

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS September 15, 2016
Flag Salute

Meeting came to order: 4:03 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 August 4, 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

OATH OF OFFICE: Chief Anthony Deely

Mayor Mancini and **Commissioner Lattanzi** spoke of the many important contributions made by retired Chief Bradley to Long Beach Township, how profoundly he will be missed, and extended their sincere wishes for his long and happy retirement.

Mayor Mancini administered the Oath of Office to Chief Anthony Deely.

Chief Deely thanked the Mayor, Board of Commissioners, Township employees and the residents of Long Beach Township for the honor to serve as their Chief of Police.

PROCLAMATION

Constitution Week: September 17-23, 2016

PROCLAMATION
CONSTITUTION WEEK

SEPTEMBER 17TH THROUGH 23RD 2016

WHEREAS, the Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

WHEREAS, September 17th 2016 marks the two-hundred twenty-ninth anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is the privilege and duty of the American people to commemorate the two-hundred twenty-ninth anniversary of the drafting of the Constitution of the United States of America with appropriate ceremonies and activities; and

WHEREAS, Public Law 915 guarantees the issuing of a yearly proclamation by the President of the United States of America designating September 17th through September 23rd as Constitution Week.

NOW, THEREFORE, BE IT RESOLVED, that Board of Commissioners of the Township of Long Beach, County of Ocean, in the State of New Jersey, does hereby proclaim the week of September 17th through September 23rd as Constitution Week in Long Beach Township and urges all citizens to reflect during that week on the many benefits of our Federal Constitution and American Citizenship as well as all the rights and responsibilities that privilege provides.

ORDINANCES & PUBLIC HEARINGS

1. Second Reading Ordinance 16-35C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTER 189 PERTAINS TO PARKING**

ORDINANCE 16-35C

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY (1997)," IN CHAPTER 189 PERTAINING TO PARKING REGULATIONS

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

STATEMENT OF PURPOSE

This Ordinance restricts parking on Sunset Blvd in High Bar Harbor, and on Beach Avenue in The Dunes and the Beach Haven Terrace Sections of Long Beach Township.

SECTION I

§189-23. Schedule 1: No Parking. is hereby amended as follows:

Delete the following:

Beach Avenue	Both	Except those portions lying between Holly Banks Lane and Delaware Avenue
--------------	------	--

SECTION II

§189-24.C. is hereby amended by the addition of the following before:

"East 44 th Street	North	145 feet easterly from the easterly side line of Long Beach Boulevard as extended in a northeasterly direction from its intersection with 45 th Street"
-------------------------------	-------	--

Add:
Sunset Boulevard Both Adjacent to the grass median

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 August 1, 2016 and advertised in the BEACH HAVEN TIMES issue of August 4,2016.

OPEN PUBLIC HEARING

No Comment

CLOSE PUBLIC HEARING

Motion to approve Ordinance 16-35C on Second Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

2. Second Reading Ordinance 16-36C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTER 5 PERTAINING TO ADMINISTRATION**

Passed on first reading at a regular meeting held on August 1, 2016 and advertised in the BEACH HAVEN TIMES issue of August 4,2016.

ORDINANCE 16-36C

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTER 5 PERTAINING TO ADMINISTRATION THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LONG BEACH DO ORDAIN:

STATEMENT OF PURPOSE

This Ordinance designates the Chief Financial Officer of Township as the Depository and Custodian of official surety bonds, insurance policies, and certain leases, and updates and amends the provisions of Chapter 5 to be consistent with the applicable law and Township practices.

SECTION I

§5-4.A. and B. are hereby deleted and replaced as follows:

- A. The Municipal Clerk shall be appointed by the Board of Commissioners for a term of three (3) years, shall receive tenure pursuant to the statutory requirements, and shall perform all duties and responsibilities pursuant to N.J.S.A. 40A:9-133 and all other applicable state law(s) and/or Township ordinance(s). The Municipal Clerk shall:
 - (1) Be the Custodian of the Official Seal of the Township, authorized to affix said Seal to applicable documents, and to attest to the signature of the Mayor and other officials on said documents.
 - (2) Be the depository and Custodian of all formal contracts for work, labor, services, supplies, equipment, and materials to which Township may be a party.
 - (3) Be the depository and Custodian of all performance bonds for any and all projects that designate Township as obligee, or any other form of security given by a contractor, sub-division developer, or other person for work to be done in or for Township.
 - (4) Maintain custody of leases for Township property procured at or above the prevailing bid threshold as set by the State of New Jersey.

SECTION II

§5-7.E. is hereby amended as follows:

- (1) Delete sentences 4 and 5.
- (2) Delete the last sentence.
- (3) After the last sentence, add the following:
Maintains custody of leases below the prevailing bid threshold as set by the State of New Jersey.
- (4) Delete in its entirety.

SECTION III

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

SECTION IV

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

SECTION IV

This Ordinance shall take effect upon publication thereof after final passage according to law.

OPEN PUBLIC HEARING

No Comment

CLOSE PUBLIC HEARING

Motion to approve Ordinance 16-36C on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

- 3. Second Reading Ordinance 16-37C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY (1997)," IN CHAPTER 82 PERTAINS TO WATER AND SEWER PAYMENTS**

ORDINANCE 16-37C

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 WATER AND SEWER PAYMENTS

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

STATEMENT OF PURPOSE

This Ordinance sets the payment due dates for Water and Sewer Account billings.

SECTION I

§82.26.E.(3). is hereby repealed in its entirety.

SECTION II

A new section, §82.26.F., is added as follows:

§82.26.F. Payments

The rents, fees and charges prescribed above for Water and Sewer Service shall be effective May 10, 2013. Quarterly payments shall be due March 1, June 1, September 1, and December 1. Accounts shall become delinquent if unpaid 10 days after the due date(s). Interest at the rate of 1½ % per month, (18% per annum) shall be added to accounts until fully paid. Delinquent balances shall constitute a lien against the property and are enforceable as such.

SECTION III

§197-6.A. Payments. is hereby amended as follows:

In the first sentence, replace "January 1, April 1, July 1, and October 1," with the following:

"March 1, June 1, September 1, and December 1"

SECTION IV

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

SECTION V

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 VI

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

Passed on first reading at a regular meeting held on August 1, 2016 and advertised in the BEACH HAVEN TIMES issue of August 4,2016.

OPEN PUBLIC HEARING

No Comment

CLOSE PUBLIC HEARING

Motion to approve Ordinance 16-37C on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

- 4. First Reading Ordinance 16-38C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTER 82 PERTAINING TO PLUMBING, FIRE AND ELECTRICAL INSPECTION FEES**

Motion to approve Ordinance 16-38C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

- 5. First Reading Ordinance 16-39C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTERS 205 PERTAINING TO HEIGHT LIMIT EXCEPTIONS**

Motion to approve Ordinance 16-39C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

- 6. First Reading Ordinance 16-40C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY (1997)," IN CHAPTERS 64 AND 105 PERTAINING TO CONSTRUCTION PROJECT FACILITIES**

Motion to approve Ordinance 16-40C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

WHEREAS, all the necessary and required 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 retroactively for the above cited event.

RESOLUTION 16-0915.02(c)

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of the Township of Long Beach has received and reviewed an application for the below-listed event:

HOST	DESCRIPTION	TIME & DATE(S)
LBI Chamber of Commerce Bayview Park	Kite Festival 9am-5pm	October 8-9, 2016

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.

11. Resolution 16-0915.03: Approve various Social Event Permits:

- Block Party W. South 34th Street on 9/4/16 from 5pm to 9pm.
- Block Party Garden Court (between 32nd and 33rd Streets) on 9/16/16 from 4pm to 10pm.

RESOLUTION 16-0915.03

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

- Permission to close W. South 34th Street, Beach Haven Gardens between Baltic and Pacific Avenues from 5pm to 9pm on September 4, 2016 for a block party.
- Permission to close Garden Court, Beach Haven Gardens, between 32nd and 33rd Streets from 4pm to 10pm on September 16, 2016 for a block party.

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

12. Resolution 16-0915.04: Approve various personnel matters

RESOLUTION 16-0915.04

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

Accept and Approve the intermittent Family Medical Leave Act (FMLA) for employee with Civil Service # *****7279 effective retroactive to September 10, 2016.

Accept and Approve the intermittent Family Medical Leave Act (FMLA) for employee with Civil Service # *****4690 effective retroactive to August 26, 2016.

Beach Patrol

Hire the following employees as Seasonal Full-Time Laborers at the rate of \$100.00 per day to be paid from Lifeguard Salary & Wage effective retroactive to September 6, 2016.

Zachary Amir	Fran Campana	Jared Cittadino
Patrick Craig	Kyle Fallon	William Galese
Andrew Howarth	Brandon Jaekel	Travis Janiec
Shawn McNally	Michael Moran	

Hire the following employees as Seasonal Part-Time Laborers at the rate of \$10.00 per hour to be paid from Lifeguard Salary & Wage effective retroactive to September 7, 2016.

Harold Buck	Emily Olson
-------------	-------------

Police

Hire the following employee as a Permanent Full-Time Police Chief effective retroactive to September 1, 2016 as per Personnel Certified List No. PL161017.

Anthony Deely

Hire the following employee as a Permanent Full-Time Class II Officer to be effective September 15, 2016.

Sean Farrell

Hire the following employees as Permanent Full-Time Public Safety Telecommunicator Trainees at the annual rate of \$26,300.00 to be paid from Police Salary & Wage effective September 15, 2016.

Courtney Palughi	Anna Demarco
------------------	--------------

Approve the following employees to attend the Ocean County Class II Academy to become Class II Special Law Enforcement Officers at the rate of \$8.38 per hour to be paid from Police Salary & Wage effective retroactive to September 9, 2016.

Joel Sawyer	Angelo Vasile
-------------	---------------

Approve a step increment for Thomas Rubel as per the PBA contract and its rates to Contractual Step 2 at \$50,784.02 effective retroactive to August 6, 2016.

Approve a step increment for Richard Reynolds as per the PBA contract and its rates to Contractual Step 2 at \$50,784.02 effective retroactive to August 17, 2016.

Change the following employee's Payroll account to Police effective retroactive to August 12, 2016.

Kimberely Walker

Transportation

Hire the following employee as a Seasonal Part-Time Driver at the rate of \$14.00 per hour to be paid from Transportation Salary & Wage effective retroactive to August 6, 2016.

James Ciccone

Hire the following employee as a Seasonal Part-Time Clerk 1 at the rate of \$10.00 per hour to be paid from Transportation Salary & Wage effective retroactive to August 6, 2016.

John Conte

Change the following employee's Payroll account to Transportation effective retroactive to August 12, 2016.

Renee Gresko

Water/Sewer

Hire the following employee as a Permanent Full-Time Water/Sewer Repair Supervisor at the annual rate of \$49,295.00 to be paid from Water/Sewer Salary & Wage effective retroactive to September 10, 2016.

Stuart McGowan

13. Resolution 16-0915.05(a&b): Approve various actions to Water/Sewer accounts

a) Various Water/Sewer changes

b) Water and Sewer refund

RESOLUTION 16-0915.05(a)

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>
6.28	9	1965-0 Sewer	2016	Standby credit	\$97.00
12.18	3	4147-0 Sewer	2016	Standby credit	\$274.00
13.20	11	4550-0 Sewer	2016	Standby credit	\$112.50
18.84	1	6587-0 Sewer	2016	Sold to LBT	\$265.50
18.84	1	6587-0 Water	2016	Sold to LBT	\$223.00
20.92	9	7237-0 Water	2016	Standby credit	\$207.00

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.

14. Resolution 16-0915.06: Appoint the Certifying Officer for Pensions:

Jennifer Martin

RESOLUTION 16-0915.06

BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, that Jennifer Martin be and is hereby designated as a certifying agent to facilitate the administration of the Public Employees' Retirement System and the Police and Fireman's Retirement System in the Township of Long Beach i.e.; the responsibility of processing, at the local level, all documents pertaining to the Public Employees' Retirement enrollments, transfers of members accounts, retirement, withdrawals and claims; and

BE IT FURTHER RESOLVED that the Board of Commissioners of the Township of Long Beach do hereby authorize the signature of Lynda J. Wells to sign certifications for Civil Service Appointments; and

BE IT FINALLY RESOLVED that a certified copy of this resolution be forwarded to the Public Employees' Retirement System and the Police and Fireman's Retirement System, State of New Jersey and the Civil Service Commission, Trenton, New Jersey.

Motion to approve Items 9 - 14:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

PURCHASES, CONTRACTS & AWARDS

15. Resolution 16-0915.07: Approve the award of a contract, per bid:

3rd Party Inspection Services: Trinity Code Inspections

RESOLUTION 16-0915.07

A RESOLUTION AWARDING A CONTRACT FOR THIRD PARTY ELECTRIC, PLUMBING, AND FIRE SUBCODE INSPECTION SERVICES FOR THE TOWNSHIP OF LONG BEACH, PER BID

WHEREAS, the Township of Long Beach has solicited bids for Third Party Inspection Services for electric, plumbing, & fire sub-codes; and

WHEREAS, the Third Party Inspection Services for electric, plumbing, & fire sub-codes have been approved as a Shared Service between the Township of Long Beach acting as Lead Agency and the Boroughs of Ship Bottom and Barnegat Light pursuant to Resolution 14-0912.10; and

WHEREAS, the Township received one qualified bid for same; and

WHEREAS, it is the opinion of the Board of Commissioners, the Township Qualified Purchasing Agent and the Municipal Solicitor that the bid submitted by the sole bidder, Trinity Code Inspection, LLC., be accepted as it has been deemed both responsive and responsible.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 15th day of September 2016, for the reasons aforesaid, that one 1-year contract, effective October 1, 2016 through September 30th, 2017, with two (2) 1-year options to extend upon written agreement of both parties, be and is hereby awarded to:

Trinity Code Inspection, LLC

735 Shunpike Road
Cape May, NJ 08204

who will be paid for their services at the rate of 75% of the fees established by the Code of Long Beach Township for current inspections; the fee for inspection of existing open permits shall be \$15.00 per permit. Said rates were contained in the bid submitted on August 31, 2016 to provide inspection services for electric, plumbing, & fire sub-codes for the Township of Long Beach.

16. Resolution 16-0915.08: Approve the execution of a Shared Service Agreement: Ocean County CDBG 2017-2019

RESOLUTION 16-0915.08

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A COOPERATIVE AGREEMENT WITH THE COUNTY OF OCEAN

WHEREAS, N.J.S.A.40:65A et seq. authorizes municipalities to enter into an agreement for, among other things, joint services; and

WHEREAS, the Township of Long Beach has actively participated in the United States Housing and Urban Development's (HUD) Community Development Block Grant Program; and

WHEREAS, HUD requires the County of Ocean and its municipalities to qualify or requalify for its entitlement as an urban county every three years; and

WHEREAS, the Township of Long Beach wishes to enter into a cooperative agreement with the County of Ocean for continued participation in the Community Development Block Grant (CDBG) Program; and

WHEREAS, participation allows Long Beach Township to apply for eligible CDBG Projects from the County and also automatically qualifies Township to participate in the County of Ocean Consortium HOME Program which is administered by the County.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, as follows

1. The Board of Commissioners does hereby authorize the execution of a Cooperative Agreement with the County of Ocean.
2. The term of this Cooperative Agreement shall three (3) years; FY 2017-2019.
3. A copy of the Agreement shall be kept on file in the Office of the Municipal Clerk and available for public inspection during normal business hours.

Motion to approve Items 15 & 16:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

FINANCIAL APPROVALS

17. Resolution 16-0915.09(a&b): Approve various Change Orders:

a) Procomm Systems, Inc.: (\$4,590.00)

b) Tetra Tech, Inc.: \$44.12

RESOLUTION 16-0915.09(a)

RESOLUTION AUTHORIZING A CHANGE ORDER FOR THE 2014 LIGHTNING PROTECTION AT PUBLIC SAFETY BUILDING/MUNICIPAL COMPLEX IN THE TOWNSHIP OF LONG BEACH

WHEREAS Procomm Systems, Inc., was awarded a contract for the 2014 Lightning Protection at the Public Safety Building/Municipal Complex in the Township of Long Beach as per Resolution 14-0425.06(a), in a total amount not to exceed One Hundred Twenty-Six Thousand Four Hundred Forty-Eight Dollars (\$126,448.00) as per the bid received April 15, 2014; and

WHEREAS, as a result of the final work quantities a reduction in cost occurred, the final cost of the project was One Hundred Twenty-One Thousand Eight Hundred Fifty-Eight Dollars and No Cents (\$121,858.00); and

WHEREAS, these changes have resulted in Reverse Change Order #1 of the original contract and has been approved and certified by the Municipal Engineer. Said detailed Certification contains all the facts associated with this Reverse Change Order in accordance with state statutes and is attached hereto.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby approve Reverse Change Order #1 in the amount of Four Thousand Five Hundred Ninety Dollars (\$4,590.00) for the 2014 Lightning Protection at the Public Safety Building/Municipal Complex in the Township of Long Beach.

RESOLUTION 16-0915.09(b)

RESOLUTION AUTHORIZING A CHANGE ORDER FOR THE PROFESSIONAL SERVICE CONTRACT FOR SUPPLEMENTAL GROUNDWATER INVESTIGATION SAMPLING AND ISRA SUPPORT REQUIRED FOR THE UNDERGROUND TANK CLOSURE IN THE TOWNSHIP OF LONG BEACH

WHEREAS Tetra Tech, Inc. was awarded a contract for the Supplemental Groundwater Investigation Sampling and ISRA Support Required for the Underground Tank Closure in the Township of Long Beach in an amount not to exceed Forty Thousand Two Hundred Dollars (\$40,200.00) pursuant to Resolution 14-1219.09(a) and as per executed contract; and

WHEREAS, based on the actual project, and as a result of additional labor expended seeking an access location for the off-site monitoring well, Case #99-02-17-17, there resulted in a final additional cost of forty-four dollars and twelve cents (\$44.12); and

WHEREAS, these changes have resulted in Change Order #1 of the original contract that has been approved and certified by Bruce Mackie, P.G., Principal Geologist.

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 15th day of September 2016 that Tetra Tech, Inc. One Salem Square, 295 Route 22 East, Suit 104E, Whitehouse Station, NJ 08889, be and is hereby awarded Change Order #1 in the amount of Forty-four Dollars and Twelve Cents (\$44.12) for the above the listed contract: Professional Services for Supplemental Groundwater Investigation Sampling and ISRA support required for the Underground Storage Tank Closure.

18. Resolution 16-0915.10(a-c): Authorize the cancellation of various tax levies:

- a) Reed: Block 1.17 Lot 8
- b) M & M Developers, Inc.: Block 11.04, Lot 1.06
- c) Miller Trust: Block 18.84, Lot 1

RESOLUTION No. 16-0915.10(a)

A RESOLUTION AUTHORIZING CANCELLATION OF TAX LEVY AND REFUND OF OVERPAYMENT

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

WHEREAS, Billy Reed, due to the wartime service-connected disability, which is totally disabling, he is entitled to a total tax exemption on his property, **Block 1.17 Lot 8**; and

WHEREAS, Billy Reed's disability effective date was December 9, 2015. The taxes to be cancelled are as follows:

- 2015: \$723.32 + \$15.00 for the disallowed veteran deduction totaling **\$738.32**.
- 2016: \$12,012.88 + \$250.00 for the disallowed veteran deduction totaling **\$12,262.88**.

The amount to be refunded for this exempt time period amount to \$723.32 for 2015 and \$3,069.27 for 2016, totaling **\$3,792.59**.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey that the taxes shall be canceled and refunded as set forth above and the Tax Collector is directed to make the appropriate adjustments to the records.

RESOLUTION 16-0915.10(b)

A RESOLUTION AUTHORIZING TAX LEVY CANCELLATION OF CONSERVATION AREA

WHEREAS, the Township of Long Beach received and accepted ownership in 2015 from M & M Developers, Inc., the owner(s) of Block 11.04, Lot 1.06 also known as Conservation Area; and

WHEREAS, the Township Condemnation/Eminent Domain Counsel shall forward the required deed documents to the office of the Ocean County Clerk for legal recording; and

WHEREAS, accordingly a tax exempt status shall be established by the Long Beach Township Tax Assessor for the year 2017 for Block 11.04 Lot 1.06; and

WHEREAS, the 2015 taxes were cancelled by Resolution 15-0821.08 and the tax exempt status is required to be established for the year of 2016, as well as the cancellation of the tax billings for 2016, in the amount of Eighteen Hundred Twenty-Three Dollars and Eleven Cents (\$1,823.11).

NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey that the Tax Collector is hereby authorized to cancel tax billings for 2016 for Block 11.04 Lot 1.06, in the amount of Eighteen Hundred Twenty-Three Dollars and Eleven Cents (\$1,823.11).

RESOLUTION 16-0915.10(c)

A RESOLUTION AUTHORIZING THE CANCELLATION OF A TAX LEVY

WHEREAS, the Township of Long Beach received and accepted ownership confirmed by property deed Book 16465, Page 38 on August 1, 2016 from the Miller Trust, the owner(s) of Block 18.84, Lot 1 also known as 1084A Long Beach Boulevard; and

WHEREAS, a tax exempt status shall be established by the Long Beach Township Tax Assessor for the year 2017 for Block 18.84, Lot 1; and

WHEREAS, the exempt status is required to be established for the remainder of 2016, as well as the cancellation of the remainder of tax billings for 2016 in the amount of Thirty-Two Hundred Fifty-Three Dollars and Sixty-Four Cents (\$3,253.64).

NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey that the Tax Collector is hereby authorized to cancel the remainder of tax billings for 2016 for Block 18.84, Lot 1, in the amount of Thirty-Two Hundred Fifty-Three Dollars and Sixty-Four Cents (\$3,253.64).

19. Resolution 16-0915.11(a-e): Approve various performance bond actions:

- a) Release LUB-18-09: Holgate Cove Enterprise, LLC \$25,603.45
- b) Release LUB-6-14: TJC Coastal Homes LLC-Tom Barrett \$17,476.25
- c) Release LUB-9-15: Laurel Beach Developers, LLC \$24,722.50
- d) Release LUB-17-12: F&W Partners \$7,920.00
- e) Accept LUB-4-16: Dorsett/Carey \$19, 789.00

RESOLUTION 16-0915.11(a)

WHEREAS, pursuant to Resolution 12-0302.09(b), the Township of Long Beach accepted from Holgate Cove Enterprises, LLC, Cashier's Check #517503 dated January 18, 2012 in the amount of Twenty-Five Thousand Seven Hundred Twenty Dollars and Fifty Cents (\$25,720.50)

drawn on Brown Brothers Harriman & Company, representing the required Performance Bond for P/F Major Subdivision #LUB-18-09, Block 1.09, Lots 1.06 and 1.07 (McKinley Avenue, Holgate, NJ); and

WHEREAS, pursuant to Resolution 14-0221.08(a), upon inspection by the Municipal Engineer it was determined insufficient work had been completed and an extension of this Performance Bond was authorized; and

WHEREAS, pursuant to Resolution 15-0619.12(c), subsequent inspection by the Township Engineer determined that all work had not been completed and a 1-year extension of this Performance Bond was recommended; and

WHEREAS, upon inspection by the Municipal Engineer on August 12th, it was determined that the project was complete and the release of the remaining performance bond plus accrued interest was recommended, less outstanding engineering fees in the amount of One Hundred Seventeen Dollars and Five Cents (\$117.05).

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach approves a release of the remaining Performance Bond in the amount of Twenty-Five Thousand Six Hundred Three Dollars and Forty-Five Cents (\$25,603.45) plus accrued interest, as per its Municipal Land Use Ordinance and as per the recommendation and certification of the Municipal Engineer.

RESOLUTION 15-0915.11(b)

WHEREAS, pursuant to Resolution 15-0406.11 dated April 6, 2015, the Township of Long Beach accepted from Thomas Barret (TJC Coastal LLC), Cashier Check #52337871-0 dated March 31, 2015 in the amount of Seventeen Thousand Four Hundred Seventy-Six dollars and Twenty-Five Cents (\$17,476.25) drawn on TD Bank, representing the required Performance Bond for Minor Sub Division #LUB-6-14, Block 14.13, Lot 22; (2 & 4 East Hobart Ave); and

WHEREAS, upon inspection by the Municipal Engineer, it has been determined that all work has been satisfactorily completed and the release of the Performance Bond is recommended; and

WHEREAS, the Municipal Engineer has also determined that a Maintenance Bond is not required.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach approves the release of the Performance Bond in the amount of Seventeen Thousand Four Hundred Seventy-Six dollars and Twenty-Five Cents (\$17,476.25) plus accrued interest as per its Municipal Land Use Ordinance and as per the recommendation and certification of the Municipal Engineer.

RESOLUTION 15-0915.11(c)

WHEREAS, pursuant to Resolution 15-0821.10 dated April August 21, 2015, the Township of Long Beach accepted from Laurel Beach Developers LLC, Official Check #52478485-7 drawn on TD Bank, dated August 6, 2015 in the amount of Twenty-Four Thousand Seven Hundred Twenty-Two Dollars and Fifty Cents (\$24,722.50), representing the required Performance Bond for Minor Subdivision #LUB-9-15, Block 14.21, Lot 7.01 (7505 Long Beach Boulevard, Beach Haven Crest, NJ); and

WHEREAS, upon inspection by the Municipal Engineer, it has been determined that all work has been satisfactorily completed and the release of the Performance Bond is recommended; and

WHEREAS, the Municipal Engineer has also determined that a Maintenance Bond is not required.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach approves the release of the Performance Bond in the amount of Twenty-Four Thousand Seven Hundred Twenty-Two Dollars and Fifty Cents (\$24,722.50), plus accrued interest as per its Municipal Land Use Ordinance and as per the recommendation and certification of the Municipal Engineer.

RESOLUTION 16-0915.11(d)

WHEREAS, pursuant to Resolution 12-1019.09(a), the Township of Long Beach had received from F & W Partners, LLC, Cashier's Check #2438290 drawn on Bank of America, dated October 3, 2012 in the amount of Thirty-One Thousand One Hundred Thirty Dollars (\$31,130.00), representing the required Performance Bond for Minor Subdivision #LUB-17-12, Block 12.20, Lots 14.01 & 14.02 (16 E. Sailboat Drive, Long Beach Blvd., Peahala Park, NJ); and

WHEREAS, pursuant to Resolution 14-0207.09 upon preliminary inspection by the Township Engineer it was determined a significant amount of the project had been completed and a reduction of the Performance Bond in the amount of Twenty-Three Thousand Two Hundred Ten Dollars (\$23,210.00) was authorized, resulting in a Performance Bond balance of Seven Thousand Nine Hundred Twenty Dollars (\$7,920.00); and

WHEREAS, after subsequent inspection by the Township Engineer, it was determined that sufficient work had not been completed and it was recommended the bond be extended to September 12, 2015.

WHEREAS, upon inspection by the Municipal Engineer on August 16th 2016, it has been determined that all work has been satisfactorily completed and the release of the Performance Bond is recommended; and

WHEREAS, the Municipal Engineer has also determined that a Maintenance Bond is not required.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach approves the release of the Performance Bond in the amount of Seven Thousand Nine Hundred Twenty Dollars (\$7,920.00), plus accrued interest as per its Municipal Land Use Ordinance and as per the recommendation and certification of the Municipal Engineer.

RESOLUTION 16-0915.11(e)

WHEREAS, the Township of Long Beach has accepted from Dorsett/Cary (6009 Bayview Associates), Official Check No. 1000091964 dated August 18, 2016 in the amount of Nineteen Thousand Seven Hundred Eighty-Nine Dollars (\$19,789.00), as the required Performance Bond for Minor Sub-division #LUB-4-16, Block 15.41, Lot 10 (6009 Bayview Ave, Brant Beach).

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.

20. Resolution 16-0915.12: Authorize application for Community Development Block Grant for Super Storm Sandy Reimbursement

RESOLUTION 16-0915.12

WHEREAS, the Township of Long Beach desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$634,155.97 to carry out a project for reimbursement of the Township of Long Beach's cost share of FEMA money pertaining to Super Storm Sandy, representing 10% non-federal match under the CDBG Program.

NOW THEREFOR, BE IT THEREFORE RESOLVED as follows:

- 1) The Board of Commissioners of the Township of Long Beach does hereby authorize the application for such a grant; and
- 2) Township recognizes and accepts that the Department may offer a lesser or greater amount and therefore upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the term of the agreement between Township of Long Beach and the New Jersey Department of Community Affairs; and

BE IT FURTHER RESOLVED, that the persons whose names, titles and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

Joseph H. Mancini
Mayor

Joseph P. Lattanzi
Comm. of Revenue & Finance

21. Resolution 16-0915.13: Approve the change of custodian for the Police Department Petty Cash Fund: Chief Anthony Deely

RESOLUTION 16-0915.13

CHANGE IN CUSTODIAN OF PETTY CASH FUND

WHEREAS, Michael Bradley was designated custodian of the Long Beach Township Police Department Petty Cash fund; and

WHEREAS, in accordance with N.J.S.A. 40:5-21, the Board of Commissioners wishes to change custodian to Anthony Deely, Chief of Police; and

WHEREAS, Anthony Deely, Chief of the Long Beach Township Police Department is bonded in the amount of \$1,000,000.00 by virtue of a blanket bond issued by the Ocean County Joint Insurance Fund.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey hereby authorizes such action and directs two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

22. Resolution 16-0915.14: Approve Bills & Payroll
Bills in the amount of: \$ 17,208,202.19
Payroll in the amount of: \$ 1,417,243.63

RESOLUTION 16-0915.14

**RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING THE PAYMENT OF TOWNSHIP BILLS**

WHEREAS, the Chief Financial Officer and various Department Heads of the Township of Long Beach have carefully examined all vouchers presented for the payment of claims; and

WHEREAS, after due consideration of the said vouchers, the Board of Commissioners of the Township of Long Beach has approved payment of same; and

WHEREAS, Payroll Department has certified and submitted a request for approval of Township payroll in the amount of \$ 1,417,243.63.

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 \$ 17,208,202.19 be and the same are hereby authorized to be paid on Thursday, September 15, 2016.

2. The said approved payroll amounting to the sum of \$ 1,417,243.63 be and the same are hereby authorized to be paid on Thursday, September 15, 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.

