

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS March 1, 2013
Flag Salute

Meeting came to order: 4:03 p.m.

Clerk calls the roll: Mayor Joseph H. Mancini PRESENT
Commissioner Ralph H. Bayard PRESENT
Commissioner Joseph P. Lattanzi PRESENT

Also in attendance: Lynda J. Wells, Municipal Clerk
Sharon Bongiovani, Municipal Registrar

Municipal Clerk announces: 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 and the ASBURY PARK PRESS on December 13th 2012; and filed with the Municipal Clerk.

AGENDA

ORDINANCES & PUBLIC HEARINGS

1. Second Reading Ordinance 13-03: **REFUNDING BOND ORDINANCE PROVIDING FUNDS TO PAY A SPECIAL EMERGENCY APPROPRIATION (HURRICANE SANDY); AUTHORIZING THE ISSUANCE OF UP TO \$5,000,000 OF GENERAL OBLIGATION REFUNDING BONDS OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY, TO FINANCE THE COSTS THEREOF; MAKING CERTAIN DETERMINATIONS AND COVENANTS IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Passed on first reading at a regular meeting held on February 1, 2013 and advertised in the BEACH HAVEN TIMES issue of February 9, 2013.

BE IT ORDAINED by the Board of Commissioners of the Township of Long Beach, County of Ocean, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The Township of Long Beach, County of Ocean, New Jersey ("Township"), is hereby authorized to pay, and there is hereby appropriated, the sum of \$5,000,000, to fund a like portion of the Special Emergency Appropriation of the Township made on December 7, 2012 to fund a special emergency appropriation to cover the cost of extraordinary expenses associated with the repair, rehabilitation, reconstruction and/or replacement of, among other things, streets, roads, bridges, or other public property located in the Township damaged by Hurricane Sandy, pursuant to the requirements of the Local Budget Law, N.J.S.A. 40A:4-54, et seq. (collectively, the "Appropriation").

Section 2. To finance the Appropriation, negotiable refunding bonds or notes of the Township are hereby authorized to be issued in an aggregate principal amount not to exceed \$5,000,000 ("Refunding Bonds"), pursuant to and in accordance with the Local Bond Law.

Section 3. An aggregate amount not exceeding \$75,000 for the items of expense listed in and permitted by Section 51.b. of the Local Bond Law, N.J.S.A. 40A:2-51.b., has been included in the aggregate principal amount of the Refunding Bonds authorized herein.

Section 4. The purpose of the Refunding Bonds is to allow the Township to finance the Appropriation.

Section 5. Each Refunding Bond authorized herein shall be designated, substantially, "Township of Long Beach, County of Ocean, New Jersey, General Obligation Refunding Bond, Series 201_" and shall be in the form prescribed and permitted by the Local Bond Law, as Bond Counsel may advise, and as the Township shall approve.

Section 6. The Refunding Bonds may be sold at public or private sale pursuant to and in accordance with the requirements of the Local Bond Law. General obligation refunding notes in the principal amount of up to \$5,000,000 ("Notes") are authorized to be issued by the Township; provided, however, such Notes are issued and amortized within the limitations set forth by Local Bond Law and the New Jersey Local Finance Board. Said Notes shall be issued, sold, executed, delivered and renewed pursuant to and in accordance with the requirements of the Local Bond Law and any limitations established by the New Jersey Local Finance Board.

Section 7. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this refunding bond ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey.

Section 8. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the Chief Financial Officer of the Township.

Section 9. This refunding bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this refunding bond ordinance as finally adopted.

Recorded Vote

<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
LATTANZI			
BAYARD			
MANCINI			

The foregoing is a true copy of a refunding bond ordinance introduced by the Board of Commissioners on February 1, 2013.

OPEN PUBLIC HEARING
No Public Comment
CLOSE PUBLIC HEARING

Motion to adopt Ordinance 13-03 on Second Reading:
Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini
Second: Bayard Nays:

2. Second Reading Ordinance 13-05C: **AN ORDINANCE REPEALING AND AMENDING AN ORDINANCE ENTITLED, "CHAPTER 60 – BRUSH, GRASS, AND WEEDS," AND ADOPTING IN LIEU THEREOF AN ORDINANCE PROVIDING FOR THE AUTHORITY AND PROCEDURES TO ENSURE THAT LANDS AND BUILDINGS ARE FREE FROM DEBRIS AND DEPRESSIONS THAT POSE THREATS TO PERSONS, PROPERTY, AND THE PUBLIC HEALTH, WELFARE, AND SAFETY.**

Passed on first reading at a regular meeting held on February 15, 2013 and advertised in the BEACH HAVEN TIMES issue of February 21, 2013.

AN ORDINANCE REPEALING AND AMENDING AN ORDINANCE ENTITLED, "CHAPTER 60 – BRUSH, GRASS, AND WEEDS," AND ADOPTING IN LIEU THEREOF AN ORDINANCE PROVIDING FOR THE AUTHORITY AND PROCEDURES TO ENSURE THAT LANDS AND BUILDINGS ARE FREE FROM DEBRIS AND DEPRESSIONS THAT POSE THREATS TO PERSONS, PROPERTY, AND THE PUBLIC HEALTH, WELFARE, AND SAFETY.

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

STATEMENT OF PURPOSE

This ordinance repeals and amends the existing Chapter 60 and adopts an ordinance in lieu thereof to provide, set forth, and further clarify the duties of the owners, tenants, and persons in possession of lands and structures in Township to ensure that same are free from debris and depressions. This ordinance further amends the ordinance to provide, set forth, and further clarify additional definitions, authorities, and procedural and notice requirements to ensure that owners of lands and structures are free from debris and depressions and for Township to abate, remove, and remedy debris and depressions, assess costs and penalties in accordance with the constitutional and statutory authority in the event that owners fail to comply with their duties, and in order to protect persons, property, and the public health, welfare, and safety.

Chapter 60, § 60-1 through § 60-6, 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:

Chapter 60. DEBRIS, FILTH, SOLID WASTE, DEPRESSIONS, BRUSH, AND WEEDS

ARTICLE I

Prohibited Debris and Depressions

§ 60-1. Findings.

A. Township of Long Beach finds it is necessary to ensure that lands, lots, buildings, premises, dwellings, and structures (hereinafter collectively "Lands and Structures") in Township are free from debris, filth, brush, trash, refuse, solid waste, weeds, dead and dying trees, stumps, roots, obnoxious growths, obnoxious materials, and other discarded materials, including, but not limited to discarded furniture, appliances, and pipes (hereinafter collectively "Debris") in order to protect against, remedy, and eliminate threats to persons, property, and the public health, welfare, and safety, health and fire hazards, and to protect private property rights, economic activities, and neighboring property values.

B. Township further finds that there are many deep spots, depressions, and holes (hereinafter collectively "Depressions") on certain lands and lots in Township, which permit the accumulation of stagnant water and Debris, the existence of which poses a threat to the public health, safety, and welfare,

including, but not limited to, creating fire hazards, health hazards, and providing breeding grounds for mosquitoes, flies, other insects, rodents, and vermin.

C. Township further finds that certain threats to persons and property and the public health, safety, and welfare will be abated, addressed, and remedied if the Lands and Structures in Township are free from Debris and Depressions, both of which cause and pose threats to persons, property, and the public health, welfare, and safety, create fire and health hazards, diminish and damage private property rights, economic activities, and neighboring property values, and constitute both public and attractive nuisances.

§ 60-2. Designated public officers.

Township designates, charges, and authorizes the Director of the Long Beach Island Health Department, a public officer of Township designated by said Director, and other public officers that may be designated by resolution of the Board of Commissioners (hereinafter collectively "Designated Public Officer"), as the public officer(s) charged with the authority to carry out the provisions of this ordinance.

§ 60-3. Duties of owners and tenants.

A. It shall be the duty of the owners, tenants, or persons in possession of any Lands and Structures in Township to maintain those Lands and Structures free from Debris and to keep same maintained in a clean, safe, and sanitary condition.

B. It shall be the duty of the owners, tenants, or persons in possession of any Lands and Structures in Township to maintain those Lands and Structures free from Depressions and that all Depressions that occur or are created are filled with a clean fill to a street grade height of eight (8) inches.

C. Should the owners, tenants, or persons in possession of any Lands and Structures in Township unlawfully fail to maintain those Lands and Structures in accordance with the duties set forth herein, the Designated Public Officer may serve notices of penalties and removal as provided herein.

D. It shall be the duty of the owners, tenants, or persons in possession of any Lands and Structures in Township to remove Debris and fill Depressions within ten (10) days after receipt of notice from the Designated Public Officer.

§ 60-4. Notice to owners or tenants and service provisions.

Notices shall be served in writing either personally or by registered mail to the owners, and by posting it upon the Lands and Structures, if possible, in a conspicuous place. If the whereabouts of an owner is unknown and cannot be ascertained by and through the exercise of reasonable diligence, and service cannot be made by way of personal service or registered mail, the Designated Public Officer exercising the authority provided herein shall make an affidavit to that effect and then cause notice to be published in a newspaper circulating in Township at least once and not less than thirty (30) days before the improvement is made by Township. Proof by affidavit of service of the notice shall be filed with the officer in charge of the records of tax liens, but failure to file the proofs shall not invalidate the proceedings if service has been made as hereinbefore provided.

§ 60-5. Removal and abatement and costs established as a lien.

A. If the owner, tenant, or person in possession of any Lands and Structures in question fails to abate the condition(s) complained of in the notice within ten (10) days after receipt of same or thirty (30) days after publication in the newspaper, if service is not effectuated by personal or registered mail, the Debris may be removed and Depressions filled by or under the direction of the Designated Public Officer and the removal and fill may be performed under that direction by either Township employees or by third-party contractors pursuant to the provisions of the "Local Public Contracts Law," unless the action is necessary to prevent imminent danger to life, limb, or property, in which case no-bid contracts may be entered.

B. Where the Debris shall have been removed and/or Depressions filled by Township pursuant to the terms herein, the Designated Public Officer shall certify the cost thereof to the Board of Commissioners. The Board of Commissioners shall examine the certificate, and if it shall be found correct, the Board of Commissioners shall cause the cost as shown thereon to be charged against the Lands and Structures from which the Debris was removed and/or the Depressions filled. The amount so charged shall forthwith become a lien upon the lands and shall be added to become and form a part of the taxes next to be assessed and levied upon the lands, the same to bear interest at the same rate as taxes, and shall be collected and enforced by the same officers and in the same manner as taxes.

C. The responsibilities of the tenants and owners shall not be diminished by the provision providing for removal of Debris and filling of Depressions by Township herein. Removal, abatement, and/or fill by Township shall be an alternate, optional procedure to remedy, abate, and alleviate the threats to persons and property and the public health and dangers to public health, safety, and welfare in the event that the tenant and owners do not comply with their duties and the notice provided herein.

D. In the event that Township removes, abates, and/or fills pursuant to its authority herein and does not secure the services of third-party contractors, Township shall charge for all costs related to the services provided by Township employees and officials for the removal, abatement, and fill performed, as to be determined by the Board of Commissioners. In the event that Township removes, abates, and/or fills pursuant to its authority herein and secures the services of third-party contractors pursuant to the terms herein, Township shall charge the amount for the costs and fees charged by the third-party contractors.

E. In addition to the assessment of a municipal lien against the premises upon which the Debris or Depression was situate, as aforesaid, Township may also elect to enforce the payment of the assessment

of the entire cost of the removal of the Debris and filling of the Depression, together with interest, as a debt of the owner of the premises and may authorize the institution of an action at law for the collection thereof.

§ 60-6. Authorities of public officers, designated persons, and contractors.

A. The Designated Public Officer is charged with and authorized to exercise such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of this ordinance, including, all powers provided by N.J.S.A. 40:48-1, *et seq.*, and, in addition to the others granted herein, the following powers: (a) to investigate the conditions of the Lands and Structures; (b) administer oaths, affirmations, examine witnesses, and receive evidence; (c) enter upon the Lands and Structures for the purpose of making examinations, provided that such entries shall be made in such manner as to cause the least possible inconvenience to the person(s) in possession, except in circumstances that poses imminent threat and harm to the public health, welfare, and safety; (d) to appoint and fix the duties of such officers, agents, and employees as (s)he deems necessary to carry out the purpose of this ordinance; and (e) to delegate any of the functions and powers under the ordinance to such officers and agents as (s)he may designate. All third-party contractors retained to remove Debris and fill Depressions shall have the right to enter upon the Lands and Structures to effectuate all actions required to conduct the removal and filling and actions related thereto under the direction of the Designated Public Officer.

B. The Designated Public Officer, upon inspection of the Lands and Structures, shall set forth a written report and/or description of the Debris and Depressions, which shall be filed in the public officer(s) department and a copy with the Clerk of Township. The notice served in accordance with § 60-4, however, shall not include the written report and/or description, but generally set forth the Debris that shall be removed and/or the Depressions that shall be filled within ten (10) days after receipt of the notice.

ARTICLE II
General Provisions

§ 60-7. Violations and penalties.

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

§ 60-8. Repealer.

All ordinances, or parts of ordinances, inconsistent with this Chapter are hereby repealed to the extent of such inconsistency.

§ 60-9. Severability.

If any word, phrase, clause, section, or provisions of this Chapter 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.

Effective date.

This ordinance shall take effect after final adoption and publication as required by law.

OPEN PUBLIC HEARING
No Public Comment
CLOSE PUBLIC HEARING

Motion to adopt Ordinance 13-05C on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

3. Second Reading Ordinance 13-06C: **AN ORDINANCE REPEALING AND AMENDING AN ORDINANCE ENTITLED, "CHAPTER 127 – NUISANCES," AND ADOPTING IN LIEU THEREOF AN ORDINANCE PROVIDING FOR THE AUTHORITY AND PROCEDURES TO CLOSE, SECURE, REPAIR, ABATE, REMOVE, AND DEMOLISH NUISANCES AND UNFIT, DAMAGED, AND UNSAFE STRUCTURES THAT POSE THREATS TO PERSONS, PROPERTY, AND THE PUBLIC HEALTH, WELFARE, AND SAFETY.**

Passed on first reading at a regular meeting held on February 15, 2013 and advertised in the BEACH HAVEN TIMES issue of February 21, 2013.

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

This ordinance repeals and amends the existing Chapter 127 and adopts an ordinance in lieu thereof to provide, set forth, and further clarify the duties of the owners of buildings, premises, dwellings, and structures in Township to maintain same in a habitable, safe, structurally sound, sanitary, and fit condition. This ordinance further amends the ordinance to provide, set forth, and further clarify additional definitions, authorities, and procedural and notice requirements to ensure that owners of structures maintain same in safe condition and for Township to close, secure, repair, abate, remove, remedy, and demolish such structures that are unfit, damaged, and unsafe, assess costs and penalties in accordance with the constitutional and statutory authority in the event that owners fail to comply with their duties, and in order to protect persons, property, and the public health, welfare, and safety.

Chapter 127, Article I, § 127-1 through § 127-5, 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 (Article II, § 127-6 through § 127-9 is only amended as follows herein to renumber the Sections § 127-9 through § 127-12) :

Chapter 127. NUISANCES AND UNFIT, DAMAGED, AND UNSAFE STRUCTURES

ARTICLE I

Prohibited Nuisances

§ 127-1. Findings.

A. Township of Long Beach finds that certain nuisances, including unfit, damaged, insanitary, dilapidated, dangerous, and unsafe buildings, premises, dwellings, and structures are dangerous, inimical to, and constitute threats to persons, property, and the public health, welfare, and safety, diminish and damage private property rights and economic activities, diminish neighboring property values, and constitute both a public and an attractive nuisance.

B. Township further finds that certain threats to persons and property and the public health, welfare, and safety will be addressed and remedied if the nuisances, including unfit, damaged, insanitary, dilapidated, dangerous, and unsafe buildings, premises, dwellings, and structures are closed, secured, repaired, abated, removed, remedied, and demolished by Township pursuant to and in accordance with the procedures set forth herein.

§ 127-2. Designated public officers.

Township charges, authorizes, and designates the construction official, the code enforcement officer, and other public officers that may be designated by resolution of the Board of Commissioners (hereinafter collectively "Designated Public Officer"), as the public officer(s) charged with the authority to carry out the provisions of this ordinance.

§ 127-3. Duties of owners.

A. It shall be the duty of the owner of any buildings, premises, dwellings, and structures (hereinafter collectively "Structures") in Township to maintain those Structures in a habitable, safe, structurally sound, sanitary, and fit condition.

B. It shall be the duty of the owner of any Structures in Township, regardless of whether same is designed, intended, or approved for occupancy or habitation, to maintain those Structures in the Township in a safe, structurally sound, sanitary, and fit condition.

C. It shall be unlawful for the owner of any property and Structures located in the Township of Long Beach to suffer or permit the continuance of any nuisance as hereinafter defined in § 127-4 after having received notice from the Township to abate such nuisance.

§ 127-4. Nuisances enumerated.

The following types of nuisances are specifically enumerated as prohibited.

A. Structures or parts thereof, determined by the Designated Public Officer to violate applicable building codes in such manner as to endanger or be likely to endanger persons, property, and the public health, welfare, and safety.

B. Structures, or parts thereof, determined by the Designated Public Officer to be unfit for human habitation or occupancy.

C. Structures determined by the Designated Public Officer to be dangerous or injurious to the health or safety of the occupants of such Structures, the occupants of neighboring Structures or other residents, persons, and property in Township, including the following (without limiting the generality of the foregoing): defects therein increasing the hazards of fire, accident, or other calamities; lack of adequate ventilation, light or sanitary facilities; dilapidation; disrepair; structural defects; uncleanness; and failure to comply with the requirements of the building code or the certificate of occupancy.

D. Structures, or parts thereof, damaged to such an extent that nothing remains but the walls, or parts of the walls and other supports, or where portions of walls are compromised or missing, regardless of the safety and sturdiness of those remaining walls or parts thereof.

E. Structures, or parts thereof, in such state of disrepair as to permit the fill or material intended to be retained to spill through or leak through the retaining wall or Structures or to endanger or be likely to endanger persons, property, and the public health, welfare, and safety.

F. Fences and walls in such state of disrepair and maintenance as to be in danger of a collapse or to endanger or be likely to endanger persons, property, and the public health, welfare, and safety.

G. Bulkheads in such state of disrepair as to permit the earth and fill behind the bulkhead to wash into the tidal waters abutting the bulkhead or to endanger or be likely to endanger or be likely to endanger persons, property, and the public health, welfare, and safety.

H. Docks in such state of disrepair and maintenance as to be in danger of collapse or to endanger the safety of persons walking on or otherwise utilizing the said dock or to endanger or be likely to endanger be likely to endanger persons, property, and the public health, welfare, and safety.

I. Depressions or holes created behind bulkheads and retaining walls as a result of the disrepair of such bulkhead or retaining wall as hereinabove describe which may endanger or be likely to endanger persons, property, and the public health, welfare, and safety.

J. The storage of permitted materials in such manner as to endanger or to be likely to endanger or be likely to endanger persons, property, and the public health, welfare, and safety.

K. The storage of boats in such manner as to endanger or to be likely to endanger or be likely to endanger persons, property, and the public health, welfare, and safety.

§ 127-5. Authority of public officers and abatement.

A. The Designated Public Officer is charged with and authorized to exercise such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of this ordinance, including, all powers provided by N.J.S.A. 40:48-1, *et seq.*, and, in addition to the others granted herein, the following powers: (a) to investigate the conditions of the lands, lots, and Structures; (b) administer oaths, affirmations, examine witnesses, and receive evidence; (c) enter upon the lands, lots, and Structures for the purpose of making examinations, provided that such entries shall be made in such manner as to cause the least possible inconvenience to the person(s) in possession, except in circumstances that poses imminent threat and harm to the public health, welfare, and safety; (d) to appoint and fix the duties of such officers, agents, and employees as (s)he deems necessary to carry out of the purpose of this ordinance; and (e) to delegate any of the functions and powers under the ordinance to such officers and agents as (s)he may designate. All third-party contractors retained to conduct any act at the direction of the Designated Public Officer shall have the right to enter upon the lands, lots, and Structures to effectuate all actions required by the Designated Public Officer.

B. If an actual and immediate danger to life is posed by the threatened collapse of any fire damaged, storm damaged, flood damaged, or other structurally unsafe Structure for any reason, the Designated Public Officer and Township, after taking such measures as may be necessary to make such Structures temporarily safe, may either proceed in accordance with the authority provided herein, seek a judgment in summary proceedings for the demolition thereof, or other Township officials may proceed in accordance with § 127-5(C) and (D) pursuant to the New Jersey Uniform Construction Code.

C. Notwithstanding the provisions of this ordinance, when, in the opinion of the construction official and appropriate subcode officials of Township, there is actual and immediate danger of failure or collapse or further failure or collapse of a building or structure or any part thereof which would endanger life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the building or structure, the construction official shall take all necessary actions to remedy and abate the danger by and through the authority provided by the New Jersey Uniform Construction Code. When demolition of the building or structure is deemed necessary and proper by the construction official to remedy and abate the actual and immediate danger as aforesaid, demolition work shall not commence until at least 24 hours following service of notice of the pending demolition upon the owner. For the purpose of this section, the construction official shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

D. Closing of streets, sidewalks, and Structures: when necessary to protect the public health, welfare, and safety, the construction official may temporarily close sidewalks, streets, and Structures and places adjacent to such unsafe Structures, and prohibit the same from being used.

E. The provisions set forth in § 127-5(C) and (D) are independent of and separate powers authorized by the New Jersey Uniform Construction Code and set forth herein to clarify additional remedies at the disposal of Township to remedy certain nuisances, including unfit, damaged, insanitary, dilapidated, dangerous, and unsafe Structures that are dangerous, inimical to, and constitute threats to persons and property, and the public health, welfare, and safety. The complaint, notice, due process provisions, assessment of costs, bidding requirements, and penalties relating thereto are set forth at length in the New Jersey Uniform Construction Code. Nothing in this ordinance, therefore, shall be construed to impair or limit in any way the power of the construction official or enforcing agencies to define and declare nuisances and to cause their removal or abatement, by summary proceeding or otherwise, nor is anything in this ordinance intended to limit the authority of Township under the New Jersey Uniform Construction Code.

§ 127-6. Investigation, complaints, hearings, and orders.

A. Upon the filing of a petition or letter by the Director of the Department of Public Affairs and Public Safety of Township or by at least five residents of Township charging that any Structure is unfit, damaged, unsafe, or constitutes a nuisance as defined herein, or whenever it appears to the Designated Public Officer (on his own petition, letter, or motion) that any Structure is unfit, damaged, unsafe, or constitutes a nuisance as defined herein, the Designated Public Officer shall conduct a preliminary investigation of the Structure. If the aforesaid investigation discloses a basis for charges pursuant to this ordinance, the Designated Public Officer shall issue and cause to be served upon the owner of and parties in interest in such Structure a complaint stating the charges in that respect. The complaint (whether in formal or letter form) shall set forth that a hearing shall be held before the Designated Public Officer or the Board of Commissioners at a certain time and place not less than seven (7) days nor more than thirty (30) days after the serving of said complaint. The complaint shall further set forth that the owner and parties in interest shall be given the right to file an answer to the complaint, and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint.

B. Any hearing conducted pursuant to the provisions herein shall be conducted before the Designated Public Officer (or his designated agent) or by any other public officer (as defined by N.J.S.A. 40:48-2.4) that may be selected and designated by the Board of Commissioners by resolution, and the rules of evidence prevailing in the courts shall not be controlling in the hearings. On the basis of the complaint, the answer, and the hearing, the Designated Public Officer (or other agent or officer, as

aforesaid) shall make findings of fact and determine whether the Structure is unfit, unsafe, or otherwise requires improvement, abatement, repair, alteration, or demolition in accordance with the provisions herein. The Designated Public Officer (or other agent or officer, as aforesaid) shall state in writing findings of fact in support of such determination and shall issue and cause to be served upon the owner thereof and parties in interest an order.

C. Any order issued pursuant to the provisions herein shall set forth the required abatement, repair, alteration, or improvement required of the said Structure to be made by the owner, within a reasonable time, which time shall be set forth in the order or at the option of the owner to vacate or have the said Structure vacated and closed within the time set forth in the order. The order shall further provide, in the event that the Structure is in such a condition as to make it dangerous to the health and safety of persons on or near the premises, and the owner fails to repair, alter, abate, or improve the said Structure within the reasonable time specified in the order, then that the owner shall be required to remove or demolish the said Structure within a reasonable time as specified in the said order. The order shall further advise the person(s) aggrieved by the order that (s)he may bring an action for injunctive relief in the Superior Court of New Jersey within thirty (30) days of posting and service of the order to seek to restrain the Designated Public Officer from carrying out the provisions of the order and for any other appropriate relief.

D. If the owner fails to comply with an order to repair, alter, abate, or improve, or, at the option of the owner, to vacate and close the building, the Designated Public Officer may cause such Structure to be repaired, altered, abated, or improved, or to be vacated and closed or may contract for the aforesaid repairs thereof after advertisement for, and receipt of, bids, therefor. The Designated Public Officer may further cause to be posted on the main entrance of any Structure so closed, a placard with the following words: "This building is unfit for human habitation or occupancy or use; the use or occupation of this building is prohibited and unlawful."

E. If the owner fails to comply with an order to remove or demolish the Structure, the Designated Public Officer may cause such Structure to be removed or demolished or may contract for the removal or demolition thereof after advertisement for, and receipt of, bids, therefor.

§ 127-7. Service of complaints and orders.

The complaints and orders shall be served upon owners either personally or by registered mail, and by posting the complaints and orders upon the lands, lots, or Structure, if possible, in a conspicuous place, and by recording such complaints and orders with the county recording officer for Ocean County. If the whereabouts of the owner is unknown and cannot be ascertained by and through the exercise of reasonable diligence, and service cannot be made pursuant by way of personal service or registered mail, the Designated Public Officer exercising the authority provided herein shall make an affidavit to that effect and then cause notice to be published in a newspaper circulating in Township at least once. Proof by affidavit of service of the notice shall be filed with the officer in charge of the records of tax liens, but failure to file the proofs shall not invalidate the proceedings if service has been made as hereinbefore provided.

§ 127-8. Removal and abatement and costs established as a lien and personal debt.

A. Where Township abates the nuisance as provided herein either by and through the use and direction of Township employees, through the solicitation of bids and the award of the public contract pursuant to the provisions of the "Local Public Contracts Law," or awards of no-bid contracts in emergent situations necessary to prevent imminent danger to life, limb, or property, the entire cost of the abatement of the nuisance to Township, including the amount awarded to the successful bidder for labor, materials, and costs (or the cost of Township employee's labor and materials), the filing of legal papers, expert witnesses' fees, search fees, service charges, and advertising charges relating to service and the advertising of public bids, incurred in the course of any proceeding taken under this ordinance, and any and all attorney's fees and costs shall be assessed to the owner in the manner of real estate taxes, bear interest at the same rate as taxes, and shall become a lien upon the property on which the said nuisance was abated in a manner provided by law and herein, and shall be collected and enforced by the same officers and in the same manner as taxes.

B. Such cost of such repairs, alterations, or improvements, or vacating and closing, or removal or demolition, if any, or the amount of the balance thereof remaining after deduction of the sum, if any, realized from the sale of materials derived from such building or from any contract for removal or demolition thereof, shall be a municipal lien against the real property upon which such cost was incurred. If the Structure is removed or demolished by the Designated Public Officer, (s)he shall sell the materials of such Structure. There shall be credited against the cost of the removal or demolition thereof, including the clearance and, if necessary, leveling of the site, the proceeds of any sale of such materials or any sum derived from any contract for the removal or demolition of the Structure. If there are no such credits or if the sum total of such costs exceeds the total of such credits, a detailed statement of the aforesaid costs and the amount so due shall be filed with the municipal tax assessor or other custodian of the records of tax liens and a copy thereof shall be forthwith forwarded to the owner by registered mail. If the total of the credits exceed such costs, the balance remaining shall be deposited in the Superior Court by the Designated Public Officer, shall be secured in such manner as may be directed by such court, and shall be disbursed according to the order or judgment of the court to the persons found to be entitled thereto by final order or judgment of such court. Any owner or party in interest may, within thirty (30) days from

the date of the filing of the lien certificate, proceed in a summary manner in the Superior Court to contest the reasonableness of the amount or the accuracy of the costs set forth in the municipal lien certificate.

C. In addition to the assessment of a municipal lien against the lands and premises upon which the Structure was situate, as aforesaid, Township may also elect to enforce the payment of the assessment of the entire cost of the abatement of the nuisance as provided by § 127-8(A) and (B), together with interest, as a debt of the owner of the premises and may authorize the institution of an action at law for the collection thereof.

ARTICLE II

Public Health Nuisances

[Adopted at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]

§ 127-9. Establishment.

A code defining and prohibiting certain matters, things, conditions or acts and each of them as a nuisance, prohibiting certain noises or sounds, requiring the proper heating of apartments, prohibiting lease or rental of certain buildings, prohibiting spitting in or upon public buildings, conveyances or sidewalks, authorizing the inspection of premises by an enforcing official, providing for the removal or abatement of certain nuisances and recovery of expenses incurred by the township in removing or abating nuisances and prescribing penalties for violations is hereby established pursuant to Chapter 188, Laws of 1950. A copy of the code is annexed hereto and made a part hereof without the inclusion of the text thereof herein.

§ 127-10. Title.

The code established and adopted by this article is described and commonly known as the "Public Health Nuisance Code of New Jersey (1953)."

§ 127-11. Public record.

Three (3) copies of the Public Health Nuisance Code of New Jersey (1953) have been placed on file in the office of the Township Clerk and will remain on file there for the use and examination of the public.

§ 127-12. Minimum size of sleeping quarters.

In every dwelling unit and in every rooming unit, every room occupied for sleeping purposes by one (1) occupant shall contain at least seventy-five (75) square feet of floor area, and every room occupied for sleeping purposes by more than one (1) occupant shall contain at least fifty (50) square feet of floor area for each occupant twelve (12) years of age and older and at least thirty (30) square feet for each occupant under twelve (12) years of age. This section shall not apply to rooming houses, hotels, motels or other places of public accommodation.

ARTICLE III

General Provisions

§ 127-13. Violations and penalties.

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

§ 127-14. Repealer.

All ordinances, or parts of ordinances, inconsistent with this Chapter are hereby repealed to the extent of such inconsistency.

§ 127-15. Severability.

If any word, phrase, clause, section, or provisions of this Chapter 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.

Effective date.

This ordinance shall take effect after final adoption and publication as required by law.

OPEN PUBLIC HEARING

No Public Comment

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 13-06C on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

4. First Reading Ordinance 13-07: **AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK IN 2013 (N.J.S.A. 40A: 4-45.14)**

Mayor Mancini stated this Ordinance permits Long Beach Township to increase the Budget Cap, if necessary.

Motion to approve Ordinance 13-07 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

ADOPTIONS & APPROVALS

5. Resolution 13-0301.01: Approve changes to various Sewer accounts

WHEREAS, the following Sewer accounts require changes in their billing and/or classification due to various reasons; and

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

<u>BLOCK</u>	<u>LOT/QUAL</u>	<u>ACCT #/ACCT</u>	<u>YEAR</u>	<u>CANCEL/CHANGE</u>	<u>AMOUNT</u>
5.06	3	1449-0 Sewer	2013	To Standby/demo	486.75
5.10	1	1476-0 Sewer	2013	To Standby/demo	4885.20
13.21	5	4560-0 Sewer	2013	To Standby/demo	531.00
14.17	1	4815-0 Sewer	2013	To Standby/demo	465.50
15.31	2	5213-0 Sewer	2013	Chg'd duplex to single	531.00
15.134	1	6137-0 Sewer	2013	To Standby/demo	187.50

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

6. Resolution 13-0301.02: Approve the participation of the Long Beach Township Beach Patrol in the 9th Annual Super Plunge:

3/2/13 at 12:00pm on the 78th Street Beach

WHEREAS, the Southern Regional School District shall host the 9th Annual Super Plunge on Saturday, March 2nd 2013 at 12:00 pm on the 78th Street Beachfront; 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 Southern Regional School District for the 9th Annual Super Plunge.

7. Resolution 13-0301.03: Accept the donation of (3) three Power Stroke Generators from the Ocean County OEM

WHEREAS, the Ocean County Office of Emergency Management wishes to donate three (3) Power Stroke Generators to the Township of Long Beach Office of Emergency Management; and

WHEREAS, the Long Beach Township Office of Emergency Management has a need and a use for three (3) Power Stroke Generators.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby authorize and accept the donation of the three (3) Power Stroke Generators, model #PS906025P, from the Ocean County Office of Emergency Management to the Township of Long Beach Office of Emergency Management.

8. Resolution 13-0301.04: Approve personnel actions

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

BEACH PATROL

Hire the following employees as Seasonal Part-Time Laborers at the rate of \$10.00 per hour to be paid from Lifeguard Salary & Wage effective March 1, 2013.

Colin Brearley
Aaron Fritz
Kelly
Theodore Ray

Michael Dancha
William Galese
Terence Lennon
Chloe Wiskow

Scott Dunleavy
Krista Jensen
Shawn McNally
Patrick

BUILDING

Hire the following as a Temporary Part-Time Code Enforcement Officer at the rate of \$25.00 per hour to be paid from the Construction Salary & Wage effective retro-active to February 26, 2013.

Dennis LaSassa

PUBLIC WORKS

Change the following employee to a Permanent Full-Time Laborer with an annual salary of \$30,000.00 to be paid from the Public Works Salary & Wage effective March 2, 2013.

Matthew Ellis

Hire the following as a Temporary Full-Time Laborer at the rate of \$12.00 per hour to be paid from Public Works Salary & Wage effective retro-active to February 25, 2013.

Shane Fairhurst

Hire the following as a Temporary Full-Time Laborer at the rate of \$12.00 per hour to be paid from Public Works Salary & Wage effective March 4, 2013.

Bruce Rice

Hire the following as a Temporary Full-Time Laborer at the rate of \$10.00 per hour to be paid from Public Works Salary & Wage effective March 4, 2013.

Anthony Shabunia

Hire the following as a Temporary Full-Time Laborer at the rate of \$9.00 per hour to be paid from Public Works Salary & Wage effective March 4, 2013.

Bradley Sheuerman

Authorize a one-time stipend of \$2,000.00 for additional duties performed in October 2012 as a result of Super Storm Sandy to be paid from Buildings & Grounds Salary & Wage.

Debra Thompson

Hire the following as a Temporary Full-Time Clerk at the rate of \$15.00 per hour to be paid from the Construction Salary & Wage effective retro-active to February 22, 2013.

Jennifer Diodata

POLICE

Hire the following as a Temporary Full-Time Class II Special Law Enforcement Officer at a rate of \$15.50 per hour to be paid from the Police Salary & Wage effective retro-active to February 23, 2013.

Kyle Rickvalsky

Motion to approve Items 5 - 8:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

CONTRACTS & AWARDS

9. Resolution 13-0301.05(a&b): Approve various purchases, per quote:

a. Grizzly Industrial, Inc. \$6585.50: tools for Public Works

RESOLUTION AUTHORIZING THE PURCHASE OF VARIOUS TOOLS FOR THE PUBLIC WORKS DEPARTMENT, PER QUOTATION

WHEREAS, the Township of Long Beach has solicited quotations for the purchase of various tools for the Public Works Department; and

WHEREAS, in response to the solicitation of quotations, the following businesses were contacted and the following quotations were received as noted:

- Grizzly Industrial, Inc. \$6,585.50 11/12/12
- Home Depot incomplete quote 01/11/13
- Tuckerton Lumber incomplete quote 01/14//13

WHEREAS, it is in the opinion of the Board of Commissioners of the Township of Long Beach that the lowest qualified quote be accepted for same; and

WHEREAS, Grizzly Industrial, Inc., provided a qualified quotation pursuant to the specifications and consistent with the project budget; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation: Ordinance 12-29 Reconst – Super Storm Sandy 2012; account # C-04-56-107-901 in the amount of Six Thousand Five Hundred Eighty Five Dollars and Fifty Cents (\$6,585.50).

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 1st day of March 2013, for the reasons aforesaid, that a purchase order be and is hereby authorized for issuance to:

Grizzly Industrial, Inc.

P.O. Box 2069

Bellingham, WA

for the purchase of various tools for the Public Works Department as per their quote received November 12, 2012.

b. Sea Spray Dry Cleaners: Police Dept. uniforms

RESOLUTION AUTHORIZING DRY CLEANING SERVICES FOR THE LONG BEACH TOWNSHIP POLICE DEPARTMENT, PER QUOTATION

WHEREAS, the Township of Long Beach has solicited quotations for dry cleaning

services for Police Department uniforms; and

WHEREAS, in response to the solicitation of quotations, the following businesses were contacted and the following quotations were received as noted:

- Sea Spray Dry Cleaners \$19.75/uniform 12/20/12
- Townsley’s Greener Cleaners \$22.00/uniform 12/19/12

WHEREAS, it is in the opinion of the Board of Commissioners of the Township of Long Beach that the lowest qualified quote be accepted for same; and

WHEREAS, Sea Spray Dry Cleaners provided the lowest qualified quotation pursuant to the specifications.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 1st day of March 2013, for the reasons aforesaid, that a purchase order be and is hereby authorized for issuance to:

Sea Spray Dry Cleaners
587 Mill Creek Road
Manahawkin, NJ 08050

for dry cleaning services for Police Department uniforms as per their quote received December 19, 2012.

10. Resolution 13-0301.06: Approve various professional service contracts:
 Thomas Coleman, Esq., of the firm Shackleton & Hazeltine:
 legal services @ \$200.00 per hour
 RCC Consultants, Inc.: Phase II Lightning Protection \$5,500.00

**RESOLUTION AUTHORIZING THE AWARD OF CONTRACTS FOR
2013 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 and Political Contribution 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 may meet or 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 from March 1st 2013 through December 31st 2013 as per specific contract terms with the Professionals listed below as described herein; and

<u>NAME</u>	<u>DESCRIPTION OF SERVICES</u>	<u>AMOUNT</u>
RCC Consultants, Inc.	Lightning Protection: Phase II	Max. \$5,500.00
Thomas J. Coleman, III, Esq. of counsel to Shackleton & Hazeltine	Legal Services	Hourly Max.: \$200.00

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Political Contribution Disclosure Form as required be placed on file with the Municipal Clerk; 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 13-0301.07: Approve a contract for Police Off-Duty services:
New Jersey Natural Gas @ \$65.00 per hour for 2013

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the Mayor and the Municipal Clerk be and they hereby are authorized and directed to execute an annual contract with New Jersey Natural Gas Co. for various Police Off-Duty Services during the 2013 calendar year.

12. Resolution 13-0301.08: Approve various contracts for Beach Patrol uniforms, per bid: AmPro and Original Watermen, Inc.

BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the following contracts, per bid, be awarded for the year 2013:

Lifeguard Uniforms - Various items per individual contracts on file in the Municipal Clerk's Office:

Ampro Sports: 1 yr. contract

Primos, PA

Original Watermen, Inc.: 1 yr. contract

Vista, CA

Beach Badge Uniforms - Various items per individual contracts on file in the Municipal Clerk's Office:

Ampro Sports: 1 yr. contract

Primos, PA

13. Resolution 13-0301.09(a&b): Approve various actions pertaining to Shared Service Agreements:

a. Authorize execution of a Shared Service Agreement with Southern Regional School District for repairs and maintenance of Emergency Management vehicles: \$35.00 per hour

RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICE AGREEMENT BETWEEN THE TOWNSHIP OF LONG BEACH AND SOUTHERN REGIONAL SCHOOL DISTRICT TO PERFORM MAINTENANCE AND REPAIRS ON TWO (2) EMERGENCY MANAGEMENT BUSES

WHEREAS, the Shared Services Act, N.J.S.A. 40A:65-1 et seq authorizes two or more local units to enter into a mutual service agreement for the provision of certain governmental services; and

WHEREAS, pursuant to Resolution 13-0118.05 approved on January 18, 2013, the Board of Commissioners of the Township of Long Beach accepted the donation from Southern Regional School High School of two (2) 2000 Blue Bird school buses identified as VIN # 1GDL7T1D0XJ517357 and VIN# 1GDL7T1D7XJ517324 to the Long Beach Township Office of Emergency Management; and

WHEREAS, the Township of Long Beach and the Southern Regional School District wish to enter into a Shared Services Agreement for vehicle maintenance and repairs to be performed by the Southern Regional School District Garage for the two (2) donated Emergency Management buses; and

WHEREAS, the parties have agreed to the following general terms as set forth in the agreement attached hereto as Schedule A, which is adopted by this resolution and incorporated as if set fully herein.

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach, at a regular meeting held Friday, February 1, 2013, does hereby approve the execution of a Shared Services Agreement for vehicle maintenance and repairs to be performed by the Southern Regional School District Garage for two (2) donated Emergency Management buses, as described above; and

BE IT FURTHER RESOLVED that pursuant to N.J.S.A. 40A:65-4.b., a copy of this resolution and agreement shall be filed with the Division of Local Government Services: Department of Community Affairs.

b. Authorize execution of a Shared Service Agreement with Ship Bottom Borough for their use of one (1) Township Street Sweeper with one (1) Driver/Operator: \$533.16 per day.

RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED RESOURCES AGREEMENT BETWEEN THE TOWNSHIP OF LONG BEACH AS LEAD AGENCY AND THE BOROUGH OF SHIP BOTTOM FOR THE USE OF ONE (1) STREET SWEEPER WITH DRIVER/OPERATOR.

Motion to approve Items 14 & 15:

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

COMMISSIONERS' REPORTS

Commissioner Lattanzi commented on the overall financial impact of Super Storm Sandy on Long Beach Township. He felt the Township had fared well economically. He related his recent trip to Washington DC had been positive.

Commissioner Lattanzi and Mayor Mancini discussed important topics with legislators including funding for the Beach Storm Protection Project and the proposed FEMA elevation maps. He noted a fundraiser for Long Beach Island would soon be held at Nardi's Restaurant.

Commissioner Bayard stated that sand was no longer permitted to be placed in Holgate.

Mayor Mancini stated that the deadline to file for assistance through the FEMA-SBA Program had been extended to April 1st, 2013. All property owners were encouraged to apply at the Disaster Recovery Center at the intersection of Route 9 and 72, 179 South Main Street, Stafford Township.

Mayor Mancini stated that Lt. Vereb, Ptl. Hartmann and Ptl. Keller were supporting the continuing education of our community's children in the DARE Program, offered at the Elementary School, in a cooperative effort with the Ship Bottom Police Dept.

Mayor Mancini noted that drivers were reminded to "Keep right – pass left", "no texting while driving" and to use caution when approaching road construction sites.

Mayor Mancini reported that he testified in New York for the Senate Sub Committee regarding FEMA. Director of FEMA was there to hear challenges. He met with Chairman S. Landrieu to discuss pertinent issues.

Mayor Mancini noted that all beach easements needed to be signed and submitted by the end of March. After that date money that was allocated for Long Beach Island could be designated for New York.

OPEN PUBLIC SESSION

Don O'Brien, Brant Beach stated that the Surfflight Theatre was open. Bill Martin and Bill Laughton of Surfflight Theatre spoke about new plans and shows. Mr. O'Brien stated that the renovations were done by community volunteers and that Jetty Life Inc. donated \$10,000.00 to the restoration.

Peter Trainor, North Beach Haven spoke about the large boating community and was concerned about safety on the waterways as debris left by Sandy was still in the bay waters.

Mayor Mancini replied that crews just started this week cleaning up all of the waterways. He asked the public to report debris in the water to Ptl. Hartmann.

Bill Kunz, Brant Beach Thanked the Mayor and Comm. Lattanzi for going to Washington, DC on the township's behalf. Mr. Kunz asked what the time frame for Ordinance 13-06C was as related to demolition of unsafe structures.

Mayor Mancini replied that 10 days written notice would be given.

Bill Hutson, Holgate thanked the Mayor and Comm. Lattanzi for going to Washington on the Township's behalf. Mr. Hutson also stated that there was a fundraiser, "Hike, Hunt, Help Holgate" on March 30th in Holgate to raise funds for Holgate residents to rebuild from Sandy. Mr. Hutson also asked about judgements for money to place sand on non-signors property (oceanfront).

Mayor Mancini replied that one (1) case was going to federal court.

Bob Irvine, Beach Haven Crest asked what the status was on the other towns obtaining signed easements. Also, if the hold-outs were being contacted.

Mayor Mancini replied that we were working on the project every day and that a letter to the hold-outs was being mailed shortly.

CLOSE PUBLIC SESSION

Motion for adjournment at: 4:36 P.M.

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

Lynda J. Wells, RMC

Municipal Clerk

Joseph H. Mancini, Mayor

Ralph H. Bayard, Commissioner

Dr. Joseph P. Lattanzi, Commissioner