

DRAFT NO. 1 –10/11/2017

THE BOROUGH OF MANTOLOKING
MAYOR AND COUNCIL

MINUTES - AGENDA SETTING PRE-COUNCIL MEETING
October 10, 2017
Mantoloking Yacht Club
1224 Bay Avenue
Mantoloking, New Jersey

The Agenda Setting Pre-Council Meeting of the Mayor and Council was held this day in the Mantoloking Yacht Club, Mantoloking, New Jersey.

1. **CALL TO ORDER:** Mayor George C. Nebel called the meeting to order at 5:30 p.m.
2. **OPEN PUBLIC MEETING STATEMENT:** Mayor George C. Nebel 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:**

<u>COUNCIL</u>	<u>PRESENT</u>	<u>ABSENT</u>	<u>LATE</u>	<u>DIAL -IN</u>
Council President White	X			
Councilman Gillingham	X			
Councilman Laymon	X			
Councilman Nelson		X		
Councilwoman O'Mealia	X			
Councilman Rzemieniewski	X			
Mayor George C. Nebel	X			
<u>ALSO PRESENT</u>				
Beverley A. Konopada, Borough Clerk	X			
Edwin J. O'Malley, Jr. Borough Attorney	X			
Lynne Hazelet, Deputy Clerk	X			
April Yezzi, CFO, CTC, QPA		X		
Chief Stacy Ferris		X		
Keith Watson, Army Corps.	X			
Kelley Staffieri, NJDEP	X			

4. **PLEDGE OF ALLEGIANCE:** Mayor George C. Nebel led the assembly in the Pledge of Allegiance.

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

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

Agenda Setting Pre-Council Meeting- September 12, 2017
Regular Council Business Meeting- September 19, 2017

6. **PRIVILEGE OF THE FLOOR:** Mayor George C. Nebel will open the meeting for public comment and questions about the agenda.
7. **MUNICIPAL SERVICES COMMITTEE,** Council President White will present the monthly reports from the Public Works Superintendent, Construction Official, Land Use Officer and Building Committee and moves the following resolutions:

A. **RESOLUTION: ESTABLISHMENT OF BEACH UTILIZATION COMMITTEE**

B. **RESOLUTION: ESTABLISHMENT OF A BOROUGH PUBLIC INFORMATION OFFICER**

PUBLIC HEARING: Mayor George C. Nebel opened the meeting to the public on Ordinance No. 673

C. **RESOLUTION: ADOPTION OF ORDINANCE 673, AMENDING CHAPTER XXX, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MANTOLOKING, LAND USE REGULATIONS PROVIDING FOR REDUCTION OF SIDE YARD SETBACKS FOR CORNER LOTS IN R3-B AND R3-C**

WHEREAS, On this 17th of October, 2017, a public hearing on Ordinance # 673 was held, now, therefore, be it

RESOLVED, The Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey hereby adopts the following ordinance

Sponsored by:	Councilman White
Date Introduced:	September 19, 2017
Public Hearing & Adoption	
Consideration:	October 17, 2017

Synopsis: Reduction of Setback for Corner Lots in R 3-B & R 3-C Zoning Districts

ORDINANCE NO. 673

**AN ORDINANCE OF THE BOROUGH OF MANTOLOKING,
OCEAN COUNTY, NEW JERSEY, AMENDING CHAPTER XXX,
OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MANTOLOKING,
LAND USE REGULATIONS, PROVIDING FOR
REDUCTION OF SIDE YARD SETBACKS FOR CORNER LOTS
IN R3-B AND R3-C**

BE IT ORDAINED by the Mayor and Council of the Borough of Mantoloking, as follows:

1. The corner lot side yard setback for corner lots in the R-3B and R-3C zoning districts shall be and hereby are amended by reduction of the side yard setback from 25 feet to 15 feet.
2. Appendix B, Bulk Standards, (Zoning Table) shall be and hereby is modified accordingly.
3. All provisions of Chapter XXX not specifically amended hereby shall remain in full force and effect.
4. This Ordinance shall be effective upon final adoption according to law.

ROLL CALL VOTE:

PUBLIC HEARING: Mayor George C. Nebel opened the meeting to the public on Ordinance No. 672

D. RESOLUTION: ADOPTION OF ORDINANCE 672 PROVIDING FOR THE ADOPTION OF CHAPTERS 1, 2 AND 3 OF THE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE OF THE BOROUGH OF MANTOLOKING

WHEREAS, On this 17th of October, 2017, a public hearing on Ordinance # 672 was held, now, therefore, be it

RESOLVED, The Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey hereby adopts the following ordinance

Sponsored by:	Councilman White
Date Introduced:	September 19, 2017
Public Hearing & Adoption Consideration:	October 17, 2017

Synopsis: Sets forth the general requirements for maintenance of structures, equipment and exterior property.

ORDINANCE NO. 672

**AN ORDINANCE OF THE BOROUGH OF MANTOLOKING,
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR ADOPTION OF CHAPTERS 1, 2 AND 3
OF THE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE,
AS MODIFIED HEREIN, THE PROPERTY MAINTENANCE CODE OF THE BOROUGH OF
MANTOLOKING**

BE IT ORDAINED by the Mayor and Council of the Borough of Mantoloking, as follows:

1. Chapters 1, 2 and 3 of the 2015 International Property Maintenance Code, as modified or supplemented herein, are hereby adopted and/or incorporated by reference, as the Property Maintenance Code of the Borough of Mantoloking for regulating the condition and maintenance of all property, buildings and structures, to insure that structures are safe, sanitary and fit for occupation and use and providing for enforcement and the collection of fees and penalties.
2. All existing Borough Ordinances or portions thereof, which are in conflict with this Ordinance are repealed to the extent of such conflict.
3. In the event that any portion or provision of this Ordinance is held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.
4. This Ordinance shall be effective upon final adoption.

ROLL CALL VOTE:

8. **FINANCE COMMITTEE**, Councilman Gillingham will present the monthly finance report and moves the following resolutions:

A. RESOLUTION: ACCEPT THE REPORT OF THE MUNICIPAL FINANCE OFFICER

WHEREAS, the Chief Finance Officer has presented a report on the status of the 2017 temporary Municipal budget as of August 31, 2017; and

WHEREAS, that report indicates the following status as of that date:

<u>ACCOUNT</u>	<u>ORIGINAL BUDGET</u>	<u>2017 TEMPORARY BUDGET</u>	<u>EXPENDED</u>	<u>ENCUMBERED</u>	<u>BALANCE</u>
2017 Adopted Budget		6,817,623.69	2,610,176.62	43,255.20	4,164,191.87
2016 Appropriation Reserve	5,789,080.20	501,386.73	163,135.22	45,869.06	292,382.45

2012 Emergency Appropriations					
Sandy Emergency #1	2,000,000.00				
Sandy Emergency #2	2,000,000.00				
Sandy Emergency #3	3,100,000.00	297,639.01	92,343.22	16,279.97	189,015.82
Subtotal Sandy Emergency		297,639.01	92,343.22	16,279.97	189,015.82
Capital		7,195,713.10	1,461,454.43	0.00	5,734,258.67

B. RESOLUTION: PAYMENT OF BILLS

WHEREAS, the municipal finance officer has presented

- A list of bills in the amount of \$471,064.07 with the recommendation they be paid, and
- A list of bills in the amount of \$416,234.16 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.

C. RESOLUTION: ACCEPTING BEST PRACTICES 2017-2018 CHECK LIST

WHEREAS, the Borough of Mantoloking is required by statute to complete the Best Practices Check List as instituted by the Division of Local Government Services, and

WHEREAS, the Best Practices Check List is a constructive way to encourage municipalities to consider and embrace a range of best practices that will help improve financial accountability and transparency, and.

WHEREAS the inventory results for 2017 are as follows: ___ yes, ___ no, ___ N/A, and ___ prospective for a total percentage of ___ with no State Aid to be withheld,

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Mantoloking accept the Best Practices Check List as required by the State of New Jersey Department of Community Affairs for the 2017 Budget Year.

D. RESOLUTION: AMENDMENT TO THE EMPLOYEE MANUAL IN COMPLIANCE WITH BEST PRACTICES

E. RESOLUTION: SUMMARY OF BOROUGH HALL EXPENDITURES

F. RESOLUTION: IN SUPPORT OF 2% CAP ON INTEREST ARBITRATION AWARD

Councilman Gillingham requested that the Mayor assign another council member to introduce the two percent cap on interest arbitration award resolution. He advised that he was dismissed as the negotiator although he supported the two percent cap longer than other council members.

9. **PUBLIC SAFETY COMMITTEE**, Councilman Laymon will present the monthly reports of the Police Department, Municipal Court, Fire Company, and Emergency Management and moves the following resolutions:

10. **DUNE & BEACH COMMITTEE**: Councilman Nelson will present the reports of the Dune & Beach Committee and Ocean County Block Grant Program moves the following resolution:

-- A. **RESOLUTION: INTRODUCTION TO DUNE AND BEACH ORDINANCE NO. 663**

11. **ENVIRONMENTAL COMMITTEE** Councilwoman O'Mealia will present the report of the Environmental Committee.

Councilwoman O'Mealia notified the public that the Environmental Commission Chairman has resigned and that there will be changes to the commission in 2018.

12. **MUNICIPAL RELATIONS COMMITTEE** Councilman Rzemieniewski will present the report of the Mantoloking Relations Committee.

13. **MAYOR AND COUNCIL COMMENTS**

Council President White discussed beach replenishment and the preconstruction meetings that are held every Tuesday morning. Representatives from the Army Corp., NJDEP, Weeks Marine Contractor and various town officials meet to discuss the current status of the project and what can be expected for the coming week.

He introduced representatives from the project, Kelley Staffieri, Project Manager, NJDEP- Bureau of Coastal Engineering and Keith Watson, Project Manager, Army Corp.

Keith Watson

Project has begun

Dredge started putting sand on the beach

50,000 cubic yards pumping intermittently at the end of Herbert

Weekly meetings not open to the public

Residents urged to refrain from approaching contractor and Army Corp personal-contact town officials

Safety is a priority

70 days of pumping (base bid) option areas may be done at the end of the contract

2 additional dredges to arrive the end of December beginning of January

The Beach Replenishment Project is the single largest project at one time the Army Corp has ever done.

Councilman Rzemieniewski asked if the Army Corp would finish all of Mantoloking before they leave town.

Council President White explained different factors that prohibit the contractor from taking too much sand from the borrow sight. Sand needs to be left to rebuild itself and protect the fisheries.

Councilwoman O'Mealia requested a timeframe for the completion of Mantoloking replenishment. Parking on Rt.35 prior to the completion of the project

Robert Mainberger

50 year project- Army Corp will return every 4 years as needed
Dune height and length
Base Bid and Options 11 and 9

Councilwoman O'Mealia sought clarification regarding the proposed Beach Utilization Committee as well as the Borough Public Information Official.

14. PUBLIC COMMENTS PERIOD

Parking on Route 35 safety concerns
Confusion as to the timeframe when parking would be required due to the replenishment project
Introduction of the Dune and Beach Ordinance although changes are still pending
Bay Avenue flooding concerns

15. NEXT MEETING:

Regular Business Council Meeting, October 17, 2017 at 5:30 p.m. at the Mantoloking Yacht Club, 1224 Bay Avenue, Mantoloking, NJ

16. ADJOURNMENT

There being no further business for this meeting, it was motioned by Councilman Laymon to adjourn. The motion was seconded by Councilman Laymon and approved by unanimous voice vote at 6:40 p.m.

Respectfully submitted,

Beverley A. Konopada,
Borough Clerk