

DRAFT NO. 1 – 05/18/2016

THE BOROUGH OF MANTOLOKING
MAYOR AND COUNCIL

MINUTES – REGULAR BUSINESS MEETING

MAY 17, 2016
Mantoloking Yacht Club
1224 Bay Avenue
Mantoloking, New Jersey

The regular monthly 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:**

Present: Mayor George C. Nebel, Council President Ann Elizabeth Nelson, Councilmen Steve Gillingham, Peter Strohm, Chris Nelson and Lance White

Absent: Councilman Alan Laymon

Also Present:

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

5. **RESOLUTION NO. 05/17/2016-01: MINUTES OF PREVIOUS MEETINGS**

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

Regular Council Meeting April 26, 2016

Councilwoman Nelson moved to approve the minutes as distributed. The motion was seconded by Councilman Strohm and approved by unanimous voice vote.

6. **PRIVILEGE OF THE FLOOR:** Mayor George C. Nebel opened the meeting for public comment and questions about the agenda.

Replacing police vehicles
FEMA funding

7. **PUBLIC WORKS COMMITTEE**, Councilwoman Nelson presented reports from the Public Works Superintendent, Construction Official, and Land Use Officer and moved the following resolutions. The motion was seconded by Councilman Strohm and approved by unanimous voice vote.

A. **RESOLUTION NO. 05/17/2016-02: CHANGE ORDER # 1 RESTORATION OF VARIOUS ROADWAYS (CONTRACT 2015-2)**

WHEREAS, the Borough has entered into a Contract with Earle Asphalt Company, Inc. (Contract 2015-2); and

WHEREAS, the work proposed under contract Change Order # 1 is to complete reconstruction of the DPW Garage Parking lot as allocated under a FEMA project worksheet as part of Superstorm Sandy recovery effort.

WHEREAS, the scope of the work includes excavation and removal of the existing parking lot; installation of dense graded aggregate base course, hot mix asphalt base and surface courses, and parking striping and the contractors field survey and stakeout for the improvements.

WHEREAS, the Contractor has submitted a Change Order #1 in the sum of \$33,533.50; and

WHEREAS, the Borough Engineer, Lawrence Plevier, P.E. (Hatch Mott MacDonald) has recommended change order #1 be approved, now, therefore, be it

RESOLVED, the Mantoloking Borough Council hereby approves the overall raise in contract price.

B. **RESOLUTION NO. 05/17/2016-03: APPOINTMENT OF PERSONNEL PART-TIME**

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey approved the following appointment with the terms and conditions indicated:

Name	Position	Effective Date	Part-Time
William A. Lackey	Public Works Laborer	5/17/2016	\$30.00/hour

C. **RESOLUTION NO. 05/17/2016-04: PROVIDING FOR PURCHASE OF SAND**

WHEREAS, Hatch Mott and MacDonald (Robert C. Mainberger, P.E., C.M.E.) has, by letters dated May 16, 2016, advised that the public safety would be enhanced by expedited placement of sand-fill between Herbert Street and Downer Avenue, that the existing condition is hazardous (8' deep) and renders access to the beach at this location difficult and hazardous, especially to children; and

WHEREAS, it is recommended that sand be imported and utilized to alleviate the existing conditions; and

WHEREAS, the delayed natural return of sand is unlikely to occur in advance of the summer season; and

WHEREAS, Robert C. Mainberger, P. E., C.M.E. has recommended the immediate implementation

of a sand import project on an emergency basis; and

WHEREAS, it is his opinion that the importation project could be completed within three (3) weeks, in advance of the summer season; and

WHEREAS, the delays inherent in reliance upon the public bid process would inhibit timely completion of the project; and

WHEREAS, it is anticipated that 75% of the costs will be recovered through the FEMA Public Assistance Program and that the remaining 25% would be eligible for reimbursement by the State of New Jersey (NJDEP); and

WHEREAS, 5,850 cubic yards is necessary to stabilize the dune system and alleviate the safety concerns; and

WHEREAS, it is estimated that the Borough's share (25%) would range from \$21,264.75 to \$31,596.00; and

WHEREAS, the recommendation of the engineering firm has been provided to the Chief Financial Officer in the context of the need for purchase of sand as an emergency contract; and

WHEREAS, the Chief Financial Officer is satisfied that an emergency exists; and

WHEREAS, the need for such purchase of sand could not have been reasonably foreseen, notwithstanding the efforts of the Borough to address the issue utilizing naturally available sand in an ongoing good faith manner.

IT IS NOW, THEREFORE, this 17th day of May, 2016, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. All of the forgoing prefatory statements and the engineer's letters are incorporated as substantive components of this Resolution.
2. Purchase of sand is authorized and ratified.
3. The Chief Financial Officer shall sign any contract for this purpose without public bidding and in accordance with specifications and quantity as recommended by the engineer;
4. The Borough shall seek such reimbursement from FEMA and/or the State of New Jersey as will be available for this purpose.

8. **FINANCE COMMITTEE**, Councilman Gillingham presented the monthly finance report and moved the following resolutions. The motion was seconded by Councilwoman Nelson and approved by unanimous voice vote.

A. RESOLUTION NO. 05/17/2016-05: ACCEPT THE REPORT OF THE MUNICIPAL FINANCE OFFICER

WHEREAS, the Chief Finance Officer has presented a report on the status of the 2016 temporary municipal budget as of March 31, 2016; and

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

<u>ACCOUNT</u>	<u>ORIGINAL BUDGET</u>	<u>2016 TEMPORARY BUDGET</u>	<u>EXPENDED</u>	<u>ENCUMBERED</u>	<u>BALANCE</u>
2016 Temporary Budget		2,017,274.00	785,771.44	29,613.00	1,201,889.56
2015 Appropriation Reserve	5,683,083.23	384,922.49	62,412.81	44,127.50	278,382.18
2012 Emergency					

Appropriations					
Sandy Emergency #1	2,000,000.00				
Sandy Emergency #2	2,000,000.00				
Sandy Emergency #3	3,100,000.00	834,812.90	14,043.56	10,604.00	810,165.34
Subtotal Sandy Emergency		834,812.90	14,043.56	10,604.00	810,165.34
Capital		1,822,809.40	76,581.69	758,707.89	987,519.82

B. RESOLUTION NO. 05/17/2016-06: PAYMENT OF BILLS

WHEREAS, the municipal finance officer has presented

- A list of bills in the amount of \$79,919.05 with the recommendation they be paid, and
- A list of bills in the amount of \$190,454.92 that have been paid with the approval of the municipal clerk and the mayor, now, therefore, be it

RESOLVED, the council approved 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 NO. 05/17/2016-07: TO ADOPT TEMPORARY EMERGENCY APPROPRIATIONS #4

WHEREAS, N.J.S.A. 40A: 4-20 provides that an addition to temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the Governing Body may, by resolution adopted by 2/3 vote of the full membership thereof, make emergency temporary appropriations for any purpose for which the appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year.

WHEREAS, the total emergency temporary resolutions adopted in the year 2016 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A: 4-20) including this resolution total **\$2,739,547.00**.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Mantoloking, that in accordance with the provisions of N.J.S.A. 40A: 4-20, the Chief Financial Officer be authorized to make the following emergency temporary budget appropriations in the 2016 current fund temporary budget and that said amounts be included under the correct headings in the municipal budget as adopted.

BE IT FURTHER RESOLVED that one certified copy of this resolution be filed with the Director of the Division of Local Government Services and one certified copy with the Chief Financial Officer.

DEPARTMENT

S&W

OE

Engineering OE		\$50,000.00
Construction	\$ 12,000.00	
Group Health Insurance		\$ 50,000.00
Police	\$100,000.00	

Road	\$ 45,000.00	\$ 10,000.00
Social Security		\$ 25,000.00
TOTAL	\$157,000.00	\$ 135,000.00
GRAND TOTAL	\$ 292,000.00	

D. RESOLUTION NO. 05/17/2016-08: INTRODUCTION OF ORDINANCE 657

Sponsored by: April Yezzi
Date introduced: May 17, 2016
Public Hearing: June 22, 2016
Synopsis: The purpose of this ordinance is to authorize exceeding the 2016 Municipal Budget Appropriation limits and to establish a cap bank.

ORDINANCE NO. 657

**ORDINANCE TO EXCEED THE 2016 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 2016 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 \$130,910.50 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 2016 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 \$130,910.50 and the CY 2016 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.

E. RESOLUTION NO. 05/17/2016-09 : INTRODUCTION TO 2016 MUNICIPAL BUDGET

WHEREAS, the Finance Committee has proposed a municipal budget for 2016, a complete copy of which is attached to the minutes of this meeting and is summarized as follows:

Revenue and Appropriation Summaries

<u>Summary of Revenues</u>	<u>Anticipated Revenues</u>	
	<u>2016</u>	<u>2015</u>
1. Surplus	\$700,000.00	\$855,200.00
2. Total Miscellaneous Revenues	1,766,707.20	2,209,741.43
3. Receipts from Delinquent Taxes	66,000.00	35,000.00
4. Local Tax for Municipal Purposes	3,256,373.00	3,073,800.00
Total General Revenues	<u>\$5,789,080.20</u>	<u>\$6,173,741.43</u>

<u>Summary of Appropriations</u>	<u>Appropriations</u>	
	<u>2016</u>	<u>2015</u>
1. Operating Expenses: Salaries and Wages	\$1,835,514.00	\$1,959,601.00
Other Expenses	1,941,272.20	2,354,552.43
2. Deferred Charges and Statutory Expenditures	1,530,842.00	1,558,678.00
3. Capital Improvements	200,100.00	0.00
4. Debt Service	33,550.00	18,200.00
5. Reserve for Uncollected Taxes	247,802.00	282,710.00
Total General Appropriations	<u>\$5,789,080.20</u>	<u>\$6,173,741.43</u>

<u>Total Number of Employees (full and part-time)</u>	47	62
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Balance of Outstanding General Debt Obligations

Interest	\$15,839.73
Principal	0.00
Outstanding Balance at December 31, 2015	\$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 May 17, 2016.

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 June 22, 2016 at 5:30 PM at which time and place objections to the budget and tax resolution for the year 2016 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.

The resolution was moved by Councilman Gillingham and seconded by Councilwoman Nelson and approved by:

ROLL CALL VOTE:

Ayes: Council President Ann Elizabeth Nelson
Councilman Steve Gillingham
Councilman Peter Strohm
Councilman Chris Nelson
Councilman E. Laurence White

Nays: None

Absent: Councilman Alan Laymon

PUBLIC HEARING: Mayor George C. Nebel opened the meeting to the public on Bond Ordinance 656.

F. RESOLUTION NO. 05/17/2016-10 : ADOPTION OF BOND ORDINANCE # 656 FOR CONSTRUCTION OF MUNICIPAL BUILDING

WHEREAS, on this 17th day of May, 2016, a public hearing on Ordinance No. 656 was held and no comments were made by the public.

IT IS NOW, THEREFORE this 17th day of May, 2016,

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

“BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A NEW
MUNICIPAL BUILDING IN AND BY THE BOROUGH OF
MANTOLOKING, IN THE COUNTY OF OCEAN, NEW JERSEY,
APPROPRIATING \$5,500,000 THEREFOR AND AUTHORIZING THE
ISSUANCE OF \$5,500,000 BONDS OR NOTES OF THE BOROUGH TO
FINANCE PART OF THE COST THEREOF”.

1. The Ordinance was introduced by title, at the Regular Council Meeting held on April 26, 2016 at the Mantoloking Yacht Club. Posted and published according to law.

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

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Mantoloking, in the County of Ocean, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$5,500,000, including \$1,100,000 in Federal Emergency Management Agency reimbursements and/or insurance proceeds (the "FEMA Proceeds"). No down payment is required pursuant to N.J.S.A. 40A:2-11(c) as this bond ordinance authorizes obligations solely for a purpose described in N.J.S.A. 40A:2-7(d).

Section 2. In order to finance the cost of the improvement or purpose and in anticipation of receipt of the FEMA Proceeds, negotiable bonds are hereby authorized to be issued in the principal amount of \$5,500,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the construction of a new municipal building, including all work and materials necessary therefor and incidental thereto. (b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time

subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 30 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in

the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$5,500,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$500,000 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 purpose or improvement.

(e) This bond ordinance authorizes obligations of the Borough solely for a purpose described in N.J.S.A. 40A:2-7(d). This purpose is in the public interest and is for the health, welfare, convenience or betterment of the inhabitants of the Borough. The amounts to be expended for this purpose pursuant to this bond ordinance are not unreasonable or exorbitant, and the issuance of the obligations authorized by this bond ordinance will not materially impair the credit of the Borough or substantially reduce its ability to pay punctually the principal of and the interest on its debts and to supply other essential public improvements and services. The Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State of New Jersey has heretofore made a determination to this effect and has caused its consent to be endorsed upon a certified copy of this bond ordinance as passed upon first reading.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof, including the FEMA Proceeds, shall be applied either to direct payment of the cost of the improvement or

to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the “Rule”) for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The resolution was moved by Councilman Gillingham and seconded by Councilwoman Nelson and approved by:

ROLL CALL VOTE:

Ayes: Council President Ann Elizabeth Nelson
Councilman Steve Gillingham
Councilman Peter Strohm
Councilman Chris Nelson
Councilman E. Laurence White

Nays: None

Absent: Councilman Alan Laymon

9. **PUBLIC SAFETY COMMITTEE**, Councilman Strohm presented the monthly reports of the Police Department, Municipal Court, Fire Company, and Emergency Management and moved the following resolutions. The motion was seconded by Councilman Gillingham and approved by unanimous voice vote.

A. **RESOLUTION NO. 05/17/2016-11: IN SUPPORT OF THE MULTIPLE SCLEROSIS SOCIETY'S NEW JERSEY METRO CHAPTER AND THE "COAST TO COAST" BIKE MS RIDE**

WHEREAS, the Multiple Sclerosis Society, have requested permission to pass through the Borough utilizing various roadways within the borough, and State Highway Route 35 in conjunction with the "Coast to Coast" Bike MS Ride, on Saturday, May 21, 2016; and

WHEREAS, the Mayor and Council wish to endorse and support the Multiple Sclerosis Society New Jersey Metro Chapter and the "Coast to Coast" Bike MS Ride

IT IS NOW, THEREFORE, this 17th day of May, 2016,

RESOLVED by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The requested permission to pass through the Borough utilizing various roadways within the borough, and State Highway Route 35 in conjunction with the "Coast to Coast" Bike MS Ride, on Saturday, May 21, 2016; and is hereby granted subject to endorsement by the Chief of Police.
2. Upon endorsement by the Chief, a copy of this Resolution shall be forwarded to Multiple Sclerosis Society, Attention: Brian Hurwitz Logistics
3. This approval and endorsement is subject to such conditions, if any, as shall be established by the Chief.

B. **RESOLUTION NO. 05/17/2016-12: IN SUPPORT OF THE CLICK IT OR TICKET MOBILIZATION OF MAY 23 – JUNE 5, 2016**

WHEREAS, there were 560 motor vehicle fatalities in New Jersey in 2015; and

WHEREAS, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

WHEREAS, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

WHEREAS, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

WHEREAS, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 23 – June 5, 2016 in an effort to raise awareness and increase seat belt usage through a combination of high visibility enforcement and public education; and

WHEREAS, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 91% to 93%; and

WHEREAS, a further increase in seat belt usage in New Jersey will save lives on our roadways;

IT IS NOW, THEREFORE, this 17th day of May, 2016,

RESOLVED by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, declares it's support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May 23 – June 5, 2016 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

C. RESOLUTION NO. 05/17/2016-13: APPOINTMENT OF PERSONNEL – SEASONAL PART TIME HELP

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey approved the following appointments with the terms and conditions indicated:

Name	Position	Effective Date	Salary
Casey Gotta	Badge Sales	6/1/16	\$11.00
Theresa DelPrete	Badge Sales	6/1/16 – 9/15/16	\$11.00
Christina Miller	Badge Sales/Checker	6/1/16 – 9/15/16	\$10.00
Rachel Selsky	Badge Checker	6/1/16 – 9/15/16	\$10.00
Aidan Hendricks	Badge Checker	6/1/16 – 9/15/16	\$10.00
Heather Murphy	Badge Checker	6/1/16 – 9/15/16	\$10.00
Davin Van de Zilver	Badge Checker	6/1/16 – 9/15/16	\$10.00
Valeri Weinstein	Badge Checker	6/1/16 – 9/15/16	\$10.00
Erin Hoffman	Badge Checker	6/1/16 – 9/15/16	\$10.00
Brooke Stoner	Badge Checker	6/1/16 – 9/15/16	\$10.00
Kelly Heilman	Badge Checker	6/1/16 – 9/15/16	\$10.00
Kristina Weinstein	Badge Checker	6/1/16 – 9/15/16	\$10.00
Flavia Cornejo	Badge Checker	6/1/16 – 9/15/16	\$10.00
Sarah Roadside	Badge Checker	6/1/16 – 9/15/16	\$10.00
Kaitlyn Leonard	Badge Checker	6/1/16 – 9/15/16	\$10.00
Ryan Lucas	Badge Checker	6/1/16 – 9/15/16	\$10.00
John Miceli	SLEO I	6/1/16 – 9/15/16	\$11.00
Steven Bailey	SLEO I	6/1/16 – 9/15/16	\$11.00
Sean Hoffman	SLEO I	6/1/16 – 9/15/16	\$11.00
Logan LaRue	SLEO I	6/1/16 – 9/15/16	\$11.00

Brett Blank	SLEO I	6/1/16 – 9/15/16	\$11.00
Jeffrey Bruder	SLEO I	6/1/16 – 9/15/16	\$11.00
David Molhelm	SLEO I	6/1/16 – 9/15/16	\$11.00
Andrew Harchetts	SLEO II	6/1/16	\$14.00
Jack Neary	SLEO II	6/1/16	\$14.00
Daniel Leonard	SLEO II	6/1/16	\$14.00
Eric Fricks	SLEO II	6/1/16	\$13.00
Ron Braen	SLEO II	6/1/16	\$14.00
Connor McGrath	SLEO II	6/1/16	\$13.00
Michael Monteiro	SLEO II	6/1/16	\$13.00
Jake Lampiasi	SLEO II	6/1/15	\$13.00

D. RESOLUTION NO. 05/17/2016-14: PROVIDING FOR THE APPOINTMENT OF MUNICIPAL COURT PROSECUTOR AND ALTERNATE MUNICIPAL PROSECUTOR

WHEREAS, Joseph Coronato, Jr., Esq. has resigned his office as Municipal Court Prosecutor effective as of April 21, 2016; and

WHEREAS, Mayor Nebel has recommended Bonnie R. Peterson, Esq. to serve as Prosecutor; and

WHEREAS, Mayor Nebel has recommended Joseph D. Grisanti, Esq. to serve as Alternate Municipal Prosecutor, both to serve until December 31, 2016; and

WHEREAS, the Prosecutor and Alternate Municipal Prosecutor will be paid \$500.00 for each Court session.

IT IS NOW, THEREFORE, this 17th day of May, 2016, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, that the appointment of Bonnie R. Peterson, Esq. and Joseph D. Grisanti, Esq. are ratified with immediate effect and subject to execution of contracts, approved by counsel as to form.

- 10. DUNE & BEACH RENOURISHMENT COMMITTEE:** Councilman Nelson stated no reports. Councilman Nelson moved the following resolutions. The motion was seconded by Councilman Gillingham and approved by unanimous voice vote.

A. RESOLUTION NO. 05/17/2016-15: APPOINTMENT OF A MUNICIPAL PUBLIC ACCESS PLAN COMMITTEE

WHEREAS, the Borough was actively working on a Municipal Public Access Plan (MPAP) prior to Sandy to achieve compliance with NJDEP regulations which restricts the issuance of a General Beach Maintenance Permit (GBMP ,AKA GP-2) to the Borough without having an approved MPAP in place. The Borough currently operates under the (GBMP) to do general beach and dune maintenance and dune walkover construction and reconstruction; and.

WHEREAS, The Borough's (GBMP) would presently be expired , except for the continuation of the State Permit extension act , extending the permit to May 2016; and.

WHEREAS, the lack of an adopted and approved Municipal Public Access Plan would restrict the NJDEP from providing grant funds for project cost sharing with the Borough under future State Aid Agreements (SAAs);and

WHEREAS, the MPAP would be developed under an appointed MPAP Committee for review by the Borough Planning Board and endorsement for eventual adoption by the Borough of Mantoloking **IT IS NOW, THEREFORE**, this 17th day of May, 2016,

RESOLVED by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey to appoint the following individuals to the Mantoloking Borough Municipal Access Plan Committee.

Chris Nelson, Chairman

Peter Strohm, Esq. , Councilman

Ed O'Malley, Esq., Borough Municipal attorney and resident;

Robert Mainberger, PE (Coastal advisor)

Larry Plevier, PE (appointed Municipal Engineer)

Stacy Ferris, Chief of Police

Frank Bruton, CFM (appointed CRS coordinator)

PUBLIC HEARING: Mayor George C. Nebel opened the meeting to a public on Ordinance 655.

B. RESOLUTION NO. 05/17/2016-16: ADOPTION OF ORDINANCE NO. 655 PROVIDING FOR AMENDMENT OF CHAPTER X, THE BEACH ORDINANCE, SUB-ARTICLE 10-3.2

WHEREAS, on this 17th day of May, 2016, a public hearing on Ordinance No. 655 was held and no comments were made by the public, 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 Chris Nelson

Date Introduced: April 26, 2016

Public Hearing: May 17, 2016

& Adoption:

Synopsis: The proposed beach badge increase and daily badge option will help offset the increase in beach expenditures.

**AN ORDINANCE OF THE BOROUGH OF MANTOLOKING,
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR AMENDMENT OF
CHAPTER X, THE BEACH ORDINANCE, SUB-ARTICLE 10-3.2**

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

1. Sub-article 3.2. Application and Fee, is deleted and replaced with the following:

“Section 3.2 Application and Fee:

Badges may be obtained at temporary facilities on Downer Avenue, or such other location as may be advertised, during regular office hours. Badges shall be issued to all applicants, upon registration. No badge will be issued unless the applicant or his agent completes the application form in a responsive and accurate manner. Applicants shall pay a fee of \$20.00 per badge for a

seasonal badge. The beach badge shall be valid for the entire summer season of the year it is issued. Applicants may obtain a daily badge for a fee of \$5.00 per badge. No replacement badges will be issued without payment of the entire, then current, badge fee.”

2. All other provisions of Ordinance 403 shall remain in full force and effect.
3. This Ordinance shall be effective upon final adoption according to law.

ROLL CALL VOTE:

Ayes: Council President Ann Elizabeth Nelson
Councilman Steve Gillingham
Councilman Peter Strohm
Councilman Chris Nelson
Councilman E. Laurence White

Nays: None

Absent: Councilman Alan Laymon

11. **MUNICIPAL SERVICES COMMITTEE**, Councilman White stated no report of the Municipal Services Committee.

12. **MANTOLOKING COMMITTEE** Councilman Laymon was absent.

13. **MAYOR AND COUNCIL COMMENTS**

Budget
DOT pipe
Councilman Chris Nelson not seeking re-election

14. **PUBLIC COMMENTS PERIOD**

2% cap
Paving of municipal parking lot and water flow
User friendly budget

15. **EXECUTIVE SESSION**

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

Mayor George C. Nebel motioned to go into closed session at 6:18 the motion was seconded by Council President Nelson and approved by unanimous voice vote.

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:

- ☐ a collective bargaining agreement and/or negotiations related to it

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

16. OPEN SESSION

Councilwoman Nelson motioned to go back into open session as required. The motion was seconded by Councilman White and approved by unanimous voice vote at 6:54 p.m.

17. NEXT MEETING:

Regular Council Meeting, Wednesday June 22, 2016 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 Councilwoman Nelson to adjourn. The motion was seconded by Councilman Nelson and approved by unanimous voice vote at 6:55 p.m..

Respectfully submitted,



Beverley A. Konopada, RMC
Borough Clerk