

DRAFT NO. 1-6/20/2019 **THE BOROUGH OF MANTOLOKING**
MAYOR AND COUNCIL

MINUTES OF THE REGULAR BUSINESS MEETING

June 18, 2019

Mantoloking Borough Hall

202 Downer Avenue

Mantoloking, New Jersey

The Regular Business 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 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, Councilman Amarante, Councilman Batcha, Councilman Gillingham, Councilman Nelson, 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 White led the assembly in the Pledge of Allegiance.

5. **RESOLUTION 2019-87 MINUTES OF PREVIOUS MEETINGS**

RESOLVED, the Mantoloking Borough Council approved the following minutes as distributed.

Council Special Meeting – May 7, 2019
Council Regular Business Meeting- May 21, 2019
Executive Session- May 21, 2019

ROLL CALL VOTE:

Councilman Gillingham moved to approve the minutes. The motion was seconded by Councilman Amarante and approved and was approved by unanimous voice vote.

6. **PRIVILEGE OF THE FLOOR:** Mayor White opened the meeting for public comment and questions about the agenda.

No comments were made.

7. **FINANCE COMMITTEE,** Councilman Amarante presented the monthly finance report and moved the following resolutions.

RESOLUTION NO. 2019 -88

RESOLUTION: THE REPORT OF THE MUNICIPAL FINANCE OFFICER

BOROUGH OF MANTOLOKING					
Financial Report for the Month of April 30, 2019					
<u>Status of the Budget on April 30, 2019</u>					
FUND	APPROPRIATIONS	CURRENT BALANCE	EXPENDED DURING MONTH	ENCUMBERED DURING MONTH	APPROPRIATION BALANCE
2019 TEMPORARY BUDGET	\$2,418,327	\$2,418,327	\$1,470,190	\$106,143	\$841,994
2018 ADOPTED BUDGET- CURRENT	\$393,797	\$393,797	\$136,510	\$29,304	\$227,982
2019 CAPITAL FUND	\$1,950,425	\$1,950,425	\$91,591	\$566,869	\$1,291,537
SANDY EMERGENCY FUNDS	\$146,568	\$146,568	\$0	\$0	\$146,568
(Subcategory of Capital Fund)					
Construction-Municipal Building	\$5,312,704	\$450,631	\$47,784	\$139,661	\$263,186
TOTAL	\$7,803,494	\$2,941,421	\$275,886	\$735,835	\$1,929,272

Receipts, Disbursements and Changes in Cash Balance During the Month of April 30, 2019

FUND	CASH BALANCE JANUARY 1, 2019	CASH BALANCE BEGINNING OF MONTH	CASH RECEIVED	CASH DISBURSED	CASH BALANCE END OF MONTH
2019 CURRENT FUND	\$2,586,920	\$2,469,677	\$729,530	(\$2,058,901)	\$1,140,305
CAPITAL FUND	\$3,321,882	\$3,098,139	\$0	(\$27,149)	\$3,070,990
ANIMAL CONTROL FUND	\$183	\$234	\$5	(\$20)	\$219
OTHER TRUST FUNDS	\$511,133	\$514,559	\$248	(\$158)	\$514,650
PAYROLL ACCOUNT	\$39,647	\$47,316	\$466,016	(\$467,266)	\$46,066
UNEMPLOYMENT ACCOUNT	\$25,533	\$25,771	\$5	(\$367)	\$25,409
LAW ENFORCEMENT TRUST	\$2,841	\$2,842	\$1	\$0	\$2,843
TOTAL	\$6,488,139	\$6,158,538	\$1,195,806	(\$2,553,861)	\$4,800,483

RESOLUTION NO. 2019 -89

RESOLUTION: PAYMENT OF BILLS

WHEREAS, the municipal finance officer has presented

- A list of bills in the amount of \$130,704.57 with the recommendation they be paid, and
- A list of bills in the amount of \$244,230.27 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.

RESOLUTION NO. 2019 –90

**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 -91

**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:
9-01-21-180-001-202 Professional Planner for Special Project
PO # 19-00633.
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 -92

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 four hundred fifty five (\$455.00) 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: 9-01-20-165-001-201 Traffic Engineer for Special Project

PO # 19-00632

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. 2019-93

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:
9-01-20-155-001-201 Legal Expenses- Borough Attorney -PO# 19-00634
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 -94

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. 2019-95

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, NJIF for distribution to plaintiffs’ counsel.

RESOLUTION NO. 2019-96

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPOINTING JOSEPH A. GRABAS, CTP, NTP, AS AN EXPERT IN LAND TITLES FOR THE BOROUGH OF MANTOLOKING

WHEREAS, there exists a need for professional services as an expert in land titles for the Borough of Mantoloking to be awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Mayor has recommended that Joseph A. Grabas, CTP, NTP, be appointed as an expert in land titles 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 Joseph A. Grabas, CTP, NTP, has the ability and expertise to perform the services required by the Borough; and

WHEREAS, Joseph A. Grabas, CTP, NTP, be appointed as an expert in land titles, 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 Joseph A. Grabas, CTP, NTP, be

appointed as an expert in land titles 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 Joseph A. Grabas, CTP, NTP, be appointed as an expert in land titles, is hereby appointed as Expert in Land Titles for the Borough of Mantoloking for the representation of the Borough at the Brick Township Zoning Board of Adjustment through December 31, 2019. The Expert and his firm shall be compensated at the rate of Two Hundred Fifty (\$250.00) Dollars per hour for services rendered to the Borough, for a total amount not to exceed \$10,000.00.

2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to, respectively, the attached agreement with Joseph A. Grabas, CTP, NTP, be appointed as an expert in land titles 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: 9-01-20-165-001-201 Expert –Land Title, Research, Real Estate PO# 19-00635.

6. That a certified copy of this resolution, together with a copy of the Agreement, shall be forwarded to the Chief Financial Officer and Joseph A. Grabas, CTP, NTP, be appointed as an expert in land titles.

ROLL CALL VOTE RESOLUTIONS 2019- 88-96 :

Councilman Amarante moved to approve the resolutions. The motion was seconded by Councilman Gillingham and approved by roll call vote with Councilman Rzemieniewski voting no on Resolution 2019-95.

8. **PUBLIC SAFETY COMMITTEE**, Councilman Gillingham presented the monthly reports of the Police Department, Municipal Court, Fire Company, and Emergency Management and moved the following Resolutions and Ordinance.

RESOLUTION NO. 2019-97

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. 2019-98

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
Christina Miller	Badge Checker	6/1/19-9/15/19	\$10.50
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
Megan 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

ROLL CALL VOTE RESOLUTIONS 2019 -97-98

Councilman Gillingham moved the resolutions. The motion was seconded by Councilman Amarante and approved by unanimous roll call vote.

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

Councilman Rzemieniewski said this is a good idea. He complimented Chief Ferris. Chief Ferris responded, it was Councilman Rzemieniewski’s idea and she is happy to follow this through.

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.

ROLL CALL VOTE ORDINANCE NO. 690:

Councilman Gillingham moved to approve Ordinance 690. The motion was seconded by Councilman Amarante and approve by unanimous roll call vote.

9. **DUNE & BEACH COMMITTEE:** Councilman Nelson stated no reports of the Dune & Beach Committee and Ocean County Block Grant Program.

Councilman Nelson mentioned that the Army Corp had its last meeting today. Mayor White further explained that this was the last partnership meeting. Bay Head and Mantoloking beaches will be wrapped up by 6/26. They will be back in Mantoloking and will give us an additional 300 feet of sand at the border. We have lost sand. They will move up to Point Pleasant. Dune grass will be planted where necessary in November and March. This has been a long road. The Mayor thanked Former Mayor George Nebel for everything he has done to get the beaches set up.

10. **MUNICIPAL SERVICES COMMITTEE,** Mayor White presented the monthly reports from the Public Works Superintendent, Construction Official, Land Use Officer and Building Committee and Councilman President Gillingham moved the following resolutions and ordinance.

RESOLUTION NO. 2019-99

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. 2019-100

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.

ROLL CALL VOTE RESOLUTIONS 2019- 99-100

Councilman Gillingham moved the resolutions. The motion was seconded by Councilman Amarante and approved by unanimous roll call vote.

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.”

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 § 30-2.2, entitled “Definitions.” so as to add and arrange alphabetically the following definition:

SYNTHETIC SUBSTITUTES FOR NATURAL VEGETATION - Any man-made surface, product, material or combination thereof produced and used as an artificial substitute for permanent ground cover.

SECTION 2. 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 § 30-4.10, entitled “Swimming pools.” so as to amend subsection h. in its entirety so that it shall read as follows:

h. All pools shall be constructed within the applicable accessory structure setbacks, with the exemption of Bayfront or lagoon lots, where pools may be constructed not less than eighteen (18) feet from the mean high water line or bulkhead line.

SECTION 3. 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 § 30-4.19, entitled “Hardscaping.” so as to amend subsection a. in its entirety so that it shall read as follows:

a. For the purpose of this section, the term "hardscaping" is deemed to include any non-living components of a yard or landscape, including paver walkways or patios and the like, asphalt, concrete, and all else placed on or in the surface of the land. Synthetic substitutes for natural vegetation shall not be considered a permissible hardscape or softscape material for utilization in any yard area in the Borough of Mantoloking.

SECTION 4. 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 § 30-6.8, entitled “Lot Coverage.” so as to amend subsection 3 so as to add a new subsection (e) which shall read as follows:

(e) Synthetic substitutes for natural vegetation shall not be utilized for permanent surface coverage on any property in any zone within the Borough of Mantoloking.

SECTION 5. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 6. 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 7. This ordinance shall take effect after second reading and publication as required by law.

ROLL CALL VOTE ORDINANCE NO. 691:

Councilman Gillingham moved Ordinance 691. The motion was seconded by Councilman Nelson and approved by unanimous roll call vote.

11. **MUNICIPAL RELATIONS COMMITTEE** Councilman Rzemieniewski stated no report of the Mantoloking Relations Committee.

12. **STRATEGIC PLANNING COMMITTEE** Councilman Nelson stated no report of the Strategic Planning Committee.

Councilman Nelson said that he is late with putting the strategic draft out. He will try to do it in the next few weeks and put it on the internet and have a discussion in July.

13. **ENVIRONMENTAL COMMITTEE** Councilman Batcha presented the report of the Environmental Committee and moved the following ordinance.

Councilman Batcha hoped everyone had received the May mailing which has all the recycling rules. He encourages the residents to share with your friends and family.

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.

ROLL CALL VOTE ORDINANCE NO. 692:

Councilman Batcha moved Ordinance 692. The motion was seconded by Councilman Amarante and approved by unanimous roll call vote.

14. MAYOR AND COUNCIL COMMENTS

Mayor White advised that has good news to share. Thanks to April Yezzi’s diligence with working with Robert Mainberger and the DEP, we received a check in the amount of \$333,664.36.

We had been expecting about \$250,000. This is for the easements and appraisals after Super Storm Sandy. April dug deep and she and Robert Mainberger stuck with this and it paid off.

Chief Ferris - Bike Safety course for anyone this Sunday at 5:15 p.m., followed by a water safety presentation. Cars have been stolen from Lavallette and Toms River. Lock your vehicles, remove fobs and any property. Call the PD is anything looks suspicious. Mayor White added that it is summertime and many people are going through town. Lock homes as well.

15. PUBLIC COMMENTS PERIOD

Dick Sameth, 954 Barnegat Lane, was so impressed with the Mantoloking Police Officers. His wife fell at home and the police responded immediately. He asked Chief Ferris to express their gratitude to the responding officers. Mayor White said we are blessed to have our Police force and EMT's.

Carole Leone, 1019 Ocean Avenue, said the weeds are unbelievable on properties across the street and next to her. Can something be done? Mayor White replied, we will address this.

Lynn O'Mealia, 1304 Bay Avenue, what will the expert in land titles be doing? Mayor White replied that he will be checking out riparian grants in Mantoloking and Brick.

16. EXECUTIVE SESSION

Councilman Rzemieniewski motioned to go into closed session. Councilman Amarante seconded the motion and was approved by unanimous voice vote at 5:55 p.m.

RESOLUTION NO. 2019-101 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 borough hall construction contract and police contract negotiations.

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. Contract Negotiations Police : N.J.S.A. 10:4-12(b)(4)
2. Contract Negotiations- Borough Hall Construction N.J.S.A. 10:4-12(b)(4)

17. NEXT MEETING:

Agenda Setting Council Meeting , July 9, 2019 at 5:30 p.m. at the Mantoloking Borough Hall, 202 Downer Avenue, Mantoloking, NJ, 08738

18. ADJOURNMENT

There being no further business for this meeting, it was motioned by Councilman Rzemieniewski to adjourn executive session and return to open session . The motion was seconded by Councilman Amarante and approved by unanimous voice vote at 6:18 p.m.

Councilman Nelson motioned to adjourn the meeting. The motion as seconded by Councilman Rzemieniewski and approved by unanimous voice vote at 6:18 p.m.

Respectfully Submitted,

Beverley A. Konopada
Borough Clerk