

DRAFT NO.1–9/21/2020

THE BOROUGH OF MANTOLOKING
MAYOR AND COUNCIL

AGENDA – CAUCUS AND REGULAR BUSINESS MEETING

October 20, 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.

<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. 2020-128

RESOLUTION: MINUTES OF PREVIOUS MEETINGS

Regular Business Meeting Minutes- September 15, 2020

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

ROLL CALL VOTE RESOLUTION 2020-128

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. 2020-129

RESOLUTION THE REPORT OF THE MUNICIPAL FINANCE OFFICER

BOROUGH OF MANTOLOKING						
Financial Report for the Month of August 31, 2020						
Status of the Budget on August 31, 2020						
FUND	APPROPRIATION	CURRENT BALANCE	EXPENDED DURING MONTH	EXPENDED YEAR TO DATE	ENCUMBERED BALANCE	APPROPRIATION BALANCE
2020 ADOPTED BUDGET	\$5,662,952	\$2,217,389	\$372,807	\$3,818,370	\$94,436	\$1,750,146
2019 RESERVE BUDGET- CURRENT	\$656,271	\$371,858	\$2,500	\$286,164	\$750	\$369,358
2020 CAPITAL FUND	\$1,543,000	\$1,101,019	\$2,714	\$321,666	\$123,029	\$1,098,305
SANDY EMERGENCY FUNDS	\$146,568	\$139,968	\$0	\$0	\$0	\$139,968
TOTAL	\$8,008,791	\$3,830,234	\$378,021	\$4,426,199	\$218,215	\$3,357,778

	APPROPRIATION	CURRENT BALANCE	EXPENDED DURING MONTH	EXPENDED YEAR TO DATE	ENCUMBERED BALANCE	APPROPRIATION BALANCE
(Subcategory of Capital Fund)						
Construction-Municipal Building	\$890,832	\$587,981	(\$3,049)	\$178,016	\$121,787	\$591,030

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

FUND	CASH BALANCE JANUARY 1, 2020	CASH BALANCE BEGINNING OF MONTH	CASH RECEIVED	CASH DISBURSED	CASH BALANCE END OF MONTH
2020 CURRENT FUND	\$3,326,063	\$1,996,582	\$1,791,389	\$416,048	\$3,371,922
CAPITAL FUND	\$2,567,262	\$2,257,754	\$0	\$12,058	\$2,245,696
ANIMAL CONTROL FUND	\$223	\$246	\$0	\$0	\$246
OTHER TRUST FUNDS	\$524,694	\$560,520	\$60	\$0	\$560,580
PAYROLL ACCOUNT	\$56,176	\$67,904	\$256,897	\$251,745	\$73,055
UNEMPLOYMENT ACCOUNT	\$34,091	\$39,116	\$2	\$0	\$39,117
LAW ENFORCEMENT TRUST	\$2,848	\$2,850	\$0	\$0	\$2,850
TOTAL	\$6,511,358	\$4,924,972	\$2,048,348	\$679,851	\$6,293,468

RESOLUTION NO. 2020-130

RESOLUTION: PAYMENT OF BILLS

WHEREAS, the municipal finance officer has presented

- A list of bills in the amount of \$1,801,374.00 with the recommendation they be paid, and
- A list of bills in the amount of \$142,273.70 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. 2020-131

RESOLUTION: ACCEPTANCE OF 2019 MUNICIPAL AUDIT REPORT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and,

WHEREAS, the Annual Report of Audit for the year 2019 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body, and,

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34, and,

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled:

General Comments

Recommendations

And,

WHEREAS, the members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments

Recommendations

As evidenced by the group affidavit form of the governing body (original attached), and,

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five (45) days after receipt of the annual audit, as per the regulations of the Local Finance Board, and,

WHEREAS, all members of the governing body have received and have familiarized themselves with at least the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and,

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 – to wit:

R.S. 52:27BB-52 – “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

WHEREAS, the audit of the Borough’s financial records for the period ending December 31, 2019, did not have any “findings” and, therefore, the Borough is not obliged to adopt a Corrective Action Plan, now, therefore be it
and be it

FURTHER RESOLVED, the Mayor and Council direct the municipal clerk to submit a certified copy of this resolution, the required affidavit of municipal governing body review, and any other documents required to comply with law and regulation.

RESOLUTION NO.2020-132

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON MUNICIBID ONLINE GOVERNMENT AUCTIONS WEBSITE

WHEREAS, the Borough of Mantoloking has determined that the property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

WHEREAS, the Borough of Mantoloking intends to utilize the online auction services of Municibid Online Government Auctions at www.municibid.com; and

WHEREAS, The online bidding period will open on November 9th at 8:30 a.m. EST and termination will begin at 2:00 p.m. EST on November 13th; and

WHEREAS, The Borough reserves the right to reject any bid or all bids if deemed to be in the best interest of the Borough; and

WHEREAS, the sales are being conducted pursuant to the Division of Local Government Services' Local Finance Notice 2008-9,

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

1. The Borough, is hereby authorized to sell the surplus personal property as indicated on Schedule A on the online auction website entitled www.municibid.com
2. The Borough reserves the right to reject any bid or all bids if deemed to be in the best interest of the Borough.

Schedule A:

Argo 750HDI- 2012 2DGSSOBL8CNP32247
2006 Lowes 165 John Boat LWCJ0610J506 & Ventura Boat Trailer 47GBH17146B000891
2013 Honda ATV 1HFTE3303D4801585
2013 Honda ATV 1HFTE3301D4801584
2012 Kawasaki MDL KAF950GCF JK1AFOG17CB506226
1982 Caterpillar Tractor DH7 2410010883807
1995 Caterpillar Tractor DH7 8782695
Roller Compactor
Diesel Generator on Trailer 14450-01006

RESOLUTION NO. 2020-133

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY DESIGNATING OCEAN FIRST BANK AS THE OFFICIAL DEPOSITORY FOR CERTAIN BOROUGH OF MANTOLOKING MUNICIPAL COURT ACCOUNTS

WHEREAS, it is necessary for the proper conduct and order of business that an official depository for the Borough of Mantoloking Municipal Court Administrative and Bail Accounts be designated and named; and

WHEREAS, the Ocean First Bank is an approved banking depository appropriate for such designation.

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 Ocean First Bank is designated as the official depository of the Borough of Mantoloking and that sums so deposited may be withdrawn upon a check, draft or order of the Borough of Mantoloking, for the Treasurer's accounts, to include Municipal Court Administrative and Bail accounts in accordance with the laws of the State of New Jersey and the agreement attached hereto and incorporated herein as Schedule A.
2. That the Borough Council does hereby authorize the Mayor to execute and the Borough Clerk to attest to, respectively, the agreement with Ocean First Bank attached hereto and incorporated herein as Schedule A.

3. That a certified copy of this Resolution, duly executed, be delivered to the proper officers of Ocean First Bank.

ROLL CALL VOTE RESOLUTIONS 2020- 129 - 133

INTRODUCTION TO BOND ORDINANCE NO. 710

BOND ORDINANCE REAPPROPRIATING \$104,000 IN EXCESS BOND PROCEEDS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO FINANCE THE COST OF THE VARIOUS CAPITAL PURPOSES IN AND BY THE BOROUGH OF MANTOLOKING, IN THE COUNTY OF OCEAN, NEW JERSEY

WHEREAS, the Borough Council of the Borough of Mantoloking, in the County of Ocean, New Jersey (the "Borough") finally adopted Bond Ordinance No. 518 on March 27, 2006, Bond Ordinance No. 551 on May 19, 2008, Bond Ordinance No. 566 on May 18, 2009, Bond Ordinance No. 569 on May 18, 2009, Bond Ordinance No. 581 on April 19, 2010, Bond Ordinance No. 582 on April 19, 2010, Bond Ordinance No. 583 on April 19, 2010, Bond Ordinance No. 586 on April 19, 2010, Bond Ordinance No. 597 on April 18, 2011, Bond Ordinance No. 598 on April 18, 2011, Bond Ordinance No. 599 on April 18, 2011, Bond Ordinance No. 600 on April 18, 2011, Bond Ordinance No. 601 on May 16, 2011, Bond Ordinance No. 640 on July 15, 2014, Bond Ordinance No. 656 adopted on May 17, 2016 and Bond Ordinance No. 698 adopted on November 19, 2019 (collectively, the "Ordinances"); and

WHEREAS, following the effective dates of the Ordinances, the Borough issued bonds to fully fund same and to finance the improvements or purposes authorized therein; and

WHEREAS, the Borough has determined that the improvements set forth in the Ordinances have either been completed in full or discontinued as a result of events occurring subsequent to the adoption of the Ordinances, as applicable; and

WHEREAS, there currently remains on deposit in the Borough capital accounts excess bond proceeds in the amount of \$104,000, which excess bond proceeds are allocable to such project improvements in the Ordinances (the "Excess Proceeds"), but are no longer necessary to complete such improvements or purposes authorized therein; and

WHEREAS, in accordance with its statutory powers set forth in section 39 of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), the Borough Council has determined that it is in the best interest of the Borough to reappropriate the Excess Proceeds to finance the cost of various capital purposes as set forth herein, for which improvements bonds may be issued, thereby decreasing the amount of additional Borough debt to finance such current capital needs; and

WHEREAS, the Borough Council now desires to reappropriate the Excess Proceeds to finance the cost of such capital purposes.

NOW, THEREFORE, BE IT ORDAINED by the BOROUGH COUNCIL OF THE BOROUGH OF MANTOLOKING, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY, (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. It is hereby determined that the aggregate amount of \$104,000 of the balance of the total appropriation for capital purposes originally made available pursuant to the following Ordinances of the Borough is no longer necessary for the purposes for which the obligations previously were authorized:

Amount to be

Reappropriated Ordinance & Purpose

\$ 66.73	No. 518 adopted March 27, 2006, providing for implementation of a back bay flap valve program.
\$ 12,462.94	No. 551 adopted May 19, 2008, providing for compliance with United States EPA and New Jersey DEP requirements for inspection and evaluation of sanitary sewerage force main.
\$ 0.20	No. 566 adopted on May 18, 2009, providing for the installation of solar panels at the Municipal Building.
\$ 4,671.12	No. 569 adopted May 18, 2009, providing for sanitary sewer repairs.
\$ 0.18	No. 581 adopted April 19, 2010, providing for Bergen and Lagoon Lane Road improvements.
\$ 190.33	No. 582 adopted April 19, 2010, providing for sanitary force main investigation and condition evaluation.
\$ 4,778.18	No. 583 adopted April 19, 2010, providing for storm sewer inspection.
\$ 0.16	No. 586 adopted on April 19, 2010, providing for Bergen and Channel Road improvements.
\$ 0.45	No. 597 adopted on April 18, 2011, providing for the replacement of the Firehouse apron.
\$ 0.60	No. 598 adopted on April 18, 2011, providing for improvements to Sanitary Sewer System Facilities.
\$ 0.75	No. 599 adopted on April 18, 2011, providing for the Flap Valve Program.
\$ 0.65	No. 600 adopted April 18, 2011, providing for the construction of ADA Walkway #4.
\$ 1,490.10	No. 601 adopted May 16, 2011, providing for the purchase of Emergency Management Radios.
\$ 10,429.37	No. 640 adopted July 15, 2014, providing for preliminary expenses in connection with the construction of a municipal building.
\$ 69,000.00	No. 656 adopted on May 17, 2016, providing for the construction of a new municipal building.

\$ 908.24 No. 698 adopted November 19, 2019, reappropriating funds from prior bond ordinances and providing for the purchase of self-contained breathing apparatus air packs, and radios and a sports utility vehicle for the Police Department.

\$104,000.00 Total to be reappropriated to other capital purposes

Section 2. The appropriations for the purposes in the amounts set forth in Section 1 hereof are hereby canceled and reappropriated pursuant to N.J.S.A. 40A:2-39 to other capital purposes as set forth in Section 3 hereof.

Section 3. The aggregate amount of \$104,000, representing the amount referred to in Section 1 hereof, is hereby appropriated to provide for the following capital improvement purposes, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of the Borough, and the estimated cost the project is as follows:

<u>Amount to be Appropriated</u>	<u>Purpose</u>
\$ 50,000.00	To finance the purchase of Police Radios.
\$ 15,000.00	To finance the purchase of upgrades to the Borough Computer System.
\$ 14,000.00	To finance the purchase of two Portable Radios for the Office of Emergency Management.
\$ 8,000.00	To finance the purchase of interview room cameras for the Police Department.
\$ 17,000.00	To finance the cleaning and CCTV inspection of sewers.
<u>\$104,000.00</u>	Total to be appropriated

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are property or improvements which the Borough may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of the Local Bond Law and according to the reasonable life thereof computed from the date of said bonds authorized by this bond ordinance is five (5) years.

(c) An aggregate amount not exceeding \$25,000.00 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose herein before described.

Section 6. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the

Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 7. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bond proceeds reappropriated by this bond ordinance.

Section 8. This ordinance shall take effect twenty (20) days after the first publication thereof after final adoption.

ROLL CALL VOTE BOND ORDINANCE 710

PUBLIC HEARING- Mayor White will open the floor for comments on Ordinance No. 708

ADOPTION OF ORDINANCE NO. 708

AN ORDINANCE AMENDING CERTAIN SALARY AND COMPENSATION OF CERTAIN OFFICERS, POSITIONS AND EMPLOYEES IN THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, TO BE KNOWN AS THE AMENDMENT TO MANTOLOKING BOROUGH SALARY ORDINANCE NO. 671

WHEREAS, Salary Ordinance No. 671, passed at a regular meeting of the mayor and council on the 18th day of July, 2017;

WHEREAS, some of those ranges have proved to be inadequate;

IT IS NOW, THEREFORE, this 20th day of October , 2020, **RESOLVED**, by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, that Salary Ordinance No. 671 be amended to including the following revised salary ranges:

ADMINISTRATION

<u>POSITION</u>	<u>SALARY RANGE</u>	
	<u>Minimum</u>	<u>Maximum</u>
Tax Collector (Part-Time)	\$ 3,000.00	\$ 5,000.00

CONSTRUCTION AND LAND USE POSITIONS

<u>POSITION</u>	<u>SALARY RANGE</u>	
	<u>Minimum</u>	<u>Maximum</u>
Code Enforcement Official	\$ 10,000.00	\$ 40,000.00
Code Enforcement Official (Hourly)	\$ 25.00/hr	\$ 50.00/hr
TACO/Planning Board Secretary	\$ 15,000.00	\$ 40,000.00

CONSTRUCTION AND LAND USE POSITIONS

<u>POSITION</u>	<u>SALARY RANGE</u>	
	<u>Minimum</u>	<u>Maximum</u>
Fire Official	\$ 2,000.00	\$ 10,000.00
Fire Subcode Official	\$ 2,000.00	\$ 15,000.00
Plumbing Subcode Official	\$ 2,000.00	\$ 10,000.00
Electrical Subcode Official	\$ 2,000.00	\$ 10,000.00

This Ordinance shall become effective upon its final passage and publication as required by law.

ROLL CALL VOTE ORDINANCE NO. 708

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

RESOLUTION 2020-134

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE ISSUANCE OF A NOTICE TO BIDDERS FOR A REQUEST FOR PROPOSALS FOR AN EMERGENCY STORM RESPONSE SERVICES CONTRACT

WHEREAS, The Borough of Mantoloking has a need in the event of an emergency to authorize a qualified Contractor to assist the Borough with storm response services including the mobilization of the appropriate equipment, material, and personnel to address a wide variety of potential emergency storm event conditions throughout the Borough; and

WHEREAS, the Notice To Bidders issued shall request a proposal for the provision of emergency storm response services throughout the municipal boundaries from a qualified Contractor, which shall include a total bid price for a one-year service contract and a supplement bid price for the option of a two-year service contract, and the award of either a one-year or a two-year service contract shall be a discretionary decision by the Borough of Mantoloking after closed bids have been received, reviewed, and considered.

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 a Notice To Bidders shall be published for emergency storm response services in accordance with contractual specifications prepared by the Borough Engineer.
2. That the due date for the receipt of proposals as closed bids to the afore-described Notice To Bidders shall be established by the Borough Clerk in accordance with the provisions of the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq. and N.J.A.C. 5:34).

ROLL CALL VOTE RESOLUTION 2020-134

PUBLIC HEARING- Mayor White will open the floor for comments on Ordinance No. 709

ADOPTION OF ORDINANCE NO. 709
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 7
ENTITLED “TRAFFIC”

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. The Borough Code of the Borough of Mantoloking is hereby amended and supplemented so as to amend Chapter 7, entitled “Traffic,” so as to amend §7-19 entitled “Parking of certain trucks, vehicles, and trailers prohibited” in its entirety so that it shall read as follows:

The parking of buses, campers, mobile homes, recreational vehicles, pop-up campers, and boat trailers shall be prohibited at all times on all Borough streets. This prohibition shall not apply to home improvement contractor or landscaper trailers.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

ROLL CALL VOTE ORDINANCE NO. 709

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

RESOLUTION NO. 2020- 135

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN,
STATE OF NEW JERSEY, AUTHORIZING ISSUANCE OF A REQUEST FOR
QUALIFICATIONS AND PROPOSALS FOR THE PROVISION OF LIFEGUARDING
SERVICES

WHEREAS, The Borough of Mantoloking has a need for lifeguarding services including appropriate equipment and personnel meeting the USLA Open Water Lifeguard Standards to monitor and advise beach and water users concerning surf conditions and safety issues and to provide/coordinate rescue activities and emergency response; and

WHEREAS, the Notice of Request for Qualifications and Proposals issued shall request both a proposal for the provision of lifeguarding services at two locations seven days a week and a second proposal for the provision of lifeguarding services at two locations seven days a week and at another two locations on weekends.

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 a Notice of Request for Qualifications and Proposals shall be published for lifeguarding services related in accordance with specifications prepared by the Borough Attorney in conjunction with the Chief of Police and Chief Financial Officer.
2. That the due date for receipt of responses to the afore-described Notice of Request for Qualifications and Proposals shall be established by the Borough Clerk.

ROLL CALL VOTE RESOLUTION NO. 2020-135

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. 2020-136

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A JURISDICTIONAL AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION

WHEREAS, the State of New Jersey Department of Transportation has requested that an agreement be entered between the Borough of Mantoloking and the State of New Jersey, which would allocate the jurisdictional responsibilities for highway maintenance and control between the Borough of Mantoloking and the State of New Jersey with reference to certain intersection of Route 35 and streets within the Borough; and

WHEREAS, maps outlining the jurisdictional limits of each have been reviewed and approved by the Borough; and

WHEREAS, the governing body wishes to authorize the execution of a jurisdictional agreement with the State of New Jersey Department of Transportation for Route 35.

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 a jurisdictional agreement with the State of New Jersey Department of Transportation for Route 35, attached hereto as Schedule “A”.
2. That the Mayor and Municipal Clerk are hereby authorized to execute an attest to, respectively, the jurisdictional agreement in accordance with the provisions of this resolution.

RESOLUTION NO. 2020-137

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, URGING THE DEPARTMENT OF VETERAN AFFAIRS TO BUILD A NEW CLINIC IN OCEAN COUNTY

WHEREAS, Ocean County is home to more than 40,000 veterans, the largest population in the State of New Jersey; and

WHEREAS, our veterans have provided a great service to all of us here in Ocean County and the entire County; and

WHEREAS, many of our veterans are in need of medical care that should easily be accessed at home in Ocean County; and

WHEREAS, recent delays in the federal government’s plan to bring a new Veterans Administration clinic to Ocean County are unacceptable as the need increases significantly to replace the aging James J. Howard Clinic in Brick Township; and

WHEREAS, the VA clinic in Brick Township, has reached its capacity and while it provides invaluable services to our veterans, it can no longer handle the increasing numbers of veterans using the facility; and

WHEREAS, Ocean County is working closely with Congressman Chris Smith, who is the senior member of the New Jersey Congressional delegation and Congressman Andy Kim to put the project back on track and expedite the building of a new VA facility in Ocean County; and

WHEREAS, having this facility on Ocean County is critical for the care of our veterans, many of whom are elderly and frail.

NOW, THEREFORE BE IT RESOLVED by the governing body of the Borough of Mantoloking, to call upon the federal government to end the needless delays in moving forward with a new VA Clinic to be located in Ocean County.

RESOLUTION NO. 2020-138

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, URGING THE STATE OF NEW JERSEY TO PERMANENTLY FUND THE NEW JERSEY SENIOR FREEZE AND HOMESTEAD REBATE PROGRAMS

WHEREAS, with more than 173,000 seniors living in Ocean County, the New Jersey Senior Freeze Program and the Homestead Benefit Program provide substantial help to our seniors, many of whom are living solely on monthly Social Security checks; and

WHEREAS, Governor Murphy’s proposed funding delay for the Senior Freeze Program and the Homestead Benefit Program property tax relief programs will have a devastating effect on our seniors since those programs make it possible for many elderly residents and middle-class families to own a home in New Jersey; and

WHEREAS, the Murphy Administration already eliminated the Homestead Benefit credit from property tax bills that were due on May 1st, forcing homeowners to pay more and has now created an uncertain future for the valuable tax credit; and

WHEREAS, under Governor Murphy’s plan, seniors who depend on the property tax reimbursement program, also known as the Senior Freeze Program, may not receive their reimbursement check to help them stay in their homes; and

WHEREAS, this action could result in seniors facing difficult financial decisions including possibly losing their homes and becoming homeless; and

WHEREAS, rather than disrupt the lives of seniors by contributing to their financial instability and instilling a fear in them that they will lose their homes, it’s time that these programs are permanently funded under the state budget; and

WHEREAS, when the monthly income is no more than \$1,400 from Social Security, taking away these programs or even deferring them will only increase the severe financial hardship already experienced by this vulnerable population; and

WHEREAS, the Senior Freeze Program is an extremely important benefit that older adults rely on to supplement their fixed income; and

WHEREAS, the Homestead Benefit Program also provides property tax relief to eligible homeowners, with most homeowners receiving the benefit in the form of a credit, as distributed to their municipality, which reduces their property taxes; and

WHEREAS, it goes without saying that New Jersey taxes are the highest in the country and as property taxes continue to escalate, it's imperative that we all advocate for our seniors so they can hold on to the programs that provide them some property tax relief.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Mantoloking, County of Ocean, State of New Jersey, that we oppose any changes to the Senior Freeze Program and the Homestead Benefit Program.

BE IT FURTHER RESOLVED that the State protect and fully fund these programs, under the State Budget, so our most frail and vulnerable residents do not have to worry about losing their homes.

RESOLUTION NO. 2020-139

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING STANDARD PROCEDURES AND REQUIREMENTS FOR PUBLIC COMMENTS MADE DURING A REMOTE PUBLIC MEETING IN ACCORDANCE WITH N.J.A.C. 5:39-1.4

WHEREAS, pursuant to P.L. 2020, c.34, the Director of Local Government Services was tasked with establishing standard protocols for remote public meetings held by a local public body during an emergency, including minimum standards for public notice and public comment; and

WHEREAS, N.J.A.C. 5:39-1.1 through 1.7 were promulgated by the Director; and

WHEREAS, these were promulgated as emergency regulations but are being proposed as final regulations and are available in the New Jersey Register for review and comment; and

WHEREAS, under the terms of the N.J.A.C. 5:39-1.4, municipalities conducting remote public meetings must adopt, by Resolution, standard procedures for public comments made during the meeting, and for those submitted in advance; and

WHEREAS, it is the desire of the governing body to authorize the mandated standard procedures for public comments made during a remote public meeting, and for those public comments submitted in advance.

NOW, THEREFORE, BE IT RESOLVED, by the 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 following procedures for public comments and materials submitted in advance for a remote public meeting and for public comments during the remote public meeting as required by N.J.A.C. 5:39:1.1 et seq.:
 - a. If a person does not intend to participate in real time at the advertised remote public meeting, but wishes to submit a written comment prior to the meeting, that comment shall be submitted by 12:00 noon to the Municipal Clerk, with name, address and phone number clearly stated. The written comment will be ready aloud, from the beginning, and addressed during the remote public meeting by the Chair, Municipal Clerk or other appropriate Municipal official or professional. Current time limits on public comments will apply to the reading of the comment.

1. Duplicative public comments submitted timely and in writing may be noted and not read aloud, and simply noted for the record as to the duplicative comment.
- b. Any person who wishes to submit materials (e.g. documents, pictures) for review by the governing body during a remote public meeting, must submit said materials by electronic mail (email) or by hardcopy to the Municipal Clerk no later than 12:00 noon on the day **prior** to the advertised remote public meeting.
 - i. The materials **must** be accompanied by the name, address and phone number of the person submitting said materials.
 1. Anonymous materials will not be considered, discussed nor referenced as received, by the governing body at the remote public meeting.
 2. Any materials which are determined by the Municipal Attorney to be inappropriate for consideration at the public remote meeting may not be discussed at the remote public meeting by the governing body. Such materials include, but are not limited to, obscene materials and photographs, political materials, and any other materials which may violate applicable law. The governing body may indicate that such materials were received, state the name and person from whom said materials were received and the reason why such materials will not be shared or discussed.
 - ii. Persons submitting hardcopy of materials for consideration at the remote public meeting shall submit ten (10) copies of the materials to the Municipal Clerk.
 - iii. Late materials or written comments submitted to the Municipal Clerk after 12:00 noon, on the day prior to the advertised remote public meeting may not be considered by the governing body during the public meeting.
 - iv. At no time during the remote public meeting shall any member of the general public be authorized to “screen share” or otherwise have authority to share materials from that individual’s personal access medium utilized to participate in the meeting, except by submitting materials in advance to the Municipal Clerk in the manner described herein.
- c. Procedures for public comment during remote public meetings (real time).
 - i. Only the governing body, Municipal officials and professionals and the remote meeting administrator shall be “unmuted” during the meeting, until such time that the meeting is open for public comment as indicated below in Paragraph 1(c)(ii).
 - ii. Public comments shall be considered during the advertised remote public meeting during the scheduled portion of the meeting for such comments as required under N.J.S.A 10:4-12(a), second readings of proposed ordinances, and any other time that public comment is required by law.
 - iii. At the time the meeting is open to the public for comment as indicated in Paragraph 1(c)(ii) above, the person who is administering the remote public meeting, or other such person authorized by the Municipality, shall “unmute” all meeting participants.
 - iv. The Chair of the meeting, or other person delegated by the Chair, shall recognize the individuals who wish to participate.

- v. Individuals shall seek to be recognized either by raising his or her hand, if on video, or by verbally requesting time to speak.
 - vi. The Chair shall have the discretion to allow participation and queue in the order decided by the Chair.
 - vii. Any time limitations or other limitations on public comment that are in effect in the Municipality shall apply to public comment during remote public meetings.
 - viii. “Chat”, “whiteboard” and other similar functions on remote meeting platforms shall be disabled during the remote public meeting.
 - ix. If an individual becomes disruptive during public comment, the Chair or the person administering the meeting shall warn the individual speaking that they will be muted. If the disruption continues, they will be muted and may be prevented from speaking during the meeting or removed from the remote public meeting. Disruptive conduct includes, but not limited to, shouting, interruption, and use of profanity.
2. This Resolution shall take effect immediately.

ROLL CALL VOTE RESOLUTIONS 2020 -136-139

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, November 17, 2020 conference call.
19. **ADJOURNMENT :**