

**MINUTES**  
**SPECIAL SESSION BOARD OF COMMISSIONERS MAY 23, 2016**  
**Flag Salute**

Meeting came to order: 10:00 a.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 May 19, 2016; and filed with the Municipal Clerk.

**AGENDA**

**ADOPTIONS & APPROVALS**

1. Resolution 16-0523.01: Memorialize and ratify the selection of Property, and authorize the negotiation and execution of Agreement(s) related thereto in order to complete and close upon the acquisition of said Property

**RESOLUTION 16-0523.01**

**RESOLUTION OF TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, RATIFYING AND FURTHER AUTHORIZING THE EXECUTION OF ALL AGREEMENTS AND DOCUMENTS RELATING TO TOWNSHIP'S ACQUISITION OF REAL PROPERTY FOR THE BEACH REPLENISHMENT PROJECT.**

**WHEREAS**, pursuant to and in accordance with, *inter alia*, N.J.S.A. 40A:12-1, *et seq.*, Township of Long Beach ("Township") adopted Ordinance No. 14-33 ("Authorizing Ordinance") on September 26, 2014, which authorized the funding for and acquisition of certain and specific real property in support of and relating to Township's beach replenishment and dune reconstruction project funded by the federal government and directed by the Army Corps. of Engineers ("Beach Project"); and

**WHEREAS**, as a result of certain federal requirements relating to the Beach Project, Township is required to provide access to real property for the support of the Beach Project, as well as real property for parking as a condition of Township's receipt of the benefits and funding of the Beach Project; and

**WHEREAS**, the median strip on Long Beach Boulevard had been identified by Ocean County as a potential and suggested location to comply with the federal requirements for parking and staging requirements for the Beach Project; and

**WHEREAS**, Township deemed the median strip's potential use for staging for the Beach Project and parking as inherently dangerous and detrimental to the public health, welfare, and safety; and

**WHEREAS**, pursuant to and in accordance with the Authorizing Ordinance, the Mayor of Township identified a certain parcel of real property located at 1084A Long Beach Boulevard, North Beach, New Jersey 08008, and otherwise known as Block 18.84, Lot 1, on the Township of Long Beach Tax Map ("Property"); and

**WHEREAS**, in order to secure the best and lowest price for the Property, Township, consistent with the legal requirements relating thereto, submitted an authorized, confidential offer to purchase the Property by and through the Mayor's grant of authority to the Township Attorney to execute the offer and agreement to purchase the Property as Township's attorney-in-fact; and

**WHEREAS**, an Agreement to Purchase Real Estate ("Agreement") was negotiated by the Mayor and duly executed in order to purchase the Property pursuant to and in accordance with the Authorizing Ordinance and N.J.S.A. 40A:12-1, *et seq.*; and

**WHEREAS**, this Resolution shall serve to further memorialize and ratify the selection of the Property and the negotiation and execution of the Agreement pursuant to and in accordance with the Authorizing Ordinance, and shall further authorize and memorialize the authority granted to Mayor to execute any and all agreements in order to complete and close upon Township's acquisition of the Property for the Beach Project, as well as to take any and all necessary actions relating thereto.

**NOW THEREFORE BE IT RESOLVED**, by the 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 follows.

1. Township's Mayor is hereby authorized to take any and all additional actions necessary and required in order to proceed to closing and acquire the Property pursuant to the terms of the Agreement, and in order to satisfy any and all requirements set forth by Township's Title Insurance Company. Township's Mayor is further authorized to execute any and all documents and agreements in connection with said acquisition of the Property.
2. The negotiation and execution of the Agreement and all actions taken by the Mayor and Township's Officials to date pursuant to and in accordance with the Authorizing Ordinance are hereby further ratified.
3. Any provision of this Resolution inconsistent with the provisions of the Township Code shall be and are hereby repealed to the extent of such inconsistency.

Motion to approve Item 1:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

OPEN PUBLIC SESSION

No Comment

CLOSE PUBLIC SESSION

Motion for adjournment at:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

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Lynda J. Wells, RMC  
Municipal Clerk

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Joseph H. Mancini, Mayor

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Ralph H. Bayard, Commissioner

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Dr. Joseph P. Lattanzi, Commissioner