



REORGANIZATION MEETING MINUTES

Tuesday, January 3, 2023

5:30 p.m.

CALL TO ORDER - Clerk Konopada called the meeting to order at 5:30 p.m.

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

ROLL CALL

Present: Mayor White, Councilman Amarante, Councilwoman Benz, Councilman Nelson, Councilman Celentano
Dialed in: Councilman Conti
Absent: Councilman Batcha
Also Present: Beverley A. Konopada, Borough Clerk, Lynne Hazelet, Deputy Clerk, Brett Radi, Borough Administrator (on the phone), Borough Attorney Jean Cipriani, Esq. and Attorney Andrea Wyatt, Esq.

PLEDGE OF ALLEGIANCE

OATH OF OFFICE

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

E. Laurence White	Mayor	4 year term to expire 12/31/2026
Barbara Benz	Councilwoman	3 year term to expire 12/31/2025
Joseph Celentano	Councilman	3 year term to expire 12/31/2025

Clerk Konopada turned the meeting over to Mayor White.
Mayor White congratulated Councilwoman Benz and Councilman Celentano.

PUBLIC COMMENT – on agenda items only – No comments were made.

NOMINATION OF 2023 COUNCIL PRESIDENT Mayor E. Laurence White requests nominations from the governing body members for the 2023 Council President.

Councilwoman Benz motioned to nominate Councilman Nelson for 2023 Council President. The nomination was seconded by Councilman Amarante and approved by roll call vote.

RESOLUTION NO. 2023-1

RESOLUTION AUTHORIZING THE NOMINATION AND THE 2023 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, 2023.

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

COUNCILMEMBER	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE		X	X			
BATCHA						X
BENZ	X		X			
CELENTANO			X			
CONTI			X			
NELSON			X			
		VOTE	5			
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES	NO X				

RESOLUTION NO. 2023-2

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, DESIGNATING COUNCIL COMMITTEE APPOINTMENTS FOR THE YEAR 2023

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 2023; 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 2023:

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

1. Chairwoman Barbara Benz
2. Councilman Joseph Celetano

Finance (Budget, Grants, Reports, FEMA)

1. Chairman Anthony Amarante
2. Councilman John Conti

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

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

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

1. Chairman Douglas Nelson
2. Councilman Anthony Amarante

Public Works (Public Works, Engineering, Code Enforcement, Solid Waste Collection)

1. Chairman Joseph Celentano
2. Councilman F. Bradford Batcha

Recreation (Recreation, Beach, Beautification, Environment)

1. Chairman John Conti
2. Councilwoman Barbara Benz

COUNCILMEMBER	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE	X		X			
BATCHA						X
BENZ			X			
CELENTANO			X			
CONTI			X			
NELSON		X	X			
		VOTE	5			
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES	NO X				

RESOLUTION NO. 2023-3**RESOLUTION AUTHORIZING MAYORAL APPOINTMENTS FOR 2023**

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	2023 APPOINTMENTS
Joint Planning and Zoning Board	Class I (4 year term)	12/31/2026	Robert S. McIntyre, Jr.
Joint Planning and Zoning Board	Class II (1 year term)	12/31/2023	Brett Radi
Joint Planning and Zoning Board	Class III (1 year term)	12/31/2023	John Conti
Joint Planning and Zoning Board	Class IV (4 year term)	12/31/2026	Christine Beck
Subject to Planning Board approval	Planning Board Engineer	12/31/2023	Lawrence Plevier, P.E.
Environmental Commission	Member (3 year term)	12/31/2025	John Mooney
Environmental Commission	Member (3 year term)	12/31/2025	John G. Wesson

is hereby appointed for the year 2023.

COUNCILMEMBER	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE	X		X			
BATCHA						X
BENZ			X			
CELENTANO			X			
CONTI			X			
NELSON		X	X			
		VOTE	5			
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES	NO X				

CONSENT AGENDA

All items listed are considered to be routine by the governing body and will be approved by one motion. If separate discussion is desired, the item will be removed from the Consent Agenda and considered separately.

Clerk Konopada requested to add an item to the consent agenda, Resolution 2023-31- Authorizing the Adoption of the Appropriation Reserve Transfer #1.

RESOLUTIONS:

2023-4 Authorizing the appointment Jean L.Cipriani, Esq. of Rothstein, Mandell, Strohm, Halm & Cipriani as Borough Attorney 2023.

2023-5 Authorizing Appointment of Borough Auditor- Oliwa and Company

2023-6 Authorizing Appointment of Borough Engineers- Mott MacDonald

2023-7 Authorizing Appointment of Special Counsel- Public Education- Porzio, Bromberg & Newman P.C.

2023-8 Authorizing Appointment of Municipal Prosecutor- Bonnie Peterson, Esq.

2023-9 Authorizing Appointment of Municipal Public Defender- Margarie M. Herlihy Esq.

2023-10 Authorizing Maintenance Contracts

2023-11 Authorizing Appointment of Recycling Coordinator- Joy Bragen-Edly

2023-12 Authorizing Agreement with Stockton University Coastal Research Center

2023-13 Authorizing Appointment of Public Agency Compliance Officer- April Yezzi

2023-14 Authorizing Appointment of Fund Commissioner and Alternate- Beverley Konopada and Brett Radi

2023-15 Authorizing Appointment of ADA Coordinator- Beverley Konopada

2023-16 Authorizing Appointment of Assessment Search Officer, Beverley Konopada-Tax Search Officer, April Yezzi

2023-17 Authorizing the 2023 Official Newspapers

2023-18 Authorizing Tax Appeal Agents

2023-19 Authorizing the Official Depositories for 2023

2023-20 Authorizing the establishment of Borough Holidays for 2023

2023-21 Authorizing the establishment of Borough Council Meeting Dates for 2023 and Reorganization for 2024

2023-22 Authorizing the setting of the Temporary Budget for 2023

2023-23 Authorizing Delinquent Tax Collection for 2023

2023-24 Authorizing the adoption of a Cash Management Plan for 2023

2023-25 Authorizing the Cancellation of Tax and Sewer over payments or delinquent amounts less than \$10.00 for 2023

2023-26 Authorizing the Payment of Bills for 2023

2023-27 Authorizing Support of Point Pleasant Beach Project Graduation and PTO Scholarships 2023 Town-wide Garage Sales

2023-28 Authorizing the adoption of the 2023 Local Emergency Planning Committee

2023-29 Authorizing the approval of the 2023 Ocean County Schedule C Agreement between the Borough and County of Ocean

2023-30 Authorizing Designated Signatories on Borough Bank Accounts

2023-31 Authorizing the adoption of the Appropriation Reserve Transfer # 1.

RESOLUTION NO. 2023-4

**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, 2023, and ending December 31, 2023. Jean L. Cipriani, Esquire shall be compensated at the rate of \$6,000.00 per month, flat fee, plus expenses for services rendered to the Borough for the calendar year 2023. 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:
Legal- Other Expenses 3-01-20-155-001-201
-
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.

COUNCILMEMBER	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE	X		X			
BATCHA						X
BENZ		X	X			
CELENTANO			X			
CONTI			X			
NELSON			X			
		VOTE		5		
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES X	NO				

RESOLUTION NO. 2023-5

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPOINTING ROBERT OLIWA, OF THE FIRM OF OLIWA 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 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, 2023, and ending December 31, 2023. Robert S. Oliwa, CPA, RMA, shall be compensated \$ 25,400.00 for services rendered to the Borough for the calendar year 2023. 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: _____
Audit Services 3-01-20-135-001-200
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.

COUNCILMEMBER	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE	X		X			
BATCHA						X
BENZ		X	X			
CELENTANO			X			
CONTI			X			
NELSON			X			
		VOTE	5			
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES X	NO				

RESOLUTION 2023-6

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 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 MacDonald, 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 MacDonald, has the ability and expertise to perform the engineering services required by the Borough; and

WHEREAS, Mott MacDonald 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 MacDonald 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., CME- 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, CFM- Assistant Community Rating System Coordinator and Dune Inspector

Matthew Voelkel, P.E- Assistant Engineer

Robert Mainberger, P.E. Municipal Advisor

Dave Espejo, E.I.T. Engineer II - Municipal

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 MacDonald, is hereby appointed as Borough Engineer for the Borough of Mantoloking for a term of one (1) year, commencing January 1, 2023, and ending December 31, 2023. Lawrence Plevier, P.E., shall be compensated at the rate of \$168.00 Dollars per hour for services rendered to the Borough for the calendar year 2023. 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 Engineering-Other Expenses 3-01-20-165-001-202
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 MacDonald.

COUNCILMEMBER	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE	X		X			
BATCHA						X
BENZ		X	X			
CELENTANO			X			
CONTI			X			
NELSON			X			
		VOTE	5			
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES X	NO				

RESOLUTION NO. 2023-7

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, 2023, and ending December 31, 2023. Porzio, Bromberg and Newman P.C., shall be compensated at an hourly rate for principal and counsel \$395.00 and for associates and paralegals \$280.00 and \$165.00 for services rendered to the Borough for the calendar year 2023. 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: Legal Expenses- Special Counsel 3-01-20-155-001-203
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.

COUNCILMEMBER	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE	X		X			
BATCHA						X
BENZ		X	X			
CELENTANO			X			
CONTI			X			
NELSON			X			
		VOTE	5			
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES X	NO				

RESOLUTION NO. 2023-8

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, 2023, and ending December 31, 2023. 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 2023.
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.

COUNCILMEMBER	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE	X		X			
BATCHA						X
BENZ		X	X			
CELENTANO			X			
CONTI			X			
NELSON			X			
		VOTE	5			
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES X	NO				

RESOLUTION NO. 2023-9

**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, 2023, and ending December 31, 2023. Margarie M. Herlihy Esq. shall be compensated **\$400.00 per case** for services rendered to the Borough for the calendar year 2023. 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.

	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE	X		X			
BATCHA						X
BENZ		X	X			
CELENTANO			X			
CONTI			X			
NELSON			X			
		VOTE	5			
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES X	NO				

RESOLUTION NO. 2023-10

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING MISCELLANEOUS SUPPLY, SERVICE AND MAINTENANCE CONTRACTS FOR 2023

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.

SERVICE	PROVIDER	CONTRACT AMOUNT
Construction Official Computer Software	Mitchell Humphrey & Co.	\$2,480.00 Annual Maintenance Period February 1, 2023-January 31, 2024
Computer Software Main	Edmunds & Associates, Inc.	\$8,317.25 Annual- Software and Hardware maintenance contract
Financial Consultant	Phoenix Advisors	\$1,600.00 base fee (up to 3 outstanding issues, plus \$100.00 for each additional outstanding obligation, if filings are required. Set up fee \$450.00 discounted to \$200.00 if Phoenix Advisors serve as Municipal Advisor. \$250.00 for each event filing made under the Rule. \$250.00 for Each Notice of Redemption made in connection with outstanding term bond.

Animal Control Services	Muskrat Jack	\$300.00 per month
Police Physician- Psychological	Dr. Mark White	\$625.00 plus scoring fee \$80.00 for Patrol Officer or SELO II pre-employment psychological evaluation. If a prior evaluation was conducted by a licensed psychologist within a year prior to referral for a pre-employment/pre-promotional evaluation, a fee of \$400.00 plus a \$50.00 scoring fee. \$200.00 per hour for Supervisor-Imposed Fitness-for-Duty Referral

COUNCILMEMBER	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE	X		X			
BATCHA						X
BENZ		X	X			
CELENTANO			X			
CONTI			X			
NELSON			X			
		VOTE	5			
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES X	NO				

RESOLUTION NO. 2023-11

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPOINTING RECYCLING COORDINATOR JOY BRAGEN-EDLY

WHEREAS, the Borough of Mantoloking has a need for a Recycling Coordinator; and

WHEREAS, the Recycling Coordinator is responsible for filing all required reports to Ocean County Department of Solid Waste and the New Jersey Department of Environmental Protection and keeping the Borough current on all changes effecting the Ocean County Recycling Programs and New Jersey State requirements; and

WHEREAS, Joy Bragen-Edly is qualified to provide Recycling Coordinator service to the Borough.

WHEREAS, the fee for this service is \$2,000.00 per year to be paid quarterly.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Mantoloking, County of Ocean, ,State of New Jersey that Joy Bragen-Edly is hereby appointed Recycling Coordinator for a term of one year, term expiring 12/31/2023.

COUNCILMEMBER	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE	X		X			
BATCHA						X
BENZ		X	X			
CELENTANO			X			
CONTI			X			
NELSON			X			
		VOTE	5			
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES X	NO				

RESOLUTION NO. 2023-12

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 STOCKTON UNIVERSITY COASTAL RESEARCH CENTER

WHEREAS, the Borough of Mantoloking is in receipt of a proposal from the Stockton University Coastal Research Center for the continuance of work for the Borough monitoring the shoreline and for the appointment of Crist Robine 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

COUNCILMEMBER	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE	X		X			
BATCHA						X
BENZ		X	X			
CELENTANO			X			
CONTI			X			
NELSON			X			
		VOTE	5			
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES X	NO				

RESOLUTION NO. 2023-13

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE APPOINTMENT OF APRIL YEZZI 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 April Yezzi to as Public Agency Compliance Officer and shall serve without compensation for a period commencing January 1, 2023 through December 31, 2023.

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.

COUNCILMEMBER	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE	X		X			
BATCHA						X
BENZ		X	X			
CELENTANO			X			
CONTI			X			
NELSON			X			
		VOTE	5			
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES X	NO				

RESOLUTION NO. 2023-14

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 **Brett Radi** as Alternate to the New Jersey Intergovernmental Insurance Fund.

COUNCILMEMBER	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE	X		X			
BATCHA						X
BENZ		X	X			
CELENTANO			X			
CONTI			X			
NELSON			X			
		VOTE	5			
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES X	NO				

RESOLUTION NO. 2023-15

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, 2023 through December 31, 2023.

COUNCILMEMBER	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE	X		X			
BATCHA						X
BENZ		X	X			
CELENTANO			X			
CONTI			X			
NELSON			X			
		VOTE	5			
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES X	NO				

RESOLUTION NO. 2023-16

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE FOLLOWING APPOINTMENT FOR 2023

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, 2023:

Assessment Search Officer
Tax Search Officer
1 year

1 year
April Yezzi

Beverley Konopada

COUNCILMEMBER	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE	X		X			
BATCHA						X
BENZ		X	X			
CELENTANO			X			
CONTI			X			
NELSON			X			
		VOTE	5			
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES X	NO				

RESOLUTION NO. 2023-17

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE 2023 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 2023.

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.

COUNCILMEMBER	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE	X		X			
BATCHA						X
BENZ		X	X			
CELENTANO			X			
CONTI			X			
NELSON			X			
		VOTE	5			
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES 5	NO				

RESOLUTION NO. 2023-18

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE APPOINTMENT OF 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 2023 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 2023.
3. That a certified copy of this Resolution be forwarded to the Ocean County Board of Taxation with any such Petition of Appeal.

COUNCILMEMBER	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE	X		X			
BATCHA						X
BENZ		X	X			
CELENTANO			X			
CONTI			X			
NELSON			X			
		VOTE	5			
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES X	NO				

RESOLUTION NO. 2023-19

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, NAMING OFFICIAL DEPOSITORIES FOR 2023

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 3rd day of January, 2023, by the governing body 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 2023.

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).

COUNCILMEMBER	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE	X		X			
BATCHA						X
BENZ		X	X			
CELENTANO			X			
CONTI			X			
NELSON			X			
		VOTE	5			
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES X	NO				

RESOLUTION 2023-20

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, ESTABLISHING THE BOROUGH OF MANTOLOKING HOLIDAY SCHEDULE FOR 2023

BE IT RESOLVED, by the Governing Body of the Borough of Mantoloking that:

The calendar of holidays for the year 2023 be adopted as follows:

New Year's Day	Monday	January 2, 2023
Martin Luther King Day	Monday	January 16, 2023
President's Day	Monday	February 20, 2023
Good Friday	Friday	April 7, 2023
Memorial Day	Monday	May 29, 2023
Independence Day	Tuesday	July 4, 2023
Labor Day	Monday	September 4, 2023
Columbus Day	Monday	October 9, 2023
Election Day	Tuesday	November 7, 2023
Veteran's Day	Friday	November 10, 2023
Thanksgiving Day	Thursday	November 23, 2023
Post-Thanksgiving Day	Friday	November 24, 2023
Christmas Day	Monday	December 25, 2023
Post - Christmas Day	Tuesday	December 26, 2023

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

COUNCILMEMBER	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE	X		X			
BATCHA						X
BENZ		X	X			
CELENTANO			X			
CONTI			X			
NELSON			X			
		VOTE	5			
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES X	NO				

RESOLUTION 2023-21

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY,

ESTABLISHING THE BOROUGH COUNCIL MEETING DATES FOR 2023 AND REORGANIZATION MEETING FOR 2024

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 2023 and Reorganization Meeting 2024 are as follows:

Mantoloking Borough Hall
Steve Gillingham Meeting Room
202 Downer Avenue
Mantoloking, NJ 08738
5:30 p.m.

Tuesday, January 17, 2023

Tuesday, February 21, 2023

Tuesday, March 21, 2023

Tuesday, April 18, 2023

Tuesday, May 16, 2023

Tuesday, June 20, 2023

Tuesday, July 18, 2023

Tuesday, August 15, 2023

Tuesday, September 19, 2023

Tuesday, October 17, 2023

Monday, November 13, 2023 (Due to NJ League of Municipality Conference)

Tuesday, December 19, 2023

REORGANIZATION MEETING 2024

Tuesday, January 2, 2024

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

COUNCILMEMBER	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE	X		X			
BATCHA						X
BENZ		X	X			
CELENTANO			X			
CONTI			X			
NELSON			X			
		VOTE	5			
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES X	NO				

RESOLUTION NO. 2023-22

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, SETTING THE TEMPORARY BUDGET FOR THE 2023 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 2023 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, 2023; and

WHEREAS, the total appropriations in the 2022 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance, is the sum of \$5,558,955.00; and

WHEREAS, 26.25% of the total appropriations in 2022 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2021 budget is the sum of \$1,459,226.00;

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 – 2023

	<u>SALARY & WAGES</u>	<u>OTHER EXPENSES</u>
Municipal Clerk	\$ 40,000.00	\$15,000.00
Business Administration	20,000.00	2,500.00
Finance	40,000.00	15,000.00
Audit		5,000.00
Tax Collector	750.00	1,000.00
Computer Technology		10,000.00
Tax Assessor	5,000.00	1,000.00
Legal		30,000.00
Engineering		15,000.00
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	

Sub-code Electrical	3,500.00
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Liability Insurance		75,000.00
Workmens' Comp Ins		50,000.00
Group Health Ins		60,000.00
Police	185,500.00	35,000.00
Emergency Management	1,000.00	2,000.00
Uniform Fire Safety	3,000.00	

**SALARY
&
WAGES**

**OTHER
EXPENSES**

Municipal Prosecutor		1,000.00
Road Repairs	65,000.00	7,500.00
Garbage		36,648.00
Buildings & Grounds		15,000.00
Sewer System		2,500.00
Dog		2,500.00
Shared Services – Info Tech		3,000.00
Beach Maintenance		15,000.00
Beach Access		5,000.00
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		40,000.00
PERS		115,427.00
Social Security		22,500.00
PFRS		407,433.00
DCRP		2,000.00
Court	10,000.00	1,000.00
Public Defender		1,000.00

TOTAL	\$425,750.00	\$ 1,032,508.00
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GRAND TOTAL		<u>\$ 1,458,258.00</u>
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COUNCILMEMBER	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE	X		X			
BATCHA						X
BENZ		X	X			
CELENTANO			X			
CONTI			X			
NELSON			X			
		VOTE	5			
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES X	NO				

RESOLUTION NO. 2023-23

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING DELINQUENT TAX COLLECTION - 2023

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.

COUNCILMEMBER	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE	X		X			
BATCHA						X
BENZ		X	X			
CELENTANO			X			
CONTI			X			
NELSON			X			
		VOTE	5			
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES X	NO				

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE ADOPTION OF A CASH MANAGEMENT PLAN - 2023

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 3rd day of January, 2023, **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:5-14 and 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.

COUNCILMEMBER	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE	X		X			
BATCHA						X
BENZ		X	X			
CELENTANO			X			
CONTI			X			
NELSON			X			
		VOTE	5			
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES X	NO				

RESOLUTION 2023-25

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE CANCELLATION OF TAX AND SEWER OVER PAYMENTS OR DELINQUENT AMOUNTS LESS THAN \$10.00 – 2023

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.

COUNCILMEMBER	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE	X		X			
BATCHA						X
BENZ		X	X			
CELENTANO			X			
CONTI			X			
NELSON			X			
		VOTE	5			
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES X	NO				

RESOLUTION NO. 2023-26**RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PAYMENT OF BILLS - 2023**

RESOLVED, that the payment of routine or recurring accounts allowing discounts or other payments in the year 2023 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.

COUNCILMEMBER	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE	X		X			
BATCHA						X
BENZ		X	X			
CELENTANO			X			
CONTI			X			
NELSON			X			
		VOTE	5			
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES X	NO				

RESOLUTION NO. 2023-27**RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, IN SUPPORT OF POINT PLEASANT BEACH PROJECT GRADUATION AND PTO SENIOR SCHOLARSHIPS 2023 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 2023 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 2023 and PTO Scholarships.

IT IS NOW, THEREFORE, this 3rd day of January, 2023, **RESOLVED** by the Mayor and Council of the Borough of Mantoloking, Ocean County New Jersey, hereby supports Project Graduation 2023 and PTO Scholarships.

COUNCILMEMBER	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE	X		X			
BATCHA						X
BENZ		X	X			
CELENTANO			X			
CONTI			X			
NELSON			X			
		VOTE	5			
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES X	NO				

RESOLUTION NO. 2023-28

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE ADOPTION OF THE 2023 EMERGENCY PLANNING AND COMMUNITY RIGHT TO KNOW ACT COMMITTEE

BE IT RESOLVED that the following named persons are hereby appointed as members of the Borough of Mantoloking Emergency Planning and Community Right to Know Act Committee for the year 2023. The Coordinator is appointed for a term of three (3) years. The Deputy Coordinator is appointed to a term of (3) years.

Robert S. McIntyre, Emergency Management Coordinator Term to Expire 12/31/2024
Stacy Ferris, Chief of Police, Deputy Emergency Management Coordinator Term to Expire 12/31/2024
Council President
Doug Nelson, Public Safety Chairman
Brett Radi, Borough Administrator
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 / Mantoloking Yacht Club 3
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.

COUNCILMEMBER	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE	X		X			
BATCHA						X
BENZ		X	X			
CELENTANO			X			
CONTI			X			
NELSON			X			
		VOTE	5			
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES X	NO				

RESOLUTION NO. 2023-29

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE APPROVAL OF THE 2023 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 3rd day of January, 2023, **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, 2023 through December 31, 2023, 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.

COUNCILMEMBER	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE	X		X			
BATCHA						X
BENZ		X	X			
CELENTANO			X			
CONTI			X			
NELSON			X			
		VOTE	5			
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES X	NO				

RESOLUTION NO. 2023-30

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING 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 Administrator or Borough Clerk; and
3. Chief Financial Officer or Councilman Anthony M. Amarante

IT IS NOW, THEREFORE, this 3rd day of January, 2023, **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).

COUNCILMEMBER	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE	X		X			
BATCHA						X
BENZ		X	X			
CELENTANO			X			
CONTI			X			
NELSON			X			
		VOTE	5			
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES X	NO				

RESOLUTION NO. 2023-31

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE ADOPTION OF THE APPROPRIATION RESERVE TRANSFER #1

WHEREAS, N.J.S.A. 40A: 4-59 provides that in the first 3 months of the fiscal year, the amount of any appropriation reserve for the immediately preceding fiscal year is insufficient to pay the claims authorized or incurred during said preceding year which were chargeable to said appropriation, and there shall be an excess in any appropriation reserves over and above the amount deemed to be necessary to fulfill its purpose, the governing body may, by resolution adopted by not less than a 2/3 vote of the full membership thereof, transfer the amount of such excess to an appropriation reserve or an appropriation in the prior budget deemed to be insufficient to fulfill its purpose or for which no reserve was provided.

WHEREAS, the Chief Financial Officer has advised the Mayor and Council of the Borough of Mantoloking that the need for certain transfers within the 2022 Appropriation Reserves exists; and

WHEREAS, it is recommended that these appropriation reserve transfers be made;

NOW, THEREFORE BE IT RESOLVED by the governing body of the Borough of Mantoloking that the following budget transfers be made for the 2022 Appropriation Reserve balances:

<u>DEPARTMENT</u>	<u>TO</u>	<u>FROM</u>
Roads OE		\$ 8,000.00
Buildings and Grounds OE	\$ 8,000.00	
TOTAL	\$ 8,000.00	\$ 8,000.00

COUNCILMEMBER	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
AMARANTE	X		X			
BATCHA						X
BENZ		X	X			
CELENTANO			X			
CONTI			X			
NELSON			X			
		VOTE	X			
MAYOR WHITE-TIE BREAKER						
CONSENT AGENDA	YES X	NO				

MAYOR , COUNCIL AND ADMINISTRATOR COMMENTS

Mayor White noted that he finds the reorganization meeting to be exciting. A new year with new council members. He thanked everybody for serving and further noted that this job requires a lot of work and is very important for the town.

Borough Administrator, Brett Radi wished everyone a happy healthy New Year.

PUBLIC COMMENT – No comments were made.

NEXT MEETING Tuesday, January 17, 2023 at 5:30 p.m. in the Steve Gillingham Meeting Room

ADJOURNMENT

There being no further business for the meeting, it was motioned by Councilwoman Benz seconded by Councilman Nelson and approved by voice vote at 5:45 P.M to adjourn the meeting.

Respectfully submitted,

Beverley A. Konopada
Borough Clerk