

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS JANUARY 19, 2007
Flag Salute

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

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

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

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

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

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

AGENDA

ORDINANCES/PUBLIC HEARINGS

1. First reading Ordinance 07-01 **AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK IN 2007 (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 07-01 on First Reading:

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

2. First reading Ordinance 07-02C **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 CHAPTER 18 PERTAINS TO LAND USE PROCEDURES.**

Mayor Gove explained this would allow a total of four (4) alternate members.

Motion to approve Ordinance 07-02C on First Reading:

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

ADOPTIONS, APPROVALS, SUPPORT

3. Resolution 07-0119.01 Supporting National Red Day for Women, Feb. 2, 2007

Mayor Gove acknowledged heart disease was the leading cause of death for women.

RESOLUTION 07-0119.01

"NATIONAL WEAR RED DAY FOR WOMEN"

WHEREAS, diseases of the heart are the nation's leading cause of death and stroke is the third leading cause of death;

WHEREAS, cardiovascular diseases (CVD) are the leading cause of death among women; and

WHEREAS, heart attack, stroke and other cardiovascular diseases claim the lives of close to half a million women each year – more than the next seven causes of death combined, and nearly twice as many female lives as from all forms of cancer, including breast cancer; and

WHEREAS, the cost of cardiovascular diseases and stroke in the US is estimated at \$368 billion; and

WHEREAS, one in five females in the United States have some form of cardiovascular disease; and

WHEREAS, 64 percent of women who died suddenly of coronary heart disease had no previous symptoms of this disease; and

WHEREAS, February is designated as American Heart Month; and

WHEREAS, the American Heart Association launched the **Go Red For Women** movement to encourage women to take charge of their cardiovascular health, pay attention to their hearts and help them live longer, stronger lives by reducing their risk for cardiovascular disease.

NOW, THEREFORE, the Board of Commissioners of the Township of Long Beach in recognition of the importance of the ongoing fight against heart disease and stroke among women, does hereby proclaim Friday, February 2, 2007 to be "**National Wear Red Day for Women**".

in Long Beach Township and urge all citizens to "go red" for the day and wear red on February 2, 2007 to call attention to the magnitude of cardiovascular disease in women, and as a show of support to fight it, as well as in recognition of family, friends and neighbors who have suffered from cardiovascular disease. By increasing awareness of the risk factors for this devastating disease and taking actions to reduce them, we can save thousands of lives each year.

4. Resolution 07-0119.02: Authorize Purchasing Agent to advertise auction for wireless antenna

Mayor Gove advised the location for the site was the Holgate water tower, Block 1.19 Lots 3 & 4, and the auction would take place on February 13th at 9:30 a.m.

RESOLUTION 07-0119.02

RESOLUTION AUTHORIZING THE ADVERTISING FOR BIDS AT OPEN PUBLIC AUCTION TO LEASE TOWNSHIP WATER TANK AND GROUNDSPACE FOR WIRELESS COMMUNICATION FACILITY.

WHEREAS, the Township of Long Beach has been approached, and finds that it is in the best interest of the Township, to lease a space on its water tank and necessary ground area near the water tank located in Block 1.19, Lots 3 & 4 of the official tax map of the Township of Long Beach, owned by the Township, for a wireless communication facility, including not more than twelve (12) antennas and necessary cables and support facilities to be located with an accessory building not to exceed two hundred (200) square feet; and

WHEREAS, pursuant to the "Local Lands and Buildings Law," P.L. 1971, c.199 (C 40A:12-1 Et seq.), the governing body deems it to be in the interest of the Township for the above property to be advertised for public lease.

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

1. The above property shall be advertised for public lease pursuant to all requirements and procedures set forth in the "Local Land and Buildings Law" N.J.S.A. 40A:12-1 et seq. and therefore subject to the following:

(a) The lease shall be offered by open public bidding at auction to be held at 9:30 A.M. on Tuesday, February 13, 2007.

(b) The Purchasing Agent is hereby directed to advertise the method of bidding in a newspaper circulating in the Township of Long Beach by two (2) insertions at least once a week during two (2) consecutive weeks, the last publication no earlier than seven (7) days before bidding.

(c) The advertisement shall also state that the Township of Long Beach governing body reserves the right to accept the highest bid or to reject any and all bids, and will make its decision known by resolution no later than the second regular meeting of the governing body following the completion of the bidding, and, if the governing body shall not so accept such highest bid, or reject all bids, said bids shall be deemed to have been rejected.

(d) The advertisement shall state that the form of lease agreement to be used may be inspected at the office of the Municipal Clerk of the Township of Long Beach, 6805 Long Beach Blvd., Brant Beach, NJ 08008 during normal business hours.

(e) All bids shall be referred to the Township Board of Commissioners for review and final approval pursuant to N.J.S.A. 40A:1-14.

(f) All bids must be accompanied by a certified check or bid bond in an amount of not less than ten percent (10%) of the bid for the first year of the lease, not to exceed \$20,000.00. If the successful bidder does not execute the lease within sixty (60) days following the award, then that bidder's deposit shall be forfeited.

(g) The award of lease contract, if any, shall be conditional upon approval of the Township Engineer and the Township Building Department. Conditional successful bidder shall be required to submit sufficient information to the appropriate Township officials to analyze as to location, structural integrity, safety and other factors involved in the installation and maintenance of the facility. The Township shall make its final decision within the times permitted by N.J.S.A. 40A:12-14 and according to law. The Township of Long Beach further reserves the right to award additional leases such as herein provided in the future upon familiar terms and conditions.

(h) The Township of Long Beach will not accept bids of less than \$25,200.00 per annum for the initial five (5) year lease term. Each of the four (4) five (5) year renewal options to be set forth in the lease shall include rental escalator clauses for each renewal of ten percent (10%) over the previous lease term amount.

(i) The lease required to be signed shall provide for initial five (5) year terms with four (4) five (5) year renewal options with rental escalator clauses, reasonable access to facilities by the lessee, lessee appropriate maintenance and requirements for insurance obligations.

(j) The Township makes no representations whatsoever regarding the lease site, it is the bidder's sole responsibility to make that determination.

5. Resolution 07-0119.03 Approve appointments of Local Emergency Planning Committee and Hazardous Mitigation Planning Committee members

Mayor Gove stated this was a one-year appointment.

RESOLUTION 07-0119.03

WHEREAS, the Township of Long Beach Office of Emergency Management is required by the State of New Jersey to appoint a Local Emergency Planning Committee (LEPC); and

WHEREAS, the following individuals have agreed to serve as members of the LEPC:

DiAnne Gove	Mayor
Bonnie Leonetti	Municipal Clerk / Administrator
Michael Bradley	Chief of Police
Leslie Houston	Deputy Chief of Police
Steven Melega	Deputy Emergency Management Coordinator
Carol Cerbone	Long Beach Township OEM
Lynda Wilkie	Long Beach Township OEM
JoAnne Tallon	Long Beach Township OEM
John Hall	Beach Haven First Aid Squad
George Schnell	Ship Bottom Volunteer Fire Company
Sue Parker	Long Beach Island Health Department
Thomas Walsh	Long Beach Township CERT Coordinator
Connie Becraft	St. Francis Community Center
Jessica Hoffman	Business Owner
Maria Scandale	Media Representative
David Southwick	Marina Owner
Bill Knarre	Taxpayer Group Representative
Tom Yurkevicz	Long Beach Township DPW
Michelle Degeso	Police Senior Telephone Operator
James Hartman	Police & Long Beach Twp. Emergency Mgt.

WHEREAS, in order to comply with State of New Jersey and Ocean County funding requirements a Hazardous Mitigation Planning Committee (HMPC) is hereby appointed and comprised of the above-named individuals with public meetings to be held concurrently with the LEPC on the following dates and times:

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 19, 2007:

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 FIFTY FIVE DOLLARS (\$55.00) 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 supersede all prior resolutions fixing fees to be charged for off-duty police employment and be retroactive to January 1, 2007.

Motion to approve Items 3 thru 9 :

Motion: Bayard Ayes: Bayard, Gove

Second: Gove Nays:

CONTRACTS AND AWARDS

10. Resolution 07-0119.08 Approve award of various Professional Service Contracts for 2007: Conflict Attorney, LOSAP, Beach Protection Project, Municipal Prosecutor, Alt. Prosecutors, Construction Consultant, Labor & Contract Negotiating Counsel, Auditor, Bond Attorney, Water & Sewer Consulting Engineer

RESOLUTION 07-0119.08

RESOLUTION AUTHORIZING AWARD OF CONTRACTS FOR PROFESSIONAL SERVICES

WHEREAS, the Township of Long Beach has a need to acquire various professional services as 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 contracts without competitive bidding for various professional services pursuant to NJSA 40A:11-5(a)(a)(i). Such contracts and resolutions are 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 services are recognized professions, which professions are regulated by law; and

WHEREAS, those listed below completed and submitted Business Entity Disclosure Certifications which certify that they have 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; and

WHEREAS, the Board of Commissioners of Township of Long Beach has determined and certified in writing that the value of the services will likely 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 contracts for one year or as per specific contract terms, or until reappointment or new appointment is made, with the Professionals listed below as described herein; and

<u>NAME</u>	<u>DESCRIPTION OF SERVICES</u>	<u>AMOUNT</u>
Magee & Magee, LLP	General Conflict Attorney, LOSAP, and Beach Protection Project	Hourly Max. \$170.00
Steven A. Zabarsky, Esq.	Municipal Prosecutor	Max. \$22,367.60
RPL Consulting, LLC	Construction Consulting	Mth. Min. \$7,500.00 Mth. Max. \$7,762.50
Doug Jones, Esq. Robert Greitz, Esq. & James Fennesy, Esq.	Alt. Municipal Prosecutors	Max \$22,367.60
Robert A. Greitz, Esq.	Labor & Contract Neg. Counsel	Hourly \$125.00
William E. Antonides & Co.	Auditor	Hourly Max. \$110.00
Parker McCay, P.A.	Bond Attorney Statement Prep(hrly) Bond Sales	\$85.00 to \$225.00 Max \$20,000.00
Schoor DePalma	Water & Sewer Engineering Consulting Services	Hourly Max \$145.00

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 appointments and have same published at least once in the official newspaper of the Township of Long Beach and shall keep the resolution and contracts on file for public inspection.

11. Resolution 07-0119.09 Authorize award of contract by quote to Phil Hart Electrical Contractor, Inc. for repair work at Peahala Park & Brant Beach Water Treatment Plants (\$4,650.00)

RESOLUTION 07-0119.09

A RESOLUTION AWARDING A CONTRACT FOR REPAIR WORK AT THE BRANT BEACH AND PEAHALA PARK WATER TREATMENT PLANTS IN THE TOWNSHIP OF LONG BEACH, PER QUOTATION

WHEREAS, in accordance with N.J.S.A. 40:A11-6.1, the Long Beach Township Beach Water Department solicited quotations for repairs at the Brant Beach and Peahala Park Water Treatment Plants; and

WHEREAS, in response to the invitation for solicitation two (2) quotations were received; and

WHEREAS, the quotations were reviewed by the Board of Commissioners of the Township of Long Beach and it was determined that Phil Hart Electrical Contractor, Inc. provided the lowest qualified quotation in accordance with the specifications, said quotation in the amount of Four Thousand Six Hundred Fifty Dollars (\$4,650.00); and

WHEREAS, it is in the public interest of the Township of Long Beach to award a contract to Phil Hart Electrical Contractor, Inc. for repairs at the Brant Beach and Peahala Park Water Treatment Plants; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Water/Sewer Other Expenses.

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 this 19th day of January 2007 that the Mayor and the Municipal Clerk are hereby authorized to execute a contract with Phil Hart Electrical Contractor, Inc., 50 West Bay Avenue., Manahawkin, NJ 08050 in an amount not to exceed Four Thousand Six Hundred Fifty Dollars (\$4,650.00).

12. Resolution 07-0119.10(a-d) Authorize award of following contracts per state contract:

- ASAP Software Express for purchase of computer software for the Police Department (\$5,621.48)
- Dell Marketing LP for purchase of computer hardware for the Police Department (\$3,849.64)
- Dell Marketing LP for purchase of computer hardware for the Police Department (\$15,019.11)
- Anteon Corp. for purchase of Police CAD Software (\$46,000.00)

Mayor Gove explained these costs have been incurred as a result of the consolidation of dispatch services with the Borough of Beach Haven, and that reimbursement would be available to Long Beach Township through the SHARE Grant.

RESOLUTION 07-0119.10(a)

AUTHORIZE A CONTRACT WITH ASAP SOFTWARE EXPRESS FOR THE PURCHASE OF COMPUTER SOFTWARE FOR THE LONG BEACH TOWNSHIP POLICE DEPARTMENT, 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 units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, ASAP Software Express, PO Box 95414, Chicago, IL 60694 has been awarded New Jersey State Contract No. 56508 for computer software for the Police Dept. effective August 29, 2003 through August 28, 2007; and

WHEREAS, the Commissioner of Public 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 actual cost of the computer software is Five Thousand Six Hundred Twenty One Dollars and Forty Eight Cents (\$5,621.48); and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this contract in the appropriation created by the SHARE Grant

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that ASAP Software Express be awarded a contract for the purchase of one (1) VLA SQL Server ENT 2005 WIN32 ENGLISH, two (2) VLA SQL CAL 2005 WIN32 PER DEVICE ENGLISH, and one (1) SQL Server ENT 2005 WIN32 ENGLISH CD/DVD MEDIA ONLY in an amount not to exceed Five Thousand Six Hundred Twenty One Dollars and Forty Eight Cents (\$5,621.48).

RESOLUTION 07-0119.10(b)

AUTHORIZE A CONTRACT WITH DELL MARKETING, LP FOR THE PURCHASE OF COMPUTER HARDWARE FOR THE LONG BEACH TOWNSHIP POLICE DEPARTMENT, 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 units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, Dell Marketing LP, Dept. 0747, PO Box 12001, Dallas, TX 75312-0747 has been awarded New Jersey State Contract No. 81247 for computer hardware for the Police Dept. effective July 1, 1997 through June 30, 2007; and

WHEREAS, the Commissioner of Public 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 actual cost of the computer hardware is Three Thousand Eight Hundred Forty Nine Dollars and Sixty Four Cents (\$3,849.64); and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this contract in the appropriation created by Police Other Expenses.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that Dell Marketing LP be awarded a contract for the purchase of computer hardware pursuant to their quotation dated January 9, 2007 in an amount not to exceed Three Thousand Eight Hundred Forty Nine Dollars and Sixty Four Cents (\$3,849.64).

RESOLUTION 07-0119.10(c)

AUTHORIZE A CONTRACT WITH DELL MARKETING, LP FOR THE PURCHASE OF COMPUTER HARDWARE FOR THE LONG BEACH TOWNSHIP POLICE DEPARTMENT, PER STATE CONTRACT, NUNC PRO TUNC

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 units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, Dell Marketing LP, Dept. 0747, PO Box 12001, Dallas, TX 75312-0747 has been awarded New Jersey State Contract No. 81247 for computer hardware for the Police Dept. effective from July 1, 1997 through June 30, 2007; and

WHEREAS, the Commissioner of Public 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 actual cost of the computer hardware is Fifteen Thousand Nineteen Dollars and Eleven Cents (\$15,019.11); and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this contract in the appropriation created by Share Grant.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, Nunc Pro Tunc, that Dell Marketing, LP be awarded a contract for the purchase of computer hardware pursuant to their quotation dated January 9, 2007 in an amount not to exceed Fifteen Thousand Nineteen Dollars and Eleven Cents (\$15,019.11).

RESOLUTION 07-0119.10(d)

AUTHORIZE A CONTRACT WITH ANTEON CORPORATION, A SUBSIDIARY OF GENERAL DYNAMICS CORPORATION, FOR THE PURCHASE POLICE CAD SOFTWARE FOR THE LONG BEACH TOWNSHIP POLICE DEPARTMENT, 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 units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, Anteon Corporation, a subsidiary of General Dynamics Corporation, 3211 Jermantown Road, Fairfax, VA 22030 has been awarded New Jersey State Contract No. A81196 for Police CAD software for the Police Dept. for the period from 7/1/97 through 6/30/07; and

WHEREAS, the Commissioner of Public 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 actual cost of the computer software is Forty Six Thousand Dollars (\$46,000.00); and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this contract in the appropriation created by Share Grant and Police Other Expenses.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that Anteon Corporation be awarded a contract for the purchase of Police CAD software pursuant to their proposal dated November 11, 2006 in an amount not to exceed Forty Six Thousand Dollars (\$46,000.00).

13. Resolution 07-0119.11(a&b): Authorize Interlocal Agreements with Ocean County for Schedule C 2007
- (a) Road paving & Engineering Services
 - (b) Bulkhead Construction

RESOLUTION 07-0119.11(a)

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 \$405,000.00; 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 \$400,000.00 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.
4. This Agreement shall take effect upon full execution by the parties and shall remain in full force and effect through December 31, 2007. Sufficient funds will be appropriated and will be available for this purpose upon adoption of the municipal budget under Schedule "C" Other Expenses and through an adopted bonding ordinance.
3. 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

RESOLUTION 07-0119.11(b)

RESOLUTION AUTHORIZING EXECUTION OF INTERGOVERNMENTAL AGREEMENT WITH THE COUNTY OF OCEAN FOR BULKHEAD REPLACEMENTS UNDER SCHEDULE C

WHEREAS, the County of Ocean has created and established a program to assist municipalities and governmental agencies in the repair and / or replacement of bulkheads 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 to replace two (2) bulkheads within the municipality at a cost not to exceed \$47,000.00; 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 replacement of bulkheads at the bayfronts of Coghlan and Baltic Avenues, in an amount not to exceed \$47,000.00.
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, 2007. Sufficient funds have been appropriated and are available for this purpose in Ordinance 06-18.
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

14. Resolution 07-0119.12(a&b) Authorize Interlocal Agreements with municipalities:
 - (a) Authorize Interlocal Agreements with Island Heights Police Dept. for Mobil Data Terminal Service
 - (b) Authorize Interlocal Agreement with Stafford Township for animal control services for 2007

RESOLUTION 07-0119.12(a)

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 INTERLOCAL SERVICES AGREEMENTS WITH VARIOUS LAW ENFORCEMENT AGENCIES FOR MOBIL DATA TERMINAL LOOK-UP SERVICES

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8A-1 et seq. authorizes the Township of Long Beach to enter into contracts for the provision of certain governmental services with other municipalities; and

WHEREAS, N.J.S.A. 40:8A-4 requires such contracts to be authorized by resolution; 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 an interlocal government services agreement, effective January 19, 2007 through December 31, 2007, for the aforesaid services with the following agency at a rate of \$75.00 per Mobile Data Terminal or other device connected to the MDT system server:

- Borough of Island Heights Police Department

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 interlocal government service agreement with the abovementioned agency and with other municipalities that may desire participation 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.

RESOLUTION 07-0119.12(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.

Motion to approve Items 10 thru 14:

Motion: Bayard Ayes: Bayard, Gove

Second: Gove Nays:

FINANCIAL APPROVALS

15. Resolution 07-0119.13 Approve various transfers of reserve appropriations

RESOLUTION 07-0119.13

WHEREAS, the statutes provide for the making of Reserve Appropriation transfers between the period of January 01, 2007 and March 31, 2007; 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>
Garbage & Trash O/E	6-01-26-305-100	\$2,130.00

<u>TO:</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
Public Works O/E	6-01-26-310-100	2,050.00
Emergency Management	6-01-25-252-100	80.00
	Total	\$2,130.00

16. Resolution 07-0119.14 Authorize interest rate on delinquent taxes and set grace period

Mayor Gove noted there would be a ten-day grace period and that interest would accrue at a rate of 18% per annum.

RESOLUTION 07-0119.14

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. That 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 (10th) 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. That 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.

17. Resolution 07-0119.15 Authorize a tax sale

Mayor Gove announced this would take place in April 2007.

RESOLUTION 07-0119.15

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 a tax sale must be held no earlier than December of 2006 and no later than December 31, 2007 for the charges in arrears for the year 2006; 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 2006 and no later than December 31, 2007 for unpaid taxes or other municipal liens or charges, or parts thereof, that are in arrears for the 2006 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.
18. Resolution 07-0119.16 Request approval of a Dedication by Rider in accordance with N.J.S.A. 40A:4-39 for the Revenue & Expenses of Land Use Developer and Escrow Fees

Mayor Gove stated this would allow escrowed revenues to be expended by the Township and replenished for projects approved by the Land Use Board.

RESOLUTION 07-0119.16

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, REQUESTING APPROVAL OF A DEDICATION BY RIDER IN ACCORDANCE WITH N.J.S.A.40A:4-39 FOR THE REVENUE AND EXPENSES OF LAND USE DEVELOPER ESCROWS AND FEES

WHEREAS, the Township of Long Beach has various revenues and expenses from Land Use Board applicants seeking approval of development applications, according to the fee schedule of the Township Code; and

WHEREAS, N.J.S.A. 40:55D-53.1 et. seq., provides for the payment of a municipality's professional fees and costs from deposited land use developer escrows and fees; and

WHEREAS, N.J.S.A. 40A:4-39 permits a municipality to include in its annual budget a Dedication by Rider, subject to the prior written consent of the Director of the State Division of Local Government Services; and

WHEREAS, said Dedication by Rider may be created for dedicated revenues anticipated during the fiscal year from any dog tax, dog license, revenues collected for school transportation, solid fuel license, sinking fund for term bonds, bequest, escheat, federal grant, motor vehicle fine dedicated to road repairs, relocation costs deposited into a revolving relocation assistance fund, fees collected in connection with recreation programs, receipts from franchise assessments, refund payments from a joint insurance fund, and, subject to the prior written consent of the director, other items of like character when the revenue is not subject to reasonably accurate estimate in advance; and

WHEREAS, said land use developer escrow and fee revenues and expenditures are not subject to reasonably accurate estimate in advance; and

WHEREAS, it is the desire of Long Beach Township to create by Dedication of Rider, a specific dedicated fund for the revenues and expenditures of land use developer escrows and fees.

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 Board of Commissioners do hereby authorize a Dedication by Rider as follows:
 - "The dedicated revenues anticipated during the year 2007 from land use developer escrows and fees are hereby anticipated as revenue and are hereby appropriated for the purposes to which said revenue is dedicated by statute or other legal requirement."

Said dedicated revenues included in this resolution shall be available for expenditure by the Township of Long Beach as and when received in cash during the fiscal year.
2. That this Dedication by Rider is subject to the prior written approval of the Director of the Division of Local Government Services.
3. That certified copies of this resolution shall be forwarded to the State Division of Local Government Services, the Township Auditor and the Township Chief Financial Officer.

19. Resolution 07-0119.17 Approve Bills & Payroll
- | | |
|----------------------------|----------------|
| Bills in the amount of: | \$4,832,271.67 |
| Payrolls in the amount of: | \$ 341,376.26 |

RESOLUTION 07-0119.17

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 \$341,376.26.

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

1. The said approved vouchers amounting to the sum of \$4,832,271.67 be and the same are hereby authorized to be paid on January 19, 2007.
2. The said approved payroll amounting to the sum of \$341,376.26 be and the same are hereby authorized to be paid on January 19, 2007.

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, in order to vote on vouchers that presented a conflict of interest, invoked the Doctrine of Necessity as Commissioner Palmer was absent from the meeting.

Motion to approve Items 15 thru 19:

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

Mayor Gove stated the Tax Collector Reports for the months of November and December 2006, and the Treasurers Report for December 2006, were on file in the Municipal Clerk's Office.

