

DRAFT NO. 2–1/16/2020

THE BOROUGH OF MANTOLOKING
MAYOR AND COUNCIL

AGENDA – CAUCUS AND REGULAR BUSINESS MEETING

JANUARY 21, 2020

5:30 P.M.

MANTOLOKING BOROUGH HALL

202 DOWNER AVENUE

MANTOLOKING, NJ 08738

CAUCUS MEETING

CALL TO ORDER:

OPEN PUBLIC MEETING STATEMENT: Mayor White will 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.

ROLL CALL:

A. REVIEW OF REGULAR MEETING AGENDA

B. BOROUGH COUNCIL DISCUSSION ITEMS, IF ANY.

Finance Committee:

Councilman Amarante

Public Safety Committee:

Councilman Gillingham

Dune and Beach Committee:

Councilman Nelson and Councilman Batcha

Municipal Services Committee:

Mayor White

Municipal Relations Committee:

Councilwoman O’Mealia

Strategic Planning Committee:

Councilman Nelson and Councilwoman O’Mealia

Environmental Committee:

Councilwoman Green

Long Range Planning Committee

Councilwoman O’Mealia

Flood Strategy Committee

Councilwoman O’Mealia

C. PUBLIC COMMENT PERIOD

ADJOURN CAUCUS MEETING:

MOTION: _____

SECOND: _____

ALL IN FAVOR: _____

REGULAR BUSINESS MEETING

1. CALL TO ORDER:

2. OPEN PUBLIC MEETING STATEMENT: Mayor White will 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:

4. PLEDGE OF ALLEGIANCE: Mayor White will lead the assembly in the Pledge of Allegiance.

RESOLUTION NO. 2020-29

5. RESOLUTION: MINUTES OF PREVIOUS MEETINGS

Agenda Setting Meeting Minutes- December 10, 2019
Regular Business Meeting Minutes- Decemember 17, 2019
Executive Session- December 17, 2019

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

ROLL CALL VOTE RESOLUTION 2020-29

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

7. FINANCE COMMITTEE: Councilman Amarante will present the monthly finance report.

RESOLUTION NO. 2020-30

RESOLUTION THE REPORT OF THE MUNICIPAL FINANCE OFFICER

BOROUGH OF MANTOLOKING					
Financial Report for the Month of NOVEMBER 30, 2019					
<u>Status of the Budget on November 30, 2019</u>					
FUND	APPROPRIATION	CURRENT BALANCE	EXPENDED DURING MONTH	EXPENDED DURING YEAR	APPROPRIATION BALANCE
2019 ADOPTED BUDGET (NOTE 1)	\$5,283,897	\$5,408,897	\$4,077,967	\$146,590	\$1,184,340
2018 RESERVE BUDGET- CURRENT	\$393,797	\$393,797	\$167,155	\$0	\$226,642
2019 CAPITAL FUND	\$1,950,425	\$1,950,425	\$1,709	\$683,184	\$1,265,532
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	\$223,248	\$822,846	\$1,895,328
<u>Receipts, Disbursements and Changes in Cash Balance During the Month of November 30, 2019</u>					
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	\$1,860,959	\$1,457,822	(\$362,088)	\$2,956,693
CAPITAL FUND	\$3,321,882	\$3,236,665	\$14,910	(\$34,254)	\$3,217,321
ANIMAL CONTROL FUND	\$183	\$223	\$0	\$0	\$223
OTHER TRUST FUNDS	\$511,133	\$526,959	\$2	(\$2,183)	\$524,777
PAYROLL ACCOUNT	\$39,647	\$37,613	\$170,962	(\$166,894)	\$41,682
UNEMPLOYMENT ACCOUNT	\$25,533	\$34,077	\$7	\$0	\$34,084
LAW ENFORCEMENT TRUST	\$2,841	\$2,847	\$1	\$0	\$2,847
TOTAL	\$6,488,139	\$5,699,343	\$1,643,704	(\$565,418)	\$6,777,628
\$					
NOTE 1: EMERGENCY APPROPRIATION INCREASED THE BUDGET BY \$125,000 FROM \$5,283,897 TO \$5,408,897					

RESOLUTION NO. 2020-31

RESOLUTION: PAYMENT OF BILLS

WHEREAS, the municipal finance officer has presented

- A list of bills in the amount of \$169,429.05 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 2020-32. :

RESOLUTION: ESTABLISHMENT OF EMPLOYEE SALARIES FOR 2019 and 2020

WHEREAS, the Mayor has recommended annual salaries for Borough employees for 2019 and 2020;
and

WHEREAS, Council has endorsed the salary recommendations.

IT IS NOW, THEREFORE, this 21st of January, 2020, **RESOLVED**, by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, that the schedule set forth below is adopted for 2019 and 2020:

2019 REGULAR EMPLOYEES

<u>NAME</u>	<u>TITLE</u>	<u>SALARY</u>
Boettger, Elizabeth	Court Administrator	22,820.00
	Court Call Out Incidents (3HR. Minimum)	20.00/HR
Burdge, Kelly	Administrative Assistant (Police Department)	56,470.00
DalCorso, Gary	Tax Assessor/Tax Appeal Agent	19,110.00
Malvasio, Colleen	Administrative Assistant/TACO Planning Bd Recording Sec’y	56,470.00 \$100/Per Session
Morgano, Todd J.	Construction Official/Acting Building Sub-code Official (24 hours x 52 weeks x \$43.62 per hour)	54,438.00
Hazelet, Lynne	Deputy Borough Clerk/Deputy Registrar Recording Sec’y-Council Meeting	62,117.00 \$100.00 Per Session
Hulse, Paul Scott	Public Works Supervisor	90,000.00
Bland, Scott	Public Works Laborer	56,471.00
Konopada, Beverley	Municipal Clerk Assessment Search Officer Public Agency Compliance Officer Insurance Commissioner Archives and Records Manager Contract Administrator Registrar of Vital Statics	100,000.00

Pintado, Steven G.	Finance/Tax Collector Administrative Assistant	50,824.00
Piszar, Ronald	Fire Official (2 hours Per Week)	3,992.00
	Fire Subcode Official (2 Hours Per Week)	5,874.00
	Add'l Hours Paid Hourly	\$35.00/HR
Yezi, April	Chief Financial Officer Tax Collector Qualified Purchasing Agent	98,000.00

2019 PART TIME/ SEASONAL EMPLOYEES

<u>NAME</u>	<u>TITLE</u>	<u>SALARY</u>
Grenley, Stephen	Electrical Subcode Official	35.00/HR
	Deputy Construction Official	35.00/HR
	Deputy Building Inspector	35.00/HR
	Deputy Building Sub-code Inspector	35.00/HR
Liguori, James A.	Magistrate	1,522.00/Court Session
Safeer, Stuart	Deputy Electrical Subcode Official	35.00/HR
Smith, Pat	Administrative Assistant	25.00/HR
Purves, Glen	Plumbing Subcode Official	35.00/HR
Morra, Donna	Deputy Court Administrator	100.00/Court Session
Donald, Patrick	Public Works Laborer	18.00/HR

2020 REGULAR EMPLOYEES

<u>NAME</u>	<u>TITLE</u>	<u>SALARY</u>
Boettger, Elizabeth	Court Administrator	23,961.00
	Court Call Out Incidents (3HR. Minimum)	20.00/HR
Burdge, Kelly	Administrative Assistant (Police Department)	59,293.00

DalCorso, Gary	Tax Assessor/Tax Appeal Agent	20,066.00
Malvasio, Colleen	Zoning/Code Enforcement Official (10 hours x \$36.75 x 52 weeks)	19,110.00
	TACO/Planning Board Secretary (25 hours x \$31.51 x 52 weeks)	40,963.00
	Planning Bd Recording Sec'y	\$100/Per Session
Morgano, Todd J.	Construction Official/Acting Building Sub-code Official (24 hours x 52 weeks x \$45.80 per hour)	57,159.00
Hazelet, Lynne	Deputy Borough Clerk/Deputy Registrar Recording Sec-Council Meeting	65,223.00 \$100.00 Per Session
Hulse, Paul Scott	Public Works Supervisor	90,000.00
Bland, Scott	Public Works Laborer	59,924.00
Konopada, Beverley	Municipal Clerk Assessment Search Officer Public Agency Compliance Officer Insurance Commissioner Archives and Records Manager Contract Administrator Registrar of Vital Statics	100,000.00
Pintado, Steven G.	Finance/Tax Collector Administrative Assistant	53,365.00
Piszar, Ronald	Fire Official (2 Hours Per Week)	3,992.00
	Fire Subcode Official (2 Hours Per Week)	5,874.00
	Add'l Hours Paid Hourly	\$38.50/HR
Yezzi, April	Chief Financial Officer Tax Collector Qualified Purchasing Agent	98,150.00

Grenley, Stephen	Electrical Subcode Official (4.5 hrs per week x 52 weeks x \$38.50 per hour)	9,009.00
Purves, Glen	Plumbing Subcode Official (4.5 hrs per week x 52 weeks x \$38.50 per hour)	9,009.00

2020 PART TIME/ SEASONAL EMPLOYEES

<u>NAME</u>	<u>TITLE</u>	<u>SALARY</u>
Liguori, James A.	Magistrate	1,598.00/Court Session
Safeer, Stuart	Deputy Electrical Subcode Official	38.50/HR
Morra, Donna	Deputy Court Administrator	\$100 Per Session
Smith, Pat	Administrative Assistant/ Deputy Code Enforcement Officer	\$25/HR
Applegate, Douglas	Deputy Construction Official	38.50/HR
Donald, Patrick	Public Works Laborer	19.80/HR
Kushner, Timothy	Part-time Police Officer	16.50/HR
Molhem, David	Part-time Police Officer	16.50/HR

RESOLUTION NO. 2020-33

RESOLUTION: TO ADOPT APPROPRIATION RESERVE TRANSFER #1

WHEREAS, N.J.S.A. 40A: 4-59 provides that in the first 3 months of the fiscal year, the amount of any appropriation reserve for the immediately preceding fiscal year is insufficient to pay the claims authorized or incurred during said preceding year which were chargeable to said appropriation, and there shall be an excess in any appropriation reserves over and above the amount deemed to be necessary to fulfill its purpose, the governing body may, by resolution adopted by not less than a 2/3 vote of the full membership thereof, transfer the amount of such excess to an appropriation reserve or an appropriation in the prior budget deemed to be insufficient to fulfill its purpose or for which no reserve was provided.

WHEREAS, the Chief Financial Officer has advised the Mayor and Council of the Borough of Mantoloking that the need for certain transfers within the 2019 Appropriation Reserves exists; and

WHEREAS, it is recommended that these appropriation reserve transfers be made;

NOW, THEREFORE BE IT RESOLVED by the governing body of the Borough of Mantoloking that the following budget transfers be made for the 2019 Appropriation Reserve balances

<u>DEPARTMENT</u>		<u>TO</u>	<u>FROM</u>
Municipal Clerk	SW	\$ 8,500.00	
Municipal Clerk	OE		\$ 5,000.00
Tax Collector	OE		\$ 1,500.00
Police	SW	\$ 4,000.00	
Engineering	OE		\$ 8,000.00
Planning	SW	\$ 3,500.00	
Construction	OE		\$ 3,500.00
Road Repairs	SW	\$ 8,500.00	
Road Repairs	OE		\$ 8,500.00
Tax Assessor	SW	\$ 1,500.00	
Tax Assessor	OE		\$ 1,500.00
Court Administration	SW	\$ 450.00	
Court Administration	OE		\$ 450.00
Telephone	OE	\$ 500.00	
Electric	OE	\$ 2,000.00	
Finance	OE		\$ 4,500.00
Police	OE	\$ 4,000.00	
Total		\$32,950.00	\$32,950.00

RESOLUTION NO. 2020-34

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF MEMBERSHIP IN THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND

WHEREAS, the Municipal Council of the Borough of Mantoloking (hereinafter the “Local Unit”) has determined that MEMBERSHIP IN THE New Jersey Intergovernmental Insurance Fund (hereinafter the “Fund) established pursuant to Chapter 372, Laws of 1983 (N.J.S.A. 40A:10-36 et seq), is in the best interest of the municipality.

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

SECTION 1. The Borough of Mantoloking hereby agrees to continue as a member in the “Fund” for a period commencing on 1/1/2020 and terminating on 12/31/2022 for the following types of insurance coverage:

- a) Workers Compensation and Employers Liability
- b) General Liability (including Police Professional & Public Officials Liability);
- c) Motor Vehicle and Equipment Liability Coverage;
- d) Property Damage (including Building & Contents, Automobile Physical Damage, Contractors Equipment and Boiler & Machinery)

- e) Environmental Impairment Liability
- f) Cyber Liability

SECTION 2. Local Unit agrees to enter into and abide by the terms of the Indemnity and Trust Agreement, attached hereto as Exhibit 1. Local Unit hereby authorizes and directs Borough of Mantoloking to execute the Indemnity and Trust Agreement and such other documents as are necessary to comply with the requirements of the Fund.

SECTION 3. The Bylaws of the New Jersey Intergovernmental Insurance Fund are hereby adopted and accepted by the Local Unit and the Local Unit hereby agrees to conduct its membership in the “Fund” according to the rights and obligations set forth therein.

SECTION 4. The Local Unit certifies that it has never defaulted on claims under a self insurance plan and that it has not had its insurance canceled for non-payment of premium for a period of at least two (2) years prior to this application.

SECTION 5. Inconsistent Resolutions. All resolutions, or parts thereof that are or may be, inconsistent with provisions of this Resolution are hereby repealed to the extent of such inconsistency.

SECTION 6. Severability. If any section, paragraph, subdivision, clause or provision of this Resolution shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Resolution shall be deemed valid and effective.

SECTION 7. Effective Date. This Resolution shall take effect upon its passage.

INDEMNITY AND TRUST AGREEMENT

AGREEMENT made this _____ between the New Jersey Intergovernmental Insurance Fund, hereinafter referred to as the “Fund”, with an address c/o Polaris Galaxy Insurance, LLC., 777 Terrace Avenue, Hasbrouck Heights, New Jersey 07604 and the Borough of Mantoloking hereinafter referred to as “Local Unit”, located at 202 Downer Avenue, Mantoloking, New Jersey 08738

WHEREAS, the Mayor and Council of the Borough of Mantoloking has adopted a Resolution dated _____, agreeing to continue its participation in the “Fund” and approving of the Bylaws, as approved by the Commissioner of the Department of Banking and Insurance and the Department of Community Affairs of the State of New Jersey.

WHEREAS, N.J.S.A. 40A:10-36 et seq, and the regulations implemented thereunder in N.J.A.C. 1:15-2.1 et seq, require a written agreement between the individual local units and the “Fund”.

NOW, THEREFORE, in consideration of the mutual promises and covenants of the parties, they agree as follows:

1. “Local Unit” agrees to participate as a member of the “Fund: and contribute such sums and pay such assessments into the "Fund" that are required for the administrative costs and claims for the following types of coverage:

- a) Workers Compensation and Employers Liability Monoline
- b) General Liability (including Police Professional & Public Officials Liability);
- c) Motor Vehicle and Equipment Liability Coverage;
- d) Property Damage (including Building & Contents, Automobile Physical Damage, Contractors Equipment and Boiler & Machinery)

- e) Environmental Impairment Liability
- f) Cyber Liability

2. “Local Unit” affirms that it has not been in default on any insurance premium due any insurance carrier in the preceding two (2) years, or on any claim due under any self insurance.
3. “Local Unit” hereby accepts the Bylaws of the “Fund” as approved by the Commissioner of the Department of Banking and Insurance and the Department of Community affairs of the State of New Jersey and agrees to be bound by same.
4. “Local Unit” agrees to continue participation in the “Fund” to the extent designated in Paragraph 1 above for a period from **1/1/2020** until and including **12/31/2022**
5. “Fund” agrees to operate the insurance pool established by the parties and administer all monies contributed to the “Fund” in compliance with the provisions of the Local Fiscal Affairs Law (N.J.S.A. 40A:5-1 et seq), the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq), the enabling legislation authorizing the “Fund”, (N.J.S.A. 40A:10-36 et seq), the Bylaws of the “Fund”, and such other rules and regulations as govern the custody, investment and expenditures of public funds by local units. In furtherance thereof, “Fund” agrees to employ an individual duly certified as a Municipal Finance Officer to administer the funds of the “Fund”.
6. “Local Unit” agrees to be jointly and severally liable for the assumption and discharge of the liabilities of each and every other member of the “Fund”, but only to the extent of its participation in the type of coverage specifically designated in Paragraph 1 above.
7. To further the intent and purposes of Paragraph 5 above, “Fund” agrees that all assessment payments made by “Local Unit” shall be held in trust for the benefit of “Local Unit”. Separate trust accounts must be established by the “Fund” pursuant to N.J.S.A. 11:15-2.13. The monies from said fund shall be disbursed solely for the payment of claims, allocated claim expenses and excess insurance or reinsurance premiums for the risk or liability coverage which “Local Unit” has agreed to participate in pursuant to paragraph 1 above. The funds on deposit in one trust account for a specific type of coverage may not be expended, assessed or attached for use by the “Fund” for that “Local Unit” or any other “Local Unit’s” obligations or liabilities for any other type of coverage it may be participating in the “Fund”.
8. “Local Unit” acknowledges that upon payment of its assessment into the trust account, it shall not have any further right to said funds except as deemed surplus and returnable by the “Fund” in accordance with the “Fund’s” Bylaws and regulations or in the event of termination of the “Fund” and then only to the extent authorized by its Bylaws and regulations of the State of New Jersey.
9. “Local Unit” agrees that no later than ninety (90) days prior to the expiration of the term, they shall advise the Fund Administrator in writing of its intent to either renew or terminate its membership, the “Fund”, at its sole option, shall be entitled to assume that any member delinquent in its notice requirements under this section, shall have renewal membership.
10. “Local Unit” agrees that if it fails to promptly pay any such assessment charged to it or to comply with the Bylaws and regulations of the “Fund”, that it shall indemnify the “Fund”, its officers, commissioners and Agencies for any loss or damage resulting from such failure.
11. This agreement shall be governed by the Laws of the State of New Jersey.

IN WITNESS WHEREOF, the parties have executed this Agreement.

ATTEST:

By: _____
Borough of Mantoloking

ATTEST:

By: _____
New Jersey Intergovernmental Insurance Fund

RESOLUTION NO. 2020-35

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPROVING ENTRY INTO CONTRACT WITH JEAN L. CIPRIANI, ESQ. OF THE FIRM OF ROTHSTEIN, MANDELL, STROHM, HALM & CIPRIANI, P.A., AS BOROUGH ATTORNEY FOR THE BOROUGH OF MANTOLOKING

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

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

WHEREAS, the Mayor and Legal Affair Committee have reviewed the proposals submitted and recommend that Jean L. Cipriani, Esq. of the firm of Rothstein, Mandell, Strohm, Halm & Cipriani, P.A. be appointed as Borough Attorney; and

WHEREAS, the performance of these services require 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 Jean L. Cipriani, Esq. of the firm Rothstein, Mandell, Strohm, Halm & Cipriani, P.A. has the ability and expertise to perform the legal services required by the Borough; and

WHEREAS, Jean L. Cipriani of the firm of Rothstein, Mandell, Strohm, Halm & Cipriani, P.A., has completed and submitted a Business Entity Disclosure Certification which certifies that neither she nor her firm have made any reportable contributions to a political or candidate committee in the Borough of Mantoloking in the previous one year, and that the contract will prohibit Jean L. Cipriani and the firm of Rothstein, Mandell, Strohm, Halm & Cipriani, P.A., 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., 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 Jean L. Cipriani, Esq., of the firm of Rothstein, Mandell, Strohm, Halm & Cipriani, P.A., is hereby appointed as Borough Attorney for the Borough of Mantoloking for a term of one (1) year, commencing January 1, 2020 and ending December 31, 2020. The Borough Attorney and her firm shall be compensated at the rate of \$10,000.00 per month, flat fee, plus expenses, for services rendered for the calendar year 2020, with the exception of litigation matters and special projects as approved by the Mayor. Any extraordinary legal services will require a separate resolution of the governing body. The total amount charged by the Attorney shall not exceed the amount appropriated in the municipal budget for the year 2020, as amended and supplemented. For accounting purposes

- only, the Attorney shall be compensated at the rate of \$150.00 per hour.
2. The Attorney shall perform all normal legal services as determined and authorized by the Mayor or other authorized official of the Borough in accordance with the terms of this Agreement. In addition, the Attorney shall be compensated at the hourly rate as set forth in paragraph 1 for all litigation and special project services performed on behalf of the Borough of Mantoloking.
 3. The Mayor is hereby authorized to execute and the Borough Clerk to attest to, respectively, the attached agreement with Jean L. Cipriani, Esq. of the firm of Rothstein, Mandell, Strohm, Halm & Cipriani, P.A. in accordance with the provisions of this resolution.
 4. 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.
 5. That the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.
 6. A notice of this action shall be printed once in the official newspaper of the Borough of Mantoloking.
 7. That a copy of the written determination of value by the Borough Administrator shall be placed on file with this resolution.
 8. This resolution shall take effect immediately.
 9. That a certified copy of this resolution shall be provided by the Borough Clerk to the Chief Financial Officer, Jean L. Cipriani, Esq. and the firm Rothstein, Mandell, Strohm, Halm & Cipriani, P.A.
 10. 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: 0-01-20-155-001-201 Legal OE.

ROLL CALL VOTE RESOLUTIONS 2020-30 THROUGH 2020- 35

8. **PUBLIC SAFETY COMMITTEE**: Councilman Gillingham will present the monthly reports of the Police Department, Municipal Court, Fire Company and Emergency Management.

RESOLUTION NO. 2020-36

RESOLUTION: AUTHORIZING THE BOROUGH OF MANTOLOKING THROUGH THE MANTOLOKING POLICE DEPARTMENT TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE 1033 PROGRAM TO ENABLE THE MANTOLOKING POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT

WHEREAS, the United State Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program the Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies; and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting law enforcement agency; and

WHEREAS, participation in the 1033 Program allows municipal and county law enforcement agencies to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county law enforcement agencies, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county

approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program; and

NOW THEREFORE BE IT RESOLVED that the Borough of Mantoloking is hereby authorized to acquire items of non-controlled property designated “DEMIL A,” which may include office supplies, office furniture, computers, electronic equipment, generators, non-military vehicles, exercise equipment, storage devices and containers, tools, medical and first aid equipment and supplies, bulldozers, personal protection equipment and supplies, construction materials, lighting supplies, sleeping mats, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the next twelve months, based on the needs of the Borough of Mantoloking, without restriction; and

BE IT FURTHER RESOLVED that the Borough of Mantoloking Chief of Police shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURTHER RESOLVED that the Borough of Mantoloking shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

BE IT FURTHER RESOLVED , this resolution shall take effect immediately, shall be valid to authorize requests to acquire "DEMIL A through Q" property that may be made available through the 1033 Program until December 31, 2020.

RESOLUTION 2020-37

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY ESTABLISHING THE 2020 MEETING DATES OF THE LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)

BE IT RESOLVED, by the Mayor and Council of the Borough of Mantoloking, that the LEPC meeting dates for 2020 are hereby established.

**BOROUGH OF MANTOLOKING
OCEAN COUNTY, NEW JERSEY**

**LOCAL EMERGENCY PLANNING COMMITTEE
(LEPC)
MEETING SCHEDULE**

Please be advised that the following is the schedule of the Regular Meetings for 2020 for the Local Emergency Planning Committee of the Borough of Mantoloking.

Location:

Mantoloking Borough Hall
202 Downer Avenue
Mantoloking, NJ 08738

Time: 2:30 p.m.

Regular Meeting Dates:

Thursday, April 16, 2020
Thursday, September 17, 2020

Robert S. McIntyre, Jr.
Municipal Emergency Management Coordinator

RESOLUTION NO. 2020-38

RESOLUTION: IN SUPPORT OF SPECIAL OLYMPICS NEW JERSEY AND THE JERSEY SHORE RUNNING CLUB “JERSEY SHORE RELAY”

WHEREAS, Special Olympics New Jersey and the Jersey Shore running Club have requested permission to utilize roadways in the Borough in conjunction with the “Jersey Shore Relay”, on Saturday, April 4, 2020; and

WHEREAS, the Mayor and Council wish to endorse and support Special Olympics New Jersey and the Jersey Shore Running Club Jersey Shore Relay; and

IT IS NOW, THEREFORE, this 21ST day of January, 2020,

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

1. The request to utilize Lyman and East Avenue as part of the “Jersey Shore Relay”, 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 sent to Special Olympics New Jersey and the Jersey Shore running Club, Attention: Joe Freeman, Race Logistics Coordinator.
3. This approval and endorsement is subject to such conditions, if any, as shall be established by the Chief.

RESOLUTION NO. 2020-39

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 POLICE SERVICES FOR THE DRUG RECOGNITION EXPERT CALLOUT PROGRAM

WHEREAS, the Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., authorizes the Borough of Mantoloking to enter into a contract for the provision of certain governmental services with the County of Ocean Police 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 participate in said Drug Recognition Expert Callout Program (hereinafter referred to as D.R.E.C.P.) run by the Ocean County Prosecutors Office for the purpose of identifying and removing intoxicated drivers from the roadway; and

WHEREAS, the D.R.E.C.P. receives funding from the State of New Jersey and County of Ocean; and

WHEREAS, the Municipality wishes to enter into an Agreement with the County for purpose of setting forth the terms and conditions regarding the assignment of police officers employed by the Municipality to the D.R.E.C.P.; and

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 governing body does hereby authorize the execution of a Shared Services Agreement with the County of Ocean Police Services for Drug Recognition Expert Callout Program, said agreement is subject to the approval of the Borough Attorney.
2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to the Shared Services Agreement, and any other documents necessary to effectuate the terms of this resolution.
3. 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.
4. That a certified copy of this resolution, together with a copy of the agreement, shall be forwarded to the Office of the Prosecutor, Chief of Police and the Chief Financial Officer.

RESOLUTION NO. 2020-40

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 POLICE SERVICES FOR THE DRIVING WHILE INTOXICATED ENFORCEMENT PROGRAM

WHEREAS, the Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., authorizes the Borough of Mantoloking to enter into a contract for the provision of certain governmental services with the County of Ocean Police 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 participate in said Driving While Intoxicated Enforcement Program(hereinafter referred to as D.W.I.E.P.) run by the Ocean County Prosecutors Office for the purpose of identifying and removing intoxicated drivers from the roadway; and

WHEREAS, the D.W.I.E.P. receives funding from the State of New Jersey and County of Ocean; and

WHEREAS, the Municipality wishes to enter into an Agreement with the County for purpose of setting forth the terms and conditions regarding the assignment of police officers employed by the Municipality to the D.W.I.E.P.; and

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 governing body does hereby authorize the execution of a Shared Services Agreement with the County of Ocean Police Services for Driving While Intoxicated Enforcement Program, said agreement is subject to the approval of the Borough Attorney.
2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to the Shared Services Agreement, and any other documents necessary to effectuate the terms of this resolution.
3. 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.

4. That a certified copy of this resolution, together with a copy of the agreement, shall be forwarded to the Office of the Prosecutor, Chief of Police and the Chief Financial Officer.

RESOLUTION NO. 2020-41

RESOLUTION: APPOINTMENT OF PERSONNEL – PART TIME

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
David Molhem	Part Time Police Officer	1/27/2020
Timothy Kushner	Part Time Police Officer	Effective Immediately

ROLL CALL VOTE RESOLUTIONS 2020-36 THROUGH 2020-41

RESOLUTION NO. 2020-46

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH STACY S. FERRIS AS THE CHIEF OF POLICE FOR THE BOROUGH OF MANTOLOKING

WHEREAS, it is the desire of the governing body to authorize the execution of a five-year agreement between the Borough of Mantoloking and Stacy S. Ferris as the Chief of Police; and

WHEREAS, a copy of said agreement is attached hereto as Schedule A; and

WHEREAS, it is the desire of the governing body to authorize the execution of the subject agreement.

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 Borough Council does hereby authorize the execution of a five-year employment agreement between the Borough of Mantoloking and Stacy S. Ferris as the Chief of Police for the year 2020.

2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to, respectively, the agreement attached hereto and incorporated herein as Schedule A.

3. That a certified copy of this resolution shall be forwarded to the Chief Financial Officer and to Chief Stacy S. Ferris.

ROLL CALL VOTE RESOLUTION 2020-46

9. **DUNE & BEACH COMMITTEE**: Councilman Nelson and Councilman Batcha will present the reports of the Dune & Beach Committee and Ocean County Block Grant Program.

10. **MUNICIPAL SERVICES COMMITTEE**: Mayor White will present the monthly reports from the Public Works Superintendent, Construction Official, Land Use Officer and Building Committee.

RESOLUTION NO. 2020-42

RESOLUTION PROVIDING FOR APPROVAL OF THE 2020 OCEAN COUNTY SCHEDULE C AGREEMENT BETWEEN THE BOROUGH AND THE COUNTY OF OCEAN

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

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

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

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

WHEREAS, a Certificate of Funds Availability has been provided.

IT IS NOW, THEREFORE, this 21 day of January, 2020, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. That the Borough of Mantoloking shall enter into the proposed Schedule C Agreement for the period January 1, 2020 through December 31, 2020, subject to the acceptance by the County of the Borough's liability insurance in lieu of indemnification;
2. Further, that it is hereby certified that funds are available in the current budget to cover the anticipated cost, \$6,000.00. [Road Maintenance Supplies (Salt)],
3. The Mayor and Borough Clerk are hereby authorized to execute and deliver the Agreement in accordance with this Resolution.
4. A true copy of the Agreement shall be available for public inspection in the Clerk's Office.

RESOLUTION NO. 2020-43

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN EMPLOYMENT AGREEMENT WITH TODD MORGANO AS CONSTRUCTION OFFICIAL PROVIDING FOR EXTENDED HOURS FOR 2020

WHEREAS, pursuant to Resolution 4/26/16-03, Todd Morgano was previously appointed as Construction Official for the Borough of Mantoloking at an annual salary of \$40,000 for 20 hours of work per week; and **WHEREAS**, due to a significant rise in the number of inspections required, the Construction Official required additional hours in 2019 and is requesting the same for 2020, in order to accomplish such inspections; and

WHEREAS, the governing body wishes to authorize the extension of hours for the Construction Official to 24 hours per week for 2020 at a prorated annual salary of \$54,440.24 which is subject to any employee salary increase approved for non-union employees for calendar year 2020; and

WHEREAS, the governing body wishes to authorize the execution of an Employment Agreement providing for same and establishing an hourly rate any other approved hours by the Construction Official.

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 the governing body does hereby authorize the execution of an Employment Agreement with Todd Morgano as Construction Official which provides for 24 hours per week for 2020 at a prorated annual salary of \$54,440.24, which is subject to any employee salary increase approved for non-union employees for calendar year 2020, and establishing an hourly rate any other approved hours by the Construction Official.
2. That the Mayor and Municipal Clerk are hereby authorized to execute an attest to, respectively, an Employment Agreement with Todd Morgano, in accordance with the provisions of this resolution.
3. That a certified copy of this resolution, together with a copy of the agreement between the parties, shall be forwarded by the Borough Clerk to the Chief Financial Officer and Todd Morgano.

RESOLUTION NO. 2020-44

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
Larry Plevier Mott MacDonald	Deputy Land Use Official	January 21, 2020	No additional compensation- Plan review during regular scheduled work day for the Borough.
Patrick Smith	Deputy Code Enforcement Officer	January 21, 2020	\$25.00 per hour

ROLL CALL VOTE RESOLUTIONS 2020-42 THROUGH 2020-44

11. **MUNICIPAL RELATIONS COMMITTEE:** Councilwoman O’Mealia will present the report of the Mantoloking Relations Committee.
12. **STRATEGIC PLANNING COMMITTEE:** Councilman Nelson and Councilwoman O’Mealia will present the report of the Strategic Planning Committee.

RESOLUTION NO. 2020-45

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANTOLOKING AUTHORIZING AN AGREEMENT WITH COTTER STRATEGIES, LLC FOR AN ORGANIZATIONAL MANAGEMENT REVIEW-PHASE II

WHEREAS, there exists a need for phase II of an organizational management review of the municipal operations; and

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

WHEREAS, Cotter Strategies has provided a proposal to the Borough dated December 11, 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 a Management Review- Phase II for the Borough at a cost not to exceed \$1,320.00.

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 Management Review Phase II to the Borough in an amount not to exceed \$ 1,320.00 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: 0-01-20-120-001-220 Municipal Clerk OE – Contracted Services.

ROLL CALL VOTE RESOLUTION NO 2020-45

13. **ENVIRONMENTAL COMMITTEE**: Councilwoman Green will present the report of the Environmental Committee.
14. **LONG RANGE PLANNING COMMITTEE**: Councilwoman O’Mealia will present the report of the Long Range Planning Committee
15. **FLOOD STRATEGY COMMITTEE**: Councilwoman O’Mealia will present to report of the Flood Strategy Committee
16. **MAYOR AND COUNCIL COMMENTS**:
17. **PUBLIC COMMENTS PERIOD**:
18. **NEXT MEETING**: Caucus and Regular Business Meeting, Tuesday February 18, 2020, Mantoloking Borough Hall, 202 Downer Avenue, Mantoloking, NJ 08738
19. **ADJOURNMENT**: