

**MINUTES**  
**REGULAR SESSION BOARD OF COMMISSIONERS APRIL 5, 2007**

**Flag Salute**

Meeting came to order: 4:00 p.m.

Clerk called the roll: Mayor DiAnne C. Gove PRESENT  
Commissioner Robert A. Palmer PRESENT  
Commissioner Ralph H. Bayard PRESENT

Also in attendance: Lynda J. Wilkie, Deputy Municipal Clerk  
Richard J. Shackleton, Esq.  
Elizabeth Jones, CFO  
William Antonides, Auditor

**Deputy Municipal Clerk announced:** Notice of the time and place of this meeting has been posted in the office of the Municipal Clerk, published by the BEACH HAVEN TIMES on December 6, 2006; the PRESS OF ATLANTIC CITY on December 8, 2006; the ASBURY PARK PRESS on January 4, 2007; and filed with the Municipal Clerk.

**Motion:** To dispense with the reading of the minutes of the previous meeting and to approve the same as recorded in the minute book:

Motion: Palmer Ayes: Bayard, Palmer, Gove  
Second: Bayard Nays:

**AGENDA**

**PROCLAIM**

- National Volunteer Week: April 15<sup>th</sup> through 21<sup>st</sup>
- National Library Week: April 15<sup>th</sup> through 21<sup>st</sup>
- Autism Awareness Month: April 2007
- Child Abuse Prevention Month: April 2007

**PROCLAIM**

**NATIONAL VOLUNTEER WEEK: APRIL 15 – 21, 2007**

**WHEREAS**, the week of April 15-21, 2007 has been so proclaimed National Volunteer Week in recognition of the Retired and Senior Volunteer Program (RSVP) sponsored by the Township of Long Beach; and

**WHEREAS**, the theme of this year's recognition is "Inspired by Example"; and

**WHEREAS**, the recognition focuses on the outstanding contributions, service, and support of volunteers at the local, state and national levels; and

**WHEREAS**, the Board of Commissioners of the Township of Long Beach recognizes the support given by volunteers to the needs of the communities of Ocean County, such as increasing the capacity of agencies and organizations to provide services, increasing the ability of recipients of service to lead more productive and independent lives and fostering the concept of service to the community.

**NOW THEREFORE, BE IT RESOLVED** that the Township of Long Beach hereby proclaims the week of April 15-21, 2007 as National Volunteer Week and honors all of the volunteers of Ocean County for their outstanding service to the communities of Ocean County; and

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded to the Ocean County Board of Chosen Freeholders, all County of Ocean municipalities, Corporation for National Service, and all County of Ocean volunteer stations; and

**BE IT FINALLY RESOLVED** that the written memorialization of this Board resolution may be immediately released prior to formal approval of the Board minutes.

**PROCLAIM**

**WHEREAS**, our nation's public, academic, school and specialized libraries transform their communities; and

**WHEREAS**, our libraries play a vital role in supporting the quality of life in their communities; and

**WHEREAS**, librarians are trained professionals, helping people of all ages and backgrounds find the resources they need to live, learn and work in the 21<sup>st</sup> Century; and

**WHEREAS**, libraries are part of the American Dream - places for opportunity, education, self-help and lifelong learning; and

**WHEREAS**, libraries brings you a world of knowledge both in person and online; and

**WHEREAS**, libraries are a key player in the national discourse on intellectual freedom, equity of access, and narrowing the "digital divide"; and

**WHEREAS**, libraries, librarians, library workers and supporters across America are celebrating National Library Week with The Campaign for America's Libraries.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach proclaims April 15 - 21, 2007 as National Library Week in Long Beach Township and encourages all residents to visit the Ocean County Library this week to take advantage of the wonderful library resources available, thank the library staff for making information accessible to all who walk through the libraries doors, and discover that now is the perfect time to come together at your library.

**PROCLAIM**

**AUTISM AWARENESS MONTH: APRIL 2007**

**WHEREAS**, autism is a pervasive developmental disorder affecting the social, learning and behavioral skills of those affected by it; and

**WHEREAS**, autism was once thought to be a relatively rare disorder, affecting only one in 10,000 people; and

**WHEREAS**, as more and more health professionals become proficient in diagnosing autism, more children are being diagnosed on the autism spectrum, resulting in rates as high as one in 150 children; and

**WHEREAS**, while there is no cure for autism, it is well-documented that if individuals with autism receive treatment early in their lives, it often is possible for those individuals to lead significantly improved lives; and

**WHEREAS**, the New Jersey Center for Outreach and Services for the Autism Community (COSAC) and Autism Speaks is spearheading an awareness effort in order to educate parents, professionals and the general public about autism and its effects.

**NOW THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach hereby proclaims the month of April 2007 as Autism Awareness Month in Long Beach Township and urges all Ocean County Municipalities and corporate members to participate in autism Awareness Month, in order to become better educated on the subject of autistic spectrum disorders; and

**BE IT FURTHER RESOLVED** that certified copies of this resolution be forwarded to Alex Ganelos, 713 Northampton Blvd., Toms River, NJ 08757 and all Ocean County Mayors.

#### **PROCLAIM**

#### **CHILD ABUSE PREVENTION MONTH: APRIL 2007**

**WHEREAS**, all children deserve to be nurtured, protected and free of physical or emotional harm; and

**WHEREAS**, child abuse and neglect is a significant social problem that damages the lives of children physically, mentally and emotionally and inflicts immeasurable harm to our society as a whole; and

**WHEREAS**, the Township of Long Beach is committed to building a continuum of child abuse prevention and intervention programs that are culturally competent, strength-based and family-centered, with a strong emphasis on primary child abuse prevention; and

**WHEREAS**, the Township of Long Beach promotes and supports community-based programs designed to prevent injury, abuse or neglect of children, achieve positive outcomes for parenting behavior and family functioning and relationships, and empower and increase safety for domestic violence victims and their children; and

**WHEREAS**, all sectors of the community, including law enforcement, medical professionals, schools, courts, the media and private and public agencies have joined forces to promote public awareness and community involvement in prevention during the month of April and throughout the year.

**NOW THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach hereby proclaims the month of April 2007 as CHILD ABUSE PREVENTION MONTH in Long Beach Township and urges all residents to become involved in efforts aimed at preventing our children from being abused and neglected.

#### **ORDINANCES/PUBLIC HEARINGS**

1. First Reading Ordinance 07-14C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, 1997" AS THE SAME IN CHAPTER 189, SECTION 189-30 DESIGNATES THROUGH STREETS.**

Mayor Gove explained that this would provide for the correction of typographical errors and/or omissions that occurred in Chapter 189-30 as a result of the adoption of Ordinance 04-08C on April 2, 2004 and that second reading was scheduled for the meeting of April 20, 2007.

Motion to approve Ordinance 07-14C on First Reading:

Motion: Palmer Ayes: Bayard, Palmer, Gove

Second: Bayard Nays:

2. First Reading Ordinance 07-15: **AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE ACQUISITION OF EQUIPMENT FOR THE LONG BEACH TOWNSHIP BEACH PATROL AND PROVIDING FOR THE APPROPRIATION OF FUNDS AND AUTHORIZING ISSUANCE OF BONDS AND BOND ANTICIPATION NOTES TO FINANCE THE COSTS THEREOF \$100,000.00**

Motion to approve Ordinance 07-15 on First Reading:

Motion: Palmer Ayes: Bayard, Palmer, Gove

Second: Bayard Nays:

#### **ADOPTIONS, APPROVALS, SUPPORT**

3. Resolution 07-0405.01: Support NJ Turnpike Authority proposal to widen the Garden State Parkway from Milepost 30 through Milepost 80

Mayor Gove explained this resolution urged the New Jersey Department of Environmental Protection to approve the Coastal Area Facilities Review Act permit application submitted by the New Jersey Turnpike Authority.

#### **RESOLUTION 07-0405.01**

**WHEREAS**, the New Jersey Turnpike Authority has proposed widening the Garden State Parkway from two lanes to three lanes from Milepost 30 through Milepost 80; and

**WHEREAS**, the New Jersey Department of Environmental Protection is currently reviewing a permit application submitted by the New Jersey Turnpike Authority as required under the Coastal Area Facilities Review Act; and

**WHEREAS**, the section of the Parkway through Ocean County experiences congestion on a regular basis, especially during the summer months; and

**WHEREAS**, the Garden State Parkway serves as a critical evacuation route for potential emergencies such as coastal storms, forest fires and the Oyster Creek Nuclear Generating; and

**WHEREAS**, the Garden State Parkway experiences large volumes of regional trips to and from shore communities; and

**WHEREAS**, Atlantic City is entering a third phase of development which will result in a significant increase in commuting and recreational traffic on the Garden State Parkway, and

**WHEREAS**, the lack of movement at the State level to widen State Highway 9, which is parallel to the Garden State Parkway, only adds to the regional traffic congestion problem; and

**WHEREAS**, any delay in widening the Garden State Parkway will result in increased traffic congestion, degradation of air quality and a decrease in quality of life; and

**WHEREAS**, a delay in widening the Parkway will also leave the coastal area of New Jersey more vulnerable to disaster in the event a regional evacuation becomes necessary.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of Long Beach Township, County of Ocean, State of New Jersey that:

1. It fully supports the proposal by the New Jersey Turnpike Authority to widen the Garden State Parkway to three lanes in each direction from Milepost 30 to Milepost 80.
2. It urges the New Jersey Department of Environmental Protection to approve the Coastal Area Facilities Review Act permit application as submitted by the New Jersey Turnpike Authority.
3. Copies of this Resolution shall be made available to the New Jersey Department of Environmental Protection Land Use Regulation Program, the New Jersey Turnpike Authority, the Ocean County Board of Chosen Freeholders, and the Municipal Clerks of Ocean County.
4. Resolution 07-0405.02: Authorize the Purchasing Agent to advertise for various bids:
  - Power-wash, caulk, seal and paint the Municipal Complex and accessory buildings
  - Ocean Boulevard Drainage Project work

**RESOLUTION 07-0405.02**

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that the Purchasing Agent be and he is hereby authorized to advertise for bids for the following:

- Power wash, caulk, seal and paint the Municipal Complex and accessory buildings
  - Ocean Boulevard drainage work
5. Resolution 07-0405.03: Approve the 2006 Annual Report of the Long Beach Island Health Department

**RESOLUTION 07-0405.03**

**BE IT RESOLVED**, by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, that the Annual Report of the Health Department for calendar year 2006, as annexed hereto and made a part hereof, be and the same is hereby approved.

6. Resolution 07-0405.04: Approve personnel actions

Mayor Gove stated this resolution provided for the hiring of seasonal employees for Beach Patrol, approve medical Leave if Absences for Assessor's office, Water/Sewer, and Finance Dept's; title changes in the Police Department: Provisional Principal Clerk, Provisional Senior Clerk, Provisional Senior Telecommunicator.

**RESOLUTION 07-0405.04**

**BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach:

**ASSESSOR**

Approve a paid Medical Leave of Absence for Andrew Lacey using accumulated sick days effective retro-active to March 19, 2007.

**BEACH PATROL**

Hire the following as a Seasonal Part Time Laborer at the rate of \$9.50 per hour to be paid from Lifeguard Salary & Wage effective April 6, 2007.

Sean Kelly

Hire the following as a Seasonal Beach Badge Program Assistant Supervisor at the rate of \$9.95 per hour to be paid from Beach Badge Salary & Wage effective April 5, 2007.

Marie Cooper

Hire the following as a Seasonal Beach Badge Program Assistant Supervisor at the rate of \$9.35 per hour to be paid from Beach Badge Salary & Wage effective April 5, 2007.

Barbara Golden

Hire Michael Baker as a seasonal part time Senior Beach Badge Supervisor at the rate of \$16.95 per hour to be paid from the Beach Badge Salary & Wage effective April 5, 2007 and using the average hourly rate of \$19.71 per hour for calculation of overtime as per Department of Labor regulations.

Hire Marianne Murphy as a Seasonal Beach Badge Program Assistant Supervisor at the rate of \$13.30 per hour to be paid from Beach Badge Salary & Wage effective April 5, 2007 and using the average hourly rate of \$17.86 per hour for calculation of overtime as per Department of Labor regulations.

**FINANCE**

Acknowledge the end of a paid medical leave of absence and return to work for Elizabeth Jones effective retro-active to March 27, 2007.

**POLICE**

Change Deborah Bonicky's title to Provisional Principal Clerk with a new base salary of \$34,741.64 effective April 5, 2007.

Change Kimberly Walker's title to Provisional Senior Clerk with a new base salary of \$29,754.43 effective April 7, 2007.

Change Judith Olson's title to Provisional Senior Telecommunicator with a new base salary of \$41,301.51 effective April 7, 2007.

**WATER/SEWER**

Acknowledge the end of a paid medical leave of absence and return to work for Linda Appell effective retro-active to April 2, 2007.

7. Resolution 07-0405.05: Approve changes to various Water/Sewer accounts

**RESOLUTION 07-0405.05**

**WHEREAS**, the following Water/Sewer accounts require changes in their billing and/or classification due to various reasons; and

**WHEREAS**, it is requested by the Director of Revenue and Finance that these changes be made as follows:

<b>Blk:</b>	<b>Lot:</b>	<b>Acct:</b>	<b>Year:</b>	<b>Cancel/change:</b>	<b>Amount:</b>
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5.24	14	1634-0 Sewer	2007	To Stand-by	\$409.00
7.08	25	2264-0 Sewer	2007	Remove Garbage Disp	174.00
10.16	9	3095-0 Sewer	2007	Remove Garbage Disp	174.00
11.14	2	3532-0 Sewer	2007	To Stand-by	409.00

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach, that the Municipal Clerk be and she is hereby authorized to make these changes.

8. Resolution 07-0405.06(a&b): Authorize various grant applications:
- a. Technology Grant: Office of National Control Policy Counter Drug Technology Assessment Center for the Police Department
  - b. Municipal Alliance: "The Harmful Effects of Underage Drinking on the Individual and Family" educational program for the LBI Girl Scouts.

**RESOLUTION 07-0405.06(a)**

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that Detective Steven Melega of the Long Beach Township Police Department, be and he hereby is authorized and directed to apply for the technology grant available from the Office of National Drug Control Policy Counter Drug Technology Assessment Center.

**RESOLUTION 07-0405.06(b)**

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that Timothy Hilferty, Health Officer of the Long Beach Island Board of Health, be and he hereby is authorized and directed to apply for the "The Harmful Effects of Underage Drinking on the Individual and Family" educational program for the LBI Girl Scouts in the amount of \$2,000.00.

Motion to approve Items 3 - 8:

Motion: Palmer                      Ayes: Bayard, Palmer, Gove  
 Second: Bayard                      Nays:

**LICENSES AND PERMITS**

9. Resolution 07-0405.07: Approve an application for a Special Permit for a Social Affair: LBI PTA alcohol license for fundraiser 5/17/07

**RESOLUTION 07-0405.07**

**BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach grants a SPECIAL PERMIT FOR SOCIAL AFFAIR to Long Beach Island PTA, to be held at Brant Beach Yacht Club at 59<sup>th</sup> and Bay Avenue, Brant Beach. This permit will allow Long Beach Island PTA to serve alcoholic beverages at the fundraiser on May 17, 2007 between the hours of 5:30 P.M. and 10:00 P.M.

Motion to approve Item 9:

Motion: Palmer                      Ayes: Bayard, Palmer, Gove  
 Second: Bayard                      Nays:

**CONTRACTS AND AWARDS**

10. Resolution 07-0405.08: Approve an Interlocal Agreement: Mobil Data Terminal Look-ups: Lakehurst Police Department

**RESOLUTION 07-0405.08**

**RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE LONG BEACH TOWNSHIP POLICE DEPARTMENT TO ACT AS LEAD AGENCY REGARDING INTERLOCAL SERVICES AGREEMENTS WITH VARIOUS LAW ENFORCEMENT AGENCIES FOR MOBIL DATA TERMINAL LOOK-UP SERVICES**

**WHEREAS**, the Interlocal Services Act., N.J.S.A. 40:8A-1 et seq. authorizes the Township of Long Beach to enter into contracts for the provision of certain governmental services with other municipalities; and

**WHEREAS**, N.J.S.A. 40:8A-4 requires such contracts to be authorized by resolution; and

**WHEREAS**, the Long Beach Township Police Department operates and maintains a server-based Mobile Data Terminal system to link mobile computers to agency systems in order to increase the sworn officers' ability to perform report and record checks in the field; and

**WHEREAS**, it is the desire of the governing body to authorize the Long Beach Township Police Department to execute an interlocal government services agreement, effective through December 31, 2007, for the aforesaid services with the following agency at a rate of \$75.00 per Mobile Data Terminal or other device connected to the MDT system server:

- Borough of Lakehurst Police Department

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey as follows:

1. That the Mayor and Municipal Clerk are hereby authorized to execute an interlocal government service agreement with the abovementioned agency and with other municipalities that may desire participation in accordance with the provisions of law. A copy of said agreement is attached hereto and made a part hereof as Schedule A.
2. That a copy of the agreement referenced herein shall be kept on file and made available for public inspection at the Municipal Clerk's office during normal business hours.

11. Resolution 07-0405.09: Approve the purchase of office furniture for the Tax Assessor's Department, per state contract:  
 Executive Business Solutions \$12,892.02

**RESOLUTION 07-0405.09**

**AUTHORIZE A CONTRACT WITH KIMBALL INTERNATIONAL MARKETING, INC., c/o EXECUTIVE BUSINESS SOLUTIONS FOR THE PURCHASE AND INSTALLATION CARPET AND OFFICE FURNITURE FOR THE TAX ASSESSOR'S DEPARTMENT, PER STATE CONTRACT**

**WHEREAS**, the Township of Long Beach wishes to purchase from an authorized vendor under the State of New Jersey Cooperative Purchasing Services Program INJCP; and

**WHEREAS**, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

**WHEREAS**, Kimball International Marketing, Inc. c/o Executive Business Solutions has been awarded New Jersey State Contract #A-56331 for Furniture, Office & Lounge, Non-Modular effective for the period April 1, 2007 to April 30, 2007; and

**WHEREAS**, the Commissioner of Public Works, Parks & Property recommends the utilization of this contract on the grounds that it represents the most cost effective method for the needs of the Township; and

**WHEREAS**, the actual cost for the purchase and installation of carpeting and office furniture is Twelve Thousand Eight Hundred Ninety Two Dollars and Two Cents (\$12,892.02); and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds for this contract in the appropriation created by Ordinance 07-04.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that Kimball International Marketing, Inc. c/o Executive Business Solutions, 1600 Royal Street, Jasper, Indiana 47549 be awarded a contract for the purchase and installation of carpeting and office furniture for the Tax Assessor's Department is Twelve Thousand Eight Hundred Ninety Two Dollars and Two Cents (\$12,892.02).

12. Resolution 07-0405.10: Award contracts for the purchase of various Beach Patrol uniforms, per bid

**RESOLUTION 07-0405.10**

**BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that the following bids be awarded for the year 2007:

**Lifeguard Uniforms** - Various items per individual contracts pursuant to Exhibit A attached hereto:

**Active Imprints: 1 yr. contract**

Ship Bottom, NJ

**Ampro Sports: 1 yr. contract**

Primos, PA

**Metuchen Center Inc.: 1 yr. contract**

New Brunswick, NJ

**Shore Promotions: 1 yr. contract**

Manahawkin, NJ

**The Sport Spot, Inc.: 1 yr. contract**

Shrewsbury, NJ

**Original Lifeguard, Inc.: 1 yr. contract**

Encinitas, CA

13. Resolution 07-0405.11: Void contract with Fine Line Home Improvements for the replacement of the Beach Haven Terrace Water Treatment Plant roof and award same to the second lowest quotation received from William F. Kennard Home Improvements: \$5,750.00

Mayor Gove explained Fine Line could not provide proof of valid worker's compensation insurance as mandated by the State of New Jersey Public Contracts Law.

**RESOLUTION 07-0405.11**

**RESOLUTION VOIDING THE CONTRACT AWARDED TO FINE LINE HOME IMPROVEMENT FOR THE REPLACEMENT OF THE ROOF ON THE BEACH HAVEN TERRACE WATER TREATMENT PLANT AND AUTHORIZING AWARD OF SAME TO WILLIAM F. KENNARD HOME IMPROVEMENTS, PER QUOTE**

**WHEREAS**, the Township of Long Beach solicited quotes for the replacement of the roof on the Beach Haven Terrace Water Treatment Plant; and

**WHEREAS**, in response to the invitation for solicitation two (2) quotations were received; and

**WHEREAS**, Fine-Line Home Improvements gave the lowest qualified quote in an amount not to exceed Five Thousand Five Hundred Seventy Five Dollars (\$5,575.00) and was awarded a contract pursuant to Resolution 07-0302.10; and

**WHEREAS**, Fine-Line Home Improvements was not able to provide adequate proof of worker's compensation insurance, as mandated by the State of New Jersey, regarding public contracts for the replacement of the roof on the Beach Haven Terrace Water Treatment Plant, and upon the recommendation of the municipal solicitor and purchasing agent, the contract shall and is hereby deemed void.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach this 5<sup>th</sup> day of April 2007, for the reasons aforesaid, that a contract be and is hereby awarded to the second lowest quotation received from:

William F. Kennard Home Improvements  
81 Myrtle Drive  
Manahawkin, NJ 08050

for the replacement of the roof on the Beach Haven Terrace Water Treatment Plant in an amount not to exceed Five Thousand Seven Hundred Fifty Dollars (\$5,750.00) as per quote received January 30, 2007.

14. Resolution 07-0405.12: Approve a Side Bar Agreement to the Teamsters Local 35 Non-Supervisory Public Works Employees contract

Mayor Gove explained this authorized an annual stipend for Public Works employees holding a valid Commercial Driver's License.

**RESOLUTION 07-0405.12**

**RESOLUTION AUTHORIZING EXECUTION OF TEAMSTERS LOCAL #35 COLLECTIVE BARGAINING CONTRACT SIDE BAR AGREEMENT FOR NON-SUPERVISORY EMPLOYEES IN THE DEPARTMENT OF PROPERTY AND PUBLIC WORKS**

**WHEREAS**, as a result of negotiations between Teamsters Local #35 Public Works Employees (rank and file) and the Township of Long Beach, contract terms were agreed upon between the said parties pursuant to Resolution 05-0805.10; and

**WHEREAS**, since the entrance of the contracts, certain issues have arisen which are not covered by the contract terms; and

**WHEREAS**, a Side Bar Agreement has been prepared by the Municipal Labor Attorney, Robert A. Greitz, and reviewed by Ralph H. Bayard, Commissioner of Public Works, Parks and Property, as well as Teamsters Local #35, that amends and supplements the existing Collective Bargaining Agreement effective January 1, 2005 through December 31, 2008 to address the unresolved issues; and

**WHEREAS**, the Commissioner of Public Works, Parks, and Property and the entire Board of Commissioners, deems it to be in the best interest of the Township of Long Beach to approve said Side Bar Agreement between the Township and Teamsters Local #35, which authorizes an annual stipend of One Thousand Dollars (\$1,000.00) for each member of the Public Works Department within the Teamsters Bargaining Unit holding a valid commercial driver's license.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach at a regular meeting held April 5, 2007 that the Commissioner of Public Works, Parks and Property and Municipal Clerk shall and are hereby authorized to execute the Side Bar Agreement, subject to ratification by Teamsters Local #35, as described above and effective through December 31, 2008.

Motion to approve Items 10 - 14:

Motion: Palmer Ayes: Bayard, Palmer, Gove

Second: Bayard Nays:

#### **FINANCIAL APPROVALS**

15. Resolution 07-0405.13: Approve a Revenue Trust Fund: Lifeguard Certification Fees

#### **RESOLUTION 07-0405.13**

**WHEREAS**, the State of New Jersey, N.J.S.A. 40A:4-39, permits dedication by rider where dedicated revenue anticipated during the year, but which cannot be reasonably or accurately estimated in advance, may be included in the budget by rider; and

**WHEREAS**, the Board of Commissioners of the Township of Long Beach passed Resolution 04-0521.15 which established a Recreation Trust Fund pursuant to PL1999 C292, on May 21, 2004; and

**WHEREAS**, said Resolution was approved by the State of New Jersey Department of Community Affairs on September 7, 2004 under the Revenue Title: Recreation Trust Fund PL1999 C292; and

**WHEREAS**, the Board of Commissioners desires to create an additional revenue source within the Recreation Trust Fund entitled:

- Lifeguard Certification Fees

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach at a regular meeting held this 5<sup>th</sup> day of April, that such fees received by the municipality be placed in a specific fund and such fund shall be considered a revenue source in the budget of the Township of Long Beach per N.J.S.A. 40A:4-39 for the sole purpose stated above.

16. Resolution 07-0405.14: Approve correction to Resolution 07-0302.16:

Total bills amount listed incorrectly as \$2,163,934.35,  
correct amount is \$1,566,036.36

#### **RESOLUTION 07-0405.14**

#### **RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING RESOLUTION 07-0119.17 AUTHORIZING THE PAYMENT OF TOWNSHIP BILLS**

**WHEREAS**, the Chief Financial Officer and various Department Heads of the Township of Long Beach carefully examined all vouchers presented for the payment of claims; and

**WHEREAS**, due to a clerical error, Resolution 07-0302.16 approved vouchers amounting to the incorrect sum of \$2,163,934.35; and

**WHEREAS**, the Chief Financial Officer has certified the correct total of the said approved vouchers was \$1,566,036.36.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that Resolution 07-0302.16 be and is hereby amended and said approved vouchers amounting to the sum of \$1,566,036.36 be and the same are hereby authorized to be paid retroactive to March 2, 2007.

17. Resolution 07-0405.15(a&b): Approve amendments to the 2007 Temporary Municipal Budget

- a. 2007 Water/Sewer Utility Temporary Budget
- b. 2007 Temporary Municipal Budget

Mayor Gove explained this authorized increase to Temporary Budgets until adoption of the 2007 Annual Budget.

#### **RESOLUTION 07-0405.15(a)**

#### **EMERGENCY TEMPORARY RESOLUTION AUTHORIZING AN INCREASE TO THE 2007 WATER/SEWER UTILITY TEMPORARY BUDGET**

**WHEREAS**, an emergent condition had arisen as a result of the delay in the introduction date for the 2007 Water/Sewer Utility Budget as provided by the Legislature of the State of New Jersey, and no adequate provision had been made in the 2007 Temporary Municipal Budget allowing for the aforementioned circumstance, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose abovementioned; and

**WHEREAS**, the total emergency temporary resolutions adopted in the year 2007, pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951 as amended), including this resolution, total \$13,500.00.

**NOW, THEREFORE, BE IT RESOLVED** (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-20 :

1. Emergency temporary appropriations be and the same are hereby appropriated for the extended time required to operate on a temporary budget as provided by the Legislature of the State of New Jersey, in the total amount of \$13,500.00.

2. That said emergency temporary appropriations have been provided for in the 2007 Budget under the titles of: Water/Sewer S/W and Water/Sewer Social Security.
3. That three (3) certified copies of this resolution be filed with the Director of Local Government Services.

**RESOLUTION 07-0405.15(b)**

**EMERGENCY TEMPORARY RESOLUTION AUTHORIZING AN INCREASE TO THE 2007 TEMPORARY MUNICIPAL BUDGET**

**WHEREAS**, an emergent condition had arisen as a result of the delay in the introduction date for the 2007 Municipal Budget as provided by the Legislature of the State of New Jersey, and no adequate provision had been made in the 2007 Temporary Municipal Budget allowing for the aforementioned circumstance, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose abovementioned; and

**WHEREAS**, the total emergency temporary resolutions adopted in the year 2007, pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951 as amended), including this resolution, total \$393,475.00.

**NOW, THEREFORE, BE IT RESOLVED** (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-20 :

1. Emergency temporary appropriations be and the same are hereby appropriated for the extended time required to operate on a temporary budget as provided by the Legislature of the State of New Jersey, in the total amount of \$346,975.00.
2. That said emergency temporary appropriations have been provided for in the 2007 Budget under the titles of:

Municipal Clerk S/W:	\$6,000.00
Finance Administration S/W:	1,650.00
Purchasing S/W:	325.00
Tax Collector S/W:	5,000.00
Tax Assessor S/W:	2,150.00
Land Use S/W:	1,750.00
Construction Code S/W:	4,000.00
Construction S/W (O/C):	11,500.00
Director of Public Safety S/W:	200.00
Police S/W:	215,000.00
Prosecutor S/W:	150.00
Buildings & Grounds S/W:	27,000.00
Board of Health S/W:	29,000.00
Lifeguards S/W:	10,000.00
Beach Badge S/W:	1,000.00
Community Rating S/W:	175.00
Municipal Court S/W:	7,625.00
Social Security:	22,850.00
Municipal Alliance Grant S/W:	1,600.00

3. That three (3) certified copies of this resolution be filed with the Director of Local Government Services.

18. Resolution 07-0405.16: Approve Bills & Payroll
- |                            |              |
|----------------------------|--------------|
| Bills in the amount of:    | \$484,870.32 |
| Payrolls in the amount of: | \$700,035.22 |

**RESOLUTION 07-0405.16**

**RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE PAYMENT OF TOWNSHIP BILLS**

**WHEREAS**, the Chief Financial Officer and various Department Heads of the Township of Long Beach have carefully examined all vouchers presented for the payment of claims; and

**WHEREAS**, after due consideration of the said vouchers, the Board of Commissioners of the Township of Long Beach has approved payment of same; and

**WHEREAS**, Payroll Department has certified and submitted a request for approval of Township payroll in the amount of \$700,035.22.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach as follows:

1. The said approved vouchers amounting to the sum of \$484,870.32 be and the same are hereby authorized to be paid on April 5, 2007.

2. The said approved payroll amounting to the sum of \$700,035.22 be and the same are hereby authorized to be paid on April 5, 2007.

The Municipal Clerk be and she is hereby directed to list on the page in the Minute Book following the Minutes of this meeting all of the said vouchers hereby authorized to be paid.

Motion to approve Items 15 - 18:

Motion: Palmer                      Ayes: Bayard, Palmer, Gove

Second: Bayard                      Nays:

Mayor Gove abstained from the Ocean County Utilities Authority voucher and Commissioner Palmer abstained from Commerce Insurance voucher.

19. Resolution 07-0405.17: Authorize reading of 2007 Municipal Budget by title only

**RESOLUTION 07-0405.17**

**WHEREAS**, N.J.S.A.40A:4-8 provides that the budget be read by title only at the time of the Public Hearing if a Resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing a complete copy of the approved budget as advertised has been posted in the Municipal Building and copies have been made available by the Clerk to persons requiring them; and

**WHEREAS**, these two conditions have been met.

**NOW, THEREFORE, BE IT RESOLVED** that the Budget shall be read by title only.

MOTION: Palmer

SECOND: Bayard

ROLL CALL:

Bayard

Palmer

Gove

Motion to approve Item 19:

Motion: Palmer Ayes: Bayard, Palmer, Gove

Second: Bayard Nays:

Motion to Open Public Hearing:

Motion: Palmer Ayes: Bayard, Palmer, Gove

Second: Bayard Nays:

**Public Hearing on the 2007 Municipal Budget**

**Commissioner Palmer** stated there was a 1/3¢ increase for 2007, approximately a \$24.00/yr. increase on \$800,000.00.

**Mayor Gove** introduced the Township auditor, William Antonides, who stated the budget had been reviewed by himself and CFO Lisa Jones. Mr. Antonides also stated the Division of Local Government Services reviewed the budget and made one suggestion which we have complied.

**Patrick Moran**, 1016C Long Beach Blvd. commented that the reserve for uncollected taxes should be cut in half, be conservative with miscellaneous revenues and he was concerned with police, lifeguard and public works salary increases.

**John Pegg**, 1105A Long Beach Blvd., North Beach, compared the 2007 budget to last year's and asked that reserve for uncollected be lowered. He also tried to compare to last year's budget. It was explained by **Commissioner Bayard** that the chart of accounts was implemented and comparison would be easier next year.

**Bob Irvine**, 7405 Ocean Blvd., Beach Haven Crest questioned the increase in salary and wages from 2006 and employee health insurance costs and would like employees to share the cost. **Commissioner Palmer** explained other health insurance options were being explored.

**John Connolly**, 80 E. Levinia, Beach Haven Crest congratulated the Commissioners on the Construction office becoming revenue producing and stated he had three concerns, the 71% increase in police retirements, benefits issue re: accrued time, and suggested the Twp. pay down long term debt.

Motion to Close Public Hearing:

Motion: Palmer Ayes: Bayard, Palmer, Gove

Second: Bayard Nays:

20. Resolution 07-0405.18: Approve amendment to the 2007 Municipal Budget:

Amends form only and does not increase spending

**RESOLUTION 07-0405.18**

**WHEREAS**, the local budget for the year 2007 was approved on the 2<sup>nd</sup> day of March 2007; and

**WHEREAS**, the public hearing on said budget has been held as advertised; and

**WHEREAS**, it is desired to amend said approved budget.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach, County of Ocean, that the following amendments to the approved budget of 2007 be made:

Recorded vote:

Member	Ayes	Nays	Abstained	Absent
Bayard	x			
Palmer	x			
Gove	x			

**Dedicated Revenues From Water/Sewer Utility**

	From:	To:
Miscellaneous	248,976.00	262,588.00
TOTAL WATER/SEWER UTILITY REVENUES	\$7,245,000.00	\$7,258,612.00

**Appropriations for Water/Sewer Utility**

	From:	To:
Debt Service		
Payment of Bond Principal	834,000.00	834,500.00
Infrastructure Loan: Interest	192,000.00	191,500.00
Deferred Charges and Statutory Expenditures		
Public Employees Retirement System	26,000.00	39,612.00
TOTAL WATER/SEWER APPROPRIATIONS	\$7,245,000.00	\$7,258,612.00

**BE IT FURTHER RESOLVED** that two (2) certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for her certification of the 2007 municipal budget so amended; and

**BE IT FURTHER RESOLVED** that this complete amendment, in accordance with the provisions of N.J.S. 40A:4-9, be published in the Beach Haven Times issue of April 11, 2007, and that said publication contain notice of public hearing on said amendment to be held at the Public Safety Building on April 20, 2007 at 4:00 p.m.

William Antonides, Twp. auditor explained that the DCA required us to change the format on a line item which would have a public hearing on April 20, 2007.

Motion to approve Item 20:

Motion: Palmer Ayes: Bayard, Palmer, Gove

Second: Bayard Nays:

**COMMISSIONERS' REPORTS**

**Commissioner Bayard** noted improvements to the municipal building have begun. He also announced the paving on Ocean Blvd. would be postponed until after Labor Day to allow for NJNG to complete their project prior to paving.

**Commissioner Palmer** read a statement concerning the Twp. vehicle that would now be parked with all the Twp. vehicles and used for Twp. business.

**Mayor Gove** thanked all involved with the Easter Egg Hunt, it was a nice event and also thanked CFO Lisa Jones, the auditor and staff for preparation work done for the budget.

**OPEN PUBLIC SESSION**

**Richard Jeffries**, 129 St., Beach Haven Terrace was concerned with the negative publicity the island received and felt we needed to promote the good things. He also complained about the length of time it was taking to open the beach is Ship Bottom since it was taped off. Mayor Gove explained Senators Lautenberg and Menendez were working to move the project forward as quickly as possible.

**Peter Trainor**, 209 W. 18<sup>th</sup> St., North Beach Haven asked for a copy of the Southern Regional School Board report.

**Bob Irvine**, Beach Haven Crest would like to have an ordinance regarding the use a municipal vehicle of Twp. vehicles by employees.

**Richard Shackleton, Esq.** stated the previous Commissioner of Public Works used a municipal vehicle, and it was appropriate for Commissioner Palmer to use for work related issues.

**Kevin Kelly**, Holgate was concerned with the dune damage in Holgate. Commissioner Bayard stated the Public Works Dept. was currently placing dune fence from the Ship Bottom border to Holgate and were discovering various violations and that they will be corrected.

**Hank DePasquale**, Brant Beach complained that the Ocean County project on the Blvd. between 38<sup>th</sup> & 40<sup>th</sup> had run a diesel vehicle constantly for 3 to 4 weeks.

**Nacima Bukenna**, 6 Starboard Rd., North Beach reported a house in Loveladies had a parking lot on the dune and that she would provide photos and address. She was also concerned and opposed to the passage of a dune maintenance ordinance that two other boroughs have. Mayor Gove responded there was no ordinance at this time.

**Bill Kunz**, 6703 Ocean Blvd., Brant Beach Homeowners Assoc. asked if we approved the budget and felt there should be no increase. Mayor Gove explained we must pass the amendment and then the budget, which would take place on April 20, 2007.

**John Pegg**, North Beach asked Commissioner Bayard to place dune fencing at the toe of the dune, not on the crest.

**Mary DeRegotis**, North Beach did not feel the newsletter regarding the Beach Project was an actual representation of the project.

**Bob Irvine** thanked Lisa Jones for her help with his inquiries and updated the status of the LBT 10 Taxpayer's Assoc. membership.

**Carl Mendel**, North Beach stated he felt the beach project would adversely affect the Twp. with regards to parking accommodations. He also asked who would pay for debris to be cleaned from our beaches if it were deposited by the Army Corp. Mayor Gove replied that residents would not be liable for any costs.

**Mayor Gove** announced the next meeting would be held on April 20, 2007

**CLOSE PUBLIC SESSION**

Motion for adjournment at: 6:01 p.m.

Motion: Palmer                      Ayes: Bayard, Palmer, Gove  
Second: Bayard                      Nays:

\_\_\_\_\_  
Lynda J. Wilkie, RMC  
Deputy Municipal Clerk

\_\_\_\_\_  
DiAnne C. Gove, Mayor

\_\_\_\_\_  
Robert A. Palmer, Comm.

\_\_\_\_\_  
Ralph H. Bayard, Comm.