

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS JANUARY 9, 2009

Flag Salute

Jim LaMarro/Brant Beach suggested "God Bless America" be sung following the flag salute at public meetings.

Meeting came to order: 4:00 p.m.

Clerk called the roll: Mayor Joseph H. Mancini PRESENT
Commissioner DiAnne C. Gove PRESENT
Commissioner Ralph H. Bayard PRESENT

Also in attendance: Bonnie M. Leonetti, Municipal Clerk
Lynda J. Wells, Deputy 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, published by the BEACH HAVEN TIMES on January 7th 2009; the PRESS OF ATLANTIC CITY on January 3rd 2009; and the ASBURY PARK PRESS on December 23rd 2008; 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: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

AGENDA

ORDINANCES/PUBLIC HEARINGS

1. First Reading Ordinance 09-01C: **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 197 PERTAINS TO WATER AND SEWER RATES.**

Bonnie Leonetti, Municipal Clerk/Administrator stated there would be an 8% increase on existing rates, and changes to various specific items such as pools, sprinklers, and connect/disconnect fees.

Second Reading & Public Hearing on January 23, 2009 at 4:00 p.m.

Motion to approve Ordinance 09-01C on First Reading:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

2. First Reading Ordinance 09-02C: **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 166-10 APPLIES TO FEES FOR SOIL EROSION AND SEDIMENT CONTROL.**

Bonnie Leonetti, Municipal Clerk/Administrator explained this would repeal the existing fee schedule and create a flat fee of \$400.00 per lot.

Second Reading & Public Hearing on January 23, 2009 at 4:00 p.m.

Motion to approve Ordinance 09-02C on First Reading:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

ADOPTIONS, APPROVALS, OPPOSITION

3. Resolution 09-0109.01: Oppose proposed Pension Deferral Initiative by the State of New Jersey
RESOLUTION 09-0109.01

OPPOSE THE ENACTMENT OF STATE LEGISLATURE BILL S-7

WHEREAS, Governor Jon Corzine has proposed a short-term pension deferral plan designed to reduce pension obligations in FY 2009 municipal budgets as an effort to provide property tax relief to taxpayers; and

WHEREAS, the plan was designed to offset reductions in Special Municipal Aid and Extraordinary Aid initiated as part of New Jersey's FY '09 "mid course correction" spending cuts which could result in excessive increases to property taxes for New Jersey property owners; and

WHEREAS, the Governor's pension deferral legislation, as presently drafted, would allow municipalities the ability to appropriate up to 100% of their full pension obligation to offset the FY '09 "mid course correction" spending cuts and could be the only form of property tax relief available to the citizens of many New Jersey municipalities; and

WHEREAS, the pension deferral appropriation would require repayment at a later date which would increase property taxes for New Jersey property owners at that time, resulting in no real savings overall.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey strongly opposes the enactment of State Legislature Bill S-7 as it will only delay a budgetary and therefore property tax hardship for its residents; and

BE IT FURTHER RESOLVED that the Township of Long Beach wishes to put on the record its intent to budget for its 2009 pension obligations and either submit payment to the State or place said funds in a Reserve Account; and

BE IT FURTHER RESOLVED that copies of this Resolution shall be made available to:

- Honorable Jon Corzine, Governor of the State of New Jersey
- Honorable Richard Codey, President of the NJ State Senate
- Honorable Joseph Roberts, Speaker of the NJ General Assembly
- 9th, 10th, and 30th District Legislators
- Ocean County Planning Board
- Ocean County Mayor's Association
- New Jersey Conference of Mayors
- All Long Beach Island municipalities

Bonnie Leonetti, Municipal Clerk/Administrator related the plan was designed to defer pension obligations in 2009 municipal budgets in an effort to provide property tax relief to taxpayers. The funds would be due for repayment at a later date. The enactment of this Legislative Bill would only delay a budgetary and, therefore, a property tax hardship for residents.

4. Resolution 09-0109.02: Approve increase of fees for officers and equipment for Police Off-Duty Employment: \$65.00/hr per officer as per the Collective Bargaining Agreement

RESOLUTION 09-0109.02

A RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING THE FEES TO BE PAID PURSUANT TO §5-8A(7)(d) OF THE CODE OF THE TOWNSHIP OF LONG BEACH

WHEREAS, §5-8A(7) of the Code of the Township of Long Beach, New Jersey provides for the employment of police officers in an off-duty capacity; and

WHEREAS, subsection (d) requires the Board of Commissioners of the Township to fix by Resolution the pay which off-duty police officers are to receive.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey at a regular meeting held Friday, January 20, 2006:

A. The hourly rate for employment of off-duty police officers by any person or entity desiring to retain the services of police officers of the Township of Long Beach for off-duty activation shall be the rate paid to police officers of the municipality in which the police officers are employed; **PROVIDED, HOWEVER, THAT SUCH PAY SHALL NOT BE LESS THAN SIXTY FIVE DOLLARS (\$65.00) PER HOUR WITH A MINIMUM OF FOUR (4) HOURS PURSUANT TO THE PROVISIONS OF §5-8A(7) OF THE CODE OF THE TOWNSHIP OF LONG BEACH, NEW JERSEY.**

B. Any person or entity desiring to retain the services of police officers of the Township of Long Beach for off-duty activation shall pay an administrative fee of twenty percent (20%) (of total hours worked by off-duty police officers).

C. When a police vehicle is required to be utilized during the employment of off-duty police officers, the fee shall be Forty Dollars (\$40.00) for four (4) hours or less with a maximum fee of Eighty Dollars (\$80.00) for use in excess of four (4) hours.

D. This resolution shall supercede all prior resolutions fixing fees to be charged for off-duty police employment and be retroactive to January 1, 2009.

5. Resolution 09-0109.03(a&b): Authorize application for various 2009 Ocean Co. Tourism Grants:
a. Long Beach Island Lifeguard in Training Tournament Grant
b. Long Beach Township Annual Waterfest Grant

RESOLUTION 09-0109.03(a)

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 2009 Ocean County Tourism Annual Long Beach Island Lifeguard in Training Tournament Grant.

RESOLUTION 09-0109.03(b)

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that Sharon Bongiovani be and she hereby is authorized and directed to apply for the 2009 Ocean County Tourism Long Beach Township Annual Waterfest Grant.

6. Resolution 09-0109.04: Approve personnel actions

RESOLUTION 09-0109.04

BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach: Correct the 2009 base salary as stated in Resolution 08-1230.04 for the following:

Erika Hershey \$37,390.41

Change the following Interim Part Time Telecommunicator's rate of pay to \$10.25 per hour to be paid from the Police Salary & Wage effective retro-active to January 3, 2009.

Lauren Masterson

Approve the carryover of excess Personal Leave from the year 2008 for the following due to extraordinary reasons that prevented them from using said days before their normal expiration date:

Edward Bernhard: 36 hours

Gary Gore: 24 hours

Hire the following as a Part Time Public Safety Telecommunicator Trainee at the rate of \$8.00 per hour to be paid from the Police Salary & Wage effective January 10, 2009.

Barbara Rauer

Approve an annual stipend of \$1,070.00 for the year of 2009 for the following for EMT Certification in accordance with the holdover PBA contract.

Leslie Houston Kevin Mahon Philip Pollina

R. Scott Snyder Gerard Traynor Kevin Lyons

Hire the following as a Seasonal Part Time Laborer at the rate of \$10.20 per hour to be paid from Lifeguard Salary & Wage effective January 12, 2009.

Laura Hodge

Accept the resignation of John Jones dated December 4, 2008.

Approve an FMLA/NJFLA for R. H. requested to be used and paid as follows: January 20 – 27 sick days, February 23 – 27 vacation days, March 2 - 6, 9 – 13, 16 – 20 sick days.

Approve an annual stipend of \$1,000.00 for the year of 2009 for the following for holding a Commercial Drivers License in accordance with the holdover Teamsters Contract.

David Bavuso
Brian Golla
Dustin Martin
Robert Parker
Thomas Yurkevicz

James Bazel
Timothy Kearney
Stephen Partridge
Daniel Thurston

Matthew Beningaso
Timothy Kelly
James O'Brien
Anthony Toth

Approve an annual stipend of \$1,000.00 for the year of 2009 for the following non-contractual employees for holding a Commercial Drivers License as per Board of Commissioner's decision that it is considered job related.

Tracey Schmidt Dana Vickers Andrew Baran

Bonnie Leonetti, Municipal Clerk/Administrator noted the proposed actions.

7. Resolution 09-0109.05: Appoint agents for appeals to the Long Beach Township Taxing District: Tracy Hafner and/or the firm of Shackleton & Hazeltine

RESOLUTION 09-0109.05

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 2009 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 2009; and

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

8. Resolution 09-0109.06(a-g): Authorize various re-appointments for 2009
- a. Bonnie M. Leonetti: Public Agency Compliance Officer (PACO)
 - b. Bonnie M. Leonetti: Americans with Disabilities Act (ADA) Coordinator
 - c. Lynda J. Wells: Deputy Municipal Clerk
 - d. Lynda J. Wells: Administrator of Township of Long Beach DOT Alcohol and Drug Testing Policy and Program (as per Ordinance 00-16C)
 - e. Lynda J. Wells :Fund Commissioner to the Ocean County Municipal Joint Insurance Fund
 - f. Members of the Long Beach Township Recreation and Special Activities Committee
 - g. Members to the Long Beach Township Senior Citizen's Advisory Board

RESOLUTION 09-0109.06(a)

BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach designate Municipal Clerk / Administrator, Bonnie M. Leonetti as the Public Agency Compliance Officer (P.A.C.O.) for 2009 as regulated and by the New Jersey Division of Contract Compliance with regard to equal employment opportunity in public contracts and as per NJAC17:27-3.5.

RESOLUTION 09-0109.06(b)

BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, that Bonnie M. Leonetti is hereby appointed Americans with Disabilities Act (ADA) Coordinator for a term commencing January 1, 2009 and terminating May 15, 2012.

RESOLUTION 09-0109.06(c)

BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby appoint Lynda J. Wells as Deputy Municipal Clerk for the year 2009 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 09-0109.06(d)

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 Wells, Deputy Municipal Clerk, be and she hereby is appointed Administrator for 2009 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 09-0109.06(e)

BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that Lynda Wells 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 2009; and

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

RESOLUTION 09-0109.06(f)

WHEREAS, pursuant to Ordinance 08-05C, adopted February 22nd 2008, creating a new chapter of the Code of the Township of Long Beach, Chapter 28, the Board of Commissioners of the Township of Long Beach Office authorized the establishment of a Recreation and Special Activities Committee for the purpose of organizing activities to be held within Long Beach Township; and

WHEREAS, the Mayor, with the concurrence of the Commissioners, wishes to appoint the following individuals to serve as members of the Long Beach Township Recreation and Special Activities Committee:

- | | |
|---------------------------|------------------|
| Mary Tantillo | North Beach |
| Pat Kaletkowski | Brant Beach |
| William Hutson | Holgate |
| Carol Townsley | Beach Haven Park |
| Beverly Welling | Haven Beach |
| Linda Ramsey | High Bar Harbor |
| Robert or Patricia Monaco | Loveladies |

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the above-named individuals be and they are hereby appointed as members of the Long Beach Township Recreation and Special Activities Committee effective through December 31, 2009.

RESOLUTION 09-0109.06(g)

WHEREAS, pursuant to Ordinance 06-39C, adopted December 15th 2006, creating a new chapter of the Code of the Township of Long Beach, Chapter 29, the Board of Commissioners of the Township of Long Beach Office authorized the establishment of a Senior Citizens Advisory Board for the purpose of advising the Board of Commissioners on matters impacting senior citizens; and

WHEREAS, the Mayor, with the concurrence of the Commissioners, wishes to appoint the following individuals to serve as members of the Long Beach Township Senior Citizens Advisory Board:

Term: January 1, 2007 through December 31, 2010

- John Hall
- Phyllis Romano
- Kathleen Thulin
- Gene Patten

Term: January 1, 2008 through December 31, 2011

- Anita Miller
- Kathy Shackleton

Term: January 1, 2009 through December 31, 2012

- Jim Hughes
- Vilma Applegate

Municipal Liason:

- DiAnne Gove

Ex-officio Members (One (1) year terms):

- AARP – LBI: Virginia Josephson
- St. Francis Community Center: Wendy Westberg
- So. Ocean County Hospital: Joanne Leichte

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the above-named individuals be and they are hereby appointed as members of the Long Beach Township Senior Citizens Advisory Board as per the above-described terms.

Motion to approve Items 3 - 8:

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

CONTRACTS AND AWARDS

- 9. Resolution 09-0109.07(a&b): Award various proprietary contracts:
 - a. United Computer: On-site and remote computer support and maintenance services \$17,448.00
 - b. Edmunds & Assoc.: Computer hardware and software maintenance \$12,350.00

RESOLUTION 09-0109.07(a)

RESOLUTION AUTHORIZING A PROPRIETARY CONTRACT FOR THE ONSITE ASSESSMENT, INITIAL SETUP, AND ONSITE AND REMOTE COMPUTER SUPPORT AND MAINTENANCE OF MUNICIPAL COMPUTERS IN THE TOWNSHIP OF LONG BEACH

WHEREAS, the Township of Long Beach requires onsite and remote computer support and maintenance for municipal computers; and

WHEREAS, an agreement for the provision of onsite assessment, initial setup, and onsite and remote maintenance and support services to municipal computers is deemed appropriate and necessary; and

WHEREAS, the provision or performance of goods or services for the onsite assessment, initial setup, and onsite and remote maintenance and support services to municipal computers in the Township of Long Beach is specifically exempted from bidding requirements under the Local Public Contracts Law pursuant to N.J.S.A. 40A: 11 -5(1)(dd); and

WHEREAS, United Computer Sales & Service, Inc., 100 Dobbs Lane, Suite 208, Cherry Hill, NJ 08034 is able to provide onsite assessment, initial setup, and onsite and remote maintenance and support services to municipal computers in an amount not to exceed Seventeen Thousand Four Hundred Forty

Eight Dollars (\$17,448.00); and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by: Shared Equipment: Other Expenses #9-01-31-541-081, and Water/Sewer: Other Expenses #9-09-55-549-081.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that United Computer Sales & Service, Inc. be awarded a contract to provide onsite assessment, initial setup, and onsite and remote maintenance and support services to municipal computers in an amount not to exceed Seventeen Thousand Four Hundred Forty Eight Dollars (\$17,448.00).

RESOLUTION 09-0109.07(b)

A RESOLUTION AWARDING A PROPRIETARY CONTRACT FOR COMPUTER SOFTWARE MAINTENANCE SERVICES FOR THE TOWNSHIP OF LONG BEACH

WHEREAS, the provision or performance of goods or services for the maintenance of computer software and hardware in Long Beach Township is specifically exempted from bidding requirements under the Local Public Contracts Law pursuant to N.J.S.A. 40A: 11 -5(1)(dd); and

WHEREAS, Edmunds & Associates, Inc., 301-A Tilton Road, Northfield, NJ 08225 is able to provide services for the maintenance of computer software for SS Financial Accounting, SS Tax Collection, SS Payroll I, SS Human Resources and SS Utility Billing in an amount not to exceed Twelve Thousand Three Hundred Fifty Dollars (\$12,350.00); and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriations created by: Shared Equipment: Other Expenses #9-01-31-541-081, and Water/Sewer: Other Expenses #9-09-55-549-081.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that Edmunds & Associates, Inc. be awarded a proprietary contract for the maintenance of computer software in the Township of Long Beach in an amount not to exceed Twelve Thousand Three Hundred Fifty Dollars (\$12,350.00).

10. Resolution 09-0109.08(a-c): Award various professional service contracts for 2009:

- a. Winning Strategies: Beach Storm Protection Project for Island Municipalities: Lobbying services - \$60,000.00 / year shared amongst LBI municipalities
- b. Stuart Snyder, Esq.: Public Defender: \$7,000.00
- c. Ronald Pingaro: Construction & Zoning Department Director \$93,150.00

RESOLUTION 09-0109.08(a)

RESOLUTION AUTHORIZING AN INTERLOCAL AGREEMENT AMONG THE SIX LONG BEACH ISLAND TOWNS, WITH THE TOWNSHIP OF LONG BEACH THE LEAD AGENCY, FOR THE PURPOSE OF ENTERING INTO A CONTRACT WITH WINNING STRATEGIES WASHINGTON, LLC

WHEREAS, the Township of Long Beach has agreed with the Borough of Barnegat Light, the Borough of Harvey Cedars, the Borough of Surf City, the Borough of Ship Bottom and the Borough of Beach Haven to enter into an Interlocal Services Agreement to retain the services of Winning Strategies Washington, LLC to lobby the Congress of the United States to provide funding for the U.S. Army Corps of Engineers Beach Protection and Maintenance Project for Long Beach Island; and

WHEREAS, the said Interlocal Services Agreement provides the costs of the lobbying contract shall be borne in accordance with the following schedule:

Long Beach Township	53%
Borough of Barnegat Light	09%
Borough of Harvey Cedars	11%
Borough of Surf City	08%
Borough of Ship Bottom	08%
Borough of Beach Haven	11%; and

WHEREAS, the said Interlocal Services Agreement provides that the Township of Long Beach shall be the signatory party with Winning Strategies Washington, LLC.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, a municipal corporation of the State of New Jersey, at a regular meeting held Friday, January 9, 2009 that the Mayor and Municipal Clerk are hereby authorized and directed to enter into a renewal agreement with Winning Strategies Washington, LLC in accordance with the proposal heretofore provided by that firm.

BE IT FURTHER RESOLVED that this contract is being awarded as a renewal of a professional service contract pursuant to Resolution 08-0118.08(e).

RESOLUTION 09-0109.08(b)

WHEREAS, Local Public Contracts Law, N.J.S.A. 40A: 11-1 et. seq. provide that professional services are exempt from the requirement of public bidding; N.J.S.A. 40A: 11-5(a)(i); and

WHEREAS, the cited section defines professional services as services rendered by a person authorized by law to practice a recognized profession whose practice is regulated by law and requires that where contracts are awarded without public bidding, notice of such contract shall be published at least once in a newspaper circulating in the community; and

WHEREAS, it is necessary for the Township of Long Beach to obtain the services of a municipal public defender for the year 2009; and

WHEREAS, the aforesaid services are recognized professions, which professions are regulated by law; and

WHEREAS, the Board of Commissioners of the Township of Long Beach have determined that Stuart D. Snyder, Esquire possesses the requisite qualifications and license to serve as the public defender.

WHEREAS, Stuart D. Snyder, Esquire has supplied a Business Entity Disclosure Certification and a Political Contribution Disclosure certifying that he has not made any reportable contributions to a political or candidate committee in the Township of Long Beach in the previous one year, and that the contract will prohibit those listed from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach at a regular meeting held Friday, January 9, 2009 that the Mayor and Municipal Clerk shall and are hereby authorized to execute and bind the Township to a contract entered by and between the Township of Long Beach and Stuart D. Snyder, Esquire, 2100 Long Beach Blvd., Surf City, NJ 08008 in an amount not to exceed Seven Thousand Dollars (\$7,000.00) per year, to serve as the Public Defender for the Township of Long Beach effective through December 31, 2009; and

BE IT FURTHER RESOLVED that the Municipal Clerk shall send a notice of the professional appointment and have same published at least once in the official newspaper of the Township of Long Beach and shall keep the resolution and contract on file for public inspection.

RESOLUTION 09-0109.08(c)

RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES

WHEREAS, the Township of Long Beach has a need to acquire the professional service listed below as an alternative method contract pursuant to the provisions of N.J.S.A.19:44A-20.4 or 20.5; and

WHEREAS, P.L. 195, Chapter 353 of the laws of the State of New Jersey provide that certain professional services are exempt from public bidding; and

WHEREAS, the Township of Long Beach wishes to award the contract without competitive bidding for professional services pursuant to NJSA 40A:11-5(a)(a)(i). Such contract and resolution is available for public inspection at the office of the Township Clerk; and

WHEREAS, the statute defines professional services as services rendered by a person authorized by law to practice a recognized profession, which practice is regulated by law; and

WHEREAS, the listed service is a recognized profession which profession is regulated by law; and

WHEREAS, the professional listed below completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Township of Long Beach in the previous one year, and that the contract will prohibit the making of any reportable contributions through the term of the contract; and

WHEREAS, the Board of Commissioners of Township of Long Beach has determined and certified in writing that the value of the services will exceed \$17,500.00; and

WHEREAS, the Chief Financial Officer has provided certification of the availability of funds as per N.J.A.C. 5:30-5.4.

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach authorizes the Mayor to enter into a contract for one year with the Professional listed below as described herein; and

<u>NAME</u>	<u>DESCRIPTION OF SERVICES</u>	<u>AMOUNT</u>
RPL Consulting, LLC	Construction Consultant	Annual max: \$93,150.00

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Political Contribution Disclosure Form be placed on file with this resolution; and

BE IT FINALLY RESOLVED that the Municipal Clerk shall send a notice of the alternative method professional appointment and have same published at least once in the official newspaper of the Township of Long Beach and shall keep the resolution and contract on file for public inspection.

11. Resolution 09-0109.09: Award a contract for emergency water main repairs and trench restoration work for the Water/Sewer Dept.:

Haskell Site Work, LLC: \$13,381.00 on 12/26/08 at 1083 Long Beach Blvd. in North Beach

RESOLUTION 09-0109.09

RESOLUTION AUTHORIZING THE PAYMENT OF AN INVOICE FROM SHORELINE/HASKELL FOR THE EMERGENCY REPAIR OF A WATER MAIN LEAK AT 1083 LONG BEACH BLVD., NORTH BEACH, NEW JERSEY.

WHEREAS, on Friday December 26, 2008 David G. Ward, P.E., Superintendent of Water and Sewer Utilities, received a call from the Long Beach Township Police Department advising that there was a water main leak at 1083 Long Beach Blvd., North Beach, New Jersey; and

WHEREAS, Superintendent Ward's investigation indicated that immediate repair was required to prevent contamination of the water system and preserve public health and safety; and

WHEREAS, due to the seasonal holiday the Long Beach Township Water and Sewer Department had only two men available to make the repair; and

WHEREAS, since a sufficient number of Long Beach Township Water and Sewer employees were not available Superintendent Ward made an immediate call to Mathis Construction Company who was engaged in the Long Beach Township Water Main Replacement Program; and

WHEREAS, Superintendent Ward was unable to contact anyone from Mathis Construction Company, he then called Shoreline/Haskell who then responded in a timely manner with men and equipment and by 7:00 p.m. repairs were completed and the road was opened to traffic; and

WHEREAS, on Monday December 29, 2008 Shoreline/Haskell returned to install the final paving over the patch area they also paved over a break that had occurred at 1129 Long Beach Blvd., on Saturday December 27, 2008; and

WHEREAS, the paving at 1129 Long Beach Blvd., was over a leak which had been repaired by Long Beach Township Water and Sewer personnel on December 27, 2008; and

WHEREAS, due to the emergent nature of the situation and the fact that the first company called failed to respond in order for Superintendent Ward to secure verbal quotes for the repair project; and

WHEREAS, because of the urgent nature of the needed repairs the Board of Commissioners finds that the employment of Shoreline/Haskell to make emergency repairs was prudent and proper; and

WHEREAS, Haskell Site Work, LLC, the entity which owns Shoreline/Haskell has submitted an invoice for the repairs in the amount of \$13,381.00; and

WHEREAS, the Chief Financial Officer of the Township of Long Beach has issued a Certificate of Availability of Funds available in the appropriation created by: Water/Sewer: Other Expenses #9-09-55-549-029, in the amount of the invoice.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach, a Municipal Corporation of the State of New Jersey at a regular meeting held Friday January 9,

2009 that the invoice submitted by Haskell Site Work, LLC for the repair work which was done on Friday December 26, 2008 and completed on Monday December 29, 2008, be approved and paid.

12. Resolution 09-0109.10: Approve an Interlocal Agreement: Ocean County Schedule "C" 2009 Roads: \$20,000.00, Engineering: \$5,000.00

RESOLUTION 09-0109.10

RESOLUTION AUTHORIZING EXECUTION OF INTERGOVERNMENTAL AGREEMENT WITH THE COUNTY OF OCEAN FOR VARIOUS SERVICES UNDER SCHEDULE C

WHEREAS, the County of Ocean has created and established a program to assist municipalities and governmental agencies in the repair and maintenance of municipal streets and property in addition to providing certain materials and supplies in connection therewith; and

WHEREAS, the governing body of the Township of Long Beach has requested the County to provide certain various services on certain municipal streets and property within the municipality at a cost not to exceed \$25,000.00; and

WHEREAS, the Township of Long Beach wishes to enter into an agreement with the County for the provision of these services.

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

1. The Commissioner of Public Works and Clerk of the Township of Long Beach are hereby authorized and directed to enter into and execute an Intergovernmental Agreement with the County of Ocean for the maintenance and provision of various engineering services for traffic signals and sign installation in an amount not to exceed \$5,000.00 and \$20,000.00 for Road Maintenance.
2. A copy of this Agreement shall be kept on file and be available for public inspection at the Office of the Township Clerk.
3. This Agreement shall take effect upon full execution by the parties and shall remain in full force and effect through December 31, 2009. Sufficient funds have been appropriated in the 2009 Temporary Municipal Budget and are subject to amendment at such time the 2009 Municipal Budget is adopted. Appropriated funds will be available for this purpose in the municipal budget under Schedule "C" Other Expenses and through an adopted bonding ordinance.
4. A certified copy of this resolution shall be forwarded to:
 - A. Clerk of the Ocean County Board of Chosen Freeholders
 - B. Ocean County Engineering Department
 - C. Ocean County Department of Finance

Bonnie Leonetti, Municipal Clerk/Administrator felt in all probability there would be a monetary increase upon adoption of the 2009 Municipal Budget.

Motion to approve Items 9 - 12:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

FINANCIAL APPROVALS

13. Resolution 09-0109.11: Approve the transfer of reserve appropriations

RESOLUTION 09-0109.11

WHEREAS, the statutes provide for the making of Reserve Appropriation transfers between the period of January 01, 2009 and March 31, 2009; 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

FROM:	ACCOUNT	AMOUNT
Sanitary Landfill O/E	8-01-26-306-029	\$975.00

TO:	ACCOUNT	AMOUNT
Municipal Clerk O/E	8-01-20-120-022	825.00
Advertising O/E	8-01-20-120-205	150.00

Total **\$975.00**

Bonnie Leonetti, Municipal Clerk/Administrator advised this pertained to 2008 accounts and was statutorily allowed during the first two months of each year.

14. Resolution 09-0109.12: Amend the 2009 Temporary Budget: Water/Sewer Temporary Budget only

RESOLUTION 09-0109.12

WHEREAS, the Chief Financial Officer of the Township of Long Beach has determined that an increase to the 2009 Temporary Budget, approved pursuant to Resolution 08-1230.09, is necessary due to various reasons; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the following appropriations, attached as Schedule B, are hereby adopted as the 2009 Temporary Water/Sewer Budget; and

BE IT FURTHER RESOLVED by the Board of Commissioners of the Township of Long Beach that the Chief Financial Officer be and she is hereby authorized to increase the 2009 Temporary Budget as recorded above.

15. Resolution 09-0109.13: Approve Bills & Payroll
 Bills in the amount of: \$2,155,858.11
 Payrolls in the amount of: \$ 374,090.55

RESOLUTION 09-0109.13

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 \$374,090.55.

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 \$2,155,858.11 be and the same are hereby authorized to be paid on January 9, 2009.

2. The said approved payroll amounting to the sum of \$374,090.55 be and the same are hereby authorized to be paid on January 9, 2009.

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.

Bonnie Leonetti, Municipal Clerk/Administrator stated Regional School taxes were paid.

Motion to approve Items 13 - 15:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

Mayor Mancini stated the Tax Collector's Reports for the months of November and December 2008 and Treasurer's Report for the month of December 2008 were on file in the Municipal Clerk's Office.

PUBLIC HEARING:

Community Development Block Grant Applications for 2009

Mayor Mancini announced: Now is the time for the Public Hearing in regard to applications to be submitted for funding consideration through the 2009 Ocean County Community Development Block Grant. Legal notice of this Public Hearing was published on January 7, 2009. The deadline for applications submitted to Long Beach Township is January 21st. The next hearing shall take place on January 23rd at 4:00 p.m. in the Municipal Court Room.

OPEN PUBLIC SESSION

No comment

CLOSE PUBLIC SESSION

COMMISSIONERS' REPORTS

Commissioner Bayard explained various sewer pipes were being videotaped. The data would be used to help establish a long-term plan for infrastructure repair/replacement. The Commissioner responded to a letter in the Sandpaper newspaper regarding the placement of dune fencing in various area of Long Beach Township. He explained this was an ongoing project for the P/W Department, provided pictures, and gave specific details on the process. He noted other ongoing projects for the Township including the construction of greenhead fly trap boxes, and dune walk-overs.

Commissioner Gove asked members of the public to call her office should they be interested in becoming a member of the Special Activities Committee.

Mayor Mancini announced the next meetings of the Board of Commissioners and the Land Use Board; the re-broadcast of Public Meetings schedule, and the award of a contract for the collection of trash and recyclables to Pinto Brothers Disposal, LLC.

OPEN PUBLIC SESSION

Peter Trainor / North Beach Haven suggested that information regarding the various projects Commissioner Bayard spoke about be posted on the municipal website. He asked what the impact of the economic recession would be on Township taxpayers.

Mayor Mancini assured the public that Long Beach Township was in sound condition at the current time.

CLOSE PUBLIC SESSION

Motion for adjournment at: 4:26 p.m.

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

Bonnie M. Leonetti, RMC, CMC
Municipal Clerk

Joseph H. Mancini, Mayor

DiAnne C. Gove, Comm.

Ralph H. Bayard, Comm.