

DRAFT NO. 1 – 7/12/2017

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

**MINUTES - AGENDA SETTING PRE- COUNCIL MEETING**

**July 11, 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:**

<b><u>COUNCIL</u></b>	<b><u>PRESENT</u></b>	<b><u>ABSENT</u></b>	<b><u>LATE</u></b>	<b><u>DIAL -IN</u></b>
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			
<b><u>ALSO PRESENT</u></b>				
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		

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, June 13, 2017

Regular Business Meeting, June 20, 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 resolution:

Councilman White advised the public that the Bay Avenue Project has begun and should take approximately 4 to 5 weeks to complete. Any concerns should be directed to him not the contractor.

A. **RESOLUTION: APPROVAL OF CHANGE ORDER # 1 BAY AVENUE CARPENTER LANE PROJECT (CONTRACT 2017-01)**

Councilman Rzemieniewski wanted clarification as to who was responsible for the Change Order.

Councilman White advised that work was being done to raise the asphalt due to flooding issues. The town received a grant in the amount of \$234,000 which does not need to be paid back. \$75,000 will be used from the budget.

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 May 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 Temporary Budget		2,531,174.00	1,691,667.19	96,093.25	743,413.56
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	72,856.29	33,386.47	191,396.25
Subtotal Sandy Emergency		297,639.01	72,856.29	33,386.47	191,396.25
Capital		7,195,713.10	969,286.60	0.00	6,226,426.50

**B. RESOLUTION: PAYMENT OF BILLS**

WHEREAS, the municipal finance officer has presented

- A list of bills in the amount of \$289,213.33 with the recommendation they be paid, and
- A list of bills in the amount of \$85,959.51 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: INTRODUCTION TO ORDINANCE # 671**

Sponsored by: Councilman Gillingham  
 Date Introduced: July 18, 2017  
 Public Hearing & Adoption: August 15, 2017

Synopsis: To adjust salary ranges that have been stagnant for the past four years.

**ORDINANCE NO. 671**

**AN ORDINANCE FIXING SALARY AND COMPENSATION  
OF CERTAIN OFFICERS, POSITIONS AND EMPLOYEES  
IN THE BOROUGH OF MANTOLOKING,  
OCEAN COUNTY, NEW JERSEY, TO BE KNOWN AS THE  
“MANTOLOKING BOROUGH SALARY ORDINANCE”  
AND RESCINDING ORDINANCE 620**

**WHEREAS**, it is necessary and appropriate to set forth the salary and compensation ranges for all officers and employees of the Borough of Mantoloking;

Now, therefore, **BE IT ORDAINED** by the Borough Council of the Borough of Mantoloking, in the County of Ocean, State of New Jersey, as follows:

**SECTION 1:** The offices and positions under the municipal government of the Borough of Mantoloking shall be compensated at the amount fixed in this Ordinance.

**SECTION 2:** The Borough’s Chief Financial Officer is hereby authorized to transfer such sums of money from the Municipal Current Account and other such accounts that may permit periodical payrolls in the amounts fixed by this Ordinance.

**SECTION 3:** Officers and employees of the Borough of Mantoloking shall be compensated at the following rates:

**ADMINISTRATION**

<b><u>POSITION</u></b>	<b><u>SALARY RANGE</u></b>	
	<b><u>Minimum</u></b>	<b><u>Maximum</u></b>
Chief Financial Officer	\$ 40,000.00	\$ 150,000.00
Tax Assessor	\$ 9,000.00	\$ 25,000.00
Borough Clerk	\$ 41,000.00	\$ 150,000.00
Deputy Borough Clerk	\$ 17,000.00	\$ 75,000.00
Tax Collector (Full-Time)	\$ 10,000.00	\$ 50,000.00
Tax Collector (Part-Time)	\$ 25.00/hr	\$ 50.00/hr



Registrar of Vital Statistics	\$ 200.00	\$ 1,500.00
Qualified Purchasing Agent	\$ 2,500.00	\$ 5,000.00
Administrative Assistant	\$ 14,000.00	\$ 75,000.00
Clerical Help (hourly)	Min. Wage	\$ 25.00/hr
Council Meeting Recorder (per session)		\$ 100.00/session

#### **MUNICIPAL COURT**

<b><u>POSITION</u></b>	<b><u>SALARY RANGE</u></b>	
	<b><u>Minimum</u></b>	<b><u>Maximum</u></b>
Magistrate	\$ 8,000.00	\$ 25,000.00
Magistrate - Special Court Session 1/12th of annual salary		
Municipal Court Administrator	\$ 15,000.00	\$ 35,000.00
Deputy Municipal Court Administrator	\$10.00/hour	\$ 40.00/hour
Municipal Court Violations Clerk	\$100.00/Day	\$130.00/Day
Municipal Court Recorder (per session)		\$100.00/session
Municipal Court Personnel Call-Out Time (hourly)	-	
	Min. 3 hr. - not to exceed \$ 25.00 per hour	

#### **POLICE DEPARTMENT**

<b><u>POSITION</u></b>	<b><u>SALARY RANGE</u></b>	
	<b><u>Minimum</u></b>	<b><u>Maximum</u></b>
Administrative Assistant	\$ 14,000.00	\$ 75,000.00
Police Salary Range (Full Time)	\$ 26,069.00	\$ 225,000.00
Special Police (hourly)	Min. Wage	\$ 25.00/hr
Beach Patrol (hourly)	Min. Wage	\$ 25.00/hr.
Police Recruit Trainees	Minimum hourly wage	

#### **PUBLIC WORKS DEPARTMENT**

<b><u>POSITION</u></b>	<b><u>SALARY RANGE</u></b>	
	<b><u>Minimum</u></b>	<b><u>Maximum</u></b>

Borough Superintendent	\$ 38,000.00	\$100,000.00
Public Works Manager	\$ 35,000.00	\$ 85,000.00
Public Works Laborer (hourly)	\$ 9.00/hr	\$ 50.00/hr
Public Works Laborer (Full Time)	\$ 35,000.00	\$ 65,000.00
Public Works Building Custodian	\$ 5,000.00	\$ 20,000.00

**CONSTRUCTION AND LAND USE**

<b><u>POSITION</u></b>	<b><u>SALARY RANGE</u></b>	
	<b><u>Minimum</u></b>	<b><u>Maximum</u></b>
Zoning Officer	\$ 10,000.00	\$ 40,000.00
Municipal Planner	\$ 3,885.00	\$ 10,000.00
Dune Inspector	\$ 1,000.00	\$ 5,000.00
Planning Board Recorder		\$100.00/session
Construction Official	\$ 6,500.00	\$ 80,000.00
Deputy Construction Official-(hourly)-	\$ 25.00/hr	\$ 50.00/hr
Building Inspector/Subcode Official	\$ 6,500.00	\$ 25,000.00
Deputy Building Subcode Official-(hourly)	\$25.00/hr.	\$ 50.00/hr.
Deputy Building Inspector-(hourly)	\$25.00/hr.	\$ 50.00/hr.
Fire Official	\$ 2,000.00	\$ 4,000.00
Deputy Fire Official	Min. \$ 25.00/hr.	\$ 50.00/hr
Fire Subcode Official	\$ 2,000.00	\$ 6,000.00
Over two hours per week	\$ 35.00/hr	
Deputy Fire Subcode Official	\$ 25.00/hr.	\$ 50.00/hr
Plumbing Subcode Official	\$ 2,000.00	\$ 6,000.00
Over two hours per week	\$ 35.00/hr	

<b><u>POSITION</u></b>	<b><u>SALARY RANGE</u></b>	
	<b><u>Minimum</u></b>	<b><u>Maximum</u></b>
Deputy Plumbing Subcode Official	\$ 25.00/hr	\$ 50.00/hr
Electrical Subcode Official	\$ 2,000.00	\$ 6,000.00
Over two hours per week	\$ 35.00/hr	
Deputy Electrical Subcode Official	\$ 25.00/hr	\$ 50.00/hr

**SECTION 4:** All salary or compensation provided for by this Ordinance shall be effective from the date of passage of this Ordinance, unless otherwise provided by the Borough Council.

Employees no longer employed by the Borough at the time of adoption of this Ordinance shall not be eligible for retroactive pay. Salaries shall not be paid to employees represented by any Union until such time as a Contract has been duly ratified and signed by both the Union and the Borough.

**SECTION 5:** Individual officer and employee compensation, within the salary range provided by this Ordinance, shall be fixed in accordance with duly adopted Resolution(s) of the Mayor and Council.

**SECTION 6:** All Ordinances or portions of Ordinances adopted prior to this date which are inconsistent with the provisions of this Ordinance, including but not limited to Ordinance 561 are hereby repealed.

**SECTION 7:** If any sentence, clause or other portion of this Ordinance is declared invalid by any court of law of appropriate jurisdiction, the remaining provisions of this Ordinance shall remain in full force and effect.

**SECTION 8:** This Ordinance shall become effective upon its final passage and publication as required by law.

**D. RESOLUTION: MEMORIALIZE THE EXTENSION OF THE GRACE PERIOD TO (TO BE DETERMINED) FOR THE AUGUST 1<sup>ST</sup>, 2017 TAX QUARTER DUE TO DELAY IN MAILING THE TAX BILLS**

**WHEREAS,** State Statute provides that the Grace Period must be extended to allow for 25 days from the date of the mailing of the tax bills for payments of the August 1, 2017 tax quarter to be made without interest, and;

**WHEREAS,** The Tax Collector has set the last day to pay the August 1<sup>st</sup>, 2017 tax quarter at (TO BE DETERMINED), being the next business day after the 25 calendar days from the date the tax bills were mailed, and;

**WHEREAS,** the extension only applies to the August 1, 2017 tax quarter. The normal Borough grace period will apply to all other tax quarters on the bill.

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

1. The Governing Body of Mantoloking Borough memorializes the extension of the grace period to (TO BE DETERMINED) for the August 1, 2017 tax quarter and recognizes that the normal Borough grace period will apply to all other quarters on the tax bill.



**PUBLIC HEARING:** Mayor George C. Nebel will open the meeting to the public on Ordinance # 670.

**E. RESOLUTION: ADOPTION OF ORDINANCE NO. 670 TO EXCEED THE MUNICIPAL BUDGET APPROPRIATIONS LIMITS AND TO ESTABLISH A CAP BANK**

**WHEREAS**, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit an increase in said budget to 2.50% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS**, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

**WHEREAS**, the Mayor and Council of the Borough of Mantoloking in the County of Ocean finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the Mayor and Council hereby determined that a 3.5% increase in the budget for said year, amounting to \$138,532.42 of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS**, the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to the final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED** by the Mayor and Council of the Borough of Mantoloking in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the Borough of Mantoloking shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5% amounting to \$138,532.42 and the CY 2017 municipal budget for the Borough of Mantoloking be approved and adopted in accordance with this ordinance; and

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said director within 5 days after such adoption.

**ROLL CALL VOTE:**



**PUBLIC HEARING:** Mayor George C. Nebel will open the meeting to the public on the 2017 Municipal Budget.

**F. RESOLUTION: ADOPTION OF 2017 MUNICIPAL BUDGET**

**WHEREAS,** the Finance Committee has proposed a municipal budget for 2017, a complete copy of which is attached to the minutes of this meeting and is summarized as follows:

**Revenue and Appropriation Summaries**

		Anticipated Revenues	
<u>Summary of Revenues</u>		<u>2017</u>	<u>2016</u>
1. Surplus		\$650,000.00	\$700,000.00
2. Total Miscellaneous Revenues		2,636,783.69	1,766,707.20
3. Receipts from Delinquent Taxes		60,274.00	66,000.00
4. Local Tax for Municipal Purposes		3,470,566.00	3,256,373.00
Total General Revenues		<u>\$6,817,623.69</u>	<u>\$5,789,080.20</u>
		Appropriations	
<u>Summary of Appropriations</u>		<u>2017</u>	<u>2016</u>
1. Operating Expenses: Salaries and Wages		\$1,950,030.00	\$1,835,514.00
Other Expenses		1,883,461.69	1,941,272.20
2. Deferred Charges and Statutory Expenditures		1,333,666.00	1,530,842.00
3. Capital Improvements		100.00	200,100.00
4. Debt Service		1,375,366.00	33,550.00

5.Reserve for Uncollected Taxes	275,000.00	247,802.00
Total General Appropriations	<u>\$6,817,623.69</u>	<u>\$5,789,080.20</u>
Total Number of Employees (full and part-time)	<u>70</u>	<u>62</u>

**Balance of Outstanding General Debt Obligations**

Interest	\$55,100.00
Principal	0.00
Outstanding Balance at December 31, 2016	\$2,755,000.00

Notice is hereby given that the budget and tax resolution was approved by the governing body of the Borough of Mantoloking, County of Ocean on June 20, 2017.

A hearing on the budget and tax resolution will be held at the Mantoloking Yacht Club located at 1224 Bay Avenue Mantoloking, New Jersey on July 18, 2017 at 5:30 PM at which time and place objections to the budget and tax resolution for the year 2017 may be presented by taxpayers or other interested persons.

Copies of the budget are available in the office of Beverley A. Konopada, Municipal Clerk, at the temporary Borough Hall, 340 Drum Point Road (Yogi Plaza) 2nd Floor Brick, New

Jersey 08723, 732-475-6983, during the hours of 8:30 AM to 4:30 PM.

**ROLL CALL VOTE:**

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:

**A. RESOLUTION: APPOINTMENT OF PERSONNEL – SEASONAL PART TIME HELP**

**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	Effective Date	Salary
Alexander Dalton	Crossing Guard	6/20/2017-9/15/2017	\$11

10. **DUNE & BEACH COMMITTEE**: Councilman Nelson will present the reports of the Dune & Beach Committee and Ocean County Block Grant Program.
11. **ENVIRONMENTAL COMMITTEE** Councilwoman O’Mealia will present the report of the Environmental Committee.
12. **MUNICIPAL RELATIONS COMMITTEE** Councilman Rzemieniewski will present the report of the Mantoloking Relations Committee.
13. **MAYOR AND COUNCIL COMMENTS**

Councilman Rzemieniewski

Responsible party who determines salary ranges

New positions as a result of Superstorm Sandy

Status of Property Maintenance Ordinance

Safety concern- children and parents not wearing helmets

Councilman Laymon

People taking voluntary action regarding their properties

VanSciver lot sold to a resident- Landscaping will improve the overall appearance in the area

Councilman White

Timing of light cycle to be reviewed at Lyman and RT 35.

Councilman Nelson

Will contact DOT for an explanation regarding light cycles

Beach Accesses should have a bucket with pole for pedestrians to cross safely as suggested by a resident

Councilwoman O’Mealia

Downer Avenue Light Cycle needs to be addressed as well



**14. PUBLIC COMMENTS PERIOD**

A resident thanked the town for the Do Not Block Driveway sign, however, it is still an unsafe situation. Traffic backing up on Lyman and East Avenue as a result of the long light cycle.

Concerns regarding young children riding bikes on Barnegat Lane and not following bike and pedestrian safety rules. Signs should be posted (Ride with traffic-Walk Against it).

The 4<sup>th</sup> of July parade went well

**15. EXECUTIVE SESSION**

**RESOLUTION: ADJOURN TO CLOSED SESSION IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT**

**WHEREAS**, the Open Public Meetings Act, N.J.S.A.10: 4-11, permits municipal governing bodies to meet in closed session to discuss certain matters, now, therefore be it

**RESOLVED**, the Mayor and Council adjourns to closed session to discuss: (select one or more)

- ☐ specific prospective or current employees unless all who could be adversely affected request an open session.

**FURTHER RESOLVED**, the minutes of this closed session be made public when the need for confidentiality no longer exists.

**16. OPEN SESSION**

**17. NEXT MEETING:**

Regular Business Meeting, July 18, 2017 at 5:30 p.m. at the Mantoloking Yacht Club, 1224 Bay Avenue, Mantoloking, NJ

**18. ADJOURNMENT**

There being no further business for this meeting, it was motioned by Councilman White to adjourn. The motion was seconded by Councilman Rzemieniewski and approved by unanimous voice vote at 5:53 p.m.

Respectfully submitted,

Beverley A. Konopada  
Borough Clerk