

**MINUTES**  
**REGULAR SESSION BOARD OF COMMISSIONERS November 9, 2015**  
**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 December 25, 2014; 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**

**ORDINANCES & PUBLIC HEARINGS**

1. Second Reading Ordinance 15-50C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" CREATING IN CHAPTER 64-1.B. A NEW SUB-PARAGRAPH 4 CONCERNING THE BOARDING-UP OF OPENINGS ON STRUCTURES**

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

**STATEMENT OF PURPOSE**

This Ordinance creates regulations for the installation and duration of use of materials employed to cover structural openings on buildings in the Township of Long Beach

**SECTION I**

Chapter §64-1.B. of an Ordinance entitled "**CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, 1997**" (the "Code") is hereby amended by the addition of sub-paragraph (4) as follows:

- (4) The boarding-up of openings on residential or commercial buildings is specifically prohibited, except under the following conditions:
  - (a) The use and installation of approved pre-manufactured hurricane security shutters shall be permitted at any time.
  - (b) In the event of a natural disaster, the installation of wood structural panels shall be permitted no sooner than 72 hours prior to the predicted weather event and shall be removed no later than 72 hours after the conclusion of the weather event. Should access to structures be prohibited, the structural panels shall be removed no later than 72 hours after such restriction is lifted.
  - (c) Upon the issuance of an unsafe order by the Code Enforcement Officer or designee, a residential or commercial building shall be boarded-up.

**SECTION II**

All Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency.

**SECTION III**

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

**SECTION IV**

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

Passed on first reading at a regular meeting held on October 26, 2015 and advertised in the BEACH HAVEN TIMES issue of October 29, 2015.

OPEN PUBLIC HEARING  
CLOSE PUBLIC HEARING

Motion to adopt Ordinance 15-50C on Second Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

**ADOPTIONS & APPROVALS**

2. Resolution 15-1109.01: Support the rescission of the "Coastal A Zones" requirement adopted by the New Jersey Department of Community Affairs

**Mayor Mancini** explained the new "A Zone" requirements compelled structures to be built to "V Zone" standards and would make construction projects unnecessarily burdensome to property owners.

**RESOLUTION 15-1109.01**

**RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, URGING THE DEPARTMENT OF COMMUNITY AFFAIRS TO RESCIND RECENTLY ADOPTED "COASTAL A ZONES" REQUIREMENT.**

**WHEREAS**, recently the New Jersey Department of Community Affairs adopted through the New Jersey Uniform Construction Code-2015 Code Adoption a requirement that in order to secure a building permit all New Jersey Homeowners that are located in a Coastal "A" Zone will now be required to build to a "V" Zone standard for elevated homes; and

**WHEREAS**, in order to phase in the new code, the requirements that became effective on September 21, 2015, now includes a six month grace period that will end on March 21, 2016; and

**WHEREAS**, the Township of Long Beach's governing body believes that this is unnecessary and will burden its Township residents, who reside in this zone, with expensive construction techniques that will further slow the reconstruction of these homes, and in some cases require longstanding homeowners to demolish their homes and construct new ones; and

**WHEREAS**, if this requirement remains in place, homes will no longer be able to be lifted onto block foundations with crawl spaces, and for many homeowners the cost for elevating their homes will exceed the RREM grants due to the requirement that homes be constructed on an open, elevated pier foundation, or pile foundation with breakaway walls; and

**WHEREAS**, this rule will create an affordability issue with flood insurance rates for homes that we have already been rebuilt under the current regulations as well as a potential financial loss due to homes that have been rebuilt to the "A" Zone standard already in terms of real estate values; and

**WHEREAS**, due to the size and configuration of these waterfront properties, homeowners will not have any alternative but to install helical piles above grade at considerable expense or other pier type foundations with no real benefit to public health and safety.

**NOW, THEREFORE, BE IT RESOLVED**, that on this date, the Township of Long Beach hereby urges the New Jersey Department of Community Affairs to rescind the requirement for Coastal "A" Zones thus allowing our residents to continue to build and rebuild their homes to the "A" Zone standards; and

**BE IT FURTHER RESOLVED**, Certified Copies of this resolution shall be forwarded to Honorable Governor Chris Christie, the 9<sup>th</sup> Legislative District, NJ Department of Community Affairs, and neighboring Coastal Towns.

3. Resolution 15-1109.02: Authorize application by Long Beach Township for the Sustainable Jersey Grant

**RESOLUTION 15-1109.02**

**RESOLUTION TO SUPPORT LOCAL GOVERNING BODY AUTHORIZING THE SUSTAINABLE JERSEY GRANT APPLICATION**

**WHEREAS**, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

**WHEREAS**, the Township of Long Beach strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

**WHEREAS**, the Township of Long Beach is participating in the Sustainable Jersey Program; and

**WHEREAS**, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program;

**THEREFORE**, the Board of Commissioners of the Township of Long Beach has determined that Angela Andersen shall apply for the aforementioned Grant.

**THEREFORE, BE IT RESOLVED**, that the Board of Commissioners of the Township of Long Beach, state of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant by Angela Andersen.

4. Resolution 15-1109.03: Approve various changes to Water/Sewer accounts  
**RESOLUTION 15-1109.03**

**WHEREAS**, the following Sewer account requires a a change in its billing and/or classification due to various reasons; and

**WHEREAS**, it is requested by the Director of Revenue and Finance that this change 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>
20.106	5	7309-0 Sewer	2015	Standby credit	\$ 178.00

**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 this change.

5. Resolution 15-1109.04: Approve various personnel matters  
**RESOLUTION 15-1109.04**

Accept and Approve the Family Medical Leave Act (FMLA) for employee with the Civil Service number \*\*\*\*\*2269 effective retroactive to October 14, 2015.

**Police**

Accept and approve the resignation of the following employee effective retro-active to October 5, 2015.

Trisha Gallagher

Change following employee's title to Provisional Senior Public Safety Telecommunicator pending Civil Service approval and change the following employee's annual Salary to \$45,290.04 to be paid from Police Salary & Wage effective November 9, 2015.

Mary Wickert

Change following employee's title to Provisional Senior Public Safety Telecommunicator pending Civil Service approval and change the following employee's annual Salary to \$51,910.57 to be paid from Police Salary & Wage effective November 9, 2015.

Christine Eberle

**Public Works**

Hire the following employee as a Temporary Full-Time Laborer 1 at the rate of \$15.00 per hour to be paid from Public Works Salary & Wage effective November 23, 2015.

Curtis Clark

**Water/Sewer**

Hire the following employee as a Permanent Full-Time Laborer 1 at the annual salary of \$32,000 effective November 23, 2015.

Croix Corliss

Motion to approve Items 2 thru 5:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

**PURCHASES, CONTRACTS & AWARDS**

6. Resolution 15-1109.05: Award a contract for the purchase & delivery of diesel fuel, per Co-op: Riggins, Inc.: fixed margin of \$0.114 per gallon over daily rate

**RESOLUTION 15-1109.05**

**RESOLUTION AUTHORIZING A CONTRACT FOR THE SUPPLY AND DELIVERY OF DIESEL FUEL BASED ON THE PROCUREMENT OBTAINED THROUGH THE STAFFORD TOWNSHIP COOPERATIVE PRICING SYSTEM**

**WHEREAS**, Long Beach Township is a participating entity of the Stafford Township Cooperative Pricing System, Identifier #33-OCCPS; and

**WHEREAS**, the Township wishes to utilize the Stafford Township Cooperative Pricing System to contract for the supply and delivery of diesel fuel as may be required for various municipal vehicles; and

**WHEREAS**, the governing body deems this contract to be necessary for Township use, and is in the best interest of the Township; and

**WHEREAS**, Riggins, Inc., 3938 S. Main Road, Vineland, NJ 08360 was the lowest qualified bidder (Bid #2015-020); said bidder agreed to extend its prices for the supply and delivery of diesel fuel to the Stafford Township Cooperative Pricing Members.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach at a regular meeting held Friday, November 9, 2015 that the Mayor and

Municipal Clerk shall be and are hereby authorized to execute a contract with Riggins, Inc. for the supply and delivery of ultra-low sulfur Diesel fuel as follows:

- Effective through November 1, 2017, for the supply and delivery of ultra-low sulfur diesel fuel fixed margin of \$0.1140 per gallon.
- Contract effective 11/2/15 through 11/1/17

Motion to approve Item 6:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

### **FINANCIAL APPROVALS**

7. Resolution 15-1109.06(a-d): Approve various Performance Bond actions:

- a. LUB-27-07: Extend 1 year; LUB 27-07
- b. LUB-41-05: Extend 1 year; LUB41-05
- c. LUB-23-13: Release performance bond LUB \$7,480.00
- d. LUB-8-14: Release performance bond LUB \$ 10,340.00

#### **RESOLUTION 15-1109.06(a)**

**WHEREAS**, pursuant to Resolution 08-0320.15(b), the Township of Long Beach accepted from Reginald J. Raban Cashier's Check No. 0935893 dated March 14, 2008 in the amount of Five Thousand Five Hundred Dollars (\$5,500.00) drawn on Wachovia Bank, as the required Performance Bond for Minor Sub-division #LUB-27-07, Block 20.26, Lot 1 (26 Long Beach Blvd., Loveladies); and

**WHEREAS**, pursuant to Resolutions 10-0709.15(a), 11-1104.13(c), 12-1005.05(c), 13-1004.05(c) and 14-0926.10(a) the property was inspected by the Township Engineer who determined various work items remained incomplete and he recommended the Performance Bond be extended for one year subsequent to each inspection; and

**WHEREAS**, the property was inspected on October 22, 2015 by the Municipal Engineer who concluded that the work was not complete and recommended the performance bond be extended again, for one additional year, to October 21, 2016.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners approves the extension of this Performance Bond as recommended by the Township Engineer.

#### **RESOLUTION 15-1109.06(b)**

**WHEREAS**, pursuant to Resolution 06-0721.14, the Township of Long Beach received Commerce Bank Check #805-02588 in the amount of Forty Six Thousand Seven Hundred Seventy Two Dollars (\$46,722.00) as a Performance Bond for Sub-division Application #LUB-41-05, Block 4.45, Lots 1 & 1.01 (2000 Waverly Place, North Beach Haven); and

**WHEREAS**, upon inspection of the property by the Township Engineer, and pursuant to Resolutions 08-0620.15(c), 09-0807.07(a), 10-1008.03(c), 11-1104.13(b), 12-1005.05(b), 13-1004.05(b) and 14-0912.11(e) the property was inspected by the Township Engineer who determined various work items remained incomplete and he recommended the Performance Bond be extended for one year subsequent to each inspection; and

**WHEREAS**, a subsequent inspection was done by the Municipal Engineer, who again concluded that the work was not complete and recommended the performance bond be extended for an addition year to November 8, 2016; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners approves the extension of this Performance Bond as recommended by the Township Engineer.

#### **RESOLUTION 15-1109.06(c)**

**WHEREAS**, pursuant to Resolution 13-1230.12, the Township of Long Beach accepted from Veronica Astrom, Official Check #1488600708 dated December 23, 2013 in the amount of Fifteen Thousand Seven Hundred Thirty Dollars (\$15,730.00) drawn on Bank of America, representing the required Performance Bond for a Minor Subdivision #LUB-23-13, Block 14.02, Lot 12 (14 W. Winifred Avenue); and

**WHEREAS**, pursuant to Resolution 15-0217.09 an inspection by the Municipal Engineer, determined that the demolition had been completed and a partial release of the Performance Bond of \$8,250.00 plus accrued interest was approved; and

**WHEREAS**, upon inspection by the Municipal Engineer, it has been determined that all work has been satisfactorily completed and the release of the remaining 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 remaining portion of the Performance Bond in the amount of Seven thousand Four Hundred Eighty Dollars

(\$7,480.00) plus accrued interest, as per its Municipal Land Use Ordinance and as per the recommendation and certification of the Municipal Engineer.

**RESOLUTION 15-1109.06(d)**

**WHEREAS**, pursuant to 15-0928.09, the Township of Long Beach received from JOV Realty, LLC, Official Check #52240621-4 drawn on TD Bank, dated December 19, 2014 in the amount of Ten Thousand, Three Hundred Forty Dollars (\$10,340.00), representing the required Performance Bond for Minor Subdivision #LUB-8-14, Block 15.135, Lot 1 (3500 Long Beach Blvd., Brant Beach, 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 Ten thousand Three Hundred Forty Dollars (\$10,340.00) plus accrued interest, as per its Municipal Land Use Ordinance and as per the recommendation and certification of the Municipal Engineer.

8. Resolution 15-1109.07 Approve various appropriation transfers

**RESOLUTION 15-1109.07**

**WHEREAS**, the New Jersey statutes provide for the making of reserve appropriation transfers between the period of November 1, 2015 and December 31, 2015; and

**WHEREAS**, the Board of Commissioners of the Township of Long Beach, County of Ocean, desires to make Appropriation Transfers.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that the following transfers of appropriations be and they hereby are made:

<b>CURRENT FUND</b>			
<b>FROM:</b>	<b>DEPT</b>	<b>ACCOUNT #</b>	<b>AMOUNT</b>
Mun Clerk	S&W	5-01-20-120-111	\$ 25,000.00
Mun Clerk	O&E	5-01-20-120-100	\$ 10,000.00
Advertising	O&E	5-01-20-120-200	\$ 10,000.00
Financial Admin	O&E	5-01-20-130-100	\$ 10,000.00
Central Purch	O&E	5-01-20-132-100	\$ 8,000.00
Public Works	S&W	5-01-26-302-100	\$ 15,000.00
Lifeguards	S&W	5-01-28-380-111	\$ 20,000.00
Celeb of Pub Events	O&E	5-01-30-420-100	\$ 15,000.00
Gasoline	O&E	5-01-31-447-000	\$ 30,000.00
Police	S&W	5-01-25-240-111	<b>\$20,000.00</b>
<b>TOTAL</b>			<b>\$ 163,000.00</b>
<b>TO:</b>	<b>DEPT:</b>	<b>ACCT#</b>	<b>AMOUNT</b>
Election	O&E	5-01-20-121-029	\$ 200.00
Engineering	O&E	5-01-20-165-029	\$20,000.00
Pub Affairs Director	O&E	5-01-25-200-100	\$ 300.00
Streets & Roads	S&W	5-01-26-290-011	\$15,000.00
Board of Health	S&W	5-01-27-330-011	\$26,000.00
Lifeguards	O&E	5-01-28-380-100	\$20,000.00
Natural Gas	O&E	5-01-34-446-000	\$ 5,500.00
Shared Services	O&E	5-01-31-451-100	\$25,000.00
Public Defender	O&E	5-01-43-495-029	\$ 1,000.00
Capital Imp Fund	O&E	5-01-44-900-000	\$50,000.00
<b>TOTAL</b>			<b>\$163,000.00</b>

9. Resolution 15-1109.08: Approve Bills & Payroll  
 Bills in the amount of: \$ 9,892,265.01  
 Payroll in the amount of: \$ 381,199.57

**RESOLUTION 15-1109.08**

**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 \$ 381,199.57.

**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 \$9,892,265.01 be and the same are hereby authorized to be paid on Monday, November 9, 2015.

2. The said approved payroll amounting to the sum of \$ 381,199.57 be and the same are hereby authorized to be paid on Monday, November 9, 2015.

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 7 thru 9:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

#### **COMMISSIONERS' REPORTS**

**Commissioner Lattanzi** had no comments.

**Commissioner Bayard** announced final paving of various streets in Holgate was underway. A sewer project would soon take place from McKinley Avenue to Tebco Terrace.

**Mayor Mancini** provided a brief statement regarding the Special Public Meeting that had just concluded regarding various new park projects slated for 2016. He asked all interested persons to review the plans and provide constructive input on the projects. He stated the next meeting of the Land Use Board would be held on Thursday, November 12<sup>th</sup> at 7:00 pm in the upstairs multi-purpose room. He advised the second reading and public hearing for Ordinance 15-49C would be held on November 23<sup>rd</sup> at 4:00 p.m. The Mayor also provided updates on the Causeway Bridge Project and various programs available to the public through the Police Department.

#### **OPEN PUBLIC SESSION**

**John Fiori/Brant Beach** thanked Commissioner Bayard and the Public Works Department for recent work completed at his street end. He suggested additional handicapped parking spots be designated along Ocean Blvd in the vicinity of the 68<sup>th</sup> Street Beach Entrance.

**Mayor Mancini** promised to look into the matter.

#### **CLOSE PUBLIC SESSION**

Motion for adjournment at 4:11 p.m.:

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