough shall participate in the Shared Services Agreement and the Mayor and Clerk are authorized to execute the Agreement in the form annexed.

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.

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

13. **MAYOR AND COUNCIL COMMENTS**

14. **PUBLIC COMMENTS PERIOD**

15. **NEXT MEETING:**

Council Agenda Setting Meeting, Tuesday, December 11, 2018 at 5:30 p.m. at the Mantoloking Yacht Club, 1224 Bay Avenue, Mantoloking, NJ

16. **ADJOURNMENT**