

DRAFT #1 (04/23/2009)

THE BOROUGH OF MANTOLOKING
MAYOR AND COUNCIL

MINUTES OF THE REGULAR BUSINESS MEETING
APRIL 20, 2009

The regular monthly meeting of the Mayor and Council was held this day in the meeting room of Borough Hall with the following actions:

- 1. CALL TO ORDER:** Mayor Nebel called the meeting to order at 4:30 p.m.
- 2. OPEN PUBLIC MEETING STATEMENT:** Mayor Nebel read the following statement:
In compliance with the provisions of the New Jersey Open Public Meetings Act, adequate notice of this meeting of the Mantoloking Borough Council has been advertised in the manner provided by law.
- 3. ROLL CALL**
Present: Mayor George C. Nebel, Council President Stanley F. Witkowski, Councilmen Steve Gillingham, Donald S. Ness, James J. Brown and Councilwoman Ann Elizabeth Nelson.
Absent: Councilman Peter R. Strohm
Also Present: Municipal Clerk Irene H. Ryan, Borough Attorney Edwin J. O'Malley, Jr., Chief Financial Officer Michelle Swisher and Police Chief Mark Wright
- 4. PLEDGE OF ALLEGIANCE:** The Mayor led the assembly in the Pledge of Allegiance.
- 5. PRIVILEGE OF THE FLOOR:** The Mayor opened the meeting for public comment and questions about the agenda. No comments were made.
- 6. MINUTES OF PREVIOUS MEETINGS:**
RESOLUTION NO. 04/20/2009 - 01: APPROVAL OF MINUTES
Councilman Gillingham moved that the minutes of the Regular Meeting of March 23, 2009 and the Closed Session of March 23, 2009 be approved as distributed. The motion was seconded by Councilwoman Nelson and approved by unanimous voice vote.
- 7. COMMITTEE REPORTS AND RECOMMENDATIONS**
FINANCE COMMITTEE, COUNCILMAN WITKOWSKI
 - A. Councilman Witkowski introduced the Municipal Finance Officer Michelle Swisher who presented the monthly finance report.
 - B. Action Items:

Councilman Witkowski moved the following seven (7) resolutions. The motion was seconded by Councilman Ness and approved by unanimous voice vote.

RESOLUTION NO. 04/20/2009 – 02: ACCEPTANCE OF THE REPORT OF THE MUNICIPAL FINANCE OFFICER February 28, 2009

WHEREAS, the Chief Finance Officer has presented a report on the status of the 2009 municipal budget as of February 28, 2009; and

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

| ACCOUNT | BUDGET | EXPENDED | ENCUMBERED | |
|---------------------------------|---------------|-----------------------------|--------------|----|
| | | BALANCE YEAR TO DATE | | |
| 2009 Current Year Appropriation | \$ 846,600.00 | \$ 378,343.36 426,914.37 | \$ 41,342.27 | \$ |
| 2008 Appropriation Reserves | \$ 337,600.67 | \$ 109,439.90 213,597.17 | \$ 14,563.60 | \$ |
| Capital | \$ 968,028.99 | \$ 66,479.32 901,549.67 | | \$ |

| ACCOUNT | REVENUE THIS MONTH | REVENUE YEAR TO DATE |
|---------|--------------------------|-------------------------|
| | Cash Receipts | \$1,287,566. 47 |

now, therefore, be it

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey accept the above referenced and summarized report and directs that a copy be attached to and made part of the minutes of this meeting.

RESOLUTION NO. 04/20/2009 – 03: PAYMENT OF BILLS FOR THE MONTH OF APRIL 2009

WHEREAS, the Municipal Finance Officer has presented a list of bills in the total amount of **\$1,485,378.11** and recommended that they be paid, now, therefore, be it

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey approve payment of the above referenced bills and directs that a copy be attached to and made part of the minutes of this meeting.

RESOLUTION NO. 04/20/2009 – 04: NAMED ADDITIONAL OFFICIAL DEPOSITORY FOR THE 2009 BUDGET YEAR

WHEREAS, NJS 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 20th day of April, 2009, by the Council of the Borough of Mantoloking, County of Ocean, State of New Jersey, that an additional depository be added to the already existing list which was passed at the Borough's re-organization meeting:

- 1) Crown Bank

Be and are hereby designated as an official depository for the Borough of Mantoloking for the year 2009.

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

RESOLUTION NO. 04/20/2009 – 05: FOR SELF-EXAMINATION OF THE 2009 BUDGET

WHEREAS, N.J.S.A. 40A: 4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Mantoloking has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2009 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Mantoloking that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

- 1) That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a) Payment of interest and debt redemption charges
 - b) Deferred charges and statutory expenditures
 - c) Cash deficit of preceding year
 - d) Reserve for uncollected taxes
 - e) Other reserves and non-disbursement items
 - f) Any inclusions of amounts required for school purposes
- 2) That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
- 3) That the budget is in such form, arrangement, and content as required by the Local Budget law and N.J.A.C. 5:30-4 and 5:30-5.
- 4) That pursuant to the Local Budget Law:
 - a) All estimates of revenue are reasonable, accurate and correctly stated,
 - b) Items of appropriation are properly set forth
 - c) In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
- 5) The budget and associated amendments have been introduced and publicly advertised with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
- 6) That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESLOVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

RESOLUTION NO. 04/20/2009 – 06: FOR LATE INTRODUCTION OF THE 2009 BUDGET

RESOLVED, that due to the economic uncertainties of the day, the time for accumulating and preparing the necessary information for the 2009 Budget for the Borough of Mantoloking exceeded the time fixed by State Statute of March 31.

BE IT FURTHER RESOLVED, that the Borough of Mantoloking, County of Ocean, State of New Jersey that the Borough Clerk be and hereby is authorized and directed to forward two (2) certified copies of this resolution to the Office of the Director of Local Government Services and furnish said Director with any further information required to act upon this matter.

RESOLUTION NO. 04/20/2009 – 07: INTRODUCTION OF ORDINANCE NO. 573

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey hereby adopts on first reading (title only) the following Ordinance:

ORDINANCE NO. 573

ORDINANCE TO EXCEED THE 2009 MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

and be it

FURTHER RESOLVED, the attached Comprehensive Resolution of Introduction is hereby adopted, and be it FURTHER RESOLVED, that copies of all Ordinances introduced and all Resolutions adopted shall be maintained on file for public examination at the office of the Borough Clerk, published on the Borough's Website, www.mantoloking.org, and provided to anyone free of charge during regular business hours, M-F 8:30am –4:30pm, and be it

FURTHER RESOLVED, the Borough Clerk advertises and takes all other steps required by law to conduct a public hearing on the proposed ordinance at the next regular business meeting of the Mayor and Council following introduction, absent Council's direction to the contrary upon introduction.

RESOLUTION NO. 04/20/2009 – 08: INTRODUCTION OF THE 2009 MUNICIPAL BUDGET

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2009;

BE IT FURTHER RESOLVED, that said Budget be published in the Ocean Star in the issue of 05/01/2009.

The Governing Body of the Borough of Mantoloking does hereby approve the following Budget for the year 2009:

**2009 Municipal Budget
of the Borough of Mantoloking, County of
Ocean for the fiscal year 2009.**

Revenue and Appropriation Summaries

| Summary of Revenues | | Anticipated | |
|--|--|---------------------|------------------|
| | | 2009 | 2008 |
| 1. | Surplus | 617,000.00 | 617,000 |
| 2. | Total Miscellaneous Revenue | 529,203.59 | 509,669 |
| 3. | Receipts from Delinquent Taxes | 20,000.00 | 20,000 |
| 4. | a) Local Tax for Municipal Purpose | 2,758,382.20 | 2,650,480 |
| | b) Addition to Local District School Tax | .00 | |
| Total Amount to be Raised for Support of Municipal Budget | | 2,758,382.20 | 2,650,480 |

| | | |
|-------------------------------|--------------|-----------|
| Total General Revenues | 3,924,585.79 | 3,797,150 |
|-------------------------------|--------------|-----------|

| Summary of Appropriations | 2009 Budget | Final 2008 Budget |
|--|---------------------|-------------------|
| 1. Operating Expenses: Salaries and Wages | 1,411,140.00 | 1,305,250 |
| Other Expenses | 1,503,063.16 | 1,732,519 |
| 2. Deferred Charges and Other Appropriations | 245,672.69 | 87,685 |
| 3. Capital Improvements | 75,000.00 | 75,000 |
| 4. Debt Service (Include for School Purposes) | 403,816.59 | 347,200 |
| 5. Reserve for Uncollected Taxes | 285,893.35 | 249,495 |
| Total General Appropriations | 3,924,585.79 | 3,797,150 |

| Balance of Outstanding Debt | | | |
|-----------------------------|-------------------|--------------|--|
| | General | No Utilities | |
| Interest | 17,000.00 | | |
| Principal | 386,816.59 | | |
| Outstanding Balance | 879,000.00 | | |

Notice is hereby given that the budget and tax resolution was approved by the governing body of the
Borough of Mantoloking, County of Ocean on April 20, 2009.

A hearing on the budget and tax resolution will be held at the Municipal Building, on
May 18, 2009 at 4:30 p.m. at which time and place objections to the Budget and Tax Resolution
for the year 2009 may be presented by taxpayers or other interested persons.

Copies of the budget are available in the office of Irene H. Ryan, Municipal Clerk, at the Municipal Building,
P.O. Box 247, Mantoloking, NJ 08738, 732-899-6600, during the hours of 8:30 a.m. to 4:30 p.m.

PUBLIC HEARING Mayor Nebel opened the meeting for a public hearing on Ordinance No. 564.- Borough Miscellaneous Fee Ordinance. No comments were made.

Councilman Witkowski moved the following resolution:

RESOLUTION NO. 04/20/2009 – 09: ADOPTION OF ORDINANCE NO. 564– BOROUGH MISCELLANEOUS FEE ORDINANCE

WHEREAS, on the 20th day of April, 2009 a public hearing on Ordinance No. 564 was held and no comments were made by the public, now, therefore, be it

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, hereby adopt the following Ordinance entitled: (Copy attached)

**ORDINANCE NO. 564
AN ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY,
NEW JERSEY, PROVIDING FOR AMENDMENT OF ARTICLE IX, FEES, OF THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF MANTOLOKING, 2007**

The motion was seconded by Councilman Ness and approved by unanimous voice vote.

PUBLIC SAFETY COMMITTEE, COUNCILMAN GILLINGHAM:

A. Reports of the Public Safety Committee: Councilman Gillingham introduced Chief Wright who presented the report of the Police Department. Councilman Gillingham concluded with the presentation of the reports of the Municipal Court and Fire Company.

B. Action Items:

Councilman Gillingham moved the following two (2) resolutions. The motion was seconded by Councilwoman Nelson and approved by unanimous voice vote.

RESOLUTION NO. 04/20/2009 – 10: ADOPTION OF REVISED 2009 LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)

BE IT RESOLVED that the following named persons are hereby appointed as members of the Borough of Mantoloking Local Emergency Planning Committee (LEPC) for the year 2009. The Coordinator is appointed for a term of three (3) years:

Robert S. McIntyre, Emergency Management Coordinator (Term Expires 12/31/2011)

Steve Gillingham, Deputy Emergency Management Coordinator

Courtney Bixby, Mantoloking Fire Company No. 1

Irene H. Ryan, Borough Clerk

Mark Wright, Chief of Police

William Heckman, Borough Superintendent

Dr. Michael Doyle, Director, Board of Health

Sandra McIntyre, Board of Health Member

Denise Boughton, H.E.L.P. Coordinator

Lawrence Plevier, P.E., (Borough Engineer), Damage Assessment Officer

Ocean County Department of Social Services

G. Sandy Diehl, Community Group-Mantoloking Yacht Club

Edwin J. O'Malley, Jr., Borough Attorney

Michelle Swisher, Chief Financial Officer

Edwin C. O'Malley-Ocean County Amateur Radio Emergency Services

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

RESOLUTION NO. 04/20/2009 – 11: INTRODUCTION OF ORDINANCE NO. 572 – CAPITAL ORDINANCE FOR POLICE COMPUTERS AND SECURITY IMPROVEMENTS

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey hereby adopts on first reading (title only) the following Ordinance:

ORDINANCE NO. 572
BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,

**OCEAN COUNTY, NEW JERSEY, PROVIDING FOR
PURCHASE OF POLICE COMPUTERS AND SECURITY IMPROVEMENTS AT A COST OF
\$21,000.00, AUTHORIZING THE ISSUANCE OF BONDS
AND NOTES IN THE PRINCIPAL SUM OF \$19,000.00, AND APPROPRIATING
THE SUM OF \$2,000.00 FROM THE CAPITAL IMPROVEMENT
FUND FOR SAID PURPOSE**

and be it

***FURTHER RESOLVED**, the attached Comprehensive Resolution of Introduction is hereby adopted, and be it **FURTHER RESOLVED**, that copies of all Ordinances introduced and all Resolutions adopted shall be maintained on file for public examination at the office of the Borough Clerk, published on the Borough’s Website, www.mantoloking.org, and provided to anyone free of charge during regular business hours, M-F 8:30am –4:30pm, and be it*

***FURTHER RESOLVED**, the Borough Clerk advertises and takes all other steps required by law to conduct a public hearing on the proposed ordinance at the next regular business meeting of the Mayor and Council following introduction, absent Council’s direction to the contrary upon introduction.*

PUBLIC WORKS COMMITTEE, COUNCILWOMAN NELSON

A. Reports of the Public Works: Councilwoman Nelson presented the reports the Construction Official and Land Use Officer.

C. Action Items:

Councilwoman Nelson moved the following seven (7) resolutions. The motion was seconded by Councilman Gillingham and approved by unanimous voice vote.

RESOLUTION NO. 04/20/2009 – 12: CONFIRMED THE APPOINTMENT OF OFFICIALS FOR 2009

WHEREAS, a vacancy exists in the offices of Flood Plain Manager, Flood Strategy Committee Member, Nation Flood Hazard Mitigation Planning Committee Member, Assistant Community Rating System (CRS) Coordinator, Local Representative of the Ocean County Block Grant Program and Zoning and Land Use Officer;

WHEREAS, it is the responsibility of the Mayor with the consent of Council to appoint various individuals such as Flood Plain Manager, Flood Strategy Committee Member, Nation Flood Hazard Mitigation Planning Committee Member, Assistant Community Rating System (CRS) Coordinator, and Local Representative of the Ocean County Block Grant Program;

WHEREAS, AFTER DUE DELIBERATION, the Mayor and Council have determined that the following individuals are nominated for these vacancies:

| Name | Position | Effective Date | Salary |
|-----------------------------------|---|---|---|
| <i>Robert C. Mainberger, P.E.</i> | <i>Flood Plain Manager, Flood Strategy Committee, & National Flood Hazard Mitigation Planning Committee (Part Time)</i> | <i>April 20, 2009 – December 31, 2009</i> | <i>Per Previously Approved 2009 Hatch, Mott, MacDonald Contract</i> |
| <i>Francis X. Bruton</i> | <i>Assistant Community Rating System (CRS) Coordinator</i> | <i>April 20, 2009 – December 31, 2009</i> | <i>Per Previously Approved 2009 Hatch, Mott, MacDonald</i> |

| | <i>(Part Time)</i> | | <i>Contract</i> |
|-------------------------------|---|--|---|
| <i>Lawrence Plevier, P.E.</i> | <i>Local Representative of the Ocean County Block Grant Program (Part Time)</i> | <i>April 20, 2009 – December 31, 2009</i> | <i>Per Previously Approved 2009 Hatch, Mott, MacDonald Contract</i> |
| <i>Vito M. Marinaccio</i> | <i>Zoning & Land Use Official (Part Time)</i> | <i>April 20, 2009 – December 31, 2009 (Probationary)</i> | <i>\$20.00 / Hour</i> |

IT IS NOW, THEREFORE, this 20th day of April, 2009, Resolved by the Mayor and Council of the Borough of Mantoloking, as follows:

1. That the Council does, by this Resolution, hereby confirm, ratify, and approve the nomination and appointment, term of office identified as to that officer and position and the salaries or contract provisions wherein the Mayor has the right to nominate and appoint with the advice and consent of Council or otherwise, and as to that office and position wherein the Council has the right to select said individuals or entities.

RESOLUTION NO. 04/20/2009 – 13: INTRODUCTION OF CAPITAL ORDINANCES NO. 565, 566, 567, 568, 569 AND 570

RESOLVED, the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey hereby adopts on first reading (title only) the following Ordinance:

ORDINANCE NO. 565

BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR ROADWAY IMPROVEMENTS (BERGEN AVENUE AND CHANNEL LANE), AT A COST OF \$225,000.00, AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$213,000.00, AND APPROPRIATING THE SUM OF \$12,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE

ORDINANCE NO. 566

BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR THE INSTALLATION OF SOLAR PANELS IN THE MUNICIPAL BUILDING AT A COST OF \$19,000.00, AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$18,000.00, AND APPROPRIATING THE SUM OF \$1,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE

ORDINANCE NO. 567

BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR REPLACEMENT OF AIR CONDITIONING SYSTEM IN COUNCIL CHAMBERS AT A COST OF \$15,000.00, AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE PRINCIPAL SUM OF \$14,000.00, AND APPROPRIATING THE SUM OF \$1,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR SAID PURPOSE

ORDINANCE NO. 568

BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING, OCEAN COUNTY, NEW JERSEY, PROVIDING FOR

**IMPROVEMENTS TO PUBLIC WALKWAY #3
AT A COST OF \$21,000.00, AUTHORIZING THE ISSUANCE OF BONDS
AND NOTES IN THE PRINCIPAL SUM OF \$19,000.00, AND APPROPRIATING
THE SUM OF \$2,000.00 FROM THE CAPITAL IMPROVEMENT
FUND FOR SAID PURPOSE**

**ORDINANCE NO. 569
BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR
SANITARY SEWER REPAIRS AT A COST OF \$55,000.00,
AUTHORIZING THE ISSUANCE OF BONDS
AND NOTES IN THE PRINCIPAL SUM OF \$52,000.00, AND APPROPRIATING
THE SUM OF \$3,000.00 FROM THE CAPITAL IMPROVEMENT
FUND FOR SAID PURPOSE**

**ORDINANCE NO. 570
BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR
INSTALLATION OF FIRE HOUSE FIRE ESCAPE
AT A COST OF \$10,000.00, AUTHORIZING THE ISSUANCE OF BONDS
AND NOTES IN THE PRINCIPAL SUM OF \$9,000.00, AND APPROPRIATING
THE SUM OF \$1,000.00 FROM THE CAPITAL IMPROVEMENT
FUND FOR SAID PURPOSE**

and be it

***FURTHER RESOLVED**, the attached Comprehensive Resolution of Introduction is hereby adopted, and be it
FURTHER RESOLVED, that copies of all Ordinances introduced and all Resolutions adopted shall be maintained
on file for public examination at the office of the Borough Clerk, published on the Borough's Website,
www.mantoloking.org, and provided to anyone free of charge during regular business hours, M-F 8:30am –4:30pm,
and be it*

***FURTHER RESOLVED**, the Borough Clerk advertises and takes all other steps required by law to conduct a public
hearing on the proposed ordinance at the next regular business meeting of the Mayor and Council following
introduction, absent Council's direction to the contrary upon introduction.*

DUNE & BEACH RENOURISHMENT COMMITTEE, COUNCILMAN STROHM

- A. Report of the Dune & Beach Renourishment Committee**
- B. Action Items:**

Councilman Witkowski moved the following resolution:

**RESOLUTION: NO. 04/20/2009 – 14: OPPOSING REDUCTION IN FUND FOR SHORE PROTECTION
AND TOURISM**

PREAMBLE

Governor Corzine’s proposed 2010 Budget includes decreases of 25% in statutorily guaranteed funding for beach replenishment and tourism. The proposed cuts defy state law. The realty transfer tax law of 1992 states that the Legislature would eliminate the realty tax if the fund drops below \$25 million. The proposed cut would reduce the Shore Protection Fund to \$18.75 million. Last year, the State “borrowed” \$9 million from the fund that was amended to guarantee it as a “one time” legislative action.

The state law regarding tourism mandates that the Legislature eliminate the State’s 5% occupancy tax if the tourism funding level drops below \$9 million. The proposed budget cut would reduce the Tourism Promotion Fund from \$9 million to \$7.5 million

WHEREAS, the tourism industry is an economic engine for New Jersey that delivers \$38 billion annually to New Jersey’s economy. Tourism promotion attracts visitors and vacationers from throughout the region and Canada who bring revenue into New Jersey that supports the arts and history communities, state parks, entertainment centers, gaming industry, sports facilities and more; and

WHEREAS, the Shore Protection Fund has a 15 year successful track record in attracting federal matching funds of \$2.00 for every \$1.00 of state and municipal funding for beach replenishment. Beach replenishment has proven to be a sound engineering solution that is economically feasible, environmentally sensitive and vital to the stability of the State’s tourism economy. Healthy beaches create thriving shore economies that help the building and marine trades, boardwalk concessions, restaurants, recreation destinations, in addition to the positive ripple affect on the outlying economies of the retail markets and banking industry; and

WHEREAS, the Mayors of New Jersey’s shore communities reject the proposed budget cuts as fiscally irresponsible and shortsighted, we thereby present this united Resolution requesting that the statutorily guaranteed Shore Protection Fund and Tourism Promotion Fund are protected from reductions as proposed in the Governor’s 2010 Budget.

IT IS NOW, THEREFORE, this 20th day of April, 2009 RESOLVED by the Mayor and Council of the Borough of Mantoloking, Ocean County, New Jersey, as follows:

1. The New Jersey Assembly Appropriations Committee and the Senate Budget and Appropriations Committee are urged to reject Governor Corzine’s budget proposal to reduce the dedicated funding authorized by law for Shore Protection and Tourism Promotion.
2. The Clerk is hereby directed and authorized to send copies of this Resolution to the Members of the Senate Budget and Appropriations Committee and the Assembly Appropriations Committee.

IT IS FURTHER RESOLVED that a copy of this Resolution shall be forwarded by the Jersey Shore Partnership, Inc. to Governor Corzine and to all Members of the New Jersey Legislature.

The motion was seconded by Councilman Gillingham and approved by unanimous voice vote.

MANTOLOKING COMMITTEE, COUNCILMAN NESS

- A. Councilman Ness presented the reports of the Mantoloking Committee.
- B. Action Items: None

MUNICIPAL SERVICES COMMITTEE, COUNCILMAN BROWN

- A. Councilman Brown presented the reports of the Municipal Services Committee.
- B. Action Items: None

8. MAYOR AND COUNCIL COMMENTS

No comments were made.

9. PUBLIC COMMENTS PERIOD

Comments were made by two residents concerning budget surplus investments and speeding of vehicles on Barnegat Lane.

10. NEXT MEETING Regular Council Meeting of May 18, 2009 @ 4:30 p.m.

11. ADJOURNMENT

There being no further business for this meeting, Councilman Gillingham motioned to adjourn. The motion was seconded by Councilwoman Nelson and approved unanimous by voice vote at 4:45 p.m.

Respectfully submitted,

Irene H. Ryan, R.M.C.
Municipal Clerk

BY TITLE ONLY - FIRST READING
DATE OF INTRODUCTION: _____
DATE OF PUBLICATION: _____
DATE OF FINAL ADOPTION: _____

ORDINANCE NO.: 565

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR
ROADWAY IMPROVEMENTS (BERGEN AVENUE AND CHANNEL LANE),
AT A COST OF \$225,000.00, AUTHORIZING THE ISSUANCE OF BONDS
AND NOTES IN THE PRINCIPAL SUM OF \$213,000.00, AND APPROPRIATING
THE SUM OF \$12,000.00 FROM THE CAPITAL IMPROVEMENT
FUND FOR SAID PURPOSE**

BE IT ORDAINED by the Borough Council of the Borough of Mantoloking, in the County of Ocean, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), as follows:

SECTION 1: The improvements described in Section 3 of this Bond Ordinance are hereby authorized by the Borough of Mantoloking, County of Ocean and State of New Jersey. For the said purpose stated in said Section 3, there is hereby appropriated the sum of \$225,000.00, said sum being inclusive of all appropriations heretofore made for this purpose. There is also appropriated from the capital improvement fund of the Borough of Mantoloking the sum of \$12,000.00 as a down payment for the contemplated project.

SECTION 2: For the financing of said purpose and to meet the said \$225,000.00 appropriation, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$213,000.00 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance

said improvements, the negotiable notes of the Borough in a principal amount not exceeding \$213,000.00 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law.

SECTION 3: (a) The purpose for which said obligations are to be issued is for roadway improvements: Bergen Avenue and Channel Lane;

(b) The estimated amount of bonds or notes to be issued for said purpose is \$213,000.00.

(c) The estimated cost to the Borough of said project is \$225,000.00.

SECTION 4: The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this Bond Ordinance is a general improvement and the cost thereof will be paid by the Borough of Mantoloking.

(b) The period of usefulness of said improvements within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this Bond Ordinance, is TWENTY (20) years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the Office of the Borough Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough, as defined in said Law, is increased by the authorization of the bonds and notes provided in this Bond Ordinance

by \$213,000.00, and the issuance of said obligations authorized by this Bond Ordinance will be within the debt limitations prescribed by Law.

(d) An aggregate amount not exceeding \$34,000.00 for interest on said obligations, cost of issuing said obligations and other items of expense listed in and permitted under Section 40A:2-20 of said Law may be included as part of the cost of said improvements, and is included in the foregoing estimate thereof.

(e) This Bond Ordinance authorizes obligations of the Borough solely for purposes described herein and said purposes are in the public interest and are for the health, welfare, convenience or betterment of the inhabitants of the Borough; the amounts to be expended for said purposes pursuant to this Bond Ordinance are not unreasonable or exorbitant and issuance of the said obligations will not materially impair the credit of the Borough or substantially reduce its ability to pay punctually the principal of and interest on its debts or to supply other essential public improvements and services.

SECTION 5: All funds received from any sources by way of grant, gift or otherwise for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the project or to payment of the obligations (Bonds and Notes) issued pursuant to this Ordinance. The amount of debt obligations authorized herein shall be directly reduced to the extent that the funds described herein are actually received.

SECTION 6: The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal and interest on the obligations authorized by this Bond Ordinance. Said obligations shall be direct, unlimited obligations of the Borough and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

SECTION 7: This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by said Local Bond Law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Bond Ordinance was introduced and passed upon first reading at a regular meeting of the Mayor and Council of the Borough of Mantoloking, in the County of Ocean and State of New Jersey held on the the 20th day of April, 2009, and said Ordinance will be considered for final passage at the Borough Hall, Downer Avenue, Mantoloking, New Jersey at 4:30 p.m. on the 18th day of May, 2009, or as soon thereafter as said matter may be reached, at which time and place all persons interested will be given an opportunity to be heard.

IRENE H. RYAN, R.M.C.

BY TITLE ONLY - FIRST READING
DATE OF INTRODUCTION: _____
DATE OF PUBLICATION: _____
DATE OF FINAL ADOPTION: _____

ORDINANCE NO.: 566

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR
THE INSTALLATION OF SOLAR PANELS IN THE MUNICIPAL BUILDING
AT A COST OF \$19,000.00,
AUTHORIZING THE ISSUANCE OF BONDS
AND NOTES IN THE PRINCIPAL SUM OF \$18,000.00, AND APPROPRIATING
THE SUM OF \$1,000.00 FROM THE CAPITAL IMPROVEMENT
FUND FOR SAID PURPOSE**

BE IT ORDAINED by the Borough Council of the Borough of Mantoloking, in the County of Ocean, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), as follows:

SECTION 1: The improvement described in Section 3 of this Bond Ordinance is hereby authorized by the Borough of Mantoloking, County of Ocean and State of New Jersey. For the said purpose stated in said Section 3, there is hereby appropriated the sum of \$19,000.00, said sum being inclusive of all appropriations heretofore made for this purpose. There is also appropriated from the capital improvement fund of the Borough of Mantoloking the sum of \$1,000.00 as a down payment for the contemplated project.

SECTION 2: For the financing of said purpose and to meet the said \$19,000.00 appropriation, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$18,000.00 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance

said improvement, the negotiable notes of the Borough in a principal amount not exceeding \$18,000.00 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law.

SECTION 3: (a) The purpose for which said obligations are to be issued is to install solar panels in the Municipal Building.

(b) The estimated amount of bonds or notes to be issued for said purpose is \$18,000.00.

(c) The estimated cost to the Borough of said project is \$19,000.00.

SECTION 4: The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this Bond Ordinance is a general improvement and the cost thereof will be paid by the Borough of Mantoloking.

(b) The period of usefulness of said improvement within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this Bond Ordinance, is twenty (20) years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the Office of the Borough Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough, as defined in said Law, is increased by the authorization of the bonds and notes provided in this Bond Ordinance by \$18,000.00, and the issuance of said obligations authorized by this Bond Ordinance will be within the debt limitations prescribed by Law.

(d) An aggregate amount not exceeding \$4,000.00 for interest on said obligations, cost of issuing said obligations and other items of expense listed in and permitted under Section 40A:2-20 of said Law may be included as part of the cost of said improvement, and is included in the foregoing estimate thereof.

(e) This Bond Ordinance authorizes obligations of the Borough solely for purposes described herein and said purposes are in the public interest and are for the health, welfare, convenience or betterment of the inhabitants of the Borough; the amounts to be expended for said purposes pursuant to this Bond Ordinance are not unreasonable or exorbitant and issuance of the said obligations will not materially impair the credit of the Borough or substantially reduce its ability to pay punctually the principal of and interest on its debts or to supply other essential public improvements and services.

SECTION 5: All funds received from any sources by way of grant, gift or otherwise for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations (Bonds and Notes) issued pursuant to this Ordinance. The amount of debt obligations authorized herein shall be directly reduced to the extent that the funds described herein are actually received.

SECTION 6: The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal and interest on the obligations authorized by this Bond Ordinance. Said obligations shall be direct, unlimited obligations of the Borough and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

SECTION 7: This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by said Local Bond Law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Bond Ordinance was introduced and passed upon first reading at a regular meeting of the Mayor and Council of the Borough of Mantoloking, in the County of Ocean and State of New Jersey held on the 20th day of April, 2009, and said Ordinance will be considered for final passage at the Borough Hall, Downer Avenue, Mantoloking, New Jersey at 4:30 p.m. on the 18th day of May, 2009, or as soon thereafter as said matter may be reached, at which time and place all persons interested will be given an opportunity to be heard.

IRENE H. RYAN, R.M.C.

BY TITLE ONLY - FIRST READING
DATE OF INTRODUCTION: _____
DATE OF PUBLICATION: _____
DATE OF FINAL ADOPTION: _____

ORDINANCE NO.: 567

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR
REPLACEMENT OF AIR CONDITIONING SYSTEM IN COUNCIL CHAMBERS
AT A COST OF \$15,000.00,
AUTHORIZING THE ISSUANCE OF BONDS
AND NOTES IN THE PRINCIPAL SUM OF \$14,000.00, AND APPROPRIATING
THE SUM OF \$1,000.00 FROM THE CAPITAL IMPROVEMENT
FUND FOR SAID PURPOSE**

BE IT ORDAINED by the Borough Council of the Borough of Mantoloking, in the County of Ocean, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), as follows:

SECTION 1: The acquisition described in Section 3 of this Bond Ordinance is hereby authorized by the Borough of Mantoloking, County of Ocean and State of New Jersey. For the said purpose stated in said Section 3, there is hereby appropriated the sum of \$15,000.00, said sum being inclusive of all appropriations heretofore made for this purpose. There is also appropriated from the capital improvement fund of the Borough of Mantoloking the sum of \$1,000.00 as a down payment for the contemplated project.

SECTION 2: For the financing of said purpose and to meet the said \$15,000.00 appropriation, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$14,000.00 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance

said acquisition, the negotiable notes of the Borough in a principal amount not exceeding \$14,000.00 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law.

SECTION 3: (a) The purpose for which said obligations are to be issued is to replace the Air Conditioning System in Council Chambers.

(b) The estimated amount of bonds or notes to be issued for said purpose is \$14,000.00.

(c) The estimated cost to the Borough of said project is \$15,000.00.

SECTION 4: The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this Bond Ordinance is a general improvement and the cost thereof will be paid by the Borough of Mantoloking.

(b) The period of usefulness of said acquisition within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this Bond Ordinance, is twenty (20) years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the Office of the Borough Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough, as defined in said Law, is increased by the authorization of the bonds and notes provided in this Bond Ordinance by \$14,000.00, and the issuance of said obligations authorized by this Bond Ordinance will be within the debt limitations prescribed by Law.

(d) An aggregate amount not exceeding \$3,000.00 for interest on said obligations, cost of issuing said obligations and other items of expense listed in and permitted under Section 40A:2-20 of said Law may be included as part of the cost of said acquisition, and is included in the foregoing estimate thereof.

(e) This Bond Ordinance authorizes obligations of the Borough solely for purposes described herein and said purposes are in the public interest and are for the health, welfare, convenience or betterment of the inhabitants of the Borough; the amounts to be expended for said purposes pursuant to this Bond Ordinance are not unreasonable or exorbitant and issuance of the said obligations will not materially impair the credit of the Borough or substantially reduce its ability to pay punctually the principal of and interest on its debts or to supply other essential public improvements and services.

SECTION 5: All funds received from any sources by way of grant, gift or otherwise for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the acquisition or to payment of the obligations (Bonds and Notes) issued pursuant to this Ordinance. The amount of debt obligations authorized herein shall be directly reduced to the extent that the funds described herein are actually received.

SECTION 6: The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal and interest on the obligations authorized by this Bond Ordinance. Said obligations shall be direct, unlimited obligations of the Borough and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

SECTION 7: This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by said Local Bond Law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Bond Ordinance was introduced and passed upon first reading at a regular meeting of the Mayor and Council of the Borough of Mantoloking, in the County of Ocean and State of New Jersey held on the 20th day of April, 2009, and said Ordinance will be considered for final passage at the Borough Hall, Downer Avenue, Mantoloking, New Jersey at 4:30 p.m. on the 18th day of May, 2009, or as soon thereafter as said matter may be reached, at which time and place all persons interested will be given an opportunity to be heard.

IRENE H. RYAN, R.M.C.

BY TITLE ONLY - FIRST READING
DATE OF INTRODUCTION: _____
DATE OF PUBLICATION: _____
DATE OF FINAL ADOPTION: _____

ORDINANCE NO.: 568

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR
IMPROVEMENTS TO PUBLIC WALKWAY #3
AT A COST OF \$21,000.00,
AUTHORIZING THE ISSUANCE OF BONDS
AND NOTES IN THE PRINCIPAL SUM OF \$19,000.00, AND APPROPRIATING
THE SUM OF \$2,000.00 FROM THE CAPITAL IMPROVEMENT
FUND FOR SAID PURPOSE**

BE IT ORDAINED by the Borough Council of the Borough of Mantoloking, in the County of Ocean, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), as follows:

SECTION 1: The improvements described in Section 3 of this Bond Ordinance are hereby authorized by the Borough of Mantoloking, County of Ocean and State of New Jersey. For the said purpose stated in said Section 3, there is hereby appropriated the sum of \$21,000.00, said sum being inclusive of all appropriations heretofore made for this purpose. There is also appropriated from the capital improvement fund of the Borough of Mantoloking the sum of \$2,000.00 as a down payment for the contemplated project.

SECTION 2: For the financing of said purpose and to meet the said \$21,000.00 appropriation, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$19,000.00 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance

said improvements, the negotiable notes of the Borough in a principal amount not exceeding \$19,000.00 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law.

SECTION 3: (a) The purpose for which said obligations are to be issued is to make improvements to Public Walkway #3.

(b) The estimated amount of bonds or notes to be issued for said purpose is \$19,000.00.

(c) The estimated cost to the Borough of said project is \$21,000.00.

SECTION 4: The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this Bond Ordinance is a general improvement and the cost thereof will be paid by the Borough of Mantoloking.

(b) The period of usefulness of said improvements within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this Bond Ordinance, is fifteen (15) years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the Office of the Borough Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough, as defined in said Law, is increased by the authorization of the bonds and notes provided in this Bond Ordinance by \$19,000.00, and the issuance of said obligations authorized by this Bond Ordinance will be within the debt limitations prescribed by Law.

(d) An aggregate amount not exceeding \$3,000.00 for interest on said obligations, cost of issuing said obligations and other items of expense listed in and permitted under Section 40A:2-20 of said Law may be included as part of the cost of said improvements, and is included in the foregoing estimate thereof.

(e) This Bond Ordinance authorizes obligations of the Borough solely for purposes described herein and said purposes are in the public interest and are for the health, welfare, convenience or betterment of the inhabitants of the Borough; the amounts to be expended for said purposes pursuant to this Bond Ordinance are not unreasonable or exorbitant and issuance of the said obligations will not materially impair the credit of the Borough or substantially reduce its ability to pay punctually the principal of and interest on its debts or to supply other essential public improvements and services.

SECTION 5: All funds received from any sources by way of grant, gift or otherwise for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations (Bonds and Notes) issued pursuant to this Ordinance. The amount of debt obligations authorized herein shall be directly reduced to the extent that the funds described herein are actually received.

SECTION 6: The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal and interest on the obligations authorized by this Bond Ordinance. Said obligations shall be direct, unlimited obligations of the Borough and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

SECTION 7: This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by said Local Bond Law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Bond Ordinance was introduced and passed upon first reading at a regular meeting of the Mayor and Council of the Borough of Mantoloking, in the County of Ocean and State of New Jersey held on the 20th day of April, 2009, and said Ordinance will be considered for final passage at the Borough Hall, Downer Avenue, Mantoloking, New Jersey at 4:30 p.m. on the 18th day of May, 2009, or as soon thereafter as said matter may be reached, at which time and place all persons interested will be given an opportunity to be heard.

IRENE H. RYAN, R.M.C.

BY TITLE ONLY - FIRST READING
DATE OF INTRODUCTION: _____
DATE OF PUBLICATION: _____
DATE OF FINAL ADOPTION: _____

ORDINANCE NO.: 569

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR
SANITARY SEWER REPAIRS
AT A COST OF \$55,000.00,
AUTHORIZING THE ISSUANCE OF BONDS
AND NOTES IN THE PRINCIPAL SUM OF \$52,000.00, AND APPROPRIATING
THE SUM OF \$3,000.00 FROM THE CAPITAL IMPROVEMENT
FUND FOR SAID PURPOSE**

BE IT ORDAINED by the Borough Council of the Borough of Mantoloking, in the County of Ocean, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), as follows:

SECTION 1: The improvements described in Section 3 of this Bond Ordinance is hereby authorized by the Borough of Mantoloking, County of Ocean and State of New Jersey. For the said purpose stated in said Section 3, there is hereby appropriated the sum of \$55,000.00, said sum being inclusive of all appropriations heretofore made for this purpose. There is also appropriated from the capital improvement fund of the Borough of Mantoloking the sum of \$3,000.00 as a down payment for the contemplated project.

SECTION 2: For the financing of said purpose and to meet the said \$55,000.00 appropriation, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$52,000.00 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance

said improvements, the negotiable notes of the Borough in a principal amount not exceeding \$52,000.00 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law.

SECTION 3: (a) The purpose for which said obligations are to be issued is for sanitary sewer repairs.

(b) The estimated amount of bonds or notes to be issued for said purpose is \$52,000.00.

(c) The estimated cost to the Borough of said project is \$55,000.00.

SECTION 4: The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this Bond Ordinance is a general improvement and the cost thereof will be paid by the Borough of Mantoloking.

(b) The period of usefulness of said improvements within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this Bond Ordinance, is forty (40) years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the Office of the Borough Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough, as defined in said Law, is increased by the authorization of the bonds and notes provided in this Bond Ordinance by \$52,000.00, and the issuance of said obligations authorized by this Bond Ordinance will be within the debt limitations prescribed by Law.

(d) An aggregate amount not exceeding \$15,000.00 for interest on said obligations, cost of issuing said obligations and other items of expense listed in and permitted under Section 40A:2-20 of said Law may be included as part of the cost of said improvements, and is included in the foregoing estimate thereof.

(e) This Bond Ordinance authorizes obligations of the Borough solely for purposes described herein and said purposes are in the public interest and are for the health, welfare, convenience or betterment of the inhabitants of the Borough; the amounts to be expended for said purposes pursuant to this Bond Ordinance are not unreasonable or exorbitant and issuance of the said obligations will not materially impair the credit of the Borough or substantially reduce its ability to pay punctually the principal of and interest on its debts or to supply other essential public improvements and services.

SECTION 5: All funds received from any sources by way of grant, gift or otherwise for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations (Bonds and Notes) issued pursuant to this Ordinance. The amount of debt obligations authorized herein shall be directly reduced to the extent that the funds described herein are actually received.

SECTION 6: The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal and interest on the obligations authorized by this Bond Ordinance. Said obligations shall be direct, unlimited obligations of the Borough and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

SECTION 7: This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by said Local Bond Law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Bond Ordinance was introduced and passed upon first reading at a regular meeting of the Mayor and Council of the Borough of Mantoloking, in the County of Ocean and State of New Jersey held on the 20th day of April, 2009, and said Ordinance will be considered for final passage at the Borough Hall, Downer Avenue, Mantoloking, New Jersey at 4:30 p.m. on the 18th day of May, 2009, or as soon thereafter as said matter may be reached, at which time and place all persons interested will be given an opportunity to be heard.

IRENE H. RYAN, R.M.C.

BY TITLE ONLY - FIRST READING
DATE OF INTRODUCTION: _____
DATE OF PUBLICATION: _____
DATE OF FINAL ADOPTION: _____

ORDINANCE NO.: 570

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR
INSTALLATION OF FIRE HOUSE FIRE ESCAPE
AT A COST OF \$10,000.00,
AUTHORIZING THE ISSUANCE OF BONDS
AND NOTES IN THE PRINCIPAL SUM OF \$9,000.00, AND APPROPRIATING
THE SUM OF \$1,000.00 FROM THE CAPITAL IMPROVEMENT
FUND FOR SAID PURPOSE**

BE IT ORDAINED by the Borough Council of the Borough of Mantoloking, in the County of Ocean, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), as follows:

SECTION 1: The improvement described in Section 3 of this Bond Ordinance is hereby authorized by the Borough of Mantoloking, County of Ocean and State of New Jersey. For the said purpose stated in said Section 3, there is hereby appropriated the sum of \$10,000.00, said sum being inclusive of all appropriations heretofore made for this purpose. There is also appropriated from the capital improvement fund of the Borough of Mantoloking the sum of \$1,000.00 as a down payment for the contemplated project.

SECTION 2: For the financing of said purpose and to meet the said \$10,000.00 appropriation, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$9,000.00 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance

said improvement, the negotiable notes of the Borough in a principal amount not exceeding \$9,000.00 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law.

SECTION 3: (a) The purpose for which said obligations are to be issued is for installation of fire house fire escape.

(b) The estimated amount of bonds or notes to be issued for said purpose is \$9,000.00.

(c) The estimated cost to the Borough of said project is \$10,000.00.

SECTION 4: The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this Bond Ordinance is a general improvement and the cost thereof will be paid by the Borough of Mantoloking.

(b) The period of usefulness of said improvement within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this Bond Ordinance, is twenty (20) years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the Office of the Borough Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough, as defined in said Law, is increased by the authorization of the bonds and notes provided in this Bond Ordinance by \$9,000.00, and the issuance of said obligations authorized by this Bond Ordinance will be within the debt limitations prescribed by Law.

(d) An aggregate amount not exceeding \$2,000.00 for interest on said obligations, cost of issuing said obligations and other items of expense listed in and permitted under Section 40A:2-20 of said Law may be included as part of the cost of said improvement, and is included in the foregoing estimate thereof.

(e) This Bond Ordinance authorizes obligations of the Borough solely for purposes described herein and said purposes are in the public interest and are for the health, welfare, convenience or betterment of the inhabitants of the Borough; the amounts to be expended for said purposes pursuant to this Bond Ordinance are not unreasonable or exorbitant and issuance of the said obligations will not materially impair the credit of the Borough or substantially reduce its ability to pay punctually the principal of and interest on its debts or to supply other essential public improvements and services.

SECTION 5: All funds received from any sources by way of grant, gift or otherwise for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations (Bonds and Notes) issued pursuant to this Ordinance. The amount of debt obligations authorized herein shall be directly reduced to the extent that the funds described herein are actually received.

SECTION 6: The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal and interest on the obligations authorized by this Bond Ordinance. Said obligations shall be direct, unlimited obligations of the Borough and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

SECTION 7: This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by said Local Bond Law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Bond Ordinance was introduced and passed upon first reading at a regular meeting of the Mayor and Council of the Borough of Mantoloking, in the County of Ocean and State of New Jersey held on the 20th day of April, 2009, and said Ordinance will be considered for final passage at the Borough Hall, Downer Avenue, Mantoloking, New Jersey at 4:30 p.m. on the 18th day of May, 2009, or as soon thereafter as said matter may be reached, at which time and place all persons interested will be given an opportunity to be heard.

IRENE H. RYAN, R.M.C.

BY TITLE ONLY - FIRST READING
DATE OF INTRODUCTION: _____
DATE OF PUBLICATION: _____
DATE OF FINAL ADOPTION: _____

ORDINANCE NO.: 572

**BOND ORDINANCE OF THE BOROUGH OF MANTOLOKING,
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR
PURCHASE OF POLICE COMPUTERS AND SECURITY IMPROVEMENTS
AT A COST OF \$21,000.00,
AUTHORIZING THE ISSUANCE OF BONDS
AND NOTES IN THE PRINCIPAL SUM OF \$19,000.00, AND APPROPRIATING
THE SUM OF \$2,000.00 FROM THE CAPITAL IMPROVEMENT
FUND FOR SAID PURPOSE**

BE IT ORDAINED by the Borough Council of the Borough of Mantoloking, in the County of Ocean, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), as follows:

SECTION 1: The acquisition and improvements described in Section 3 of this Bond Ordinance are hereby authorized by the Borough of Mantoloking, County of Ocean and State of New Jersey. For the said purpose stated in said Section 3, there is hereby appropriated the sum of \$21,000.00, said sum being inclusive of all appropriations heretofore made for this purpose. There is also appropriated from the capital improvement fund of the Borough of Mantoloking the sum of \$2,000.00 as a down payment for the contemplated project.

SECTION 2: For the financing of said purpose and to meet the said \$21,000.00 appropriation, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$19,000.00 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance

said acquisition and improvements, the negotiable notes of the Borough in a principal amount not exceeding \$19,000.00 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law.

SECTION 3: (a) The purpose for which said obligations are to be issued is for purchase of police computers and security improvements.

(b) The estimated amount of bonds or notes to be issued for said purpose is \$19,000.00.

(c) The estimated cost to the Borough of said project is \$21,000.00.

SECTION 4: The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this Bond Ordinance is a general improvement and the cost thereof will be paid by the Borough of Mantoloking.

(b) The period of usefulness of said acquisition and improvements within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this Bond Ordinance, is fifteen (15) years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the Office of the Borough Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough, as defined in said Law, is increased by the authorization of the bonds and notes provided in this Bond Ordinance by \$19,000.00, and the issuance of said obligations authorized by this Bond Ordinance will be within the debt limitations prescribed by Law.

(d) An aggregate amount not exceeding \$3,000.00 for interest on said obligations, cost of issuing said obligations and other items of expense listed in and permitted under Section 40A:2-20 of said Law may be included as part of the cost of said acquisition and improvements, and is included in the foregoing estimate thereof.

(e) This Bond Ordinance authorizes obligations of the Borough solely for purposes described herein and said purposes are in the public interest and are for the health, welfare, convenience or betterment of the inhabitants of the Borough; the amounts to be expended for said purposes pursuant to this Bond Ordinance are not unreasonable or exorbitant and issuance of the said obligations will not materially impair the credit of the Borough or substantially reduce its ability to pay punctually the principal of and interest on its debts or to supply other essential public improvements and services.

SECTION 5: All funds received from any sources by way of grant, gift or otherwise for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the acquisition and improvements or to payment of the obligations (Bonds and Notes) issued pursuant to this Ordinance. The amount of debt obligations authorized herein shall be directly reduced to the extent that the funds described herein are actually received.

SECTION 6: The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal and interest on the obligations authorized by this Bond Ordinance. Said obligations shall be direct, unlimited obligations of the Borough and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

SECTION 7: This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by said Local Bond Law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Bond Ordinance was introduced and passed upon first reading at a regular meeting of the Mayor and Council of the Borough of Mantoloking, in the County of Ocean and State of New Jersey held on the 20th day of April, 2009, and said Ordinance will be considered for final passage at the Borough Hall, Downer Avenue, Mantoloking, New Jersey at 4:30 p.m. on the 18th day of May, 2009, or as soon thereafter as said matter may be reached, at which time and place all persons interested will be given an opportunity to be heard.

IRENE H. RYAN, R.M.C.

ORDINANCE NO. 573

**ORDINANCE TO EXCEED THE 2009 MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK**

WHEREAS, the Local Government Cap law, NJSA 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

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

WHEREAS, the Mayor and Council of the Borough of Mantoloking in the County of Ocean finds it advisable and necessary to increase its CY 2009 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 1% increase in the budget for said year, amounting to \$29,454.82 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, advisable and necessary; and,

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

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Mantoloking, in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2009 budget year, the final appropriations of the Borough of Mantoloking shall, in accordance with this ordinance and NJSA 40A:4-45.14, be increased by 3.5%, amounting to \$103,091.87 and that the CY 2009 municipal budget for the Borough of Mantoloking be approved and adopted in accordance with this ordinance; and,

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

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

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

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed upon first reading at a regular meeting of the Mayor and Council of the Borough of Mantoloking, in the County of Ocean and State of New Jersey held on the 20th day of April, 2009, and said Ordinance will be considered for final passage at the Borough Hall, Downer Avenue, Mantoloking, New Jersey at 4:30 p.m. on the 18th day of May, 2009, or as soon thereafter as said matter may be reached, at which time and place all persons interested will be given an opportunity to be heard.

IRENE H. RYAN, R.M.C.