

**MINUTES**  
**REGULAR SESSION BOARD OF COMMISSIONERS JULY 11, 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**

**PROCLAMATION:** Mary R. Leonardi: 105<sup>th</sup> Birthday on July 27<sup>th</sup> 2016

**Mayor Mancini** read the Proclamation aloud and congratulated Mary and her family on her long and healthy life. Mary advised everyone to be happy and treat others as you wished to be treated yourself.

**PROCLAMATION**

**CELEBRATING MARY R. LEONARDI ON THE OCCASION OF HER  
105<sup>th</sup> BIRTHDAY**

**WHEREAS**, as Mary Leonardi prepares to celebrate her 105<sup>th</sup> birthday this July 27<sup>th</sup>, the Long Beach Township Board of Commissioners, Township employees and the citizens of our Island Community join together with her family and friends to celebrate and reflect on her long and remarkable life; and

**WHEREAS**, Mary has lived through many times of hardship including World Wars, the loss of cherished family and friends, and of her beloved husband, Anthony Leonardi, after nearly 65 years of marriage; and

**WHEREAS**, there is also a rich lifetime of wonderful memories of days in her hometown of Philadelphia; raising her three children with Anthony; times spent summering on Long Beach Island with friends, children and grandchildren and then becoming a fulltime "local" of Brant Beach for the past eleven years; and

**WHEREAS**, Mary has voted in every Presidential Election since 1932 when, along with many First Time Woman Voters, she cast her ballot for Franklin D. Roosevelt. Even in 2012, on the heels of Super Storm Sandy when Long Beach Island Polling Places were non-accessible, Mary traveled to Barrington, New Jersey to cast her presidential ballot; and

**WHEREAS**, Mary's fondest memories are of her home in Barnegat Light where family and friends gathered in the kitchen to share her special dish, pizza; a dish so special that Mary wrote this poem two years ago for a family friend to celebrate his birthday:

My little kitchen in the sand  
Maybe wasn't very grand  
But it was the place you couldn't beat  
If you needed a drink, or just a treat.  
From clam chowder to salads of fish...  
But Grandmom's pizza was the favorite dish!

**WHEREAS**, a constant role model to her family and friends, Mary demonstrates endurance under pressure, good sense, and an uncanny knack to do "Planovers" from the refrigerator. She is a blessing and inspiration to her family and friends, "A Family Jewel"! Mary delights in giving "the Queens's Wave" as she leaves family gatherings; and

**WHEREAS**, Mary's advice on the best way to live a long life is "...try to be happy, to see the good in everybody and smile every day!"

**NOW THEREFORE BE IT RESOLVED**, that the Board of Commissioners of Long Beach Township would like to wish a very **Happy 105<sup>th</sup> Birthday to Mary R. Leonardi**, with many more happy, healthy birthdays to come.

**DECLARATION:** Appoint Robert B. Roth, Jr. as Land Use Board  
Class IV Member, Alternate #4

**ORDINANCES & PUBLIC HEARINGS**

1. Second Reading Ordinance 16-32C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY (1997)," IN CHAPTER 64 PERTAINING TO BULKHEAD HEIGHTS**

**STATEMENT OF PURPOSE**

This Ordinance establishes new bulkhead heights in Zones R-10, R-10E, R-6 and R-75.

**SECTION I**

§64-13.B.(1)(e) shall be amended by the deletion of the existing language, which shall be replaced in lieu thereof with the following:

"The top of any bulkhead located in Zones R-10, R-10E, R-6 and R-75 shall have an elevation of 6 feet above mean sea level, NAVD 1988."

**SECTION II**

§64-13.B.(1)(f) shall be amended by the deletion of the existing language, which shall be replaced in lieu thereof with the following:

"In all other zones, the top of any bayfront bulkhead and any bulkhead located within 200 feet from the waters of the bay shall have an elevation of 7 feet above mean sea level, NAVD 1988. All other bulkheads located more than 200 feet from the waters of the bay shall have an elevation of 6 feet above mean sea level, NAVD 1988."

**SECTION III**

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

#### **SECTION IV**

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

#### **SECTION V**

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

Passed on first reading at a regular meeting held on June 6, 2016 and advertised in the BEACH HAVEN TIMES issue of June 9, 2016.

OPEN PUBLIC HEARING

No Comment

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 16-32C on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

2. First Reading Ordinance 16-33C: **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 16-33C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

3. First Reading Ordinance 16-34: **AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY, APPROPRIATING \$75,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND OF THE PURCHASE OF TRUCK LIFT AND ACCESSORIES FOR THE PUBLIC WORKS DEPARTMENT**

Motion to approve Ordinance 16-34 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

#### **ADOPTIONS & APPROVALS**

4. Resolution 16-0711.01: Approve various Block Parties:

- E. Jerome Ave: Sunday July 3<sup>rd</sup> from 4 -11pm
- West Muriel Ave (98<sup>th</sup> Street), July 4, 2016 from 8:30-11:30am
- W. Muriel Ave (98<sup>th</sup> Street), July 23<sup>rd</sup> from 5:30-10:30pm
- 13 E. Sand Dune Lane, July 23<sup>rd</sup> from 2 - 8pm
- E. 92<sup>nd</sup> Street, July 30<sup>th</sup> from 4-9pm
- E. 53<sup>rd</sup> Street, July 30<sup>th</sup> from 5-10pm

#### **RESOLUTION 16-0711.01**

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

- Permission to close E. Jerome Ave (97<sup>th</sup> Street) between Long Beach Blvd and Ocean Blvd. from 4:00 p.m. to 11:00 p.m. on July 3, 2016 for a block party, leaving a lane open for emergency vehicles.
- Permission to close W. Muriel Ave (98<sup>th</sup> Street) between Long Beach Blvd., West Muriel Ave and Jerome Ave (Sounds Edge Community) from 8:30 a.m. to 11a.m. on July 4, 2016 for a block party, leaving a lane open for emergency vehicles.
- Permission to close W. Muriel Ave (98<sup>th</sup> Street) between Long Beach Blvd., West Muriel Ave and Jerome Ave (Sounds Edge Community) from 5:30 p.m. to 10:30 p.m. on July 23, 2016 (Rain date: July 24<sup>th</sup>) for a block party, leaving a lane open for emergency vehicles.
- Permission to close East Sand Dune Lane (E 90<sup>th</sup> Street) between Long Beach Blvd and Ocean Blvd. from 2:00 p.m. to 8:00 p.m. on July 23, 2016 for a block party, leaving a lane open for emergency vehicles.
- Permission to close East 92<sup>nd</sup> street between Long Beach Blvd and Ocean Blvd from 4:00pm to 9:00pm on July 30, 2016 for a block party, leaving a lane open for emergency vehicles.
- Permission to close E. 53<sup>rd</sup> Street between Ocean Blvd. and Long Beach Blvd. from 5:00pm to 10:00pm on July 30, 2016 for a block party, leaving a lane open for emergency vehicles.

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

5. Resolution 16-0711.02 (a-k): Approve various Special Events:

- a) Special Olympics: June 10<sup>th</sup> from 8:30am to 1:00pm
- b) NJ Windsurfing & Watersports: July 10<sup>th</sup> from 9am-5pm
- c) SRHS: Extended Year Program Day at the Beach: July 14<sup>th</sup> from 8:30am to 11am
- d) LBT PD Bike Rodeo: July 14 & 31<sup>st</sup> from 8am-12pm
- e) South End Surf N Paddle: Standup Paddle Race July 16<sup>th</sup> from 5-9pm
- f) Lotus Lounge Yoga: Yoga Camp July 18-21<sup>st</sup> from 3pm to 5pm
- g) Bowker's Deli Beachside Social: July 21<sup>st</sup> from 7pm to 10pm
- h) Eastern Surfing Association Surfing Contest: July 30<sup>th</sup> from 7:30am-4:30pm
- i) National Night Out: August 2<sup>nd</sup> from 5pm to 9pm
- j) Mountain Alliance: Beach Day July 15-16, from 12-4pm

k) Saint Michael's Prayer Group: Picnic Day Trip, July 23, from 9am-5pm

**RESOLUTION 16-0711.02 (a)**

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

<b>HOST</b>	<b>DESCRIPTION</b>	<b>TIME &amp; DATE(S)</b>
Special Olympics of NJ	Torch Run Long Beach Blvd BL- Holgate	June 10, 2016 8:30am-1:00pm

**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 did hereby grant permission for the above cited event.

**RESOLUTION 16-0711.02(b)**

**WHEREAS**, the Long Beach Township Board of Commissioners received a request for permission for the following event scheduled to be held at Bayview Park in the Township of Long Beach:

<b>HOST</b>	<b>DESCRIPTION</b>	<b>TIME &amp; DATE(S)</b>
NJ Windsurfing & Watersport Association	Wind Fun Fest at Bayview Park	July 10, 2016 Rain Date July 17, 2016 9am – 5pm

**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 16-0711.02(c)**

**WHEREAS**, the Long Beach Township Board of Commissioners received a request for permission for the following event scheduled to be held at Bayview Park in the Township of Long Beach:

<b>HOST</b>	<b>DESCRIPTION</b>	<b>TIME &amp; DATE(S)</b>
Southern Regional School District	Beach Day at Bayview Park	July 14, 2016 8:30am-11 am

**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 16-0711.02(d)**

**WHEREAS**, the Long Beach Township Board of Commissioners received a request for permission for the following event scheduled to be held at Township Municipal Building and Bayview Park in the Township of Long Beach:

<b>HOST</b>	<b>DESCRIPTION</b>	<b>TIME &amp; DATE(S)</b>
Long Beach Twp. PBA 373	2016 Bike Rodeo	July 14, 2016 & July 31, 2016 8 am to 12 pm

**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 16-0711.02 (e)**

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

<b>HOST</b>	<b>DESCRIPTION</b>	<b>TIME &amp; DATE(S)</b>
South End Surf 'N Paddle, LLC 111 East Lillie Ave. Beach Haven Park:	Stand-Up Paddle Board Race in Bayview Park	July 16 <sup>th</sup> 2016 (Rain date July 17 <sup>th</sup> 2016) 5:00 pm to 9:00 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 16-0711.02(f)**

**WHEREAS**, the Long Beach Township Board of Commissioners received a request for permission for the following event scheduled to be held at Bayview Park in the Township of Long Beach:

<b>HOST</b>	<b>DESCRIPTION</b>	<b>TIME &amp; DATE(S)</b>
Lotus Lounge Yoga	Yoga Camp for Kids at Bayview Park	July 18-21, 2016 Rain Date July 22, 2016 3-5 pm

**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 16-0711.02 (g)**

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

<b>HOST</b>	<b>DESCRIPTION</b>	<b>TIME &amp; DATE(S)</b>
Bowkers Deli	Beach Side Social Holgate Parking Lot/South End	July 21, 2016 7-10pm

**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 16-0711.02(h)**

**WHEREAS**, the Long Beach Township Board of Commissioners received a request for permission for the following event scheduled to be held at the Virginia Ave Beach in the Township of Long Beach:

<b>HOST</b>	<b>DESCRIPTION</b>	<b>TIME &amp; DATE(S)</b>
Eastern Surfing Association	Surfing Contest At Virginia Ave Beach	July 30, 2016 Rain Date July 31, 2016 7:30am-4:30pm

**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 16-0711.02 (i)**

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

<b>HOST</b>	<b>DESCRIPTION</b>	<b>TIME &amp; DATE(S)</b>
Long Beach Twp. Police Dept.	National Night Out Municipal Bldg. & Bayview Park	August 2, 2016 Rain date Aug. 3rd 5:00 pm to 9:00 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 16-0711.02(j)**

**WHEREAS**, the Long Beach Township Board of Commissioners received a request for permission for the following event scheduled to be held at Bayview Park in the Township of Long Beach:

<b>HOST</b>	<b>DESCRIPTION</b>	<b>TIME &amp; DATE(S)</b>
Mountain Alliance	Beach Day at Bayview Park	July 15-16, 2016 12-4pm

**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 16-0711.02(k)**

**WHEREAS**, the Long Beach Township Board of Commissioners received a request for permission for the following event scheduled to be held at Bayview Park in the Township of Long Beach:

<b>HOST</b>	<b>DESCRIPTION</b>	<b>TIME &amp; DATE(S)</b>
Saint Michael's Prayer Group	Beach Day/ Picnic at Bayview Park	July 23, 2016 9am-5pm

**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 contingent upon receipt of the required document(s) and the executed application.

- 6. Resolution 16-0711.03: Support S-2245/A-3821  
Affirm the legislative intent of the Fair Housing Act

**Resolution 16-0711.03**

**A RESOLUTION IN SUPPORT OF SENATE BILL S-2254 AND ASSEMBLY BILL A-3821 WHICH AFFIRMS THE LEGISLATIVE INTENT OF THE FAIR HOUSING ACT**

**WHEREAS**, the Township of Long Beach supports the provision of affordable housing in a reasonable, rational and achievable way, consistent with economic realities and sound planning; and

**WHEREAS**, pursuant to the March 2015 New Jersey Supreme Court order which transferred oversight of the Fair Housing Act (FHA) to the courts, hundreds of municipalities filed declaratory judgment actions to voluntarily comply with their State imposed affordable housing requirements; and

**WHEREAS**, recently the Ocean County Superior Court included a distinct "gap period" analysis retroactively over an additional 16-year period, separate and apart from the normal 10 year present and prospective need; and

**WHEREAS** the Fair Housing Act (FHA) and existing case law, requires that "present and prospective fair share of the housing need in a given region ... shall be computed for a 10-year period." [N.J.S.A. 52:27D-307(c)]; and

**WHEREAS**, the "gap issue" arises out of COAH's inability to promulgate third round regulations from 1999 to the present or make any final determination as to state and regional housing need, as well as constant litigation by certain groups; and

**WHEREAS**, any retroactive "gap" obligations could have significant and unfunded impacts on municipalities, may double count households under both present and prospective need and will likely result in forcing municipalities and their property taxpayers to subsidize development; and

**WHEREAS**, Senate Bill S-2254 sponsored by Senators Greenstein and Bateman and Assembly Bill A-3821, sponsored by Assemblymen DeAngelo and Benson, re-affirm the legislative intent of the Fair Housing Act so as to preclude significant, unfair impacts and instead progress toward a more rational statewide housing policy, including reasonable and achievable obligations for municipalities, facilitate municipal compliance and the provision of affordable housing.

**NOW, THEREFORE, BE IT RESOLVED**, on this 11 day of July, 2016 by the Township of Long Beach, County of Ocean, that:

- 1. Township of Long Beach strongly urges New Jersey Legislators to reaffirm the legislative intent of the Fair Housing Act (FHA) immediately and **clarify** that affordable housing need is the sum of present and prospective need for a ten-year period.
- 2. Township of Long Beach supports Senate Bill S-2254 and Assembly Bill A-3821.

3. Copies of this resolution be distributed to the Governor and Lieutenant Governor, the President of the New Jersey Senate, the Speaker of the New Jersey General Assembly, the Legislative Sponsors, Congressman Frank LoBiondo, Senator Christopher Connors, Assembly Representatives Brian Rumpf and Di Anne Gove, and the New Jersey League of Municipalities.
7. Resolution 16-0711.04: Approve various personnel matters

**RESOLUTION 16-0711.04**

**Beach Badge**

Hire the following employee as a Seasonal Full-Time Clerk 1 at the rate of \$10.00 per hour to be paid from Beach Badge Salary & Wage effective retro-active to July 2, 2016.

Julia Farnung

Change the following employee's title to Seasonal Lifeguard Operations Manager at the rate of \$195.00 per day to be paid from Lifeguard Salary & Wage effective retro-active to June 18, 2016.

Brittany Royer

Hire the following employees as Seasonal Part Time Laborer 1s at the rate of \$10.50 per hour to be paid from Lifeguard Salary & Wage retroactive to May 26, 2016.

Christopher Kiely      Kate Rubin

Hire the following employee as a Seasonal Lifeguard at the rate of \$75.00 per day to be paid from Lifeguard Salary & Wage effective retro-active to June 18, 2016.

Tyler O'Grady

Hire the following employee as a Seasonal Beach Badge Seller/Checker at the rate of \$8.80 per hour to be paid from Beach Badge Salary & Wage effective retroactive to June 18, 2016.

Erin Metcalfe

Hire the following employees as Seasonal Beach Badge Checker/Sellers at the rate of \$8.50 per hour to be paid from Beach Badge Salary & Wage effective retroactive to June 30, 2016.

Daniel Adjedj      Michael Adjedj      John Swanson      Levi States

**Construction**

Approve the donation of 21 hours of sick time from MaryJane McGowan to Linda Middleton as per Ordinance 08-43.

Approve the donation of 70 hours of sick time from Jon Sprague to Linda Middleton as per Ordinance 08-43.

Approve the donation of 35 hours of sick time from Greg Cirillo to Linda Middleton as per Ordinance 08-43.

Approve the donation of 70 hours of sick time from Carol Cerbone to Linda Middleton as per Ordinance 08-43.

Approve the donation of 70 hours of sick time from Lynda Wells to Linda Middleton as per Ordinance 08-43.

**Finance**

Change the following employee's annual salary to \$42,640.00 to be paid from Finance Salary & Wage effective July 2, 2016.

Jennifer Martin

**Municipal Clerk**

Hire the following employee as a Seasonal Part-Time Clerk 1 at the rate of \$15.00 per hour to be paid from Municipal Clerk's Salary & Wage effective retro-active to June 18, 2016.

Kayla Waters

Change the following employee's annual salary to \$48,860.00 to be paid from Municipal Clerk Salary & Wage effective retroactive to July 2, 2016.

Gabrielle Albert

**Police**

Upon completion of the Satellite Academy, please change the following employees' salaries to \$10.00 per hour to be paid from Police Salary & Wage effective retroactive to June 17, 2016.

Frances Jarin      Joel Sawyer      Anna Marie Toledo      Angelo Vasile

**Public Works**

Hire the following employee as a Seasonal Part-Time Laborer 1 at the rate of \$10.00 per hour to be paid from Public Works Salary & Wage effective retro-active to June 13, 2016.

David Wright

**Transportation**

Hire the following employee as a Seasonal Part-Time Bus Driver at the rate of \$14.00 per hour to be paid from Transportation Salary & Wage effective retro-active to June 18, 2016.

Maureen Nugent

Change the following employee's title from Laborer 1 to Transportation Clerk 1 to be paid from Transportation Salary & Wage effective retroactive to June 13, 2016.

Robert Rozek

Hire the following employees as Seasonal Part-Time Laborer 1 at the rate of \$10.00 per hour to be paid from Transportation Salary & Wage effective retroactive to June 13, 2016.

Anthony DeMarco      Dennis Craig      Linda Donovan      John Perkins

Hire the following employee as a Seasonal Part-Time Clerk 1 at the rate of \$20.00 per hour to be paid from Transportation Salary & Wage effective retroactive to July 2, 2016.

Paul H. Vereb

**Water/Sewer**

Hire the following employee as a Seasonal Part-Time Laborer 1 at the rate of \$9.00 per hour to be paid from Water/Sewer Salary & Wage effective retro-active to June 20, 2016.

Derek Wilson

8. Resolution 16-0711.05: Adopt the 2016 revised Procurement Policies and Procedures Manual

**RESOLUTION 16-0711.05**

**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 11<sup>th</sup> day of July 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.

9. Resolution 16-0711.06: Approve various water/sewer changes

**RESOLUTION 16-0711.06**

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

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

<b><u>BLOCK</u></b>	<b><u>LOT/QUAL</u></b>	<b><u>ACCT #/ACCT</u></b>	<b><u>YEAR</u></b>	<b><u>CANCEL/CHANGE</u></b>	<b><u>AMOUNT</u></b>
6.28	12	1968-0 Water	2016	Irrigation credit	\$139.00
8.15	20	2761-0 Water	2016	Per fixture count	\$ 38.00
15.05	14/CD027	5039-0 Water	2016	To Standby/fire	\$ 80.00
15.104	6	5900-0 Water	2016	Removed irrigation	\$177.00

**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.

10. Resolution 16-0711.07: Appoint an Alternate Deputy Registrar: Lynda Wells

**RESOLUTION 16-0711.07**

**NOW THEREFORE BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach hereby appoints Lynda Wells as an Alternate Deputy Registrar of Vital Statistics for the Township of Long Beach, effective July 1, 2016 thru December 31, 2016.

Motion to approve Items 4 thru 10:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

**PURCHASES, CONTRACTS & AWARDS**

11. Resolution 16-0711.08: Amend a professional service contract:  
Additional Alternate Municipal Prosecutors:

- Morgan R. Montano
- Ronald Deligny
- Alexander Becker

**RESOLUTION 16-0711.08**

**RESOLUTION AUTHORIZING THE AWARD OF CONTRACTS FOR  
2016 PROFESSIONAL SERVICES**

**WHEREAS**, the Township of Long Beach has a need to acquire professional services as 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 a contract without competitive bidding for various professional services pursuant to NJSA 40A:11-5(a)(a)(i). Such contracts and resolutions 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 listed professionals below completed and submitted Business Entity Disclosure and Political Contribution Disclosure Certifications 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 those listed 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 services 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; and

**NOW, THEREFORE BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach authorizes the Mayor to enter into a contract from July 1, 2016 through December 31<sup>st</sup> 2016 as per specific contract terms with the Professionals listed below as described herein; and

<b><u>NAME</u></b>	<b><u>DESCRIPTION OF SERVICES</u></b>	<b><u>AMOUNT</u></b>
Citta, Holzapfel, & Zabarsky		
Morgan R. Montano, Esq	Alt. Municipal Prosecutor	
Ronald Deligny, Esq.	Alt. Municipal Prosecutor	
Alexander Becker, Esq.	Alt. Municipal Prosecutor	
	Hourly Max.	\$200.00
	Annual:	\$22,367.60
	Special Session(s):	\$500.00

**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 the 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.

12. Resolution 16-0711.09: Approve a Lease Agreement with Fulton Bank

**Resolution 16-0711.09**

**Resolution Authorizing a Lease Agreement with FULTON BANK**

**WHEREAS**, the Township of Long Beach advertised for the receipt of bids for the purchase and delivery of two (2) 2016 Honda FourTrax Foreman 4X4 with Manual Transmission or Equivalent and three (3) 2016 Polaris Ranger XP 900 Crew or Equivalent on April 20<sup>th</sup> 2016; and

**WHEREAS**, no bids were received April 29<sup>th</sup> 2016; and

**WHEREAS**, the Township of Long Beach again advertised for the receipt of bids for these items on May 3<sup>rd</sup> 2016, receiving one (1) response to the solicitation on May 13<sup>th</sup> 2016 for a non-equivalent vehicle; and

**WHEREAS**, the Township Administrator, pursuant to N.J.S.A 40A:11-5(3), has negotiated the purchase of five (5) All Terrain Vehicles as follows:

- Central Jersey Equipment: Three (3) John Deere XUV 825i S4 (MY16)  
100 U.S. Route 206  
Hammonton, NJ 08037 \$15,170.00 each; total of \$45,510.00
- DHY: Two Red (2) TRX500FM1  
1300 Clements Bridge Rd.  
Deptford, NJ 08096 \$7,066.00 each; total of \$14,132.00

**WHEREAS**, the Township Attorney and the Township Administrator have recommended contract awards as per the specifications; and

**WHEREAS**, all the required documents have been received and are on file in accordance with the Local Public Contracts Law and the Township's specifications; and

**WHEREAS**, Fulton Bank has approved the lease financing of said All-Terrain Vehicles; and

**WHEREAS**, the term of the lease shall be for a period of three (3) years; and

**WHEREAS**, the contract award is subject to entering into a lease agreement that is acceptable to the Township Attorney.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey that it accepts the proposed terms of the Fulton Bank lease financing and authorizes the Mayor and Chief Financial Officer to enter into a lease agreement with Fulton Bank in a form acceptable to the Township Attorney.

Motion to approve Items 11 & 12:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

#### **FINANCIAL APPROVALS**

13. Resolution 16-0711.10: Approve the 2015 Annual Audit

#### **GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

##### **RESOLUTION 16-0711.10**

**WHEREAS**, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

**WHEREAS**, the Annual Report of Audit for the year 2015 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

**WHEREAS**, the members of the governing body have personally reviewed, at a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**NOW, THEREFORE BE IT RESOLVED**, That the Board of Commissioners of the Township of Long Beach, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON July 11, 2016.

14. Resolution 16-0711.11: Accept Performance Bond LUB- 47-14; \$11,000

##### **RESOLUTION 16-0711.11**

**WHEREAS**, the Township of Long Beach accepted from Jeffrey and Maureen Gozdieski, Certified Check No. 381891 drawn on Merck Federal Credit Union dated June 21, 2016 in the amount of Eleven Thousand Dollars (\$11,000.00), as the required Performance Bond for Minor Sub-division #LUB-47-14, Block 1.48, Lots 1&2 (29 West Tebco Terrace, Holgate).

**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.

15. Resolution 16-0711.12(a-c): Approve various Change Orders:

- a. #1: US Tank Painting Inc.: \$49,920.00
- b. #4: DSC, Inc.: \$7,894.00
- c. #1: Johnson Baran Corp.: \$24,218.60

##### **RESOLUTION 16-0711.12(a)**

**RESOLUTION AUTHORIZING A CHANGE ORDER #1 FOR THE 2014 INTERIOR/EXTERIOR REPAIRS AND PAINTING OF WATER TANKS IN HOLGATE, IN THE TOWNSHIP OF LONG BEACH**

**WHEREAS** US Tank Painting, Inc., was awarded a contract for the 2014 Interior/Exterior Repairs and Painting of Water Tanks in Holgate, in the Township of Long Beach pursuant to Resolution 14-1010.06(a) in the amount One Million Two Hundred Forty-Three Thousand Dollars (\$1,243,000.00) on August 14, 2014; and

**WHEREAS**, in accordance with the project Supplementary Specification, changes to the scope of the project have resulted in additional costs for extra work required; and

**WHEREAS**, sufficient funds are available and certified by the Chief Financial Officer from the Appropriation made by Ordinance 14-20: Paint BB/Holgate Water Towers; Account #U-08-55-962-951 in the amount of \$49,920.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach at a regular scheduled meeting, (not less than two-thirds [2/3] of the members thereof affirmatively concurring) this 11<sup>th</sup> day of July 2016 that US Tank Painting, Inc., 900 Rike Dr., Millstone Twp., NJ 08535 be and is hereby awarded Change Order #1 in an amount not to exceed Forty Nine Thousand, Nine Hundred Twenty Dollars (\$49,920.00), a 3.92% increase in the project cost, for payment of the additional work required to complete the 2014 Interior/Exterior Repairs and Painting of Water Tank in Holgate, in the Township of Long Beach.

**RESOLUTION 16-0711.12(b)**

**RESOLUTION AUTHORIZING CHANGE ORDER #4 FOR THE 2013 WATER MAIN REPLACEMENT PROJECT NJEIT PROJECT # 1517001-014, IN THE TOWNSHIP OF LONG BEACH**

**WHEREAS**, DSC Construction Company, Inc. was awarded a contract for the 2013 Water Main Replacement Project, NJEIT Project #151700-014 in the Township of Long Beach pursuant to Resolution 13-1230.09(a), in an amount not to exceed One Million Eight Hundred Fifty Seven Thousand Three Hundred Seventy Dollars No Cents (\$1,857,370.00) as per the bid on December 12, 2013; and

**WHEREAS**, Change Order #1 was approved pursuant to Resolution 14-0620.07(b) for additional costs and extra work; and

**WHEREAS**, Change Order #2 was approved pursuant to Resolution 15-0619.13 for additional costs and additional work required; and

**WHEREAS**, Change Order #3 was approved pursuant to Resolution 16-0201.14(b) for additional costs and additional work required; and

**WHEREAS**, based on the actual project, the final quantity adjustments for paving and driveway repairs have resulted in the costs detailed in Change Order #4; and

**WHEREAS**, sufficient funds are available and certified by the Chief Financial Officer from the Appropriation created by Ordinance 13-40, Water Main Replacement (NJEIT) #U-08-55-959-901 in the amount of \$7,894.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach at a regular scheduled meeting, (not less than two-thirds (2/3) of the members thereof affirmatively concurring) this 11<sup>th</sup> day of July 2016 that DSC Construction Company, Inc., 308 Lexington Avenue, Bayville, NJ 08721, be and is hereby awarded Change Order #4 in the amount of Seven Thousand Eight Hundred Ninety Four Dollars (\$7,894.00) for payment of the final quantity adjustments for paving and driveway repairs required to complete the 2013 Water Main Replacement Project, NJEIT Project #151700-014 in the Township of Long Beach. Change Order #4 represents a 0.42% increase to the original contract amount.

**RESOLUTION 16-0711.12(c)**

**RESOLUTION AUTHORIZING A CHANGE ORDER #1 FOR THE ROAD RECONSTRUCTION PROJECT-MEARS AVE, IN THE TOWNSHIP OF LONG BEACH**

**WHEREAS** Johnson Baran Corp., was awarded a contract for the 2014 Road Reconstruction Project-Mears Ave, in the Township of Long Beach pursuant to Resolution 15-1221.08 in the amount of One Hundred Twenty-Two Thousand One Hundred Ninety-One Dollars and Seven Cents (\$122,191.07) on December 15, 2015; and

**WHEREAS**, in accordance with the project Supplementary Specification, changes to the scope of the project have resulted in additional costs for extra work required; and

**WHEREAS**, sufficient funds are available and certified by the Chief Financial Officer from the Appropriation made by Ordinance 15-30: Rec of Mears Ave; Account #C-04-56-133-901 in the amount of \$24,218.60.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach at a regular scheduled meeting, (not less than two-thirds [2/3] of the members thereof affirmatively concurring) this 11<sup>th</sup> day of July 2016 that Johnson Baran Corp. P.O. Box 842, Forked River, NJ 08731 be and is hereby awarded Change Order #1 in an amount not to exceed Twenty Four Thousand, Two hundred Eighteen Dollars and Sixty Cents (\$24,218.60), a 19.82% increase in the project cost, for payment of the additional work required to complete the 2014 Road Reconstruction Project- Mears Ave, in the Township of Long Beach.

16. Resolution 16-071.13: Approve Bills & Payroll  
Bills in the amount of: \$ 7,043,828.20  
Payroll in the amount of: \$ 1,451,859.30

**RESOLUTION 16-0711.13**

**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 \$1,451,859.30.

**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 \$7,043,828.20 be and the same are hereby authorized to be paid on Monday, July 11, 2016.

2. The said approved payroll amounting to the sum of \$1,451,859.30 be and the same are hereby authorized to be paid on Monday, July 11, 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 13 thru 16:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

**Mayor Mancini** stated the Tax Collector's & Treasurer's Reports for the months of May and June were on file in the Municipal Clerk's Office.

#### **COMMISSIONERS' REPORTS**

**Commissioner Lattanzi** was hopeful the freeze on transportation monies by Governor Christie would soon be lifted and the anticipated grant to Long Beach Township for the Municipal Transportation System would be received.

**Commissioner Bayard** notified residents that electronic devices for disposal would have to be taken to Stafford Township Recycling Center. There was a new cell phone application for the local recycling program.

**Mayor Mancini** announced the next meeting of the Land Use Board would be held on Wednesday, July 13<sup>th</sup> at 7:00 pm in the upstairs multi-purpose room. Second Reading and Public Hearings for Ordinances 16-33C and 34 would take place at the public meeting held on August 1<sup>st</sup> at 4:00 pm. Immediately following that meeting the dedication of the new Municipal Complex Recreation Area would take place. The Mayor provided updates from the Police Department regarding upcoming events being held in Bayview Park, cell phone safety and re-entry placards. He provided updates regarding the beach project in Holgate and the upcoming project soon to begin in North Beach.

#### **PRESENTATION: Angela Andersen – Hideaway Bay Nature Area**

**Angela Andersen** presented a map of the new Nature Area and Walk being completed in the Hideaway Bay area of Beach Haven Park. She explained the many new features soon to be enjoyed by the public, including waterway trails along the bay in the Township. Angela advised an additional nature area would be completed by the Township in 2017.

**Dan Macone/Holgate** inquired about invasive insects that could be detrimental to indigenous plants in the Nature Walk.

**Angela Andersen** was aware of these insects and assured Mr. Macone the plantings would be monitored closely.

**Mayor Mancini** added the LBI Garden Club was helping with the project and would closely watch the Nature Walk vegetation.

**Bill Hutson/Holgate** offered his help, as well.

**Pat Prout/Brant Beach** inquired about the 2017 project.

**Angela Andersen** provided information about a parcel of vacant land on Osborn Ave. in Holgate that the Township planned to utilize as a marine education center.

**Mayor Mancini** added this Center would operate in conjunction with Stockton University and emphasize the health of the Bay. He anticipated the facility would be open to the public in 2017.

#### **OPEN PUBLIC SESSION**

**Gregg Kopenhaver/Brant Beach** was pleased to observe a dilapidated structure on 38<sup>th</sup> Street had been demolished.

**Joni Bakum/Brant Beach** presented the Board of Commissioners with a Certificate of Appreciation in gratitude for a successful event held in Long Beach Township; "8<sup>th</sup> Annual NJ Windsurfing Association" event.

**Bill Hutson/Holgate** thanked the Board of Commissioners for their hard work and perseverance in ensuring the Federal Beach Storm Damage Reduction Project was completed in Long Beach Township. He noted the beaches were beautiful and Holgate look terrific. He also thanked Joni Bakum for helping to make Bayview Park a successful destination for residents and visitors.

#### **CLOSE PUBLIC SESSION**

Motion for adjournment at: 3:31 p.m.

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

\_\_\_\_\_  
Lynda J. Wells, RMC  
Municipal Clerk

\_\_\_\_\_  
Joseph H. Mancini, Mayor

\_\_\_\_\_  
Ralph H. Bayard, Commissioner

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Dr. Joseph P. Lattanzi, Commissioner