

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS MAY 18, 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: Bonnie M. Leonetti, Municipal Clerk
Richard J. 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: Palmer Ayes: Bayard, Palmer, Gove
Second: Bayard Nays:

AGENDA

PROCLAIM:

Emergency Medical Services Week: May 20 – 26, 2007

ORDINANCES/PUBLIC HEARINGS

1. Second Reading Ordinance 07-18C: **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 205 DEFINES FRONT YARD.**

Mayor Gove specified that for an Oceanfront Lot Owner, a Bay Front Lot Owner or a Lagoon Front Lot Owner to consider the area fronting on the ocean, bay or lagoon as the front yard, frontage on such body of water must be a minimum of 30% of the required width of the lot, as the term lot width is defined in this Ordinance.

The Land Use Board reviewed this ordinance and found it to be satisfactory as written.

Passed as on first reading at a regular meeting held on April 20, 2007 advertised in the BEACH HAVEN TIMES, issue of April 25, 2007.

ORDINANCE 07-18C

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 205 DEFINES FRONT YARD.

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

STATEMENT OF PURPOSE

This Ordinance makes it specific that for an Oceanfront Lot Owner, a Bay front Lot Owner or a Lagoon Front Lot Owner to consider the area fronting on the ocean, bay or lagoon as the front yard, frontage on such body of water must be a minimum of 30% of the required width of the lot as the term lot width is defined in this Ordinance.

SECTION I

Section 205-2 of an Ordinance entitled "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" is hereby amended by the addition to the definition of YARD, FRONT by changing the period to a semicolon and adding the following clause:

provided that the frontage on such body of water shall be no less than 30% of the lot width of the lot as that term is defined in this Section.

SECTION II

All Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency.

SECTION III

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 IV

This Ordinance shall take effect upon 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, April 20, 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, May 18, 2007 at 4:00 p.m. at the Public Safety Building, 6805 Long Beach Blvd., Brant Beach, NJ 08008.

CERTIFICATION

I, **BONNIE M. LEONETTI**, Municipal Clerk for the Township of Long Beach do hereby certify that the foregoing Ordinance 07-18C was duly adopted by the Board of Commissioners at their meeting held on Friday, May 18, 2007 at 4:00 p.m.

OPEN PUBLIC HEARING

No Comment

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 07-18C on Second Reading:

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

2. Second Reading Ordinance 07-20C: **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 PERTAINS TO WATER AND SEWER RATES.**

Mayor Gove advised this authorized a 3% increase.

Passed as on first reading at a regular meeting held on May 4, 2007 advertised in the BEACH HAVEN TIMES, issue of May 9, 2007.

ORDINANCE 07-20C

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 PERTAINS TO WATER AND SEWER RATES.

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

STATEMENT OF PURPOSE

This Ordinance merely amends Water and Sewer Rates.

SECTION I

Section 197-7A. Water Rates. Schedules No. 1, No. 2 and No. 3 are hereby amended to read as follows:

"Schedule No. 1"

Un-metered Continuous Service for Domestic Purposes

Use	Minimum Charge Per Year or Season
One-family (includes kitchen sink hot And cold water, bathtub, toilet and washstand)	\$116.00
Hot tub	\$ 39.00
Bidet	\$ 39.00
2-family units	\$195.00
3-apartment units	\$294.00
4-apartment units	\$391.00
5-apartment units	\$489.00
6-apartment units	\$586.00
7-apartment units	\$684.00
10 apartment units	\$977.00
Additional fixtures	
Automatic clothes washer	\$ 12.00
Combination sink and tray	\$ 12.00
Laundry trays (one or two-part)	\$ 12.00
Hose spigots	\$ 25.00
Automatic dishwasher	\$ 12.00
Toilets	\$ 25.00
Bathtubs	\$ 20.00
Showers	\$ 20.00
Basins	\$ 10.00
Sinks	\$ 10.00
Drinking fountains	\$ 14.00
Ice Cream machines	\$ 14.00
Urinals	\$ 25.00
Swimming pool	\$148.00
Motel	
With efficiency unit (each)	\$ 83.00
Without efficiency unit (each)	\$ 66.00
House trailer	\$ 83.00
Standby water service (temporary disconnection of water service)	\$116.00
Fire Hydrants	\$278.00
Under ground sprinkler system	\$108.00

"Schedule No. 2"

Metered Continuous Service for Commercial Property

Use	Minimum Charge Per Year or Season
All consumption	\$3.01 per 1,000 gallons
Meter Size	
5/8- inch meter per year or season	\$ 41.00
¾ - inch meter per year or season	\$ 61.00
1-inch meter per year or season	\$101.00
1 ½ - inch meter per year or season	\$202.00
2-inch meter per year or season	\$367.00
3-inch meter per year or season	\$607.00

"Schedule No. 3"

Other Customers Not Covered Above

Customer	Per Year or Season
Ocean County Utilities Authority	\$3.17 per 1,000 gallons
Telephone Company	\$3.17 per 1,000 gallons

SECTION II

Section 197-8 Connection Fees. Subsections A and C shall be hereby amended to read as follows:

“Section 197-8A. Prior to any connection of any property with the Township water system, there shall be paid a connection fee as follows:

(1)	For a ¾-inch connection	\$1,720.00
(2)	For a 1-inch connection	\$1,791.00
(3)	For a 1 ½-inch connection	\$2,150.00
(4)	For a 2-inch connection	\$2,293.00

Section 197-8C. In all subdivisions where the developer is required to install all utilities to curb on public streets, a charge of \$354.00 shall be made for the house connection.”

SECTION III

Section 196-11 of an Ordinance entitled, **“Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)”** is hereby amended by the repeal of paragraphs B and C and by adoption in lieu and instead of paragraph B the following:

- B. It shall be unlawful for any person within the Township of Long Beach to utilize or open any fire hydrant for any private or commercial use. Fire Hydrants shall be utilized and opened only by recognized Fire Departments responding to calls within the Township and by authorized personnel of the Township Water & Sewer Department.

SECTION IV

Section 197-26(A)(2) is hereby amended by the addition of a new subparagraph to read as follows:

“(hh) Disconnection inspection Fee. \$33.00

Water and sewer lines must be disconnected at the curb line of the property and there shall be paid a fee of \$33.00 to the Township for inspection of said disconnection.”

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

<u>SEWER RENTAL CHARGES</u>		
<u>ANNUAL RENTAL CHARGE</u>		
(a) Single family dwelling	1x	\$ 421.00
(1) Each detached apartment	1x	\$ 421.00
(b) Rooming house or boarding house up to and including nine rental rooms	2x	\$ 842.00
(c) Rooming house or boarding house with ten or more rental rooms	3x	\$1,263.00
(d) Duplex apartments (2 family dwelling)	2x	\$ 842.00
(1) Each additional apartment	1x	\$ 421.00
(e) Hotel or motel	1x	\$ 421.00
PLUS		
(1) Rental rooms (each)	1/4x	\$ 105.25
(2) Efficiencies (each)	1/2x	\$ 210.50
(f) Restaurant	1 1/2x	\$ 631.50
(1) Each rental room	Plus 1/4x	\$ 105.25
(2) Each apartment	Plus 1x	\$ 421.00
(g) Store or office (under 10 employees)	1x	\$ 421.00
(h) Store or office (10 employees or more)	2x	\$ 842.00
(i) Store or office in house or with apartment		
(1) under 10 employees	2x	\$ 842.00
(2) 10 employees or more	3x	\$1,263.00
(3) each additional apartment	1x	\$ 421.00
(j) Bar or café	2x	\$ 842.00
(1) Each rental room	Plus 1/4x	\$ 105.25
(2) Each apartment	Plus 1x	\$ 421.00
(k) Luncheonette	1x	\$ 421.00
(1) Each rental room	Plus 1/4x	\$ 105.25
(2) Each apartment	Plus 1x	\$ 421.00
(l) Service Station (auto)	1x	\$ 421.00
(m) Service Station (auto) with apartment	2x	\$ 842.00
(n) Theater	2x	\$ 842.00
(1) Each apartment or store add.	Plus 1x	\$ 421.00
(o) Laundrettes	2x	\$ 842.00
(1) Add for each washing machine	Plus	\$ 105.25
(p) Car Wash	2x	\$ 842.00
(1) Add for each wash unit	Plus	\$ 105.25
(q) Trailer Park	1x	\$ 421.00
(1) Each trailer connection	1/2x	\$ 210.50

(2) Each transient location	1/4x	\$ 105.25
(r) Each garbage disposal unit in addition to all other applicable charges		\$ 179.00
(aa) Club Charge	1 1/2x	\$ 631.50
(bb) Community Center	1x	\$ 421.00
(cc) Community Center cooking facilities	1 1/2x	\$ 631.50
(dd) Church	1x	\$ 421.00
(ee) Standby Charge (temporary disconnection of sewer service)		\$ 421.00
(ff) Initial charge for connection of each improved property to the sewerage collection system installed by the Township of Long Beach		\$1,092.00
(gg) Initial charge for connection of each improved property to the sewerage collection system installed by builder or applicant."		\$ 165.00

SECTION V

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

SECTION VI

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 VII

This Ordinance shall take effect upon 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 May 4, 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 May 18, 2007 at 4:00 p.m. at the Public Safety Building, 6805 Long Beach Blvd., Brant Beach, NJ 08008.

CERTIFICATION

I, **BONNIE M. LEONETTI**, Municipal Clerk for the Township of Long Beach do hereby certify that the foregoing Ordinance 07-20C was duly adopted by the Board of Commissioners at their meeting held on Friday, May 18, 2007 at 4:00 p.m.

OPEN PUBLIC HEARING

No Comment

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 07-20 on Second Reading:

Motion: Palmer Ayes: Bayard, Palmer, Gove

Second: Bayard Nays:

3. First Reading Ordinance 07-22: **AN ORDINANCE APPROPRIATING THE SUM OF \$25,000.00 FROM THE CAPITAL IMPROVEMENT FUND OF THE SAID TOWNSHIP FOR THE SOLE PURPOSE OF THE TOWNSHIP OF LONG BEACH LAND USE BOAD CONDUCTING THE PERIODIC REEXAMINATION OF ITS MASTER PLAN AND DEVELOPMENT REGULATIONS PURSUANT TO N.J.S.A. 40:55D-89.**

Mayor Gove stated the Land Use Board would review the Master Plan this year; she announced 2nd reading would take place June 1st at 7:00 p.m.

Motion to approve Ordinance 07-22 on First Reading:

Motion: Palmer Ayes: Bayard, Palmer, Gove

Second: Bayard Nays:

4. First Reading Ordinance 07-23C: **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 5-11 ADDRESSES PERSONNEL POLICIES AND PROCEDURES.**

Mayor Gove advised this pertained to work hours for Dept. Heads; compensatory time for "on-call" duty; re-imburement of college tuition for work required degrees; and pro-ration of annual leave due to leaves of absence, resignations or retirements. 2nd reading would take place June 1st at 7:00 pm

Motion to approve Ordinance 07-23C on First Reading:

Motion: Palmer Ayes: Bayard, Palmer, Gove

Second: Bayard Nays:

5. First Reading Ordinance 07-24C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN SECTION 205-2 AS THE SAME PERTAINS TO ZONING.**

Mayor Gove explained this would amend the definition of "ACCESSORY BUILDING", deleted outdoor shower facilities of 32 square feet or less as an accessory building, but stated that shower facilities exceeding 32 square feet in area or extending more that 4 feet from the vertical face of the building would be considered as an accessory building. 2nd reading would take place June 15th at 4:00 pm.

Motion to approve Ordinance 07-24C on First Reading:
Motion: Palmer Ayes: Bayard, Palmer, Gove
Second: Bayard Nays:

ADOPTIONS, APPROVALS

6. Resolution 07-0518.01: Support petition to Comcast Cable Television to improve its signal and adjust service fees during periods of poor quality service

RESOLUTION 07-0518.01

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, PETITIONING COMCAST CABLE TV TO IMPROVE ITS TV SIGNAL & ADJUST ITS SERVICE FEES DURING PERIODS OF POOR QUALITY SERVICE

WHEREAS, Comcast Cable TV of Long Beach Island holds a non-exclusive cable TV franchise within the Township of Long Beach; and

WHEREAS, in providing services to its customers, Long Beach Township Ordinance 04-33 requires that Comcast Cable TV must comply with all applicable state and federal statutes and regulations, and it must also strive to meet or exceed all voluntary company and industry quality standards in the delivery of TV service to its customers; and

WHEREAS, Long Beach Township Ordinance 04-33 further requires that Comcast Cable TV shall be prepared to report on it to the municipality upon written request of the Municipal Administrator or Clerk; and

WHEREAS, over the past several months, the quality of the cable TV signal being provided to the customers in the Township of Long Beach has been exceptionally poor, with distorted picture, inconsistent sound, and disrupted video; and

WHEREAS, the customers within the Township of Long Beach are not receiving the quality of service they deserve, nor are they receiving a viewable cable TV signal that they are being charged for; and

WHEREAS, the residents of Long Beach Township deserve an explanation from Comcast Cable TV, as well as a partial refund for TV service defectively provided; and

WHEREAS, Long Beach Township Ordinance 04-33 further requires Comcast Cable TV to appear at least once annually, upon written request of the Township, at a public hearing of the governing body, to discuss matters pertaining to the provision of cable service to the residents of the Township and other related issues as the Township may see fit; and

WHEREAS, it is the desire of the Board of Commissioners of the Township of Long Beach to petition Comcast Cable TV of Long Beach Island to improve its TV signal and adjust its service fees during periods of poor quality TV service, and to appear before the Board of Commissioners to discuss the same.

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

1. The Board of Commissioners of the Township of Long Beach do hereby petition Comcast Cable TV of Long Beach Island to improve its TV signal and adjust its service fees during periods of poor quality TV service.

2. The Board of Commissioners further request that Comcast Cable TV of Long Beach Island appear at the next public hearing of this governing body to discuss matters pertaining to the provision of cable service to the residents of the Township.

3. A certified copy of this resolution shall be forwarded to Cable TV of Long Beach Island, the NJBPU Office of Cable Television and to all other municipalities within the service area of Comcast Cable TV of Long Beach Island.

7. Resolution 07-0518.02: Approve various changes to Water/Sewer accounts

RESOLUTION 07-0518.02

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:

Blk:	Lot:	Acct:	Year:	Cancel/change:	Amount:
4.32	13	1209-0 Sewer	2007	Change 2 to 1 family	\$272.56
5.24	14	1634-0 Water	2007	To Stand-by	169.00

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 07-0518.03: Authorize application for Cop-in-Shops funding

RESOLUTION 07-0518.03

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that Chief Michael Bradley of the Long Beach Township Police Department, be and he hereby is authorized and directed to apply, retroactively, for the Cops In Shops – Summer Shore Initiative 2007 Grant AL-07-10-05-02 available from the State of New Jersey Division of Alcoholic Beverage Control in the amount of \$2,400.00.

9. Resolution 07-0518.04: Approve personnel actions

RESOLUTION 07-0518.04

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

BEACH PATROL

Hire the following as Seasonal Part Time Laborers at the rate of \$9.50 per hour to be paid from Lifeguard Salary & Wage effective May 18, 2007.

Jared Angelozzi	Stephen Burke	John Campise
Patrick Craig	Michael Dancha	Terry Dorman
Shannon Dries	Thomas Duralek	Dillon Durando

Louis Formica
Oskar Huber
Travis Lepley
Daniel Meenan
Ellen Pfeider
Paige Sawin
Kelly Tait
Ryan Williams

Timothy Hermann
Adam Lambert
Ian Logue
Christopher Metcalfe
Richard Saldibar
David Silber
Megan Vile

Gregory Howard
Jill Lambert
Harry McNamara
John O'Shaughnessy
Jason Sawczak
Matthew Stutz
Joshua Wall

COLLECTOR

Acknowledge the end of a paid medical leave of absence and return to work for Carol Cerbone effective retro-active to May 7, 2007.

HEALTH

Hire the following as Seasonal Part Time Water Samplers conducting water sampling activities with the Coastal Community Monitoring Program at the rate noted below to be paid from the Health Department Salary & Wage effective retro-active to May 14, 2007 thru September 17, 2007.

Michael Baker \$19.71 per hour
Josh Bligh \$19.28 per hour

Hire the following as a Seasonal Part Time Registered Environmental Health Specialist at a rate of \$22.50 per hour to be paid from the Health Salary & Wage effective May 18, 2007.

Ed McNicholas

Hire the following as a Seasonal Part Time Senior Registered Environmental Health Specialist at a rate of \$27.00 per hour to be paid from the Health Salary & Wage effective May 18, 2007.

Eugene Mulgrew

POLICE

Approve the following, paid from the Police Salary & Wage, for step increments (adjusted base salaries) in accordance with the current contract (Article XXI).

Ronald Hullings Step 6 \$71,990.00 effective 5/18/07

Rescind the hiring action on Resolution 07-0504.04 of the following due to their inability to complete the required Class I Academy due to personal conflicts.

Frank Kleshick Matthew Morgan Michael Morgan

PUBLIC WORKS

Approve a Medical Leave of Absence for Suzette Meoni effective retro-active to April 12, 2007. Payment of paychecks from date of approval shall be determined by payroll department and will be documented by Resolution on June 1, 2007.

Correct/Change Resolution 07-0504.04 regarding Ronald Hodanish. Approval shall be for an unpaid medical leave of absence effective retro-active to April 23, 2007.

WATER/SEWER

Approve a PERS Veteran Retirement for Frederick Hulick effective May 1, 2007.

Motion to approve Items 6 - 9:

Motion: Palmer Ayes: Bayard, Palmer, Gove

Second: Bayard Nays:

LICENSES AND PERMITS

10. Resolution 07-0518.05: Approve renewal application for a tattoo studio license:
Island Tattoo Studio, 1214 Long Bch Blvd, NBH

RESOLUTION 07-0518.05

WHEREAS, Rebecca Giannone, t/a Island Tattoo Studio located at 1214 Long Beach Blvd., North Beach Haven, New Jersey in the Township of Long Beach, was approved a license to operate a tattoo studio as defined in the Revised General Code of the Township of Long Beach 1997 Chapter 58 of the Township of Long Beach pursuant to Resolution 06-0407.06; and

WHEREAS, Island Tattoo Studio has satisfied all provisions of Chapter 58 and has received the approval of the Long Beach Island Board of Health and the Long Beach Township Police Department to renew said license for the year 2007; and

WHEREAS, the Board of Commissioners of the Township of Long Beach is not aware of any circumstances or provisions of law which prohibit the granting of said license.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the above detailed license, LBTT 07-01, be and hereby is granted effective May 18, 2007 through May 17, 2008.

11. Resolution 07-0518.06: Approve renewal application for an arcade license: Mr. Tee's Arcade

RESOLUTION 07-0518.06

WHEREAS, Stephen Linzey, t/a Mr. Tee's Arcade located at 18 W. 18th Street, North Beach Haven, New Jersey in the Township of Long Beach, constitutes a part of the amusement area in a seashore resort as defined in the Revised General Code of the Township of Long Beach 1997 Chapter 43 of the Township of Long Beach; and

WHEREAS, Mr. Tee's Arcade has applied for an Amusement Games License to hold, operate and conduct various games; and

WHEREAS, the Board of Commissioners of the Township of Long Beach is not aware of any circumstances or provisions of law which prohibit the granting of said license.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the above detailed license, Certification AGL 07-01, be and hereby is granted for the year 2007 to expire December 31, 2007

Motion to approve Items 10 & 11:

Motion: Palmer Ayes: Bayard, Palmer, Gove

Second: Bayard Nays:

CONTRACTS AND AWARDS

12. Resolution 07-0518.07: Award a contract for the purchase of various tires for the Public Works Department, per quote: Quality Tire & Muffler \$8,989.00

RESOLUTION 07-0518.07

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR THE PURCHASE AND INSTALLATION OF VARIOUS TIRES AND TUBES FOR LONG BEACH TOWNSHIP PUBLIC WORKS DEPARTMENT VEHICLES, PER QUOTE

WHEREAS, the Township of Long Beach has solicited quotes for the purchase and installation of various tires and tubes for the following Public Works Department vehicles; and

- TS-90: Tractor to pull the beach cleaner
 - (1) Dyno Torque tire and (1) tube
 - (2) Titan tires and (2) tubes
 - (4) tubes for TS-90 tires
- L-70: Loader
 - (2) tires and mounting, and disposal fee
- L-90: Loader
 - (2) tires and mounting, and disposal fee

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

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

WHEREAS, Quality Tire & Muffler gave the lowest qualified quote in an amount not to exceed Eight Thousand Nine Hundred Eighty Nine Dollars (\$8,989.00).

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 18th day of May 2007, for the reasons aforesaid, that a contract be and is hereby awarded to:

Quality Tire & Muffler
609 Route 72
Manahawkin, NJ 08050

for the purchase and installation of various tires and tubes as described above for Public Works Department vehicles in an amount not to exceed Eight Thousand Nine Hundred Eighty Nine Dollars (\$8,989.00) as per quote received February 15, 2007.

13. Resolution 07-0518.08: Authorize a proprietary contract:

GTBM for InfoCop Services for the Police Department \$7,300.00

RESOLUTION 07-0518.08

A RESOLUTION AUTHORIZING A PROPRIETARY CONTRACT FOR INFO –COP SOFTWARE SERVICES FOR THE POLICE DEPARTMENT IN THE TOWNSHIP OF LONG BEACH

WHEREAS, the Long Beach Township Police Department is the lead agency for Interlocal Services Agreements regarding Mobil Data Terminal (MDT) look-up services; and

WHEREAS, Info-Cop software services for the MDT's and the server maintained by Long Beach Township are required for the effective functioning of the program; and

WHEREAS, the provision or performance of goods or services for Info-Cop software services for the MDT's and the server maintained by Long Beach Township are specifically exempted from bidding requirements under the Local Public Contracts Law pursuant to N.J.S.A. 40A: 11 -5(1)(dd); and

WHEREAS, G.T.B.M., P.O. Box 305, 351 Paterson Drive, East Rutherford, NJ 07073 is able to provide the necessary Info-Cop software services in an amount not to exceed Seven Thousand Three Hundred Dollars (\$7,300.00); and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Police Other Expenses.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that G.T.B.M. be awarded a contract to provide the necessary Info-Cop software services in an amount not to exceed Seven Thousand Three Hundred Dollars (\$7,300.00).

14. Resolution 07-0518.09: Award a contract for the purchase of a vehicle for the Construction Department, per state contract:

Sansone Plaza Dodge Motors Fleet \$17,690.55 for (1) 2007 Dodge Dakota

RESOLUTION 07-0518.09

AUTHORIZE A CONTRACT WITH SANSONE PLAZA DODGE MOTORS FLEET FOR THE PURCHASE AMMUNITION FOR THE POLICE 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, Sansone Plaza Dodge Motors Fleet, P.O. Box 638, Red Bank, NJ 07701 has been awarded New Jersey State Contract No. 67278 for Vehicles, Trucks, Pickup, Compact for the period November 16, 2006 to September 30, 2007; and

WHEREAS, the Commissioner of Public Safety 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 (1) 2007 Dodge Dakota is Seventeen Thousand Six Hundred Ninety Dollars and Fifty Five Cents (\$17,690.55); and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this contract in the appropriation created by: Construction Other Expenses.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that Sansone Plaza Dodge Motors Fleet be awarded a contract for the purchase of (1) 2007 Dodge Dakota for the Construction Department in an amount not to exceed Seventeen Thousand Six Hundred Ninety Dollars and Fifty Five Cents (\$17,690.55).

Motion to approve Items 12 - 14:

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

FINANCIAL APPROVALS

15. Resolution 07-0518.10: Authorize the refund of various tax account overpayments

RESOLUTION 07-0518.10

A RESOLUTION AUTHORIZING REIMBURSEMENT OF EXCESS REAL ESTATE TAXES PAID

WHEREAS, due to various reasons, overpayments have been made on the following accounts;
and

<u>Blk</u>	<u>Lot</u>	<u>Name & Address</u>	<u>Total Refund Amount</u>
4.07	3	Countrywide Tax Service 1757 Tapa Canyon SV-24 Simi Valley, CA 93063	\$ 929.07
8.02	3	1 st American R/E Tax Service 1 st American Way Mail Code DFW 1-3 Westlake, TX 76262	1,672.01
Total			<u>\$2,601.08</u>

WHEREAS, the above-listed property owners are due reimbursement for the overpayment of taxes paid.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, County of Ocean and State of New Jersey that the overpayments as set forth above, totaling \$2,601.08, shall be reimbursed and the Tax Collector is directed to make the appropriate adjustments to the records.

16. Resolution 07-0518.11(a&b): Authorize various fees:

- a. Service fee on returned checks (\$20.00)
- b. Certified copy of Civil Union licenses (\$5.00)

RESOLUTION 07-0518.11(a)

A RESOLUTION AUTHORIZING SERVICE CHARGE ON RETURNED CHECKS

WHEREAS, N.J.S.A. 40:5-18 has been enacted to allow a municipality the authority to impose a service charge to be added on an account where payment by check or other written instrument was returned for insufficient funds; and

WHEREAS, whenever an account owing to a municipality is for a tax, water/sewer rental, or special assessment, the service charge authorized by this section shall be included on whatever list of delinquent accounts is prepared for the enforcement of the lien. This service charge shall be collected in the same manner prescribed by law for the collection of the account for which the check or other written instrument was tendered.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, County of Ocean and State of New Jersey that the Tax Collector be authorized to charge the aforementioned fee at a rate of \$20.00 per check or other written instrument for all payments returned for insufficient funds; and

BE IT FURTHER RESOLVED, that the Tax Collector and Chief Financial Officer may require future payments to be tendered in cash or by certified or cashier's check; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Chief Financial Officer, the Tax Collector and the Municipal Auditor.

RESOLUTION 07-0518.11(b)

WHEREAS, since April 2007 when the State of New Jersey recognized Civil Unions, Long Beach Township has issued several licenses and is now expecting requests for certified copies of same.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that certified copies of Civil Unions shall be provided at a cost of \$5.00 per copy.

17. Resolution 07-0518.12(a&b): Approve various Chapter 159's

- a. Ocean County Tourism: Lifeguard in Training \$1,000.00
- b. Ocean County Tourism: Waterfest \$1,000.00

RESOLUTION 07-0518.12(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): LIFEGUARD IN TRAINING (LIT) TOURNAMENT

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 items have been made available by law and the amount thereof was not 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 Chosen Freeholders and the Ocean County Tourism Advisory Council has approved a donation to the Township of Long Beach in the amount of \$1,000.00; 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, in the 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 Revenues Offset with Appropriations:

OCEAN COUNTY TOURISM – LIFEGUARD IN TRAINING
(LIT) TOURNAMENT \$1,000.00

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

GENERAL APPROPRIATION:

OPERATIONS – Excluded from CAPS:
Public and Private Programs Offset by Revenues:
OCEAN COUNTY TOURISM – LIFEGUARD IN TRAINING
(LIT) TOURNAMENT \$1,000.00

There is a local match of \$1,000.00 from the Federal and State local match line item in our 2007 budget.

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 07-0518.12(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): OCEAN COUNTY MUNICIPAL JOINT INSURANCE FUND SAFETY INCENTIVE AWARD

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 items have been made available by law and the amount thereof was not 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 Chosen Freeholders and the Ocean County Tourism Advisory Council has approved a donation to the Township of Long Beach in the amount of \$1,000.00; 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, in the 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 Revenues Offset with Appropriations:

OCEAN COUNTY TOURISM – WATERFEST \$1,000.00

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

GENERAL APPROPRIATION:

OPERATIONS – Excluded from CAPS:
Public and Private Programs Offset by Revenues:
OCEAN COUNTY TOURISM – WATERFEST \$1,000.00

There is a local match of \$1,000.00 from the Federal and State local match line item in our 2007 budget.

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.

18. Resolution 07-0518.13: Approve acceptance of a maintenance bond and release of a performance bond: LUB 9-06, Blk 10.38 Lot 9

RESOLUTION 07-0518.13

WHEREAS, pursuant to Resolution 06-0804.18 the Township of Long Beach received from Arthur E. Goldberger, Check No. 0125589 in the amount of \$13,200.00 drawn on Bank of America, as the required Performance Bond for Minor Sub-division Application #LUB-9-06, Block 10.38, Lot 9; and

WHEREAS, the municipal engineer has inspected Minor Sub-division #LUB-9-06 and certified the Performance Bond be released and that a Maintenance Bond in the amount of \$675.00 be retained.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach hereby releases the amount of \$12,525.00 plus interest representing the required Performance Bond for the above mentioned property, and retains the amount of \$675.00 as the Maintenance Bond per the certification and recommendation of the Township Engineer.

19. Resolution 07-0518.14: Approve Bills & Payroll
Bills in the amount of: \$1,003,136.54
Payrolls in the amount of: \$ 384,076.86

RESOLUTION 07-0518.14

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 \$384,076.86.

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 \$1,003,136.54 be and the same are hereby authorized to be paid on May 18, 2007.

2. The said approved payroll amounting to the sum of \$384,076.86 be and the same are hereby authorized to be paid on May 18, 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 - 19:

Motion: Palmer Ayes: Bayard, Palmer, Gove

Second: Bayard Nays:

Mayor Gove abstained from Southern Ocean County Hospital, Ocean County Utilities Authority, and LBI Senior Center vouchers.

Mayor Gove stated the Tax Collector's Report for the month of April 2007 was on file in the Municipal Clerk's Office.

COMMISSIONERS' REPORTS

Commissioner Bayard introduced Andrew Baran, the newly hired Deputy Municipal Department Head for Public Works. He stated the municipal complex was being painted and should be done in the near future. The Public Works Department was working on the beaches clearing debris and preparing for Memorial Day weekend.

Commissioner Palmer had no comments.

Mayor Gove announced the next meeting of the Board of Commissioners and the next meeting of the Land Use Board. She reminded the public that the second reading and public hearing for Ordinances 07-22 and 07-23C would take place on June 1st at 7:00 p.m., and second reading and public hearing for Ordinances 07-21C and 07-24C would take place on June 15th at 4:00 p.m. She noted a grant for Fatal Vision Zero Tolerance was recently received by the Police Department as a result of the efforts of Lt. Paul Vereb. She thanked Katie Ackers and the Senior Mates Program for recently cleaning Bayview Park. The Mayor also noted the significant effort of the Long Beach Township Police Department in assisting Stafford Township during a recent serious forest fire that resulted in widespread evacuations on the mainland. In closing, Mayor Gove announced the traffic lights would be operational on Long Beach Boulevard starting May 21st, and the speed limit would also be lowered. She advised citizens to be aware of pedestrian traffic on Ocean Boulevard and Beach Avenue, and to have a safe Memorial Day weekend.

OPEN PUBLIC SESSION

Bill Knarre / Brant Beach commented the NFL and Golf channels would be part of a sports package offered by Comcast Cable TV for an additional charge. He wanted to protest this change and asked the Commissioners to intervene if possible.

Bob Irvine / Beach Haven Crest read and presented a statement regarding the update of the Long Beach Township Master Plan. He asked that a citizen's advisory committee be formed utilizing members of the LBT10 Homeowners Association to help the Commissioners review the Master Plan and make suggestions pertaining to the update.

CLOSE PUBLIC SESSION

Motion for adjournment at: 4:34 p.m.

Motion: Palmer Ayes: Bayard, Palmer, Gove

Second: Bayard Nays:

Bonnie M. Leonetti, RMC, CMC
Municipal Clerk

DiAnne C. Gove, Mayor

Robert A. Palmer, Comm.

Ralph H. Bayard, Comm.