

DRAFT NO. 1–1/30/2020

THE BOROUGH OF MANTOLOKING
MAYOR AND COUNCIL

AGENDA – CAUCUS AND REGULAR BUSINESS MEETING

FEBRUARY 18, 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.

<u>Finance Committee:</u>	Councilman Amarante
<u>Public Safety Committee:</u>	Councilman Gillingham
<u>Dune and Beach Committee:</u>	Councilman Nelson and Councilman Batcha
<u>Municipal Services Committee:</u>	Mayor White
<u>Municipal Relations Committee:</u>	Councilwoman O’Mealia
<u>Strategic Planning Committee:</u>	Councilman Nelson and Councilwoman O’Mealia
<u>Environmental Committee:</u>	Councilwoman Green
<u>Long Range Planning Committee:</u>	Councilwoman O’Mealia
<u>Flood Strategy Committee:</u>	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. 2020-47

5. **RESOLUTION: MINUTES OF PREVIOUS MEETINGS**

Reorganization Meeting Minutes – January 2, 2020
Regular Business Meeting Minutes- January 21, 2020

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

ROLL CALL VOTE RESOLUTION 2020-47

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. 2020-48

RESOLUTION THE REPORT OF THE MUNICIPAL FINANCE OFFICER

BOROUGH OF MANTOLOKING					
Financial Report for the Month of December 31, 2019					
Status of the Budget on December 31, 2019					
FUND	APPROPRIATIONS	CURRENT BALANCE	EXPENDED DURING MONTH	EXPENDED DURING YEAR	APPROPRIATION BALANCE
2019 ADOPTED BUDGET (NOTE 1)	\$5,283,897	\$5,483,875	\$4,815,381	\$119,387	\$549,107
2018 RESERVE BUDGET- CURRENT	\$393,797	\$393,797	\$167,155	\$0	\$226,642
2019 CAPITAL FUND	\$1,950,425	\$1,950,425	\$3,284	\$810,484	\$1,136,658
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	\$224,823	\$950,145	\$1,766,453
Receipts, Disbursements and Changes in Cash Balance During the Month of December 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	\$2,961,160	\$856,374	(\$491,470)	\$3,326,063
CAPITAL FUND	\$3,321,882	\$3,217,321	\$0	(\$650,059)	\$2,567,262
ANIMAL CONTROL FUND	\$183	\$223	\$0	\$0	\$223
OTHER TRUST FUNDS	\$511,133	\$524,777	\$109	(\$193)	\$524,694
PAYROLL ACCOUNT	\$39,647	\$41,682	\$213,312	(\$198,817)	\$56,176
UNEMPLOYMENT ACCOUNT	\$25,533	\$34,084	\$7	\$0	\$34,091
LAW ENFORCEMENT TRUST	\$2,841	\$2,847	\$1	\$0	\$2,848
TOTAL	\$6,488,139	\$6,782,094	\$1,069,803	(\$1,340,539)	\$6,511,358
\$					

NOTE 1: EMERGENCY APPROPRIATION INCREASED THE BUDGET BY \$125,000 FROM \$5,283,897 TO \$5,408,897

RESOLUTION NO. 2020-49

RESOLUTION: PAYMENT OF BILLS

WHEREAS, the municipal finance officer has presented

- A list of bills in the amount of \$280,870.84 with the recommendation they be paid, and
- A list of bills in the amount of \$1,686,012.05 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. 2020-50

RESOLUTION: TO ADOPT APPROPRIATION RESERVE TRANSFER #2

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	OE		\$ 1,900.00
Liability Insurance	OE		\$ 5,100.00
Police	OE	\$ 2,000.00	
Engineering	OE		\$15,000.00
O. C. Utilities Authority	OE	\$ 20,000.00	
Total		\$22,000.00	\$22,000.00

RESOLUTION NO. 2020-51

RESOLUTION TO ADOPT TEMPORARY EMERGENCY APPROPRIATIONS #1

WHEREAS, N.J.S.A. 40A: 4-20 provides that an addition to temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the Governing Body may, by resolution adopted by 2/3 vote of the full membership thereof, make emergency temporary appropriations for any purpose for which the appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year.

WHEREAS, the total emergency temporary resolutions adopted in the year 2020 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A: 4-20) including this resolution total \$1,717,924.00.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Mantoloking, that in accordance with the provisions of N.J.S.A. 40A: 4-20, the Chief Financial Officer be authorized to make the following emergency temporary budget appropriations in the 2020 current fund temporary budget and that said amounts be included under the correct headings in the municipal budget as adopted.

BE IT FURTHER RESOLVED that one certified copy of this resolution be filed with the Director of the Division of Local Government Services and one certified copy with the Chief Financial Officer.

<u>DEPARTMENT</u>	<u>S&W</u>	<u>OE</u>
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Municipal Clerk	\$20,000.00	\$ 15,000.00
Finance	\$10,000.00	\$ 10,000.00
Tax Collection	\$ 3,150.00	
Tax Assessor	\$ 1,500.00	
Engineering		\$ 10,000.00
Planning	\$ 3,000.00	\$ 2,000.00
Construction	\$10,000.00	\$ 3,000.00
Insurance-Group Health		\$ 80,000.00
Police	\$90,000.00	\$ 10,000.00
Municipal Prosecutor		\$ 1,000.00
Road Repair	\$30,000.00	\$ 5,000.00
Garbage		\$ 25,000.00
Buildings & Grounds		\$ 5,000.00
Sewer Systems		\$ 5,000.00
Dog		\$ 600.00
Beach Access		\$ 7,000.00
Beach Maintenance		\$ 10,000.00
Aid to First Aid	\$ 1,500.00	
Telephone	\$ 2,000.00	
Electricity		\$ 2,000.00
Fire Hydrant		\$ 3,000.00
Gasoline		\$ 3,000.00
Ocean County Utilities Authority		\$ 30,000.00
Municipal Court	\$ 5,000.00	\$ 1,650.00
Capital Improvement		\$ 100.00
Social Security		\$ 20,000.00
Court	\$10,000.00	\$ 1,000.00
TOTAL	\$ 186,150.00	\$249,350.00
GRAND TOTAL	\$ 435,500.00	

ROLL CALL VOTE RESOLUTIONS 2020-48 THROUGH 2020-51

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

RESOLUTION NO. 2020-52 :

RESOLUTION SHARED SERVICE AGREEMENT “MOVE OVER” LAW 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 Move Over Law Enforcement Program (hereinafter referred to as M.O.L.E.P. run by the Ocean County Prosecutors Office for the purpose of identifying, educating and removing reckless drivers from the roadway; and

WHEREAS, the M.O.L.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 M.O.L.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 Move Over Law 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. 2020-53

RESOLUTION: IN SUPPORT OF PARTICIPATION IN THE 2020 DISTRACTED DRIVER STATEWIDE CRACKDOWN APRIL 1- APRIL 21, 2020

WHEREAS, distracted driving is a dangerous epidemic on America's roadways. In 2017 alone, 3,116 people were killed in distracted driving crashes; and

WHEREAS, In New Jersey, driver inattention remains the most significant cause of fatal and incapacitating crashes. Driver inattention was listed as a contributing circumstance in 51 percent of the state's crashes in 2017. Driver inattention was in fact listed as a contributing factor in crashes at a rate of eight than that of the next highest contributing factor (speed); and

WHEREAS, the State of New Jersey will participate in the Distracted Driving 2020 Statewide crackdown from April 1 – April 21, 2020 in an effort to raise awareness about the dangers of distracted driving, to offer deterrence through visible enforcement and issue summonses for relevant motor vehicle violations; and

WHEREAS, during the 2019 crackdown participating police agencies in the state issued 15,105 summonses for cell phone use/texting and 6,286 for careless driving; and

WHEREAS, the grant will pay for 100 hours of overtime enforcement during the crackdown period, with a maximum rate to be reimbursed of \$55.00 per hour.

IT IS NOW, THEREFORE, this 18th day of February, 2020, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, declares it's support for the Distracted Driving 2020 Statewide Crackdown from April 1 – April 21, 2020.

ROLL CALL VOTE RESOLUTIONS 2020-52 AND 2020-53

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. 2020-54

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPOINTING RONALD S. GASIOROWSKI, ESQUIRE, OF THE FIRM OF GASIOROWSKI & HOLOBINKO, AS SPECIAL COUNSEL FOR THE BOROUGH OF MANTOLOKING

WHEREAS, the Borough Council previously appointed Ronald S. Gasiorowski, Esquire, of the firm of Gasiorowski & Holobinko, as Special Counsel for the Borough of Mantoloking for the representation of the Borough before the Brick Township Zoning Board of Adjustment to be compensated at the rate of Three Hundred Twenty-Five (\$325.00) Dollars per hour for services rendered to the Borough, for a total amount not to exceed \$17,500.00; and

WHEREAS, the Mr. Gasiorowski's efforts as Special Counsel for the Borough of Mantoloking for the representation of the Borough at the Brick Township Zoning Board of Adjustment have been extensive and required, to date, the provision of legal services in excess of \$17,500.00; and

WHEREAS, through the efforts of Mr. Gasiorowski and others, the applicant Vilamoura, Inc. has currently withdrawn its CAFRA application and sought an adjournment of hearing without a date certain for the Brick Township Board of Adjustment the Borough Council, but it is anticipated that the applications will be refiled and/or be continued; and

WHEREAS, the Borough Council therefore deems it desirable to authorize payment to Mr. Gasiorowski for work to date in the total amount of \$36,885.99 and to authorize extension of the agreement with Mr. Gasiorowski for such legal services as are necessary between the date of this Resolution and December 31, 2020.

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 payment of \$36,885.99 to Ronald S. Gasiorowski, Esquire, of the firm of Gasiorowski & Holobinko, for services previously provided is hereby authorized; and
2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to, respectively, the attached extension of agreement with Ronald S. Gasiorowski, Esquire of the firm of Gasiorowski & Holobinko in accordance with the provisions of this resolution for the provision of legal services of Special Counsel for the Borough of Mantoloking for the representation before the Borough at the Brick Township Zoning Board of Adjustment through December 31, 2020. The Special Counsel and his firm shall be compensated at the rate of Three Hundred Twenty-Five (\$325.00) Dollars per hour for services rendered to the Borough, for a total amount not to

exceed \$17,500.00.

3. That this contract extension 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: Legal Services- Special Counsel- 9-01-20-155-001-203-\$17,500.00 and Legal Expenses- Special Emergency 9-01-20-155-001-204- \$19,385.99
6. That a certified copy of this resolution, together with a copy of the Agreement, shall be forwarded to the Chief Financial Officer and Ronald Gasiorowski, Esquire of Gasiorowski & Holobinko.

ROLL CALL VOTE RESOLUTIONS 2020- 54

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.
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

RESOLUTION NO. 2020-55

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, PROVIDING FOR CONFIRMATION OF THE APPOINTMENT OF TONY AMARANTE TO THE STRATEGIC PLANNING COMMITTEE

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 Tony Amarante to the Strategic Planning Committee is hereby confirmed.

ROLL CALL VOTE RESOLUTIONS 2020- 55

16. **MAYOR AND COUNCIL COMMENTS:**

17. **PUBLIC COMMENTS PERIOD:**

18. **NEXT MEETING:** Caucus and Regular Business Meeting, Tuesday March 17, 2020, Mantoloking Borough Hall, 202 Downer Avenue, Mantoloking, NJ 08738

19. **ADJOURNMENT:**