

**MINUTES**  
**REGULAR SESSION BOARD OF COMMISSIONERS JANUARY 5, 2007**  
**Flag Salute**

Meeting came to order: 4:04 p.m.

Clerk called the roll: Mayor DiAnne C. Gove PRESENT  
Commissioner Robert A. Palmer PRESENT  
Commissioner Ralph H. Bayard PRESENT

Also in attendance: Bonnie M. Leonetti, Municipal Clerk  
Richard J. Shackleton, Esq.

Municipal Clerk announced: Notice of the time and place of this meeting has been posted in the office of the Municipal Clerk, mailed to the BEACH HAVEN TIMES and published on December 6, 2006; mailed to the PRESS OF ATLANTIC CITY and published on December 8, 2006; mailed to the ASBURY PARK PRESS and published on January 4, 2007; and filed with the Municipal Clerk.

**AGENDA**

**ADOPTIONS, APPROVALS, SUPPORT**

1. Resolution 07-0105.01: Approve Temporary Budgets

**RESOLUTION 07-0105.01**

**WHEREAS**, the statutes provide for the making of temporary appropriations for the period of January 1<sup>st</sup> to the date of adoption of the Local Municipal Budget; and

**WHEREAS**, the Governing Body of the Township of Long Beach, County of Ocean, desires to provide for an orderly method to meet claims during the foresaid period, prior to the adoption of the Local Municipal Budget.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that the following appropriations, attached as Schedule A – Temporary Current Fund, Schedule B – Temporary Water/Sewer Budget, and Schedule C – Temporary General Capital Budget Anticipated Projects, and Schedule D - Utility Capital Budget Proposed Projects, exclusive of Debt Service and Public Assistance, are hereby adopted as the 2007 Temporary Budget.

2. Resolution 07-0105.02: Designate departments / areas over which the Commissioners shall have supervision and direction

**Mayor Gove** stated Commissioners Palmer and Bayard would exchange departments.

**RESOLUTION 07- 0105.02**

**BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, at a meeting of the Board of Commissioners held this 5th day of January, 2007 that the Director of Public Affairs and Safety shall have the supervision and direction of the following departments: Police Department, Liaison to Fire and First Aid Departments, State Uniform Construction Code Department, Emergency Management, Street Lighting, Telecommunications Administration, Municipal Prosecutor, Municipal Court and Public Defender, Municipal Clerk, Land Use Board, Elections, Printing and Legal Advertising, Legal Services and Costs, Publicity, and Departmental Labor Negotiations and Personnel Matters.

**BE IT FURTHER RESOLVED** that the Director of Public Works, Parks and Property shall have supervision and direction of the following departments: Road Repairs and Maintenance, Garbage and Trash Removal, Public Buildings and Grounds, Sanitary Landfill Expense, Beach Erosion, Recreation, Maintenance and Engineering Services, Health Department and Departmental Labor Negotiations and Personnel Matters.

**BE IT FURTHER RESOLVED** that the Director of Revenue and Finance shall have supervision and direction of the following departments: Collection of Taxes, Assessment of Taxes, Annual Audit, Insurance and Bonds, Lifeguards, Beach Badge Program, Contributions to various organizations, Water/Sewer Utility Administration and Plant Operations, and Departmental Labor Negotiations and Personnel Matters.

3. Resolution 07-0105.03: Appoint agents for appeals to the Long Beach Twp. Taxing District

**Mayor Gove** noted the named individuals were the Tax Assessor and / or Richard J. Shackleton, Esq.

**RESOLUTION 07-0105.03**

**WHEREAS**, from time to time the Tax Assessor discovers an error in calculation, transposing, measurement, or typographical errors, in the tax assessments on the tax list after the time the County Board of Taxation has certified the tax rates for the tax year or a property becomes subject to a roll-back assessment; and

**WHEREAS**, the governing body of the Taxing District of the Township of Long Beach is desirous that every taxpayer pays his fair share of taxes; and

**WHEREAS**, if the above discovered errors are not corrected or a roll-back assessment not applied, the taxpayers affected would not be paying their fair share of taxes; and

**WHEREAS**, the method for correcting such errors is to file a Petition of Appeal or Complaint with the Ocean County Board of Taxation.

**NOW, THEREFORE BE IT RESOLVED**, by the Governing Body of the Taxing District of the Township of Long Beach that Tracy A. Hafner, Tax Assessor, and / or the firm of Shackleton & Hazeltine is hereby authorized to act as the agents for the Taxing District during the Year of 2007 and file a Petition of Appeal or Complaint with the Ocean County Board of Taxation to correct such assessments to the proper value and that a copy of any Petition of Appeal or Complaint filed with the Ocean County Board of Taxation under this Resolution be filed with the Municipal Clerk.

**BE IT FURTHER RESOLVED** that the Tax Assessor or the firm of Shackleton & Hazeltine is hereby authorized to execute stipulations of settlement on any tax appeal or complaint filed by the taxing district or by a taxpayer in the tax year 2007; and

That a certified copy of this Resolution be forwarded to the Ocean County Board of Taxation with any such Petition of Appeal.

4. Resolution 07-0105.04: Approve personnel actions

**RESOLUTION 07-0105.04**

**BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach:

**CONSTRUCTION**

Hire the following as interim, part-time licensed building inspectors to be paid from Construction Salary & Wage effective on January 8, 2007 at the specified hourly rates:

Charles Allia \$18.68/hr. Paul Applegate \$25.94/hr.

**POLICE**

Hire the following as a permanent fulltime Telecommunicator Trainee at a base salary of \$23,000.00 effective January 9, 2007 subject to the routine 3 month work test period.

Heidi E. Heipertz

Correct the 2007 base salary as stated in Resolution 06-1228.04 for Step 6 Officer James Hartmann to \$73,863.00.

**PUBLIC WORKS**

Approve the annual stipend of \$1,000 for the year 2007 for Thomas Yurkevicz for holding a Commercial Drivers License in accordance with the current Teamsters Supervisory contract.

Approve the final annual stipends of \$5,000 to the following for being on 24 hour call for emergencies as per the current Teamsters Supervisory contract:

Thomas Yurkevicz John Jones

5. Resolution 07-0105.05: Appoint CDBG Representatives for 2007

**Mayor Gove** named Dave Ward as representative and Bonnie Leonetti as alternate.

**RESOLUTION 07-0105.05**

**WHEREAS**, the Ocean County Department of Economic Development has requested, pursuant to a Cooperative Agreement between the County of Ocean and the Municipality of the Township of Long Beach, that a representative and/or an alternate be appointed to serve on the Community Development Block Grant.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that David Ward, P.E. be and he hereby is appointed as Community Development Block Grant Representative for the year 2007 and that Bonnie M. Leonetti, Municipal Clerk, be and she hereby is appointed the Alternate for the year 2007.

6. Resolution 07-0105.06(a-c): Approve various Land Use Board Actions

- (a) Approve and establish a 2007 Fee Schedule
- (b) Checklist in accordance with Ordinance 06-43C
- (c) Member Appointment

**Mayor Gove** announced her mayoral reappointments of three members to the Board: David Ward, Robert Van Buren, and John Ternyila.

**RESOLUTION 07-0105.06(a)**

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of The Township of Long Beach that the following schedule regarding Applications, Inspections, Holdover, and Miscellaneous fees to the Long Beach Township Land Use Board is hereby approved for the year 2007 in accordance with the terms of Ordinance 06-43C.

<b><u>Type</u></b>	<b><u>Fee</u></b>
Subdivisions:	
Minor	\$625
Major (preliminary)	\$1,200, plus \$50 per lot
Major (final)	\$700
Over 4 lots	\$100 for each lot in excess of 4 lots
Site Plans: Minor	
Major (preliminary)	\$700
Major (final)	\$1,700
Major (final)	\$950
Hotel/Motel Site Plan:	
Development of hotel/motel	\$1,700
additional fee for development of hotel/motel, exclusive of original fee	\$25 per unit
Inspection fees:	
Subject to escrow requirements and based on estimates submitted by the Engineer as described in Ordinance 06-43C	
Holdover fees:	
Minor	\$250
Major	\$250
Variance	\$250
Bulk Variance*	\$250
Special Reasons (use) Variances*:	
For existing duplex structures	\$250
All other use variances	\$500
Other*:	
Flood elevation standard	\$500

\*NOTE: All variance fees are in addition to subdivision and site plan fees.

**RESOLUTION 07-0105.06 (b)**

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that the following checklist of requirements (identified as Exhibit "A") for various applications to the Long Beach Township Land Use Board are hereby approved for use according to the terms of Ordinance 06-43C.  
( See attached Exhibit "A" )

**RESOLUTION 07-0105.06 (c)**

**A RESOLUTION APPOINTING A MEMBER TO THE LAND USE BOARD**

**BE IT RESOLVED THAT** in accordance with law, the following Township Official be and is hereby appointed to serve on the Long Beach Township Land Use Board:

Commissioner Robert A. Palmer as the Class III member for a one (1) year term expiring 12/31/07

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution will be forwarded to the Secretary of the Long Beach Township Land Use Board.

**DECLARATION**

**Of Re-appointments to LBT Land Use Board**

The following shall be re-appointed to full terms as per N.J.S.A. 55D to the LBT Land Use Board as of January 2007:

David G. Ward, Class II Member

Robert S. Van Buren, Class IV Member

John J. Ternyila, Alternate #2, Class IV Member

Announced at the Long Beach Township Regular Meeting of January 5, 2007

7. Resolution 07-0105.07(a-e): Approve various employee re-appointments for 2007

**RESOLUTION 07-0105.07(a)**

**BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach does hereby appoint Lynda J. Wilkie as Deputy Municipal Clerk for the year 2007 in accordance with NJSA 40:9-135 and Township Ordinance 95-1C to perform, during the absence or disability of the Municipal Clerk, the functions and duties of the Municipal Clerk including without limitation the execution of official documents which shall be in the name of the Deputy Municipal Clerk and shall have all the force and effect of execution by the Municipal Clerk.

**RESOLUTION 07-0105.07(b)**

**WHEREAS**, the Board of Commissioners of the Township of Long Beach has adopted a Drug Free Workplace Policy; and

**WHEREAS**, it is required that an administrator of said policy be appointed.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that Lynda Wilkie, Deputy Municipal Clerk, be and she hereby is appointed Administrator for 2007 to be responsible for the Township of Long Beach DOT Alcohol and Drug Testing Policy and Program as per Ordinance 00-16C; and

**BE IT FURTHER RESOLVED** that Bonnie Leonetti be appointed as Alternate.

**RESOLUTION 07-0105.07(c)**

**BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that Lynda Wilkie be and she is hereby appointed Fund Commissioner to represent the Township of Long Beach in the Ocean County Municipal Joint Insurance Fund for the year 2007; and

**BE IT FURTHER RESOLVED** that Bonnie M. Leonetti be appointed as Alternate.

**RESOLUTION 07-0105.07(d)**

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the Township of Long Beach does hereby reappoint Elizabeth L. Jones as Chief Financial Officer of the Township as per N.J.S.A. 40A:9-140.10 this term shall run for four (4) years commencing as per statute on January 1, 2006 (the year of appointment) through December 31, 2009.

**RESOLUTION 07-0105.07(e)**

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the Township of Long Beach does hereby reappoint Deborah L. Hample as Tax Collector of the Township as per N.J.S.A. 40A:9-142 this term shall run for four (4) years commencing as per statute on January 1, 2007 (the next year following appointment) through December 31, 2010.

8. Resolution 07-0105.08 Approve temporary traffic regulations in North Beach and Loveladies for SOCH Great Causeway Challenge, 4-21-2007

**Mayor Gove** provided the time and route of the race.

**RESOLUTION 07-0105.08**

**WHEREAS**, the following events being held in Long Beach Township require various traffic regulations in order to insure the health, safety and welfare of residents and summer visitors, and facilitate the safe flow of traffic within the Township of Long Beach;

- Southern Ocean County Hospital Great Causeway Challenge:  
Allow participants to run through the North Beach and Loveladies sections of Long Beach Township on April 21<sup>st</sup>, 2007 commencing at 8:00 a.m.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that permission is hereby granted upon review and approval by the Long Beach Township Police Department for the above listed events to be held in Long Beach Township.

9. Resolution 07-0105.09: Support Ocean County's request to have the U.S. Census list all N.J. incorporated townships with other incorporated municipalities.

**Mayor Gove** advised the current method resulted in an inaccurate statistical list that omitted small incorporated townships which were included in the list compiled by the New Jersey Department of Labor.

**RESOLUTION 07-0105.09**

**WHEREAS**, in New Jersey, townships are incorporated places, such as Long Beach Township, and in other states townships are not incorporated; and

**WHEREAS**, the U.S. Census staff is aware of the New Jersey situation, but has determined that because most townships are unincorporated, they will be consistent and list ALL townships in the lesser category of "minor civil division" instead of listing New Jersey's incorporated townships with other incorporated municipalities, including boroughs, towns and cities; and

**WHEREAS**, such treatment by the U.S. Census results in circumstances where inaccurate statistical information is disseminated, for example:

**10 LARGEST CITIES IN NEW JERSEY – 2005**

(showing inaccuracy of U.S. Census List)

<b>U.S. CENSUS LIST</b>		<b>STATE OF NEW JERSEY LIST</b> (includes 4 incorporated townships)	
Newark	280,666	Newark	280,666
Jersey City	239,614	Jersey City	239,614
Paterson	149,843	Paterson	149,843
Elizabeth	125,809	Elizabeth	149,843
Trenton	84,639	Woodbridge Twp.	100,577
Camden	80,010	Edison Twp.	100,499
Clifton	79,920	Dover/TR Twp.	94,660
Passaic	68,338	Hamilton Twp.	89,993
East Orange	68,190	Trenton	84,639
Union City	65,128	Camden	80,010

and;

**WHEREAS**, Ocean County's current 2005 estimated populations for selected townships include municipalities that have or soon will be surpassing those on the U.S. Census list, including Brick, Lakewood, and Jackson Townships; and

**WHEREAS**, the townships of Woodbridge, Edison, Hamilton and Toms River already are impacted by this procedure, when a top ten list is compiled; and

**WHEREAS**, the current method used by the U.S. Census results in an inaccurate statistical list which omits the townships that are included when the same list is compiled by the New Jersey Department of Labor, and

**WHEREAS**, this action could have an unfavorable impact on the economic growth of the townships which are omitted from the incorporated places list where they rightfully belong.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners of Long Beach Township, County of Ocean, State of New Jersey of hereby requests that the U.S. Census report their statistics in a manner that accurately reflects and lists the population of New Jersey's incorporated townships.

**BE IT FURTHER RESOLVED** that certified copies of this resolution be forwarded to Governor Jon Corzine, Congressman Christopher Smith, Congressman James Saxton, Senator Robert Menendez, Senator Frank R. Lautenberg, the New Jersey Labor Commissioner and all Freeholder Board Clerks.

10. Resolution 07-0105.10                      Approve acceptance of a Maintenance Bond for WAWA, LUB 4-03-TF, Long Beach Blvd., Beach Haven Terrace and release of Performance Bond for same.

**Mayor Gove** stated the Maintenance Bond was in the amount of \$1,800.00 with a two-year term.

Motion to approve Items 1 through 10 :

Motion: Palmer                      Ayes: Bayard, Palmer, Gove  
Second: Bayard                      Nays:

**CONTRACTS AND AWARDS**

11. Resolution 07-0105.11(a-b):              Approve award of various contracts by bid
- (a) **Seely Equipment & Supply Co., Inc.** – purchase rubber track machine for the DPW; \$26,453.00
  - (b) **CSCOMS** – Service police radio equipment; as per listed itemized bid prices

12. Resolution 07-0105.12:                      Approve award of a contract for the purchase of three new Motorola Radios from Allcomm Technologies, Inc. per state contract, for the Police Dept. for the amount of \$9,104.40, Nunc Pro Tunc

**Mayor Gove** noted this would utilize 2006 budgeted funds.

13. Resolution 07-0105.13:                      Approve award of a proprietary contract to Seely Equipment & Supply Co., Inc. for a trailer for rubber track machine for the DPW for the amount of \$3,748.00

14. Resolution 07-0105.14:                      Approve reverse change order for Lafayette Utility Construction Co.; -\$1580.00

**Mayor Gove** explained the traffic protection was not required and the curb replacement had not been completed.

Motion to approve Items 11 through 14:

Motion: Palmer                      Ayes: Bayard, Palmer, Gove  
Second: Bayard                      Nays:

**FINANCIAL APPROVALS**

15. Resolution 07-0105.15                      Approve cancellation of Tax overpayments and delinquencies of less than Ten Dollars for 2006 and 2007

Motion to approve Item 15:

Motion: Palmer                      Ayes: Bayard, Palmer, Gove  
Second: Bayard                      Nays:

**COMMISSIONERS' REPORTS**

**Commissioner Bayard** had no comments.

**Commissioner Palmer** was looking forward to working with his new departments.

**Mayor Gove** announced Ptl. Edward Bernhard, Jr. had received the Kimberly Smith Ames DWI Award for his outstanding arrest record; a handout pertaining to Comcast Cable television stations was available to the public, and the next meetings of the Board of Commissioners and the Land Use Board. She wished everyone a happy, healthy new year.

**OPEN PUBLIC SESSION**

**Robert Irvine / Beach Haven Crest** announced LBT10 Homeowner's Association was accepting new members.

**Bill Kunz / Brant Beach** favored of the new Land Use Board meeting schedule for 2007. He offered the condolences of the Brant Beach Homeowner's Association on the recent passing of Commissioner Bayard's son, Timothy Bayard.

**Dick Jeffries / Beach Haven Terrace** suggested citizens visit Surf City beaches to observe the beneficial results of the Beach Storm Protection Project.

**Mayor Gove** also asked the public to visit the beaches to see the results.

**CLOSE PUBLIC SESSION**

Motion for adjournment at: 4:17 p.m.

Motion: Palmer                      Ayes: Bayard, Palmer, Gove  
Second: Bayard                      Nays:

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Bonnie M. Leonetti, RMC, CMC  
Municipal Clerk

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DiAnne C. Gove, Mayor

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Robert A. Palmer, Comm.

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Ralph H. Bayard, Comm.