

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS NOVEMBER 1, 2013
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
Teresa S. Sgro, Deputy Municipal Clerk

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 and the ASBURY PARK PRESS on December 13th 2012; and filed with the Municipal Clerk.

Motion: To dispense with the reading of the minutes of the October 18, 2013 meeting and to approve the same as recorded in the minute book:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

AGENDA

PROCLAMATIONS: Long Beach Township Employees and First Responders:

In grateful recognition of their hard work, dedication and perseverance in the aftermath of Super Storm Sandy

PROCLAMATION

WHEREAS, October 29, 2012, Super Storm Sandy ravaged our homes, business' and the way of life in Long Beach Township, causing significant and widespread damage, destruction and heartbreak; and

WHEREAS, on this first anniversary of that terrible day, we pay tribute and thanks to the Police Officers, Firefighters, EMS Responders, Long Beach Township Public Works Department, and the Long Beach Township Water/Sewer Department; and

WHEREAS, these dedicated individuals selflessly performed extraordinary acts of courage and valor in our community's most dire moments and assisted in critical emergency responses to those in desperate situations, securing the safety of our beloved island and its surrounding waters; and

WHEREAS, these tragic events have brought forth the true essence of those who serve Long Beach Township, exemplified through acts of bravery and compassion in the midst of chaos, re-enforcing our 'island family' which has made us stronger and more resilient.

NOW, THEREFORE, BE IT PROCLAIMED, that Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, do hereby recognize the profound contribution to Long Beach Township by our local employees and first responders, and urge all townspeople to reflect on the untold sacrifices of these men and women who supported us and protected us from the overwhelming consequences of Super Storm Sandy.

The proclamation was read by Municipal Clerk, Lynda Wells.

National Caregiver Month: November 2013

PROCLAMATION

WHEREAS, the Ocean County Board of Social Services desires to recognize the Month of November 2013 as National Family Caregiver Month; and

WHEREAS, the Ocean County Board of Social Services is, with the Ocean County Office of Senior Services, part of the New Jersey EASE public collaborative and works closely with government agencies and with concerned private organizations, including hospitals, to give patients a welcomed alternative to institutionalized care; and

WHEREAS, home care not only emphasizes the dignity, comfort, and independence of patients but also affirms the importance of family love and support to their well-being and enables clients to prevent, or to postpone, costly hospital stays and other forms of institutional care; and

WHEREAS, countless numbers of lives have been touched by family caregivers thereby improving the quality of life for these citizens of New Jersey.

BE IT HEREBY PROCLAIMED, that the Board of Commissioners of the Township of Long Beach joins with Governor Chris Christie, State of New Jersey, in celebrating National Family Caregiver Month during the Month of November, 2013; and

BE IT FURTHER PROCLAIMED, that a certified copy of this proclamation be forwarded to:

The Honorable State Senator Christopher J. Connors, Jr.

The Honorable State Assemblyman Brian E. Rumpf

The Honorable State Assemblywoman DiAnne C. Gove
 Mary E. O'Dowd, Commissioner, NJ Department of Health & Senior Services
 Ella Boyd, Public Health Coordinator, Ocean County Health Department
 Jane Maloney, Director, Ocean County Dept. of Senior Services
 All Ocean County Mayors
 Members of the Ocean County Board of Social Services

BE IT FINALLY PROCLAIMED that authorization is granted to release this proclamation immediately.

ORDINANCES & PUBLIC HEARINGS

1. First Reading Ordinance 13-42: **ORDINANCE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE ACQUISITION OF CERTAIN INTERESTS IN REAL PROPERTIES BY NEGOTIATION, PURCHASE, CONDEMNATION OR EMINENT DOMAIN, SAID PROPERTIES BEING IDENTIFIED ON THE ANNEXED SCHEDULE**

Mayor Mancini explained this project was scheduled to begin in April 2014, and this ordinance provided for the Township to acquire easements, not the property.

Motion to approve Ordinance 13-42 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

ADOPTIONS & APPROVALS

2. Resolution 13-1101.01: Authorize the Municipal Clerk to advertise for bids:
 - * One (1) Knapheide Dumping Platform: P/W Dept.
 - * Various Clothing: Police Department

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 advertise for bids for the following:

- One (1) Knapheide Dumping Platform for the Public Works Department
 - Various Uniform Shirts for the Police Department
3. Resolution 13-1101.02: Approve various changes to water and sewer accounts

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:

<u>BLOCK</u>	<u>LOT/QUAL</u>	<u>ACCT #/ACCT</u>	<u>YEAR</u>	<u>CANCEL/CHANGE</u>	<u>AMOUNT</u>
4.25	19	1119-0/Water	2013	Per fixture count	\$73.00
15.63	2	5556-0/Water	2013	Per fixture count	\$16.00

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

4. Resolution 13-1101.03: Approve the 2014 Meeting Schedule for the Board of Commissioners

NOTICE

Pursuant to Chapter 231, P.L. 1975, PUBLIC NOTICE IS HEREBY GIVEN that the Board of Commissioners of the Township of Long Beach may hold daily work sessions Monday, Tuesday, Wednesday, Thursday and Friday of each week between the hours of 10 a.m. and 1 p.m. Executive Sessions in the Mayor's Office of the Long Beach Township Municipal Administrative Building, and Regular Meetings in the Public Safety Building, 6805 Long Beach Boulevard, Brant Beach, NJ will be held on the following dates and times:

Executive Sessions

Jan. 6, 2014	3:00 PM		Jan. 22, 2014	10:00 AM
Feb. 3, 2014	3:00 PM		Feb. 19, 2014	10:00 AM
March 3, 2014	3:00 PM		March 17, 2014	3:00 PM
March 31, 2014	3:00 PM		April 21, 2014	3:00 PM
May 5, 2014	3:00 PM		May 19, 2014	3:00 PM
June 2, 2014	3:00 PM		June 16, 2014	3:00 PM
July 7, 2014	3:00 PM		July 21, 2014	3:00 PM
August 4, 2014	3:00 PM		August 18, 2014	3:00 PM
Sept. 8, 2014	3:00 PM		Sept. 22, 2014	3:00 PM
Oct. 6, 2014	3:00 PM		Oct. 20, 2014	3:00 PM
Nov. 3, 2014	3:00 PM		Nov. 17, 2014	3:00 PM
Dec. 1, 2014	3:00 PM		Dec. 15, 2014	3:00 PM

The agenda, to the extent known for the Executive Sessions shall be:

1. Call the meeting to order;
2. Discussion of new business;
3. Discussion of old business;
4. Adjournment.

No formal action will be taken at the Executive Sessions.

Regular Public Meetings

Jan. 10, 2014	4:00 PM		Jan. 24, 2014	4:00 PM
Feb. 7, 2014	4:00 PM		Feb. 21, 2014	4:00 PM
March 7, 2014	4:00 PM		March 21, 2014	4:00 PM
April 4, 2014	4:00 PM		April 25, 2014	4:00 PM
May 9, 2014	4:00 PM		May 23, 2014	4:00 PM
June 6, 2014	4:00 PM		June 20, 2014	4:00 PM
July 11, 2014	4:00 PM		July 25, 2014	4:00 PM
Aug. 8, 2014	4:00 PM		Aug. 22, 2014	4:00 PM
Sept. 12, 2014	4:00 PM		Sept. 26, 2014	4:00 PM
Oct. 10, 2014	4:00 PM		Oct. 24, 2014	4:00 PM
Nov. 7, 2014	4:00 PM		Nov. 21, 2014	4:00 PM
Dec. 5, 2014	4:00 PM		Dec. 19, 2014	4:00 PM
Dec. 29, 2014	10:00 AM			

The agenda, to the extent known, for the Regular Meetings shall be:

1. Call the meeting to order;
2. Approval of the minutes;
3. Disposition of old business;
4. Disposition of new business;
5. Adjournment.

Formal action will be taken on matters placed before the Board of Commissioners at Regular Meetings.

5. Resolution 13-1101.04: Approve personnel actions

BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach authorize the following actions:

Approve an intermittent Family Medical Leave of Absence (FMLA) and New Jersey Family Leave (FLA) for TH effective retro-active to October 3, 2013.

Approve a Family Medical Leave of Absence (FMLA) and New Jersey Family Leave (FLA) for TK effective retro-active to October 21, 2013

Motion to approve Items 2 through 5:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

CONTRACTS & AWARDS

6. Resolution 13-1101.05: Approve a reverse change order:
Earle Asphalt Company
Reduction of \$17,084.67

RESOLUTION AUTHORIZING A CHANGE ORDER FOR THE 2012 ROAD IMPROVEMENT PROJECT IN THE TOWNSHIP OF LONG BEACH

WHEREAS Earle Asphalt, was awarded a contract for the 2012 Road Improvement Project – Lagoon Drive South in the Township of Long Beach as per Resolution 13-0322.15, in a total amount not to exceed One Hundred Thirty Six Thousand

Thirteen Dollars and Thirteen Cents (\$136,013.13) as per the bid received March 7, 2013; and

WHEREAS, as a result of the total as-built quantities and sub-surface conditions, the final cost of the project was One Hundred Eighteen Thousand Nine Hundred Twenty Eight Dollars and No Cents (\$118,928.46); 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 Seventeen Thousand Eighty Four Dollars and Sixty Seven Cents (\$17,084.67) for the 2012 Road Improvement Project – Lagoon Drive South in the Township of Long Beach.

Motion to approve Item 6:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

FINANCIAL APPROVALS

7. Resolution 13-1101.06(a-c):Approve various actions on Performance and Maintenance Bonds:

a) Schuler – LUB 19-12 PF – accept a Maintenance Bond and release the Performance Bond

WHEREAS, pursuant to Resolution 12-1207.11, the Township of Long Beach has received from Kevin J. Schuler, Official Check #51520958-8 dated November 21, 2012 in the amount of Thirty Thousand Four Hundred Eighty Six Dollars and Fifty Cents (\$30,486.50) drawn on TD Bank, representing the required Performance Bond for a Major Site Plan #LUB19-12 PF, Block 15.39, Lot 1 (6115 Long Beach Blvd., Brant Beach, NJ).

WHEREAS, upon inspection of the property by the Township Engineer on Oct. 25, 2013, it has been determined that all work items have been satisfactorily completed and he recommends receipt of the Maintenance Bond set at the amount of \$4,157.00 followed by the release of the Performance Bond in the amount of \$30,486.50 plus interest.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach approves the acceptance of the maintenance bond in the amount of \$4,157.00 in the form of a check from TD Bank #51894267-6 and approves the release of the Performance Bond in the amount of \$30,486.50 plus interest, per its Municipal Land Use Ordinance and as per the recommendation and certification of the Municipal Engineer.

b) Errico – LUB 36-09A –Reduction of Performance Bond

WHEREAS, as per Resolution 10-1119.11 the Township of Long Beach received from Vito A. Errico; Cashier's Check #00821002 drawn on the Passumpsic Savings Bank, dated November 3, 2010 in the amount of Nineteen Thousand Four Hundred Seventy Dollars (\$19,470.00), representing the required Performance Bond for a Minor Subdivision; LUB-36-09, Block 10.36, Lot 1 (Haven Beach – East side of Long Beach Blvd., between North Carolina and Virginia Avenues); and

WHEREAS, pursuant to Resolution 12-1221.14(a) the property was inspected on December 14, 2012 by the Municipal Engineer who concluded the work was not complete and recommended the Performance Bond be extended for one year to December 21, 2013; and

WHEREAS, the property was inspected on October 28, 2013 by the Municipal Engineer who determined that certain work items had been completed and recommended a reduction in the Performance Bond to \$6,996.00.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach approves the reduction of the Performance Bond and a refund in the amount of \$12,474.00 be released as recommended and certified by the Municipal Engineer.

c) Moeller – LUB 38-05 PFA accept a Maintenance Bond and release Performance Bond

WHEREAS, the Township of Long Beach received from Callan & Moeller Construction, Inc. Letter of Credit No. 132192080015 dated July 25, 2008 in the amount of One Hundred Twenty Seven Thousand One Hundred Ninety Eight Dollars and Fifty Cents (\$127,198.50) drawn on Commerce Bank, as the required Performance Bond for Major Sub-division #LUB-38-05-PFA, Block 11.28, Lots 1.01 & 1.05 (Long Beach Blvd between

Alabama and Jerome Avenues) pursuant to Resolution 08-0808.09 passed on August 8th 2008; and

WHEREAS, pursuant to Resolution 12-0720.12(c) it was determined that certain work items had not been satisfactorily completed and he recommended the Performance Bond be extended for one year to July 20, 2013; and

WHEREAS, pursuant to Resolution 13-0719.12(b), it was determined that certain work items were not satisfactorily completed and that the Performance Bond be extended for an additional year until July 20, 2014; and

WHEREAS, upon subsequent inspection of the property by the Township Engineer it has been determined that all work items are complete and recommends receipt of the Maintenance Bond set at the amount of \$17,344.00 followed by the release of the Performance Bond.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the acceptance of the Maintenance Bond in the amount of \$17,344.00 in the form a Cashiers Check #51894261-0 drawn on TD Bank, and the release of the Performance Bond, (i.e. Letter of Credit No. 132192080015 dated July 25, 2008 in the amount of One Hundred Twenty Seven Thousand One Hundred Ninety Eight Dollars and Fifty Cents (\$127,198.50)) drawn on Commerce Bank, per its Municipal Land Use Ordinance and pursuant to the recommendation and certification of the Township Engineer.

8. Resolution 13-1101.07: Approve a Chapter 159:
Drunk Driving Enforcement Fund
\$13,086.00

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN AMENDMENT TO THE 2013 BUDGET TO ALLOW FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A. 40A: 4-87 (CHAPTER 159): DRUNK DRIVING ENFORCEMENT FUND

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such items have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, N.J.S.A. 40A:4-87 further provides that the Director may approve the insertion of an appropriation item of an amount equal to any such special item of revenue making such item of revenue available for expenditure; and

WHEREAS, Drunk Driving Enforcement Fund has approved a grant to the Township of Long Beach Office of Emergency management in the amount of \$13,086.60; and

WHEREAS, it is the desire of the Township of Long Beach to amend the 2013 Municipal Budget to provide for the insertion of this grant as a source of revenue and an expenditure appropriation.

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

1. That the Board of Commissioners do hereby authorize an Amendment to the 2013 Municipal Budget to provide for the insertion of a Chapter 159 (N.J.S.A. 40A:4-87) Special Item of Revenue as follows:

GENERAL REVENUES

Miscellaneous Revenues

Section F: Special Items of General Revenue Anticipated with Prior

Written Consent of the Director of Local Government Services –

Public and Private Revenues Offset with Appropriations:

DRUNK DRIVING ENFORCEMENT FUND GRANT \$13,086.60

2. That the Board of Commissioners do hereby further authorize an Appropriation of an equal sum under the caption of:

GENERAL APPROPRIATION:

OPERATIONS – Excluded from CAPS:

Public and Private Programs Offset by Revenues:

DRUNK DRIVING ENFORCEMENT FUND GRANT \$13,086.60

3. That one certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services, with one copy to the Township Auditor and the Township Treasurer.

MOTION: LATTANZI
SECOND: BAYARD

VOTE:
AYES: LATTANZI, BAYARD, MANCINI

NAYES:

ABSENT:

ABSTAIN:

Lynda Wells explained this amount would be added to the 2013 budget.

9. Resolution 13-1101.08: Approve various appropriation transfers

Lynda Wells explained these appropriation transfers were statutorily permitted in November and December of each year.

WHEREAS, the New Jersey statutes provide for the making of reserve appropriation transfers between the period of November 1, 2013 and December 31, 2013; 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:

Department	Category	Acct #	From	To
Mun Clerk	S&W	3-01-20-120-011		\$6,000.00
Advertising	O&E	3-01-20-120-200	\$25,000.00	
Election	O&E	3-01-20-121-100		\$400.00
Purchasing	S&W	3-01-20-131-011		\$200.00
Tax Assessor	S&W	3-01-20-150-011		\$5,000.00
Legal	O&E	3-01-20-155-100		\$19,400.00
Feasibility	O&E	3-01-20-157-100	\$500.00	
Cons Code (I/C)	S&W	3-01-22-195-011		\$2,000.00
Police	O&E	3-01-25-240-100		\$40,000.00
Streets & Roads	S&W	3-01-26-290-011		\$35,000.00
Streets & Roads	O&E	3-01-26-290-100		\$10,000.00
Schedule "C"	O&E	3-01-26-300-100	\$50,000.00	
Public Works	S&W	3-01-26-302-011		\$95,000.00
Public Works	O&E	3-01-26-302-100		\$10,000.00
Recycling	S&W	3-01-26-307-011	\$10,000.00	
Bldgs & Grounds	S&W	3-01-26-310-011	\$75,000.00	
Animal Control	O&E	3-01-27-340-100	\$5,000.00	
Parks & Playgrounds	S&W	3-01-28-375-011	\$3,000.00	
Celeb of Public				
Events	O&E	3-01-30-420-100	\$5,000.00	
Electricity	O&E	3-01-31-430-100		\$15,000.00
Street Lighting	O&E	3-01-31-435-100	\$15,000.00	
Telephone	O&E	3-01-31-440-100	\$50,000.00	
Comm Rating	S&W	3-01-31-470-011		\$500.00
Total:			\$238,500.00	\$238,500.00

10. Resolution 13-1101.09:

Approve Bills & Payroll

Bills in the amount of: \$4,242,237.46

Payroll in the amount of: \$ 369,055.78

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 \$369,055.78 .

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 \$4,242,237.46 be and the same are hereby authorized to be paid on Friday, November 1, 2013.

2. The said approved payroll amounting to the sum of \$ 369,055.78 be and the same are hereby authorized to be paid on Friday, November 1, 2013.

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 through 10:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

COMMISSIONERS' REPORTS

Commissioner Lattanzi reported receiving a small reimbursement amount from FEMA but noted the Twp. was still waiting for approximately \$9,000,000.00.

Commissioner Bayard had nothing to report.

Mayor Mancini announced the next meeting of the Board of Commissioners would take place on Friday, November 15, 2013 at 4:00 p.m., at which time a public hearing would be held for Ordinance 13-42.

Mayor Mancini also stated the next regular meeting of the Land Use Board would be held on Wednesday, November 13, 2013 at 7:00 p.m. in the Multi Purpose Room.

Mayor Mancini read the Police Report:

The Police Dept. reminded residents to sign up for the vacant home registry on the Police Department website's home page lbtpd.org

Motorists were reminded to keep right pass left patrols would be enforcing.

Officer Megan Keller from the Patrol Division was available to provide seminars on community policing topics for presentation include identity theft prevention, fraud and scam alerts, computer crimes, senior safety.

To schedule a presentation or to obtain information, residents were directed to call officer Megan Keller at 609 494-6900 ext 2417

Mayor Mancini also commented that one year ago during Super Storm Sandy, the Township Court Room served as headquarters for Township Emergency Management, essential employees and National Guard men and women. He reflected that the meal line was across the rear of the room, feeding 300 people a day. He noted our Public Works, Construction and other essential employees worked tirelessly every day and night with no complaints. He also noted many pro-active taxpayers offered volunteer services to the Township.

Mayor Mancini also commented on a publication by Bloomberg News, noting the reporter misrepresented the information and failed to properly report the fact that the Township tax rate was \$.23 and, as used for a comparison, Sayerville's tax rate was \$1.15. He stated seasonal communities can not lay off police officers and hire qualified officers for four months.

OPEN PUBLIC SESSION

Don O'Brien, Brant Beach spoke on behalf of the Surfflight Theater, noting all the damage and loss suffered from Superstorm Sandy. He announced a donation request letter was being sent to residents to help the theater continue.

CLOSE PUBLIC SESSION

Motion for adjournment at 4:20 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

Dr. Joseph P. Lattanzi, Commissioner