

THE BOROUGH OF MANTOLOKING
MAYOR AND COUNCIL

MINUTES - AGENDA OF THE AGENDA-SETTING MEETING
January 8, 2019
MANTOLOKING FIREHOUSE
202 DOWNER AVENUE
MANTOLOKING, NEW JERSEY

An agenda-setting meeting of the Mayor and Council was held this day in the Mantoloking Firehouse.

1. **CALL TO ORDER** Mayor White called the meeting to order at 5:30 p.m.
2. **OPEN PUBLIC MEETING STATEMENT:** Mayor White 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 Gillingham	X			
Councilman Batcha	X			
Councilman Amarante				X
Councilman Nelson	X			
Councilman Rzemieniewski				X
Mayor White	X			
<u>ALSO PRESENT</u>				
Beverly A. Konopada, Borough Clerk	X			
Robin LaBue, Borough Attorney	X			
Lynne Hazelet, Deputy Clerk	X			
April Yezzi, CFO, CTC, QPA	X			
Chief Stacy Ferris		X		

4. **PLEDGE OF ALLEGIANCE** Mayor White led the assembly in the Pledge of Allegiance.
5. **PRIVILEGE OF THE FLOOR:** Mayor White opened the meeting for public comment and questions about agenda items only.

No comments were made.

7. **NEW BUSINESS:** The Mayor and council committee chairpersons will be previewing reports and proposing legislative action for inclusion on the January 15, 2019 regular business meeting of the council, in the form attached hereto.

- A. **Finance Committee:** Councilman Amarante
- B. **Public Safety Committee:** Councilman Gillingham
- C. **Dune and Beach Committee:** Councilman Nelson
- D. **Municipal Services Committee:** Mayor White

- E. Municipal Relations Committee: Councilman Rzemieniewski
- F. Strategic Planning Committee: Councilman Nelson
- G. Environmental Committee: Councilman Batcha

8. MAYOR AND COUNCIL COMMENTS

Mayor White discussed the sink holes north of Lyman Street. The beaches are being monitored and these areas will be marked accordingly.

Councilman Amarante wanted to know if there was only one sink hole and was it located by the rock revetment. The Army Corp. is working to correct the problem by the rock revetment.

Public Works Manager Scott Hulse met with Weeks Marine and the Army corp. He advised the public to use the walkways. Signs will be installed.

Councilman Nelson will be in Florida for next week's meeting.

Councilman Batcha will address the recycling issue with Claudia Larsen, Peter Flihan and Don Ness to come up with a plan to disseminate information to all residents so we won't be rejected again. He will be attending an Environmental Commission meeting on Monday and will report back at Tuesday's meeting.

9. PUBLIC COMMENT PERIOD

Jim Brown, 985 Barnegat Lane, asked if the sink hole at Lyman Street was by the sewer. Public Works Manager Scott Hulse was not aware of this sink hole. The town will look at this area.

Mr. Brown also asked the council to provide clear information regarding plastics for recycling and to address cans blowing all over the streets.

Joann Lygas, 970 Barnegat Lane, had a suggestion to re-examine dune fines and raise them from \$100 to \$1,000.

10. NEXT MEETING: Council Meeting, Tuesday, January 15, 2019
Mantoloking Fire House, 202 Downer Avenue, Mantoloking, NJ 08738

11. ADJOURNMENT:

There being no further business for this meeting, it was motioned by Councilman Rzemieniewski to adjourn. The motion was seconded by Councilman Nelson and approved by unanimous voice vote at 5:40 p.m.

ANTICIPATED ACTION ITEMS FOR MEETING OF JANUARY 15TH:

REPORT OF THE FINANCE COMMITTEE

Committee Chairperson Amarante proposes the following for this month's regular business meeting:

MONTHLY REPORTS of the Finance Officer.

RESOLUTION NO. 2019 -27

RESOLUTION THE REPORT OF THE MUNICIPAL FINANCE OFFICER

RESOLUTION NO. 2019 –28
RESOLUTION: PAYMENT OF BILLS

RESOLUTION NO. 2019 –29
RESOLUTION: TO ADOPT APPROPRIATION RESERVE TRANSFER #3

RESOLUTION NO. 2019 –30
RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, REAPPOINTING APRIL YEZZI AS CERTIFIED TAX COLLECTOR

RESOLUTION NO. 2019 –31
RESOLUTION AUTHORIZING THE SALE OF MUNICIPAL PROPERTY TO THE HIGHEST BIDDER

RESOLUTION NO. 2019 –32
RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A TAX REFUND DUE TO OVER PAYMENT

RESOLUTION NO. 2019 –33
RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, PROVIDING FOR A REFUND OF ESCROW ACCOUNT

RESOLUTION NO. 2019- 34
RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPOINTING MEGHAN BENNETT CLARK, OF THE FIRM GLUCKWALRATH, LLP. AS BOND COUNSEL FOR THE BOROUGH OF MANTOLOKING

WHEREAS, there exists a need for Bond Counsel for the Borough of Mantoloking as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, it has been determined and certified in writing that the anticipated value of the contract will exceed \$17,500; and

WHEREAS, the Mayor and governing body have reviewed the proposals submitted and recommended that Meghan Bennett Clark, be appointed as Bond Counsel; and

WHEREAS, the performance of the services requires knowledge of an advanced type in a field of learning pursuant to N.J.S.A. 40A:11-2 and the Borough has determined that Meghan Bennett Clark , has the ability and expertise to perform the Bond Counsel Services required by the Borough; and

WHEREAS, Meghan Bennett Clark , of firm Gluckwalrath, LLP., has completed and submitted a Business Entity Disclosure Certification which certifies that neither he nor the firm have 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 , Meghan Bennett Clark, and the firm of Gluckwalrath, LLP, from making any reportable contributions to a political or candidate committee in the Borough of Mantoloking through the term of the contract; and

WHEREAS, the Chief Financial Officer has certified that there are funds available for this contract, which certification is annexed hereto; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., authorizes the award of contracts for “Professional Services” and requires that the resolution and contract be made available for public inspection.

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

1. That Meghan Bennett Clark , of the firm Gluckwalrath, LLP, is hereby appointed as Bond Counsel for the Borough of Mantoloking for a term of one (1) year, commencing January 1, 2019, and ending December 31, 2019. Meghan Bennett Clark , shall be compensated services rendered to the Borough for the calendar year 2019. Meghan Bennett Clark , and the firm Gluckwalrath, LLP, may perform additional legal services pursuant to the agreement attached hereto and incorporated herein as Schedule A.
2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to, respectively, the agreement with Meghan Bennett Clark attached hereto and incorporated herein as Schedule A.in accordance with the provisions of this resolution.
3. That this contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts law because it is for services to be performed by a person or persons authorized by law to practice a recognized profession.
4. That the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.
5. That a notice of this action shall be printed once in the official newspaper of the Borough of Mantoloking.
6. That a copy of the written determination of value by the Borough shall be placed on file with this resolution.
7. That this resolution shall become effective immediately.
8. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto. The following are the line item appropriations or ordinances which constitute the availability of funds for this contract: _____
9. That a certified copy of this resolution, together with a copy of the Agreement, shall be forwarded to the Chief Financial Officer and Meghan Bennett Clark .

REPORT OF THE MUNICIPAL SERVICES COMMITTEE

Committee Chairperson Mayor White proposes the following for this month’s regular business meeting:

MONTHLY REPORTS of the Public Works Superintendent, Construction Official, Land Use Officer and Building Committee.

RESOLUTION NO. 2019 –35

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANTOLOKING AUTHORIZING COTTER STRATEGIES, LLC TO PROVIDE GOAL SETTING AND STRATEGIC PLANNING SERVICES FOR 2019

WHEREAS, there exists a need for the goal setting and strategic planning for the Borough for 2019; and

WHEREAS, Cotter Strategies, LLC is duly qualified to provide goal setting and strategic planning services to the Borough;

WHEREAS, Cotter Strategies has provided a proposal to the Borough dated December 4, 2018 to provide said services;

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. authorizes the award of contracts for “Professional Services” without competitive bids; and
WHEREAS, it is the desire of the governing body to appoint Cotter Strategies, LLC to complete 2019 Goal Setting and Strategic Planning for the Borough at a cost not to exceed \$1,250.00;
NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Mantoloking, County of Ocean, State of New Jersey as follows:

1. That Cotter Strategies, LLC is hereby appointed to provide 2019 Goal Setting and Strategic Planning to the Borough in an amount not to exceed \$1,250.00 in accordance with the proposal which is on file in the Office of the Borough Clerk and can be viewed during normal business hours.

2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to, respectively, the attached agreement with Cotter Strategies, LLC in accordance with the provisions of this resolution.

3. That this resolution shall take effect immediately.

4. That a certified copy of this resolution shall be provided by the Borough Clerk to the Chief Financial Officer and Cotter Strategies, LLC.

5. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto. The following are the line item appropriations or ordinances which constitute the availability of funds for this contract: _____.

RESOLUTION NO. 2019 –36

RESOLUTION PROVIDING FOR APPROVAL OF 2019 OCEAN COUNTY SCHEDULE C AGREEMENT BETWEEN THE BOROUGH AND THE COUNTY OF OCEAN

WHEREAS, the County of Ocean has offered to enter into a Contract with the Borough whereby the County will provide certain road maintenance and repair of municipal streets, together with materials and supplies; and

WHEREAS, the utilization of County services during the term of the proposed Agreement is optional and at the sole discretion of the Borough; and

WHEREAS, in accordance with the terms of the proposed Agreement, the Borough is obliged, pursuant to Article 2, to certify that sufficient funds are available in its current budget to cover the anticipated cost; and

WHEREAS, the form of Contract has been reviewed by counsel and is deemed appropriate upon the condition that the County will accept the Borough's insurance coverage in lieu of the indemnification clause, Article 7 (see copy of proposed Agreement annexed); and

WHEREAS, a Certificate of Funds Availability has been provided.

IT IS NOW, THEREFORE, this 16 day of January, 2019, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. That the Borough of Mantoloking shall enter into the proposed Schedule C Agreement for the period January 1, 2019 through December 31, 2019, subject to the acceptance by the County of the Borough's liability insurance in lieu of indemnification;
2. Further, that it is hereby certified that funds are available in the current budget to cover the anticipated cost, \$6,000.00. [Road Maintenance Supplies (Salt)],
3. The Mayor and Borough Clerk are hereby authorized to execute and deliver the Agreement in accordance with this Resolution.
4. A true copy of the Agreement shall be available for public inspection in the Clerk's Office.