

DRAFT NO.1–2/25/2021

THE BOROUGH OF MANTOLOKING
MAYOR AND COUNCIL
MARCH 16, 2021

AGENDA – CAUCUS AND REGULAR BUSINESS MEETING
MANTOLOKING ZOOM MEETING- 5:30 P.M.

Click on the link below, copy and paste the link into your web browser or go directly to the zoom website at <https://zoom.us/> and download to your computer. You will be asked to enter the Meeting ID # and passcode provided below.

Join Zoom Meeting

<https://us02web.zoom.us/j/82382888497?pwd=THRHK2c2M2JhOWMzeXNkS3RwTjBkUT09>

Meeting ID: 823 8288 8497

Passcode: 024162

Call In Phone Numbers:

1- 646-558- 8656 US (New York)

Meeting ID: 823 8288 8497, **Passcode:** 024162

1- 301-715- 8592 US (Washington D.C)

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1- 669-900- 9128 US (San Jose)

1- 253-215- 8782 US (Tacoma)

1- 346-248- 7799 US (Houston)

One tap mobile

+16465588656,,82382888497#,,, *024162# US (New York)

+13017158592,,82382888497#,,, *024162# US (Washington D.C)

CAUCUS MEETING

CALL TO ORDER:

OPEN PUBLIC MEETING STATEMENT: Mayor E. Laurence White will 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.

ROLL CALL:

A. REVIEW OF REGULAR MEETING AGENDA

B. BOROUGH COUNCIL DISCUSSION ITEMS FOR NEXT MONTHS AGENDA.

1. Repeal of Senate Bill No. 3454- Marijuana Legalization Amendment
2. Chapter 3 Police Regulations- cannabis and alcoholic beverages

Administration & Legal Committee- Councilwoman O’Mealia, Councilman Gillingham, Councilman Batcha

Finance Committee - Councilman Amarante and Councilman Gillingham

Land Use Committee- Councilman Nelson and Councilman Batcha

Public Safety Committee – Councilman Gillingham and Councilwoman O’Mealia

Public Works Committee- Councilman Amarante and Councilman Nelson

Recreation Committee-Councilman Batcha, Councilwoman O’Mealia, Councilman Amarante

C. PUBLIC COMMENT PERIOD- State your name and address for the record. Once you have finished speaking, please place your phone or computer audio on mute.

ADJOURN CAUCUS MEETING:

MOTION: _____

SECOND: _____

ALL IN FAVOR: _____

REGULAR BUSINESS MEETING

1. CALL TO ORDER:

2. OPEN PUBLIC MEETING STATEMENT: Mayor White will 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:

4. PLEDGE OF ALLEGIANCE: Mayor White will lead the assembly in the Pledge of Allegiance.

5. RESOLUTION NO. 2021-54

RESOLUTION: MINUTES OF PREVIOUS MEETINGS

Caucus/Regular Business Meeting- February 16, 2021

RESOLVED, the Mantoloking Borough Council approves the minutes as distributed.

ROLL CALL VOTE RESOLUTION 2021-54

6. PRIVILEGE OF THE FLOOR: Mayor White will open the meeting for public comment and questions about the agenda. State your name and address for the record. Once you have finished speaking, please place your phone or computer audio on mute.

7 . FINANCE COMMITTEE (Budget, Grants, Reports, FEMA)- Chairman Amarante will present the monthly reports.

RESOLUTION NO. 2021-55

RESOLUTION THE REPORT OF THE MUNICIPAL FINANCE OFFICER

SEE ATTACHED REPORT

RESOLUTION NO. 2021-56

RESOLUTION: PAYMENT OF BILLS

WHEREAS, the municipal finance officer has presented

- A list of bills in the amount of \$192,575.29 with the recommendation they be paid, and
- A list of bills in the amount of \$169,792.811 that have been paid with the approval of the municipal clerk and the mayor, now, therefore, be it

RESOLVED, the council approves the payment of all the bills and directs that a copy of these lists be attached to and made part of the minutes of this meeting.

RESOLUTION NO. 2021-57

RESOLUTION TO ADOPT TEMPORARY EMERGENCY APPROPRIATIONS #2

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

WHEREAS, the total emergency temporary resolutions adopted in the year 2021 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A: 4-20) including this resolution total \$687,800.00.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Mantoloking, that in accordance with the provisions of N.J.S.A. 40A: 4-20, the Chief Financial Officer be authorized to make the following emergency temporary budget appropriations in the 2021 current fund temporary budget and that said amounts be included under the correct headings in the municipal budget as adopted.

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

<u>DEPARTMENT</u>	<u>S&W</u>	<u>OE</u>
Municipal Clerk	\$25,000.00	\$ 5,000.00
Finance	\$25,000.00	
Audting		\$ 7,500.00
Legal		\$ 15,000.00
Planning	\$ 1,200.00	

Insurance-Group Health		\$ 60,000.00
Police	\$90,000.00	\$ 10,000.00
Road Repair	\$20,000.00	\$ 5,000.00
Garbage		\$ 30,000.00
Buildings & Grounds		\$ 5,000.00
Sewer Systems		\$ 3,000.00
Beach Access	\$ 1,500.00	\$ 2,000.00
Beach Maintenance		\$ 10,000.00
Telephone		\$ 3,000.00
Electricity		\$ 2,000.00
Fire Hydrant		\$ 3,000.00
Natural Gas		\$ 1,500.00
Social Security		\$ 20,000.00
TOTAL	\$ 162,700.00	\$182,000.00
GRAND TOTAL	\$ 344,700.00	

ROLL CALL VOTE RESOLUTIONS 2021-55– 2021-57

INTRODUCTION TO ORDINANCE NO. 718

AN ORDINANCE OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING THE BOROUGH CODE OF THE BOROUGH OF MANTOLOKING, SO AS TO AMEND CHAPTER 20, ENTITLED “SEWERS” SO AS TO UPDATE SEWER FEES

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Mantoloking, County of Ocean, and State of New Jersey, as follows:

SECTION 1. Section 20-3 of Chapter 20 of the Borough Code of the Borough of Mantoloking, entitled, “Sewers” is hereby amended and supplemented so as to read in its entirety as follows:

20-2.3 Connection Fees and Costs.

- a. All costs shall be borne by the owner of the premises served.
- b. The fee for connecting to the sanitary sewerage system shall be **one hundred (\$100.00)** dollars. This fee includes the fee for inspection of this connection.

SECTION 2. Section 20-5 of Chapter 20 of the Borough Code of the Borough of Mantoloking, entitled, “Sewers” is hereby amended and supplemented so as to read in its entirety as follows:

20-2.5 User Rates and Charges.

- a. All owners of improved premises subject to connection and who have not connected and paid shall pay a pro rated annual sewer charge. The pro rated charge shall be due and payable from the expiration of the six (6) month period and shall be paid in full not later than seven (7) months from the announcement of availability of connection.
- b.1. There are hereby established the following annual rates and charges to be imposed by the Borough for the

use and service of the sanitary sewerage system:

The minimum charge per unit shall be **two hundred sixty dollars and seventy-one cents (\$260.71)** annually. In addition to the minimum charge each user shall pay a fee of **\$15.53 (fifteen dollars and fifty-three cents)** per fixture for all fixtures over four (4) exclusive of the laundry facility and one (1) dishwasher.

2. The annual sewer charge based on the type of property shall be as follows: ("X" indicates one (1) unit)

	Annual <u>Rental Charge</u>
(a) Single-family dwelling, apartment unit, (an apartment unit will be deemed any living unit having cooking facilities)	1X
(b) Commercial Establishments-Retail stores	1X
(c) Churches	1X
(d) Yacht Clubs	1.5

3. In addition to the foregoing charges, any user who discharges toxic pollutants into the system which causes increased operations and maintenance costs shall be responsible for such increased operation and maintenance costs.

c. Each user shall be provided with an annual statement of the sewer charges. The annual sewer charges shall be due and payable on May 1st of each year and shall become delinquent unless paid on or before the expiration of the grace period allowed for payment of third quarter property taxes. Failure to timely pay the sewer charges will expose the property to a municipal lien sale. Delinquent sewer accounts shall accrue interest at the rate of twelve (12%) percent per annum.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5. This ordinance shall take effect after second reading and publication as required by law.

ROLL CALL VOTE ORDINANCE NO. 718

RESOLUTION NO. 2021-59
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.
- 2.

<u>SERVICE</u>	<u>PROVIDER</u>	<u>CONTRACT AMOUNT</u>
Police Physician- Psychological	Dr. Mark White	- \$575.00 plus scoring fees \$70.00 - If prior evaluation within a year prior to referral, \$375.00 fee plus \$50 scoring fee - \$200.00 per hour for Supervisor-Imposed Fitness-for-Duty Referral

ROLL CALL VOTE RESOLUTIONS 2021-58 – 2021-59

9. **LAND USE COMMITTEE (Building, Zoning, Land Use Board, Flooding)-** Chairman Nelson will present the monthly reports.

RESOLUTION NO. 2021-60

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY RESCINDING 2020-08 AND PERMITTING RENTALS FOR TERMS OF ONE WEEK OR MORE

WHEREAS, in April of 2020, and in accordance with the April 4, 2020, Administrative Order 2020-08 issued by Colonel Patrick J. Callahan, State Director of Emergency Management the Borough of Mantoloking temporarily prohibited all transient and seasonal rental of hotels, motels, guest houses and residential homes or parts thereof within the Borough of Mantoloking, until the State of Emergency is lifted by the Governor of the State of New Jersey; and

WHEREAS, although the State of Emergency continues, the Borough Council wishes to rescind 2020-08 in order to permit some rentals of residential homes or parts thereof within the Borough of Mantoloking; and

WHEREAS, the Borough Council wishes to permit the transient and seasonal rental of hotels, motels, guest houses and residential homes or parts thereof for periods of one week or more within the Borough of Mantoloking.

IT IS THEREFORE RESOLVED, by the Borough Council of the Borough of Mantoloking as follows:

1. That Resolution 2020-08 which temporarily prohibited all transient and seasonal rental of hotels, motels, guest houses and residential homes or parts thereof within the Borough of Mantoloking, is hereby rescinded.
2. That the transient and seasonal rental of hotels, motels, guest houses and residential homes or parts thereof within the Borough of Mantoloking shall hereby be permitted for rental terms of one week or more.
3. That this Resolution shall be forwarded to the Chief of Police and the OEM Coordinator, Robert McIntyre.

ROLL CALL VOTE RESOLUTIONS 2021-60

INTRODUCTION OF ORDINANCE NO. 719

AN ORDINANCE OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE BOROUGH CODE OF THE BOROUGH OF MANTOLOKING, SO AS TO AMEND CHAPTER 30 ENTITLED “LAND USE REGULATIONS.”

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Mantoloking, County of Ocean, and State of New Jersey, as follows:

SECTION 1. The Municipal Code of the Borough of Mantoloking is hereby amended and supplemented so as to amend Chapter 30, entitled “Land Use Regulations,” so as to amend § 30-2.2, entitled “Definitions; word usage” to amend the definition for Accessory Detached Building so that it shall read as follows:

ACCESSORY DETACHED BUILDING

A building or structure subordinate to and customarily incidental to the principal building or structure on the same lot. Where an accessory building is attached to the principal building, the accessory building shall be considered a part of the principal building. The detached structure may not become attached to the principal dwelling unless it conforms to the principal building setbacks and coverage requirements. Accessory buildings in “V” zone areas as defined on the Borough’s Flood Insurance Rate Map (FIRM), with the exception of garages, may be constructed below the Base Flood Elevation provided that they meet FEMA Technical Bulletin 5(2020), or the latest amended or revised version. Garages shall also be defined as accessory structures and when constructed in a “V” zone, shall comply with guidelines established in FEMA Technical Bulletin 9-08, or the latest amended or revised version.

SECTION 2. The Municipal Code of the Borough of Mantoloking is hereby amended and supplemented so as to amend Chapter 30, entitled “Land Use,” so as to amend § 30-4.9, entitled “Decks” to add subsection j. which shall read as follows:

- j.** An as-built plan, prepared by a professional land surveyor licensed in the State of New Jersey, shall be submitted to the Land Use Officer to verify that the approved deck, including at-grade decks and decks over eight (8) inches above grade, was constructed in accordance with the approved deck permit, and the as-built plan shall provide an updated zoning schedule to demonstrate compliance with all applicable bulk standards for coverage.

SECTION 3. The Municipal Code of the Borough of Mantoloking is hereby amended and supplemented so as to amend Chapter 30, entitled “Land Use,” so as to amend § 30-4.10, entitled “Swimming Pools” to add subsection m. which shall read as follows:

- m.** Swimming pools shall not be considered an accessory structure under the Land Use Regulations of the Borough of Mantoloking.

SECTION 4. The Municipal Code of the Borough of Mantoloking is hereby amended and supplemented so as to amend Chapter 30, entitled “Land Use,” so as to amend § 30-4.19, entitled “Hardscaping” to add subsection d. which shall read as follows:

- d.** An as-built plan, prepared by a professional land surveyor licensed in the State of New Jersey, shall be submitted to the Land Use Officer to verify that the approved hardscaping was constructed in accordance with the approved hardscape permit, and the as-built plan shall provide an updated zoning schedule to demonstrate compliance with all applicable bulk standards for coverage.

SECTION 5. The Municipal Code of the Borough of Mantoloking is hereby amended and supplemented so as to amend Chapter 30, entitled “Land Use,” so as to amend § 30-5.3, entitled “Application Procedure” to add subsection f. which shall read as follows:

- f.** At the time of application, the Planning/Zoning Board secretary will provide a copy of all site plan and/or subdivision application documents to the Mantoloking Borough Environmental Commission for review.

SECTION 6. The Municipal Code of the Borough of Mantoloking is hereby amended and supplemented so as to amend Chapter 30, entitled “Land Use,” so as to amend § 30-6.11 entitled “Accessory Uses and Accessory Structures” so as to amend subsection a. entitled “Accessory Use” so as to delete subsections 5 and 9 in their entirety and replace with “Reserved” as follows:

- 5. Reserved

9. Reserved.

SECTION 7. The Municipal Code of the Borough of Mantoloking is hereby amended and supplemented so as to amend Chapter 30, entitled “Land Use,” so as to amend § 30-6.11 entitled “Accessory Uses and Accessory Structures” so as to amend subsection b. entitled “Accessory Structures” so as to amend subsections 3, 5, 6, 8, and 10 in their entirety so that they shall read as follows:

3. There may be only two (2) roofed accessory buildings on a given lot or on combined lots.

5. An attached garage may contain sanitary plumbing that conforms to the Flood Damage Prevention Code.

6. A detached accessory structure may not include sanitary plumbing facilities, i.e. toilets or urinals. It may contain sinks and/or showers that conform to the Flood Damage Prevention Code.

8. A boat lift and/or davit may be installed, maintained and utilized as a permitted accessory structure on developed waterfront lots except for developed lots with frontage on the North and South lagoons where only a single davit for personal watercraft may be installed, maintained and utilized. A boat lift and/or davit shall not be counted in the total for allowable accessory uses or accessory structures as described in § 30-6.11(b)3 above.

10. Accessory buildings in "V" zone areas as defined on the Borough's Flood Insurance Rate Map (FIRM), with the exception of garages, may be constructed below the Base Flood Elevation provided that they meet FEMA Technical Bulletin 5 (2020), or the latest amended or revised version. Garages shall also be defined as accessory structures and when constructed in a "V" zone, shall comply with guidelines established in FEMA Technical Bulletin 9-08, or the latest amended or revised version.

SECTION 8. The Municipal Code of the Borough of Mantoloking is hereby amended and supplemented so as to amend Chapter 30, entitled “Land Use,” so as to amend § 30-6.11 entitled “Accessory Uses and Accessory Structures” so as to amend subsection b. entitled “Accessory Structures” so as to delete subsection 11 in its entirety.

SECTION 9. The Municipal Code of the Borough of Mantoloking is hereby amended and supplemented so as to amend Chapter 30, entitled “Land Use,” so as to amend § 30-6.12 entitled “Building Height and Roofs” so as to amend subsection d. in its entirety so that it shall read as follows:

d. The roof structure shall consist of rafters with a uniform slope and which bear directly on the ceiling joists of the story below the roof, with the exception of gambrel roofs, which shall be permitted. The pitch of the structure's principal roof shall be not less than six on twelve (6 on 12).

SECTION 10. The Municipal Code of the Borough of Mantoloking is hereby amended and supplemented so as to amend Chapter 30, entitled “Land Use,” so as to amend § 30-6.13 entitled “Fences” so as to amend subsections j. and k. in their entirety so that they shall read as follows:

j. No owner shall replace any existing fence without first obtaining a fence permit from the Land Use Officer. Prior to permit closeout, a final field inspection will be performed by the Land Use Officer to verify that the new fencing was constructed in accordance with the approved fence permit.

k. No owner may replace more than sixteen (16) linear feet of an existing fence in a consecutive 12 month period, unless the fence's height complies with the provisions of this subsection. An owner may replace

sixteen (16) linear feet or less of an existing fence in a consecutive 12 month period at the same height of the existing fence, even if the height does not comply with the provisions of this subsection.

SECTION 11. The Municipal Code of the Borough of Mantoloking is hereby amended and supplemented so as to amend Chapter 30, entitled “Land Use,” so as to amend § 30-6 entitled “Zoning Provisions” so as to add subsection § 30-6.18 which shall be entitled “Prohibited Uses” and which shall read as follows:

- A. Cannabis Establishments. All classes of cannabis establishments, including cannabis cultivators, cannabis manufacturers, cannabis wholesalers, cannabis distributors and cannabis retailers are hereby prohibited from operating in the Borough of Mantoloking. This prohibition shall not apply to the delivery of cannabis items and supplies by a licensed cannabis delivery service.
- B. Reserved

SECTION 12. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 13. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 14. This ordinance shall take effect after second reading and publication as required by law.

ROLL CALL VOTE ORDINANCE NO. 719

INTRODUCTION OF ORDINANCE NO. 720

AN ORDINANCE OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE BOROUGH CODE OF THE BOROUGH OF MANTOLOKING, SO AS TO AMEND CHAPTER 30 ENTITLED “LAND USE REGULATIONS.”

SEE ATTACHED ORDINANCE

ROLL CALL VOTE ORDINANCE NO. 720

PUBLIC HEARING – Mayor White will open the floor for comments on Ordinance No. 715.

ADOPTION OF ORDINANCE NO. 715

AN ORDINANCE OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING THE BOROUGH CODE OF THE BOROUGH OF MANTOLOKING, SO AS TO AMEND CHAPTER 18, ENTITLED “STORMWATER MANAGEMENT AND CONTROL”

SEE ATTACHED ORDINANCE

ROLL CALL VOTE ORDINANCE NO. 715

10. **PUBLIC WORKS COMMITTEE (Public Works, Engineering, Code Enforcement)**- Chairman Amarante will present the monthly reports

RESOLUTION NO. 2021-61

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANTOLOKING REQUESTING A SIX-MONTH EXTENSION OF TIME FOR THE AWARD OF A CONSTRUCTION CONTRACT FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE FISCAL YEAR 2019 MUNICIPAL AID GRANT FOR THE BARNEGAT LANE FLOOD MITIGATION PROJECT

WHEREAS, the State of New Jersey Department of Transportation (“NJDOT”), through the Fiscal Year 2019 Municipal Aid Fund, has allotted a construction grant to the Borough in the amount of \$395,000 for the Barnegat Lane Flood Mitigation Project (“Project”); and

WHEREAS, the Borough previously entered into an agreement with the NJDOT stipulating the terms and conditions pertaining to the availability of funds;

WHEREAS, the NJDOT FY 2019 Municipal Aid agreement stipulated that a construction contract for the Project must be awarded by March 25, 2021; and

WHEREAS, on March 9, 2020, Governor Murphy declared a Public Health Emergency and State of Emergency due to COVID-19 in Executive Order 120; and

WHEREAS, Borough resources were directed toward essential services, which delayed project planning and design phases; and

WHEREAS, the preparation of contract documents and advertisement of same was impacted due to the pandemic and the need to work remotely for compliance with social distancing requirements; and

WHEREAS, the Borough is in need of time to complete these documents in order to bid the Project; and

WHEREAS, the anticipated construction phase for the Project should be completed after the summer season due to the substantial increase in local populations, pedestrian and bicycle activity, and vehicular traffic volumes in the summer months especially on a residential collector roadway for both the Borough of Mantoloking and the Borough of Bay Head; and

WHEREAS, the Borough wishes to request a six (6) month extension of time from March 25, 2021 to September 25, 2021 for the award of the Barnegat Lane Flood Mitigation project.

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. The Mayor and Borough Council request a six (6) month extension of time from March 25, 2021 to September 25, 2021 for the award of a construction contract for the Barnegat Lane Flood Mitigation project, which is partially funded through the NJDOT Fiscal Year 2019 Municipal Aid Fund.
2. Such an extension of time request is made in accordance with the terms of the previous agreement with the NJDOT.
3. That a certified copy of this resolution shall be transmitted to Laine Rankin, NJDOT Director of Local Aid and Economic Development for approval, and concurrent approval by the Commissioner of the Department of Transportation.

ROLL CALL VOTE RESOLUTION 2021- 61

11. **ADMINISTRATION & LEGAL COMMITTEE** (Administration, Personnel and Law, Insurance, Technology)- Chairwoman O’Mealia will present the monthly reports.

RESOLUTION NO. 2021-62

RESOLUTION OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF MANTOLOKING AND TOWNSHIP OF FREEHOLD FOR INFORMATION TECHNOLOGY SERVICES

WHEREAS, the Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 *et seq.*, authorizes the Borough of Mantoloking to enter into a contract for the provision of certain governmental services with the Township of Freehold; and

WHEREAS, N.J.S.A. 40A:65-5 requires that such a contract be authorized by resolution; and

WHEREAS, the Borough of Mantoloking and the Township of Freehold desire to formally join together and share the Township’s information technology services; and

WHEREAS, the Township of Freehold has the skill and ability to provide information technology services for the Borough of Mantoloking; and

WHEREAS, it is the desire of the governing body to authorize the execution of a Shared Services Agreement with the Township of Freehold for Information Technology Services.

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 governing body does hereby authorize the execution of a Shared Services Agreement with the Township of Freehold, in accordance with the terms of said agreement attached hereto and made a part hereof as Schedule A. The form of said agreement is subject to the approval of the Borough Attorney.
2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to the Shared Services Agreement, and any other documents necessary to effectuate the terms of this resolution.
3. That a copy of the agreement referenced herein shall be kept on file and made available for public inspection at the Borough Clerk’s Office during normal business hours.
4. That a certified copy of this resolution, together with a copy of the agreement, shall be forwarded to the Township Administrator of the Township of Freehold.

ROLL CALL VOTE RESOLUTION 2021-62

PUBLIC HEARING – Mayor White will open the floor for comments on Ordinance No. 716.

ADOPTION OF ORDINANCE NO. 716

AN ORDINANCE OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING THE BOROUGH CODE OF THE BOROUGH OF MANTOLOKING, SO AS TO AMEND CHAPTER 2, ENTITLED “ADMINISTRATION”

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Mantoloking, County of Ocean, and State of New Jersey, as follows:

SECTION 1. Section 2-17 of the Borough Code of the Borough of

Mantoloking, entitled “Borough Administrator (Part-Time)” is hereby created and shall read in its entirety as follows:

§2-17 Borough Administrator (Part-Time).

§2-17.1 Purpose.

The responsibilities and operations of local government are complex due to the ever-increasing rules and regulations set forth by various state and federal agencies. The position of Borough Administrator (Part-Time) is hereby created to provide assistance to elected officials and Borough staff by facilitating the proper administration of the affairs of the municipality while preserving the character and culture specific to the Borough of Mantoloking. A Borough Administrator will provide structured managerial support to enhanced continuity of operations to mitigate the potential disruption occasioned by the turnover of elected officials. The appointment of a Borough Administrator will improve Borough operations, processes and services by serving as a liaison to better facilitate communication and cooperation among Departments, Mayor and Council. The duties and responsibilities of the Borough Administrator shall relate to the general management of all Borough business, except those duties and responsibilities conferred upon other Borough officials by applicable laws, rules and regulations, judicial authority, or Borough ordinance.

§2-17.2 Creation.

The office of Borough Administrator (Part-Time) is hereby created pursuant to N.J.S.A. 40A:9-136 within the Borough of Mantoloking, County of Ocean, State of New Jersey.

§2-17.3 Appointment.

The Borough Administrator shall be appointed by the Mayor with the advice and consent of Borough Council.

§2-17.4 Term of Office.

The Borough Administrator shall serve at the pleasure of the governing body, pursuant to N.J.S.A. 40A:9-137.

§2-17.5 Compensation.

The Borough Administrator shall receive compensation as provided in the Salary Ordinance.

§2-17.6 Duties.

The duties of the Borough Administrator shall be as follows:

- 1) Improving communications among the various Borough personnel, departments, professionals, boards, and the governing body.
- 2) Integrating and facilitating the functions of all departments, boards, professionals, offices and elected and appointed officials so as to provide a key link for day-to-day operations and allowing department heads to focus on their areas of expertise.

- 3) Consulting with the Mayor and Council and staff to establish goals and objectives for the Borough as a whole as well as Borough personnel to be reviewed on an annual basis with special emphasis on critical problems and any deterrents to the achievement thereof.
- 4) Implementing the policies, priorities and directives of the governing body and providing information and analysis to the Mayor and Council in connection with their policy development.
- 5) Assisting the governing body in translating its vision and goals into action plans by monitoring accomplishment of projects/initiatives and assisting in expediting as appropriate.
- 6) Coordinating the fulfillment of the objectives as set forth recommended in the Borough's strategic plan with the budget and with long range planning.
- 7) Recommending process improvement initiatives to the Mayor and Council to enhance organizational productivity and implementing such process(es) as directed.
- 8) Providing municipal government orientation and training for newly elected officials.
- 9) Assisting the Municipal Clerk, Mayor and Council in preparation of Council Meeting agendas.
- 10) Attending all council meetings and other meetings as may be directed by the governing body.
- 11) Keeping the governing body informed as to the conduct of the Borough affairs; submit periodic reports, either in writing or orally as deemed advisable or as the governing body shall request.
- 12) Establishing clear expectations, providing clarity around roles, and ensuring transparent communication throughout the organization including keeping employees informed of Borough activities that affect them and involve employees in the identification and solution of problems facing the Borough.
- 13) Under the direction of the Mayor and Council, encouraging regional cooperation with other municipalities and government agencies.
- 14) Ensuring the Borough has effective community outreach and public relations including all appropriate and effective technology.
- 15) Advising Borough department heads on a full range of organizational, management, administrative, technological, budget, and financial policies and related issues.
- 16) Advising Mayor and Council and department heads in the recruitment, hiring, discipline and evaluation systems of employees and all matters of personnel administration including facilitating development of formalized job descriptions for appropriate positions.

- 17) Serving as the personnel officer of the Borough and maintaining personnel files as required by law.
- 18) Assisting the Chief Financial Officer, Finance Committee and Mayor and Council in the preparation, review, and adoption of the temporary budget, annual capital, and operating budgets.
- 19) Administering, in conjunction with the Chief Financial Officer and department heads, the adopted budget, including maintenance of a continuing review and analysis of the budget operation, work progress and costs of municipal services; and assessing the attainment of budget and service goals and reporting the same regularly to the Mayor and Council.
- 20) Ensuring that the provisions of all contracts, franchises, leases, permits and privileges granted by the Borough are complied with and providing periodic reports of said compliance upon request.
- 21) Negotiating, researching, recommending, and implementing contracts, in conjunction with the appropriate department head(s), for the Borough upon request of the governing body and subject to the approval of the governing body
- 22) Researching, recommending and implementing funding grants from various sources for the improvement and development of Borough capital projects and needs as well as for services to the Borough and its residents.
- 23) Perform such other functions and duties as may from time to time be assigned by ordinance, resolution or direction of the Mayor and Council, consistent with the laws of the State of New Jersey.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

ROLL CALL VOTE ORDINANCE NO. 716

12. **RECREATION COMMITTEE (Recreation, Beach, Beautification)**- Chairman Batcha will present the monthly reports.

PUBLIC HEARING – Mayor White will open the floor for comments on Ordinance No. 717.

ADOPTION OF ORDINANCE NO. 717

AN ORDINANCE OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING THE BOROUGH CODE OF THE BOROUGH OF MANTOLOKING, SO AS TO AMEND CHAPTER 10, ENTITLED “BEACH REGULATIONS”

NOW, THEREFORE, BE IT ORDAINED, by the governing body of the Borough of Mantoloking, County of Ocean, State of New Jersey, as follows:

SECTION 1. The Borough Code of the Borough of Mantoloking is hereby amended and supplemented so as to amend Chapter 10, entitled “Beach Regulations,” so as to amend §10-3.2 entitled “Application and Fee” in its entirety so that it shall read as follows:

§10-3.2 Application and Fee.

Badges may be purchased at the municipal facilities on Downer Avenue, or such other location(s) as may be advertised, from 10:00 a.m. and 6:00 p.m. Individuals desiring to purchase a seasonal beach badge shall be required to pay a fee of \$80.00 if said badge is purchased between April 1st and close of business on Memorial Day. If the seasonal beach badge is purchased after Memorial Day and on or before Labor Day, the cost of such seasonal beach badge shall be \$95.00. The beach badge shall be valid for the entire summer season of the year it is issued. Half season badges will be available starting the first Saturday in August for \$50.00. Daily badges will be sold for \$12.00 dollars per badge. No replacement badges will be issued without payment of the entire, then current, badge fee.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

ROLL CALL VOTE ORDINANCE NO. 717

13. MAYOR AND COUNCIL COMMENTS:

14. PUBLIC COMMENTS PERIOD: State your name and address for the record. Once you have finished speaking, please place your phone on mute.

15. NEXT MEETING: Caucus and Regular Business Meeting, Tuesday, April,20, 2021 Zoom Meeting.

16. ADJOURNMENT: