**DRAFT NO.1.1**–12/16/2020 **THE BOROUGH OF MANTOLOKING**

**MAYOR AND COUNCIL**

**MINUTES– CAUCUS AND REGULAR BUSINESS MEETING**

**December 15, 2020**

**5:30 P.M.**

**MANTOLOKING VIRTUAL MEETING**

**CALL: 605-313-5156**

**ACCESS CODE: 231051**

**CAUCUS MEETING**

**CALL TO ORDER:** Mayor White called the meeting to order at 5:30 p.m.

**OPEN PUBLIC MEETING STATEMENT**: Mayor White read the following statement:

In compliance with the provisions of the New Jersey Open Public Meetings Act, adequate notice of this meeting of the Mantoloking Borough Council has been advertised in the manner provided by law.

**ROLL CALL:**

**Present:** Mayor E. Laurence White, Councilman Gillingham, Councilman Nelson,

**Dialed in:**  Councilman Amarante, Councilman Batcha, Councilwoman O’Mealia

**Absent:** Councilwoman Green

**Also Present:** Beverley A. Konopada, Borough Clerk, Jean Cipriani, Borough Attorney, Lynne Hazelet, Deputy Clerk, April Yezzi, CFO, Stacy Ferris, Chief of Police, Scott Hulse, Public Work’s Manager

**A. REVIEW OF REGULAR MEETING AGENDA**

**B. BOROUGH COUNCIL DISCUSSION ITEMS FOR NEXT MONTHS AGENDA.**

1. **Raising the pre-season badge price from $75.00 to $80.00**
2. **Review and discussion of proposed revised monthly financial reports for 2021**

Finance Committee: Councilman Amarante

Public Safety Committee: Councilman Gillingham

Dune and Beach Committee: Councilman Batcha

Municipal Services Committee: Mayor White

Municipal Relations Committee: Councilwoman O’Mealia

Strategic Planning Committee: Councilwoman O’Mealia

Environmental Committee: Councilwoman Green

Long Range Planning Committee Councilwoman O’Mealia

Flood Strategy Committee 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.

Raising the pre-season badge price from $75.00 to $80.00 – no discussion was needed

Review on proposed revised monthly financial reports for 2021 –

Councilman Amarante advised that the revised reports are not available. They will most likely be added to the agenda in January.

Councilman Amarante –Page 4 of the agenda

Resolution 2020-157- Transferring Current Year Appropriations 2020-2

There is a transfer in the first 2 line items salary and wage account O&E. The purpose of that transfer is to place an order for a new police vehicle.

* reason for the purchase - borough has some higher mileage vehicles in the fleet
* High cost of maintenance and repairs.
* Purchase is not part of the 2020 capital plan
* not a proponent of spending additional funds at year end because funds remain
* Heard from residents concerning our budgetary situation and additional budget item
* Not opposed to purchase, just want to be clear regarding what it is.

Joann Lygas, 970 Barnegat Lane

Page 9 hring part-time police officer

* number of hours
* Legnth of time
* when will he be working, why we need him
* Part- Timer vs. Class II

Chief Ferris

* Part-Time police officer the same as a Class 11
* allows borough to send this person back to the academy in September to the waiver class
* work under 30 hours
* supplementing full time officers for 2 2 coverage throughout the entire shift
* accredidation standards and in the policies that we have rewritten to those accreditation standards
* 2 2 only on the overnight, last swing officer leaves at 2 am.
* always maintained class 11 officers throughout the year as seasonal employees

Joann Lygas, 970 Barnegat Lane

Page 11, Ordinance 711

Why are two sections being omitted

Chief Ferris

* redundant to the Attorney General (A.G.) standards and policies and procedures created in the police department. Everytime the A.G. changes something we change an ordinance which becomes difficult because we need two readings. Trying to stay compliant and not conflict any of the A.G.’s guidelines.
* Rogers Group helps to bring us to accreditation standards

Joann Lygas, 970 Barnegat Lane, $35,000 salary and wages

* 7 police vehicles and another one is excessive for the people who are on duty
* special emergency in 2019 to cover the additional police salaries of renegotiated police contract.
* emergency was around 50,000 to 65,000 which had to be counted into the budget.
* It is more fiscally responsible to take that money and put it in surplus to go towards mitigating the extra $50,000 and not taking on another vehicle.
* Utility Truck

Chief Ferris:

* buy a new vehicle , sell a vehicle
* maintaining six patrolling vehicles fully outfitted with all the emergency equipment, lights, sirens and cages.
* 7th vehicle is a utility truck used by staff when doing road jobs, during the summer time for parking and other patrol duties.
* difficult during the summer when we staff grows expedentially to 20 plus officers
* The intention is to purchase this vehicle to stabilize the fleet, up 23% on vehicle maintenance due to 3 vehicles having over 90,000 miles
* intention to transfer the money is to stabilize.
* When the 2020 budget was created there were settlement estimates, a promotion, a new officer to go through waiver class, but did not go. This generated excess funds, not padding the budget. Trying to use the funds available properly to stabilize the police budget for 2021.
* We have capital for another vehicle on our 5 year plan. Capital for us is only becoming available now in December. That vehicle will not get here until 2022. That is why we are taking that action.

Councilwoman O’Mealia was seeking clarification on where the $35,000 is being transferred from.

Councilman Amarante explained the additional money that is anticipated will not be spent in the budget items of salary and wages in the police department. That is the money that is proposed to be moved to the O & E line.

Chief Ferris:

* generated $35,000 surplus in full time salary and wage line was a result of the following.
* Budgeted items for settlements and two officers retiring. They can use time or sell back .
* Promotions. Needed to be busgeted to not have a shortfall .
* New officer hired to go to academy to get his waiver, he was out for 2 weeks , therefore he did not see that step 2 to his salary until he able to go and complete that class

Jan O’Malley. 1231 Bay Avenue

* code enforcement dicusssion
* More enforcement by town and police

Mayor White

* Difficult to stay up to date on all properties.
* Lack of manpower
* Violations are being sent out
* Most times the properties are fixed reuiring no further action.

**ADJOURN CAUCUS MEETING: 5: 56 p.m.**

MOTION: Councilman Gillingham

SECOND: Councilman Nelson

ALL IN FAVOR: Aye

**REGULAR BUSINESS MEETING**

**1. CALL TO ORDER:** Mayor White called the meeting to order at 5:56 p.m.

**:**

**2. OPEN PUBLIC MEETING STATEMENT**: Mayor White read the following statement:

In compliance with the provisions of the New Jersey Open Public Meetings Act, adequate notice of this meeting of the Mantoloking Borough Council has been advertised in the manner provided by law.

**3. ROLL CALL:**

**Present:** Mayor E. Laurence White, Councilman Gillingham, Councilman Nelson,

**Dialed in:**  Councilman Amarante, Councilman Batcha, Councilwoman O’Mealia

**Absent:** Councilwoman Green

**Also Present:** Beverley A. Konopada, Borough Clerk, Jean Cipriani, Borough Attorney, Lynne Hazelet, Deputy Clerk, April Yezzi, CFO, Stacy Ferris, Chief of Police, Scott Hulse, Public Work’s Manager

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

**5. RESOLUTION NO. 2020-153**

**RESOLUTION: MINUTES OF PREVIOUS MEETINGS**

Regular Business Meeting Minutes- November 17, 2020

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

**ROLL CALL VOTE RESOLUTION 2020-153**

Moved by Councilman Gillingham, seconded by Councilman Nelson and approved by unanimous roll call vote.

**LL CALL VOTE RESOLUTION 2020-120202**

**6. PRIVILEGE OF THE FLOOR:** Mayor White opened 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.

No comments were made.

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

**RESOLUTION NO. 2020-154**

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



**RESOLUTION NO. 2020- 155**

**RESOLUTION: PAYMENT OF BILLS**

**WHEREAS,** the municipal finance officer has presented

* A list of bills in the amount of $93,170.66 with the recommendation they be paid, and
* A list of bills in the amount of $214,896.17 that have been paid with the approval of the municipal clerk and the mayor, now, therefore, be it

**RESOLVED,** the council approves the payment of all the bills and directs that a copy of these lists be attached to and made part of the minutes of this meeting.

**RESOLUTION NO. 2020-156**

**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 $6,000.00, which is now available from the 2020 Drive Sober or Get Pulled Over Year End Holiday Crackdown;

**BE IT FURTHER RESOLVED**, that the like sum of $6,000.00 is hereby appropriated under the caption of, 2020 Drive Sober or Get Pulled Over Year End Holiday Crackdown, 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. 2020-157**

**RESOLUTION : TRANSFERRING CURRENT YEAR APPROPRIATIONS 2020-2**

**WHEREAS**, N.J.S.A. 40A: 4-58 provides for transfers within certain appropriations within the Municipal Budget during the last two months of the fiscal year; and

**WHEREAS**, the Chief Financial Officer has advised the Mayor and Council of the Borough of Mantoloking that the need for certain transfers within the 2020 Appropriation exists; and

**WHEREAS,** it is recommended that these budget transfers be made in the 2020 Municipal Budget;

**NOW, THEREFORE BE IT RESOLVED,** that the following budget transfers be made in the 2020 Municipal Budget:

**DEPARTMENT TO FROM**

Police OE $ 35,000.00

Police SW $ 35,000.00

Finance SW $ 4,500.00

Finance OE $ 4,500.00

Audit OE $ 1,200.00

Garbage OE $ 9,000.00

Sewer OE $ 3,000.00

Group Health Insurance OE $ 7,500.00

Plumbing Subcode SW $ 25.00

Electrical Subcode SW $ 25.00

Planning Board SW $ 100.00

Municipal Clerk OE $ 12,500.00

Engineering OE $ 1,000.00

Roads SW $ 3,150.00

Beach Maintenance OE $ 4,200.00

**Total $ 60,350.00 $ 60,350.00**

**RESOLUTION NO. 2020-158**

**RESOLUTION TO CANCEL GRANT RECEIVABLE AND GRANT APPROPRIATION BALANCES**

**WHEREAS,** the Borough of Mantoloking Current Fund is carrying the following reserve and receivable balances:

RECEIVABLE RESERVE

GRANT \_\_BALANCE\_ \_BALANCE\_

NJDEP Stormwater Grant $ $ 417.75

State of NJ DOT – Route 35 $ 35,686.83 $ 4,565.07

Pedestrian Safety and Traffic Grant $ 83.45 $ 83.45

Post Sandy Code Enforcement Grant $ 12,521.80 $ 12,657.99

2017 Year End Holiday Crackdown Grant $ 385.00 $

Distracted Driving Crackdown Grants $ 1,072.50 $ 1,457.50

Click It or Ticket Grant $ 2,110.00` $ 2,110.00

Emergency Planning Grant $ $ 871.32

Hazardous Mitigation Grant $ $112,139.83

**$ 51,859.58** **$134,302.91**

**WHEREAS,** the funds creating these receivables and reserves have been investigated and it has been determined that these balances should be canceled by recommendation of the Borough Auditors to cancel the reserve and receivable balances to fund balance.

**NOW, THEREFORE, BE IT RESOLVED,** by the Mayor and Borough Council of the Borough of Mantoloking, Ocean County, New Jersey, that the above receivable and reserve balances are cancelled.

**RESOLUTION NO. 2020-159**

**RESOLUTION TO CANCEL STALE DATED CHECKS**

**WHEREAS**, Various bank accounts have checks written against balances on deposit that are stale as listed below;

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Current Fund |  |  |  |  |  |
| 25585 | 57.00 |  |  |  |  |
| 25762 | 160.49 |  |  |  |  |
| 26714 | 292.44 |  |  |  |  |
| 26543 | 266.73 |  |  |  |  |
| 27672 | 75.00 |  |  |  |  |
| 28600 | 236.20 |  |  |  |  |
| 28720 | 408.30 |  |  |  |  |
| 29436 | 124.14 |  |  |  |  |
| 30991 | 35.96 |  |  |  |  |

**WHEREAS**, it is the recommendation by the Borough Auditors to cancel the stale dated checks to the named fund.

**NOW, THEREFORE, BE IT RESOLVED,** by the Mayor and Borough Council of the Borough of Mantoloking, Ocean County, New Jersey that the listed stale dated checks be canceled to the above described funds.

**ROLL CALL VOTE RESOLUTIONS 2020-154 – 159**

Moved by Councilman Amarante, seconded by Councilman Gillingham and approved by unanimous roll call vote.

**LL CALL VOTE RESOLUTION 2020-120202**

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

**RESOLUTION NO. 2020-160**

**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. 2020-161**

**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. 2020-162**

**RESOLUTION AUTHORIZING THE BOROUGH OF 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 States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 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 (LEAs); and

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

**WHEREAS**, participation in the 1033 Program allows municipal and county LEAs 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 LEAs, 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** by the ***Mayor and Council*** of the ***County of Ocean, Borough of Mantoloking*** that the ***Mantoloking Police Department is*** hereby authorized to enroll in the 1033 Program for no more than a one‐year period, with authorization to participate terminating on December 31 of the current calendar year from January 1, 2021 to December 31, 2021 ; and

**NOW THEREFORE BE IT FURTHER RESOLVED** that ***Mantoloking Police Department*** 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, clothing, traffic and transit signal systems, exercise equipment, moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non‐military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the ***Mantoloking Police Department***, without restriction; and

**NOW THEREFORE BE IT FURTHER RESOLVED** that ***Mantoloking Police Department*** is hereby authorized to acquire the following “DEMIL B through Q” property, if it shall become available in the period of time for which this resolution authorizes: ***(1) utility truck, (10) Riot control shields, (1) breach system, (10) club, self-protection, (10) face shield, riot control, (1) drone, (10) Helmet, police, (3) sight, thermal (1) MRAP, etc.]***; and

**BE IT FURTHER RESOLVED** that the ***Mantoloking Police Department*** 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 ***Mantoloking Police Department*** 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** that this resolution shall take effect immediately and shall be valid to authorize requests to acquire “DEMIL A” property and “DEMIL B through Q” property that may be made available through the 1033 Program during the period of time for which this resolution authorizes; with Program participation and all property request authorization terminating on December 31st of the current calendar year from (month/day), January 1, 2021 to December 31, 2021.

**RESOLUTION NO. 2020-163**

**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** | **Hourly** | **Effective Date** |
| Michael Gippetti | Part-Time Police Officer | $17.00 | 12/16/2020 |
| Steven IaFelice | SLEO II | $16.00 | 12/16/2020 |

**RESOLUTION NO. 2020-164**

**RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, AUTHORIZING A CONTRACT WITH RIBCRAFT USA, LLC THROUGH THE GENERAL SERVICES ADMINISTRATION**

**WHEREAS**, the Borough of Mantoloking is in need of a boat for the Police Department; and

**WHEREAS**, the Borough of Mantoloking, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c) may by resolution and without advertising for bids, purchase any goods or services under via Federally Based Programs, including the U.S. General Services Administration (“GSA”); and

**WHEREAS**, the 2021 Ribcraft 5.85 Professional is not available to be purchased under an existing State Contract; and

**WHEREAS**, it is the desire of the governing body to authorize the purchase of a 2021 Ribcraft 5.85 Professional from Ribcraft USA, LLC, through that company’s contract with the Genreal Services Administration, Contract Number GS-07F-0457N, utilizing the 2021 budget by anticipating funding from the Reserve for Sale of Municipal Assets in the amount of $79,007.00.

**IT IS THEREFORE RESOLVED,** by the Borough Council of the Borough of Mantoloking as follows:

1. That the purchase of a 2021 Ribcraft 5.85 Professional from Ribcraft USA, LLC, through that company’s contract with the Genreal Services Administration, Contract Number GS-07F-0457N in the amount of $79,007.00 is hereby approved.
2. That the Borough hereby memorializes its decision for the purchase of the boat in the 2021 Budget by anticipating finding from the Reserve for Sale of Municipal Assets in the amount of $79,007.00.
3. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto. The following are the line item appropriations or ordinances which constitute the availability of funds for this contract:

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**4.** That a copy of this resolution shall be forwarded to Chief Financial Officer and the Chief of Police.

**ROLL CALL VOTE RESOLUTIONS 2020-160 - 164**

Moved by Councilman Gillingham, seconded by Councilman Nelson and approved by unanimous roll call vote.

Councilman Amarante reached out to Joe Celentano

* yacht club is committeed to doing a fund raising event at least for the next 2-3 years.
* reimbursements policy for expenses that we might incur
* The yacht club will provide a slip and winter storage at no cost to the town for the police boat
* general concensus of the yacht club is to have the police boat kept at the yacht club
* Saving money in dockage and storage

Borough Attorney Cipriani advised there should be a written agreement between the Yacht Club and the borough. This will memorialize the boat slip, protection and the yacht clubs generous contributions.

Councilman Amarante will work on that.

**PUBLIC HEARING-** Mayor White opened the floor for comments on Ordinance No. 711

Councilwoman O’Mealia wanted to know id the ordincace was at the suggestion of the Rogers Group for accreditation to which Mayor White replied yes it is.

**ADOPTION OF ORDINANCE NO. 711**

**AN ORDINANCE OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING THE BOROUGH CODE OF THE BOROUGH OF MANTOLOKING, SO AS TO AMEND CHAPTER 2, ARTICLE IV ENTITLED “DEPARTMENTS ESTABLISHED”**

**BE IT ORDAINED** by the Mayor and Borough Council of the Borough of Mantoloking, County of Ocean, and State of New Jersey, as follows:

**SECTION 1.** Chapter 2 of the Borough Code of the Borough of Mantoloking, entitled “Administration” is hereby amended so as to amend Article IV entitled “Departments Established” so as to amend Section 2-22.5 entitled “Rules and Regulations” to read entirely as follows:

**§2-22.5 Rules and Regulations.**

The appropriate authority shall, from time to time as may be necessary, adopt and amend the rules and regulations for the government and discipline of the Police Department and employees thereof. Said rules and regulations may fix and provide for the enforcement of such rules and regulations and the enforcement of penalties for the violation of such rules and regulations. All employees of the Police Department shall be subject to such rules and regulations and penalties

**SECTION 2.** Chapter 2 of the Borough Code of the Borough of Mantoloking, entitled “Administration” is hereby amended so as to amend Article IV entitled “Departments Established” so as to repeal Section 2-22.9 entitled “Property, Rewards and Presents” in its entirety.

**SECTION 3.** Chapter 2 of the Borough Code of the Borough of Mantoloking, entitled “Administration” is hereby amended so as to amend Article IV entitled “Departments Established” so as to repeal Section 2-22.12 entitled “Police Records and Equipment” in its entirety.

**SECTION 4.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 5.** 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 6.** This ordinance shall take effect after second reading and publication as required by law.

**ROLL CALL VOTE ORDINANCE NO. 711**

Moved by Councilman Gillingham, seconded by Councilman Nelson and approved by unanimous roll call vote.

**9. DUNE & BEACH COMMITTEE:** Councilman Batchastated no report of the Dune & Beach Committee and Ocean County Block Grant Program.

Councilwoman O’Mealia

* Request for Proposal for Life Guarding Service responses received

Chief Ferris

* they are still out, last day to respond is January 8th
* will advise everyone what has been received

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

**RESOLUTION NO.2020-165**

**RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDING A CONTRACT FOR THE EMERGENCY STORM RESPONSE SERVICES TO MOUNT CONSTRUCTION IN THE AMOUNT OF $288,580.00 (BASE BID + SUPPLEMENTAL BID A)**

**WHEREAS**, the Borough of Mantoloking duly advertised for the receipt of bids for the Emergency Storm Response Services (Contract 2020-02); and

**WHEREAS**, in response to the invitation to bidders, two (2) bids were received on December 8, 2020 (Mount Construction- $288,580.00 (base bid + supplemental bid A); and Messercola Excavating Co - $233,740.00 (base bid + supplemental bid - rejected for missing a mandatory item pursuant to N.J.S.A. 40A:11-23.2); and

**WHEREAS**, the bid has been reviewed by the Borough Engineer, Mott MacDonald, and it has been determined that Mount Construction, submitted the lowest responsible bid in accordance with the bid specifications, said bid being $288,580.00 (base bid + supplemental bid A); and

**WHEREAS**, it is the desire of the Mayor and Borough Council to award a contract for the Emergency Storm Response Services (Contract 2020-02) to Mount Construction, the lowest responsible bidder.

**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 award of a contract for the Emergency Storm Response Services (Contract 2020-02) to Mount Construction, in the amount of $288,580.00 (base bid + supplemental bid A) for a two (2) year contract period.

**2.** That the Mayor is hereby authorized to execute and the Borough Clerk to attest to the contract with Mount Construction, in accordance with the bid submitted by Mount Construction, and the bid specifications.

**3.** That the governing body specifically approves the bid specifications prepared in connection with the Emergency Storm Response Services project.

**4.** 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: a non-refundable $3,000.00 retainer for the year 2021.

0-01-28-380-002-206 Beach Maintenance OE-Emergency Response

**5.** That a certified copy of this resolution, together with a copy of the contract between the parties, shall be forwarded to the Chief Financial Officer and Mount Construction.

**ROLL CALL VOTE RESOLUTION 2020-165**

Moved by Councilman Gillingham, seconded by Councilman Amarante and approved by unanimous roll call vote.

**PUBLIC HEARING-** Mayor White opened the floor for comments on Ordinance No. 712

Jan O’Malley, 1231 Bay Avenue, standing committees 2-2.3.1 on page 14 item D. sentence repeated twice page 14

* Where does it explicitly state that the standing committees shall be comprised of council members and council members only.
* Standing committee responsible for Environment

Borough Attorney Cipriani

* + - * B above there are a couple of provisions in that section, reference to N.J.S.A. 40A:60-7 which says that the committee gives the council the power to organize itself into committees and further down on B.
      * all committees shall consist of no less than 2 and no more than 3 elected officials to not violate the open public meeting act as to quorum. That’s establishing the membership.
      * environmental committee as authorized by statute is a separate committee that is actually a committee that is been established by ordinance and the membership of that committee is established through the ordinance and through the statute.

Councilwoman O’Mealia – as the large standing committees are created the responsibilities will be added.

**ADOPTION OF ORDINANCE NO. 712**

**AN ORDINANCE OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING THE**

**BOROUGH CODE OF THE BOROUGH OF MANTOLOKING, SO AS TO AMEND AND SUPPLEMENT CHAPTER 2, ENTITLED “ADMINISTRATION” SO AS TO PROVIDE FOR STANDING AND ADVISORY COMMITTEES OF THE GOVERNING BODY**

**BE IT ORDAINED** by the Mayor and Borough Council of the Borough of Mantoloking, County of Ocean, and State of New Jersey, as follows:

**SECTION 2.** Article I of Chapter 2 of the Borough Code of the Borough of Mantoloking, is hereby amended so as to revise §2-2, entitled, “Powers and Duties of the Mayor," which shall read in its entirety as follows:

**§ 2-2. Powers and Duties of the Mayor.**

The Mayor shall preside over all meetings of the Council but shall not vote except to give the deciding vote in case of a tie. Except as otherwise provided by Statute or specific ordinance, the Mayor shall nominate and, with the advice and consent of the Council, appoint all officers in the Borough. No appointments requiring Council confirmation shall be made except by a majority vote of the Councilmembers present at the meeting, provided that at least three (3) affirmative votes shall be required for such purpose, the Mayor to have no vote thereon except in the case of a tie. Vacancies in appointive offices shall be filled by appointment in the same manner for the unexpired term only. The Mayor shall make such nomination to fill a vacancy within thirty (30) days after the appointive office becomes vacant. If the Mayor fails to nominate within thirty (30) days or the Council fails to confirm any nomination made by the Mayor, then, after the expiration of thirty (30) days, the Council shall appoint the officer.

The Mayor shall see that the laws of the State and the ordinances of the Borough are faithfully executed and shall recommend to the Council such measures as he may deem necessary or expedient for the welfare of the Borough. The Mayor shall maintain peace and good order and have the power to suppress all riots and tumultuous assemblies in the Borough.

The Mayor shall have the powers granted by the laws of New Jersey and the ordinances of the Borough. The Mayor shall supervise the conduct and acts of all officers in the Borough and shall execute all contracts made on behalf of the Council. The members of advisory committees to the municipality created pursuant to Borough Code and N.J.S.A. **40A:60-7, shall be nominated by the Mayor and established by** advice and consent of Council by resolution.

**SECTION 2.** Article I of Chapter 2 of the Borough Code of the Borough of Mantoloking, is hereby amended and supplemented to create §2-2.3.1, entitled, “Standing Council Committees," which shall read in its entirety as follows:

**§2-2.3.1 Standing Council Committees.**

Pursuant to N.J.S.A. **40A:60-7, the Council shall annually organize itself into** standing committees.

1. The Standing Committees, nominated by the Mayor and established by advice and consent of Council by resolution**,** are intended to expedite and facilitate the work of the Borough Council. Nothing within this Section shall be interpreted as authorizing any acts by a Standing Committee that legally and statutorily require action by the entire Borough Council. No act of a Standing Committee can bind the Borough Council without further action of the governing body.
2. All Committees shall consist of no less than two and no more than three (3) elected officials as not to violate the Open Public Meeting Act (OPMA) as to a quorum.
3. All members of a Standing Committee shall serve for the balance of the calendar year of the year of their appointment, expiring on December 31 of the year of appointment.

2. The Committee Chairperson shall be nominated by the Mayor and established by advice and consent of Council by resolution.

C. The Chairperson of each Committee shall inform the Mayor of the meetings of such Committee and any the activities, reports, and recommendations of such Committee. The Mayor shall only attend a Committee meeting upon request of the Chairperson when attendance by the Mayor will not create a quorum as defined by N.J.S.A. 40:60-3(d).

D. The Standing Committees, along with their respective responsibilities, shall be:

The Standing Committees, along with their respective responsibilities, shall be:

Public Works (Public Works, Engineering, Code Enforcement)

Administration & Legal (Administration, Personnel and Law, Insurance, Technology)

Land Use (Building, Zoning, Land Use Board, Flooding)

Recreation (Recreation, Beach, Beautification)

Finance (Budget, Grants, Reports, FEMA)

Public Safety (Police, Fire, First Aid, OEM, Court)

Special Committees may be created by Council with members nominated by the Mayor and established by advice and consent of Borough Council by Resolution, as needed for purposes other than those included above.

E. The Chairperson of each Standing Committee shall serve as the Liaison to any Advisory Committee as to any issue for which the Standing Committee is responsible.

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F. A Standing Committee shall:

[1.](https://ecode360.com/34736235#34736235) Meet when requested by the Chairperson of the Committee, such meetings to occur at least quarterly. All members thereof may participate actively in the Committee deliberations, performances of duties and the formulation of its recommendation to the Borough Council.

2. Plan, study, direct, make commitments within budgetary limitations, and carry on the routine activities for which it has primary responsibility.

3. Perform such acts as may be assigned to it by the Borough Council.

[4.](https://ecode360.com/34736238#34736238) Report and make recommendations to the Borough Council regarding its responsibilities and activities.

1. Except as provided above, a Standing Committee shall not:

[i.](https://ecode360.com/34736240#34736240)Expend funds without prior approval of the Borough Council.

[ii.](https://ecode360.com/34736241#34736241) Make promises or commitments to anyone which directly, or by inference, bind the Borough Council.

[iii.](https://ecode360.com/34736242#34736242)Act in such manner or make decisions which violate policies established by the Borough Council or other applicable governmental division or entity.

**SECTION 2.** Article I of Chapter 2 of the Borough Code of the Borough of Mantoloking, is hereby amended and supplemented to create §2-2.3.2, entitled, “Advisory Committees," which shall read in its entirety as follows:

**§2-2.3.2 Advisory Committees.**

Pursuant to N.J.S.A. **40A:60-7, the Council** may create such advisory councils to the municipality as it may choose, including councils for the functions absorbed by it of any heretofore existing boards, commissions or districts. Members of such advisory committees shall be nominated by the Mayor and established by advice and consent of Council by resolution.

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

**SECTION 4.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 5.** This ordinance shall take effect after second reading and publication as required by law.

**ROLL CALL VOTE ORDINANCE NO. 712**

Moved by Councilman Nelson, seconded by Councilman Gillingham and approved by unanimous roll call vote.

**PUBLIC HEARING-** Mayor White will open the floor for comments on Ordinance No. 713

No comments were made.

**ADOPTION OF ORDINANCE NO. 713**

**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 25 ENTITLED “PROPERTY MAINTENANCE”**

**NOW, THEREFORE, BE IT ORDAINED,** by the governing body of the Boroug 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 25, entitled “Property Maintenance,” so as to add Article II which shall be entitled “Grass and Weeds” and which shall read as follows:

**§25-2 Duty of Owner or Tenant**

It shall be the duty of any owner or tenant or person in possession of any lands, vacant or improved, in the Borough:

1. To keep such lands free of brush, weeds, dead and dying trees, stumps, roots, obnoxious growths, filth, garbage, trash and debris, where the same inimical to the preservation of public health, safety or general welfare of the Borough or which may constitute a fire hazard.
2. Where the lands abut or border upon any public street in the Borough, to remove all grass, weeds, brush and other debris from that part of the street bordering on their respective lands.

**§ 25-3. Notice to remove.**

Wherever brush, weeds, uncut grass and/or obnoxious growths exceed ten inches in height, or dead and dying trees, stumps, roots, obnoxious growths, filth, garbage, trash and debris are not removed, the Code Enforcement Officer shall cause 21 days' notice to be given to the owner and to the tenant of such land by registered or certified mail to their last known addresses, to cut and/or remove the same at or before the expiration of the notice period.

**§ 25-4 Removal by Borough.**

In the event that the owner, tenant or person in possession of the lands in question shall refuse or neglect to abate or remedy the condition which is in violation of this chapter within 21 days after receipt of notice, the Code Enforcement Officer or their agents shall cause the same to be abated and remedied and certify the cost thereof to the Council, which shall examine the certificate and, if found correct, cause the cost as shown thereon to be charged against the lands. The amount so charged shall forthwith become a lien upon such lands and shall be added to and become and form a part of the taxes next to be assessed and levied upon such lands, the same to bear interest at the same rate as taxes, which shall be collected and enforced by the same officer and in the same manner as taxes. Costs shall be in addition to any penalties imposed for a violation of this chapter.

**§ 25-5 Violations and penalties.**

1. Any person violating or failing to comply with any of the provisions of this section shall, upon conviction thereof, be punishable by a fine of not less than one hundred ($100.00) dollars nor more than one thousand ($1,000.00) dollars as determined in the discretion of the Municipal Court Judge. The continuation of such violation for each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuation of the violation may be punished as provided above for each separate offense.
2. The violation of any provision of this section shall be subject to abatement summarily by a restraining order or injunction issued by a court of competent jurisdiction.

**SECTION 2.** The Borough Code of the Borough of Mantoloking is hereby amended and supplemented so as to amend Chapter 25, entitled “Property Maintenance,” so as to add Article III which shall be entitled “Abandoned and Vacant Properties” and which shall read as follows:

**§25-6 Purpose.**

The purpose of this article is for Borough of Mantoloking to regulate the care, maintenance, security and upkeep of the exterior of vacant or abandoned residential properties on which a summons and complaint in a foreclosure action has been filed.

**§ 25-7. Notice to Clerk of action to foreclose.**

Any creditor serving a summons and complaint in an action to foreclose on a mortgage on residential property in the Borough of Mantoloking shall within 10 days of the service of the summons and complaint of foreclosure notify the Municipal Clerk. The notice shall contain the name and contact information for the representative of the creditor who is responsible for receiving complaints of property maintenance and code violations. If the creditor is located out of state, the notice shall also contain the full name and contact information of the in-state representative or agent who is responsible for the care, maintenance, security and upkeep of the exterior of the property if it becomes vacant or abandoned.

**§ 25-8. Creditor responsibility for maintenance.**

1. A creditor serving a summons and complaint in an action to foreclose on a mortgage on residential property located within Borough of Mantoloking shall serve the Municipal Clerk with a notice indicating that a summons and complaint in an action to foreclose on a mortgage has been filed against the subject property. The Notice may contain information about more than one property and shall be provided by mail or electronic communication at the discretion of the municipal clerk.
2. The Notice shall be served within 10 days of service of a summons and complaint in an action to foreclose on a mortgage against the subject property
3. Within 60 days of the adoption of this ordinance, any creditor that has initiated a foreclosure proceeding on any residential property which is pending in Superior Court shall provide to the municipal clerk a notice as described below for all residential properties in the Borough for which the creditor has pending foreclosure actions.
4. The notice shall contain:

1. The name and contact information for the representative of the creditor who is responsible for receiving complaints of property maintenance and code violations;

2. Whether the property being foreclosed on is an affordable unit pursuant to the “Fair Housing Act;”

3. The street address, lot and block number of the property; and

4. The full name and contact information of an individual located within the state authorized to accept service on behalf of the creditor.

**§25-8 Notification of Violation.**

In the event of a violation of state or local ordinance, the municipality shall serve the creditor with a notice that shall include a description of the condition(s) that gave rise to the violation with the notice and shall provide a period of not less than 30 days from the creditor’s receipt of the notice for the creditor to remedy the violation.

**§25-10 Repair by Borough.**

If the Borough expends public funds in order to abate a nuisance or correct a violation

on a residential property in which the creditor was given notice pursuant to the provisions of subsection **§**25-7 but failed to abate the nuisance or correct the violation as directed, the municipality shall have the same recourse against the creditor as it would have had against the title owner of the property including but not limited to the recourse provided at N.J.S.A. 55:19-100.

**§ 25-11. Violations and penalties.**

1. Any out-of-state creditor who fails to appoint an in-state agent or representative shall be subject to a fine of $2,500 for each day of the violation. The violation shall commence on the day after the ten-day period set forth for the correction of the violation. Any fines imposed on a creditor for the failure to appoint an in-State representative or agent shall commence on the day after the 10-day period set forth in paragraph (1) of subsection a. N.J.S.A. 46:10B-51 for providing notice to the Municipal clerk that a summons and complaint in an action to foreclose on a mortgage has been served.
2. Any creditor found to be liable for the violation of the requirement to correct the care, maintenance, security or upkeep violation shall be subject to a fine of $1,500 for each day of the violation. Fines imposed pursuant this section shall commence 31 days following receipt of the notice except if the violation presents an imminent risk to public health and safety, in which case any fine shall commence 11 days following receipt of the notice.
3. If, after proper notice, the Borough undertakes the performance of any property maintenance work on the property due to the failure of the creditor to perform same, the Borough shall attach a lien to the property for the costs associated with its work.

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

**SECTION 4.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 5.** This ordinance shall take effect after second reading and publication as required by law.

**ROLL CALL VOTE ORDINANCE NO. 713**

Moved by Councilman Nelson, seconded by Councilman Gillingham and approved by unanimous roll call vote.

**11. MUNICIPAL RELATIONS COMMITTEE:**  Councilwoman O’Mealia stated no report of the Mantoloking Relations Committee.

**12.** **ENVIRONMENTAL COMMITTEE:** Councilwoman Green absent.

**13. MAYOR AND COUNCIL COMMENTS:**

Mayor White recognized one of our residents, Joan Mattia. She and others have been managing Patty’s garden on Channel Lane between North and South Lagoon. She works very hard up there. He read a letter from Mr. Brand, Patty’s husband, thanking her for the lovely tribute to Patty. She would be so proud of your continued interest. Mayor awarded Joan Mattia with a Volunteer Appreciation Certificate.

The Seaweeders and others do a tremendous amount for the town of Mantoloking and it is deeply appreciated.

Mayor also thanked Connie Pilling for her many years of service on the Environmental Commission and that she was a tremendous asset . Ms. Pilling resigned.

Mayor White read the following statement into the record:

“I know that there is significant conversation taking place regarding the possibility of hiring a part time administrator or adding the job description of administrator to the clerk’s position. This is part of a recommendation made by our consultant in our strategic plan. I would like to talk about this for a moment.

As we all know, our town has never had an administrator, so this is all new to us. So, keeping this in mind, I formed an Administrator Advisory Committee who have kindly volunteered to look into this for the Borough. They are Brad Batcha and Doug Nelson from Council and Nancy Van Duyne, Susan Voorhees and Peter Fasola who are Mantoloking residents. They have already conducted hours of interviews with Department Heads, myself and others. They have other work to do over the next several weeks. They will then be giving to our Council their recommendation at the council meeting on January19th as to how we should best proceed. Please keep in mind the final decision will be made by our members of Council. We know already that we have a governing body that works very hard to look after our town and makes the very best decisions on behalf of our residents. We should also be thankful that we also have residents who are willing to spend a significant amount of their time helping our town make a very important decision. Let’s allow them to do their jobs. Sound accurate information is the key here above anything, and rest assured, you will have it. Let’s not form opinions until we have that information, not speculation. There will be no decisions made until the committee has made their report and public discussion has taken place. I am confident that at the end of the day, we will all make the proper decision for Mantoloking”

Councilman Batcha agreed with the Mayor’s comments.

* He has learned a lot over the past two weeks. Had he commented two weeks ago, he would have been completely uninformed.
* He encouraged the public to follow the Mayor’s suggestions and hold off until the report is complete.

Councilman Nelson

* echoes what Councilman Batcha and the Mayor had said.
* The people who have volunteered to do this are taking on an absorbitant amount of their time and energy and we need to respect that and respect them.
* It is a wonderful thing when people volunteer for something as big as this.
* January meeting - fact based recommendation from the group.

Councilman Amarante

* sought clarification regarding the release of the advisory report

Borough Attorney Cipriani

* It is part of the deliverative process if report that is made to the governing body, the governing body can elect to choose to have this shielded under the open public records act. If it is the will of the governing body to release that information, then it can be released . The only exceptions would be things like personnel, existing personnel and those are decisions the governing body has to make.

Councilwoman O’Mealia

* Inquired if the report could be ready for the January reorganization meeting

Councilman Batcha

* we are towards the end of our interviewing process
* committee will need some time to discuss and put together a report

Mayor White

* allow the committee time to prepare with the holidays in mind

**14. PUBLIC COMMENTS PERIOD:** . State your name and address for the record. Once you have finished speaking, please place your phone on mute.

Priscilla Hiby, 907 Barnegat Lane

* Why the rush? Many people are not here and this should be delayed until people are back.
* does not see a need for an administrator

Mayor White

* This processs needs due diligence and time to information gather.
* We will discuss in the new year when we know more

Jim Brown, 985 Barnegat Lane

* Thinks the issue is people in town don’t understand why
* Is the committee prepared to explain why they are doing this to the town’s people
* There is a lack of information going out
* Wait for citizens to be back in town
* Table this until April or May
* We have been doing this for 75 years
* He knows of 35 people who are concerned about this
* Hopes the committee interviews citizens in town as well

Borough Attonery Cipriani

* In terms of the procedure it is anticipated that the governing body will discuss this at the meeting in January but the process of the decision to go forward will take a number of meetings. The way that the position will be created is by an ordinance. That ordinance clearly would not be ready in January, because the decision wouldn’t be made. If the decision was to go ahead there would be an ordinance laying out the job duties establishing the position . That ordinance would not be on for a first reading until February and second reading in March.

Mayor White

* We are not in a position right now to make any decisions at all.
* The committee needs to gather their information, that is first and foremost.

Councilman Batcha

* They have received a number of comments that have been submitted to the clerk and circulated amongst the committee and are taking into account the publics perpective on this.

Joann Lygas, 970 Barnegat Lane

* When there is a major change, there is a lot of speculation and misinformation. I think that this probably is part Jim and Priscilla’s concerns.
* She personally spoke with a member of the advisory committee and was very impressed with the way they are approaching this and how they are looking at the entire picture.
* Before people rush to judgement, they need to see exactly what the advisory committee concludes.
* The report is going to be presented to council and council can make a decision if it is released or not. If council makes the decision that they want to keep it in house and not release it they should consider having the advisory committee make a summary available to

the public.

**15. EXECUTIVE SESSION:**

Moved by Councilman Nelson, seconded by Councilman Gillingham to go into executive session and approved by unanimous roll call vote at 6:44 p.m.

**RESOLUTION NO. 2020-166**

**RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN EXECUTIVE SESSION**

**WHEREAS,** the Open Public Meetings Act authorizes the Borough Council to enter into executive session to discuss certain matters pursuant to N.J.S.A 10:4-12; and

**WHEREAS,** the Borough Council desires to go into executive session to discuss matters related to potential salary increases for 2021; and

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Borough of Mantoloking,  County of Ocean, State of New Jersey, that the Council shall go into executive session to discuss the following items:

1. 2021 employee salaries - N.J.S.A. 10:4-12(b)(8)

**16. NEXT MEETING:**  ReorganizationMeeting, Tuesday, January 5, 2021 conference call.

**17. ADJOURNMENT** :

There being no further business for the meeting, it was motioned by Councilman Gillingham to adjourn executive session, return to open session and adjourn the meeting. The motion was seconded by Councilman Nelson and approved by unanimous voice vote at 7:55 p.m.

Respectfully submitted,

Beverley A. Konopada

Municipal Clerk