

MAYOR AND COUNCIL

MINUTES – AGENDA SETTING MEETING

September 10, 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, Councilman Ness, Councilman Rzemieniewski
Dialed In: Councilman Amarante, Councilman Batcha
Absent: Council President Gillingham, Councilman Nelson
Also Present: Beverley A. Konopada, Borough Clerk, Robin LaBue, Borough Attorney,
Lynne Hazelet, Deputy Clerk

4. **PLEDGE OF ALLEGIANCE** Mayor E. Laurence White led the assembly in the Pledge of Allegiance.

MOMENT OF SILENCE Mayor E. Laurence White asked the audience to join him in a moment of silence for the September 11th victims and their families.

5. **PRIVILEGE OF THE FLOOR:** Mayor E. Laurence White opened the meeting for public comment and questions about agenda items only.

No comments were made.

6. **APPROVAL OF MEETING MINUTES**

7. **NEW BUSINESS:** The Mayor and council September 17, 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**

No comments were made.

9. PUBLIC COMMENT PERIOD

Connie Pilling, 1 Arnold Street, asked why we can't continue to use some of the radios since some of them are still compatible.

Mayor White explained that it has to do with state requirements and the police and fire need to be able to communicate.

Public Works Manager, Scott Hulse, added that the Fire Company are phasing them in until 2021, and that they are working on the radio tower across the bay.

Officer Popaca, Mantoloking Police Dept, reported that they are also phasing the radios in until 2021, buying as they can and using what is compatible.

Lynn O'Mealia, 1304 Bay Avenue, had a question regarding the Roadway Safety Improvement grant.

Mayor White explained that this is a safety issue and people are driving south on Bay Avenue. The project will bump out curbs to make the road narrower.

Lynn O'Mealia, further advised that the temporary set up works quite well and she has not seen any vehicles traveling south since the structures were put up. The grant money might be better spent somewhere else in town.

Jeb Corbet, 958 East Avenue, will be making a recommendation at the next meeting regarding setbacks for older homes and garages.

Councilman Batcha asked Mr. Corbet if he is looking to have older homes grandfathered regarding setbacks and inquired if he got a variance.

Connie Pilling, 1 Arnold Street, asked about the building across the bay, if the police boat is running, where it is kept and why we are paying rent for a boat slip.

Mayor White responded that the boat was being repaired and where the boat is currently being stored.

10. NEXT MEETING: Council Meeting, Tuesday, September 17, 2019
Mantoloking Borough Hall, 202 Downer Avenue, Mantoloking, NJ 08738

11. ADJOURNMENT:

There being no further business for this meeting, it was motioned by Councilman Rzemieniewski to adjourn, seconded by Councilman Ness and approved by unanimous voice vote at 5:47 p.m.

ANTICIPATED ACTION ITEMS FOR MEETING OF SEPTEMBER 17, 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

BOROUGH OF MANTOLOKING
Financial Report for the Month of JULY 31, 2019

Status of the Budget on JULY 31, 2019

FUND	APPROPRIATION s	CURRENT BALANCE	EXPENDED DURING MONTH	ENCUMBERED DURING MONTH	APPROPRIATION BALANCE
2019 ADOPTED BUDGET	\$5,283,897	\$5,283,897	\$2,773,582	\$171,625	\$2,338,689
2018 RESERVE BUDGET- CURRENT	\$393,797	\$393,797	\$167,170	\$0	\$226,627
2019 CAPITAL FUND	\$1,950,425	\$1,950,425	\$275,874	\$373,636	\$1,300,487
SANDY EMERGENCY FUNDS	\$146,568	\$146,568	\$6,600	\$0	\$139,968
(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	\$497,428	\$513,298	\$1,930,268

Receipts, Disbursements and Changes in Cash Balance During the Month of JULY 31, 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	\$2,036,877	\$418,714	(\$1,961,475)	\$494,116 (A)
CAPITAL FUND	\$3,321,882	\$3,034,505	\$285,182	(\$51,253)	\$3,268,434
ANIMAL CONTROL FUND	\$183	\$219	\$0	\$0	\$219
OTHER TRUST FUNDS	\$511,133	\$514,125	\$25,593	(\$10,276)	\$529,442
PAYROLL ACCOUNT	\$39,647	\$76,549	\$233,606	(\$261,506)	\$48,649
UNEMPLOYMENT ACCOUNT	\$25,533	\$25,420	\$5	(\$365)	\$25,060
LAW ENFORCEMENT TRUST	\$2,841	\$2,844	\$1	\$0	\$2,845
TOTAL	\$6,488,139	\$5,690,539	\$963,100	(\$2,284,874)	\$4,368,765

(A) **BALANCE REDUCED DUE TO HAVING TO PAY THE OCEAN COUNTY TAXES AND HAVING TO EXTENDING THE GRACE PERIOD FOR THE 2ND QTR PROPRTY TAXES. MONIES REPLENISHED IN AUGUST, 2019 BY COLLECTING 2ND QUARTER PROPERTY TAXES.**

RESOLUTION NO. 2019 –
RESOLUTION: PAYMENT OF BILLS

WHEREAS, the municipal finance officer has presented

- A list of bills in the amount of \$67,576.18 with the recommendation they be paid, and
- A list of bills in the amount of \$125,465.17 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.

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 DONATION OF A BOROUGH VEHICLE TO THE
POINT PLEASANT FIRST AID AND EMERGENCY SQUAD**

WHEREAS, the Borough owns a 2008 Ford Expedition that it is no longer using; and
WHEREAS, the Point Pleasant First Aid & Emergency Squad is in need of a vehicle to utilize during emergencies and has requested the donation of same for its use; and
WHEREAS, it is the desire of the governing body to authorize the donation of the available vehicle, a 2008 Ford Expedition, VIN # 1FMFU16538LA47407 to the Point Pleasant First Aid & Emergency Squad.

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

1. That the governing body does hereby authorize the donation of a 2008 Ford Expedition, VIN # 1FMFU16538LA47407 that is no longer needed by the Borough to the Point Pleasant First Aid & Emergency Squad.
2. A copy of this resolution shall be provided to the Point Pleasant First Aid & Emergency.

REPORT OF THE DUNE AND BEACH COMMITTEE

INTRODUCTION TO ORDINANCE NO. 695

AN ORDINANCE OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF THE DEED OF DEDICATION AND PERPETUAL PUBLIC ACCESS EASEMENT

WHEREAS, the Borough is the owner or easement holder of certain tracts of land identified as public accessways to tidal waterways; and

WHEREAS, as part of the Municipal Public Access Plan, which the Borough is required to file with the New Jersey Department of Environmental Protection, the Borough identified several public access ways to tidal waterways, and is required by NJDEP rules to dedicate the lands via a Perpetual Public Access Easement; and

WHEREAS, the Borough wishes to grant a perpetual deed of easement, a copy of which is attached hereto and made a part hereof as “Schedule A,” across the subject property to the State of New Jersey.

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

SECTION 1. That the governing body does hereby authorize the dedication of a Deed of Dedication and Perpetual Public Access Easement to the State of New Jersey attached hereto as Schedule “A.”

SECTION 2. That the Mayor and the Municipal Clerk are hereby authorized to execute and attest to, respectively, any and all documents necessary to facilitate the transfer of the above-mentioned easement in a form acceptable to the Borough Attorney.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4 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 5. 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, AUTHORIZING THE APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR MA-2020-ROADWAY SAFETY IMPROVEMENTS PROJECT-00696

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

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2020-ROADWAY SAFETY IMPROVEMENTS PROJECT-00696 to the New Jersey Department of Transportation on behalf of The Borough of Mantoloking.

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

INTRODUCTION TO ORDINANCE NO. 696

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 § 30-6.11 entitled “Accessory Use and Accessory Structures” so as to amend subsection (b) entitled “Accessory Structures” so as to amend subsection 7. in its entirety so that it shall read as follows:

7. On-grade air conditioning or HVAC units shall be located within the building envelope and must be landscaped or screened with lattice, open board fence, shrubbery and/or plantings, which still allows for the circulation of air and dispersal of fumes, as to lessen the visual impact of the unit(s).

- a. Mechanical and utility platforms servicing the building, including generator platforms, shall be located within the building envelope, not more than six (6) inches from the principal structure and be considered a part of the building footprint and must be landscaped or screened with lattice, open board fence, shrubbery and/or plantings, which still allows for the circulation of air and dispersal of fumes, as to lessen the visual impact of the unit(s).
- b. Roof mounted equipment on an accessory or principal structure must be recessed into the rooflines to entirely screen the units and shall be located within the building envelope. The open end of the recessed roof platform at the roofline for the mechanical equipment shall be adequately screened with lattice, a parapet wall, or similar architectural elements along the roof line, which will still allow for the circulation of air and dispersal of any fumes, to lessen the visual impact and screen the roof mounted unit(s). No part or section of the platforms for roof mounted mechanical equipment shall extend above or beyond the structure’s roofline.

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 STRATEGIC PLANNING COMMITTEE

Committee Chairperson Councilman Nelson proposes the following for this month’s regular business Meeting.

RESOLUTION NO. 2019 –

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANTOLOKING AUTHORIZING AN AGREEMENT WITH COTTER STRATEGIES, LLC FOR THE PROVISION OF AN ORGANIZATIONAL REVIEW AND MANAGEMENT REPORT.

WHEREAS, there exists a need for an Organizational Review and Management Report to review municipal operations for the alignment of best practices and to make recommendations for staffing and the performance of a salary survey; and

WHEREAS, Cotter Strategies, LLC is duly qualified to provide the organizational and management review services to the Borough;

WHEREAS, Cotter Strategies has provided a proposal to the Borough dated September 9, 2019 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 the Organizational Review and Management Report for the Borough at a cost not to exceed \$ 6,105.00.

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 the Organizational Review and Management Report to the Borough in an amount not to exceed \$6,105.00 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:
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Respectfully submitted,

Beverley A. Konopada,
Borough Clerk