

THE BOROUGH OF MANTOLOKING
MAYOR AND COUNCIL

MINUTES -AGENDA OF THE AGENDA-SETTING MEETING
April 9, 2019
MANTOLOKING BOROUGH HALL
202 DOWNER AVENUE
MANTOLOKING, NEW JERSEY

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

1. **CALL TO ORDER** Mayor White called the meeting to order at 5:30 p.m.
2. **OPEN PUBLIC MEETING STATEMENT**: Mayor E. Laurence 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**

Present: Mayor White, Council President Gillingham, Councilman Nelson, Councilman Amarante
Councilman Batcha, Councilman Ness
Dialed In: Councilman Rzemieniewski
Absent: None
Also Present: Beverley A. Konopada, Borough Clerk, Jean Cipriani, Borough Attorney, Lynne Hazelet,
Deputy Clerk, April Yezzi, CFO, CTC, QPA
4. **PLEDGE OF ALLEGIANCE** Mayor E. Laurence White led the assembly in the Pledge of Allegiance.
5. **PRIVILEGE OF THE FLOOR**: Mayor E. Laurence White will open the meeting for public comment and questions about agenda items only.
6. **APPROVAL OF MEETING MINUTES**
7. **NEW BUSINESS**: The Mayor and council committee chairpersons will be previewing reports and proposing legislative action for inclusion on the April 16, 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 reminded the Council how to use the new microphone system.

Councilman Batcha reported that the Environmental Commission would like to add a resolution and an Ordinance to the Agenda. River Birches trees will obstruct the view from the Public Meeting room. Crepe Myrtles should be placed where the River Birches were planned. An ordinance prohibiting phone books to be delivered in town due to security issues and littering of driveways.

Councilman Nelson discussed the meeting he, Councilman Amarante, Mayor White and Staff had with Chris Cotter of Cotter Strategies. A draft Mission Statement to be circulated sometime in May.

Councilman Amarante reported that the Finance Committee is close to having the final budget proposed. The Committee is having another meeting tomorrow to finalize the budget. Keeping the rate at a half of a penny. Summary sheets will be available next Tuesday.

Councilman Nelson had a question regarding the Amendment to Chapter 10.

Mayor White, Councilman Amarante and April Yezzi, CFO, were concerned about security regarding selling badges in Borough hall and allowing badge checkers to sell badges at the beach accesses.

April Yezzi, CFO, would like to hear what the Chief of Police has to say about this situation.

9. PUBLIC COMMENT PERIOD

Lynn O'Mealia, 1304 Bay Avenue, asked if the 2019 Municipal Budget was being introduced and commented about the ordinance for existing and future signage for public access. Beach badges should be sold in the Borough hall as it was pre-storm. The Building Committee planned for sales to be in the new Borough Hall.

John Wesson, 1556 Runyon Lane said the trailer is more convenient.

Linda Flihan, 1105 Barnegat Lane, wanted to know about the new rules on the beach and Marijuana.

10. NEXT MEETING: Council Meeting, Tuesday, April 16, 2019
Mantoloking Borough Hall, 202 Downer Avenue, Mantoloking, NJ 08738

11. ADJOURNMENT:

There being no further business to discuss, Councilman Rzemieniewski motioned to adjourn. The motion was seconded by Councilman Amarante and approved by unanimous voice vote at 6:07 p.m.

ANTICIPATED ACTION ITEMS FOR MEETING OF APRIL 9TH:

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 –
RESOLUTION: THE REPORT OF THE MUNICIPAL FINANCE OFFICER

Reconciliation and balances of Mantoloking Borough Bank Account

RESOLUTION NO. 2019 –
RESOLUTION: PAYMENT OF BILLS

Municipal finance officer requests approval from mayor and council to pay a listing of bills from the prior month, and a list of bills that have been paid between meetings with the approval of the mayor and municipal clerk.

RESOLUTION NO. 2019 –
RESOLUTION: TO ADOPT TEMPORARY EMERGENCY APPROPRIATION #3

Update the 2019 Temporary Budget for expenditures through the month of April, 2019.

RESOLUTION NO. 2019-
RESOLUTION: TO APPROVE THE BOROUGH OF MANTOLOKING BEACH REVENUE ACCOUNT

Establish a bank account for credit card transactions to be accepted as a mode of payment for the purchase of beach badges.

INTRODUCTION OF ORDINANCE NO. 685
AMENDING THE SALARY ORDINANCE – KELLY

The Beach committee proposes a \$3,000 dollar stipend be given to Kelly Burdge for the 2019 beach season for work specific to the beaches. Advertising, staffing, scheduling, logistics, purchasing, regulatory inspections and outside normal (9 AM to 4 PM) work hour calls received up to 6:30 p.m. including Saturdays and Sundays.

INTRODUCTION OF ORDINANCE NO. 686
TO EXCEED THE MUNICIPAL BUDGET APPROPRIATIONS LIMITS AND TO ESTABLISH A CAP BANK

A COLA (Cost of Living Adjustment) Ordinance must be introduced before the introduction and approval of the annual budget. It increases the cap bank from 2.5% to 3.5%.

RESOLUTION NO. 2019-
RESOLUTION: INTRODUCTION OF 2019 MUNICIPAL BUDGET

REPORT OF THE PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 2019-

RESOLUTION: IN SUPPORT OF THE MULTIPLE SCLEROSIS SOCIETY'S NEW JERSEY METRO CHAPTER AND THE "COAST THE COAST" BIKE MS RIDE

WHEREAS, the Multiple Sclerosis Society, have requested permission to pass through the Borough utilizing Barnegat Lane north, Lyman Street and Route 35 in conjunction with the "Coast the Coast" Bike MS Ride, on Saturday, May 18, 2019; and

WHEREAS, the Mayor and Council wish to endorse and support the Multiple Sclerosis Society New Jersey Metro Chapter and the "Coast the Coast" Bike MS Ride.

IT IS NOW, THEREFORE, this 16th day of April, 2019,

RESOLVED by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. Have requested permission to pass through the Borough utilizing Barnegat Lane, Lyman Street and State Highway Route 35 in conjunction with the "Coast the Coast" Bike MS Ride, on Saturday, May 18, 2019; and is hereby granted subject only to endorsement by the Chief of Police.
2. Upon endorsement by the Chief, a copy of this Resolution shall be forwarded to Multiple Sclerosis Society, Attention: Michael Franken
3. This approval and endorsement is subject to such conditions, if any, as shall be established by the Chief.

RESOLUTION NO. 2019-

RESOLUTION: IN SUPPORT OF THE KATE SHEA FOUNDATION ANNUAL BAY HEAD 5 K MEMORY RUN

WHEREAS, the Kate Shea Foundation, have requested permission to utilize roadways in the Borough in conjunction with the Annual Bay Head 5K Memory Run, on Saturday, May 18, 2019; and

WHEREAS, the Mayor and Council wish to endorse and support the Kate Shea Foundation and the Annual Head 5K Memory Run.

IT IS NOW, THEREFORE, this 16th day of April, 2019,

RESOLVED by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The request to utilize East Avenue, Lyman Street, and Barnegat Lane, is hereby granted subject only to endorsement by the Chief of Police.
2. Upon endorsement by the Chief, a copy of this Resolution shall be forwarded to The Kate Shea Foundation, Attention: Edward Shea Event Director
3. This approval and endorsement is subject to such conditions, if any, as shall be established by the Chief.

RESOLUTION NO. 2019-

RESOLUTION: EXECUTION OF A LEASE FOR USE OF THE LAVALLETTE MUNICIPAL COURT FACILITIES

WHEREAS, there is a need for Mantoloking Municipal Court to enter into a Shared Service Agreement with Lavallette for the use of their Municipal Court facilities; and

WHEREAS, the Borough of Lavallette has agreed to lease their Municipal Court facilities for a term, of two (2) years, at a monthly rate of \$640.00 for 2019 and a monthly rate of \$700.00 for 2020, which includes two (2) hours for services by the Court Clerk. The agreement is subject to cancellation by either party upon 90 days' written notice.

IT IS NOW, THEREFORE, this 16th day of April, 2019, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County New Jersey, hereby approves a Shared Service Agreement with the Borough of Lavallette for use of their Court facilities for a term of two (2) years.

RESOLUTION NO. 2019

RESOLUTION: OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF MANTOLOKING AND THE COUNTY OF OCEAN FOR POLICE SERVICES – OCEAN COUNTY PROSECUTOR'S OFFICE, SPECIAL OFFENDERS UNIT

WHEREAS, the Ocean County Prosecutor's Office, Special Offenders Unit is a program run by the Ocean County Prosecutor's Office for the purpose of investigating and prosecuting and/or diverting cases involving particular defendants; and

WHEREAS, it is in best interests of the Borough to enter into a Shared Services Agreement with the County for the purposes of setting the terms and conditions regarding the assignment of police officers employed by the municipality to the program; and

WHEREAS, the Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., authorizes Local Units, as defined in the Act, to enter into a joint agreement for the provision of governmental services; and

WHEREAS, N.J.S.A. 40A:65-5 requires that such a contract be authorized by resolution; and

WHEREAS, the Borough of Mantoloking desires to enter into a Shared Services Agreement with the County of Ocean for Police Services – Ocean County Prosecutor's Office, Special Offenders Unit.

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

1. That the governing body is hereby authorized to enter into a Shared Services Agreement with the County of Ocean for Police Services – Ocean Prosecutor's Office, Special Offenders Unit.
2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to, respectively, the Shared Services Agreement between the County of Ocean and the Borough of Mantoloking for Police Services – Ocean County Prosecutor's Office, Special Offenders Unit, and any other documents necessary to effectuate the terms of this resolution. Said agreement is attached hereto and incorporated herein as Schedule A.
3. That the term of the agreement shall be retroactive from April 1, 2019, and shall continue in full force and effect until January 1, 2020.
4. That a copy of the agreement referenced herein shall be kept on file and made available for public inspection at the Borough Clerk's Office during normal business hours.
5. That a certified copy of this resolution, together with a copy of the agreement, shall be forwarded to the County of Ocean, the Ocean County Prosecutor's Office, the Chief Financial Officer, and the Mantoloking Borough Police Chief.

INTRODUCTION OF ORDINANCE NO. 687
AMENDMENT TO CHAPTER 10 BEACH ORDINANCE

The hours need to be changed in the ordinance from 10:00 a.m. to 6:00 p.m. in the following areas:

- 10-4.10 Animals b.1. Dogs on beach
- 10-4.18 a. Other Prohibited Acts; Sleeping
- 10-5. Surfing Rules and Regulations

RESOLUTION NO. 2019-

RESOLUTION: APPOINTMENT OF PERSONNEL – SEASONAL PART TIME HELP

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
Ricky Braen	SLEO II	5/1/2019	\$16.50
Timothy Kushner	SLEO II	5/1/2019	\$14.50
Brandon Kieslor	SLEO II	5/1/2019	\$14.50
Nicholas Malvasio	SLEO II	5/1/2019	\$14.00
Davis Molhem	SLEO II	5/1/2019	\$15.00
Jake Lloyd	SLEO II	5/1/2019	\$14.00
Kerry Butler	SLEO II	5/1/2019	\$14.00
Sarah Nelson	SLEO I	5/1/2019	\$12.50

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-

RESOLUTION: INCREASE OF SALARY FOR TODD MORGANO DUE TO ADDITIONAL HOURS

Due to the influx of building in Mantoloking, the increase in hours allows will allow Todd to conduct building inspections 5 days a week.

RESOLUTION NO. 2019-

RESOLUTION: APPOINTMENT OF PERSONNEL

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

Name	Position	Effective Date	Salary
Douglas Applegate	Deputy Construction Official / Building Subcode Official / Building Inspector	4/16/2019	\$35.00/hr

PUBLIC HEARING-Mayor White will open the floor for comments on Ordinance 684

ADOPTION OF ORDINANCE NO. 684

AN ORDINANCE OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE BOROUGH CODE OF THE BOROUGH OF MANTOLOKING, SO AS TO AMEND CHAPTER 30 ENTITLED "LAND USE REGULATIONS."

WHEREAS, the New Jersey Department of Environmental Protection requires all communities that contain tidal waters to provide for public access; and

WHEREAS, existing and future signage for public access is required; and

WHEREAS, installation and maintenance of signage associated with Public Access locations associated with the Borough's Municipal Public Access Plan is a requirement of N.J.A.C. 7:7-16.9(r).

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

SECTION 1. The Municipal Code of the Borough of Mantoloking is hereby amended and supplemented so as to amend Chapter 30, entitled "Land Use Regulations," so as to amend § 30-6.14, entitled "Signs" so as to add subsection f. which shall be entitled "Public access signs" and which shall read as follows:

f. Public Access Signs.

i. The Chief of Police shall be responsible for the Borough's adherence to the signage requirements of the Municipal Public Access Plan.

ii. The Public Works Manager shall be responsible for the placement and maintenance of the public access signage.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is

for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

ORDINANCE NO. 688 AMENDING SEWER FEES

Increasing the 2019 sewer rates to help offset the deficiency in 2019 appropriations.

Respectfully Submitted,

Beverley A. Konopada, RMC
Borough Clerk