

DRAFT # 1 9/29/2020

THE BOROUGH OF MANTOLOKING
MAYOR AND COUNCIL

MINUTES OF THE REORGANIZATION MEETING

January 5, 2021

5:30 p.m.

MANTOLOKING VIRTUAL MEETING

CALL: 605-313-5156

ACCESS CODE: 231051

The Reorganization Meeting of the Mayor and Council was held this day in the Mantoloking Borough Hall.

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

2. **OPEN PUBLIC MEETING STATEMENT:** Mayor E. Laurence 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,
Dialed in: Councilman Amarante, Councilman Nelson, Councilwoman O'Mealia
Absent: Councilman Batcha
Also Present: Beverley A. Konopada, Borough Clerk, Jean Cipriani, Borough Attorney, Lynne Hazelet, Deputy Clerk, April Yezzi, CFO

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

5. **OATH OF OFFICE**

Borough Attorney, Jean Cipriani, administered the oath of office to:

<u>Anthony Amarante</u>	Councilman	3 year term to expire 12/31/23
<u>Douglas Nelson</u>	Councilman	3 year term to expire 12/31/23

Mayor White congratulated both councilmen

6. **PRIVILEGE OF THE FLOOR:** Mayor E. Laurence White will open the meeting for public comment and questions about the agenda.

Carl Beck, 988 Barnegat Lane

References Schedule A in the agreements and if they are public information.

Borough Attorney Cipriani responded that the information is public once the resolution is passed. All the agreements are available to the public upon request.

7. NEW BUSINESS:

NOMINATION OF 2021 COUNCIL PRESIDENT Mayor E. Laurence White requested nominations from the governing body members for the 2021 Council President.

Councilman Nelson motioned to nominate Councilman Gillingham as Council President for 2021, seconded by Councilman Amarante and approved by unanimous roll call vote.

RESOLUTION NO. 2021-1

RESOLUTION AUTHORIZING THE NOMINATION AND THE 2021 COUNCIL PRESIDENT

WHEREAS, it is necessary that a member of Council be elected as **President** of said Council of the Borough of Mantoloking, County of Ocean, State of New Jersey to fulfill the duties of the Mayor during his absence for the year ending December 31, 2021.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough of Mantoloking, County of Ocean, State of New Jersey, that Councilman Gillingham be and is hereby elected as “President” of said Council

Council President Gillingham moved the following resolutions.

RESOLUTION NO. 2021-2

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, DESIGNATING VARIOUS COMMITTEE APPOINTMENTS FOR THE YEAR 2021

WHEREAS, Pursuant to §2-2.3.1 of the Borough Code, the Mayor has nominated, and the Council hereby establishes Council Committee assignments for the year 2021; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Mantoloking, County of Ocean, State of New Jersey, that the following Committee appointments are hereby made for the year 2021:

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

1. Chairwoman Lynn O’Mealia
2. Councilman E. Steve Gillingham
3. Councilman F. Bradford Batcha

Finance (Budget, Grants, Reports, FEMA)

1. Chairman Anthony Amarante
2. Councilman E. Steve Gillingham

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

1. Chairman Douglas Nelson
2. Councilman F. Bradford Batcha

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

1. Chairman E. Steve Gillingham
2. Councilwoman Lynn O'Mealia

Public Works (Public Works, Engineering, Code Enforcement)

1. Chairman Anthony Amarante
2. Councilman Douglas Nelson

Recreation (Recreation, Beach, Beautification)

1. Chairman F. Bradford Batcha
2. Councilwoman Lynn O'Mealia
3. Councilman Anthony Amarante

RESOLUTION NO. 2021-3

RESOLUTION AUTHORIZING MAYORAL APPOINTMENTS FOR 2021

BE IT RESOLVED, by the governing body of the Borough of Mantoloking, County of Ocean, State of New Jersey that:

BOARD	POSITION	TERM TO EXPIRE	2020 APPOINTMENTS
Planning Board	Class I (4 year term)	12/31/2022	Robert S. McIntyre, Jr.
Planning Board	Class II (1 year term)	12/31/2021	Steve Gillingham
Planning Board	Class III (1 year term)	12/31/2021	John Wesson
Planning Board	Class IV (4 year term)	12/31/2021	Denise Boughton
Planning Board	Class IV (4 year term)	12/31/2021	Beth Nelson
Planning Board	Class IV (4 year term)	12/31/2024	Jane White
Planning Board	Class IV (4 year term)	12/31/2022	Christine Beck
Planning Board	Class IV (4 year term)	12/31/2023	Susan Laymon
Planning Board	Class IV (4 year term)	12/31/2024	Betsy Nelson
Planning Board	Alternate #1 (2 year term)	12/31/2021	Joan Mattia
Planning Board	Alternate #2 (2 year term)	12/31/2021	John Conti
Subject to Planning Board approval	Board Attorney/Special Counsel	12/31/2021	Joseph D. Coronato, Sr.
Subject to Planning Board approval	Planning Board Engineer	12/31/2021	Lawrence Plevier, P.E.
Board of Health	Chairman	12/31/2023	Dr. James Turro
Board of Health	Health Official (3 year term)	12/31/2021	Barbara DeAmicis
Board of Health	Health Official (3 year term)	12/31/2022	Sandra McIntyre
Board of Health	Health Official (3 year term)	12/31/2022	Barbara Turro
Board of Health	Health Official (3 year term)	12/31/2021	Priscilla Hiby

Board of Health	Health Official (3 year term)	12/31/2021	Peter Flihan
Environmental Commission	Chairwoman (3 year term)	12/31/2023	Barbara Benz
Environmental Commission	Member (3 year term)	12/31/2022	Haley Kardek
Environmental Commission	Member (3 year term)	12/31/2021	Barbara Turro
Environmental Commission	Member (3 year term)	12/31/2023	Beth Nelson
Environmental Commission	Member (3 year term)	12/31/2022	John G. Wesson
Environmental Commission	Member (3 year term)	12/31/2023	Denise Boughton

Are hereby appointed for the year 2021.

PROFESSIONAL SERVICE APPOINTMENTS 2021

RESOLUTION NO. 2021-4

**RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN,
STATE OF NEW JERSEY, APPOINTING JEAN L. CIPRIANI, ESQUIRE, OF THE
FIRM ROTHSTEIN, MANDELL, STROHM, HALM & CIPRIANI, P.A. AS BOROUGH
ATTORNEY FOR THE BOROUGH OF MANTOLOKING**

WHEREAS, there exists a need for legal services as Attorney for the Borough of Mantoloking as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, it has been determined and certified in writing that the anticipated value of the contract will exceed \$17,500; and

WHEREAS, the Mayor and governing body have reviewed the proposals submitted and recommended that Jean L. Cipriani, Esquire be appointed as Borough Attorney; and

WHEREAS, the performance of the services requires knowledge of an advanced type in a field of learning pursuant to N.J.S.A. 40A:11-2 and the Borough has determined that Jean L. Cipriani, Esquire has the ability and expertise to perform the legal services required by the Borough; and

WHEREAS, Jean L. Cipriani Esquire., of the firm of Rothstein, Mandell, Strohm, Halm & Cipriani, P.A., has completed and submitted a Business Entity Disclosure Certification which certifies that neither he/she nor the firm have made any reportable contributions to a political or candidate committee in the Borough of Mantoloking in the previous one year, and that the contract will prohibit Jean L. Cipriani, Esquire, and the firm of Rothstein, Mandell, Strohm, Halm & Cipriani, P.A., from making any reportable contributions to a political or candidate committee in the Borough of Mantoloking through the term of the contract; and

WHEREAS, the Chief Financial Officer has certified that there are funds available for this contract, which certification is annexed hereto; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., authorizes the award of contracts for "Professional Services" and requires that the resolution and contract be made available for public inspection.

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 Jean L. Cipriani, Esquire, of the firm of Rothstein, Mandell, Strohm, Halm & Cipriani, P.A., is hereby appointed as Borough Attorney for the Borough of

Mantoloking for a term of one (1) year, commencing January 1, 2021, and ending December 31, 2021. Jean L. Cipriani, Esquire shall be compensated at the rate of \$8,000.00 per month, flat fee, plus expenses for services rendered to the Borough for the calendar year 2021. Jean L. Cipriani, Esquire and the firm Rothstein, Mandell, Strohm, Halm & Cipriani, P.A., may perform additional legal services pursuant to the agreement attached hereto and incorporated herein as Schedule A.

2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to, respectively, the agreement with Rothstein, Mandell, Strohm, Halm & Cipriani, P.A., attached hereto and incorporated herein as Schedule A. in accordance with the provisions of this resolution.
3. That this contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts law because it is for services to be performed by a person or persons authorized by law to practice a recognized profession.
4. That the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.
5. That a notice of this action shall be printed once in the official newspaper of the Borough of Mantoloking.
6. That a copy of the written determination of value by the Borough shall be placed on file with this resolution.
7. That this resolution shall become effective immediately.
8. 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: 1-01-20-155-001-201 - Legal O/E
9. That a certified copy of this resolution, together with a copy of the Agreement, shall be forwarded to the Chief Financial Officer and Jean L. Cipriani, Esquire of Rothstein, Mandell, Strohm, Halm & Cipriani, P.A.

RESOLUTION NO. 2021-5

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPOINTING ROBERT OLIVA, OF THE FIRM OF OLIVA AND COMPANY AS BOROUGH AUDITOR FOR THE BOROUGH OF MANTOLOKING

WHEREAS, there exists a need for auditing services as Auditor for the Borough of Mantoloking as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, it has been determined and certified in writing that the anticipated value of the contract will exceed \$17,500; and

WHEREAS, the Mayor and governing body have reviewed the proposals submitted and recommended that Robert S. Oliwa, CPA, RMA, be appointed as Borough Auditor; and

WHEREAS, the performance of the services requires knowledge of an advanced type in a field of learning pursuant to N.J.S.A. 40A:11-2 and the Borough has determined that Robert S. Oliwa, CPA, RMA, has the ability and expertise to perform the auditing services required by the Borough; and

WHEREAS, Robert S. Oliwa, CPA, RMA, of firm Oliwa and Company, CPA'S, has completed and submitted a Business Entity Disclosure Certification which certifies that neither he nor the firm have made any reportable contributions to a political or candidate committee in the Borough of Mantoloking in the previous one year, and that the contract will prohibit Robert S. Oliwa, CPA, RMA, and the firm of Oliwa and Company, from making any reportable contributions to a political or candidate committee in the Borough of Mantoloking through the term of the contract; and

WHEREAS, the Chief Financial Officer has certified that there are funds available for this contract, which certification is annexed hereto; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., authorizes the award of contracts for "Professional Services" and requires that the resolution and contract be made available for public inspection.

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 Robert S. Oliwa, CPA, RMA, of the firm Oliwa and Company, CPA's, is hereby appointed as Borough Auditor for the Borough of Mantoloking for a term of one (1) year, commencing January 1, 2021, and ending December 31, 2021. Robert S. Oliwa, CPA, RMA, shall be compensated \$ 28,400.00 for services rendered to the Borough for the calendar year 2021. Robert S. Oliwa, CPA, RMA, and the Oliwa and Company, CPA's, may perform additional legal services pursuant to the agreement attached hereto and incorporated herein as Schedule A.
2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to, respectively, the agreement with Oliwa and Company, CPA's attached hereto and incorporated herein as Schedule A. in accordance with the provisions of this resolution.
3. That this contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts law because it is for services to be performed by a person or persons authorized by law to practice a recognized profession.
4. That the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.
5. That a notice of this action shall be printed once in the official newspaper of the Borough of Mantoloking.
6. That a copy of the written determination of value by the Borough shall be placed on file with this resolution.
7. That this resolution shall become effective immediately.
8. 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: 1-01-20-135-001-200 Audit O/E
9. That a certified copy of this resolution, together with a copy of the Agreement, shall be forwarded to the Chief Financial Officer and Robert S. Oliwa, CPA, RMA, of Oliwa and Company, CPA's.

RESOLUTION NO. 2021-6

**RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN,
STATE OF NEW JERSEY, AUTHORIZING THE PROFESSIONAL SERVICE
APPOINTMENT OF BOROUGH ENGINEERS**

WHEREAS, there exists a need for engineering services as Engineer for the Borough of Mantoloking as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, it has been determined and certified in writing that the anticipated value of the contract will exceed \$17,500; and

WHEREAS, the Mayor and governing body have reviewed the proposals submitted and recommended that Mott McDonald, be appointed as Borough Engineering firm; and

WHEREAS, the performance of the services requires knowledge of an advanced type in a field of learning pursuant to N.J.S.A. 40A:11-2 and the Borough has determined that Mott McDonald, has the ability and expertise to perform the engineering services required by the Borough; and

WHEREAS, Mott McDonald has completed and submitted a Business Entity Disclosure Certification which certifies that neither he nor the firm have made any reportable contributions to a political or candidate committee in the Borough of Mantoloking in the previous one year, and that the contract will prohibit Mott McDonald and appointed engineers, from making any reportable contributions to a political or candidate committee in the Borough of Mantoloking through the term of the contract; and

WHEREAS, the Chief Financial Officer has certified that there are funds available for this contract, which certification is annexed hereto; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*, authorizes the award of contracts for "Professional Services" and requires that the resolution and contract be made available for public inspection.

WHEREAS, the following people are hereby appointed to the following positions:

Lawrence Plevier, P.E.- Borough Engineer, Joint Planning and Zoning Board Engineer, Stormwater Program Coordinator, Community Block Grant Representative, Preliminary Damage Assessment Officer, Flood Plain Manager

Doug Gaffney, P.E.- Alternate Engineer, Dune Inspector and Flood Plain Manager

Francis X. Bruton- Assistant Community Rating System Coordinator and Dune Inspector

Jeremey Edinger, P.E- Assistant Engineer

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 Lawrence Plevier, P.E, of the firm Mott McDonald, is hereby appointed as Borough Engineer for the Borough of Mantoloking for a term of one (1) year, commencing January 1, 2021, and ending December 31, 2021. Lawrence Plevier, P.E., shall be compensated at the rate of \$160.00 Dollars per hour for services rendered to the Borough for the calendar year 2021. Lawrence Plevier, P.E, and other appointed professional, may perform additional engineering services pursuant to the agreement attached hereto and incorporated herein as Schedule A.
2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to, respectively, the agreement with Mott McDonald attached hereto and incorporated herein as Schedule A.in accordance with the provisions of this resolution.

3. That this contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts law because it is for services to be performed by a person or persons authorized by law to practice a recognized profession.
4. That the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.
5. That a notice of this action shall be printed once in the official newspaper of the Borough of Mantoloking.
6. That a copy of the written determination of value by the Borough shall be placed on file with this resolution.
7. That this resolution shall become effective immediately.
8. 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: _____
_____.
9. That a certified copy of this resolution, together with a copy of the Agreement, shall be forwarded to the Chief Financial Officer and Mott McDonald.

Mayor White continued to read the following resolutions for Councilman President Gillingham.

RESOLUTION NO. 2021-7

**RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN,
STATE OF NEW JERSEY, APPOINTING THE FIRM OF PORZIO, BROMBERG &
NEWMAN P.C. AS SPECIAL COUNSEL-PUBLIC EDUCATION FOR THE
BOROUGH OF MANTOLOKING**

WHEREAS, there exists a need for special counsel for public education services as for the Borough of Mantoloking as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and
WHEREAS, it has been determined and certified in writing that the anticipated value of the contract will exceed \$17,500; and

WHEREAS, the Mayor and governing body have reviewed the proposals submitted and recommended that the firm Porzio, Bromberg and Newman P.C. be appointed as special counsel; and

WHEREAS, the performance of the services requires knowledge of an advanced type in a field of learning pursuant to N.J.S.A. 40A:11-2 and the Borough has determined that Porzio, Bromberg and Newman P.C. , has the ability and expertise to perform the special counsel services for public education required by the Borough; and

WHEREAS, the firm Porzio, Bromberg and Newman P.C. , has completed and submitted a Business Entity Disclosure Certification which certifies that neither he nor the firm have made any reportable contributions to a political or candidate committee in the Borough of Mantoloking in the previous one year, and that the contract will prohibit the firm of Porzio, Bromberg and Newman P.C. , from making any reportable contributions to a political or candidate committee in the Borough of Mantoloking through the term of the contract; and

WHEREAS, the Chief Financial Officer has certified that there are funds available for this contract, which certification is annexed hereto; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., authorizes the award of contracts for “Professional Services” and requires that the resolution and contract be made available for public inspection.

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 firm Porzio, Bromberg and Newman P.C., is hereby appointed as Special Counsel for the Borough of Mantoloking for a term of one (1) year, commencing January 1, 2021, and ending December 31, 2021. Porzio, Bromberg and Newman P.C., shall be compensated at an hourly rate for principal and counsel **\$385.00** and for associates and paralegals **\$270.00** and **\$155.00** for services rendered to the Borough for the calendar year 2021. Porzio, Bromberg and Newman P.C. , may perform additional legal services pursuant to the agreement attached hereto and incorporated herein as Schedule A.
2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to, respectively, the agreement with Porzio, Bromberg and Newman P.C., attached hereto and incorporated herein as Schedule A.in accordance with the provisions of this resolution.
3. That this contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts law because it is for services to be performed by a person or persons authorized by law to practice a recognized profession.
4. That the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.
5. That a notice of this action shall be printed once in the official newspaper of the Borough of Mantoloking.
6. That a copy of the written determination of value by the Borough shall be placed on file with this resolution.
7. That this resolution shall become effective immediately.
8. 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: _____
_____.
9. That a certified copy of this resolution, together with a copy of the Agreement, shall be forwarded to the Chief Financial Officer and Porzio, Bromberg and Newman P.C.

RESOLUTION NO. 2021-8

**RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN,
STATE OF NEW JERSEY, APPOINTING BONNIE R. PETERSON ESQ. AS
MUNICIPAL PROSECUTOR FOR THE BOROUGH OF MANTOLOKING**

WHEREAS, there exists a need for Municipal Prosecutor services for the Borough of Mantoloking as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Mayor and governing body have reviewed the proposals submitted and recommended that Bonnie R. Peterson Esq., be appointed as Municipal Prosecutor; and

WHEREAS, the performance of the services requires knowledge of an advanced type in a field of learning pursuant to N.J.S.A. 40A:11-2 and the Borough has determined that Bonnie R. Peterson Esq., has the ability and expertise to perform Prosecutor services required by the Borough; and

WHEREAS, Bonnie R. Peterson Esq. , has completed and submitted a Business Entity Disclosure Certification which certifies that neither he nor the firm have made any reportable contributions to a political

or candidate committee in the Borough of Mantoloking in the previous one year, and that the contract will prohibit Bonnie R. Peterson Esq., from making any reportable contributions to a political or candidate committee in the Borough of Mantoloking through the term of the contract; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., authorizes the award of contracts for “Professional Services” and requires that the resolution and contract be made available for public inspection.

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 Bonnie R. Peterson Esq., is hereby appointed as Municipal Prosecutor for the Borough of Mantoloking for a term of one (1) year, commencing January 1, 2021, and ending December 31, 2021. Bonnie R. Peterson Esq., shall be compensated at an annual rate of **\$7,500.00** per year, **payable at \$625.00 per month** for services rendered to the Borough for the calendar year 2021.
2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to, respectively, the agreement with Bonnie R. Peterson Esq. attached hereto and incorporated herein as Schedule A.in accordance with the provisions of this resolution.
3. That this contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts law because it is for services to be performed by a person or persons authorized by law to practice a recognized profession.
4. That the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.
5. That a notice of this action shall be printed once in the official newspaper of the Borough of Mantoloking.
6. That a copy of the written determination of value by the Borough shall be placed on file with this resolution.
7. That this resolution shall become effective immediately.
8. That a certified copy of this resolution, together with a copy of the Agreement, shall be forwarded to the Chief Financial Officer and Bonnie R. Peterson.

RESOLUTION NO. 2021-9

**RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN,
STATE OF NEW JERSEY, APPOINTING MARGARIE M. HERLIHY ESQ., OF THE
FIRM HERLIHY, YOUNG AND NIEMIEC AS MUNICIPAL PUBLIC DEFENDER
FOR THE BOROUGH OF MANTOLOKING**

WHEREAS, there exists a need for Public Defender services for the Borough of Mantoloking as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Mayor and governing body have reviewed the proposals submitted and recommended that Margarie M. Herlihy Esq. be appointed as Public Defender; and

WHEREAS, the performance of the services requires knowledge of an advanced type in a field of learning pursuant to N.J.S.A. 40A:11-2 and the Borough has determined that Margarie M. Herlihy Esq., has the ability and expertise to perform the services required by the Borough; and

WHEREAS, Margarie M. Herlihy Esq. , of firm Herlihy, Young and Niemiec, has completed and submitted a Business Entity Disclosure Certification which certifies that neither he nor the firm have made any reportable contributions to a political or candidate committee in the Borough of Mantoloking in the previous

one year, and that the contract will prohibit Margarie M. Herlihy Esq, and the firm of Herlihy, Young and Niemiec, from making any reportable contributions to a political or candidate committee in the Borough of Mantoloking through the term of the contract; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., authorizes the award of contracts for “Professional Services” and requires that the resolution and contract be made available for public inspection.

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 Margarie M. Herlihy Esq., of the firm Herlihy, Young and Niemiec , is hereby appointed as Public Defender for the Borough of Mantoloking for a term of one (1) year, commencing January 1, 2021, and ending December 31, 2021. Margarie M. Herlihy Esq., shall be compensated **\$300.00 per case** for services rendered to the Borough for the calendar year 2021. Margarie M. Herlihy Esq. , and the firm Herlihy, Young and Niemiec, may perform additional legal services pursuant to the agreement attached hereto and incorporated herein as Schedule A.
2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to, respectively, the agreement with Margarie M. Herlihy Esq. attached hereto and incorporated herein as Schedule A. in accordance with the provisions of this resolution.
3. That this contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts law because it is for services to be performed by a person or persons authorized by law to practice a recognized profession.
4. That the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.
5. That a notice of this action shall be printed once in the official newspaper of the Borough of Mantoloking.
6. That a copy of the written determination of value by the Borough shall be placed on file with this resolution.
7. That this resolution shall become effective immediately.
8. That a certified copy of this resolution, together with a copy of the Agreement, shall be forwarded to the Chief Financial Officer and Margarie M. Herlihy Esq.

RESOLUTION NO. 2021-10

**RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN,
STATE OF NEW JERSEY, APPOINTING MEGHAN BENNETT CLARK, OF THE
FIRM GLUCKWALRATH, LLP. AS BOND COUNSEL FOR THE BOROUGH OF
MANTOLOKING**

WHEREAS, there exists a need for Bond Counsel for the Borough of Mantoloking as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, it has been determined and certified in writing that the anticipated value of the contract will exceed \$17,500; and

WHEREAS, the Mayor and governing body have reviewed the proposals submitted and recommended that Meghan Bennett Clark, be appointed as Bond Counsel; and

WHEREAS, the performance of the services requires knowledge of an advanced type in a field of learning pursuant to N.J.S.A. 40A:11-2 and the Borough has determined that Meghan Bennett Clark , has the ability and expertise to perform the Bond Counsel Services required by the Borough; and

WHEREAS, Meghan Bennett Clark , of firm Gluckwalrath, LLP., has completed and submitted a Business Entity Disclosure Certification which certifies that neither he nor the firm have made any reportable contributions to a political or candidate committee in the Borough of Mantoloking in the previous one year, and that the contract will prohibit , Meghan Bennett Clark, and the firm of Gluckwalrath, LLP, from making any reportable contributions to a political or candidate committee in the Borough of Mantoloking through the term of the contract; and

WHEREAS, the Chief Financial Officer has certified that there are funds available for this contract, which certification is annexed hereto; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., authorizes the award of contracts for “Professional Services” and requires that the resolution and contract be made available for public inspection.

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 Meghan Bennett Clark , of the firm Gluckwalrath, LLP, is hereby appointed as Bond Counsel for the Borough of Mantoloking for a term of one (1) year, commencing January 1, 2021, and ending December 31, 2021. Meghan Bennett Clark , shall be compensated for services rendered to the Borough for the calendar year 2021 as attached in Schedule A. Meghan Bennett Clark , and the firm Gluckwalrath, LLP, may perform additional legal services pursuant to the agreement attached hereto and incorporated herein as Schedule A.
2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to, respectively, the agreement with Meghan Bennett Clark attached hereto and incorporated herein as Schedule A.in accordance with the provisions of this resolution.
3. That this contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts law because it is for services to be performed by a person or persons authorized by law to practice a recognized profession.
4. That the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.
5. That a notice of this action shall be printed once in the official newspaper of the Borough of Mantoloking.
6. That a copy of the written determination of value by the Borough shall be placed on file with this resolution.
7. That this resolution shall become effective immediately.
8. That a certified copy of this resolution, together with a copy of the Agreement, shall be forwarded to the Chief Financial Officer and Meghan Bennett Clark .
9. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto.

SERVICES, SUPPLIES AND MAINTENANCE CONTRACTS

RESOLUTION NO. 2021-11

AUTHORIZED MISCELLANEOUS SUPPLY, SERVICE AND MAINTENANCE CONTRACTS FOR 2021

WHEREAS, the award of contracts for services, supplies and maintenance of Borough facilities, equipment and personnel obligations enumerated in this resolution is necessary and in the public interest to provide for the efficient operation of the Borough; and

WHEREAS, A Certificate of Funds Availability has been filed with the Borough Clerk; now, therefore, be it

RESOLVED by the Mayor and Council of the Borough of Mantoloking as follows:

1. The Mayor and Clerk are hereby authorized and directed to execute service and maintenance agreements in accordance with the following list, which identifies the services and providers thereof. Said contracts are to be executed following approval, as to form, by the Borough Attorney and Purchasing Agent. Copies of the contracts are available for inspection at the Clerk's office during regular business hours.

<u>SERVICE</u>	<u>PROVIDER</u>	<u>CONTRACT AMOUNT</u>
Construction Official Computer Software	Mitchell Humphrey & Co.	\$2,480.00 Annual
Computer Software Main	Edmunds & Associates, Inc.	\$8,075.00 Annual
Financial Consultant	Phoenix Advisors	\$1,050 Base fee (up to 3 Outstanding issues, plus \$100.00 for additional outstanding obligation. Set up Fee \$450.00, discounted to \$200.00 if they serve as Municipal Advisor. \$250 for each Event filing made under the Rule's new Events. This fee will be waived if engaged as Municipal Advisor on a transaction that involves such Event filing.
Animal Control Services	Muskrat Jack	\$300.00 per month
Website Maintenance	Osprey Technology, LLC	\$140/per month + \$75 Misc. serv.
Police Physician- Psychological	Dr. Mark White	\$550.00 plus scoring fee \$70.00 \$200.00 per hour for Supervisor-Imposed Fitness-for-Duty Referral
Recycling Coordinator	Joy Bragen-Edly	\$1,750.00/per year (4 quarterly payments)

RESOLUTION NO. 2021-12

RESOLUTION: OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, ACCEPTING THE PROPOSAL OF AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH DR. STEWART FARRELL AND THE STOCKTON UNIVERSITY COASTAL RESEARCH CENTER

WHEREAS, the Borough of Mantoloking is in receipt of a proposal from Dr. Stewart Farrell of the Stockton University Coastal Research Center for the continuance of work for the Borough monitoring the shoreline and for the appointment of Dr. Farrell as the municipal dune consultant; and

WHEREAS, under the terms of the proposal AND AT THE DIRECTION OF MAYOR OR DESIGNEE, the Center will attend either on-site or remotely, meetings regarding any aspect of coastal work, dune development and utilization of the shorefront; provide the services of the Dune Consultant; and conduct a survey of the 5 profile location sites to provide the Borough a comparison of the completed beach fill project with historical beach conditions; and

WHEREAS, the Borough hereby accepts the proposal of the Stockton University Coastal Research Center, attached hereto as Schedule A, and authorizes the execution of an Agreement with the Stockton University Coastal Research Center, subject to the approval of the Borough Attorney, in accordance therewith.

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 proposal of the Stockton University Coastal Research Center, attached hereto as Schedule A, is hereby accepted.
2. That the Mayor is hereby authorized to execute, and the Borough Clerk to attest to an Agreement with the Stockton University Coastal Research Center in accordance with its proposal

RESOLUTION NO. 2021-13

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE APPOINTMENT OF BEVERLEY KONOPADA AS PUBLIC AGENCY COMPLIANCE OFFICER

WHEREAS, in accordance with the N.J.A.C. 17:27-3.2, each public agency shall designate an individual to serve as its Public Agency Compliance Officer (P.A.C.O.); and

WHEREAS, the P.A.C.O. is the liason between the Division and the Public Agency and is the point of contact for all matters concerning implementation and administration of the statute, administration of contracting procedures pertaining to equal employment opportunity regarding both Public Agency and the service providers; and

WHEREAS, each year, all Public Agencies are required submit their P.A.C.O. designation; and

WHEREAS, it is the desire of the Mayor to appoint Beverley Konopada to as Public Agency Compliance Officer and shall serve without compensation for a period commencing January 1, 2021 through December 31, 2021.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Mantoloking, County of Ocean, State of New Jersey that the appointment is confirmed.

RESOLUTION NO. 2021-14

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE APPOINTMENT OF FUND COMMISSIONER AND ALTERNATE

WHEREAS, membership in the fund provides for the appointment of a Fund Commissioner and Alternate to represent the interests of the Borough; and

WHEREAS, it is the desire of the Mayor with the advice and consent of Council to fill said positions.

NOW THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Mantoloking, County of Ocean, State of New Jersey, hereby appoints **Beverley Konopada** as Fund Commissioner and **Lynne Hazelet** as Alternate to the New Jersey Intergovernmental Insurance Fund.

RESOLUTION NO. 2021-15

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE APPOINTMENT OF ADA COORDINATOR

WHEREAS, there is a need to appoint an ADA Coordinator to comply with and carry out its responsibilities under the Americans Disability Act; and

WHEREAS, the ADA Coordinator will assist any member of the public who requires an auxiliary aid or service for effective communication, a modification of policies or procedures to participate in a Borough program, service or activity

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Mantoloking, County of Ocean, State of New Jersey, hereby appoints **Beverley Konopada** to the position of ADA Coordinator and shall serve without compensation for a period commencing January 1, 2021 through December 31, 2021.

RESOLUTION NO. 2021-16

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE FOLLOWING APPOINTMENT FOR 2021

BE IT RESOLVED that the Governing Body of the Borough of Mantoloking hereby appoints the following members as for a one year term; expiring December 31, 2021:

Assessment Search Officer	1 year	Beverley Konopada
Tax Search Officer	1 year	April Yezzi

RESOLUTION NO. 2021-17

RESOLUTION: THE 2021 DESIGNATION OF OFFICIAL NEWSPAPERS

WHEREAS, Section 3(d) of the Open Public Meeting Act, Chapter 231, P.L. 1975, requires that certain notice of meetings be submitted to any two (2) newspapers, one of which shall be the official newspaper; and

WHEREAS, the second newspaper designated by this body must be one which has the greatest likelihood of informing the public within the jurisdictional boundaries of this body of such meeting.

WHEREAS, publication of public notices as required by law, are to posted on the Borough of Mantoloking official web site; and

WHEREAS, to facilitate the timely publication of public notices as required by law, and in the interest of the public, the Borough Council desires to avail itself of the services of newspapers of general circulation in the community and the Borough web site for the year 2021.

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

1. The Ocean Star, Point Pleasant Beach, is hereby designated as the official newspaper of the Borough of Mantoloking as required under the Open Public Meetings Act.
2. The Asbury Park Press, Neptune is designated to receive notices of meetings and solicitations for proposals, when necessary, as required under the Open Public Meetings Act.
3. The Borough of Mantoloking official web site, www.mantoloking.org is designated to receive notices of meetings and solicitations for proposals, when necessary, as required under the Open Public Meetings Act.

RESOLUTION NO. 2021-18

RESOLUTION: TAX APPEAL AGENTS

WHEREAS, from time to time, the Tax Assessor discovers an error in calculation, transposing, measurement, or typographical errors in the tax assessments on the tax list after the time the County Board of Taxation has certified the tax rates for the tax year, or a property becomes subject to a rollback assessment; and

WHEREAS, the governing body of the Taxing District of the Borough of Mantoloking is desirous that every taxpayer pays his fair share of taxes; and

WHEREAS, if the above discovered errors are not corrected or a rollback assessment not applied, the taxpayers affected would not be paying their fair share of taxes; and

WHEREAS, the method of correcting such errors is to file a Petition of Appeal or Complaint with the Ocean County Board of Taxation.

IT IS NOW, THEREFORE, Resolved by the Mayor and Council of the Borough of Mantoloking as follows:

1. That the Tax Assessor or Municipal Attorney is hereby authorized to act as the agent for the Taxing District during the year of 2021 and file a Petition of Appeal or Complaint with the Ocean County Board of Taxation to correct such assessments to the property value and that a copy of any Petition of Appeal or Complaint filed with the Ocean County Board of Taxation under this Resolution be filed with the Municipal Clerk.
2. That the Tax Assessor or Municipal Attorney is hereby authorized to execute stipulations of settlement on any tax appeal or complaint filed by the taxing district or by a taxpayer in the tax year 2021.
3. That a certified copy of this Resolution be forwarded to the Ocean County Board of Taxation with any such Petition of Appeal.

RESOLUTION NO. 2021-19

RESOLUTION: NAMING OFFICIAL DEPOSITORIES 2021

WHEREAS, N.J.S.A. 40A:5-14 mandates that the governing body of a municipal corporation shall, by resolution passed by a majority vote of the full membership thereof, designate as a depository for its

monies a bank or trust company having its place of business in the state and organized under the laws of the United States or this state;

NOW, THEREFORE, BE IT RESOLVED on the 5th day of January, 2021, by the Council of the Borough of Mantoloking, County of Ocean, State of New Jersey, that:

TD Bank
Sovereign Bank
Bank of New York
Ocean First
PNC Bank
Amboy National Bank
First Washington State Bank
Bank of America
Chase
Valley National Bank
Provident Bank
Capital One Bank
New Jersey Cash Management
Municipal Investors Service Corp (MBIA)
Crown Bank
Manasquan Savings Bank
Investor Savings
JP Morgan-Chase Bank
Wells Fargo Bank

Be and are hereby designated as official depositories for the Borough of Mantoloking for the year 2021.

Prior to the deposit of any municipal funds in the above-mentioned depositories, said bank shall file with the Chief Financial Officer a statement indicating that the bank is covered under the Government Units Deposit Protection Act (R.S. 17:9-41).

RESOLUTION NO. 2021-20

RESOLUTION: ESTABLISHING THE BOROUGH HOLIDAYS FOR 2021

**BOROUGH OF MANTOLOKING
MAYOR AND COUNCIL
NOTICE
ESTABLISHING THE BOROUGH HOLIDAYS FOR 2021**

BE IT RESOLVED, by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, that the calendar of employee holidays for the year of 2021 be adopted as follows:

New Year's Day	Friday	January 1, 2021
Martin King Day	Monday	January 18, 2021
President's Day	Monday	February 15, 2021
Good Friday	Friday	April 2, 2021
Memorial Day	Monday	May 31, 2021
Independence Day	Monday	July 5, 2021
Labor Day	Monday	September 6, 2021

Columbus Day	Monday	October 11, 2021
Election Day	Tuesday	November 2, 2021
Veteran's Day	Thursday	November 11, 2021
Thanksgiving Day	Thursday	November 25, 2021
Post Thanksgiving Day	Friday	November 26, 2021
Christmas Day (Eve)	Friday	December 24, 2021
Post Christmas Day	Monday	December 27, 2021

BE IT FURTHER RESOLVED, that holidays falling on Saturday shall be observed on Friday and those holidays falling on Sunday shall be observed on Monday.

RESOLUTION NO. 2021-21

RESOLUTION ESTABLISHING THE BOROUGH COUNCIL MEETING DATES FOR 2021 AND REORGANIZATION MEETING FOR 2022

**BOROUGH OF MANTOLOKING
MAYOR AND COUNCIL
NOTICE**

**ESTABLISHING THE BOROUGH COUNCIL MEETING DATES FOR 2021 AND
REORGANIZATION MEETING FOR 2022**

BE IT RESOLVED, by the Mayor and Council of the Borough of Mantoloking, pursuant to N.J.S.A. 10:4-6 et seq. that the following schedule of Caucus/ Regular Business Meetings for 2021 and Reorganization Meeting 2022 are as follows:

Virtual Conference Call
Mantoloking Borough Hall
202 Downer Avenue
Mantoloking, NJ 08738

Tuesday, January 19, 2021
Tuesday, February 16, 2021
Tuesday, March 16, 2021
Tuesday, April 20, 2021
Tuesday, May 18, 2021
Tuesday, June 15, 2021
Tuesday, July 20, 2021
Tuesday, August 17, 2021
Tuesday, September 21, 2021
Tuesday, October 19, 2021
Tuesday, November 16, 2021
Tuesday, December 21, 2021

REORGANIZATION MEETING 2022

Tuesday, January 4, 2022

BE IT FURTHER RESOLVED, that action may be taken at any of the meetings as listed herein.

Councilwoman O'Mealia let Mr. Beck know that the Council receives all those contracts for review prior to the Agenda and prior to voting.

ROLL CALL VOTE RESOLUTION NO'S. 2020-1 THROUGH 2020-21

Moved by Councilman Amarante, seconded by Councilwoman O'Mealia and approved by unanimous roll call vote.

RESOLUTION NO. 2021-22

RESOLUTION SETTING THE TEMPORARY BUDGET FOR THE 2021 BUDGET YEAR

WHEREAS, N.J.S.A. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2021 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first thirty days of January, 2021; and

WHEREAS, the total appropriations in the 2020 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance, is the sum of \$5,293,955.00; and

WHEREAS, 26.25% of the total appropriations in 2020 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2020 budget is the sum of \$1,389,663.00;

NOW, THEREFORE, BE IT RESOLVED that the following appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for the records:

TEMPORARY APPROPRIATIONS – 2021

	<u>SALARY & WAGES</u>	<u>OTHER EXPENSES</u>
Municipal Clerk	\$36,000.00	\$15,000.00
Finance	36,000.00	15,000.00
Audit		5,000.00
Tax Collector	750.00	1,000.00
Tax Assessor	5,000.00	1,000.00
Legal		40,000.00
Engineering		25,000.00
Planning	15,000.00	4,000.00

Construction	30,000.00	3,000.00
Sub-code Plumbing	3,500.00	
Sub-code Fire	3,500.00	
Electrical Sub-code	3,500.00	
Liability Insurance		75,000.00
Workmens Comp Ins		65,000.00
Group Health Ins		60,000.00
Police	185,500.00	35,000.00
Emergency Management		2,000.00
Uniform Fire Safety	3,000.00	
Municipal Prosecutor		3,000.00
Road Repairs	50,000.00	7,500.00
	<u>SALARY</u>	<u>OTHER</u>
	<u>& WAGES</u>	<u>EXPENSES</u>
Garbage		36,615.00
Buildings & Grounds		15,000.00
Sewer System		2,500.00
Dog		2,500.00
Beach Maintenance		15,000.00
Beach Access		2,000.00
Electricity		5,000.00
Telephone		6,000.00
Water		3,500.00
Fire Hydrant		7,500.00
Natural Gas		6,000.00
Gasoline		3,500.00
Ocean County Utility Authority		35,000.00
PERS		81,440.00
Social Security		10,000.00
PFRS		335,858.00
DCRP		2,000.00
Court	10,000.00	1,000.00
Public Defender		1,000.00
Capital Improvement (Police Boat)		80,000.00
TOTAL	\$381,750.00	\$ 1,007,913.00
GRAND TOTAL		<u>\$1,389,663.00</u>

RESOLUTION NO. 2021-23

RESOLUTION: DELINQUENT TAX COLLECTION - 2021

RESOLVED, that the Tax Collector of the Borough of Mantoloking is hereby directed to charge and collect interest at eight percent (8%) per annum on the first \$1,500 of any delinquency, and eighteen percent (18%) per annum on any amount in excess of \$1,500, to be calculated from the date the tax was payable to the date of actual payment.

RESOLVED, that the Tax Collector of the Borough of Mantoloking is hereby directed to charge and collect an additional penalty at the rate of six percent (6%) of the amount of delinquency from each taxpayer with a delinquency in excess of \$10,000 who shall fail to pay that delinquency prior to the end of the calendar year.

FURTHER RESOLVED, that the interest on any delinquency shall be computed from the date the monies are due or become delinquent, except that no interest shall be charged on any installment payment if payment of said installment is made within ten (10) days after the date upon which same becomes payable.

RESOLUTION NO. 2021-24

RESOLUTION: ADOPTION OF A CASH MANAGEMENT PLAN - 2021

WHEREAS, P.L. 1983, Chapter 8, approved January 18, 1983, amending N.J.S.A. 40A:5-2 and N.J.S.A. 40A:5-14, mandate that each local governmental unit shall adopt a Cash Management Plan; and

WHEREAS, the Borough Council (Finance Committee) with the assistance of the Borough's Chief Financial Officer, has, pursuant to the law, generated a proposed Cash Management Plan.

IT IS, NOW THEREFORE, this 5th day of January, 2021, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The attached document entitled "Cash Management Plan of the Borough of Mantoloking, Ocean County, New Jersey" dated March 18, 1996, (Amended: January 3, 2005) is hereby adopted and approved as the Cash Management Plan of the Borough.
2. The Chief Financial Officer, with the advice of the Chairman of the Council's Finance Committee, shall have the authority and responsibility to make deposits and investments of municipal funds.

**CASH MANAGEMENT PLAN OF THE BOROUGH OF MANTOLOKING
OCEAN COUNTY, NEW JERSEY
MARCH 18, 1996
(AMENDED: JANUARY 3, 2005)**

Definitions

1. Fiscal year shall mean the twelve months ending December thirty-one.
2. Cash Management Plan shall mean the plan as approved by this Resolution.

Designation of Depositories

At the Borough's reorganization meeting, the governing body shall by resolution designate the depositories and the methods of transferring funds for investment purposes for the Borough of Mantoloking in accordance with N.J.S.A. 40A:5-14.

Audit Requirement

The Cash Management Plan shall be subject to the annual audit conducted pursuant to N.J.S.A. 40A:5-4.

Authority to Invest

The governing body shall pass a resolution at its annual reorganization meeting designating the Borough Official(s) who shall make and be responsible for municipal deposits and investments,

Investment Instruments

The designated Borough Official(s) shall invest at his discretion in any investment instrument as approved by the State of New Jersey in accordance with N.J.S.A. 40A:5-15.1. Rate of return shall not be the only consideration, safety and liquidity shall be considered along with rate of return.

Records and Reports

The Chief Financial Officer shall report all investments in accordance with N.J.S.A 40A:5-15.2.

At a minimum the Chief Financial Officer shall:

1. Keep a record of all investments.
2. Confirm investments with the governing body at the next regularly scheduled meeting.
3. Report monthly to the governing body as to the status of cash balances in all bank accounts, revenue collection, interest rates and interest earned.

Cash Flow

1. The Chief Financial Officer shall ensure that the accounting system provides regular information concerning the cash position and investment performance.
2. All monies, shall be turned over to the Chief Financial Officer and deposited in accordance with N.J.S.A. 40A:5-15.
3. The Chief Financial Officer is authorized and directed to invest surplus funds of the Borough of Mantoloking as the availability of the funds permit. In addition, it shall be the responsibility of the Chief Financial Officer to minimize the possibility of idle cash by depositing the monies in interest bearing accounts whenever practical and in the best interest of the Borough of Mantoloking.
4. The Chief Financial Officer shall ensure that the funds are borrowed for Capital Projects in a timely fashion.

RESOLUTION NO. 2021-25

RESOLUTION: DESIGNATED SIGNATORIES ON BOROUGH BANK ACCOUNTS (THREE SIGNATURES REQUIRED)

WHEREAS, it is necessary to designate and authorize persons to sign Borough checks; and

WHEREAS, the following officers and alternates be designated as authorized signatories (all checks drawn upon Borough owned bank accounts shall be signed by three (3) authorized signatories):

1. Mayor or Council President; and
2. Borough Clerk or Deputy Borough Clerk; and
3. Chief Financial Officer or Councilman Anthony M. Amarante

IT IS NOW, THEREFORE, this 5th day of January, 2021, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, that the above officials and alternates are designated as authorized signatories (all checks drawn upon Borough owned bank accounts shall be signed by three (3) authorized signatories).

RESOLUTION NO. 2021-26

RESOLUTION: APPROVING THE CANCELLATION OF TAX AND SEWER OVER PAYMENTS OR DELINQUENT AMOUNTS LESS THAN \$10.00 - 2021

WHEREAS, N.J.S.A. 40A:5-17 allows for the cancellation of sewer or property tax refunds or delinquent amounts in the amounts of less than \$10.00; and,

WHEREAS, the governing body may authorize a municipal employee chosen by said body to process, without further action on their part, any cancellation of property tax refunds or delinquencies of less than \$10.00.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Mantoloking, County of Ocean, State of New Jersey, hereby authorize the Tax Collector to cancel said tax amounts as deemed necessary.

BE IT FINALLY RESOLVED, that a certified copy of the Resolution be forwarded to the Tax Collector.

RESOLUTION NO. 2021-27

RESOLUTION: PAYMENT OF BILLS - 2021

RESOLVED, that the payment of routine or recurring accounts allowing discounts or other payments in the year 2021 requiring urgency be paid by the Chief Financial Officer on order of the Mayor and attested by the Municipal Clerk. All such payments to be presented to the Council at the next succeeding meeting for confirmation.

RESOLUTION NO. 2021-28

RESOLUTION IN SUPPORT OF POINT PLEASANT BEACH PROJECT GRADUATION AND PTO SENIOR SCHOLARSHIPS 2021 TOWN-WIDE GARAGE SALES

WHEREAS, the PTO requests that the Mayor and Council support their Town-Wide Garage Sales for Point Pleasant Beach Project Graduation 2021 and PTO Senior Scholarships that are held in the Spring and Fall; and

WHEREAS, the Project Graduation Committee requests that the Borough waive the required fee and permit for Mantoloking participants; and

WHEREAS, the PTO will notify the Borough Clerk in writing with dates and times of each garage sale no later than 45 days prior to the event; and

WHEREAS, a \$25.00 donation will be made by participating Mantoloking households to support Project Graduation 2021 and PTO Scholarships.

IT IS NOW, THEREFORE, this 5th day of January, 2021, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County New Jersey, hereby supports Project Graduation 2021 and PTO Scholarships.

ROLL CALL VOTE RESOLUTION NO'S. 2020-22 THROUGH 2020-28

Moved by Councilman Amarante, seconded by Councilwoman O'Mealia and approved by unanimous roll call vote.

RESOLUTION NO. 2021-29

RESOLUTION: ADOPTION OF THE 2021 LOCAL EMERGENCY PLANNING COMMITTEE

BE IT RESOLVED that the following named persons are hereby appointed as members of the Borough of Mantoloking Local Emergency Planning Committee (LEPC) for the year 2021. The Coordinator is appointed for a term of three (3) years:

Robert S. McIntyre, Emergency Management Coordinator	Term to Expire 12/31/2021
Stacy Ferris, Chief of Police	Deputy Emergency Management Coordinator
Council President	
Beverley Konopada, Borough Clerk	
Scott Hulse, Borough Public Works Manager	
Board of Health Official, Dr. James Turro	
Sandra McIntyre, Board of Health Member	
Denise Boughton, C.A.R.T. Coordinator	
Lawrence Plevier, P.E., Borough Engineer	
Damage Assessment Officer	
Ocean County Department of Social Services	
Joe Celentano, Community Group	
Jean Cipriani, Esq., Borough Attorney	
Edwin C. O'Malley, Ocean County Amateur Radio	
April Yezzi, Chief Financial Officer /CTC/QPA	
Emergency Services	
RACES/SkyWarn	

BE IT FURTHER RESOLVED that the Borough Coordinator of Emergency Management is authorized, upon adoption of this Resolution, to call necessary meetings, arrange for appropriate training sessions, and to set deadlines for responses in writing of the various sections of the Emergency Operations Plan as well as any further related requirements.

RESOLUTION NO. 2021-30

RESOLUTION PROVIDING FOR APPROVAL OF THE 2021 OCEAN COUNTY SCHEDULE C AGREEMENT BETWEEN THE BOROUGH AND THE COUNTY OF OCEAN

WHEREAS, the County of Ocean has offered to enter into a Contract with the Borough whereby the County will provide certain road maintenance and repair of municipal streets, together with materials and supplies; and

WHEREAS, the utilization of County services during the term of the proposed Agreement is optional and at the sole discretion of the Borough; and

WHEREAS, in accordance with the terms of the proposed Agreement, the Borough is obliged, pursuant to Article 2, to certify that sufficient funds are available in its current budget to cover the anticipated cost; and

WHEREAS, the form of Contract has been reviewed by counsel and is deemed appropriate upon the condition that the County will accept the Borough's insurance coverage in lieu of the indemnification clause, Article 7 (see copy of proposed Agreement annexed); and

WHEREAS, a Certificate of Funds Availability has been provided.

IT IS NOW, THEREFORE, this 5th day of January, 2021, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. That the Borough of Mantoloking shall enter into the proposed Schedule C Agreement for the

period January 1, 2021 through December 31, 2021, subject to the acceptance by the County of the Borough's liability insurance in lieu of indemnification;

2. Further, that it is hereby certified that funds are available in the current budget to cover the anticipated cost, \$6,000.00. [Road Maintenance Supplies (Salt)],
3. The Mayor and Borough Clerk are hereby authorized to execute and deliver the Agreement in accordance with this Resolution.
4. A true copy of the Agreement shall be available for public inspection in the Clerk's Office.

ROLL CALL VOTE RESOLUTION NOS. 2020-29 – 2020-30

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

RESOLUTION NO. 2021-31

RESOLUTION: ESTABLISHMENT OF EMPLOYEE SALARIES FOR 2021

WHEREAS, the Mayor has recommended annual salaries for Borough employees for 2021; and

WHEREAS, Council has endorsed the salary recommendations.

IT IS NOW, THEREFORE, this 5th of January, 2021, **RESOLVED**, by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, that the schedule set forth below is adopted for 2021:

2021 REGULAR EMPLOYEES

<u>NAME</u>	<u>TITLE</u>	<u>SALARY</u>
Boettger, Elizabeth	Court Administrator	24,560.00
	Court Call Out Incidents (3HR. Minimum)	20.00/HR
Burdge, Kelly	Administrative Assistant (Police Department)	60,775.00
DalCorso, Gary	Tax Assessor/Tax Appeal Agent	20,568.00
Malvasio, Colleen	Zoning/Code Enforcement Official	
	(10 hours x \$37.67 x 52 weeks)	19,588.00
	TACO/Planning Board Secretary	

	(25 hours x \$32.30 x 52 weeks)	41,990.00
	Planning Bd Recording Sec'y	\$100/Per Session
Morgano, Todd J.	Construction Official/Acting Building Sub-code Official (24 hours x 52 weeks x \$46.95 per hour)	58,594.00
Hazelet, Lynne	Deputy Borough Clerk/Deputy Registrar	66,854.00
	Recording Sec-Council Meeting	\$100.00 Per Session
Hulse, Paul Scott	Public Works Supervisor	92,250.00
Bland, Scott	Public Works Laborer	60,776.00
Patrick Donald	Public Works Laborer	50,000.00
Konopada, Beverley	Municipal Clerk Assessment Search Officer Public Agency Compliance Officer Insurance Commissioner Archives and Records Manager Contract Administrator Registrar of Vital Statics	102,500.00
Pintado, Steven G.	Finance/Tax Collector Administrative Assistant	54,699.00

2021 REGULAR EMPLOYEES

<u>NAME</u>	<u>TITLE</u>	<u>SALARY</u>
Piszar, Ronald	Fire Official (2 Hours Per Week)	4,092.00
	Fire Subcode Official (2 Hours Per Week)	5,334.00
	Add'l Hours Paid Hourly	\$38.50/HR
Yezzi, April	Chief Financial Officer Tax Collector	100,604.00

Qualified Purchasing Agent

Grenley, Stephen	Electrical Subcode Official (4.5 hrs per week x 52 weeks x \$39.46 per hour)	9,234.00
Purves, Glen	Plumbing Subcode Official (4.5 hrs per week x 52 weeks x \$39.46 per hour)	9,234.00

2021 PART TIME/ SEASONAL EMPLOYEES

<u>NAME</u>	<u>TITLE</u>	<u>SALARY</u>
Gluck, James	Magistrate	1,640.00/Court Session
Safeer, Stuart	Deputy Electrical Subcode Official	38.50/HR
Morra, Donna	Deputy Court Administrator	\$100 Per Session
Smith, Pat	Administrative Assistant/ Deputy Code Enforcement Officer	\$28.20/HR
Applegate, Douglas	Deputy Construction Official	38.50/HR
Orlando, Richard	Deputy Fire Subcode Official	38.50/HR
Burdge, Kelley	Beach Manager (Summer Stipend)	3,000.00/Beach Season

ROLL CALL VOTE RESOLUTION NO. 2020-31

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

8. MAYOR AND COUNCIL COMMENTS

Mayor White congratulated Councilman Gillingham on being the Council President. He works hard for our town as we all know and we are very lucky to have him. Mayor is looking forward to 2021 and working with the Council and getting a lot accomplished.

9. PUBLIC COMMENT PERIOD

Jim Brown, 985 Barnegat Lane

- What made the council think that the needed to go outside to hire someone to reorganize the town.

Borough Attorney Cipriani responded the report from the advisory committee and topic of whether or not a business administrator is appropriate for Mantoloking will be held at the council meeting on January 19th.

Councilman Nelson addressed Mr. Brown's question: Two years ago the Mayor and council contracted with Cotter Strategies to do a management report on the borough and its operations. They came back with a recommendation in November 2019.

Councilwoman O'Mealia added that the report was made public in November 2019 it highlighted 22 recommendations for the administration of the town of Mantoloking. In every department there were recommendations to improve efficiency and improve policies for the borough. The council asked the consultant, Cotter Strategies to reduce the number of recommendations from 22 to 10 to make it easier for the borough to focus on executing those recommended strategies. That document was given to the council in March of 2020. Unfortunately because Covid descended upon the borough exactly at the end of March 2020 the work to implement those recommendations was put aside to focus on the immediate need to respond to Covid protocol. In August, September, and October in conjunction with the review by the council of the strategic plan which was developed in 2019 by that council and departments throughout the borough the long range planning committee report which was presented in September of 2020. The Council again began to focus on the recommendations of the Cotter Report. The Mayor requested that the council allow an advisory committee to be created to evaluate the number one recommendation from the consultant which was the consideration of the appointment of a part time business administrator. The advisory committee is prepared to make their report to the council and to the public and that is exactly where we are, there is no action been taken but there has been a thorough review of the recommendations of Cotter Strategies not just number one recommendation but many of the recommendations which the Council and the Mayor and the departments involved are prepared to work on in 2021.

Jim Brown, 985 Barnegat Lane

- Cotter did a very good job.
- Reorganization of structure when everyone reports to administrator.

Councilman Nelson

- Let this play out
- It is premature to comment on it because it has not been finalized by the committee. There will be adequate time for public discussion and after digesting the report.

Joann Lygas, 970 Barnegat Lane

- Asked for clarification on the meeting next week, will it be opened to the public.
- When will the report be released to the public.

Mayor White

- public comment period
- The council will convene into an executive session to discuss advisory report.

Borough Attorney Cipriani – on the 13th it is primarily an executive session there will be portion for public comment but the anticipation is that after the governing body has had the opportunity to review the report in executive session then it will be authorized for release to the public and anticipated it will then be published on the borough website on Friday the 15th in preparation for the Tuesday the 19th meeting. Open discussion with members of the committee, council and the public will take place on the 19th after the public as well as the governing body has had the opportunity to review the report. Primary discussion is on the 19th, not the 13th. The report should be released on the 15th.

Jim Brown, 985 Barnegat Lane

- Issue came up about action may be taken on the bottom of the notice, the presumption was that you might decide to do it.
- Are you contemplating putting off any kind of decision on this until people are back in town.

Councilman Nelson replied no, we have been doing virtual meetings since March 2020. This is the new reality.

Borough Attorney Cipriani responded - no, the only action that is contemplated for the 13th is one item only which, would be a motion to authorize the release of the report to the public.

10. NEXT MEETING: Special Council Meeting, Wednesday, January 13, 2021, 5:30 p.m. Conference Call

Council Regular Business Meeting, Tuesday, January 19, 2021, 5:30 p.m.
Conference Call

11. ADJOURNMENT:

There being no further business for the meeting, it was motioned by Councilman Nelson, seconded by Councilman Amarante and approved by unanimous roll call vote to adjourn the meeting at 6:02 p.m.

Respectfully submitted,

Beverley A. Konopada
Borough Clerk