

MINUTES
REGULAR SESSION **BOARD OF COMMISSIONERS** **MAY 2, 2016**
Flag Salute

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

Clerk called the roll:	Mayor Joseph H. Mancini	PRESENT
	Commissioner Ralph H. Bayard	PRESENT
	Commissioner Joseph P. Lattanzi	PRESENT

Also in attendance: Lynda J. Wells, Municipal Clerk
Kyle Ominski, Administrator

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, ATLANTIC CITY PRESS and ASBURY PARK PRESS on January 28, 2016; 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: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

AGENDA

PROCLAMATIONS: May 2016

Older Americans' Month: In recognition of the many contributions made by Older Americans to the culture, economy and character of our community.

PROCLAMATION

WHEREAS, the month of May 2016 has been designated throughout the nation as "Older Americans' Month"; and

WHEREAS, the theme for this year's recognition is "Blaze a Trail" focusing on raising awareness about issues facing older adults and highlighting the way older Americans are advocating for themselves, their peers, and their communities; and

WHEREAS, now is the time to "Blaze a Trail" by promoting activities, inclusion and wellness for older Americans; and

WHEREAS, the Ocean County Board of Social Services sponsors the Ocean County Retired and Senior Volunteer Program, administers the Special Response Services to the Elderly Program, the Safe Housing and Transportation Program, and various other programs for seniors; and

WHEREAS, the older adults in Ocean County and the people who serve and support them deserve recognition for the contributions they have made and will continue to make to the culture, economy, and character of our community and our nation.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach hereby proclaims the month of May 2016 "Older Americans' Month" and would like to raise awareness because together we can promote healthy aging, increase community involvement for older adults, and tackle important issues such as the prevention of elder abuse; and

BE IT FINALLY RESOLVED that certified copies of this Proclamation shall be forwarded to the Ocean County Board of Social Services and the Ocean County Freeholders.

Paint the Town Pink: To encourage the early detection of breast cancer through annual mammography.

PROCLAMATION

PAINT THE TOWN PINK MONTH – MAY 2016

WHEREAS, the Board of Commissioners for the Township of Long Beach desires to recognize the month of May 2016 as "Paint the Town Pink Month"; and

WHEREAS, since its inception in 2007, in a community-wide effort presented by Meridian Health, "Paint the Town Pink" has expanded to a month long event from May 1st through May 31st, 2016; and

WHEREAS, the Board of Commissioners for the Township of Long Beach desires to again join the Ocean County Board of Social Services, Meridian Health and local municipalities in Ocean and Monmouth Counties in raising awareness of the importance of annual mammography; and

WHEREAS, early detection is the best defense against breast cancer and Long Beach Township would like to spread awareness through the distribution of brochures, wearing pink, decorations and other activities without cost to the Township.

NOW THEREFORE BE IT PROCLAIMED, that the Board of Commissioners of the Township of Long Beach do hereby proclaim the month of May 2016 as "Paint the Town

Pink Month" and honors and endorses all programs in Ocean County which encourage raising awareness of the importance of annual mammography.

BE IT FURTHER PROCLAIMED that certified copies of this resolution be forwarded to the Ocean County Board of Social Services and all Long Beach Island municipalities.

ORDINANCES & PUBLIC HEARINGS

1. Second Reading Ordinance 16-15: **AN ORDINANCE AUTHORIZING THE EXECUTION OF A DEED FOR THE CONVEYANCE OF A DRAINAGE EASEMENT LOCATED ON BLOCK 15.11, LOTS 1 AND 2 ON THE TAX MAP OF TOWNSHIP OF LONG BEACH TO THE COUNTY OF OCEAN**

ORDINANCE 16-15

AN ORDINANCE AUTHORIZING THE EXECUTION OF A DEED FOR THE CONVEYANCE OF A DRAINAGE EASEMENT LOCATED ON BLOCK 15.11, LOTS 1 AND 2 ON THE TAX MAP OF TOWNSHIP OF LONG BEACH TO THE COUNTY OF OCEAN

WHEREAS, County of Ocean ("County") owns and maintains the main thoroughfare on Long Beach Island known as Long Beach Boulevard; and

WHEREAS, there are existing storm drainage facilities constructed, operated, maintained, and owned by County that are located in the area of Block 15.11, Lots 1 and 2 (collectively "Property"), on the Tax Map of Township of Long Beach ("Township"), which are located at and are a part of Bayview Park in Township, and which are intended to address the storm drainage requirements for Long Beach Boulevard; and

WHEREAS, County has determined that the existing storm drainage facilities located at the Property are inadequate for their intended purposes, and, therefore, need to be replaced, enlarged, and improved in order to protect and ensure the public health, welfare, and safety; and

WHEREAS, County in order to protect the public health, welfare, and safety, County seeks to obtain a certain Deed of Easement located at the Property in order to permit the Board of Chosen Freeholders of County and its agents to enter upon, construct, operate, and maintain storm drainage facilities; and

WHEREAS, Township deems it appropriate, necessary, and proper for the good government, order, the protection of persons and property, and for the preservation of the public health, welfare, and safety of Township and its inhabitants to convey the proposed Deed of Easement negotiated between County and Township; and

WHEREAS, Township finds that the Property is not otherwise needed for any public purpose; and

WHEREAS, the Property is subject to certain Green Acres restrictions, however, the proposed Deed of Easement and proposed construction do not require New Jersey Department of Environmental Protection Approval pursuant to the express exception for drainage structures and pipelines set forth in N.J.A.C. 7:36-25.2; and

WHEREAS, Township's engineer has reviewed the legal description and survey as to the location of the easement for the construction of the drainage facilities and has advised that said legal description and survey plot on the Property as set forth in the Deed of Easement and Survey; and

WHEREAS, the proposed Deed of Easement and Survey are attached hereto as Exhibit A and incorporated herein as if set forth fully herein; and

WHEREAS, Township's attorney has reviewed and approved the proposed form of Deed of Easement; and

WHEREAS, pursuant to, *inter alia*, N.J.S.A. 40A:12-13, Township is required to authorize the convey the easement in its interest in the Property to County by ordinance; and

WHEREAS, Township intends to authorize the execution of the Deed of Easement, and, therefore, convey the easement on the Property to County pursuant to and in accordance with the foregoing bases and the express representations made by County.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Commissioners of Township of Long Beach, Ocean County, State of New Jersey, in accordance with the aforesaid Recitals, which are incorporated herein by reference as if set forth fully herein, that the Mayor and Municipal Clerk are hereby authorized to execute the Deed of Easement in the identical form proposed by County.

STATEMENT OF PURPOSE

The purpose of this Ordinance is to authorize the execution of the Deed of Easement as proposed by County of Ocean, which shall convey an easement in certain property located at Bayview Park known as Block 15.11, Lots 1 and 2, on the Tax Map of Township of Long Beach, in order for County of Ocean in order replace,

enlarge, and improve the existing storm drainage facilities for Long Beach Boulevard located at that area.

§1. Authorization and Terms

The Mayor and Municipal Clerk of Township of Long Beach are hereby authorized to execute the proposed Deed of Easement (Exhibit A), which shall convey an easement in certain property located at Bayview Park known as Block 15.11, Lots 1 and 2, on the Tax Map of Township of Long Beach, in order for County of Ocean to replace, enlarge, and improve the existing storm water drainage facilities for Long Beach Boulevard located at that area, and which storm drainage facilities shall be constructed, owned, operated, and maintained by County of Ocean.

§2. Repealer

All ordinances, or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

§3. Severability

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.

Effective date.

This ordinance shall take effect after final adoption and publication as required by law.

Passed on first reading at a regular meeting held on April 4th 2016 and advertised in the BEACH HAVEN TIMES issue of April 7th 2016.

OPEN PUBLIC HEARING

No comment

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 16-15 on Second Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

- 2. Second Reading Ordinance 16-16C: AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY (1997)," AND CREATING A NEW CHAPTER 59 ENTITLED VOLUNTARY SURVEILLANCE REGISTRY WHICH AUTHORIZES AND CREATES A VOLUNTARY REGISTRY OF OUTDOOR VIDEO SURVEILLANCE CAMERAS TO ASSIST LAW ENFORCEMENT AND PROTECT THE PUBLIC HEALTH, WELFARE, AND SAFETY**

Passed on first reading at a regular meeting held on April 4th 2016 and advertised in the BEACH HAVEN TIMES issue of April 7th 2016.

Mayor Mancini explained that upon further consideration the Board of Commissioners

Motion to **withdraw** Ordinance 16-16C on Second Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

- 3. Second Reading Ordinance 16-17C: 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 64 AND CHAPTER 205 PERTAIN TO CERTIFICATES OF OCCUPANCY AND ZONING, RESPECTIVELY**

ORDINANCE 16-17C

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 64 AND CHAPTER 205 PERTAIN TO CERTIFICATES OF OCCUPANCY AND ZONING, RESPECTIVELY

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

STATEMENT OF PURPOSE

The purpose of this Ordinance is to amend §64-7, §205-2, §205-11, §205-12, §205-15, §205-20, §205-22, §205-25.4, §205-34, §205-51, §205-52, §205-54 in order to amend and revise the requirements for concrete monuments as a condition-precedent for certificates of occupancy, as it pertains to Chapter 64, and to amend and revise certain zoning regulations relating to setbacks, a definition for pergolas, special lot size requirements, access stairways, and related revisions and edits, as they pertain to Chapter 205.

SECTION I

§64-7(B)(7) is hereby repealed in its entirety.

SECTION II

§205-2B is hereby revised to include the following definition between the definitions for PARKING SPACE, OFF STREET and PLANNING BOARD.

PERGOLA

A structure consisting of posts or columns supporting open spaced rafters, trelliswork or latticework, Pergolas shall comply with all setback requirements and shall not be considered lot coverage or impervious coverage.

SECTION III

§205-20(B) is hereby repealed in its entirety.

SECTION IV

§205-25.4 is hereby amended to repeal the first sentence in its entirety and replace it with the following.

Except where the ground level does not constitute living space and the first floor of living space is the second floor, in a single-family residence, no outside stairway giving access from the ground level to the second floor shall be permitted unless there is an interior stairway.

SECTION V

§205-34(B)(1) is hereby revised to include the word "and" in the second sentence between "ocean" and "shall."

SECTION VI

§205-51(A) is hereby amended to add the following new Paragraph §205-51(A)(3)(a).

- (a) When installing a fence on top of a retaining wall, the minimum height of the fence portion shall be 4 feet and the maximum height of the fence and wall combination, measured from the base of the wall at the finished grade, shall not exceed 6 feet.

SECTION VII

§205-15, §205-22, §205-52, and §205-54 are hereby repealed in their entirety and shall be marked as "Reserved."

SECTION VIII

§205-11 is hereby repealed in its entirety and replaced with the following.

§205-11. Setback requirements and measurements

- A. Except as otherwise set forth herein, in all sections of Long Beach Township, when measuring setback requirements for front yard, rear yard, and side yard, the measurements shall be taken from the property lines and from any easement line existing on said lot exclusive of utility easements.
- B. Setback requirements on lots on the turning circle of culs-de-sac. When any lot is situated on the turning circle of a cul-de-sac, no principal or accessory structure shall be closer than 10 feet to the street line, but in no case shall it be closer than the prevailing setback line of the street if the same were to be fully extended across the turning circle of the cul-de-sac.
 - (1) Setbacks on lots fronting on culs-de-sac shall be computed by measuring back on each side line the required distance, and then striking a line between the two points, provided that in no event shall any building be erected less than 10 feet to the street line.
 - (2) On lots fronting or abutting rectilinear turnarounds on private easements, setbacks shall not be measured from the rectilinear turnarounds, but shall be measured from the access easement boundary lines which such rectilinear turnarounds serve. In the event the map creating such rectilinear turnaround does not show the easement line extending through the turnaround, setbacks shall be measured from the easement line as though extended through such turnaround.
- C. Setback requirements for lots adjacent to bay or lagoon waters.
 - (1) When any lot is situated immediately adjacent to bay or lagoon waters, whether bulkheaded or not, no principal or accessory structure shall be closer than 10 feet from the waterline.
 - (2) "Waterline" shall mean the bulkhead for lots which are bulkheaded and the high-water mark for lots which are not bulkheaded.
 - (3) When measuring the setback requirements for the yard adjacent to the bay or lagoon waters, the measurements shall be taken from the "waterline" and from any easement line existing on said lot exclusive of utility easements, not the property line.
- D. Setback requirements for lots in Flood Zones.

- (1) In all A and V Zones established pursuant to the FEMA Rate Maps referenced in §95-4 of the Code, any structure may have a first-floor extension elevated floor extending in the front or the rear yard which may extend not more than 6 linear feet vertically from the vertical face of the building and may not be larger than 60 square feet total to provide for required mechanicals, i.e., hot-water heater, heating, and ventilating equipment and the like. Any such extension as provided for in this subsection shall not be considered lot coverage.
- E. Setbacks in developed neighborhoods.
- (1) Where a lot is situated between two lots each of which is developed with a main building, the minimum front yard setback requirement of such lot may be the average of the front yards of the existing buildings but not less than 10 feet.
 - a. On any corner lot, the owner of such lot may determine upon which street he or she wishes the main building to front. The front yard shall have the minimum setback required by this Chapter; provided, however, that if the main building on the adjoining lot fronting on the street upon which street the owner wishes his or her main building to front provides for a front yard setback of less than that required by this Chapter the corner lot being developed may maintain the same front yard setback as the adjacent building; provided, however, that such front yard distance shall not be less than 10 feet.
 - b. Setbacks from the oceanfront building line shall be governed by the provisions of §51-4 of the Code.
 - (2) Where a lot adjoins one lot developed as described above and a vacant lot, the minimum front yard requirement of such lot may be the average of the front yard of the existing building and the established front setback line.
 - (3) Where in a given block along the bay front there is a pronounced uniformity in the alignment of existing buildings and the setback depths are greater than required by the setback requirements of this Chapter, then any new building shall conform substantially with the established setback line.
- F. Permitted encroachments into setbacks.
- (1) Chimneys extending or protruding no more than 24 inches from the dwelling and no greater than 6 feet in width along the dwelling shall be permitted to encroach within the side yard and rear yard setback of the applicable zone and shall not be considered coverage.
 - (2) Construction of landings and stairs providing entry in connection with a house being raised so that the first-floor level is above base flood elevation (BFE) level may have 70 square feet projecting no more than 8 feet from the face of the building for reconfigured entries, of which there can be no more than two. Each of the two allowable entries may have an additional 70 square feet, and these entries which do not exceed 70 square feet shall not be considered lot coverage. Regardless of the number or size of entries, a maximum of 32 square feet of entryway may be roofed over and enclosed to be weathertight. The enclosed space cannot project more than 4 feet from the face of the building.
 - (3) Roof overhangs and window units.
 - a. Roof overhangs projecting no more than 24 inches from the face of a building shall not be considered lot coverage and may encroach into the front, rear and side yard setbacks of the lot upon which the building is located.
 - b. Window units projecting not more than 24 inches from the face of a building which are no more than 8 feet along the vertical face of the building wall shall not be considered lot coverage and may encroach into the front and rear yard setbacks of the lot on which the building is located. Such window units encroaching into the rear yard shall be no closer than 15 feet to any residentially or commercially occupied building on the contiguous lot to the rear.
 - (4) Electric meter platforms, projecting not more than 4 feet from the building exterior wall and no more than 3 feet wide and a maximum of 24 inches

above grade, with two steps, shall not be considered lot coverage and may encroach into the front and side yard setbacks of the lot on which the platform is located.

- G. Riparian related setbacks.
(1) For all lots created by combining upland with adjacent riparian grants, all building line setbacks shall be measured from the edge of any lands flowed by tidewater or the edge of any lagoon.
- H. Mapped wetland lot setbacks.
(1) For land mapped by the State of New Jersey as wetlands, all building line setbacks shall be measured from the edge of any mapped wetlands, mapped pursuant to the Wetlands Act of 1970.
(2) For all such mapped wetlands, the setbacks shall be measured from the property line and not the "waterline" as set forth in 205-11(C), regardless of whether the lot is adjacent to bay or lagoon waters.

SECTION IX

§205-12(D) shall be revised to replace the words "Minimum rear yard requirements" with "Except as otherwise provided by §205-11(C) for lots adjacent to bay or lagoon waters, the minimum rear yard requirements shall be as follows."

SECTION X

All ordinances, or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION XI

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.

Effective date.

This ordinance shall take effect after final adoption and publication as required by law.

This ordinance was reviewed and approved by the Land Use Board at their meeting held on April 13th.

Passed on first reading at a regular meeting held on April 4th 2016 and advertised in the BEACH HAVEN TIMES issue of April 7th 2016.

OPEN PUBLIC HEARING

No comment

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 16-17C on Second Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

- 4. Second Reading Ordinance 16-18: AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH VACATING THE PUBLIC INTEREST IN A PORTION OF A CERTAIN FIFTEEN-FOOT (15') ALLEY LYING BETWEEN LOTS 1.01, 1.02, 2, AND 13 IN BLOCK 15.145 LOCATED IN THE TOWNSHIP OF LONG BEACH, OCEAN COUNTY, NEW JERSEY**

ORDINANCE 16-18

AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH VACATING THE PUBLIC INTEREST IN A PORTION OF A CERTAIN FIFTEEN-FOOT (15') ALLEY LYING BETWEEN LOTS 1.01, 1.02, 2, AND 13 IN BLOCK 15.145 LOCATED IN THE TOWNSHIP OF LONG BEACH, OCEAN COUNTY, NEW JERSEY

WHEREAS, N.J.S.A. 40:67-1, *et seq.*, authorizes a municipality to vacate the public interest in any public street, highway, lane, or alley, or any part thereof; and

WHEREAS, N.J.S.A. 40:67-19 provides that where there has been a dedication of lands as a public place and same has not been accepted or opened by the municipality, the governing body may, by Ordinance, release and extinguish the public right arising from the dedication; and

WHEREAS, the Board of Commissioners of the Township of Long Beach finds and determines that the fifteen-foot (15') alleyway, as further and particularly described in Section 2 of this Ordinance, is not needed for any public purpose and that the public interest therein should be vacated and extinguished.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, in accordance with the aforesaid Recitals, which are incorporated herein by reference as if set forth fully herein, does hereby vacate the certain alleyway as follows.

STATEMENT OF PURPOSE

The purpose of this Ordinance is to vacate a fifteen-foot (15') unnamed alleyway lying between Lots 1.01, 1.02, 2, and 13 in Block 15.145

§1. Statutory Authority

This Ordinance is enacted pursuant to and in accordance with the authorization set forth in N.J.S.A. 40:67-1, *et seq.*

§2. Findings and Vacation

The portion of a fifteen-foot (15') alleyway located in the Township of Long Beach, Ocean County, New Jersey, described as follows in the Legal Description prepared by William J. Berg, PLS, which is dated April 1, 2016, shall be and is hereby vacated by the Township of Long Beach:

All that certain lot, tract or parcel of land and premises situate lying and being in the Township of Long Beach, County of Ocean, State of New Jersey and being more particularly described as follows:

Beginning at a point in the intersection formed by the Westerly Right-Of-Way (R.O.W.) Line of an unnamed Fifteen Foot Wide Alley with the Northerly R.O.W. Line of 33rd Street (50 Foot Wide R.O.W.). Said point being distant South 50°45'00" East, 75.00 Feet from the intersection formed by the Northerly R.O.W. Line of 33rd Street with the Easterly R.O.W. Line of Long Beach Boulevard (100 Feet Wide); thence

1. Along the Westerly line of the Fifteen Foot Wide Alley. Said point also being the Easterly property Line of Lots 1.01 and 1.02, Block 15.145, North 39°15'00" East, 150.00 Feet to a point in the Southerly R.O.W. Line of 32nd Street (50 Foot Wide R.O.W.); thence
2. Along said Southerly R.O.W. Line, South 50°45'00" East, 15.00 Feet to a point in the Easterly R.O.W. Line of the unnamed Fifteen Foot Wide Alley. Said line also being the Westerly property line of Lots 2 and 13, Block 15.145; thence
3. Along said Easterly R.O.W. Line, South 39°15'00" West, 150.00 Feet to a point in the Northerly R.O.W. Line of 33rd Street; thence
4. Along said Northerly R.O.W. Line, North 50°45'00" West, 15.00 Feet to the point and place of beginning.
Containing: 2,250.00 SF/0.52 Ac.

Being intended to describe a new vacation of an existing Fifteen Foot Wide Alley between Lots 1.01, 1.02, 2 and 13, Block 15.145. Said unnamed alley is further shown on Sheet 21 of the Long Beach Township Tax Map.

Subject to covenants, restrictions and/or easements, if any, except those that have expired by their own limitations.

The foregoing Legal Description is plotted on a certain Map to Accompany Alley Vacation Description prepared by William J. Berg, PLS, which is dated April 1, 2016, and which is attached hereto as Exhibit A and expressly incorporated by reference herein.

§3. Covenants, Restrictions, and Easements

Pursuant to N.J.S.A. 40:67-1, *et seq.*, and the Legal Description set forth in Section 2 above, the vacation is subject to any covenants, restrictions, and/or easements, except those that have expired by their own limitations, including, but not limited to, any and all rights and privileges possessed by public utilities, as defined in N.J.S.A. 48:2-13, and any cable television company, as defined in N.J.S.A 48:5A-1, *et seq.*, to maintain, repair, and replace their existing facilities in, adjacent to, over or under the alleyway and any part thereof to be vacated, as set forth in in Section 2 above.

§4. Recordation

Within sixty (60) days of the effective date of this Ordinance, the Municipal Clerk shall file a certified true copy of this Ordinance and a copy of the proof of publication with the office of the Ocean County Clerk.

§5. Repealer

All ordinances, or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

§6. Severability

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.

Effective date.

This ordinance shall take effect after final adoption and publication, as required by law.

Passed on first reading at a regular meeting held on April 4th 2016 and advertised in the BEACH HAVEN TIMES issue of April 7th 2016.

OPEN PUBLIC HEARING

No comment

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 16-18 on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

5. First Reading Ordinance 16-19C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTER 193 PERTAINS TO THE STORAGE OF RECREATIONAL VEHICLES**

Motion to approve Ordinance 16-19C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

6. First Reading Ordinance 16-20C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTERS 197 AND 64 PERTAINS TO THE WATER AND SEWER SYSTEM**

Motion to approve Ordinance 16-20C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

7. First Reading Ordinance 16-21: **BOND ORDINANCE AUTHORIZING THE REPAIR, RESTORATION AND/OR REPLENISHMENT OF VARIOUS BEACHES IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$2,500,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$2,375,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Motion to approve Ordinance 16-21 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

8. First Reading Ordinance 16-22: **BOND ORDINANCE AUTHORIZING THE ACQUISITION AND INSTALLATION OF TRAFFIC SIGNALS FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$2,500,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$2,375,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Motion to approve Ordinance 16-22 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

9. First Reading Ordinance 16-23: **BOND ORDINANCE AUTHORIZING SUPPLEMENTAL FUNDING FOR THE REPLACEMENT AND/OR REPAIR OF SANITARY SEWER LINES AND THE HOLGATE PUMP STATION DAMAGED BY HURRICANE SANDY IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$1,500,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$1,500,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Motion to approve Ordinance 16-23 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

10. First Reading Ordinance 16-24: **BOND ORDINANCE AUTHORIZING THE REPAIR AND/OR REPLACEMENT OF VARIOUS WATER MAINS AND THE COMPLETION OF RELATED DRAINAGE IMPROVEMENTS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$750,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN,**

NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$750,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Motion to approve Ordinance 16-24 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

- 11. First Reading Ordinance 16-25: BOND ORDINANCE AUTHORIZING THE REPAIR AND/OR REPLACEMENT OF BULKHEADS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$300,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$285,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Motion to approve Ordinance 16-25 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

- 12. First Reading Ordinance 16-26: BOND ORDINANCE AUTHORIZING THE RECONSTRUCTION AND/OR RESURFACING OF VARIOUS ROADWAYS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$200,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$190,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Motion to approve Ordinance 16-26 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

- 13. First Reading Ordinance 16-27: BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VEHICLES FOR THE PUBLIC WORKS DEPARTMENT IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$70,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$66,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Motion to approve Ordinance 16-27 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

- 14. First Reading Ordinance 16-28: AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY, APPROPRIATING \$40,000 FROM THE CAPITAL IMPROVEMENT FUND (UTILITY CAPITAL ACCOUNT) FOR THE COSTS ASSOCIATED WITH THE ACQUISITION OF A UTILITY TRUCK**

Motion to approve Ordinance 16-28 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

- 15. First Reading Ordinance 16-29: AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY, APPROPRIATING \$25,000 FROM THE CAPITAL IMPROVEMENT FUND (UTILITY CAPITAL ACCOUNT) FOR THE COSTS ASSOCIATED WITH THE ACQUISITION OF VARIOUS EQUIPMENT**

Motion to approve Ordinance 16-29 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

- 16. First Reading Ordinance 16-30C: AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY (1997)," IN CHAPTERS 82 AND 197 PERTAINING TO QUARTERLY WATER/SEWER SERVICE PAYMENTS**

Motion to approve Ordinance 16-30C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

- 17. First Reading Ordinance 16-31C: AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTER 22 BY ESTABLISHING PROCEDURES PERTAINING TO PERSONNEL PRACTICES AND POLICIES**

Motion to approve Ordinance 16-31C on First Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

ADOPTIONS & APPROVALS

18. Resolution 16-0502.01:

Request National Flood Insurance Laws include a grandfathering provision for homes not substantially damaged by Super Storm Sandy

RESOLUTION 16-0502.01

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, REQUESTING THAT GRANDFATHERING PROVISIONS BE INCLUDED IN NATIONAL FLOOD INSURANCE LAWS TO PROTECT HOMEOWNERS WHOSE HOMES ARE BUILT TO ELEVATIONS ACCEPTABLE AT THE TIME OF CONSTRUCTION OR RECONSTRUCTION

WHEREAS, Super Storm Sandy struck the State of New Jersey, inflicting unprecedented damage throughout the State and causing catastrophic flooding and damage to communities across the State, including the Township of Long Beach; and

WHEREAS, as a result of the disaster, many homes were substantially damaged, requiring them to be rebuilt; and

WHEREAS, as a result of the disaster, the Federal Emergency Management Agency ("FEMA") issued Preliminary Flood Insurance Rate Maps, on January 30, 2015 containing Flood Zones and Base Flood Elevations (BFE's) to aid communities in rebuilding; and

WHEREAS, the BFE's have dictated how substantially damaged homes were rebuilt, requiring not only certain building materials and designs, but structural elevations as well through National Flood Insurance Laws; and

WHEREAS, an Amendment to Executive Order 11988 issued January 30, 2015 directs the establishment of a Flood Risk Standard based upon the best available information and the Federal Emergency Management Agency's effective Flood Insurance Rate Map; and

WHEREAS, Super Storm Sandy also impacted homes not substantially damaged, placing them in new zones per the Preliminary Flood Insurance Rate Maps, which now require them to be at higher elevations and built to a different code; and

WHEREAS, these homeowners, because their homes were not substantially damaged, do not qualify for State and Federal programs to raise their homes to the levels consistent with the zones and BFE's or rebuild to current building standards; and

WHEREAS, by not including a grandfathering provision in the National Flood Insurance Laws, these homeowners are either forced to elevate and remodel, or pay increased flood insurance premiums or will lose value in their homes upon resale as their homes will be valued less by potential buyers who will be forced to elevate them; and

WHEREAS, this results in a reality that is unfair given the inability for these homeowners to qualify for programs to assist them in bringing their homes into compliance; and

WHEREAS, the only way to ameliorate this injustice is to insert a grandfathering provision into National Flood Insurance Laws to permit those homes not substantially damaged to be deemed compliant, provided they were appropriately constructed or reconstructed to standards at that time; and

WHEREAS, due to the projected thousands of individuals who will be affected unfairly by these provisions in Flood Insurance Laws, the Board of Commissioners of the Township of Long Beach requests that a grandfathering provision be included in applicable flood insurance laws to protect homeowners whose homes were not substantially impacted by Super Storm Sandy, but will be substantially impacted by the requirements of these laws.

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

1. The Board of Commissioners of the Township of Long Beach request that a grandfathering provision be included in flood insurance laws to protect homes that were not substantially damaged from the building and elevation requirements of these laws.
2. Upon adoption of this resolution, the Township Clerk is authorized and directed to forward a certified copy of said resolution to the Governor of the State of New Jersey, New Jersey Senate President, New Jersey Assembly Speaker, Commissioner of Department of Community Affairs,

Ocean County Freeholders, New Jersey mayors of Coastal communities, and the 3rd, 9th and 10th Legislative Districts.

19. Resolution 16-0502.02: Adopt a Program for Public Information as required by the Community Rating System

RESOLUTION 16-0502.02

TOWNSHIP OF LONG BEACH AUTHORIZATION TO ADOPT A PROGRAM FOR PUBLIC INFORMATION AS REQUIRED BY THE COMMUNITY RATING SYSTEM

WHEREAS, The Township of Long Beach is enrolled in the National Flood Insurance Program (NFIP) to provide flood insurance for the residents of the Township of Long Beach; and

WHEREAS, the NFIP provides for insurance premium discounts for communities that voluntarily take part in the Community Rating System (CRS) program that is component of the NFIP; and

WHEREAS, the Township of Long Beach takes part in the Community Rating system and presently holds a Class 5 (25% discount), which the Township of Long Beach's staff strives to maintain or possibly improve; and

WHEREAS, the Township of Long Beach's Class 5 rating currently provides for \$2,477,263 in flood insurance discounts for its residents and businesses; and

WHEREAS, the Township disseminates flood hazard information that not only is beneficial to the residents through mitigation of the hazardous effects of flooding, but also beneficial in maximizing credit in the CRS program by conforming to the Public Information standard outlined in the 2013 CRS Coordinator's Manual; and

WHEREAS, the staff has determined that it was necessary to create a Program for Public Information (PPI) in order to help maintain the present Class 5 rating; and

WHEREAS, all the other municipalities on Long Beach Island also participate in the CRS program and are trying to maintain their flood insurance discounts for their residents; and

WHEREAS, a Multijurisdictional Program for Public Information was formulated including all six municipalities on Long Beach Island to deliver consistent outreach messages to all island residents; and

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach hereby adopts the Multijurisdictional Program for Public Information, a copy of which is attached hereto, marked Exhibit "a" and made a part hereof reference.

20. Resolution 16-0502.03(a-e): Approve traffic regulations and various special events:

- a. Brant Beach Yacht Club Regattas: various dates
- b. USA Cycling Time Trials: 4/23/16
- c. Southern Regional High School Senior Service Day 6/2/16
- d. Compass Program Beach Day 5/19/16
- e. Central New Jersey District-Eastern Surf Association 6/4/16

RESOLUTION 16-0502.03(a)

WHEREAS, the Board of Commissioners of the Township of Long Beach has received and reviewed a request for parking waivers for the below-listed events:

Brant Beach Sailing Foundation Regattas 2016

- Junior Olympics Festival: June 23-24, 2016
- Junior Interclub and LBI Optimist Championship: July 27-29, 2016
- Opti Team Race: August 20-21, 2016
- New Jersey State Optimist Championship: August 22-23, 2016

WHEREAS, to accommodate these various Regattas, participants and trailers, alternate side of the street parking restrictions will be waived between 59th Street and 65th, and use of the "Train By-Pass" in Brant Beach for trailer parking between 60th - 64th Streets from 6:00 am to 8:00 pm, shall be permitted.

NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners of the Township of Long Beach does hereby approve the events and traffic regulations as noted above.

RESOLUTION 16-0502.03(b)

WHEREAS, the following events are scheduled to be held on Long Beach Blvd in the Township of Long Beach as follows:

<u>HOST</u>	<u>DESCRIPTION</u>	<u>TIME & DATE(S)</u>
BMF VELO c/o USA Cycling Long Beach Island Time Trial		Sat. April 23, 2016 7:00am to 11:00am

WHEREAS, all the necessary and required insurance documents have been submitted, received and are on file with the Township of Long Beach.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach does hereby grant permission for the above cited event.

RESOLUTION 16-0502.03(c)

WHEREAS, the following event is scheduled to be held in the Township of Long Beach as follows:

HOST	DESCRIPTION	TIME & DATE(S)
Southern Regional School District	Senior Service Day 68 th St. Ocean beach facilities & Bayview Park facilities	Thur. June 2 nd 2016 9:00 am to 1:00 pm

WHEREAS, all the necessary and required insurance documents have been submitted, received and are on file with the Township.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach does hereby grant permission for the above cited event.

RESOLUTION 16-0502.03(d)

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach have received a request for approval for the below-listed event:

HOST	DESCRIPTION	TIME & DATE(S)
Southern Regional School District	Compass Program: Beach Day 68 th St. Ocean beach facilities & Bayview Park facilities	Thur. May 19, 2016 9:00 am to 1:00 pm

WHEREAS, the Application for a Special Event, Insurance Certificate, and Hold Harmless Agreement have been provided and are on file in the Municipal Clerk's Office.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach does hereby grant permission for the above-cited event.

RESOLUTION 16-0502.03(e)

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach approve the below-listed event for:

HOST	DESCRIPTION	TIME & DATE(S)
Central NJ District Eastern Surfing Association	Surf Contest Virginia Avenue Beach	Sat. June 4, 2016 Rain Date: 6/5, 6/6, 6/12 or 7/16 7:30 am to 4:30 pm

WHEREAS, all the necessary and required insurance documents have been submitted, received and are on file with the Township.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach does hereby grant permission for the above cited event.

21. Resolution 16-0502.04: Approve various personnel matters

RESOLUTION 16-0502.04

Accept and Approve the Family Medical Leave Act (FMLA) for the employee with Civil Service Number *****5573 effective retro-active to April 25, 2016.

Beach Patrol

Please hire the following individuals as Seasonal Part Time Laborers at the rate of \$10.50 per hour to be paid from Lifeguard Salary and Wage effective May 2, 2016.

Zachary Amir	Christopher Burkhardt	William Galese
Shawn McNally	Sean Moran	Emily Olson
Joseph Pisarcik	Brittany Royer	Gregory Stagliano

Please hire the following employee as a Seasonal Part Time Laborer at the rate of \$9.00 per hour to be paid from Lifeguard Salary and Wage effective May 2, 2016.

Michael Gresko

Please hire the following employee as a Seasonal Beach Badge Program Seller/Checker at the rate of \$10.90 per hour to be paid from Beach Badge Salary & Wage effective May 2, 2016.

Carol Boyle

Health

Hire the following employees as a Seasonal Part-Time Water Samplers at the rate of \$10.00 per hour to be paid from Health Salary & Wage effective May 2, 2016.

Pamela Broadbent Siobhan Caulfield

Hire the following employee as a Seasonal Part-Time Senior Registered Environmental Health Specialist at the rate of \$31.82 to be paid from Health Salary & Wage effective May 2, 2016.

Eugene Mulgrew

Hire the following employee as a Seasonal Part-Time Registered Environmental Health Specialist at the rate of \$26.00 per hour to be paid from Health Salary & Wage effective May 2, 2016.

Edward McNicholas

Police

Change the following employee's title to Permanent Part-Time Public Safety Telecommunicator at the rate of \$10.00 per hour to be paid from Police Salary & Wage effective retro-active to April 30, 2016.

Kristina Speziale

Hire the following employee as a Permanent Full Time Clerk 1 with the annual salary of \$28,167.30 to be paid from Police Salary & Wage effective retro-active to April 18, 2016.

Nicole Andreotta

Hire the following employee as a Full Time Public Safety Telecommunicator with the annual base salary of \$26,300.00 to be paid from Police Salary & Wage effective retro-active to April 30, 2016.

Daniel Sodano

Hire the following employee as a Seasonal Part-Time Public Safety Telecommunicator Trainee at the rate of \$8.38 per hour to be paid from Police Salary & Wage effective May 2, 2016.

Arielle Perlman

Hire the following employee as Seasonal Class I Officers at the rate of \$10.50 per hour to be paid from Police Salary & Wage effective May 2, 2016.

James Ayers

James Gilligan

Approve the following employees to attend the Beach Haven Class I Satellite Academy to become Class I Special Law Enforcement Officers at the rate of \$8.38 per hour to be paid from Police Salary & Wage effective May 2, 2016.

Randy Cabrera

Frances Jarin

Joel Sawyer

Matthew Melega

Shawn McNally

Anna Marie Toledo

Angelo Vasil

Jacob McDowell

Hire the following employee as a Seasonal Class II Officer to be paid \$16.00 per hour to be paid from Police Salary & Wage effective May 2, 2016.

Sean Farrell

Hire the following employee as a Seasonal Class II Officer to be paid \$17.00 per hour to be paid from Police Salary & Wage effective May 2, 2016.

Billy Gee

Change the following employee's rate of pay to \$16.00 per hour to be paid from Police Salary & Wage effective May 2, 2016.

Ursula Sharkey

Public Works

Hire the following employee as a Seasonal Full Time Laborer 1 at the rate of \$12.00 per hour to be paid from Public Works Salary & Wage effective retro-active to April 13, 2016.

Joseph Bonicky

Hire the following employees as Seasonal Full Time Public Works Laborer 1 at the rate of \$15.00 per hour to be paid from Public Works Salary & Wage effective May 6, 2016.

Eileen Parker

Sandra Martin

Hire the following employee as a Permanent Full-Time Mechanic's Helper at the annual salary of \$50,000 to be paid from Public Works Salary & Wage effective retro-active to April 25, 2016.

Scott Wilson Jr.

Hire the following employee as a Seasonal Full-Time Laborer 1 at the rate of \$10.25 per hour to be paid from Public Works Salary & Wage effective May 2, 2016.

Brad O'Brien

Transportation

Hire the following employee as a Seasonal Full-Time Clerk 1 to be paid \$15.00 per hour to be paid from Transportation Salary & Wage effective June 18, 2016.

Ariana Centamore

22. Resolution 16-0502.05:

Approve various Water/Sewer Changes

RESOLUTION 16-0502.05

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:

<u>BLOCK</u>	<u>LOT/QUAL</u>	<u>ACCT #/ACCT</u>	<u>YEAR</u>	<u>CANCEL/CHANGE</u>	<u>AMOUNT</u>
10.07	7	3010-0 Water	2015	Standby Credit	\$ 96.00
10.40	1	3297-0 Sewer	2016	Standby Credit	\$1062.00
14.04	14	4619-0 Water	2015	Standby Credit	\$ 196.00
15.03	24	4993-0 Sewer	2016	Remove Garb Dispsl	\$ 150.00
23.17	6	8086-0 Water	2015	Standby Credit	\$ 82.00

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.

- 23.** Resolution 16-0502.06: Resolution authorizing the re-advertisement of bids for the purchase and delivery of five (5) All Terrain Vehicles for the Departments of Public Works and Transportation

RESOLUTION 16-0502.06

RESOLUTION AUTHORIZING THE RE-ADVERTISEMENT FOR THE RECEIPT OF BIDS: FOR THE PURCHASE AND DELIVERY OF VARIOUS ALL TERRAIN VEHICLES FOR THE DEPARTMENTS OF PUBLIC WORKS AND TRANSPORTATION

WHEREAS, the Township of Long Beach advertised for the receipt of bids for the purchase and delivery of five (5) All Terrain Vehicles for the Departments of Public Works and Transportation on April 20, 2016; and

WHEREAS, pursuant to the Notice to Bidders, receipt of bids took place on April 29, 2016 at 11:00 am; and

WHEREAS, no bids were received; and

WHEREAS, the Board of Commissioners desires these items to be re-bid.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach, a Municipal Corporation of the State of New Jersey, at a regular meeting held Monday, May 2, 2016, hereby authorizes the re-advertisement for bids for the purchase and delivery of five (5) All Terrain Vehicles for the Departments of Public Works and Transportation.

- 24.** Resolution 16-0502.07: Adopt the 2016 revised Procurement Policies and Procedures Manual

RESOLUTION 15-0502.07

RESOLUTION APPROVING REVISED PROCUREMENT POLICIES FOR THE TOWNSHIP OF LONG BEACH

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, at a regular meeting held this 2nd day of May 2016 that Exhibit A attached to this Resolution shall and is hereby approved and adopted as Long Beach Township's Procurement Policies and Procedures Manual.

Motion to approve Items 18 thru 24:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

LICENSES & PERMITS

- 25.** Resolution 16-0502.08(a&b): Approve various 2016 licenses for Long Beach Township
- a. Motorized Ice Cream Vendors
 - b. Bayview Park Recreational Activities Vendors

RESOLUTION 16-0502.08(a)

WHEREAS, the Revised General Code of the Township of Long Beach 1997 Chapter 195 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, the Board of Commissioners has deemed the following vendors have met the criteria for vendor licensing in 2016:

<u>Vendor Name</u>	<u>Vendor ID Number</u>
Cold Waves	ICM 16-01
Surf Ice Cream	ICM 16-02
Bun Jim Ice Cream	ICM 16-03
Bayberry Ice Cream	ICM 16-04
Midlantic Ice Cream	ICM 16-05

Ice Cream and Dreams	ICM 16-06
Francesca's	ICM 16-07
B & P Ice Cream	ICM 16-08

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that each of the above listed vendors shall be issued a license for the selling or vending of ice cream or ice cream products, subject to all requirements and restrictions, for the year 2016.

RESOLUTION 16-0502.08(b)

WHEREAS, the Revised General Code of the Township of Long Beach, Chapter 194, provides that the Board of Commissioners shall permit and limit the number of persons providing various recreational activities in Bayview Park in the Township of Long Beach.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that each of the following vendors shall be issued a license to provide various recreational activities, subject to the provisions of Chapter 194 of the Code, for the year 2016.

<u>Vendor Name</u>	<u>Vendor ID Number</u>
Zach Kerzner d/b/a Acme Surf and Sport	16-11
Tutoring Taxi Inc., d/b/a LBI Surfing	16-12
South end Surf N' Paddle LLC	16-13
Island Surf & Sail	16-14

26. Resolution 16-0502.09: Approve various applications for Social Affair Permits:
Long Beach Island Arts Foundation events: 6/18/16; 7/3/16; 7/17/16; 8/7/16; 8/21/16; 9/11/16; 9/30/16

RESOLUTION 16-0502.09

BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach grants the following PERMITS FOR A SOCIAL AFFAIR to the Long Beach Island Foundation of the Arts, to be held at 120 Long Beach Blvd, Loveladies, NJ. These permits will allow the Long Beach Island Foundation of the Arts to serve alcoholic beverages on the following dates and times:

- June 18, 2016 6:00 p.m. to 11:00 p.m.
- July 3, 2016 6:30 p.m. to 8:00 p.m.
- July 17, 2016 7:00 p.m. to 9:00 p.m.
- August 7, 2016 7:00 p.m. to 9:00 p.m.
- August 21, 2016 6:30 p.m. to 8:00 p.m.
- September 11, 2016 2:30 p.m. to 4:00 p.m.
- September 30, 2016 7:00 p.m. to 10:00 p.m.

Motion to approve Items 25 and 26:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini
Second: Bayard Nays:

PURCHASES, CONTRACTS & AWARDS

27. Resolution 16-0502.10(a&b): Authorize the execution of a Memorandum of Understanding: Permit access to Closed Circuit Camera data by the Long Beach Township Police Department
a. Borough of Ship Bottom
b. Jewish Community Center

RESOLUTION 16-0502.10(a)

RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH THE BOROUGH OF SHIP BOTTOM

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby authorize the execution of a Memorandum of Understanding between the Township of Long Beach and the Borough of Ship Bottom, pursuant to Attorney General's Law Enforcement Directive No. 2007-1, to provide additional support services for critical incidents at Long Beach Island Consolidated School locations; specifically, appropriate authority of the Long Beach Island Consolidated School District shall allow access to view their facilities via closed circuit television feeds from the Communication Center in the Long Beach Township Police Department.

RESOLUTION 16-0502.10(b)

RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH THE BOROUGH OF SHIP BOTTOM

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby authorize the execution of a Memorandum of Understanding between the Township of Long Beach and the Jewish Community Center, pursuant to Attorney General's Law Enforcement Directive No. 2007-1, to provide additional support services for critical incidents at the Jewish Community Center location; specifically, appropriate authority of the Jewish Community Center shall allow access to view their facilities via closed circuit television feeds from the Communication Center in the Long Beach Township Police Department.

28. Resolution 16-0502.11: Approve a Professional Service Contract:
Jerome McHale: Appraisal services

RESOLUTION 16-0502.11

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
2016 PROFESSIONAL SERVICES**

WHEREAS, the Township of Long Beach has a need to acquire the professional services listed below as an alternative method contract pursuant to the provisions of N.J.S.A.19:44A-20.4 or 20.5; and

WHEREAS, P.L. 195, Chapter 353 of the laws of the State of New Jersey provide that certain professional services are exempt from public bidding; and

WHEREAS, the Township of Long Beach wishes to award contracts without competitive bidding for this professional service pursuant to NJSA 40A:11-5(a)(a)(i). Such contract and resolution are available for public inspection at the office of the Township Clerk; and

WHEREAS, the statute defines professional services as services rendered by a person authorized by law to practice a recognized profession, which practice is regulated by law; and

WHEREAS, the listed service is a recognized profession, which profession is regulated by law; and

WHEREAS, the vendor listed below completed and submitted a Business Entity Disclosure and Political Contribution Disclosure Certification which certify that they have not made any reportable contributions to a political or candidate committee in the Township of Long Beach in the previous one year, and that the contract will prohibit this vendor from making any reportable contributions through the term of the contract; and

WHEREAS, the Board of Commissioners of Township of Long Beach has determined and certified in writing that the value of the service may meet or exceed \$17,500.00; and

WHEREAS, the Chief Financial Officer has provided certification of the availability of funds as per N.J.A.C. 5:30-5.4.

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach authorizes the Mayor to enter into a contract effective January 1st 2016 through December 31st 2016 as per specific contract terms with the Professional listed below as described herein; and

<u>NAME</u>	<u>DESCRIPTION OF SERVICES</u>	<u>AMOUNT</u>
<u>Jerome McHale</u>	Real Estate Appraisal Services	Hourly: \$150
	Various Fees as per Proposal Schedule	

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Political Contribution Disclosure Form as required be placed on file with the Municipal Clerk; and

BE IT FINALLY RESOLVED that the Municipal Clerk shall send a notice of this alternative method professional appointment and have same published at least once in the official newspaper of the Township of Long Beach and shall keep the resolution and contract on file for public inspection.

Motion to approve Items 27 and 28:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

FINANCIAL APPROVALS

29. Resolution 16-0502.12: Authorize the execution of the Ocean First Bank Tax Identification Certification

RESOLUTION 16-0502.12

**RESOLUTION AUTHORIZING THE EXECUTION OF A
TAX PAYER IDENTIFICATION NUMBER CERTIFICATION**

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby authorize the Municipal Clerk to execute a

Taxpayer Identification Number (TIN) Certification retroactively to April 13th 2016, as required by Ocean First Bank, 975 Hooper Avenue, Toms River.

30. Resolution 16-0502.13: Accept a Performance Bond:
LUB-1-16 Block 6.23, Lot 2 (105 E. 30th Street)

RESOLUTION 16-0502.13

WHEREAS, the Township of Long Beach accepted from Mancini Custom Homes, Inc. Bank Check No. 52699059-0 drawn on TD Bank dated April 20, 2016 in the amount of Six Thousand Nine Hundred Eight Five Dollars (\$6,985.00), as the required Performance Bond for Minor Sub-division #LUB-1-16, Block 6.23, Lot 2 (105 E. 30th Street).

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners accepts this Performance Bond as per its Municipal Ordinance and as recommended by the Municipal Engineer.

31. Resolution 16-0502.14 Authorize the leasing of various Public Property

RESOLUTION 16-0502.14

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE LEASE OF CERTAIN PUBLIC REAL PROPERTY NOT NEEDED FOR PUBLIC USE TO PRIVATE PERSONS BY WAY OF AUCTION OR SEALED BIDS

WHEREAS, N.J.S.A. 40A:12-14, *et seq.*, authorizes the Township of Long Beach ("Township") to lease to private persons any real property, capital improvement, or personal property not needed for public use; and

WHEREAS, Township may have certain real property that is not needed for public use until October 2016; and

WHEREAS, in order to generate revenue for Township and its citizens from certain real property that would otherwise remain unused until at least October 2016, and, on the bases of good and efficient government and the public health and welfare, Township has elected to authorize the leasing of certain real property to a private person, subject to any such lease being awarded to the highest bidder at an open public auction or by way of submission of sealed bids; and

WHEREAS, Township further authorizes either the Director of Revenue and Finance or the Mayor of Township to set the minimum bidding, lease, and other lawful requirements for the lease of the certain real property, subject to compliance with N.J.S.A. 40A:12-14, *et seq.*, and all other applicable legal and regulatory requirements.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Long Beach in the County of Ocean, State of New Jersey, as follows:

1. The Director of Revenue and Finance or the Mayor of Township shall set the minimum bidding, lease, and other lawful requirements for the lease of certain real property not needed for public use to private persons.
2. The advertisement and conduct of any auction or process of soliciting sealed bids for the lease of certain public property not needed for public use shall be in accordance with N.J.S.A. 40A:12-14.
3. The highest bidder who complies with any and all minimum bidding, lease, and other lawful requirements for the lease of certain real property not needed for public use shall be awarded a lease to be negotiated and approved by the Township Attorney.
4. Any and all other lawful requirements relating to the authorization set forth herein shall be taken.

32. Resolution 16-0502.15: Approve Bills & Payroll
Bills in the amount of: \$ 13,641,638.81
Payroll in the amount of: \$ 798,794.51

RESOLUTION 16-0502.15

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 \$798,794.51.

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 \$13,641,638.81 be and the same are hereby authorized to be paid on Monday, May 2, 2016

2. The said approved payroll amounting to the sum of \$ 798,794.51 be and the same are hereby authorized to be paid on Monday, May 2, 2016. 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 29 thru 32:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

Mayor Mancini abstained from 16-0502.13: Performance Bond LUB-1-16.

Mayor Mancini stated the Tax Collector's and Treasurer's Reports for the month of March are on file in the Municipal Clerk's Office.

COMMISSIONERS' REPORTS

Commissioner Lattanzi advocated the "Paint the Town Pink" Proclamation noting the importance of annual mammographys. He was happy to report the 2016 Budget was in place and the Township maintained a positive fiscal outlook. Long Beach Township had recently aided in the purchase of a new fire truck for the Beach Haven Volunteer Fire Department, providing 1/3 of the cost of the truck. The Trolley System would be operating at no cost this summer; a free phone application was available to track Trolley locations.

Commissioner Bayard advised the Brant Beach and Holgate Water Tower Projects would soon be under way; the summer trash/recycling schedule would be effective in two weeks; public restrooms would be open within the week. Most paving projects had been completed.

Mayor Mancini announced the next meeting of the Land Use Board would be held on Wednesday, May 11th at 7:00 pm in the upstairs multi-purpose room. Second Reading and Public Hearing for Ordinances 16-19C, 16-20C, 16-21, 16-22, 16-23, 16-24, 16-25, 16-26, 16-27, 16-28, 16-29, 16-30C, and 16-31C would take place at the public meeting held on June 6th at 4:00 pm. The Long Beach Police Department would hold its annual auction on June 11th 2016 at the Long Beach Twp. Public Works Yard. Items for auction could be previewed starting at 8am – auction start time was 9 am. He reminded citizens to dispose of unwanted /expired medicines in the Police Station Lobby medicine drop box. The Mayor noted the Township was awaiting the approval of the DEP for inlet dredging in Holgate.

Kyle Ominski, Administrator updated the public on the Army Corp of Engineers Beach Project and provided the most recent information regarding the various locations affected.

OPEN PUBLIC SESSION

No comment

CLOSE PUBLIC SESSION

Motion for adjournment at: 4:25 pm

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

Lynda J. Wells, RMC
Municipal Clerk

Joseph H. Mancini, Mayor

Ralph H. Bayard, Commissioner

Dr. Joseph P. Lattanzi, Commissioner