

MAYOR AND COUNCIL

MINUTES OF THE AGENDA-SETTING MEETING

June 11, 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 E. Laurence 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 Amarante, Councilman Batcha –present at 5:37 p.m., Councilman Nelson, Councilman Ness, Councilman Rzemieniewski

Dialed In: None

Absent: None

Also Present: Beverley A. Konopada, Borough Clerk, Jean Cipriani, Borough Attorney, Robin LaBue, 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 June 18, 2019 regular business meeting of the council, in the form attached hereto.

- | | |
|--|--------------------------|
| A. <u>Finance Committee:</u> | Councilman Amarante |
| B. <u>Public Safety Committee:</u> | Councilman Gillingham |
| C. <u>Dune and Beach Committee:</u> | Councilman Nelson |
| D. <u>Municipal Services Committee:</u> | Mayor White |
| E. <u>Municipal Relations Committee:</u> | Councilman Rzemieniewski |
| F. <u>Strategic Planning Committee:</u> | Councilman Nelson |
| G. <u>Environmental Committee:</u> | Councilman Batcha |

8. MAYOR AND COUNCIL COMMENTS

Councilman Amarante reported that the Finance committee met with the Fire Company. The Fire Company is interested in purchasing a new truck. Councilman Rzemieniewski wanted to know the potential cost to join it, Councilman Amarante replied no cost.

Mayor White explained the ladder truck is expensive to maintain and at twenty years old still has some value. The Fire Company is looking to purchase a mini pump truck, which will be easier to maneuver.

Mayor White recognized resident Peter Flihan for his many years of work with the Algonquin Theater.

Councilmen Nelson references a resolution which family members being hired and they should not report to other family members.

Mayor White spoke about the July 5th Celebration of the opening of the new Borough Hall which will commence at 10:00 am.

Councilman Nelson was concerned about an accessory structure on Bay Avenue. He would like an amendment to the ordinance. Councilman Rzemieniewski and Councilman Batcha agreed with Councilman Nelson.

9. PUBLIC COMMENT PERIOD

Jan O'Malley, 1231 Bay Avenue, asked if there is a plan to paint parking spaces on the highway. Mayor White responded that DPW and special officers will be painting the spaces.

Priscilla Hiby, 907 Barnegat Lane, will town's people be able to find out what is going on with Barcus and Saccone case. Mayor White replied that more information will follow.

Jan O'Malley, 1231 Bay Avenue, wanted to know if Verizon has pulled out of town. Borough Attorney, Robin LaBue said that they have to publish books
Councilman Batcha asked if we can broaden the scope of the ordinance.
Mayor White advised that we have to allow the delivery of the phone books
Jan O'Malley explained that they cannot be recycled.
Lynn O'Mealia 1304 Bay Ave., suggested we set a time frame for pick up.
Borough Attorney, Robin LaBue, will look into this.

Councilman Rzemieniewski motioned to go into closed session. Councilman Amarante seconded the motion and was approved by unanimous voice vote at 6:03 p.m.

10. EXECUTIVE SESSION

11. NEXT MEETING: Council Meeting, Tuesday, June 18, 2019
Mantoloking Borough Hall, 202 Downer Avenue, Mantoloking, NJ 08738

12. ADJOURNMENT:

There being no further business for this meeting, it was motioned by Councilman Rzemieniewski to adjourn executive session, return to open session at 8:15 p.m. The motion was seconded by Councilman Ness and approved by unanimous voice vote at 8:15p.m.

Councilman Nelson motioned to adjourn the meeting at 8:16 p.m. The motion was seconded by Councilman Rzemieniewski and was approved by unanimous voice vote.

ANTICIPATED ACTION ITEMS FOR MEETING OF JUNE 18, 2019:

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 OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN,
STATE OF NEW JERSEY, AUTHORIZING THE CANCELLATION OF
PRINCIPAL AND INTEREST ARISING FROM DELAYED PAYMENT OF
TAXES

WHEREAS, the Tax Collector has informed the Council that certain properties were assessed interest on late tax payments because the payments were sent to the old Borough Hall address and returned to the taxpayer rather than forwarded to the Borough Tax Collector for payment; and

WHEREAS, the Borough agrees to cancel the principal plus interest due on these delinquent payments as follows:

	Amount to be cancelled		
Address/Block/Lot	Principal	Interest	Total
1127 Ocean Ave/23/54	\$21.85	\$0.28	\$22.13
1101 Barnegat Lane/24/42	\$8.41	\$0.11	\$8.52

206 Channel Lane/17/11	\$55.65	\$0.56	\$56.20
1121 Ocean Ave/23/52	\$21.92	\$0.30	\$22.22
1052 Barnegat Lane 22/18	\$41.45	\$0.52	\$41.97

WHEREAS, it is the desire of the Borough to cancel these amounts due to the taxpayers.

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 Tax Collector is hereby directed to adjust the taxes billed to the above-referenced properties to reflect the cancellation of taxes and interest.

2. That a certified copy of this Resolution shall be forwarded to Steven Guarino & Lisa Holck, the Esther I Reynolds Trust, Scott Gusmer & Patricia Roberts Trust, Marian Ring Trustee and the Tax Collector.

RESOLUTION NO. 2019 -
RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF
NEW JERSEY, APPOINTING PETER STECK, P.P., AS SPECIAL PROJECT PLANNER FOR
THE BOROUGH OF MANTOLOKING

WHEREAS, there exists a need for professional services as Special Project Planner 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, the Borough Council desires to appoint Peter G. Steck, P.P., as Special Project Planner for the representation of the Borough at the Brick Township Zoning Board; 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 Peter G. Steck, P.P., has the ability and expertise to perform the planning services required by the Borough; and

WHEREAS, Peter G. Steck, P.P., has completed and submitted a Business Entity Disclosure Certification which certifies that neither he nor his firm has 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 Peter G. Steck, P.P., 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 Peter G. Steck, P.P., is hereby appointed as Special Project Planner for the Borough of Mantoloking for the representation of the Borough at the Brick Township Zoning Board of Adjustment through December 31, 2019. The Special Project Planner and his firm shall be compensated at the rate of two hundred (\$200.00) Dollars per hour for services rendered to the Borough, for a total amount not to exceed \$17,500.00.

2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to, respectively, the attached agreement with Peter G. Steck, P.P. 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 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 Peter G. Steck, P.P.

RESOLUTION NO. 2019 -
RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF
NEW JERSEY, APPOINTING GORDON METH, P.E., OF THE FIRM OF ROBSON
FORENSIC, AS SPECIAL TRAFFIC ENGINEER FOR THE BOROUGH OF MANTOLOKING

WHEREAS, there exists a need for professional services as Special Traffic Engineer 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, the Borough Council desires to appoint Gordon Meth, P.E. of the firm of Robson Forensic as Special Traffic Engineer for the representation of the Borough at the Brick Township Zoning Board; 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 Gordon Meth, P.E. of the firm of Robson Forensic has the ability and expertise to perform the engineering services required by the Borough; and

WHEREAS, Gordon Meth, P.E. of the firm of Robson Forensic, has completed and submitted a Business Entity Disclosure Certification which certifies that neither he nor his firm has 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 Gordon Meth, P.E. and the firm of Robson Forensic 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 Gordon Meth, P.E. of the firm of Robson Forensic, is hereby appointed as Special Traffic Engineer for the Borough of Mantoloking for the representation of the Borough at the Brick Township Zoning Board of Adjustment through December 31, 2019. The Special Traffic Engineer and his firm shall be compensated at the rate of _____ (\$____.00) Dollars per hour for services rendered to the Borough, for a total amount not to exceed \$17,500.00.
2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to, respectively, the attached agreement with Gordon Meth, P.E. of the firm of Robson Forensic 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 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 Gordon Meth, P.E. of Robson Forensic.

RESOLUTION NO. 2019-
RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH JEAN L. CIPRIANI, ESQUIRE, OF ROTHSTEIN, MANDELL, STROHM & HALM, P.A., AS BOROUGH ATTORNEY FOR THE BOROUGH OF MANTOLOKING

WHEREAS, there exists a need for legal services as Borough Attorney for the Borough of Mantoloking; and

WHEREAS, prior Resolution the governing body appointed Jean L. Cipriani, Esquire, of Gilmore & Monahan, P.A. as Borough Attorney for the Borough of Mantoloking for calendar year 2019; and

WHEREAS, Jean L. Cipriani, Esquire, will become affiliated with the firm of Rothstein, Mandell, Strohm & Halm, P.A., as of July 1, 2019; and

WHEREAS, Jean L. Cipriani, Esquire, is duly qualified to be appointed as Borough Attorney for the Borough of Mantoloking; and

WHEREAS, the governing body desires to amend the appointment of Borough Attorney and to enter into an agreement to reflect the affiliation of Jean L. Cipriani, Esquire, with Rothstein, Mandell, Strohm & Halm, P.A., effective July 1, 2019.

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 Jean L. Cipriani, Esquire, of the law firm of Rothstein, Mandell, Strohm & Halm, P.A., is hereby appointed as Borough Attorney for the Borough of Mantoloking in accordance with an agreement for the provision of professional Borough Attorney services for the balance of the one-year term ending December 31, 2019, which agreement shall be in a form acceptable to the Borough Attorney and shall include the same terms, fees and conditions of the agreement previously authorized for Borough Attorney for calendar year 2019.
2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to, respectively, the execution of an agreement with Jean L. Cipriani, Esquire, of the law firm of Rothstein, Mandell, Strohm & Halm, P.A., as Borough Attorney for the Borough of Mantoloking.
3. That the contract shall be an open-ended contract with funds being encumbered contingent upon the availability of funds in the budget year. No services shall be rendered under the contract until the Chief Financial Officer has certified the availability of funds for such services.
4. That a notice of the contract shall, in accordance with the Local Public Contracts Law of New Jersey, be published in an official newspaper of the Borough of Mantoloking.
5. That this resolution shall take effect July 1, 2019.
6. That a certified copy of this resolution shall be forwarded to the Chief Financial Officer and Jean L. Cipriani, Esquire, of Rothstein, Mandell, Strohm & Halm, P.A..

CERTIFICATION

I, Beverley A. Konopada, do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Borough of Mantoloking at a meeting held on the 18th day of June, 2019.

Beverley A. Konopada, RMC
Borough Clerk, Borough of Mantoloking

CERTIFICATE OF AVAILABILITY OF FUNDS

I, APRIL YEZZI, Chief Financial Officer for the Borough of Mantoloking, do hereby certify that no amount shall be chargeable or certified until such time as the services are requested. Prior to incurring the liability by requesting the services, the certification of available funds shall be issued and attached to the file copy of the purchase order or other such document.

APRIL YEZZI, Chief Financial Officer
Borough of Mantoloking

RESOLUTION NO. 2019 -

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE TRANSFER OF FUNDS IN THE CENTENNIAL FUND INTO A BOROUGH TRUST FUND FOR HISTORICAL AND CELEBRATORY PURPOSES

WHEREAS, the Mantoloking Historical Society, Inc DBA Mantoloking Centennial Celebration has more than \$23,500 remaining from its activities in support of the borough centennial celebration in 2011, and

WHEREAS, neither the Historical Society nor the Centennial Celebration Committee has developed any plans for the use of those funds.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Mantoloking that the excess funds from the 2011 centennial celebration be transferred to a municipal trust fund established for the support of historical and celebratory purposes.

RESOLUTION NO. 2019-

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF SETTLEMENT AGREEMENT BETWEEN THE BOROUGH AND EUGENE SACCONI

WHEREAS, Plaintiff, Eugene Saccone, filed suit against the Borough of Mantoloking, et als. ("Borough") by way of Complaint in a matter listed in the New Jersey Superior Court, Ocean County under Docket No. OCN-L-95-15 in which the Borough was represented by defense counsel appointed by the New Jersey Intergovernmental Insurance Fund ("NJIF"), the Borough's insurer; and

WHEREAS, the Borough's insurance carrier and defense counsel assigned to the Borough by its insurance carrier (Ansell Grimm and Aaron, P.C.), have determined that it is in the best interests of the Borough to settle the pending litigation, in exchange for a release of all claims against the Borough and its officers and employees by the plaintiff; and

WHEREAS, the governing body wishes to authorize the Settlement Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Mantoloking as follows,

1. That the Settlement of the Saccone v. Borough of Mantoloking, et al, Superior Court, Law Division – Ocean County, Docket No. OCN-L-95-15 litigation, as embodied in the Settlement Agreement, attached hereto, is approved in substantially the form in which it appears as appended to this Resolution.
2. That the Mayor and Clerk are hereby authorized to execute and attest to any necessary documents in order to effectuate the settlement of litigation in accordance with the terms and conditions of the Settlement Agreement.
3. That Ansell Grimm and Aaron is authorized to execute a Stipulation of Dismissal on behalf of the Borough.
4. That a certified copy of this resolution, together with a copy of the agreement between the parties, shall be forwarded to the Township Attorney and assigned counsel, Eric J. Nemeth, General Counsel, NJIIF for distribution to plaintiffs’ counsel.

REPORT OF THE PUBLIC SAFETY COMMITTEE

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

**RESOLUTION NO. 2019-
RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF
NEW JERSEY, AUTHORIZING THE EXECUTION OF AN INTERLOCAL CONTRACT FOR
COOPERATIVE PURCHASING WITH THE H-GAC**

WHEREAS, the Houston-Galveston Area Council (H-GAC) is a Texas political subdivision, and has established a nationally-recognized and accepted Cooperative Purchasing Program, known as H-GACBuy for the purchase of products and services by government entities throughout the United States; and

WHEREAS, the Borough is authorized to enter into agreements for the purchase of goods or services with other states or political subdivisions thereof pursuant to N.J.S.A. 52:34-6.2; and

WHEREAS, the Borough Council has determined that the use of the cooperative purchasing agreement will result in cost savings after all factors, including charges for material, service and delivery, have been considered; and

WHEREAS, it is the desire of the Borough to join the H-GAC cooperative purchasing system to purchase goods and services available thereunder, in order to enable cost-effective and efficient procurement of certain goods and services.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Mantoloking, County of Ocean, State of New Jersey, that the Mayor is authorized to execute the H-GAC Interlocal Contract for Cooperative Purchasing, attached hereto as Schedule A.

**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
Vincent Ceres	Badge Checker	6/1/19-9/15/19	\$10.00
Laura Calcagno	Badge Checker	6/1/19-9/15/19	\$10.00
Eric Rojas	SLEO I	6/15/19-12/31/2019	\$12.50

Timothy Miller	Assistant Head Lifeguard	6/1/19-9/15/19	\$15.50
Carolyn Hazard	Assistant Head Lifeguard	6/1/19-9/15/19	\$15.50
Alexander D'Alessandro	Lifeguard	6/1/19-9/15/19	\$13.50
Maxwell Hazard	Lifeguard	6/1/19-9/15/19	\$13.50
Sean Wosleger	Lifeguard	6/1/19-9/15/19	\$13.50
Davin Van de Zilver	Lifeguard	6/1/19-9/15/19	\$13.50
Jack Miller	Lifeguard	6/1/19-9/15/19	\$13.50
Grace Gargiulo	Lifeguard	6/1/19-9/15/19	\$13.50
Bradford Sigety	Lifeguard	6/1/19-9/15/19	\$13.50
Tyler D'Alessandro	Lifeguard	6/1/19-9/15/19	\$13.25
Rodman Rupp	Lifeguard	6/1/19-9/15/19	\$13.25
Thomas Kushner	Lifeguard	6/1/19-9/15/19	\$13.25
Nicholas Ciccone	Lifeguard	6/1/19-9/15/19	\$13.25
Bridgette Sanok	Lifeguard	6/1/19-9/15/19	\$13.25
Jonathan Nguyen	Lifeguard	6/1/19-9/15/19	\$13.25
James Rebholz	Lifeguard	6/1/19-9/15/19	\$13.00
Nathaniel Bredin	Lifeguard	6/1/19-9/15/19	\$13.00
Braden Niebling	Lifeguard	6/1/19-9/15/19	\$13.00
Jacie Van de Zilver	Lifeguard	6/1/19-9/15/19	\$13.00
John Keefe	Lifeguard	6/1/19-9/15/19	\$13.00
Mean Dalton	Badge Sales	6/1/19-9/15/19	\$11.50
Dylane Gonis	Badge Sales	6/1/19-9/15/19	\$11.00
Lisa Brooks	Badge Sales	6/1/19-9/15/19	\$11.50

PUBLIC HEARING – Mayor White opened the floor for comments on Ordinance No.690

ADOPTION OF ORDINANCE NO. 690

AN ORDINANCE OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING THE BOROUGH CODE OF THE BOROUGH OF MANTOLOKING, SO AS TO AMEND CHAPTER 7, ENTITLED “TRAFFIC” SO AS TO ADD REQUIREMENT THAT VEHICLES BE PARKED WITHIN THE LINES OF MARKED PARKING SPACES

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. Chapter 7 of the Borough Code of the Borough of Mantoloking, entitled, “Beach Regulations” is hereby amended and supplemented so as to add § 7-1.12.1, which shall read in its entirety as follows:

§ 7-12.1 Parking Within Lines Required.

It shall be unlawful to park any vehicle across any line or marking designating a parking space, or to park said vehicle in any way that the same shall not be wholly within a parking space as designated by said markings.

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.

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 OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, PROVIDING FOR CONFIRMATION OF THE APPOINTMENT OF ANN ELIZABETH NELSON TO THE ENVIRONMENTAL COMMISSION

WHEREAS, a vacancy exists in the Environmental Commission; and

WHEREAS, the Mayor has nominated Ann Elizabeth Nelson to serve on the Environmental Commission to fulfil an unexpired term ending December 31, 2020.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Mantoloking, County of Ocean, State of New Jersey, that the appointment of Ann Elizabeth Nelson as an Environmental Commission member is hereby confirmed.

RESOLUTION NO. 2019-

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, PROVIDING FOR CONFIRMATION OF THE APPOINTMENT OF JAN O'MALLEY AS THE CHAIRWOMAN TO THE ENVIRONMENTAL COMMISSION

WHEREAS, due to the resignation of Claudia Larsen a vacancy exists for a Chairperson to the Environmental Commission; and

WHEREAS, the Mayor has nominated Jan O'Malley to serve as Chairwoman to the Environmental Commission.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Mantoloking, County of Ocean, State of New Jersey, that the appointment of Jan O'Malley as Chairwoman to the Environmental Commission member is hereby confirmed.

INTRODUCTION OF ORDINANCE NO. 691

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."

REPORT OF THE ENVIRONMENTAL COMMITTEE

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

INTRODUCTION OF ORDINANCE NO. 692

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 3 ENTITLED "POLICE REGULATIONS."

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 3, entitled "Police Regulations," so as to create § 3-9, which shall be entitled "Telephone Directories, Central Location." which shall read as follows:

a. Purpose. Telephone directories are distributed to individual homeowners by the incumbent local exchange carrier, pursuant to regulations adopted by the Board of Public Utilities. Many of the residents of the Borough of Mantoloking are not full-time residents and are unable to receive their directory when it is delivered, leaving the directories vulnerable to the elements creating a rubbish and safety hazard. This section requires the carrier to deposit all of the directories for the customers in Mantoloking at a protected central location, so that residents may retrieve intact directories, and the directories are destroyed by the elements before they can be received by the homeowners.

b. Telephone directories that are required to be published and distributed to all customers within a service area pursuant to N.J.A.C. 14-10-1A.4 shall not be delivered door-to-door, but shall be delivered in bulk to the Borough Department of Public Works for retrieval by the individual homeowners.

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.

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act authorizes the Borough Council to enter into executive session to discuss certain matters pursuant to N.J.S.A 10:4-12; and

WHEREAS, the Borough Council desires to go into executive session to discuss matters related to Litigation..

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Mantoloking, County of Ocean, State of New Jersey, that the Council shall go into executive session to discuss the following items:

1. Litigation N.J.S.A. 10:4-12(b)(7) Saccone v. The Borough of Mantoloking
2. Ronald S. Gasiorowski, Esq. Litigation pertaining to Vilamoura application before Brick Board of Adjustment N.J.S.A. 10:4-12(b)(7)

Respectfully submitted

Beverley A. Konopada,
Borough Clerk