

**MINUTES**  
**REGULAR SESSION BOARD OF COMMISSIONERS JANUARY 18, 2008**

**Flag Salute**

Meeting came to order: 4:00 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, published by the BEACH HAVEN TIMES; the PRESS OF ATLANTIC CITY; and the ASBURY PARK PRESS on December 5, 2007; and filed with the Municipal Clerk.

Motion: To dispense with the reading of the minutes of the previous meetings and to approve the same as recorded in the minute book:

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

**AGENDA**

**PROCLAIM:**

Fifth Annual **Wear Red for Women Day**: February 1<sup>st</sup>

**Mayor Gove** asked the public to wear red on February 1, 2008 to call attention to the need for proper medical care in order to prevent cardiovascular disease in women.

**ORDINANCES/PUBLIC HEARINGS**

1. Second Reading Ordinance 07-50: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED: "AN ORDINANCE FIXING AND DETERMINING THE ANNUAL SALARIES, DESIGNATING HOLIDAYS AND PROVIDING FOR OVERTIME COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY".**

**ORDINANCE 07-50**

**AN ORDINANCE AMENDING AN ORDINANCE ENTITLED: "AN ORDINANCE FIXING AND DETERMINING THE ANNUAL SALARIES, DESIGNATING HOLIDAYS AND PROVIDING FOR OVERTIME COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY".**

**STATEMENT OF PURPOSE**

THIS ORDINANCE INCREASES SALARY RANGES FOR THOSE POSITIONS THAT MAY EXCEED THE CURRENT MAXIMUM BEFORE THE YEAR 2008 ENDS. WHEN RANGES ARE ADJUSTED, THEY ARE ALWAYS MADE HIGHER THAN ANTICIPATED SO THAT THEY WILL BE APPROPRIATE FOR FUTURE YEARS TO COME. NEW POLICY IS ALSO BEING ESTABLISHED WITH REGARD TO THE MAXIMUM AMOUNT OF CONSECUTIVE VACATIONS DAYS THAT MAY BE USED BY TOWNSHIP EMPLOYEES AND SETS CRITICAL TIMES OF YEAR THAT RESTRICTIONS MUST BE IMPOSED TO GUARANTEE THE ABILITY OF ALL DEPARTMENTS TO CONTINUE TO FUNCTION AND SERVICE THE NEEDS OF TOWNSHIP RESIDENTS.

**THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LONG BEACH, IN THE COUNTY OF OCEAN, DOES ORDAIN:**

**SECTION I**

Ordinance No.77-1, as amended, the title of which is set forth in full in the title hereof, is hereby further amended regarding the annual salaries of the officers and employees of the Township of Long Beach as follows:

**ADMINISTRATIVE AND EXECUTIVE**

	<b><u>MINIMUM</u></b>	<b><u>MAXIMUM</u></b>
Chief Financial Officer, part time	20,000.00	50,000.00
Municipal Treasurer, part time	17,500.00	45,000.00

**PUBLIC WORKS & PROPERTY**

Building Maintenance Worker	23,000.00	50,000.00
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**SECTION II**

**Amend Section 9 of Ord. #77-1** regarding Vacation Leave as follows:

Long Beach Twp. Board of Commissioners hereby approves a policy for vacation usage by its employees in order to ensure optimum function and service to its residents and visitors at all times. All vacations must be scheduled and approved by employee's immediate supervisor except in case of emergency, ie. storm day. Any vacation of 5 days or more shall be requested of the employee's Commissioner on the approved request form. No one shall take more than 3 weeks or 15 work days consecutively. Any requests that exceed that amount of time must state special circumstances in writing and be approved by Resolution. During the period from Memorial Day to Labor Day only 1 week or 5 consecutive vacation days shall be allowed due to the volume of residents and visitors calling or coming into the building for assistance.

**SECTION III**

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

**SECTION IV**

This Ordinance shall take effect retro-active to January 1, 2008.

**NOTICE**

Public Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a regular meeting of the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, held on Thursday, December 27, 2007 at 4:00 p.m.

Further public notice is hereby given that said ordinance shall be considered for final passage and adoption at a regular meeting of the Board of Commissioners to be held on Friday January 18, 2008 at 4:00 p.m. at the Public Safety Building, 6805 Long Beach Blvd., Brant Beach, NJ 08008.

**CERTIFICATION**

I, Bonnie M. Leonetti, Municipal Clerk for the Township of Long Beach do hereby certify that the foregoing Ordinance 07-50 was duly adopted by the Board of Commissioners at their meeting held on Friday, January 18, 2008 at 4:00 p.m.

**Mayor Gove** advised this pertained to salary ranges for the following: Part-time CFO, Part-time Treasurer, and Building Maintenance Worker, and also designated vacation leave policy for LBT employees.

Passed as on first reading at a regular meeting held on December 27, 2007 advertised in the BEACH HAVEN TIMES, issue of January 2, 2008.

OPEN PUBLIC HEARING

No comment

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 07-50 on Second Reading:

Motion: Palmer Ayes: Bayard, Palmer, Gove

Second: Bayard Nays:

**2. First Reading Ordinance 08-01: AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK IN 2008 (N.J.S.A. 40A: 4-45.14)**

**Mayor Gove** noted the percentage would change from 2.5% to 3.5%.

Motion to approve Ordinance 08-01 on First Reading:

Motion: Palmer Ayes: Bayard, Palmer, Gove

Second: Bayard Nays:

**3. First Reading Ordinance 08-02: AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AN ORDINANCE AUTHORIZING THE SALE OF UNNEEDED LANDS OWNED BY THE TOWNSHIP OF LONG BEACH KNOWN AS BLOCK 8.01 LOT 4.01 BY AUCTION PURSUANT TO N.J.S.A. 40A:12-13(B)(5).**

**Mayor Gove** explained this was originally proposed as a resolution, but upon advice of legal counsel, it was composed in Ordinance form.

Motion to approve Ordinance 08-02 on First Reading:

Motion: Palmer Ayes: Bayard, Palmer, Gove

Second: Bayard Nays:

**ADOPTIONS AND APPROVALS**

**4. Resolution 08-0118.01: Approve changes to various Water/Sewer accounts**

**RESOLUTION 08-0118.01**

**WHEREAS**, upon inspection it has been determined the following Sewer accounts qualify for credits on their 2008 billing for garbage disposal units charged to them in error in 2006 & 2007; and

**WHEREAS**, it is requested by the Director of Revenue and Finance that these changes be made as follows:

<b>Blk:</b>	<b>Lot:</b>	<b>Acct:</b>	<b>Year:</b>	<b>Homeowner:</b>	<b>Amount:</b>
1.89	2.01	668-0 Sewer	2005/6	Klinger: Credit 2008	\$348.00
18.14	1.03	6273-0 Sewer	2005/6	Pincus: Credit 2008	348.00
20.172	5	7672-0 Sewer	2005/6	Reeder: Credit 2008	348.00

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach, that the Municipal Clerk be and she is hereby authorized to make these changes.

**5. Resolution 08-0118.02: Approve relocation of a structure into the public right-of-way:**

Blk 11.23, Lot 18: 11 West California Avenue

**RESOLUTION 08-0118.02**

**RESOLUTION AUTHORIZING OWNER TO TEMPORARILY PLACE A BUILDING IN THE RIGHT OF WAY ON WEST CALIFORNIA AVENUE, BEACH HAVEN PARK, NJ**

**WHEREAS**, William A. and Lorraine Finelli have made application to the Township of Long Beach for permission to temporarily move a building presently located on Lot 18, Block 11.23 and place the same on a portion of the public right-of-way located at 11 West California Avenue; and

**WHEREAS**, DSB Construction, Inc. has posted a security bond for the applicants in the amount of Five Thousand Dollars (\$5,000.00) to insure that the public right-of-way located at 11 West California Avenue in Beach Haven Park shall be restored to its one and former estate after the house has been replaced on Lot 18, Block 11.23; and

**WHEREAS**, photographs of the area where the house is to be temporarily placed as it exists prior to such placement have been provided by William A. and Lorraine Finelli to the Township in order to insure that upon completion of the relocation back to Lot 18, Block 11.23, the public right-of-way located at 11 West California Avenue in Beach Haven Park shall be restored to its one and former estate; and

**WHEREAS**, the said Lot 18, Block 11.23 is owned by William A. and Lorraine Finelli; and

**WHEREAS**, the owner has made application as above stated; and

**WHEREAS**, the Beach Haven Volunteer Fire Company, No. 1, the fire company providing fire service for the area in question, submitted a letter dated December 17<sup>th</sup> 2007 stating they have no objections to the temporary relocation; and

**WHEREAS**, the New Jersey Natural Gas Company provided a letter dated January 2, 2008 stating that any gas facility serving the property has been disconnected; and

**WHEREAS**, Frank Myroncuk & Son, Inc., the house mover moving the house, provided a Certificate of Liability Insurance showing that they carry general liability insurance with liability limits of One Million Dollars (\$1,000,000.00); and

**WHEREAS**, the Long Beach Township Tax Collector certified on January 3<sup>rd</sup> 2008 that all property taxes for Lot 18, Block 11.23 were current through the 4th quarter of 2007; and

**WHEREAS**, the Long Beach Township Traffic Safety Officer approved the relocation of the structure between the dates of January 22<sup>nd</sup> and February 11<sup>th</sup> 2008 contingent upon compliance with conditions set forth in his letter dated January 2<sup>nd</sup> 2008; and



**PUBLIC WORKS**

Approve an annual stipend of \$1,000.00 for the year of 2008 for the following for holding a Commercial Drivers License in accordance with the current Teamsters Contract.

James Bazel	Matthew Beningaso	Brian Golla
Timothy Kelly	Dustin Martin	Stephen Partridge
James O'Brien	Robert Parker	Daniel Thurston
Anthony Toth		

Correct the 2008 base salary as stated in Resolution 07-1227.04 for Preston Godschall to \$40,104.56.

**WATER/SEWER**

Approve an annual stipend of \$1,000.00 for the year of 2008 for Dana Vickers for holding a Commercial Drivers License as per Board of Commissioner's decision, it is considered job related.

**Mayor Gove** announced the various actions to be taken.

- 8. Resolution 08-0118.05(a&b): Authorize application for various 2008 Ocean County Tourism Grants:
  - a. LBI Lifeguard in Training Tournament
  - b. Waterfest on 8/6/08

**RESOLUTION 08-0118.05(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 2008 Ocean County Tourism Annual Long Beach Island Lifeguard in Training Tournament Grant.

**RESOLUTION 08-0118.05(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 2008 Ocean County Tourism Long Beach Township Annual Waterfest Grant.

**Mayor Gove** advised these were standard grants that were applied for annually by the Township.

Motion to approve Items 4 - 8:

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

**CONTRACTS AND AWARDS**

- 9. Resolution 08-0118.06: Award a contract for HVAC repair and maintenance services, per bid: Marlee Contractors, LLC:
  - \$69.70 per man hour (straight-time)
  - \$139.40 per man hour (overtime)

**RESOLUTION 08-0118.06**

**BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that the following bid be awarded for the year 2008:

<u>Awarded to:</u>	<u>HVAC</u>	<u>Dollar Amount:</u>
<u>Term of Contract:</u>		
Marlee Contractors, LLC	1 yr. contract with a 1-year option to extend	\$69.70 per man-hour straight time \$139.40 per man-hour overtime

Emergency response time: four (4) hours; 24/7 Answering Service with two (2) technicians on-call

**Mayor Gove** explained this contract was added to the Public Agenda after the Executive Session of January 15<sup>th</sup> as repairs to the HVAC system were needed as soon as possible.

- 10. Resolution 08-0118.07(a-c): Award various proprietary contracts:
  - a. General Dynamics: Police CAD & Records Management software support and maintenance for 2008 - \$14,400.00
  - b. Edmunds & Assoc: Computer hardware and software maintenance services for 2008 - \$13,506.00
  - c. Verizon Business: Purchase, install and maintain a T-1 Line for the new telephone system - \$13,848.00

**RESOLUTION 08-0118.07(a)**

**A RESOLUTION AWARDING A PROPRIETARY CONTRACT FOR COMPUTER SOFTWARE SUPPORT AND MAINTENANCE OF THE CAD/PRW SYSTEM IN THE POLICE DEPARTMENT OF LONG BEACH TOWNSHIP**

**WHEREAS**, the provision or performance of goods or services for the support and maintenance of computer software for the CAD/PRW System in the Long Beach Township Police Department 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**, General Dynamics Information Technology, 7611 Little River Turnpike, Suite 300 East, Annandale, VA 22003 is able to provide services for the support and maintenance of computer software for the CAD/PRW System in an amount not to exceed Fourteen Thousand Four Hundred Dollars (\$14,400.00); and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Police: O / E.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that General Dynamics Information Technology be awarded a proprietary contract for the support and maintenance of computer software for the CAD/PRW System in the Long Beach Township Police Department in an amount not to exceed Fourteen Thousand Four Hundred Dollars (\$14,400.00).

**RESOLUTION 08-0118.07(b)**

**A RESOLUTION AWARDING A PROPRIETARY CONTRACT FOR COMPUTER SOFTWARE AND HARDWARE 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; and maintenance of hardware for the H/W Scanner, H/W Validator and H/W Pervasive SQL II, in an amount not to exceed Thirteen Thousand Five Hundred Six Dollars (\$13,506.00); and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available in the appropriations created by: Finance O / E, Tax Collection O / E, Municipal Clerk O / E, Water/Sewer O / E, and Shared Equipment O / E.

**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 and hardware in the Township of Long Beach in an amount not to exceed Thirteen Thousand Five Hundred Six Dollars (\$13,506.00).

**RESOLUTION 08-0118.07(c)**

**A RESOLUTION AWARDING A PROPRIETARY CONTRACT FOR THE PURCHASE, INSTALLATION AND MAINTENANCE OF A T-1 LINE FOR THE TELEPHONE SYSTEM IN THE TWP 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**, Verizon Business, 6 Concourse Parkway, Atlanta, GA 30328 is able to provide, install and maintain a T-1 line for the telephone system in an amount not to exceed Thirteen Thousand Eight Hundred Forty Eight Dollars (\$13,848.00); and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available in the appropriations created by: Ordinance 07-34 authorizing purchases for the new phone system.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that Verizon Business be awarded a proprietary contract to provide, install and maintain a T-1 line for the telephone system in the Township of Long Beach in an amount not to exceed Thirteen Thousand Eight Hundred Forty Eight Dollars (\$13,848.00).

**Mayor Gove** stated the funds for these contracts were available in the Budget.

11. Resolution 08-0118.08(a-e): Approve various Interlocal Service Agreements

a. Stafford Township: Enter into Co-op membership

**Mayor Gove** noted this Interlocal Service Agreement would be utilized for the supply of fuel.

**Commissioner Bayard** stated Ocean County Cooperative Purchasing was not able to supply fuel for the municipality this year.

b. Stafford Township: Animal Control Services for 2008

c. Ocean County: Animal Facility Services for 2008

d. Ocean County: 2008 Municipal Alliance \$22,782.00

e. Beach Storm Protection Project for Island Municipalities:

Winning Strategies – lobbying services - \$5,000.00 per month shared between the six LBI municipalities

**RESOLUTION 08-0118.08(a)**

**WHEREAS**, N.J.S.A 40A:11(5) authorizes contracting units to enter into Cooperative Pricing Agreements; and

**WHEREAS**, the Township of Stafford, hereinafter referred to as the “Lead Agency” has offered voluntary participation in a Cooperative Pricing System for the purchase of work, materials and supplies; and

**WHEREAS**, the Township of Long Beach, County of Ocean, State of New Jersey, desires to participate in the Stafford Township Cooperative Pricing System.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach as follows:

1. Pursuant to N.J.S.A. 40A:11-11(5) the Mayor and Municipal Clerk are authorized to enter into a Cooperative Pricing Agreement with the Lead Agency effective January 18, 2008 through December 31, 2008.

2. The Lead Agency entering into contracts on behalf of the Township of Long Beach shall be responsible for complying with the provisions of Local Public Contracts Law, N.J.S.A 40A:11-1 et seq., and all other provisions of the revised statutes of the State of New Jersey.

**RESOLUTION 08-0118.08(b)**

**A RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE TOWNSHIP OF STAFFORD FOR ANIMAL CONTROL SERVICES**

**WHEREAS**, the Interlocal Services Act, N.J.S.A. 40:8A-1 et seq. authorizes two or more municipalities to enter into a mutual service agreement for the provision of certain governmental services; and

**WHEREAS**, Section 4 of P.L.1973, c.208(C.40:8A-4) has been amended and approved as Chapter 356, on January 5, 1996 to authorize that such agreements can be adopted by Resolution; and

**WHEREAS**, it is deemed to be in the public interest for the Township of Long Beach to execute such an agreement with the Township of Stafford for the provision of animal control services in accordance with the terms set forth in the said Agreement; and

**WHEREAS**, the Township of Stafford has adopted a Resolution authorizing the execution of an Interlocal Agreement for the provision of animal control services to the Township of Long Beach.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey that the Mayor and Municipal Clerk are hereby authorized to execute an Interlocal Government Services Agreement with the Township of Stafford for the provision of Animal Control Services, a copy of which is attached hereto, in accordance with the provisions of law; and

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately upon adoption.

**RESOLUTION 08-0118.08(c)**

**A RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING EXECUTION OF AN INTERLOCAL SERVICES AGREEMENT WITH THE OCEAN COUNTY BOARD OF HEALTH FOR ANIMAL FACILITY SERVICES**

**WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8-1 et seq., authorizes two or more local units to enter into joint agreements for the provision of governmental services.**

**NOW THEREFORE, BE IT RESOLVED,** by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, that the Mayor and the Municipal Clerk be and they are hereby authorized and directed to execute a renewal agreement with the Ocean County Board of Health for Animal Facility Services for the year 2007.

**RESOLUTION 08-0118.08(d)**

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that Mayor DiAnne C. Gove, Director of Public Affairs & Safety and the Municipal Alliance Chairperson be and they hereby are authorized and directed to execute the Municipal Alliance agreement for the prevention of alcoholism and drug abuse with the County of Ocean for the term of January 1, 2008 to December 31, 2008 the total compensation to be received not to exceed \$22,782.00.

**RESOLUTION 08-0118.08(e)**

**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 18, 2008 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 07-1227.06.

Motion to approve Items 9 - 11:

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

**FINANCIAL APPROVALS**

12. Resolution 08-0118.09: Approve various transfers of reserve appropriations

**RESOLUTION 08-0118.09**

**WHEREAS,** the statutes provide for the making of Reserve Appropriation transfers between the period of January 01, 2008 and March 31, 2008; 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>
Sanitary Landfill O/E	7-01-26-306-029	<b>\$12,185.00</b>
<u>TO:</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
Telephone O/E	7-01-31-440-000	8,500.00
Street Lighting O/E	7-01-31-435-000	3,685.00
		<b>Total \$12,185.00</b>

**Mayor Gove** advised reserve appropriation transfers were statutorily allowed from January through March of each year.

- 13. Resolution 08-0118.10(a-c): Approve various actions by the Tax Collector
  - a. Cancel overpayment or delinquent balances of less than \$10.00 on tax and water/sewer accounts
  - b. Set interest rate to be charged and the grace period (not to exceed ten (10) calendar days) on delinquent taxes
  - c. Authorize a tax sale (no later than December 31, 2008)

**RESOLUTION 08-0118.10(a)**

**A RESOLUTION AUTHORIZING THE CANCELATION OF OVERPAYMENTS AND DELINQUENCIES OF LESS THAN \$10.00 FOR TAXES AND WATER/SEWER FEES**

**WHEREAS** NJSA 40A:5-17.1(b) authorizes a governing body to designate an authorized municipal employee to process, without further action on the part of the governing body, the cancellation of any property tax overpayment or delinquency of less than ten dollars (\$10.00).

**WHEREAS**, it will be more cost effective to cancel said overpayments and delinquent amounts.

**NOW THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Township of Long Beach, County of Ocean and State of New Jersey that the Tax Collector is hereby authorized to cancel the overpayment or delinquent balances of less than \$10.00 on the tax and water/sewer records.

**RESOLUTION 08-0118.10(b)**

**RESOLUTION FIXING THE RATE OF INTEREST TO BE CHARGED ON DELINQUENT TAXES AND SETTING THE GRACE PERIOD**

**WHEREAS**, N.J.S.A.54:4-67 governs the interest rates to be charged on delinquent taxes and allows the governing body to set a grace period not to exceed ten (10) calendar days. Payments received after the ten day grace period will have interest charged back to the due date; and

**WHEREAS**, interest on delinquent taxes may be fixed at a rate that shall not exceed 8% per annum on the first \$1,500.00 of delinquency, and 18% per annum on that portion in excess of \$1,500.00, to be calculated from the date the tax was payable until the date that actual payment to the tax collector is made.

**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. The Tax Collector is instructed that no interest shall be charged if a payment of a quarterly tax installment is received by the Tax Collector within the tenth (10<sup>th</sup>) calendar day following the date upon which that tax installment became payable. Payments received after the 10 day grace period will have interest charged back to the due date.
2. The Tax Collector is hereby authorized and directed to charge 8% per annum on the first \$1,500.00 of taxes becoming delinquent after the due date and 18% per annum on any amount of the delinquent taxes in excess of \$1,500.00.

**RESOLUTION 08-0118.10(c)**

**A RESOLUTION AUTHORIZING A TAX SALE**

**WHEREAS**, N.J.S.A. 54:5-19 provides that a municipality may, by resolution, provide for tax sale no earlier than the last month of the municipality's fiscal year when unpaid taxes or other municipal liens or charges are in arrears in the fiscal year designated in such resolution; and

**WHEREAS**, the governing body acknowledges that a tax sale shall be held no earlier than December of 2007 and no later than December 31, 2008 for the charges in arrears for the year 2007; and

**WHEREAS**, N.J.S.A. 54:5-26 provides that in lieu of any two of the four publications, notice to the property owner and to any person or entity entitled to notice of foreclosure as per N.J.S.A. 54:5-104.48 may be given. The costs of which shall be additional to the cost of sale provided in N.J.S.A. 54:5-38. The additional costs are not to exceed \$25.00 for each set of notices for a particular property.

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

1. The Tax Collector is hereby directed and authorized to conduct a tax sale no earlier than December of 2007 and no later than December 31, 2008 for unpaid taxes or other municipal liens or charges, or parts thereof, that are in arrears for the 2007 fiscal year.
2. The Tax Collector may, in lieu of any two of the four publications, send notification of the Lien Sale and said charges are not to exceed \$25.00 for each set of notices for a particular property.
3. A certified copy of this resolution shall be forwarded to the Tax Collector and Chief Financial Officer for the Township of Long Beach.

**Mayor Gove** explained 8% per annum would be charged on the first \$1,500.00 of taxes that became delinquent after the due date and 18% per annum would be charged on any amount of the delinquent taxes in excess of \$1,500.00.

14. Resolution 08-0118.11: Authorize various ImRem Tax Foreclosures

**RESOLUTION 08-0118.11**

**RESOLUTION AUTHORIZING IN REM TAX FORECLOSURE**

**WHEREAS**, the Township of Long Beach holds tax sale certificates as noted below; and

**WHEREAS**, the tax collector of the Township of Long Beach has requested the Board of Commissioners to authorize an In Rem Tax Foreclosure of the listed tax liens; and

**WHEREAS**, the Board of Commissioners of the Township of Long Beach have determined that it is in the best interest of the Township to commence an In Rem Foreclosure of the below enumerated tax liens.

**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, that the tax sale certificates as herein enumerated below now held by the Township of Long Beach before closed by the summary proceedings **IN REM, AND AS DESCRIBED BY N.J.S.A. 54:5-104.29 TO 54:5-104.71, AND PURSUANT TO THE RULES OF CIVIL PRACTICE OF THE SUPERIOR COURT OF NEW JERSEY.**

**MUNICIPAL TAX FORECLOSURE LIST**

SCH. NO	CERTIFICATE NO.	NAME OF OWNER APPEARING ON LAST TAX DUPLICATE	DESCRIPTION OF LAND AS IT APPEARS ON TAX DUPLICATE AND IN CERTIFICATE OF TAX SALE	DATE OF TAX SALE
1	00-02	James, William H.	Block 1.72 Lot 4	5-24-2000
2	00-03	Sabo, Andrew	Block 1.72 Lot 6	5-24-2000
3	00-08	London, Ida & Savits	Block 1.87 Lot 3	4-18-2001
4	00-33	Decesare, J.C., Jr. W	Block 18.128 Lot 6	4-18-2001

SCH. NO	AMOUNT OF SALE	AMOUNT OF TAX LIENS ACCRUING SUBSEQUENT TO TAX SALE INCLUDING INTEREST PENALTIES AND COSTS	AMOUNT TO REDEEM	DATE OF RECORDING CERTIFICATE	INSTRUMENT NUMBER IN COUNTY CLERK'S OFFICE
1	\$23.96	\$136.36	\$360.32*	6-15-2000	200075647 BK 10122 PG 1790
2	\$23.96	\$137.62	\$361.48*	6-15-2000	2000756487 BK 10122 PG 1719
3	\$35.23	\$298.40	\$523.63*	5-07-2001	2001060943 BK 10382 PG 0492
4	\$821.59	\$60,691.66	\$69,107.25*	5-07-2001	2001060944 BK 10382 PG. 0493

\*Redemption amounts include estimated costs and attorney's fees of \$200.00 per lien the total may be more or less as fixed by the court.

15. Resolution 08-0118.12: Authorize the cancellation of a Tax Sale Certificate

**RESOLUTION 08-0118.12**

**RESOLUTION CANCELLING A CERTAIN TAX SALE CERTIFICATE PURCHASED BY THE TOWNSHIP OF LONG BEACH AT A TAX SALE HELD NOVEMBER 29, 2005**

**WHEREAS**, the Tax Collector of the Township of Long Beach has certified to the Township of Long Beach a recommendation for the Township to bring an In Rem Tax Foreclosure against four tax sale certificates previously purchased by the Township of Long Beach; and

**WHEREAS**, there is also a fifth Tax Sale Certificate purchased by the Township of Long Beach where the owner as it appears in the last tax duplicate was listed as unknown; and

**WHEREAS**, an extensive title examination has disclosed that the Block and Lot subject to that Tax Sale Certificate has been conveyed out to various owners of adjoining property; and

**WHEREAS**, the said Tax Sale Certificate was sold to the Township for the sum of \$36.17; and

**WHEREAS**, the taxes on the said Lot 9 Block 11.36 as shown on the official Tax Map of the Township amount to less than \$1.00 a year; and

**WHEREAS**, the said Tax Sale Certificate is known as Certificate No. 04-02 and was recorded in the Ocean County Clerk's Office at Toms River, New Jersey on December 8, 2005 as Instrument no. 2005-220694 in Book 12951 at Page 0111; and

**WHEREAS**, the Township Solicitor has recommended that the cost to proceed with a foreclosure of that Tax Sale Certificate even In Rem would cost far more than the lands would be worth;

**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 18, 2008 that Tax Sale Certificate bearing number 04-02 recorded in the Ocean County Clerk's Office at Toms River, New Jersey on December 8, 2005 as Instrument no. 2005-220694 in Book 12951 at Page 0111 shall be and is hereby cancelled and the Township Solicitor for the Township of Long Beach is hereby ordered to prepare a cancellation instrument and present it to the Township Clerk who is instructed to execute the same and forward the same to the Ocean County Clerk's Office so that the said instrument may be duly cancelled of record.

16. Resolution 08-0118.13: Approve a correction to Resolution 08-0104.14:

Confidential Informant Fund

**RESOLUTION 08-0118.13**

**WHEREAS**, pursuant to Resolution 08-0104.14, the Board of Commissioners of the Township of Long Beach authorized the change of custodianship of a Petty Cash Fund in the amount of \$500.00 used by the Detective Bureau of the Long Beach Township Police Department from Lt. James Devaney to Lt. Anthony Deely; and

**WHEREAS**, the said Fund in the amount of \$500.00 is actually designated as a Confidential Informant Fund.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners hereby designates Lt. Anthony Deely as the custodian of the Confidential Informant Fund in the amount of \$500.00 utilized by the Detective Bureau of the Long Beach Township Police Department.

**Mayor Gove** noted this was referred to as a petty cash fund in error.

17. Resolution 08-0118.14: Approve Bills & Payroll  
Bills in the amount of: \$2,624,974.70  
Payrolls in the amount of: \$ 378,797.18

**RESOLUTION 08-0118.14**

**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 \$378,797.18.

**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 \$2,624,974.70 be and the same are hereby authorized to be paid on January 18, 2008.

2. The said approved payroll amounting to the sum of \$378,797.18 be and the same are hereby authorized to be paid on January 18, 2008.

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.

**Mayor Gove** stated Southern Regional School District taxes were paid.

Motion to approve Items 12 - 17:

Motion: Palmer Ayes: Bayard, Palmer, Gove

Second: Bayard Nays:

**Mayor Gove** abstained from LBI Community Center vouchers.

**Commissioner Palmer** abstained from Commerce Insurance vouchers.

**Mayor Gove** stated the Tax Collector and Treasurer's Reports for the month of December 2007 were on file in the Municipal Clerk's Office.

**PUBLIC HEARING:**

**Community Development Block Grant Applications for 2008**

**Mayor Gove announced:** Now is the time for the Public Hearing in regard to applications to be submitted for funding consideration through the 2008 Ocean County Community Development Block Grant. Legal notice of this Public Hearing was published on January 9, 2008. The deadline for applications submitted to Long Beach Township is February 1<sup>st</sup>. The next hearing shall take place on February 8<sup>th</sup> at 4:00 p.m. in the Municipal Court Room.

**OPEN PUBLIC SESSION**

No comment

**CLOSE PUBLIC SESSION**

**COMMISSIONERS' REPORTS**

**Commissioner Bayard** advised sand bags had been placed in Holgate to help stem erosion. He explained new recycling procedures for 2008 and advised copies of the trash schedule, as well as flood information would be mailed to property owners along with their Water/Sewer bills.

**Commissioner Palmer** announced he was researching a new prescription plan for municipal employees that would result in cost savings to taxpayers.

**Mayor Gove** asked the public to donate new and used CD's and DVD's to the Long Beach Township PBA for transport to military personnel stationed overseas.

**OPEN PUBLIC SESSION**

**Robert Irvine / Brant Beach** felt the Long Beach Township Police Department should provide monthly activity reports to the local newspaper similar to those of Beach Haven. He asked for the nature of Commissioner Palmer's relationship to Commerce Insurance Services, as he had abstained on Resolution 08-0118.14. Mr. Irvine then questioned a recent article in the Sandpaper regarding a recommendation that additional certifications be obtained by the Long Beach Township Beach Patrol.

**Mayor Gove** stated the Police Department prepared a monthly activity report and she would contact Chief Bradley regarding public availability.

**Commissioner Palmer** advised he was an independent insurance broker and worked with Commerce Insurance Services from time to time. He explained he planned to meet with Mr. Martin of the North Shore Lifeguard Association to obtain more information concerning their recommendation that additional certifications be obtained by the Long Beach Township Beach Patrol.

**Richard Shackleton, Esq.** explained Commissioner Palmer was not required to abstain on Commerce Insurance Services issues, but could do so at his discretion.

**Robert Irvine / Brant Beach** wanted the public to be permitted to attend Commissioner Palmer's meeting with Mr. Martin. He asked how many lifeguards were placed at each lifeguard stand in Long Beach Township.

**Commissioner Palmer** explained that the number of lifeguards per chair changed in relationship to the total number of lifeguards on staff. He asked Mr. Irvine to meet with him in his office to go over specific information.

**Commissioner Bayard** stated all lifeguards in Long Beach Township possess every certification required by the State of New Jersey.

**John Connolly / Beach Haven Crest** asked for additional information regarding Resolution 08-0118.09.

January 18, 2008

Page 9

**Mayor Gove** read the transfers authorized by Resolution 08-0118.09 aloud.

**Bill Kunz / Brant Beach** asked when the meeting with Mr. Martin of the North Shore Lifeguard Association would take place. He questioned Ordinance 08-02 as it had not been on the Executive Session Agenda dated January 15<sup>th</sup>. He thanked Commissioner Bayard for the installation of handicapped accessible door operators in the municipal complex. He supported Resolution 08-0118.10 and felt it was appropriate for the Township to charge interest on delinquent accounts.

**Commissioner Palmer** stated the meeting with Mr. Martin would take place in approximately one month.

**Mayor Gove and Richard Shackleton, Esq.** explained initially the authorization to auction riparian land was discussed as a resolution, but after consideration felt it legally prudent that it be sanctioned by ordinance.

**CLOSE PUBLIC SESSION**

Motion for adjournment at: 4:34 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.