

DRAFT NO.1-6/17/2020

**THE BOROUGH OF MANTOLOKING**  
**MAYOR AND COUNCIL**

**AGENDA – CAUCUS AND REGULAR BUSINESS MEETING**

**July 21, 2020**

**5:30 P.M.**

**MANTOLOKING VIRTUAL MEETING**

**CALL: 605-313-5156**

**ACCESS CODE: 231051**

**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 FOR NEXT MONTHS AGENDA.**

- Mayor and Council Stipends- some residents looking to compensate the governing body for their time.
- Parking/Traffic Ordinance- 4 hour parking restriction

<u>Finance Committee:</u>	Councilman Amarante
<u>Public Safety Committee:</u>	Councilman Gillingham
<u>Dune and Beach Committee:</u>	Councilman Batcha
<u>Municipal Services Committee:</u>	Mayor White
<u>Municipal Relations Committee:</u>	Councilwoman O’Mealia
<u>Strategic Planning Committee:</u>	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-** State your name and address for the record. Once you have finished speaking, please place your phone on mute.

**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.

**5. RESOLUTION NO. 2020-102**

**RESOLUTION: MINUTES OF PREVIOUS MEETINGS**

Regular Business Meeting Minutes- June 16, 2020

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

**ROLL CALL VOTE RESOLUTION 2020-102**

**6. PRIVILEGE OF THE FLOOR:** Mayor White will open the meeting for public comment and questions about the agenda. State your name and address for the record. Once you have finished speaking, please place your phone on mute.

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

**RESOLUTION NO. 2020-103**

**RESOLUTION THE REPORT OF THE MUNICIPAL FINANCE OFFICER**

**BOROUGH OF MANTOLOKING  
Financial Report for the Month of May 31, 2020  
Status of the Budget on May 31, 2020**

FUND	APPROPRIATION	CURRENT BALANCE	EXPENDED DURING MONTH	EXPENDED YEAR TO DATE	ENCUMBERED BALANCE	APPROPRIATION BALANCE
2020 TEMPORARY BUDGET	\$692,200	\$2,954,624	\$307,206	\$1,535,201	\$672,530	\$746,893
2019 RESERVE BUDGET - CURRENT	\$5,283,897	\$656,271	\$0	\$293,030	\$3,839	\$359,403
2020 CAPITAL FUND	\$1,543,000	\$1,543,000	\$1,525	\$255,727	\$160,897	\$1,126,376
SANDY EMERGENCY FUNDS	\$146,568	\$139,968	\$0	\$0	\$0	\$139,968
<b>TOTAL</b>	<b>\$7,665,665</b>	<b>\$5,293,863</b>	<b>\$308,731</b>	<b>\$2,083,957</b>	<b>\$837,266</b>	<b>\$2,372,640</b>

	APPROPRIATION	CURRENT BALANCE	EXPENDED DURING MONTH	EXPENDED YEAR TO DATE	ENCUMBERED BALANCE	APPROPRIATION BALANCE
<b>(Subcategory of Capital Fund)</b>						
Construction-Municipal Building	\$890,832	\$890,832	\$0	\$135,500	\$149,946	\$605,386

**Receipts, Disbursements and Changes in Cash Balance During the Month of May 31, 2020**

FUND	CASH BALANCE JANUARY 1, 2020	CASH BALANCE BEGINNING OF MONTH	CASH RECEIVED	CASH DISBURSED	CASH BALANCE END OF MONTH
2019 CURRENT FUND	\$3,326,063	\$1,842,499	\$1,534,337	(\$318,491)	\$3,058,344
CAPITAL FUND	\$2,567,262	\$2,313,060	\$0	(\$10,760)	\$2,302,300
ANIMAL CONTROL FUND	\$223	\$235	\$0	\$0	\$235
OTHER TRUST FUNDS	\$524,694	\$561,328	\$261	(\$1,103)	\$560,487
PAYROLL ACCOUNT	\$56,176	\$53,135	\$186,263	(\$175,260)	\$64,137
UNEMPLOYMENT ACCOUNT	\$34,091	\$34,111	\$1	\$0	\$34,113
LAW ENFORCEMENT TRUST	\$2,848	\$2,850	\$0	\$0	\$2,850
<b>TOTAL</b>	<b>\$6,511,358</b>	<b>\$4,807,219</b>	<b>\$1,720,862</b>	<b>(\$505,614)</b>	<b>\$6,022,466</b>

**RESOLUTION NO. 2020-104**

**RESOLUTION: PAYMENT OF BILLS**

WHEREAS, the municipal finance officer has presented

- A list of bills in the amount of \$1,931,675.02 with the recommendation they be paid, and
- A list of bills in the amount of \$103,483.36 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. 2020-105**

**RESOLUTION REQUESTING A SEWER REFUND OF OVERPAYMENT OF 2020 SEWER BILLINGS DUE TO OVER BILLING OF SEWER ACCOUNT FOR PROPERTY KNOWN AS BLOCK 34, LOT 10.01 AKA 201 DOWNER AVENUE, MANTOLOKING BOROUGH, OCEAN COUNTY, NEW JERSEY**

**WHEREAS**, there was an overpayment on the sewer account for the 2020 annual sewer billing on property owned by Henry E. and Debra A. Rzemieniewski known as 201 Downer Avenue, Mantoloking, Borough, Ocean County, New Jersey; and,

**WHEREAS**, such payment has resulted in an overpayment of 2020 sewer billing in the amount of \$162.36 and said property owner is requesting a refund of this overpayment in a total refund amount of \$162.36,

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Mantoloking, County of Ocean, State of New Jersey, that the Chief Financial Officer be hereby authorized to issue a check in the amount of \$162.36 for said overpayment for the property known as Block 34, Lot 10.01 aka 201 Downer Avenue, Mantoloking, New Jersey to Henry E. and Debra A. Rzemieniewski, 201 Downer Avenue, Mantoloking, New Jersey as property owner.

**BE IT FINALLY RESOLVED**, that a certified copy of this Resolution be forwarded to the Tax Collector, Chief Financial Officer and property owner.

**RESOLUTION NO. 2020-106**

**RESOLUTION APPROVING OF ITEMS OF REVENUE AND APPROPRIATION N.J.S.A. 40A:4- 87**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount;

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of the Borough of Mantoloking in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$1,096.80, which is now available from the Sustainable Jersey Small Grants Program;

**BE IT FURTHER RESOLVED**, that the like sum of \$1,096.80 is hereby appropriated under the caption of, 2020 Sustainable Jersey Small Grants Fund, and shall be applied in compliance with the terms and conditions as set forth in the grant.

**BE IT FURTHER RESOLVED**, that the Mayor and Clerk are authorized to execute the grant agreement.

**RESOLUTION NO. 2020-107:**

**RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE FINAL PAYMENT TO WALLACE BROTHERS FOR PROPOSED MANTOLOKING MUNICIPAL BUILDING**

**WHEREAS**, the Borough and Wallace Brothers previously entered into a contract for the construction of the Proposed Mantoloking Municipal Building dated September 7, 2016; and

**WHEREAS**, a contractual dispute exists between the parties concerning certain aspects of the work done by contractor and/or done by others; and

**WHEREAS**, On August 20, 2019, Wallace Brothers Inc., entered into a Settlement Agreement and Release with the Borough of Mantoloking, to resolve disputes existing between the two parties concerning certain aspects of the work done by the contractor and/or done by others in the total amount of \$163,105.92; and

**WHEREAS**, pursuant to the abovementioned settlement, the parties had the following obligations:

- (A) Upon completion of agreed-upon punch list to the satisfaction of the Director of Public Works, Wallace Brothers will be paid \$75,000.00.
- (B) Upon presentation to the Borough of close out documentation including warranties, and as built to the satisfaction of the Borough Attorney, Chief Financial Officer and Director of Public Works, Wallace Brothers shall be paid the sum of \$53,000.00, which funds shall appear on the bills list at the next borough council action meeting following presentation and approval, but in no case in less than 60 days from the date of this agreement. A request by Wallace for partial payment of this item maybe presented to the governing body for approval if such request for partial payment of this item is deemed reasonable by the Mayor.
- (C) Upon Wallace Brothers installation of two Stair A interior satisfying the specifications in all regarding including a window and frame system which is 60-minute rated and complies with ASTM E199 for resistance to heat transfer to the satisfaction of the Project Architect, Wallace Brothers shall be paid the final \$35,105.92.
- (D) The performance bond shall be released when all bonded improvements are completed and a maintenance bond in compliance with contract and legal requirements has been provided; and

**WHEREAS**, the Borough has previously issued payments to Wallace Brothers in the amount of \$75,000.00 and \$53,000.00 in accordance subsection A and B of the settlement agreement; and

**WHEREAS**, it is the desire of the governing body to authorize the final payment to Wallace Brothers, Inc. in the amount of \$35,105.92 in accordance with subsection c of the agreement.

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

- 1. That the governing body does hereby approve and authorize the final payment to Wallace Brothers, Inc in the amount of \$35,105.92 in accordance with subsection c of the Settlement Agreement.
- 2. A copy of this resolution shall be provided to Wallace Brothers, Inc. and the Chief Financial Officer.

**ROLL CALL VOTE RESOLUTIONS 2020- 103 - 2020- 107**

**RESOLUTION NO. 2020-112**

**RESOLUTION: OCCARES GRANT AGREEMENT TO BE SUPPLIED AT A LATER DATE**

**ROLL CALL VOTE RESOLUTION 2020-112**

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

**RESOLUTION NO. 2020-108**

**RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN,  
STATE OF NEW JERSEY, APPOINTING JAMES J. GLUCK AS MUNICIPAL  
COURT JUDGE**

**WHEREAS**, due to the retirement of the Honorable James A. Liguori, there exists a need to appoint a Municipal Court Judge for the unexpired term ending on December 31, 2022; and

**WHEREAS**, James J. Gluck, Esq. has submitted his credentials and is duly qualified for the position of Judge of the Municipal Court of the Borough of Mantoloking; and

**WHEREAS**, the Governing Body desires to appoint James J. Gluck, Esq. as Judge of the Municipal Court of the Borough of Mantoloking in accordance with the provisions of N.J.S.A. 2B:12-4 for the unexpired term.

**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 appoint James J. Gluck, Esq. as Judge of the Municipal Court of the Borough of Mantoloking for the unexpired term commencing August 1, 2020 ending on December 31, 2022 or until a qualified successor is appointed.
2. That the appointment of James J. Gluck, Esq. as Judge of the Municipal Court of the Borough of Mantoloking is made in accordance with the provisions of N.J.S.A. 2B:12-4 and that James J. Gluck, Esq. shall be compensated \$1,600.00 per court session which is subject to the same annual percentage increase provided to all borough administrative staff.
3. That a certified copy of this resolution shall be forwarded to Appointee, Municipal Court Administrator and Borough Chief Financial Officer.

**RESOLUTION NO. 2020-109**

**RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN,  
STATE OF NEW JERSEY, APPOINTING SEASONAL PERSONNEL**

**WHEREAS**, there exists a need for various seasonal personnel to be appointed within the Borough; and

**WHEREAS**, the Chief of Police has recommended the appointment of individuals listed in Schedule A attached hereto and make a part hereof to serve as various seasonal personnel; and

**WHEREAS**, it is the desire of the governing body to appoint the individuals listed in Schedule A to serve as various seasonal personnel.

**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 appoint the individuals listed in Schedule A attached

hereto and made a part hereof as various seasonal personnel effective from date shown with the term ending September 15, 2020.

2. The appointees shall be paid the corresponding amount per hour as listed on Schedule A in accordance with the current salary ordinance.
3. That a certified copy of this resolution shall be forwarded to the Borough Chief of Police, Borough Chief Financial Officer and the individuals listed in Schedule A.

**SCHEDULE A**

<b>Name</b>	<b>Position</b>	<b>Effective Date</b>	<b>Hourly Wage</b>
Kenneth Blake	Badge Checker	6/29/2020-9/15/2020	\$11.00
Ricky Braen	SLEO II	6/30/20-9/15/20	\$20.00
Robert W. Heschle	SLEO II	6/30/20-9/15/20	\$20.00
Nicolas Malvasio	SLEO II	6/29/20-9/15/20	\$15.50

**RESOLUTION NO. 2020-110**

**RESOLUTION: APPLICATION FOR MEMBERSHIP-MANTOLOKING FIRE COMPANY NO.1**

**WHEREAS**, Caroline Blanchard has applied for membership in the Mantoloking Fire Company No. 1; and  
**WHEREAS**, the fire company has approved the application; and  
**WHEREAS**, pursuant to the provisions of the By-Laws of the Mantoloking Fire Company No. 1, all applications are also subject to approval of Council.

**IT IS NOW, THEREFORE**, this 21st day of July, 2020, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, that the application of Caroline Blanchard is hereby approved, subject to receipt of satisfactory physical examination report.

**ROLL CALL VOTE RESOLUTIONS 2020-108 - 2020-110**

9. **DUNE & BEACH COMMITTEE**: 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. 2020-111**

**RESOLUTION: RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDING A CONTRACT TO CIVIC PLUS, LLC FOR WEBSITE REDESIGN SERVICES**

**WHEREAS**, there exists a need for website redesign services for the Borough of Mantoloking; and

**WHEREAS**, the Borough solicited quotes for website redesign services for the Borough of Mantoloking; and

**WHEREAS**, Civic Plus has submitted an advantageous quotation in accordance with the Borough request; and

**WHEREAS**, the Borough Council desires to award a contract to Civic Plus, LLC, for \$12,000.00 for the two-year term of the contract; and

**WHEREAS**, it is the desire of the governing body award a contract for website redesign services for the Borough to Civic Plus, LLC.

**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 award a contract for website redesign services to Civic Plus, in accordance with the attached Schedule A, an advantageous quotation.

2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to, respectively, a contract with Civic Plus in a form acceptable to the Borough Attorney.

3. This contract shall be an open-ended contract with funds being encumbered contingent upon the availability of funds in the budget year. No purchase(s) shall be made under this contract until the Chief Financial Officer has certified the availability of funds for such purchases.

4. A certified copy of this Resolution shall be provided to the Chief Finance Officer and Civic Plus.

**ROLL CALL VOTE RESOLUTION 2020-111**

11. **MUNICIPAL RELATIONS COMMITTEE**: Councilwoman O'Mealia will present the report of the Mantoloking Relations Committee.
12. **STRATEGIC PLANNING COMMITTEE**: 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
16. **MAYOR AND COUNCIL COMMENTS:**
17. **PUBLIC COMMENTS PERIOD:** . State your name and address for the record. Once you have finished speaking, please place your phone on mute
18. **NEXT MEETING:** Caucus and Regular Business Meeting, August 18, 2020 conference call.
19. **ADJOURNMENT :**