

**MINUTES**  
**REGULAR SESSION      BOARD OF COMMISSIONERS      JULY 6, 2007**  
**Flag Salute**

Meeting came to order: 7:05 p.m.

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

Also in attendance:      Bonnie M. Leonetti, Municipal Clerk  
   Katharine M. Shackleton, Esq.

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:      Bayard      Ayes: Bayard, Gove  
Second:      Gove      Nays:

**AGENDA**

**PRESENTATION:**

- By Johnson & Johnson: A new Beach Wheel Chair to the Long Beach Twp. Beach Patrol.

**Mayor Gove** explained Johnson & Johnson promoted the use of baby powder to remove sand from the skin and donated the Beach Wheel Chair to the Township in appreciation.

- By Mr. & Mrs. Jabin: A flag that was flown in Iraq during the last year, and a certificate, from Captain Joshua Jabin, to Long Beach Township.

**Mr. & Mrs. Jabin** presented the flag to Mayor Gove and Commissioner Bayard from their son and read the certificate aloud. They reminisced about Captain Jabin's fond memories of Long Beach Island and his hope of soon returning for a visit.

**ORDINANCES/PUBLIC HEARINGS**

1. Second Reading Ordinance 07-31C: **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 SECTION 197-10 PERTAINS TO WATER METERS**

**Mayor Gove** noted this had been mandated by the State of New Jersey.

Passed as on first reading at a regular meeting held on June 15, 2007 advertised in the BEACH HAVEN TIMES, issue of June 20, 2007.

**ORDINANCE 07-31C**

**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 SECTION 197-10 PERTAINS TO WATER METERS.**

**THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LONG BEACH DO ORDAIN:**

**SECTION I**

§197-10A of an ordinance entitled, "Code of the Township of Long Beach, County of Ocean, State of New Jersey, 1997" shall be and is hereby repealed and in lieu and instead thereof the following is hereby adopted:

§197-10.

**A. Water meters required for new construction.**

1. For any new construction or renovations which are required by Federal Emergency Management Authority regulations to meet minimum flood elevations the installation of a water meter on such new construction or renovations meeting the description hereinbelow set forth in paragraph 2 shall be required and no Certificate of Occupancy for any such new construction or renovation shall be issued until a certification of the installation of the appropriate water meter is provided by the Water and Sewer Utilities Superintendent of the Long Beach Township Water Department to the Building Code Official of the Township of Long Beach.

2. Water meters required to be installed shall meet the following specifications:

Water meters for 5/8", 5/8" x 3/4", 3/4" x 3/4" and 1" cold water meters shall be of the displacement type magnetically driven. They shall have electronic encoder register and more detailed specifications may be obtained from the Long Beach Township Building Department. Specifications for 1-1/2" and 2" cold water meters shall be of the displacement type – magnetically driven with electronic encoder register. Detailed specifications for these meters may also be obtained from the Long Beach Township Building Department.

The type of water meter installed shall receive prior approval of the Water and Sewer Utilities Superintendent of the Long Beach Township Water Department, which meter shall be disk meters with remote readout capability. All meters shall be approved by the Water and Sewer Utilities Superintendent of the Water Department of Long Beach Township prior to the plumbing permit being issued.

3. The installation of such water meters shall be at the sole cost and expense of the permittee securing the permit for such new construction or renovation.

**SECTION II**

A new schedule, Schedule No. 4 as hereinbelow set forth is added to §197-7 of an ordinance entitled, "Code of the Township of Long Beach, County of Ocean, State of New Jersey, 1997" dealing with water rates.

**Schedule 4.**

**Water meter rates for new Construction as required in §197-10A.**

Minimum charge shall be imposed pursuant to the rates hereinabove set forth in Schedule 1 up to and including but not exceeding 95,000 gallons of water per annum. For all water used in excess of 95,000 gallons per annum, a charge of \$2.75 per thousand gallons for the first 5,000 gallons of usage in excess

of 95,000 gallons with the rate increasing \$0.25 per thousand gallons for increased use, in increments of 5,000 gallons, so that by way of example and illustration the rate shall be \$3.00 per thousand gallons for 95,001 gallons to 100,000 gallons, \$3.25 per thousand gallons for 100,001 gallons to 105,000 gallons, a charge of \$3.50 per thousand gallons for 105,001 gallons to 110,000 gallons and so forth based upon such usage.

### SECTION III

All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency.

### SECTION IV

If any word, phrase, clause, section or provision of this ordinance shall be found by any court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.

### SECTION V

This ordinance shall take effect after the first publication thereof after final passage according to law.

### NOTICE

Public Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a regular meeting of the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, held on Friday June 15, 2007 at 4:00 p.m.

Further public notice is hereby given that said ordinance shall be considered for final passage and adoption at a regular meeting of the Board of Commissioners to be held on Friday July 6, 2007 at 7:00 p.m. at the Public Safety Building, 6805 Long Beach Blvd., Brant Beach, NJ 08008.

### CERTIFICATION

I, **Bonnie M. Leonetti, RMC/CMC**, Municipal Clerk for the Township of Long Beach do hereby certify that the foregoing Ordinance 07-31C was duly adopted by the Board of Commissioners at their meeting held on Friday, July 6, 2007 at 7:00 p.m.

OPEN PUBLIC HEARING

No Comment

CLOSE PUBLIC HEARING

2. Resolution 07-0706.01: Amend Ordinance 07-31C and adopt as **amended** on Second Reading

### RESOLUTION 07-0706.01

**WHEREAS**, Ordinance #07-31C is being considered for final passage; and

**WHEREAS**, It has been called to the attention of the Board of Commissioners of the Township of Long Beach that in Section II of Ordinance 07-31C a new schedule is created which is intended to apply to new construction and substantial renovations a new water meter rate shall be applied; and

**WHEREAS**, Schedule 4 does not contain an appropriate title as the other schedules do in Chapter 197 of the "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)"; and

**WHEREAS**, the insertion of a mere title is, in the opinion of the Solicitor of Long Beach Township, not a substantial change calling for a new publication since it is not changing in any manner the intent and purpose of the Ordinance but is merely putting in a descriptive title.

**NOW THEREFORE BE IT RESOLVED**, that Section II of Ordinance 07-31C shall be and is hereby amended by inserting immediately below "Schedule 4" a title as follows:

**Water meter rates for new Construction as required in §197-10A.**

**BE IT FURTHER RESOLVED**, that with such amendment Ordinance 07-31C shall be and is hereby adopted on second reading.

Motion: Bayard Ayes: Bayard, Gove

Second: Gove Nays:

3. First Reading Ordinance 07-32C: **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 197 REGULATES AND PERMITS THE USAGE OF WATER SUPPLIED BY THE TOWNSHIP WATER AND SEWER DEPARTMENT.**

**Mayor Gove** clarified the current water conservation regulations and listed various directives for conservation contained in Ordinance 07-32C. She stated all regulations would be enforced.

Motion to approve Ordinance 07-32C on First Reading:

Motion: Bayard Ayes: Bayard, Gove

Second: Gove Nays:

4. First Reading Ordinance 07-33C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME PERTAINS IN CHAPTER 51 TO BEACHES AND IN CHAPTER 64, SECTION 17 PERTAINS TO WALKWAYS.**

**Mayor Gove** stated this regulated dune walkover construction requirements. She announced that all dune walkovers must be registered with the Zoning Department no later than August 24<sup>th</sup> 2007. Only those structures would be eligible for replacement after the Beach Storm Protection Project was completed in Long Beach Township.

Motion to approve Ordinance 07-33C on First Reading:

Motion: Bayard Ayes: Bayard, Gove

Second: Gove Nays:

**ADOPTIONS, APPROVALS, SUPPORT, OPPOSITION**

5. Resolution 07-0706.02: Support a statewide Gypsy Moth Control Program financially sponsored by the State of New Jersey

**RESOLUTION 07-0706.02**

**RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY URGING THE STATE OF NEW JERSEY TO TAKE FINANCIAL RESPONSIBILITY FOR THE COST OF A STATEWIDE GYPSY MOTH CONTROL PROGRAM**

**WHEREAS**, as stated on the State of New Jersey Department of Agriculture website, the gypsy moth, in its caterpillar stage, is the most destructive hardwood defoliator ever to occur in New Jersey; and

**WHEREAS**, each year, since 1970, gypsy moth caterpillars have caused varying degrees of defoliation (leaf loss) between 1,910 – 800,000 acres of forest land; and

**WHEREAS**, municipalities with heavy infestations of gypsy moths, as delineated by summer aerial defoliation survey, are contacted in writing by the Department of Agriculture in early fall of each year, and asked if they wish to have a gypsy moth egg mass count; and

**WHEREAS**, if the residential or recreational forest has an average of more than 500 egg masses per acre, and is at least 50 acres in size, it may qualify for participation in the cooperative gypsy moth suppression program; and

**WHEREAS**, in addition to delineating treatment areas, the Department of Agriculture also applies for U.S.D.A. Forest Service cost sharing funds which, if approved, results in a 50% reimbursement of the treatment cost; and

**WHEREAS**, the Department is also responsible for choosing the insecticide to be sprayed and in supervising the actual spray operation; and

**WHEREAS**, in the fall of 2006, the Department of Agriculture determined that there were 15 counties with a total of 125,743 acres in need of gypsy moth suppression; and

**WHEREAS**, it is quite clear that the defoliation is a statewide problem; and

**WHEREAS**, the State of New Jersey is not restricted by the same 2.5% increase in expenditures of the 4% increase in tax revenue as municipalities.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach hereby calls upon the State Legislature to undertake immediate action to fully fund the gypsy moth control program, due to the devastating destruction it will cause statewide; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be distributed to the Governor of the State of New Jersey, all State Legislators, and every New Jersey Municipality urging them to pass similar resolutions of support.

6. Resolution 07-0706.03: Oppose Assembly Bill A-3860 to amend the New Jersey Municipal Land Use Law

**RESOLUTION 07-0706.03**

**RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY IN OPPOSITION TO ASSEMBLY BILL A-3860 AMENDING NEW JERSEY MUNICIPAL LAND USE LAW**

**WHEREAS**, the New Jersey General Assembly has introduced A-3860, a Bill which would amend the New Jersey Municipal Land Use Law, N.J.S.A. 40A55D-1 et.seq.; and

**WHEREAS**, Assembly Bill A-3860 would specifically add as an intent and purpose of the Municipal Land Use Law the provision of a supply of housing adequate to meet the demographic, social and economic needs of the State's diverse and dynamic population; and

**WHEREAS**, Assembly Bill A-3860 would also alter the existing statement of statutory construction of Section 92 of the Municipal Land Use Law and thereby constrain the ability of local municipalities to plan their communities and protect the public good; and

**WHEREAS**, while the provision of adequate housing to all New Jersey citizens is a laudable goal, the proposed legislation would allow developers to more easily argue for increased densities and to obtain use variances, therefore, which would undermine the sound planning and zoning of New Jersey Municipalities; and

**WHEREAS**, if enacted, Assembly Bill A-3860 would result in the overdevelopment of the previous few remaining areas of open space within our state and infringe upon the constitutional right of municipalities to zone and plan the development of their respective communities.

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

1. The Board of Commissioners petitions the members of the 9<sup>th</sup>, 10<sup>th</sup>, and 30<sup>th</sup> Legislative District delegations to oppose the enactment of Assembly Bill A-3860 and work towards its defeat.
2. The Board of Commissioners petitions Governor Corzine to veto Assembly Bill A-3860 in the event that this Bill or any similar legislation is enacted by the New Jersey Legislature.
3. A certified copy of this resolution shall be provided to each of the following:
  - Honorable Jon Corzine, Governor of the State of New Jersey
  - Honorable Richard Codey, President of the NJ State Senate
  - Honorable Joseph Roberts, Speaker of the NJ General Assembly
  - 9<sup>th</sup>, 10<sup>th</sup>, and 30<sup>th</sup> District Legislators
  - Ocean County Planning Board
  - Ocean County Mayor's Association
  - New Jersey Conference of Mayors

**Mayor Gove** advised if enacted, Assembly Bill A-3860 would result in the overdevelopment of open space and infringe upon the constitutional right of municipalities to zone and plan the development of their communities.

7. Resolution 07-0706.04: Approve personnel actions

**RESOLUTION 07-0706.04**

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

**BEACH PATROL**

Hire the following as a Seasonal Lifeguard at a rate of \$93.34 per day to be paid from the Lifeguard Salary & Wage effective retro-active to June 17, 2007.

Sean Haydon

Hire the following as a Seasonal Lifeguard at a rate of \$80.00 per day to be paid from the Lifeguard Salary & Wage effective retro-active to June 17, 2007.

Martin Kennedy

Hire the following as a Seasonal Lifeguard at a rate of \$73.34 per day to be paid from the Lifeguard Salary & Wage effective retro-active to June 17, 2007.

Michael Kennedy

Hire the following as a Seasonal Lifeguard at a rate of \$93.34 per day to be paid from the Lifeguard Salary & Wage effective retro-active to June 23, 2007.

Dave McDermott                      Scott Mitchell

Hire the following as a Seasonal Lifeguard at a rate of \$73.34 per day to be paid from the Lifeguard Salary & Wage effective retro-active to June 23, 2007.

Kieran Monaghan

Change the following Seasonal Lifeguards' rate of pay to \$80.00 per day to be paid from the Lifeguard Salary & Wage effective retro-active to June 17, 2007.

Ken Melillo

Change the following Seasonal Lifeguards' rate of pay to \$73.34 per day to be paid from the Lifeguard Salary & Wage effective retro-active to June 17, 2007.

Chris Candio                      David Breitweiser

Hire the following Seasonal Beach Badge Program Seller/Checker at the rate of \$8.15 per hour to be paid from the Beach Badge Salary & Wage effective retro-active to June 23, 2007.

Jeanne Davies

Hire the following Seasonal Beach Badge Program Seller/Checkers at the rate of \$7.75 per hour to be paid from the Beach Badge Salary & Wage effective retro-active to June 23, 2007.

Elizabeth Elfreth                      Kaileigh Gallivan                      Kellen McGinley                      Liddy Rechenberg

Hire the following Seasonal Beach Badge Program Seller/Checker at the rate of \$7.65 per hour to be paid from the Beach Badge Salary & Wage effective retro-active to June 23, 2007.

Nick Cragg

Change the following employee's title to Seasonal Beach Badge Program Seller/Checker with a new rate of pay to \$7.85 per hour to be paid from the Beach Badge Salary & Wage effective retro-active to June 23, 2007.

Madeline Myers

**POLICE**

Acknowledge the Notice tendered by Officer Michael Allen and approve a military leave of absence with the New Jersey Air National Guard effective retro-active to June 18, 2007 with pay provisions as per NJAC 5A:2-2.1(b).

**PUBLIC WORKS**

Approve a paid Medical Leave of Absence for Timothy Kearney using accumulated sick days effective retro-active to June 8, 2007.

Change Gregg Meoni's title to Seasonal Laborer effective July 6, 2007.

Change James Bazel's title to Provisional Mechanic and increase his base salary 10% effective July 6, 2007 as per the Teamsters current contract.

Change Anthony Toth's title to Provisional Supervising Road Inspector and increase his base salary 10% effective July 6, 2007 as per the Teamsters current contract.

Change James O'Brien's title to Provisional Supervising Mechanic and increase his base salary 10% effective July 6, 2007 as per the Teamsters current contract.

Change Daniel Thurston's title to Provisional Supervising Maintenance Repairer and increase his base salary 10% effective July 6, 2007 as per the Teamsters current contract.

Change Robert Parker's title to Provisional Supervising Heavy Equipment Operator and increase his base salary 10% effective July 6, 2007 as per the Teamsters current contract.

Approve an annual stipend of \$1,000 prorated from July 2, 2007 for the following for holding a Commercial Drivers License in accordance with the current Teamsters Side Bar Contract.

Matthew Beningaso

**Mayor Gove** listed the various actions taken.

8. Resolution 07-0706.05: Authorize Long Beach Township's renewal membership in the Ocean County Municipal Joint Insurance Fund: 2008 through 2010

**RESOLUTION 07-0706.05**

**RESOLUTION FOR RENEWAL OF MEMBERSHIP IN THE OCEAN COUNTY MUNICIPAL JOINT INSURANCE FUND**

**WHEREAS**, the Township of Long Beach is a member of the Ocean County Municipal Joint Insurance Fund; and

**WHEREAS**, said renewed membership terminates as of December 31, 2007 unless earlier renewed by agreement between the Municipality and the Fund; and

**WHEREAS**, the Municipality desires to renew said membership effective January 1, 2008 through December 31, 2010.

**NOW THEREFORE, BE IT RESOLVED** as follows:

1. The Township of Long Beach agrees to renew its membership in the Ocean County Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverage, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.

2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Ocean County Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

9. Resolution 07-0706.06: Authorize Purchasing Agent to advertise for bids:  
(4) 2007 Ford Interceptors for the Police Department

**RESOLUTION 07-0706.06**

**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:  
Lease/purchase of four (4) Police Interceptor vehicles

**Mayor Gove** noted the purchase cost of these vehicles was included in the 2007 Budget.

10. Resolution 07-0706.07: Approve various changes to Water/Sewer accounts

**RESOLUTION 07-0706.07**

**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>
1.74	8	565-0 Water	2007	To Stand-by	\$92.00
4.08	18	886-0 Water	2007	To Stand-by	173.00
4.22	12	1067-0 Water	2007	To Condos A & B	210.00
4.32	2	1199-0 Water	2007	To Stand-by	229.00
6.48	6	2150-0 Water	2007	To Stand-by	187.00
6.48	6	2150-0 Sewer	2007	To Stand-by	409.00
7.04	9	2208-0 Water	2007	Changed 2 to 1 Family	89.00
10.38	9.02	3292-0 Water	2007	To Stand-by	204.00
12.16	7	4102-0 Sewer	2007	Changed 2 to 1 Family	204.50
20.62	17	7010-0 Water	2007	To Stand-by	148.00
20.172	8	7675-0 Water	2007	To Stand-by	204.00

**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.

11. Resolution 07-0706.08: Approve various temporary traffic/parking regulations:

Annual Bicycle Rodeo: July 22<sup>nd</sup>  
LBI Arts Foundation Arts & Crafts Show: July 28<sup>th</sup> & 29<sup>th</sup> and  
Open House Tour: August 1<sup>st</sup>  
Waterfest: August 8<sup>th</sup>  
Red Cross Rock 'n Ride: September 9<sup>th</sup>

**RESOLUTION 07-0706.08**

**WHEREAS**, various annual events held in Long Beach Township require the suspension of certain traffic regulations in order to insure the safety and welfare of residents and summer visitors, and the safe flow of traffic within the Municipality.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that the following actions shall be taken:

- **Long Beach Township Bike Rodeo:**  
Alternate side parking will be suspended on July 22<sup>nd</sup> from 8:00 a.m. until 2:00 p.m. on the following streets to accommodate participants:  
East 67<sup>th</sup> Street: From Long Beach Blvd. to Ocean Blvd.  
East 68<sup>th</sup> Street: From Long Beach Blvd. to Ocean Blvd.  
East 69<sup>th</sup> Street: From Long Beach Blvd. to Ocean Blvd.
- **Long Beach Island Foundation of the Arts and Sciences:**
  1. Art Show: Suspend parking regulations on the west side of Long Beach Blvd. in Loveladies July 27<sup>th</sup> at 6:00 P.M. through July 29<sup>th</sup> at 7:00 P.M.
  2. House Tour: Suspend parking regulations on Long Beach Blvd. in Loveladies and North Beach on August 1<sup>st</sup> from 7:00 A.M. to 7:00 P.M.
- **Long Beach Township Waterfest:**
  1. Bayview Park will be closed to transient visitors from 8:00 p.m. on August 7, 2007 until 8:00 a.m. on August 8, 2007.
  2. Alternate side parking will be suspended all day on August 8, 2007 from 6:00 a.m. until 6:00 p.m. to accommodate exhibitors and visitors on the following streets:  
Goodrich: Entire Length  
Brownson: From Long Beach Blvd. to Ocean Blvd.  
Dayton: From Long Beach Blvd. to Ocean Blvd.  
Burwell: From Long Beach Blvd. to Ocean Blvd.  
Coughlin: From Long Beach Blvd. to Ocean Blvd.

- **American Red Cross Rock 'n Ride:**

Allow participants to ride through various portions of Long Beach Township on September 9<sup>th</sup>, 2007 commencing at 9:00 a.m.

**Mayor Gove** stated these were all annual events.

12. Resolution 07-0706.09: Adopt the National Incident Management System as the standard for Incident Management in Long Beach Twp.

**RESOLUTION 07-0706.09**

**WHEREAS**, Deputy Police Chief Leslie A. Houston, Long Beach Township Emergency Management Coordinator, has recommended that the Township of Long Beach adopt the National Incident Management System; and

**WHEREAS**, it is the desire of the Board of Commissioners of the Township of Long Beach to take said action.

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

1. That the Township of Long Beach hereby officially adopts the National Incident Management System (NIMS) as the All Hazards Incident Management System used by all Local Jurisdictional Departments and Agencies and upon this adoption it shall be administered in the Township of Long Beach by the Long Beach Township Office of Emergency Management.

2. That copies of this Resolution be sent to: the Ocean County Office of Emergency Management, Deputy Chief Leslie A. Houston, and any other interested parties.

**Mayor Gove** remarked NIMS would be implemented by the Long Beach Township Office of Emergency Management.

13. Resolution 07-0706.10: Authorize Eastern Surfing Association competitions

**Mayor Gove** advised this competition had been held for the first time in 2006.

**RESOLUTION 07-0706.10**

**RESOLUTION PERMITTING THE EASTERN SURFING ASSOCIATION, CENTRAL NEW JERSEY CHAPTER TO HOLD LOCAL DISTRICT SURFING CONTESTS IN THE TOWNSHIP OF LONG BEACH**

**WHEREAS**, the Township of Long Beach has designated a number of surfing areas within the Township by Resolution No. 06-0602.08; and

**WHEREAS**, the Eastern Surfing Association, Central New Jersey Chapter, has requested the approval of the Board of Commissioners of the Township of Long Beach to conduct surfing contests on the 106<sup>th</sup> Street Beach in the Beach Haven Park Section of the Township during the month of July, 2007; and on the 72<sup>nd</sup> Street Beach in the Brant Beach Section of the Township one weekend day during the month of August, 2007; and

**WHEREAS**, Scott Goodwin of the Central New Jersey Chapter will notify the Municipal Clerk by telephone the day before, when he has ascertained that conditions are optimal to hold the contest; and

**WHEREAS**, the approximate number of participants is 50 persons and the expected total number of visitors is 75 persons. The number of expected vehicles is 15 to 20, and 1 truck is allowed; and

**WHEREAS**, the Eastern Surfing Association shall furnish to the Township 10 days in advance of the first contest, a Two Million Dollar (\$2,000,000) insurance waiver to cover the event; and

**WHEREAS**, the Surfing Association will provide all of the necessary items needed to conduct the event; a collapsible canopy, a collapsible table and speaker system and any other incidental items; one truck will be allowed to temporarily drive onto the beach to unload the various equipment then leave to park on the street; and all participants and spectators to the event will be required to purchase beach badges.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach at a regular meeting held Friday, July 6, 2007 at 7:00 P.M. that the Eastern Surfing Association is hereby permitted to conduct surfing contests on a weekend day on the 106<sup>th</sup> Street Beach in the Beach Haven Park Section of the Township during the month of July, 2007; and on the 72<sup>nd</sup> Street Beach in the Brant Beach Section of the Township one weekend day during the month of August, 2007.

Motion to approve Items 5 - 13:

Motion: Bayard Ayes: Bayard, Gove

Second: Gove Nays:

**LICENSES AND PERMITS**

14. Resolution 07-0706 .11: Approve a 2007 Motorized Veteran Ice Cream Vendor License:  
Henry Klos

**RESOLUTION 07-0706.11**

**WHEREAS**, the Revised General Code of the Township of Long Beach 1997 Chapter 107 provides that the Board of Commissioners shall limit the number of persons desiring to sell or vend ice cream or ice cream products in the Township of Long Beach; and

**WHEREAS**, it is the desire of said Board to place a limitation on same in order to avoid undue crowding, littering, traffic congestion and the like.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Township of Long Beach that the following veteran vendor who has received all required clearances as of this date shall be issued a license for the selling or vending of ice cream or ice cream products subject to requirements and restrictions for the year 2007.

<u>Vendor Name</u>	<u>Vendor ID Number</u>
Henry Klose	ICV 07-02

15. Resolution 07-0706 .12: Approve the retirement of an Alcoholic Beverage Club License:  
Park Bay Beach Club

**RESOLUTION 07-0706.12**

**WHEREAS**, the Park Bay Beach Club, P.O. Box 2248, Beach Haven Park, NJ 08008 has been the holder of Alcoholic Beverage Commission Club License number 1517-31-013-001 in Long Beach Township; and

**WHEREAS**, the Park Bay Beach Club no longer has a need or a desire to retain said Club License, and has certified to the Township of Long Beach their intention not to renew, but to allow the expiration of the license.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach supports the retirement of Alcoholic Beverage Commission Club License number 1517-31-013-001 as per the written request, dated June 20, 2007 and certified by Commodore Kathy Feather, of the Park Bay Beach Club.

16. Resolution 07-0706.13(a-d): Approve various Social Events Permits:
- a. East Burwell Ave. on June 30<sup>th</sup>, Block Party
  - b. East Jerome Ave. on July 3<sup>rd</sup>, Block Party
  - c. East Mears Ave. on August 11<sup>th</sup>, Block Party
  - d. East Dune Lane on September 2<sup>nd</sup>, Anniversary Party

**RESOLUTION 07-0706.13(a)**

**WHEREAS**, in response to homeowner's requests for the following:

- 1) Permission to close East Burwell Ave., Brant Beach from Long Beach Blvd. eastward to Ocean Blvd. from 5:30 p.m. to 9:30 p.m. leaving a lane open for emergency vehicles on June 30, 2007 for a block party.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach does hereby grant permission, retroactively, for the above cited temporary closure as requested with provisions for a lane for emergency vehicles and flashing lights on barriers from dusk to the close of the event.

**RESOLUTION 07-0706.13(b)**

**WHEREAS**, in response to homeowners requests for the following:

- 1) Permission to close E. Jerome Avenue, between Beach Avenue and Long Beach Blvd. from 12:00 p.m. to 12:00 a.m. leaving a lane open for emergency vehicles on July 3, 2007 for a block party.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach does hereby grant permission for the above cited temporary closure as requested with provisions for a lane for emergency vehicles and flashing lights on barriers from dusk to close of event.

**RESOLUTION 07-0706.13(c)**

**WHEREAS**, in response to homeowners' requests for the following:

- 1) Permission to close East 53<sup>rd</sup> Street, between Beach Avenue and Long Beach Blvd. from 10:00 a.m. to 8:00 p.m. leaving a lane open for emergency vehicles on August 11, 2007 for a block party.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach does hereby grant permission for the above cited temporary closure as requested with provisions for a lane for emergency vehicles and flashing lights on barriers from dusk to close of event.

**RESOLUTION 07-0706.13(d)**

**WHEREAS**, in response to homeowners' requests for the following:

- 1) Permission to close East Dune Lane from Long Beach Blvd. eastward from 3:00 p.m. to 7:00 p.m. leaving a lane open for emergency vehicles on September 2, 2007 for an anniversary party.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach does hereby grant permission for the above cited temporary closure as requested with provisions for a lane for emergency vehicles and flashing lights on barriers from dusk to close of event.

Motion to approve Items 14 - 16:

Motion: Bayard Ayes: Bayard, Gove

Second: Gove Nays:

**CONTRACTS AND AWARDS**

17. Resolution 07-0706.14: Approve amendment to contract awarded pursuant to Resolution 07-615.12(b): Correct name of contractor to Foster's Farm Market

**RESOLUTION 07-0706.14**

**WHEREAS**, Resolution 07-0615.12(b) awarded a contract to landscape the municipal complex in the Township of Long Beach to Foster's Landscaping, 400 North Bay Avenue, Beach Haven, NJ 08008 in an amount not to exceed Seven Thousand Six Hundred Ninety Four Dollars and Fifty One Cents (\$7,694.51); and

**WHEREAS**, due to a clerical error, the correct name of the contractor was recorded incorrectly.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that Resolution 07-0615.12(b) be and is hereby amended so that the aforementioned contract shall be amended as follows:

Foster's Farm Market  
400 North Bay Avenue  
Beach Haven, NJ 08008

18. Resolution 07-0706.15: Approve a contract for the purchase of a Desktop Folder/Inserter Machine, per state contract: Neopost \$12,351.00

**RESOLUTION 07-0706.15**

**AUTHORIZE A CONTRACT WITH NEOPOST FOR THE PURCHASE OF A DS70 DESKTOP FOLDER / INSERTER MACHINE, FURNITURE CONSOLE AND A ONE (1) YEAR MAINTENANCE CONTRACT (AFTER WARRANTY) FOR THE TOWNSHIP OF LONG BEACH, 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**, Neopost, 30955 Huntwood Avenue, Hayward, CA 94344 has been awarded New Jersey State Contract No. 63770 for Mailroom Equipment and Maintenance for the period October 15, 2005 to October 14, 2007; and

**WHEREAS**, the Commissioner of Public Works 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 of one (1) DS70 Desktop Folder / Inserter Machine, Furniture Console, and a one (1) year maintenance contract (after warranty) is Twelve Thousand Three Hundred Fifty One Dollars (\$12,351.00); and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds for this contract in the appropriation created by: Water/Sewer; Tax Collector; Construction; Finance Administration; Court; Purchasing; Tax Assessor; Land Use Board; Lifeguards; Beach Badges; Board of Health; Municipal Clerk; Streets & Roads; Public Works; Buildings & Grounds; and Police Other Expenses.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that Neopost be awarded a contract for the purchase of one (1) DS70 Desktop Folder / Inserter Machine, Furniture Console, and a one (1) year maintenance contract (after warranty) in an amount not to exceed Twelve Thousand Three Hundred Fifty One Dollars (\$12,351.00).

19. Resolution 07-0706.16: Approve a contract to purchase and install a Vertical Turbine Pump at Well #22 in the Holgate Water Plant, per bid: A. C. Schultes \$25,500.00

**RESOLUTION 07-0706.16**

**A RESOLUTION AWARDING A CONTRACT TO FURNISH AND INSTALL A 720 GPM VERTICAL TURBINE PUMP AT WELL #22 IN THE HOLGATE WATER TREATMENT PLANT FOR THE WATER / SEWER DEPARTMENT IN THE TOWNSHIP LONG BEACH, PER BID**

**WHEREAS**, the Township of Long Beach has solicited bids to furnish and install a 720 GPM Vertical Turbine Pump at Well #22 in the Holgate Water Treatment Plant; and

**WHEREAS**, it is in the opinion of the Township that the lowest qualified bid be accepted for same; and

**WHEREAS**, A.C. Schultes, Inc., 664 S. Evergreen Avenue, Woodbury Heights, NJ 08097 gave the lowest qualified bid as per the municipal attorney's review and approval; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Ordinance 06-29: Authorize the repair / replacement of the pump on Well #22.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach this 6<sup>th</sup> day of July 2007, for the reasons aforesaid, that a contract be and is hereby awarded to:

A.C. Schultes, Inc.  
664 S. Evergreen Avenue  
Woodbury Heights, NJ 08097

to furnish and install a 720 GPM Vertical Turbine Pump at Well #22 in the Holgate Water Treatment Plant in an amount not to exceed Twenty Five Thousand Five Hundred Dollars (\$25,500.00) as per the bid received June 28, 2007.

Motion to approve Items 17 - 19:

Motion: Bayard Ayes: Bayard, Gove

Second: Gove Nays:

**FINANCIAL APPROVALS**

20. Resolution 07-0706.17(a&b): Approve various Chapter 159's  
a. Municipal Alliance Grant: \$2,000.00  
b. Tobacco Age of Sale Enforcement \$1,500.00

**RESOLUTION 07-0706.17(a)**

**RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN AMENDMENT TO THE 2007 BUDGET TO ALLOW FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159) MUNICIPAL ALLIANCE**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof shall not have been determined at the time of the adoption of the budget; and

**WHEREAS**, N.J.S.A. 40A:4-87 further provides that the Director may approve the insertion of an appropriation item of an amount equal to any such special item of revenue making such item of revenue available for expenditure; and

**WHEREAS**, the Ocean County Board of Health has approved an additional donation to the Township of Long Beach in the amount of \$2,000.00; and

**WHEREAS**, it is the desire of the Board of Commissioners of the Township of Long Beach to amend the 2007 Municipal Budget to provide for the insertion of this donation as a source of revenue and an expenditure appropriation.

**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 Board of Commissioners do hereby authorize an amendment to the 2007 Municipal Budget to provide for the insertion of a Chapter 159 (N.J.S.A. 40A:4-87) Special Item of Revenue as follows:

**GENERAL REVENUES**

Miscellaneous revenues

Section F: Special Items of General Revenue anticipated with prior written consent of the Director of Local Government Services – public and private revenue offset with appropriations:

MUNICIPAL ALLIANCE: AN ADDITIONAL \$2,000.00

2. That the Board of Commissioners do hereby further authorize an appropriation of an equal sum under the caption of:

**GENERAL APPROPRIATION:**

(A) OPERATIONS – Excluded from CAPS:

Public and private programs offset by revenues:

MUNICIPAL ALLIANCE: AN ADDITIONAL \$2,000.00

3. That one certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services, with one copy to the Township Auditor and the Township Treasurer.

**RESOLUTION 07-0706.17(b)**

**RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN AMENDMENT TO THE 2007 BUDGET TO ALLOW FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159) TOBACCO AGE OF SALE ENFORCEMENT.**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof shall not have been determined at the time of the adoption of the budget; and

**WHEREAS**, N.J.S.A. 40A:4-87 further provides that the Director may approve the insertion of an appropriation item of an amount equal to any such special item of revenue making such item of revenue available for expenditure; and

**WHEREAS**, the State of New Jersey has approved a donation to the Township of Long Beach under the Tobacco Age of Sale Enforcement Grant in the amount of \$1,500.00 which has been received; and

**WHEREAS**, it is the desire of the Township of Long Beach to amend the 2007 Municipal Budget to provide for the insertion of this donation as a source of revenue and an expenditure appropriation.

**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 Board of Commissioners do hereby authorize an amendment to the 2007 Municipal Budget to provide for the insertion of a Chapter 159 (N.J.S.A. 40A:4-87) Special Item of Revenue as follows:

**GENERAL REVENUES**

Miscellaneous revenues

Section F: Special Items of General Revenue anticipated with prior written consent of the Director of Local Government Services – public and private revenue offset with appropriations:

TOBACCO AGE OF SALE ENFORCEMENT      \$1,500.00

2. That the Board of Commissioners do hereby further authorize an appropriation of an equal sum under the caption of:

**GENERAL APPROPRIATION:**

(A) OPERATIONS – Excluded from CAPS:

Public and private programs offset by revenues:

TOBACCO AGE OF SALE ENFORCEMENT      \$1,500.00

3. That one certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services, with one copy to the Township Auditor and the Township Treasurer.

21. Resolution 07-0706.18: Authorize cancellation of a tax levy and refund of a Tax overpayment

**RESOLUTION 07-0706.18**

**A RESOLUTION AUTHORIZING CANCELLATION OF TAX LEVY AND REFUND OF OVERPAYMENT**

**WHEREAS**, the governing body, by appropriate resolution, may return all taxes collected on property which would have been exempt had proper claim in writing been made (N.J.S.A. 54:4-3.30 et seq.); and

**WHEREAS**, James J Avery, Sr., due to the wartime service-connected disability which is totally disabling, is entitled to a total tax exemption on his property located at Block 20.96 Lot 1, also known as 85A Long Beach Blvd.; and

**WHEREAS**, James J Avery, Sr.'s wartime disability entitles him to a totally tax exempt status effective for the year of 2007, the property tax obligation of \$10,952.49 requires cancellation and \$5,085.83, which has been paid on this exempt property, is due a refund.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, that the 2007 property tax obligation is hereby canceled and the refund as set forth above shall be issued, and the Tax Collector is directed to make the appropriate adjustments to the records.

22. Resolution 07-0706.19: Approve release of a Maintenance Bond

**Mayor Gove** provided information regarding the Subdivision: LUB-23-03, Block 15.137, Lots 1, 1.01, 1.02, 1.03, 1.04 & 1.06.

**RESOLUTION 07-0706.19**

**WHEREAS**, the Township of Long Beach, pursuant to Resolution 05-0520.10, had accepted Check #4231 drawn on Commerce Bank in the amount of Fourteen Thousand Three Hundred Forty Dollars (\$14,340.00) from Callan & Moeller as a Maintenance Bond for Subdivision No. LUB-23-03, Block 15.137, Lots 1, 1.01, 1.02, 1.03, 1.04 & 1.06, Brant Beach, NJ; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners authorize the release, as per the certification and recommendation of the Municipal Engineer, of the Maintenance Bond in the amount of Fourteen Thousand Three Hundred Forty Dollars (\$14,340.00).

23. Resolution 07-0706.20:
 

Approve Bills & Payroll	
Bills in the amount of:	\$1,934,377.26
Payrolls in the amount of	\$ 477,951.51

**RESOLUTION 07-0706.20**

**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 \$477,951.51.

**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 \$1,934,377.26 be and the same are hereby authorized to be paid on July 6, 2007.

2. The said approved payroll amounting to the sum of \$477,951.51 be and the same are hereby authorized to be paid on July 6, 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 20 - 23:

Motion: Bayard Ayes: Bayard, Gove

Second: Gove Nays:

**Mayor Gove** invoked the Doctrine of Necessity in order to vote on the Ocean County Utilities Authority voucher.

**COMMISSIONERS' REPORTS**

**Commissioner Bayard** stated the Public Works Department was busy responding to public requests and asked for their patience during this busy season.

**Commissioner Palmer** was absent.

**Mayor Gove** announced the next meetings of the Board of Commissioners and the Land Use Board, as well as the date of the second reading and public hearing for Ordinances 07-32C and 07-33C. She spoke about correspondence she had received from Stafford Township in appreciation of mutual aid from Long Beach Township during a recent forest fire that resulted in regional evacuations. She wished all a happy and safe summer.

**OPEN PUBLIC SESSION**

**Bill Felix / North Beach** complained that trash trucks were outside his home at 6:28 a.m. He asked that Long Beach Township take action to acquire a parcel of land through Green Acres funding.

**Kay Felix / North Beach** felt various street signs in Long Beach Township were difficult to read and were in need of replacement.

**Commissioner Bayard and Rose Hirsekorn, Pubic Works Department** stated trash collection was permitted at 6:30 a.m. during the summer season.

**Katharine Shackleton, Solicitor** explained various legal issues associated with the purchase of the land parcel Mr. Felix referenced due to pending tax liens.

**Mayor Gove** stated she would look into improved street signs for the Township.

**Mike Mercurio / Beach Haven Terrace** advocated wind energy and asked the position of Long Beach Township on renewable energy sources.

**Mayor Gove** explained Long Beach Township was in favor of renewable energy and would review all information relevant to Ordinance 07-21C.

**Pat Kaletkowski / Brant Beach** suggested energy producing options, such as windmills, be placed on larger parcels of land as had been done in Atlantic City. She felt Long Beach Township properties were too small to accommodate the erection and operation of windmills. She recommended power companies foster such projects.

**Dick Jeffries / Beach Haven Terrace** considered pedestrian walkways dangerous and stated individuals should only cross roadways at intersections.

**Bill Knarre / Brant Beach** asked if Ordinance 07-32C was effective for summer months only.

**Mayor Gove** replied the effective dates were June 1<sup>st</sup> through September 30<sup>th</sup>. She noted this ordinance made the current regulations stronger.

**John Connolly / Beach Haven Crest** asked when sprinklers could be operated.

**Mayor Gove** stated the hours of operation were included in Ordinance 07-32C.

**Bill Kunz / Brant Beach** did not agree with the regulations created by Ordinance 07-33C. He asked if water conservation regulations were currently in effect.

**Mayor Gove** explained all walkovers must be registered and a permit fee would be due. She stated conservation regulations were in effect and posted on the Township website.

**Commissioner Bayard** added that these regulations would be strictly enforced.

**Gail Middleton / Brant Beach** advised the Commissioners that Southern Regional Summer School buses were idling without students, or with a minimum number of students on the bus, and felt this was wasteful. She noted that energy saving street lights had been installed at various locations in Long Beach Township but failed to see any savings to property owners. She wanted water meters installed on Long Beach Township properties.

**Mayor Gove** informed Ms. Middleton that she had notified the Southern Regional School District and asked them to be aware that a complaint had been received regarding the summer school buses. She thanked Ms. Middleton for her other comments and would consider them.

**CLOSE PUBLIC SESSION**

Motion for adjournment at: 8:05 p.m.  
Motion: Bayard Ayes: Bayard, Gove  
Second: Gove Nays:

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Bonnie M. Leonetti, RMC, CMC  
Municipal Clerk

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DiAnne C. Gove, Mayor

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Robert A. Palmer, Comm.

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Ralph H. Bayard, Comm.