

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS JANUARY 22, 2010
Flag Salute

Meeting came to order: 4:05 p.m.

Clerk called the roll: Mayor Joseph H. Mancini PRESENT
Commissioner Ralph H. Bayard PRESENT
Commissioner William P. Knarre PRESENT

Also in attendance: Bonnie M. Leonetti, Municipal Clerk, Administrator
Lynda J. Wells, Deputy Municipal Clerk
Katharine M. 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 30th 2009; and filed with the Municipal Clerk.

AGENDA

PROCLAIM: Long Beach Township's participation in the Mayor's Wellness Campaign

1. Resolution 10-0122.01: Approve the 2010 Temporary Capital Budget

Bonnie M. Leonetti, Municipal Clerk, Administrator stated this included the purchase of a roll-off truck and Schedule "C" paving expenses.

RESOLUTION 10-0122.01

WHEREAS, the Division of Local Government Services requires the adoption of a Local Capital Budget; and

WHEREAS, the local capital budget for the year 2010 has not yet been adopted; and

WHEREAS, it is desired to adopt a Temporary Capital Budget for the year 2010; and

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the following capital appropriations be made as per the attached table; and

BE IT FURTHER RESOLVED that the above items will be provided for in the 2010 Capital Budget; and

BE IT FINALLY RESOLVED that three certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

Motion to approve Item 1:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

ORDINANCES/PUBLIC HEARINGS

2. Second Reading Ordinance 09-36: **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".**

Bonnie M. Leonetti, Municipal Clerk, Administrator advised this was the annual salary range ordinance.

Passed on first reading at a regular meeting held on December 30th 2009 and advertised in the BEACH HAVEN TIMES issue of January 6th 2010.

ORDINANCE 09-36

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 IS THE ANNUAL ADJUSTMENT TO SALARY RANGES FOR ALL EMPLOYEES. NEW JERSEY DEPARTMENT OF PERSONNEL REQUIRES THAT EVERY POSITION HAS A RANGE ESTABLISHED THAT EACH SALARY WILL FALL WITHIN.

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

SECTION 1. 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:

<u>ADMINISTRATIVE AND EXECUTIVE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Mayor	10,000.00	20,000.00
Secretary to Mayor	3000.00	5,000.00
Commissioner	8,000.00	18,000.00
Secretary to Commissioner	3000.00	5,000.00
Municipal Clerk	50,000.00	125,000.00
Municipal Business Administrator	14,000.00	125,000.00
Deputy Municipal Clerk	35,000.00	60,000.00
Assistant Municipal Clerk	30,000.00	55,000.00
Deputy Municipal Department Head	40,000.00	105,000.00
Chief Financial Officer	40,000.00	100,000.00
Chief Financial Officer, part-time	20,000.00	50,000.00
Municipal Treasurer	40,000.00	70,000.00
Municipal Treasurer, part-time	17,500.00	50,000.00
Assistant Municipal Treasurer	35,000.00	65,000.00
Personnel Clerk	25,000.00	55,000.00
Principal Payroll Clerk	35,000.00	55,000.00
Senior Payroll Clerk	30,000.00	50,000.00

Payroll Clerk	25,000.00	45,000.00
Confidential Assistant	25,000.00	40,000.00
Administrative Clerk	25,000.00	35,000.00
Principal Account Clerk	35,000.00	55,000.00
Senior Account Clerk	30,000.00	50,000.00
Account Clerk	25,000.00	50,000.00
<u>ASSESSMENT OF TAXES</u>		
Tax Assessor	40,000.00	85,000.00
Deputy Tax Assessor	35,000.00	60,000.00
Assistant Assessor	30,000.00	52,000.00
Principal Assessing Clerk	30,000.00	50,000.00
Senior Assessing Clerk	30,000.00	45,000.00
Assessing Clerk	25,000.00	40,000.00
Assessing Aid	25,000.00	40,000.00
<u>COLLECTION OF TAXES</u>		
Tax Collector	40,000.00	85,000.00
Assistant Municipal Tax Collector	25,000.00	50,000.00
Senior Tax Clerk	25,000.00	40,000.00
Tax Clerk	25,000.00	35,000.00
<u>STATE UNIFORM CONSTRUCTION CODE</u>		
Code Enforcement Officer/Zoning Officer	25,000.00	50,000.00
Construction Official	35,000.00	85,000.00
Assistant Zoning Officer	25,000.00	35,000.00
Code Enforcement Officer	25,000.00	40,000.00
Building Subcode Official	25,000.00	60,000.00
Building Subcode Official, part-time, per hour	7.25	25.00
Building Inspector	25,000.00	65,000.00
Building Inspector, part-time	10,000.00	30,000.00
Building Inspector, part-time, per hour	7.25	30.00
Permit Clerk	25,000.00	35,000.00
Technical Assistant to the Construction Official	25,000.00	55,000.00
<u>MUNICIPAL COURT</u>		
Judge of the Municipal Court	25,000.00	45,000.00
Municipal Court Administrator	35,000.00	70,000.00
Deputy Municipal Court Administrator	30,000.00	55,000.00
Docket Clerk	25,000.00	45,000.00
Violations Clerk	25,000.00	45,000.00
Violations Clerk, part-time, per hour	7.25	15.00
Public Defender	2,500.00	10,000.00
Municipal Prosecutor	23,000.00	40,000.00
<u>WATER/SEWER DEPARTMENT</u>		
Municipal Engineer	40,000.00	85,000.00
Water & Sewer Utilities Superintendent	30,000.00	80,000.00
Sewer Superintendent/Water Superintendent	25,000.00	65,000.00
Water Treatment Plant Superintendent	30,000.00	85,000.00
Supervising Water Treatment Plant Operator	30,000.00	80,000.00
Water Treatment Plant Operator	25,000.00	80,000.00
Supervisor Sewer/Supervisor Water	30,000.00	80,000.00
Supervising Pumping Station Operator	25,000.00	65,000.00
Assistant Water Treatment Plant Operator	25,000.00	75,000.00
Plumber	30,000.00	70,000.00
Senior Public Works Repairer	30,000.00	65,000.00
Public Works Repairer	30,000.00	65,000.00
<u>BOARD OF HEALTH</u>		
Health Officer	50,000.00	120,000.00
Public Health Nurse Supervisor	30,000.00	80,000.00
Public Health Nurse Supervisor, part-time, per hour	7.25	50.00
Public Health Nurse	25,000.00	70,000.00
Public Health Nurse, part time, per hour	7.25	40.00
Graduate Nurse (Public Health)	30,000.00	65,000.00
Graduate Nurse (Public Health), part-time, per hour	7.25	45.00
Senior Sanitary Inspector	25,000.00	55,000.00
Sanitary Inspector	25,000.00	45,000.00
Sanitary Inspector, part-time, per hour	7.25	35.00
Sanitary Inspector Trainee	25,000.00	40,000.00
Health Aide, part-time, per hour	7.25	30.00
Water Sample Collector, part-time, per hour	7.25	30.00
<u>MISCELLANEOUS TOWNSHIP SERVICES</u>		
Clerk	23,000.00	50,000.00
Clerk, Part-time, per hour	7.25	25.00

Senior Clerk	25,000.00	50,000.00
Senior Clerk (Stenographer)	25,000.00	55,000.00
Clerk-Typist	25,000.00	45,000.00
Clerk-Typist, part-time, per day	35.00	70.00
Clerk-Typist, part-time, per hour	7.25	20.00
Senior Clerk-Typist	25,000.00	55,000.00
Senior Clerk-Typist (Stenographer)	25,000.00	55,000.00
Principal Clerk Typist	25,000.00	50,000.00
Private Clerk	25,000.00	50,000.00
Cashier	25,000.00	40,000.00
Senior Cashier	25,000.00	60,000.00
Deputy Registrar of Vital Statistics	3,000.00	5,000.00
Office Supervisor	25,000.00	45,000.00
Secretary, Board/Commission	25,000.00	45,000.00
Assistant Secretary, Board/Commission	25,000.00	35,000.00
Technical Assistant Land Use	25,000.00	35,000.00
Receptionist, part-time, per hour	7.25	25.00
Receptionist	23,000.00	30,000.00
Laborer	25,000.00	60,000.00
Laborer, part time, per hour	7.25	40.00
Parking Lot Attendant, part-time, per hour	7.25	17.50
Beach Supervisor	35,000.00	100,000.00
<u>BEACH PATROL SEASONALS</u>		
Beach Attendant, part-time, per hour	7.25	20.00
Lifeguard, part-time, per day	30.00	130.00
Lifeguard Chief, part-time, per day	70.00	195.00
Lifeguard Assistant Chief, part time, per day	70.00	180.00
Lifeguard Captain, part time, per day	60.00	160.00
Lifeguard Lieutenant, part time, per day	50.00	140.00
Lifeguard Assistant Lieutenant, part-time, per day	40.00	125.00
Beach Badge Program Supervisor, full-time, per day	90.00	150.00
Beach Badge Program Supervisor, part-time, per hour	7.25	25.00
Beach Badge Program Senior Supervisor, part-time, per hour	7.25	25.00
Beach Badge Program Assistant Supervisor part-time, per hour	7.25	20.00
Beach Badge program Seller/Checker, part-time, per hour	7.25	15.00
<u>POLICE DEPARTMENT</u>		
Police Chief	120,000.00	150,000.00
Deputy Police Chief	110,000.00	140,000.00
Police Captain	105,000.00	120,000.00
Police Lieutenant	95,000.00	110,000.00
Police Sergeant	85,000.00	105,000.00
Police Officer	32,000.00	95,000.00
Special Police Officer Class I part-time, per hour	7.25	17.50
Special Police Officer Class II part-time, per hour	10.00	20.00
Special Police Officer Class III part-time, per hour	10.00	20.00
Senior Police Records Clerk Typing	27,000.00	40,000.00
Police Records Clerk Typing	24,000.00	35,000.00
Academy Attendee, per hour	7.25	20.00
Chief Public Safety Telecommunicator	48,000.00	55,000.00
Senior Public Safety Telecommunicator	23,000.00	60,000.00
Public Safety Telecommunicator, Trainee	23,000.00	40,000.00
Public Safety Telecommunicator, Trainee, per hour	8.00	16.00
Public Safety Telecommunicator	23,000.00	50,000.00
Public Safety Telecommunicator, part-time, per hour	8.00	20.00
<u>PUBLIC WORKS AND PROPERTY</u>		
Street Superintendent and Superintendent Public Works	40,000.00	95,000.00
Assistant Superintendent of Public Works Supervisor, Public Works	30,000.00	95,000.00
Supervisor, Parks	35,000.00	85,000.00
Supervisor, Parks	40,000.00	65,000.00
Assistant Supervisor, Parks	35,000.00	60,000.00
Senior Building Maintenance Worker	25,000.00	40,000.00
Building Maintenance Worker	25,000.00	45,000.00

Building Maintenance Worker,
part-time, per hour 7.25 20.00

ROAD REPAIRS AND MAINTENANCE

Supervisor, Roads	30,000.00	70,000.00
Supervising Road Inspector	35,000.00	80,000.00
Supervisor, Streets	25,000.00	70,000.00
Supervising Mechanic	40,000.00	85,000.00
Senior Mechanic	30,000.00	70,000.00
Mechanic	25,000.00	70,000.00
Mechanic's Helper	25,000.00	60,000.00
Supervising Heavy Equipment Operator	40,000.00	80,000.00
Heavy Equipment Operator	30,000.00	70,000.00
Equipment Operator	25,000.00	65,000.00
Supervisor, Recreation Maintenance	45,000.00	70,000.00
Assistant Supervisor, Recreation Maintenance	30,000.00	47,500.00
Supervising Maintenance Repairer	35,000.00	70,000.00
Senior Public Works Repairer	30,000.00	65,000.00
Public Works Repairer	30,000.00	60,000.00
Sanitation Inspector	25,000.00	50,000.00

SECTION II. All Ordinances inconsistent with the terms of this Ordinance are to the extent or such inconsistency, superseded and repealed. In the event that any section, sentence or clause of this Ordinance shall be declared unconstitutional by a court of competent jurisdiction, such declaration shall not in any manner prejudice the enforcement or the remaining provisions.

SECTION VI. This ordinance shall take effect retro-active to January 1, 2010.

OPEN PUBLIC HEARING

No comment

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 09-36 on Second Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

3. Resolution 10-0122.02: Approve an amendment to Ordinance 10-01C

Bonnie M. Leonetti, Municipal Clerk, Administrator noted the amendment changed neither the language nor the intent of the ordinance.

RESOLUTION NO. 10-0122.02

RESOLUTION AMENDING AND ADOPTING ORDINANCE NO. 10-01C ENTITLED "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 51-12 pertains to the maintenance of beach dune area" IN ORDER TO MAKE IT MORE CLEAR THAT SECTION 51-12 OF THE CODE OF THE TOWNSHIP OF LONG BEACH IS AMENDED BY THE REPEAL OF SECTION 51-12 AND THE ADOPTION OF A NEW SECTION 51-12.

FIRST WHEREAS, Ordinance 10-01C was duly adopted on first reading 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 8, 2010; and

SECOND WHEREAS, the said Ordinance repeals Section 51-12 of an ordinance entitled "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" as the same in §51-12 pertains to the maintenance of beach dune area; and

THIRD WHEREAS, the repealer could have been and perhaps should have been more clearly and definitively stated; and

FOURTH WHEREAS, the repealer was stated in Section II of said Ordinance; and

FIFTH WHEREAS, the repealer will be more clearly and definitively stated by the insertion in Section 1 in said Ordinance of the following language before the new §51-12:

§51-12 of an Ordinance entitled "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby repealed and in lieu and instead thereof the following is hereby adopted:

SIXTH WHEREAS, the amendment of Ordinance 10-01C by the insertion of the express repealer language makes no substantive change whatsoever in said Ordinance.

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 22, 2010 that Ordinance No. 10-01C entitled "**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 51-12 pertains to the maintenance of beach dune area**" is hereby amended by the insertion in Section 1 thereof an introductory paragraph as follows:

"§51-12 of an Ordinance entitled "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby repealed and in lieu and instead thereof the following is hereby adopted:and as so amended Ordinance No. 10-01C entitled **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 51-12 pertains to the maintenance of beach dune area** shall be and is hereby adopted on second reading.

Second Reading Ordinance 10-01C: **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 SECTION 51-12 PERTAINS TO THE MAINTENANCE OF BEACH DUNE AREA.**

Bonnie M. Leonetti, Municipal Clerk, Administrator explained this ordinance clarified and tightened property owners' requirements for the maintenance of the beach dune area and provided an exception to the requirement for property owners to maintain the beach dune area where they had already executed their deed of easement for access.

Passed on first reading at a regular meeting held on January 8th 2010 and advertised in the BEACH HAVEN TIMES issue of January 13, 2010.

Mayor Mancini cautioned speakers to a three-minute maximum for their comments. Additional comments from each speaker would be permitted once every interested party had a chance to speak.

Motion to approve Item 3:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

OPEN PUBLIC HEARING

Ken Porro, Esq. / Tuckerton & Paramus, NJ presented a letter of objection to the Board of Commissioners, as well as a Tort Claim Notice. He explained the basis of his objections from legal and judicial decisions. He commented on dune height and various reasons his clients were opposed to Ordinance 10-01C. He asked that the Board of Commissioners meet with him to further discuss the ordinance.

John Keenan / Beach Haven Gardens was a new property owner who had not seen or received a deed of easement. He was concerned with the possibility that boardwalks would be permitted on Long Beach Township beaches after the deed was executed, and that perspective buyers would not be able to obtain a mortgage for these lots.

Robert Cochrane / Brighton Beach felt he was being coerced and harassed into signing the deed of easement. He objected to the language in the deed document. He read excerpts from the D.E.P. Handbook and various definitions he felt pertinent to the matter to the Board of Commissioners.

Hank DiPasquale, Brant Beach thanked the Board of Commissioners for their wise and sensible actions that benefitted all Long Beach Township and Long Beach Island residents.

Bernie Gallagher / Brant Beach advised the Board of Commissioners he objected to the Ordinance, not to the height of the dunes.

Mary Jean Potenzzone / Brighton Beach & High Bar Harbor felt she was being railroaded into the execution of her deed of easement. She believed the Township was unreasonable, she noted she was an attorney, and she rejected the wording of the deed document.

Mary DiRogatis / North Beach asked the wording of the deed be changed and wanted it to simply address beach maintenance.

Mayor Mancini stated there were 489 oceanfront properties, and three times as many bayfront properties in Long Beach Township. The bayfront property owners did not receive municipal funds to maintain their bulkheads, however oceanfront property owners had their beach and dune restored from erosion at a cost to all Township taxpayers.

John Weber / Beach Haven Surfriders Organization shared advice about beach replenishment projects he had obtained from an expert in North Carolina. He provided a sample copy of a temporary easement for a similar project in North Carolina and felt Long Beach Township should demand the same from the D.E.P. and Army Corp of Engineers.

Rick Jones / North Beach Haven thanked the Board of Commissioners for approving Ordinance 10-01C and believed the majority of Long Beach Township taxpayers were in favor of its final adoption.

Dorothy Jedziniak / Ship Bottom felt the affected residents were looking out for their own interests as oceanfront property owners. She was not in favor of the ordinance and felt it should be a "limited license".

Katie Shackleton, Esq., Municipal Solicitor provided information about specific wording in the deed document.

Dick Jeffries / Beach Haven Terrace had not heard any negative comments from oceanfront property owners in Surf City or Harvey Cedars after receiving the replenishment project. He spoke about previous damaging storms on Long Beach Island. He admonished oceanfront owners who had not executed their deeds of easement to stop thinking only about themselves, and to consider the many other residents of Long Beach Island as well.

Judy Golden / Loveladies was concerned with a proposed road that would encroach on her property.

Steve Guarino / Loveladies noted recent storms had not impacted the Surf City replenishment project. Homes in that area that had not received restoration were not badly affected by the November nor'easter. He stated flooding occurred on Long Beach Island due to the bay, not the ocean, and large storms would damage the dunes regardless of replenishment efforts. He was not in favor of a larger dune, and felt beachgoers did not want to walk across large dunes to get to the ocean.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 10-01C as amended on Second Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

4. Second Reading Ordinance 10-02C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997) CREATING A NEW CHAPTER 22 ENTITLED PERSONNEL POLICIES**

Bonnie M. Leonetti, Municipal Clerk, Administrator stated this ordinance created a new chapter in the Code of the Township of Long Beach in compliance with Federal and State Laws, and established Township Policy in connection with those laws. It would eventually incorporate all policies formerly approved by Resolution or various Ordinances to encompass all regulations affecting Township employees.

ORDINANCE 10-02C

AN ORDINANCE AMENDING AN ORDINANCE entitled, "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" by the addition of a new Chapter, Chapter 22 entitled "Personnel Policies of the Township of Long Beach".

**THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LONG BEACH DOES ORDAIN:
STATEMENT OF PURPOSE**

This ordinance creates a new chapter in the Code of the Township of Long Beach in compliance with Federal and State Laws, and to establish Township Policy in connection with those laws and other personnel issues.

SECTION I

The “**CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)**” is hereby amended by the addition of a new Chapter as follows:

CHAPTER 22

PERSONNEL POLICIES OF THE TOWNSHIP OF LONG BEACH

ARTICLE I

Section 22-1. FAMILY & MEDICAL LEAVES OF ABSENCE

Family and medical leave will be provided in accordance with the provisions of applicable state and federal family and medical leave laws. An employee may be eligible for Family/Medical Leave as set forth in the federal Family and Medical Leave Act, 29 U.S.C. § 2601 *et seq.*, (“FMLA”) and/or the New Jersey Family Leave Act, N.J.S.A. 34:11B-1 *et seq.* (“NJFLA”). Please note that leaves covered by both laws are run at the same time to the extent legally permissible. This policy shall apply absent an express provision of a collective bargaining or other written agreement between the Township and a majority representative addressing the same topic(s).

A. Available Family/Medical Leaves

1. An eligible employee may be granted a family/medical leave:
 - a. For the birth or adoption of a child of the employee and to care for the newborn child;
 - (1) leaves will not be granted on an intermittent or reduced leave schedule.
 - (2) entitlement for such leave will expire at the end of the 12 month period beginning on the child’s date of birth or placement;
 - b. For placement with the employee of a child for foster care;
 - (1) leaves will not be granted on an intermittent or reduced leave schedule;
 - (2) entitlement for such leave will expire at the end of the 12 month period beginning on the date of adoption or placement;
 - c. To care for the employee’s spouse, son, daughter or parent with a serious health condition;
 - d. To care for the employee’s parent in-law or civil union partner with a serious health condition;
 - e. For a serious health condition that makes the employee unable to perform an essential function of the employee’s job;
 - f. To care for the employee’s spouse, son, daughter, parent or next of kin who is a covered service member of the Military suffering from a serious illness or injury sustained or aggravated in the line of duty on active duty that render the covered service member medically unfit to perform the duties of their office, grade, rank or rating;
 - g. To care for the employee’s spouse, son, daughter, parent or next of kin who is a veteran of the Military undergoing medical treatment, recuperation or therapy for a serious injury or illness sustained or aggravated in the line of duty on active duty which manifested itself before or after becoming a veteran provided the veteran was a member of the Military at anytime within five (5) years from the date of treatment, recuperation or therapy.
 - h. For qualifying exigencies listed below when an employee’s spouse, son, daughter or parent is on covered active duty, or notified of a call or order to a covered active duty:
 - (1) Short notice deployment.
 - (2) Military events and activities.
 - (3) Child care and school activities.
 - (4) Financial and legal arrangements.
 - (5) Counseling sessions.
 - (6) Rest and recuperation.
 - (7) Post deployment activities and events.
 - (8) Additional activities that arise out of active duty of a covered service member provided that the Township agrees that such leave qualifies as a covered exigency, and agrees to the timing and duration of the leave.
2. FMLA and/or NJFLA leave shall not extend an individual’s contract beyond the expiration of their contract.
3. In order for an employee to be eligible for a family/medical leave for the purposes of paragraphs 1 (a), (c) and (d) above, the employee must have been
 - a) least 1,000 base hours during the preceding 12 month period.
4. In order for an employee to be eligible for leave for the purposes of paragraphs 1 (b), (e), (f), (g) and (h) above, the employee must have been employed for 12 months prior to the commencement of the leave by the Township and worked at least 1,250 working hours during the preceding 12 month period. Separate periods of employment will be considered toward meeting the 12 months of required employment for FMLA leave provided that the break in service does not exceed 7 years unless it was due to service in the National Guard or Reserve military service.
5. Any leave granted by the Township for one of the above mentioned reasons will be counted against an eligible employee’s leave under the FMLA and any State law(s) which provide(s) for unpaid or paid leave under the same circumstance(s).

6. An eligible employee may be entitled to up to 12 weeks of leave for circumstances described within paragraphs 1 (a) through (e) and (g) above, and for a combined total of up to 26 weeks of leave for circumstances described within paragraph 1 (f) and (g) above.
7. If the family/medical leave is granted for reasons described within paragraphs 1 (c), (d), (e) (f) or (g) above, the leave may be granted on an intermittent or reduced schedule if medically necessary. Employees requesting a family/medical leave are expected to consult with the Township Clerk in order to arrange a treatment schedule which best suits the needs of the employee and the Township. Employees must make a reasonable effort to schedule the treatment, either for themselves or others, so as not to unduly disrupt the Township's operations. Intermittent or reduced schedule leave may also be granted for a qualifying exigency as described within paragraph 1 (h) above and detailed elsewhere within this policy.
8. If an employee requests an intermittent or reduced leave schedule that is foreseeable based on a planned medical treatment, the Township may require the employee to temporarily transfer to an alternative position for which the employee is qualified in order to accommodate any recurring periods of leave. Employees transferred in such circumstances will receive equivalent salary and benefits.

B. Procedures

1. Employee Notice & Medical Certification Requirements

- (a) An employee must notify the Township Clerk in writing and provide a written medical certification at least 30 days in advance for foreseeable leaves due to his or her own serious health condition, to care for a seriously ill family member or a seriously ill covered service member. Please provide yourself with adequate time to make sure you provide the required written medical certification no later than thirty (30) days **before** the date the leave is to commence. If you do not provide thirty (30) days notice, you are required to explain your failure to do so to the Township Clerk. When an employee becomes aware of a need for family leave less than thirty (30) days in advance, the employee must provide notice either the same day or the next business day.
- (b) For foreseeable leave due to a qualifying exigency involving a covered service member, an employee must notify the Township Clerk as soon as practicable regardless of how far in advance such leave is foreseeable. An employee must submit a written certification with supporting documentation.
- (c) If the need for the leave is not foreseeable, the employee or the employee's spokesperson is required to give notice as soon as practical (within one or two business days). Under such emergent conditions, the employee is responsible for promptly providing the Township Clerk with written confirmation of any oral notice of the basis for the leave and, absent extenuating circumstances recognized by law, must provide the Township Clerk with a written medical or other certification within 15 calendar days from the date of the unforeseen circumstances prompting the need for such leave.
- (d) An employee's written request for leave and required certification must also be delivered by the employee to the Township Clerk. The employee must permit the Township Clerk or, at the Township's discretion, a health care provider retained by the Township, to obtain authentication and/or clarification of all medical certifications.
- (e) All certifications must be submitted in a timely manner or leave may be delayed, denied or terminated. Depending upon the circumstances, further medical opinions may be required by the Township at its expense.
- (f) A medical certification must be completed, in its entirety, by a licensed health care provider and provide all information required on the certification form. Likewise, other certification forms must be entirely completed and submitted with all required supporting documentation.
- (g) Proof of a family relationship may be required, at the Township's discretion, to support an employee's family leave request.
- (h) Failure to provide required information, certifications, authorizations or releases as required by this policy or permitted by law may result in the delay, denial or termination of the leave as well as disciplinary action, up to and including termination.
- (i) The employee must notify the Township Clerk at least every thirty (30) days, or such shorter intervals as directed by the Township Clerk, of the status of the health condition that provided the basis for the leave and the employee's intent to return to work. Unless otherwise precluded by the form of leave, the Township Clerk shall inform the employee if s/he will be required to provide notification at shorter intervals than thirty (30) days prior to the commencement of the employee's leave. During a covered leave, the employee must also provide requested medical re-certifications to the Township Clerk and in all medical leaves involving the serious health condition of the employee or the employee's family member, the employee must submit a recertification every six (6) months.
- (j) If the employee decides not to return to work, s/he must immediately notify the Township Clerk.
- (k) Absent extenuating circumstances, the Township Clerk will, within five (5) days from the date it receives notice from the employee, transmit a letter notifying the employee of the employee's eligibility for FMLA/NJFLA leave and the effective date for the commencement of FMLA/NJFLA leave.

C. Duration of Leave

1. An employee's FMLA/NJFLA leave for circumstances described within paragraph B.1. (a) through (e) above will not exceed twelve (12) work weeks during any rolling twelve (12) month period under the FMLA or any rolling twenty-four (24) month period under the NJFLA. A rolling method measures backward from the date an employee uses family/medical leave in order to determine the amount, if any, of leave time available under either or both laws. Where an employee's family/medical leave is covered under the FMLA and the NJFLA, the twelve (12) weeks of leave time under each law will be exhausted simultaneously to the extent permitted by law. For example, if an employee who is eligible under both laws seeks a leave covered by both laws, the employee's leave would be limited to a total leave of twelve (12) work weeks assuming the employee did not previously use leave time which would result in a combined total limit of less than twelve (12) work weeks.
2. An employee's family/medical leave for circumstances described within paragraph B.1. (f) and (g) will not exceed twenty-six (26) work weeks during a single twelve (12) month period measured forward from the date an employee uses family/medical leave. Family/medical leave used for other covered FMLA circumstances will be deducted from the twenty-six (26) work weeks of leave time. Other covered FMLA leave circumstances shall not exceed a total of twelve (12) work weeks even if it is used during the twelve (12) month military caregiver leave period.
3. An employee's FMLA leave for circumstances described within paragraph B.1. (h) above will not exceed twelve (12) work weeks during any rolling twelve (12) month period measured backward from the date an employee uses family/medical leave and is limited to the following basis:
 - (a) Short notice deployment. Any issue in the event that the covered military member is notified of an impending call or order to active duty in support of a contingency operation seven or less days prior to deployment. This leave commences from the date of notification to the covered service member and may be taken for up to seven (7) days.
 - (b) Military events and activities. This leave is available for the duration of the event.
 - (c) Child care and school activities when necessitated by active duty or call to active duty. This leave does not include childcare provided on a routine, regular or everyday basis.
 - (d) To make or update financial and legal arrangements to address the covered service member's absence or to act as the covered service member's representative before any agency in connection with military service benefits. This leave is available from the date of notification of the covered service member until ninety (90) days after the termination of the covered service member's active service.
 - (e) Counseling sessions necessitated by the active duty or call to active duty status of the covered service member.
 - (f) Rest and recuperation. Leave is available for up to five (5) days to spend time with a covered service member who is on a short term, temporary rest and recuperation period during deployment.
 - (g) Post deployment military sponsored activities occurring up to ninety (90) days after the termination of the covered service member's active service, or for issues related to the demise of a covered service member.
 - (h) Additional activities that arise out of active duty of a covered service member provided that the Township agrees that such leave qualifies as a covered exigency, and agrees to the timing and duration of the leave.
4. Where applicable, only the amount of family/medical leave actually taken intermittently or on a reduced leave schedule will be charged against an employee's leave entitlement. Under the NJFLA, intermittent leave shall not exceed a twelve (12) month period and reduced schedule leave shall not exceed a twenty-four (24) week period.
5. To the extent permitted by law, an eligible husband and wife employed by the Township will be limited to a combined total of twelve (12) or, when applicable, twenty-six (26) work weeks, of family/medical leave time under paragraphs 1 (b), (e), (f), (g) and (h).

D. Coordinating Paid And Unpaid FMLA/NJFLA Leave

1. If an employee is on a leave because of the employee's own serious health condition, the employee must use any accrued sick leave for the period of their medical disability. Once an employee's accrued sick time has been exhausted, the employee must use any remaining accrued paid leave time, such as vacation time, until it is exhausted. If an employee is on leave for any of the other reasons provided above, the employee must use other accrued paid leave time, such as vacation time, until it is exhausted. In instances where the employee is receiving income replacement through another source (examples: New Jersey Paid Family Leave, worker's compensation, or temporary disability benefits) the employee shall only be required to exhaust paid time off in the order noted above to the extent required by that income replacement source. If not required by the income replacement source, an employee may elect to use accrued paid time off, in the

order and manner noted above, to supplement income replacement up to the employee's ordinary full salary. Once applicable accrued paid leave time is exhausted the balance of the family/medical leave shall be unpaid. The use of accrued paid leave time will not extend an employee's twelve (12) week family/medical leave period. Intermittent family/medical leave time, when permitted, is on an unpaid basis. In accordance with law, the Township shall make deductions on an hourly basis for reduced or intermittent family/medical leave taken by eligible exempt (salaried) employees.

2. If an employee is on a family/medical leave, the employee's medical benefits will continue for the period of protected family/medical leave on the normal cost-sharing basis provided the employee is enrolled in the particular plan prior to commencement of the leave and continues to pay the required contributions during the course of the family/medical leave. Any employee who fails to make such payments may have such benefits terminated. Any employee who has questions concerning health benefits should contact the Township Clerk.
3. An employee absent from work and receiving Worker's Compensation, Paid Family Leave, or benefits pursuant to a comparable program or legal mandate, the Township will count the absences from work against any leave entitlement the employee may have under FMLA and/or NJFLA.

E. Employment While on Leave

Employees are prohibited from performing any services on a full time basis for any entity or person for whom the employee did not provide services immediately prior to commencement of FMLA or NJFLA leave. Employees may continue part time employment that commenced prior to FLMA or NJFLA leave at the same number of hours regularly scheduled prior to such leave.

F. Return From Leave

- (1) When an employee returns from a family/medical leave within the twelve (12) week period or, where applicable, twenty-six (26) week period, the employee will return to the employee's own job, or an equivalent position offering equal pay, benefits and working conditions, unless otherwise allowed by law. However, an employee has no greater right to reinstatement, continued employment or other benefits than if they had been continuously employed during the family/medical leave period.
- (2) If the family/medical leave was for an employee's own serious health condition, the employee must submit a fitness for duty certificate from the employee's doctor prior to returning to work.
- (3) If an employee fails to return to work at the conclusion of a family/medical leave and no further leave has been applied for and granted (in writing), the employee may be disciplined up to and including termination.
- (4) If an employee fails to return to work following an FMLA leave, for a reason other than (1) the continuation, recurrence or onset of a serious health condition which would otherwise entitle the employee to FMLA leave; or (2) other circumstances beyond the employee's control, the employee shall be required to reimburse the Township for the health premiums paid on behalf of the employee during the FMLA leave period. The employee will also be required to reimburse the health insurance premiums in the event the employee returns to work for less than thirty (30) days.

G. Fitness for Duty Certification Prior to Return to Work

For all medical leaves due to the employee's own serious health condition a fitness-for-duty certificate is required prior to being restored to employment. If such certification is not provided, the employee's return to work may be delayed until the certification is provided.

H. Discrimination, Interference and Retaliation

No person who makes a good faith application or use of FMLA and/or NJFLA leave shall be subject to discrimination or retaliation in any form nor shall anyone interfere with the exercise of a person's FMLA or NJFLA rights. If a person believes they have been subjected to a violation of this policy, the Township urges the individual to promptly report it directly to either the Commissioner in Charge of their Department or the Township Clerk.

Retaliation can take different forms including, but not limited to, discouraging the filing, pursuit or participation in the investigation of a complaint made to the Township, or a Federal or State agency, as well as written or oral statements, conduct, threats of harm or intimidation, or other behavior which negatively affects a person's work environment, pay, or other terms, conditions or privileges of employment with the Township.

SECTION 22-2. New Jersey Paid Family Leave

A. The State of New Jersey provides up to six (6) weeks of Family Leave Insurance benefits. Under that law, benefits are payable to covered employees from the New Jersey State Plan (Note, the Township does not have a private plan for this benefit) to:

1. **Bond with a child** during the first twelve (12) months after the child's birth, if the covered individual or the domestic partner or civil union partner of the covered individual, is a biological parent of the child, or the first twelve (12) months after the placement of the child for adoption with the covered individual.
2. **Care for a family member with a serious health condition** supported by a certification provided by a health care provider. Claims may be filed for six consecutive weeks, for

intermittent weeks or for forty-two (42) intermittent days during a twelve (12) month period beginning with the first date of the claim.

B. Family member means a child, spouse, domestic partner, civil union partner or parent of a covered individual.

C. Child means a biological, adopted, or foster child, stepchild or legal ward of a covered individual, child of a domestic partner of the covered individual, or child of a civil union partner of the covered individual, who is less than nineteen (19) years of age or is nineteen (19) years of age or older but incapable of self-care because of mental or physical impairment.

D. Employees intending to take leave to bond with a newborn or newly adopted child must provide the Township Clerk with a minimum of thirty (30) days notice prior to commencement of the New Jersey paid family leave. Failure to provide this notice will result in a two (2) week (14 day) reduction in the employee's maximum Family Leave Insurance benefits entitlement for the twelve (12) month period unless the time of the leave is unforeseeable or the time of the leave changes for unforeseeable reasons.

E. Employees intending to take leave to care for a seriously ill family member on a continuous, non-intermittent basis must provide the Township with prior notice of the family leave in a reasonable and practicable manner, unless an emergency or other unforeseen circumstance precludes prior notice.

F. Employees intending to take leave to care for a seriously ill family member on an intermittent basis must provide the Township Clerk with a minimum of fifteen (15) days notice prior to the commencement of the intermittent family leave unless an emergency or other unforeseen circumstance precludes prior notice.

G. Employees covered under the New Jersey State Plan can obtain additional information pertaining to the program and an application for Family Leave Insurance benefits (Form FL-1) by visiting the Department of Labor and Workforce Development's web site at www.nj.gov/labor, by telephoning the Division of Temporary Disability Insurance's Customer Service Section at (609) 292-7060, or by writing to the Division of Temporary Disability Insurance, PO Box 387, Trenton, NJ 08625-0387.

Please note, as with all other benefits that provide income replacement (e.g., TDB, worker's compensation) this benefit provides only income replacement but does not provide job protection while absent from work or a right of reinstatement to your position. Any questions concerning this benefit, the effect of absences from work or reinstatement, can only be addressed by the Township Clerk.

Article II

Township of Long Beach 2010 Employment Policies

SECTION 22-3. Key Contacts

The following policies identify certain individuals by that person's official title. A list of "Key Contacts" which specifically identifies each individual holding each job title specified along with their contact information will be prepared and distributed by the Township Clerk and, as necessary, updated and redistributed from time to time.

A. Protected Class Status Defined

From time to time within this document, as well as others, reference may be made to "protected class status" which means an individual's race, color, sex, religion, creed, national origin, ancestry, affectional and sexual orientation, gender identity or expression, political, domestic partnership, civil union or marital status, atypical hereditary or cellular blood trait, genetic information, citizenship, veteran status, age, physical or mental disability, or other basis, characteristic or trait prohibited by federal or state law.

B. Equal Employment Opportunity (EEO) Policy

The Township of Long Beach (the "Township") is an Equal Opportunity Employer (EOE). The Township does not discriminate in matters of hiring, promotion, transfer, discharge, pay, fringe benefits, terms, conditions or other matters of employment on the basis of race, color, sex, religion, creed, national origin, ancestry, affectional and sexual orientation, gender identity or expression, political, domestic partnership, civil union or marital status, atypical hereditary or cellular blood trait, genetic information, citizenship, veteran status, age, physical or mental disability, or other basis, characteristic or trait prohibited by law ("protected class"), except where such considerations are bona fide occupational qualifications or are otherwise permitted by law. Additionally, the Township does not discriminate based upon association with a member of a protected class. Regardless of when or where it takes place, ***if you have a good faith believe*** that you have, or another individual has, been subjected to unlawful discrimination, harassment or unfair treatment, please use the Compliant Reporting Procedure detailed below. If you learn that a vendor, contractor, or other non-employee believes they have been subjected to discriminatory or unlawful treatment by the Township or its employees, please promptly report the matter in accordance with the Complaint Reporting Procedure detailed below. All employees of the Township share in the responsibility for assuring that by their personal actions the policies are effective and apply uniformly to everyone.

Any employee involved in unlawful discrimination or harassment will be subject to corrective action up to and including termination.

C. Anti-Discrimination & Anti Harassment Policy

The Township does not tolerate any form of unlawful discrimination or harassment in the workplace because of a person's protected class status (as defined above). Additionally, the Township does not tolerate unlawful discrimination or harassment based upon an individual's association with a member of a protected class. The Township expects all employees, Township Officials, Department Heads, supervisors, to treat other individuals including other employees, as well as volunteers, guests, vendors, suppliers, contractors, other non-employees and others not directly connected with the Township (collectively referred to as "non-employees") with respect and courtesy, both in their speech and in their conduct. Likewise, the Township expects all non-employees to treat our employees with respect and courtesy in their speech and conduct.

If any employee of the Township forms a good faith belief that he or she is the victim of unlawful discrimination or harassment by another employee or by a person not employed by the Township or if an employee learns of unlawful harassment or discriminatory treatment of another, the Township strongly encourages the employee to report the matter to their supervisor, the Township Clerk or the Commissioner in Charge of their Department, as soon as possible in accordance with the Complaint Reporting Procedure provided below. The Township strongly encourages its employees to promptly report any harassment, threats or acts of intimidation experienced or witnessed on or off its premises which is connected to the Township. All complaints will be investigated to the extent warranted, and all employees contacted are expected to cooperate in the investigation. Similarly, during the course of or in connection with their employment by the Township, employees are prohibited from engaging in unlawful discrimination or harassment against non-employees. This policy applies to all incidents of unlawful harassment or discrimination including instances which occur off premises or off-hours. Also, it does not matter whether improper conduct takes place on or off Township premises or before or after work hours since, while the conduct may not be unlawful, the employee's behavior negatively reflects upon the Township.

Discussed below are a few examples of the type of conduct prohibited by the Township which is followed by the Complaint Reporting Procedure. Unlawful harassment or discrimination includes:

1. Unwelcome sexual advances: Unwelcome sexual advances mean and include any type of request for sexual favors, and all other verbal or physical conduct of a sexual or otherwise offensive nature, directed at an employee because of that person's sex, sexual or affectional orientation, gender identity or expression, or sexual preference especially where and if the following are also involved:

(a) submission to such conduct is made either explicitly or implicitly a term of condition of employment; or

(b) submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment; or such conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment.

(c) sexual harassment can include harassment between individuals of the same gender.

(d) sexual harassment may include, but is not limited to, repeated offensive or unwelcome sexual advances; subtle or overt pressure for sexual favors; sexual jokes; verbal comments or innuendo of a sexual nature; propositions or advances; graphic commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling, touching, pinching or other physical touching; suggestive, insulting or obscene comments or gestures; display of sexually suggestive objects or pictures.

2. Unlawful discrimination, including but not limited to unlawful harassment, includes a wide range of obvious and subtle comments and conduct. Depending on the circumstances, it may include, but is not limited to, comments, jokes, insults, slurs, derogatory statements, drawings, pictures or cartoons, innuendoes, other statements or conduct directed at or treatment of another based upon their protected class status or association with a member of a protected class. Unlawful harassment can be verbal or written.

This policy, and the Complaint Reporting Procedure that follows, applies to all employees and non-employees. This policy prohibits employees and non-employees from engaging in or encouraging unlawful discrimination or harassment of Township employees in violation of this policy.

All employees of the Township share in the responsibility for assuring that by their personal actions the policies are effective and apply uniformly to everyone. Any employees involved in unlawful discrimination will be subject to corrective action up to and including termination.

D. Anti-Retaliation

No person who reports unlawful harassment, discrimination, retaliation or other unlawful conduct, or who furnishes information or testimony with respect to the occurrence of such matters, shall be subject to retaliation in any form from the Township, Township Officials, Department Heads, supervisors, employees, volunteers or other non-employees. Regardless of when or where it takes place, if you have a good faith reasonable belief that you have been subjected to, or become aware of another individual who has been subjected to, retaliation in violation of this policy, the Township urges you to promptly report it directly to the Township Clerk or the Commissioner in Charge of your Department. Retaliation can take different forms including, but not limited to, discouraging the making, filing, pursuit or participation in an investigation of a complaint made to the Township or a Federal or State agency, as well as written or oral statements, conduct, threats of harm or intimidation, or other behavior which negatively effects a person's work environment, pay, or other terms, conditions or privileges with the Township. If an employee or non-employee makes a complaint about you, do not take any action or otherwise engage that individual with respect to their complaint. Instead, allow the Township to address the matter in order to avoid another issue or dispute from arising. The Township forbids any form of retaliation against an employee or non-employee for making a complaint. All Township employees share in the responsibility for assuring that by their personal actions the Township's policies are effective and apply uniformly to everyone. Accordingly, any Township Officials, Department Heads, supervisors or other employees involved in retaliation will be subject to corrective action up to and including termination. The Township will likewise take appropriate action for retaliatory acts committed by outsiders which are directed at a Township employee.

E. Complaint Reporting Procedure

This complaint procedure applies to all employee or non-employee complaints or reports of improper conduct involving discrimination, harassment, retaliation, threats of harm or intimidation or other matters involving the Township.

For instances involving you personally, the Township encourages you to communicate directly with the alleged wrong doer, and make it clear that his/her behavior is unacceptable, but you are not required to do so.

In all instances, any employee who feels that he or she is a victim of, witnesses or wishes to report any of the conduct identified within the Township's EEO or Anti-Discrimination & Anti-Harassment Policies, by any employee or a non-employee, should bring the matter to the immediate attention of his/her supervisor. If that would prove to be uncomfortable, or in the event the alleged perpetrator is your supervisor, or if your complaint concerns retaliation or a violation of the Township's Whistle Blower or Anti-Retaliation Policies then the complaint should be reported directly to the Township Clerk or the Commissioner in charge of your Department. Every effort will be made to promptly investigate all allegations of unlawful discrimination, harassment or retaliation as confidentially as possible and to take appropriate corrective action, if warranted. This is not a guarantee that all matters will remain confidential as to all persons at all times.

Any employee who is determined, after an investigation, to have engaged in conduct which violates this or another Township policy will be subject to appropriate disciplinary action, up to and including discharge.

F. Whistle Blower Policy

The Township is dedicated to its obligations under Federal and State laws and will not tolerate retaliatory action or reprisal (e.g. demotion, suspension, termination or other retaliatory action) against an employee who refuses to participate in unlawful or unethical activity, discloses unlawful activity or reports acts of discrimination or unlawful harassment.

Among other things, the Township does not allow retaliation or reprisal against an employee based upon the following:

- (a) The employee discloses or threatens to disclose to a supervisor or to a public body an activity, policy or Township that the employee reasonably believes is in violation of a law, a rule or regulation promulgated pursuant to law;
- (b) The employee provides information to, or testifies before any public body conducting an investigation, hearing, an inquiry into any violation of law, or a rule or regulation promulgated pursuant to law; or
- (c) The employee objects to, or refuses to participate in any activity, policy, or Township that the employee reasonably believes is a violation of a law, rule or regulation promulgated pursuant to law; is fraudulent or criminal; or is incompatible with a clear public policy mandate concerning the public health, safety, or welfare.

If you have a complaint of this nature, questions or desire further information please promptly contact the Township Clerk or the Commissioner in charge of your Department.

Employees are encouraged to raise any issues or conduct they perceive to be improper. All complaints will be taken seriously and promptly investigated.

SECTION II

When adopted on final reading, the Township Clerk shall thereafter arrange for and distribute the policies herein to Township employees. The Township Clerk shall also distribute the following Township policies to contractors, vendors, volunteers and other non-employees as deemed necessary or prudent: Key Contacts, protected Class Status, EEO, Anti-Discrimination & Anti-Harassment, Anti-Retaliation and Complaint Reporting Procedure policies as well as the Key Contacts list.

SECTION IV

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

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

SECTION V

This Ordinance shall take effect upon publication thereof after final passage according to law except that the Township's Family and Medical Leaves policy shall not take effect until sixty (60) days after distribution to employees and then except as otherwise provided for by an express term of a collective bargaining agreement.

Passed on first reading at a regular meeting held on January 8th 2010 and advertised in the BEACH HAVEN TIMES issue of January 13, 2010.

OPEN PUBLIC HEARING

No comment

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 10-02C on Second Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

5. Second Reading Ordinance 10-03C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" BY THE ADDITION OF A NEW CHAPTER, CHAPTER 80 ENTITLED "CHEMICAL APPLICATIONS HAVING THE POTENTIAL FOR ADVERSE IMPACT ON THE WATERS SURROUNDING LONG BEACH TOWNSHIP AND THE NATURAL RESOURCES OF LONG BEACH ISLAND."**

Bonnie M. Leonetti, Municipal Clerk, Administrator advised this ordinance created a new chapter in the Code of the Township of Long Beach that regulated the application of chemicals which may adversely impact the waters surrounding Long Beach Township. The intent of this Ordinance was to regulate and control applications of chemicals, particularly fertilizers, which may be washed into or carried into the

waters surrounding Long Beach Township as a result of rain runoff and snow melt. This specific Ordinance addressed particularly fertilizers and especially those which contain high levels of phosphorous. Passed on first reading at a regular meeting held on January 8th 2010 and advertised in the BEACH HAVEN TIMES issue of January 13, 2010.

ORDINANCE 10-03C

AN ORDINANCE AMENDING AN ORDINANCE entitled, "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" by the addition of a new Chapter, Chapter 80 entitled "Chemical applications having the potential for adverse impact on the waters surrounding Long Beach Township and the Natural Resources of Long Beach Island."

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

STATEMENT OF PURPOSE

This ordinance creates a new chapter in the Code of the Township of Long Beach regulating the application of chemicals which may adversely impact the waters surrounding Long Beach Township and the natural resources of Long Beach Island. Of particular concern are the waters of Barnegat Bay, Great Bay, Manahawkin Bay, Little Egg Harbor Bay and the Atlantic Ocean. The intent of this Ordinance is to regulate and control applications of chemicals, particularly fertilizers, which may be washed into or carried into the waters surrounding Long Beach Township as a result of rain runoff and snow melt. This specific Ordinance addresses particularly fertilizers and especially those which contain high levels of phosphorous.

SECTION I

Chapter 80 of an Ordinance entitled "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby amended by the addition of a new Chapter as follows:

CHAPTER 80

REGULATION OF CHEMICAL APPLICATIONS HAVING THE POTENTIAL FOR ADVERSE IMPACT ON THE WATERS SURROUNDING LONG BEACH TOWNSHIP AND THE NATURAL RESOURCES OF LONG BEACH ISLAND

ARTICLE 1

Chemical Fertilizers

Section 80-1. Findings.

- A. The Board of Commissioners of the Township of Long Beach desiring to promote and regulate matters which benefit the health, safety and welfare of the citizens of the community are aware of numerous scientific reports which have demonstrated that the improper and excessive application of fertilizers and fertilizer products may have an adverse impact on surface waters and ground waters. The United States Environmental Protection Agency, the State of New Jersey Department of Environmental Protection and numerous environmental organizations have recognized that one of the major factors which are detrimentally impacting the bays, lagoons, estuaries, marshes, wetlands, fish nurseries and ground water on and surrounding Long Beach Township is non-point source pollution. The same groups have determined that the sources of non-point pollution include among other things the runoff of chemicals and related substances originating from the improper application of fertilizers.
- B. The Board of Commissioners of the Township of Long Beach is aware that the geological compositions of the soils in Long Beach Township consist primarily of sand and sandy soil which have little ability to remove nitrates, phosphates, nutrients and other common ingredients found in chemical fertilizers. The Township Board of Commissioners is also aware that common fertilizers which are readily available in retail stores are regularly applied on residential and commercial properties throughout Long Beach Township by property owners and landscapers. The Board of Commissioners is further aware that there are no Federal, State, County nor local laws regulating or restricting the application of such products.
- C. It is accepted by the scientific community that excess phosphorous, a common element in many chemical fertilizers, into the waterways surrounding Long Beach Township may cause accelerated growth of algae and other aquatic vegetation which may interfere with the naturally occurring aquatic life in such waterways, recreational use thereof, fisheries and aquaculture. The accelerated algae growth and aquatic vegetation has been shown to have a detrimental effect on the waterways through, *inter alia*, oxygen depletion and temperature increase and that these detrimental impacts threaten individual animal species and may cause a reduction in the diversity of life living in the waters.
- D. A continuation or exacerbation of the above noted adverse impacts which may be traced to improper fertilizer application have significant potential to cause detrimental impact on the economy of Long Beach Township and further cause potential risks to the health, safety and welfare of the citizens of Long Beach Township. As a result of the foregoing the Board of Commissioners of the Township of Long Beach believes that it is desirable that the Township enact an Ordinance which will restrict the improper application of fertilizer products and also advise the public and landscaping operators who perform services in the Township of the proper timing and methods for fertilizer application.

Section 80-2. Definitions.

- A. APPLICATOR- any person who applies fertilizer products to soils or turf.
- B. FERTILIZER- a material containing one or more recognized plant nutrients, which is used for its plant nutrient content, and that is designed for use or claimed to have value in promoting plant growth, and which is offered for sale, or intended for sale.
- C. IMPERVIOUS SURFACE/IMPERVIOUS LOT COVERAGE – surface covering the natural earth which covering inhibits water percolation into the natural earth, thereby causing surface water to drain off the site of the surface covering rather than be absorbed into the soil constituting the lot upon which the surface covering is placed.
- D. LANDSCAPE PROFESSIONAL- a person or business that, in exchange for pay, goods, services or other considerations, applies fertilizer to soils or turf.

- E. PHOSPHOROUS FERTILIZER – any fertilizer that contains phosphorous expressed as p2 o5, with a guaranteed analysis of greater than zero; except that it shall not be considered to include manipulated animal, vegetable manures, bio-solid fertilizers, agricultural liming materials or wood ashes that have not been modified to increase their nutrient content. The phosphorous percentage in a fertilizer product is included on the packaging, which contains three #s (e.g. “26-0-3), with the phosphorous percentage as the middle number. A zero in the middle means no phosphorous, while a “2” or a “3” means low phosphorous.
- F. SOIL TEST – a technical analysis of soil conducted by an accredited soil testing laboratory.
- G. WATERBODY- the Atlantic Ocean, Barnegat Bay, Great Bay, Manahawkin Bay, and Little Egg Harbor Bay as well as the various lagoon, canals and estuaries entering any of the foregoing.

Section 80-3. Prohibited Conduct.

The following conduct shall be prohibited within the Township of Long Beach.

- A. The application of fertilizer to an impervious surface. Fertilizer inadvertently applied to an impervious surface must be immediately swept into the target surface or returned to its original container or another appropriate container for reuse or disposal. Failure to provide and undertake immediate cleanup as is herein required shall be prohibited conduct.
- B. The application of fertilizer between December 15th and February 15th or if the ground is frozen.
- C. The deposit of grass clippings, leaves or other vegetative debris into waterbodies, retention or detention areas, drainage ditches or stormwater drains, or onto impervious surfaces except during scheduled cleanup programs.
- D. The application of fertilizer in excess of the manufacturers recommended rate.
- E. The application of any phosphorous fertilizer except as demonstrated by a need for specific soils in accordance with a soil test and the associated annual fertilizer recommendation issued by the Rutgers Cooperative Research and Extension.
- F. Application of Fertilizer within 24 hours of any rainfall consisting of one half inch of rain or more within a single 24 hour period.

Section 80-4. Permitted Applications.

The following uses and applications of phosphorous fertilizers shall be and are hereby permitted:

- 1. Where vegetation is being established upon initial planting, such as where the virgin soil has been disturbed, provided that the application is made in accordance with the requirements established under the Soil Erosion and Sediment Control Act, *N.J.S.A. 4:24-39 et seq.* and any regulations lawfully adopted pursuant thereto.
- 2. The re-establishment or repair of turf after substantial damage has occurred thereto.
- 3. Applying phosphorous fertilizer that delivers liquid or granular fertilizer under the surface of the soil directly to the feeder roots of the vegetation being fertilized.
- 4. Application of phosphorous fertilizer to residential container plantings, flowerbeds and vegetable gardens.
- 5. Application of phosphorous fertilizers on the sand dunes along the oceanfront in the area between the building line and the easterly toe of the dune shall be permitted since experience has proven that high phosphorous fertilizer is necessary to encourage luxuriant growth of natural dune grass and such growth has been proven to be effective in stabilization of Long Beach Island’s protective dunes.

Section 80-5. Guidelines.

The following guidelines are recommended for use by applicators:

- 1. Drop spreaders, rather than broadcast spreaders when applying fertilizers.
- 2. Use of only nitrogen-based fertilizers in slow release formula.
- 3. Application of fertilizers not more than four (4) times annually on the same parcel of land.

Section 80-6. Violation and Penalties

A violation of this article shall be punishable as provided in Chapter 1, General Provisions Article 3, General Penalty.

SECTION II

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

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 upon publication thereof after final passage according to law.

OPEN PUBLIC HEARING

John Weber / Beach Haven Surfriders Organization was in favor of this ordinance and ocean-friendly gardening.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 10-03C on Second Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

- 6. First Reading Ordinance 10-04: **BOND ORDINANCE AUTHORIZING THE ACQUISITION OF A ROLL-OFF TRUCK FOR THE PUBLIC WORKS DEPARTMENT IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$120,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$114,000; MAKING CERTAIN**

DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Motion to approve Ordinance 10-04 on First Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

7. First Reading Ordinance 10-05C: **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 M. Leonetti, Municipal Clerk, Administrator stated this Ordinance amended Water and Sewer Rates to include revisions and increased the current rate by 8%. These fees would also be included in Chapter 82 of the Code of the Township of Long Beach.

Motion to approve Ordinance 10-05 on First Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

ADOPTIONS AND APPROVALS

8. Resolution 10-0122.03: Approve Beach Patrol participation in the Super Plunge VI: St. Francis Center on February 7, 2010

RESOLUTION 10-0122.03

WHEREAS, the Township of Long Beach wishes to recognize the generosity of the St. Francis Community Center that permits the Long Beach Township Beach Patrol the regular use of its facilities, at no cost, for lifeguard training and swim tests; and

WHEREAS, this offering of goodwill benefits Long Beach Township Beach Patrol, and all citizens of Long Beach Island; and

WHEREAS, in appreciation of this commendable act of community service the Long Beach Township Beach Patrol will assist in the Super Plunge VI on Sunday, February 7, 2010 at 1:00 PM; and

WHEREAS, the Long Beach Township Beach Patrol will provide employees as support services for the Plunge that include, but are not limited to, lifeguards and lifeguard equipment, first aid personnel and medical supplies, and sound equipment, as needed.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that it acknowledges the Long Beach Township Beach Patrol will provide these services to the St. Francis Community Center in grateful appreciation of its generous support to the Township and its Beach Patrol.

9. Resolution 10-0122.04: Approve personnel actions

Bonnie M. Leonetti, Municipal Clerk, Administrator explained the various proposed actions.

RESOLUTION 10-0122.04

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

Acknowledge the end of a Family Leave for AD effective retro-active to January 11, 2010.

Acknowledge the end of a Family Leave for JB effective retro-active to January 19, 2010.

BEACH PATROL

Hire the following as a Seasonal Part Time Laborer at the rate of \$15.25 per hour to be paid from Lifeguard Salary & Wage effective January 25, 2010.

Andrew Croft

Hire the following as a Seasonal Part Time Laborer at the rate of \$13.00 per hour to be paid from Lifeguard Salary & Wage effective January 25, 2010.

Lauren Marchese

Hire the following as a Seasonal Part Time Laborer at the rate of \$10.25 per hour to be paid from Lifeguard Salary & Wage effective January 25, 2010.

Joni Bakum Russell Budd Laura Hodge

Hire the following as a Seasonal Part Time Laborer at the rate of \$15.25 per hour to be paid from Lifeguard Salary & Wage effective January 31, 2010.

John Wozniak

Hire the following as a Seasonal Part Time Laborer at the rate of \$10.25 per hour to be paid from Lifeguard Salary & Wage effective January 31, 2010.

Douglas Bellingeri Scott Dunleavy Doug Stewart

FINANCE

Designate Mary Brewster to prepare and issue dog and cat licenses and submit state reports for same effective February 1, 2010.

Designate Carol Cerbone as Tax Search Officer effective February 1, 2010.

POLICE

Change the following employee's title to Public Safety Telecommunicator effective January 24, 2010 with a base salary of \$24,150.00.

Lauren Masterson

Approve a step increment for Ptl. James Seidenfaden as per the holdover PBA contract and its rates to Ptl. Step 5 at \$66,387.00 effective January 25, 2010.

Approve a step increment for Ptl. Brendan Kerlin as per the holdover PBA contract and its rates to Ptl. Step 6 at \$74,689.00 effective January 25, 2010.

Approve a step increment for Ptl. Brian Delpriora and Ptl. Angelo Fiorentino as per the holdover PBA contract and its rates to Ptl. Step 3 at \$51,088.00 effective February 6, 2010.

Accept and approve a PERS Service Retirement for Linda Mauro effective retro-active to January 1, 2010.

Approve the return of 7.5 donated sick days borrowed in 2009 to Michael Bradley from E H. A balance of 15 days are still owed.

Motion to approve Items 9 & 10:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

LICENSES AND PERMITS

10. Resolution 10-0122.05: Approve the licensing of a tower for the Police Dept. through December 31, 2011:Undertoe Service Center

RESOLUTION 10-0122.05

WHEREAS, the Revised General Code of the Township of Long Beach 1997 Chapter 183 provides that the Board of Commissioners shall establish, pursuant to N.J.S.A.40A:11-5(1)(u), a list of towing contractors to provide towing and removal of motor vehicle services for the Township of Long Beach; and

WHEREAS, it is the desire of said Board to grant licenses to various applicants subject to compliance with the license requirements of Ordinance 01-05C.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach that the following applicant who has received all required clearances as of this date shall be issued a license for towing and the removal of motor vehicles subject to requirements and restrictions; said license shall be valid retroactively from January 1, 2009 to December 31, 2011 with annual recertification required.

Undertoe Service Center, Inc.
12000 Long Beach Blvd.
Haven Beach, NJ 08008

Motion to approve Item 11:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

CONTRACTS AND AWARDS

11. Resolution 10-0122.06(a&b): Award various proprietary contracts:

a. Support and maintenance of computer servers and work stations for the Township: United Computer Sales & Service \$16,368.00

b. Support and maintenance of computer software for the Police Department: General Dynamics \$14,976.00

RESOLUTION 10-0122.06(a)

RESOLUTION AUTHORIZING A PROPRIETARY CONTRACT FOR REMOTE COMPUTER SUPPORT AND MAINTENANCE OF MUNICIPAL COMPUTERS IN THE TOWNSHIP OF LONG BEACH

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

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

WHEREAS, the provision or performance of goods or services for remote computer support and maintenance for 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 remote computer support and maintenance for municipal computers in an amount not to exceed Sixteen Thousand Three Hundred Sixty Eight Dollars (\$16,368.00); and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriations created by: Water/Sewer Other Expenses, account #0-09-55-549-081 in the amount of \$4,092.00, and Shared Equipment/Services Other Expenses, account #0-01-31-451-081 in the amount of \$12,276.00.

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 remote computer support and maintenance for municipal computers in an amount not to exceed Sixteen Thousand Three Hundred Sixty Eight Dollars (\$16,368.00).

RESOLUTION 10-0122.06(b)

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 Nine Hundred Seventy Six Dollars (\$14,976.00); and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Police: O / E, account #0-01-25-240-081.

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 Nine Hundred Seventy Six Dollars (\$14,976.00).

12. Resolution 10-0122.07: Award a contract for remote network services for the Police Department, per quotation: Network Management Solutions \$12,000.00

RESOLUTION 10-0122.07

A RESOLUTION AWARDING A CONTRACT FOR REMOTE NETWORK MANAGEMENT SERVICES FOR COMPUTER SERVERS, FIREWALLS, AND THE T1 CIRCUIT FOR THE LONG BEACH TOWNSHIP POLICE DEPARTMENT, PER QUOTATION

WHEREAS, in accordance with N.J.S.A. 40:A11-6.1, the Long Beach Township Police Department solicited quotations for remote network management services for computer servers, firewalls and the T1 circuit; 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 Network Management Services provided the lowest qualified quotation in accordance with the specifications, said quotation in the amount of Twelve Thousand Dollars (\$12,000.00); and

WHEREAS, it is in the public interest of the Township of Long Beach to award a contract to Network Management Services for remote network management services for computer servers, firewalls and the T1 circuit in the Police Department; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Police: Other Expenses, account #0-01-25-240-077.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long, County of Ocean, State of New Jersey, at a regular meeting held this 22nd day of January 2010 that the Mayor and the Municipal Clerk are hereby authorized to execute a contract with Network Management Services, 1122 Route 22 West, Mountainside, NJ 07092 in an amount not to exceed Twelve Thousand Dollars (\$12,000.00).

13. Resolution 10-0122.08: Award a Shared Service Agreement renewal:
Ocean County Board of Health Animal Facility Services 2010

RESOLUTION 10-0122.08

A RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING EXECUTION OF A SHARED SERVICE 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 2010.

Motion to approve Items 12 - 14:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

FINANCIAL APPROVALS

14. Resolution 10-0122.09: Approve the transfer of reserve appropriations

Bonnie M. Leonetti, Municipal Clerk, Administrator noted these transfers were statutorily allowed during the first three months of each year prior to the adoption of a new budget.

RESOLUTION 10-0122.09

WHEREAS, the New Jersey statutes provide for the making of reserve appropriation transfers between the period of January 1, 2010 and March 31, 2010; 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:

CURRENT FUND			
FROM:	DEPT	ACCOUNT #	AMOUNT
Public Works	O/E	9-01-26-302-100	\$4,150.00
TOTAL			\$4,150.00
TO:			
DEPT:	ACCT#	AMOUNT	
Streets & Roads	O/E	9-01-26-290-100	\$4,000.00
Recycling	O/E	9-01-26-307-032	\$ 150.00
TOTAL			\$4,150.00

15. Resolution 10-0122.10: Approve an increase to the 2010 Temporary Current Fund and Water/Sewer Budgets

RESOLUTION 10-0122.10

WHEREAS, the Chief Financial Officer of the Township of Long Beach has determined that an increase to the 2010 Temporary Budgets, approved pursuant to Resolution 09-1230.09, is necessary due to various reasons; and

WHEREAS, appropriations for the 2010 Current Fund Temporary Budget and the 2010 Water/Sewer Temporary Budget shall be increased pursuant to Schedules A and B attached hereto.

NOW, THEREFORE BE IT 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 2010 Temporary Budgets.

16. Resolution 10-0122.11: Approve Bills & Payroll
Bills in the amount of: \$3,239,243.66
Payrolls in the amount of: \$ 398,819.55

RESOLUTION 10-0122.11

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE PAYMENT OF TOWNSHIP BILLS

WHEREAS, the Chief Financial Officer and various Department Heads of the Township of Long Beach have carefully examined all vouchers presented for the payment of claims; and

WHEREAS, after due consideration of the said vouchers, the Board of Commissioners of the Township of Long Beach has approved payment of same; and

WHEREAS, Payroll Department has certified and submitted a request for approval of Township payroll in the amount of \$398,819.55.

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 \$3,239,243.66 be and the same are hereby authorized to be paid on January 22, 2010.

2. The said approved payroll amounting to the sum of \$398,819.55 be and the same are hereby authorized to be paid on January 22, 2010.

The Municipal Clerk be and she is hereby directed to list on the page in the Minute Book following the Minutes of this meeting all of the said vouchers hereby authorized to be paid.

Motion to approve Items 15 - 17:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

Mayor Mancini stated the Treasurer's Report for the month of December 2009 was on file in the Municipal Clerk's Office.

COMMISSIONERS' REPORTS

Commissioner Knarre had no comments.

Commissioner Bayard advised the public to read an article in the Sandpaper written by Angela Andersen regarding the new regulations for battery recycling. Information would also be posted on the Township website and local Channel 22.

Mayor Mancini announced the next meetings of the Board of Commissioners and the Land Use Board. He stated the Police Department had recently received \$8,500.00 in State funding for Drunk Driving Enforcement and public education. A defensive driving course was available to the public on January 27th sponsored by the Police Department. The Mayor thanked those property owners who had executed their deeds of easement. He stated Long Beach Township had done all it could to work with oceanfront property owners, and State and Federal Agencies regarding the Beach Storm Replenishment Project, and now must comply with the rules and regulations that had been set forth.

OPEN PUBLIC SESSION

John Keenan / Beach Haven Gardens had not received a deed of easement in the mail.

Mayor Mancini advised Mr. Keenan was not an affected property owner.

Hank DiPasquale, Brant Beach suggested weed killer restrictions be added to Ordinance 10-03C. He requested Bat Houses be constructed and erected in an effort to control insects on Long Beach Island.

CLOSE PUBLIC SESSION

Motion for adjournment at: 5:12 p.m.

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

Bonnie M. Leonetti, RMC, CMC
Municipal Clerk, Administrator

Joseph H. Mancini, Mayor

Ralph H. Bayard, Commissioner

William P. Knarre, Commissioner