

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS JANUARY 7, 2011

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 William P. Knarre	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; the PRESS OF ATLANTIC CITY; and the ASBURY PARK PRESS on December 1st, 2010; and filed with the Municipal Clerk.

Motion: To dispense with the reading of the minutes of the December 29, 2010 meeting and to approve the same as recorded in the minute book:

Motion:	Knarre	Ayes:	Knarre, Bayard, Mancini
Second:	Bayard	Nays:	

AGENDA

ORDINANCES/PUBLIC HEARINGS

1. Second Reading **Ordinance 10-58C: AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN CHAPTER 178 DEALS WITH STORMWATER CONTROL**

Lynda Wells, Municipal Clerk stated this ordinance was required to bring the Twp. in compliance with the stormwater management regulations set forth by the NJDEP in accordance with NJ State law as required.

Passed on first reading at a regular meeting held on December 17, 2010 and advertised in the BEACH HAVEN TIMES issue of December 22, 2010.

ORDINANCE NO. 10-58C

AN ORDINANCE AMENDING AN ORDINANCE entitled, "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" as the same in Chapter 178 deals with Stormwater control.

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

STATEMENT OF PURPOSE

The purpose of this Ordinance is to require dumpsters and all the refuse containers that are out of doors or exposed to stormwater to be covered at all times and to prohibit the spilling, dumping, leaking, or otherwise discharging of liquids, semi-liquids or solids from the containers to the Municipal Separate Storm Sewer Systems operated by the Township of Long Beach and to further prohibit the same from entering the waters of the State of New Jersey so as to protect public health, safety and welfare and to prescribe penalties for the failure to comply herewith.

This Ordinance also requires the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, resurfacing or alterations of facilities on private property in order to prevent the discharge of solids and floatables including without limitation plastic bottles, cans, food wrappers and other litter, to the Municipal Separate Storm Sewer Systems operated by the Township of Long Beach in order to protect the public health, safety and welfare and to prescribe penalties for the failure to comply.

SECTION I

§178-2 of an Ordinance **entitled, "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)"** is hereby amended by the following words or phrases as herein set forth.

Following the word MUNICIPALITY and prior to the word NODE the following shall be inserted:

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)-a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels or storm drains) owned or operated by the Township of Long Beach or other public body, designed and used for collecting and conveying stormwater.

By adding the following after the word RECHARGE and before the word SEDIMENT:
REFUSE CONTAINER- any waste container that a person controls whether owned, leased or operated, including dumpsters, trash cans, garbage pails and plastic trash bags.

Following the phrase STATE PLAN POLICY MAP and before the word STORMWATER the addition of the following:
STORM DRAIN INLET-an opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb opening inlet, slotted inlet, and combination inlet.

Following the word EROSION and before the term IMPERVIOUS SURFACE the following definition is added:

GROUND SURFACE-all surfaces of roads, bridges, driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels and stormwater basin floors.

SECTION II

§178-13 of an Ordinance entitled, "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby renumbered to be §178-18 and be relocated to appear following §178-17.

SECTION III

§178-14 of an Ordinance entitled, "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby renumbered to be §178-13.

SECTION IV

§178-15 of an Ordinance entitled, "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby renumbered to be §178-14.

SECTION V

A new Section, §178-15 of an Ordinance entitled, "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby adopted as follows:

§178-15 Refuse Containers/Dumpsters

A. Prohibited Conduct

Any person who controls, whether owned, leased or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.

Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge fluids, semi-fluids or solids to the municipal separate storm sewer system operated by the Township of Long Beach.

B. Exempt Containers

The following refuse containers are exempt from the requirements hereinabove set forth in paragraph A:

1. Permitted temporary demolition containers.
2. Litter receptacles other than dumpsters or other bulk containers.
3. Individual homeowner trash and recycling containers.
4. Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit.
5. Large bulky items such as furniture, bound carpet and padding, white goods, and the like, placed curbside for pickup.

SECTION VI

An Ordinance amending an Ordinance entitled, "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby amended by the addition of new Sections, §178-16 and §178-17 as follows:

§178-16 Private Storm Drain Inlet Retrofitting.

A. No person in control of private property with the exception of a residential lot containing one single family residence, shall authorize the repaving, repairing, resurfacing, reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet:

1. Already meets the design standard set forth below in paragraph B to control passage of solid and floatable material; or
2. Is retrofitted or replaced to meet the standard set forth in paragraph B below prior to the completion of the project.
3. The prohibited content set forth herein shall not apply to the repair of individual potholes. The term resurfacing shall include, *inter alia*, the top coating or chip resealing with asphalt emulsion or a thin base of hot bitumen.

B. Design standards.

Storm drain inlets as identified in paragraph A above shall comply with the following standards to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, the term "Solid and Floatable Materials" shall mean sediment, debris, trash and other floating, suspended or settleable solids.

1. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface and direct it into a storm drain or surface water body under the grate:
 - a. The New Jersey Department of Transportation (NJDOT) Bicycle Safe Grate which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or
 - b. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches or is no greater than 0.5 inches across the smallest dimension. By way of illustration grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates and grates of spacer bars in slotted drains.
2. Whenever design engineers use a curb-opening inlet, all the clear spaces in that curb opening, whether there be one or more clear spaces, shall have an area of no more than seven (7.0) square inches or be no greater than two (2.0) inches across the smallest dimension.
3. The design standards hereinabove set forth in paragraphs 1 and 2 shall not apply:
 - a. Where the municipal engineer agrees that this standard would cause inadequate hydrologic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards.
 - b. Where flows are conveyed through any device such as the end of a pipe netting facility, manufactured treatment device or catch basin hood that is designed at a minimum to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - i. a rectangular space 4 5/8ths inches long and 1 1/2 inches wide, this option shall not apply for out fall netting facilities.
 - ii. a bar screen having a bar spacing of 0.5 inches.
 - c. Where flows are conveyed through a trash rack that has parallel bars with one inch (1 inch) spacing between the bars.
 - d. Where the New Jersey Department of Environmental Protection determines pursuant to the New Jersey Register of Historic Places Rules contained in N.J.A.C. 7:4-7.2(c) that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

§178-17 Enforcement.

This Ordinance shall be enforced by the Code Enforcement Officer of the Township of Long Beach and by the Police Department of the Township of Long Beach.

SECTION VII

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

SECTION VIII

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 IX

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

OPEN PUBLIC HEARING

Barbara Kregg, W. Rhode Island Ave stated she was representing her neighbors and asked if the ordinance was related to the proposed changes in the Public Works Yard. Mayor Mancini explained this ordinance addressed site pollution from trash dumpsters. He also invited Ms. Kregg to come in to the DPW office and view the plans with Commissioner Bayard.

No other comments.

CLOSE PUBLIC HEARING

D(4) Ice Cream Vendor Licenses shall be issued in April of each year by the Municipal Clerk of Long Beach Township.

D(5) Public Bidding for Ice Cream Vendor Licenses.

(i) The licenses permitted in paragraphs D(1) and D(2) shall be issued only pursuant to sealed bids. Sealed bids will be accepted by the Clerk of Long Beach Township to be opened and awarded to the highest qualified bidders for the permitted number of ice cream vending licenses as set forth above.

(ii) The minimum acceptable bid for each license shall be Two Thousand Five Hundred Dollars (\$2,500.00) for the year in which the bid is submitted and each bid shall be accompanied by all documentation and applications required by §195-3.

(iii) The sealed bids shall be opened at 12:00 noon local time prevailing on the 15th day of April and if the 15th day of April is a Saturday, Sunday or other legal Holiday the bids shall be opened at 12:00 noon on the next ensuing business day.

(iv) The successful bidders shall be notified by the Clerk of Long Beach Township Certified Mail Return Receipt Requested or other guaranteed service delivery postmarked no later than 5:00 p.m. on the day following opening of the bids. The applications and contents of bid packages shall be returned to unsuccessful bidders Certified Mail Return Receipt Requested or other guaranteed service delivery postmarked no later than 5:00 p.m. sixteen (16) days following the day of the opening of the bids.

(v) In the event of tie bids, that is to say multiple bids of equal amount so that more bids are received in equal amount than there are licenses to be awarded, an open auction shall be held by the Clerk of Long Beach Township wherein the tie bidders may bid until the priority of licenses has been established.

(vi) If a public auction is necessary pursuant to (v) above the Clerk of Long Beach Township shall notify the tie bidders by Certified Mail Return Receipt Requested or other guaranteed service delivery postmarked no later than 5:00 p.m. the day following the opening of the sealed bids and the auction shall be held within twelve (12) days of the postmark at a date and time fixed by the Clerk of Long Beach Township and set forth in the notice of auction.

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 V

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

OPEN PUBLIC HEARING

No Comments

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 10-59C as amended on Second Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

6. Second Reading Ordinance 10-60C: AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997) AS THE SAME IN CHAPTER 82 PERTAINS TO FEES, LICENSES, BONDS AND PERMITS

Lynda Wells, Municipal Clerk stated this ordinance would update miscellaneous permit fees for the Twp to be in effect in 2011.

Passed on first reading at a regular meeting held on December 17, 2010 and advertised in the BEACH HAVEN TIMES issue of December 22, 2010.

ORDINANCE NO. 10-60C

AN ORDINANCE AMENDING AN ORDINANCE entitled, "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" as the same in Chapter 64 deals with Building Construction Fees and Fees for new Construction and as the same in Chapter 82 deals with Fees for securing copies of public records and fees for Construction, curbs, sidewalks, driveways and fence permits.

THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LONG BEACH DO ORDAIN:
STATEMENT OF PURPOSE

This Ordinance revises the fees charged for various permits and licenses as well as for copies of records.

SECTION I

§64-2G of an Ordinance entitled, "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" is hereby amended by the repeal of §64-2G and adoption in lieu and instead thereof the following:

G. A demolition permit shall be required before the demolition of any building located in the Township of Long Beach. A demolition permit shall also be accompanied by a certification that gas, water, sewer and electric service to the building to be demolished has been disconnected.

SECTION II

§64-3D(1) of an Ordinance entitled, "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" is hereby amended by increasing the cost from \$20.00 per permit to \$30.00 per permit.

SECTION III

§64-3G(1) of an Ordinance entitled, "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" is hereby amended to increase in the third line the fee from \$0.028 per cubic foot to \$0.034 per cubic foot and in the fifth line to increase the fee of \$0.017 per cubic foot to \$0.019 per cubic foot.

SECTION IV

§64-3G(9)(b)[1][b] of an Ordinance entitled, "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" is hereby amended by the removal of the colon after the word "additional" and the addition of the following:
"twenty five detectors:"

SECTION V

§64-3G(10) of an Ordinance entitled, "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" is hereby amended to increase the fee from \$46.00 to \$82.00 including the removal of tanks and to increase the fee for all other structures from \$85.00 to \$151.00

SECTION VI

§82-2 A(5) of an Ordinance entitled, "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" previously reserved is hereby amended by adoption of the following:

ALCO®TEST Data Download: CD Format \$25.00.

SECTION VII

§82-2 A(9) of an Ordinance entitled, "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" is hereby repealed and in lieu and instead thereof the following is adopted:

Certified copies of police reports: \$0.5 per page for letter size
and \$0.7 per page for legal size

SECTION VIII

§82-2 A(10) of an Ordinance entitled, "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" is hereby repealed and in lieu and instead thereof the following is adopted:

Certified copies of police accident reports: \$5.00 if requested
by mail, otherwise as set forth in (9) above.

SECTION IX

§82-2 A(14) of an Ordinance entitled, "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" is hereby repealed and in lieu and instead therefore the following is adopted:

Certified copies of Vital Statistics including civil unions: \$25.00
for the first copy and \$10.00 for each and every copy
thereafter ordered at the same time.

SECTION X

§82-10 C(7)(a) of an Ordinance entitled, "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" is hereby repealed and in lieu and instead thereof the following is adopted:

New Construction: per volume, i.e., \$0.034 per cubic foot subject, however, to the provision that \$0.019 per cubic foot for use groups A-1, A-2, A-3, A-4, F-1, F-2, S-1 and S-2.

SECTION XI

§82-10 C(7)[2][a] of an Ordinance entitled, "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby amended by removal of the period and the addition of the following language:

"Twenty Five detectors."

SECTION XII

§82-10 C(7)(j) of an Ordinance entitled, "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby amended to increase the fee from \$46.00 to \$82.00 including the removal of tanks and to increase the fee for all other structures from \$85.00 to \$151.00

SECTION XIII

§82-10 C(7)(n) of an Ordinance entitled, "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby amended by the addition of the following language:

(n) Administrative Fee: 25% per permit, for purpose of covering a proportionate share of administrative costs incurred by the Township in connection with inspections performed by any private agency.

SECTION XIV

§82-10 C(4) of an Ordinance entitled, "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby amended by increasing the cost from \$20.00 per permit to \$30.00 per permit and adding the word "fee" after the word engineering and prior to the period.

SECTION XV

§82-10 C(3) of an Ordinance entitled, "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby amended to increase the cost for a fence permit from \$10.00 to \$20.00.

SECTION XVI

§82-17A of an Ordinance entitled, "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby amended by repeal of sub-paragraphs (1)(2)(3) and adoption in lieu and instead thereof of the following:

"(1) \$0.05 per page for letter size pages and \$0.07 per page for legal size"

SECTION XVII

§82-17A of an Ordinance entitled, "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is further amended by renumbering the paragraphs so that paragraph 4 becomes paragraph 2, paragraph 5 becomes paragraph 3, paragraph 6 becomes paragraph 4, paragraph 7 becomes paragraph 5 and paragraph 8 becomes paragraph 6.

SECTION XVIII

§82-17 of an Ordinance entitled, "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is further amended by the repeal of paragraph B and the relettering of paragraph C to become paragraph B and paragraph D to become paragraph C.

SECTION XIX

§82-25A of an Ordinance entitled, "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby amended by repealing the line which reads "vendors license fee for non-veterans (includes peddlers and hawkers) \$500.00 and adopting in lieu and instead thereof the following:

Vendors license fee for non-veterans including (peddlers and hawkers) \$500.00 provided, however, that the fee for ice cream vendors shall be established by sealed bids as required by §195-4D of the Code of the Township of Long Beach.

SECTION XX

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

SECTION XXI

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 XXII

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

OPEN PUBLIC HEARING
No Comments
CLOSE PUBLIC HEARING

Motion to adopt Ordinance 10-60C on Second Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini
Second: Bayard Nays:

7. First Reading Ordinance 11-01C: AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997) AS THE SAME IN CHAPTER 28 PERTAINS TO THE RECREATION AND SPECIAL ACTIVITIES COMMITTEE

Lynda Wells, Municipal Clerk stated this ordinance set the minimum number of members of the Recreation and Special Activities Committee at eight and designated a Committee Liaison.

Motion to approve Ordinance 11-01C on First Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini
Second: Bayard Nays:

8. First Reading Ordinance 11-02C: AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997) AS THE SAME IN SECTION 164-4F(3) PERTAINS TO REVIEW PROCEDURE

Lynda Wells, Municipal Clerk stated this ordinance designated the Tax Assessor as the preparer and certifying officer for any notices required to be sent to property owners within 200 feet of any property whose owner has made application for minor or major subdivision with the Land Use Board.

Motion to approve Ordinance 11-02C on First Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini
Second: Bayard Nays:

9. First Reading Ordinance 11-03C: AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN SECTION 5-10.B. PERTAINS TO VARIOUS FEES

Lynda Wells, Municipal Clerk stated this ordinance repealed Section 5-10B which pertained to fees for various permits, licenses and copies of public records. All such fees may be found in Chapter 82 of the Code of the Twp. of Long Beach.

Motion to approve Ordinance 11-03C on First Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini
Second: Bayard Nays:

ADOPTIONS AND APPROVALS

10. Resolution 11-0107.02: Approve 2011 Town Wide Yard Sales
6/4/11 – rain date 6/5/11
9/10/11 – rain date 9/11/11

Lynda Wells, Municipal Clerk explained the 2010 town wide yard sale had been very successful. Two town wide sales were planned for 2011. The municipal website and Channel 22 would provide information and the list of participating properties.

RESOLUTION 11-0107.02

WHEREAS, pursuant to Chapter 152 of the Code of the Township of Long Beach, Private Sales may be conducted a maximum of two times per year, per property, within the municipal town limits; and

WHEREAS, the Board of Commissioners of the Township of Long Beach wishes to waive this regulation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach at a regular meeting held Friday, January 7, 2011 that town-wide Private Sales (yard sales) shall be authorized for Saturday, June 4, 2011 (rain date: Sunday, June 5th) and Saturday, September 10, 2011 (rain date: Sunday September 11th); said Private Sales shall not be counted in the total permissible Private Sales per year, per property. Participants shall comply with all provisions of Chapter 152 of the Code of the Township of Long Beach.

11. Resolution 11-0107.03 Authorize application for the Ocean County Tourism Grant:
Lifeguard in Training Tournament
RESOLUTION 11-0107.03

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that Donald Myers, Long Beach Township Beach Supervisor, be and he hereby is authorized and directed to apply for the 2011 Ocean County Tourism Annual Long Beach Island Lifeguard in Training Tournament Grant.

12. Resolution 11-0107.04: Approve personnel actions

RESOLUTION 11-0107.04

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

Approve the removal of Carol Cerbone's \$3,000.00 stipend for Mayor's Secretary as she is no longer performing those duties, and increase her base salary by \$3,000.00 effective retro-active to January 1, 2011.

13. Resolution 11-0107.05: Approve an application for a Social Affairs Permit: LBI Foundation of the Arts and Sciences fundraiser for Our Gang Players on March 5, 2011

14. RESOLUTION 11-0107.05

BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach grants a SPECIAL PERMIT FOR SOCIAL AFFAIR to The Long Beach Island Foundation of the Arts and Sciences to be held at Foundation, Loveladies. This permit will allow Long Beach Island Foundation of the Arts and Sciences to serve alcoholic beverages at the fundraiser on March 5, 2011 between the hours of 5:00 P.M. and 10:30 P.M.

Motion to approve Items 8 through 11:

Motion: Knarre Ayes: Knarre, Bayard, Mancini
Second: Bayard Nays:

CONTRACTS AND AWARDS

15. Resolution 11-0107.06: Approve Shared Service Agreement renewals for Mobile Data Terminals with various municipalities

Lynda Wells, Municipal Clerk noted Long Beach Twp. was the lead agency; MDT's were computers located in the police vehicles.

RESOLUTION 11-0107.06

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE LONG BEACH TOWNSHIP POLICE DEPARTMENT TO ACT AS LEAD AGENCY REGARDING SHARED SERVICES AGREEMENTS WITH VARIOUS LAW ENFORCEMENT AGENCIES FOR MOBILE DATA TERMINAL LOOK-UP SERVICES

WHEREAS, the Shared Services Act., N.J.S.A. 40:65A et seq. authorizes the Township of Long Beach to enter into contracts for the provision of certain governmental services with other municipalities; and

WHEREAS, the Long Beach Township Police Department operates and maintains a server-based Mobile Data Terminal system to link mobile computers to agency systems in order to increase the sworn officers' ability to perform report and record checks in the field; and

WHEREAS, it is the desire of the governing body to authorize the Long Beach Township Police Department to execute a Shared Services Agreement for the aforesaid services with the following agencies, effective January 1, 2011 through December 31, 2015, at a rate of \$95.00 per Mobile Data Terminal or other device connected to the MDT system server:

- Borough of Island Heights Police Department
- Borough of Lakehurst Police Department
- Township of Stafford Police Department
- Borough of Seaside Park
- Borough of Harvey Cedars
- Borough of Pine Beach
- Borough of Beach Haven
- Borough of Ship Bottom

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. That the Mayor and Municipal Clerk are hereby authorized to execute an Shared Service Agreement with the abovementioned agencies in accordance with the provisions of law. A copy of said agreement is attached hereto and made a part hereof as Schedule A.
2. That a copy of the agreement referenced herein shall be kept on file and made available for public inspection at the Municipal Clerk's office during normal business hours.

16. Resolution 11-0107.07: Approve the extension of a contract for the emergency rental of dozers & loaders with Mathis Construction, pursuant to Resolution10-0305.08(a).

RESOLUTION 11-0107.07

RESOLUTION AUTHORIZING THE EXTENSION OF A CONTRACT FOR SUPPLIES AND SERVICES FOR THE TOWNSHIP OF LONG BEACH

WHEREAS, pursuant to Resolution 10-0305.08(a) dated and Mach 5, 2010, the Township entered into an agreement with the following vendor:

Mathis Construction Co, Inc.
1510 Route 539, Suite 1
Little Egg Harbor, NJ 08087

WHEREAS, the said contract referred to specifications and prices and provided for a two year option to extend the contract; and

WHEREAS, both parties have agreed to extend the contract for two year from January 1, 2011 through January 31, 2013; and

WHEREAS, the Resolution shall be deemed to be the extension and any changes in the original contract shall be incorporated hereby and this Resolution shall serve as the written contract extension.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach at their regularly scheduled meeting held Friday, January 7, 2011 that the aforesaid contract shall be and is hereby extended for a period of two years pursuant to the terms and conditions stated herein.

17. Resolution 11-0107.08: Award a contract to Global Industries for the purchase and installation of furniture for the Municipal Clerk's Office, per state contract: \$4,816.02 for one additional workstation

RESOLUTION 11-0107.08

RESOLUTION AUTHORIZING THE PURCHASE OF FURNITURE COMPONENTS AND SUPPLIES FOR THE TOWNSHIP OF LONG BEACH MUNICIPAL CLERK'S OFFICE, PER STATE CONTRACT

WHEREAS, the Township of Long Beach wishes to purchase from an authorized vendor under the State of New Jersey Cooperative Purchasing Services Program, INJCP; and

WHEREAS, the purchase of goods and services by local contracting unit is authorized by the Local Public Contracts Law, N.J.S.A. 40A: 11-12; and

WHEREAS, Global Industries, c/o W.B. Mason Vineland, 17 West Stow Road, Marlton, NJ 08053 Contract #69980 has been awarded New Jersey State Contract No. T-0408 for Furniture, Office & Lounge Non-Modular & Files for the Period of October 1, 2007 to March 31, 2011, and is able to provide the necessary furniture components and supplies in the amount not to exceed Four Thousand Eight Hundred Sixteen Dollars Two Cents (\$4,816.02); and

WHEREAS, the Commissioner of Public Affairs and Safety recommends the utilization of this contract on the grounds that it represents the most cost effective method for the needs of the Township; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation Municipal Clerk O/E #0-01-20-120-057 in the amount of \$4,816.02

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Township of Long Beach that Global Industries Incorporated be awarded a contract for the purchase of office supplies, furniture, and interior design for the Long Beach Township Municipal Clerk's Office in the amount not to exceed Four Thousand Eight Hundred Sixteen Dollars Two Cents (\$4,816.02).

18. Resolution 11-0107.09: Award a contract for the provision of various telecommunication services:
Paetech Communications, Inc.: NTE \$45,000.00 per year for (3) years

RESOLUTION 11-0107.09

WHEREAS, Local Public Contracts Law, N.J.S.A. 40A:11-5.(1)(f) provides that supplying of any product, or the rendering of any service, by a public entity which is subject to the jurisdiction of the Board of Public Utilities is exempt from the requirement of public bidding; and

WHEREAS, PAETEC Communications, Inc. has received the authority to provide said service within New Jersey utilizing their own facility(ies) and have a tariff on file with the Board of Public Utilities; and

WHEREAS, the Board of Commissioners of the Township of Long Beach wishes to award a contract to PAETEC Communications, Inc. to provide services for monitoring, maintenance, support and billing of telecommunications in Township facilities; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this contract in the following appropriations: Telephone O/E: Account #1-01-31-440-000 for \$8,437.50 and Water/Sewer Telephone O/E: Account #1-09-55-549-076 for \$2,812.50 from the Temporary Budget. Allowances will be made for the balance of \$33,750.00 to be raised in the 2011 full Current Fund and Water/Sewer Budgets. Allowances will be made in all future budgets for the term of the contract.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 7th day of January 2011, for the reasons aforesaid, that a three (3) year contract be and is hereby awarded to:

PAETEC Communications, Inc.
Plaza 1000 at Main Street, Ste. 600
Voorhees, NJ 08043

to provide services for monitoring, maintenance, support and billing of telecommunications in Township facilities in an amount not to exceed Forty Five Thousand Dollars (\$45,000.00) per year, for the years 2011, 2012, and 2013; and

BE IT FURTHER RESOLVED, contract documents be forwarded to PAETEC Communications, Inc., 6 Commerce Drive, 3rd Floor, Cranford, NJ 07016 attn: Nghia Bui and Peter Plesh; and

BE IT FINALLY RESOLVED, billing invoices be forwarded to PAETEC Communications, Inc., 1 PAETEC Plaza, 600 Willowbrook Office Park, Fairport, NY 14450.

Motion to approve Items 12 through 15:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

FINANCIAL APPROVALS

19. Resolution 11-0107.10: Approve various reserve appropriation transfers
Lynda Wells, Municipal Clerk stated this was statutorily permitted from January through March of each year.

RESOLUTION 11-0107.10

WHEREAS, the statutes provide for the making of Reserve Appropriation transfers between the period of January 01, 2011 and March 31, 2011; and

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

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

RESERVE APPROPRIATIONS

<u>FROM:</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
Dir. Of Public Safety S/W	0-01-25-200-011	\$151.00
Purchasing S/W	0-01-20-131-011	\$129.00
<u>TO:</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
Director of Public Safety O/E	0-01-25-200-057	\$280.00
	Total	\$280.00

20. Resolution 11.0107.11: Approve Bills & Payroll
Bills in the amount of: \$1,993,811.92
Payrolls in the amount of: \$ 422,582.07

Lynda Wells, Municipal Clerk advised the payment of school taxes was included in the bills total.

RESOLUTION 11-0107.11

**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 \$422,582.07.

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 \$1,993,811.92 be and the same are hereby authorized to be paid on January 7, 2011.
2. The said approved payroll amounting to the sum of \$422,582.07 be and the same are hereby authorized to be paid on January 7, 2011.

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 16 & 17:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

Mayor Mancini abstained from Southern Ocean County Hospital voucher(s).

COMMISSIONERS' REPORTS

Commissioner Knarre announced that flu shots were still available by appointment with the Health Department and to check their website for more information.

Commissioner Knarre also announced events were lined up for this summer; Tues. evening concerts at Bayview Park, and Ocean County clinics for tennis, basketball, and newly added T-ball, were to be scheduled.

Commissioner Bayard announced the recycling calendars would be mailed out the following week and the sewer maintenance job between 31st and 39th Streets would also begin the following week.

Mayor Mancini announced the next meeting of the Board of Commissioners would be Friday, January 21, 2011 at 4:00 p.m. at which time the public hearings would take place for Ordinances 10-61C, 11-01, 11-02 and 11-03.

Mayor Mancini also announced the next regular meeting of the Land Use Board would be held on Wednesday, January 12th at 7:00 p.m. in the 2nd floor multi-purpose room. He added to please check the back table for the 2011 public meeting schedule for the Board of Commissioners.

Mayor Mancini wished everyone a Happy New Year and invited any resident that has any questions regarding work on Twp. property to come in the view plans and permits during business hours, noting no need to wait for a Twp. meeting. He stated the Office of Emergency Management received \$75,000 from FEMA for repairs to Twp. property from the Nov. 2009 storm. He announced that Deputy Chief Houston and CFO Lisa Jones had collaborated for this reimbursement. He also noted safety warnings for the expected snow fall on the 11th.

OPEN PUBLIC SESSION

No comment

CLOSE PUBLIC SESSION

Motion for adjournment at: 4:18 p.m.

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

Lynda J. Wells, RMC
Municipal Clerk

Joseph H. Mancini, Mayor

Ralph H. Bayard, Commissioner

William P. Knarre, Commissioner