

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS MARCH 5, 2010
Flag Salute

Meeting came to order: 4 p.m.

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

Also in attendance: Teresa S. Sgro, Assistant Municipal Clerk
Debra Thompson, Senior Clerk
Richard J. Shackleton, Esq.

Assistant 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; the PRESS OF ATLANTIC CITY; and the ASBURY PARK PRESS on December 30th 2009; and filed with the Municipal Clerk.

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

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

AGENDA

PROCLAIM:

- The **Month of March 2010 as Census Month**- Teresa Sgro, Assistant Municipal Clerk, explained that census data is used by public agencies and various organizations to determine funding for many programs and services.
- The **Month of March 2010 as Women's History Month**- Teresa Sgro, Assistant Municipal Clerk, explained that this recognizes the many significant contributions and accomplishments of women throughout history. **Mayor Joseph H. Mancini** asked the public for nominations of recognized women in the community.

ORDINANCES/PUBLIC HEARINGS

1. Second Reading Ordinance 10-06C: **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 51 PERTAINS TO BEACH BADGES FEES.** Teresa S. Sgro, Assistant Municipal Clerk, explained that this ordinance amends the regulations pertaining to the issuance of Senior Citizen Beach Badges. An annual fee of five dollars (\$5.00) per badge shall be required for the issuance of a Senior Citizen Beach Badge for persons 65 years of age or older, with valid proof of age. Senior Citizen Beach Badges issued prior to the adoption of this Ordinance shall be permanently valid unless lost or misplaced. The replacement Senior Citizen Badge shall be obtained at a cost of five dollars (\$5.00) with valid proof of age and must be purchased annually.

ORDINANCE 10-06C

2. **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 51 PERTAINS TO BEACH BADGES FEES.**

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

STATEMENT OF PURPOSE

This ordinance amends the regulations pertaining to the issuance of Senior Citizen Beach Badges. An annual fee of five dollars (\$5.00) per badge shall be required for the issuance of a Senior Citizen Beach Badge for persons 65 years of age or older, with valid proof of age. Senior Citizen Beach Badges issued prior to the adoption of this Ordinance shall be permanently valid unless lost or misplaced. The replacement Senior Citizen Badge shall be obtained at a cost of five dollars (\$5.00) with valid proof of age and must be purchased annually.

SECTION I

Article IV, §51-25. A. of the Code of the Township of Long Beach, County of Ocean, State of New Jersey, 1997, is hereby amended to read as follows:

A. No fee shall be charged to or collected from any child under the age of 12.

SECTION II

Article IV, §51-25. of the Code of the Township of Long Beach, County of Ocean, State of New Jersey, 1997, is hereby amended with the addition of G. to be inserted after F.:

G. Five dollars per Senior Citizen per season upon presentation of valid proof of age for persons 65 years of age or older. Senior Citizen Beach Badges issued prior to the adoption of this Ordinance shall be permanently valid unless lost or misplaced. The replacement Senior Citizen Badge shall be obtained at a cost of five dollars (\$5.00) with valid proof of age and must be purchased annually.

SECTION III

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

SECTION IV

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 after the first publication thereof after final passage.

Passed on first reading at a regular meeting held on February 19, 2010 and advertised in the BEACH HAVEN TIMES issue of February 24, 2010.

OPEN PUBLIC HEARING
No Comments
CLOSE PUBLIC HEARING

Motion to adopt Ordinance 10-06C on Second Reading:

Motion: Knarre Ayes: Bayard, Knarre, Mancini

Second: Bayard Nays:

3. Second Reading Ordinance 10-07: **AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" PROVIDING FOR THE ACQUISITION OF CERTAIN LANDS ON THE OCEANFRONT IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY FOR A PRICE NOT TO EXCEED TWENTY DOLLARS (\$20.00) PER LINEAL FOOT.** Teresa S. Sgro, Assistant Municipal Clerk, stated that this ordinance authorizes the purchase of land lying between the oceanfront building line and the mean high water line of the Atlantic Ocean for the sum of Twenty Dollars (\$20.00) per lineal foot. This is in furtherance of a long standing policy in Long Beach Township to acquire land lying east of the building line or east of the bulkhead line where owners thereof were desirous of selling the same. The Township of Long Beach, at least since 1978, has had a policy of acquiring those lands, which are unbuildable for what has been considered to be their actual value which is nominal since the lands are unbuildable and are largely subject to the public trust doctrine. Commencing in or about 1975 the Township of Long Beach has paid Fifteen Dollars (\$15.00) per lineal foot with the last purchase being made in or about 1984 pursuant to Ordinance 84-11.

ORDINANCE NO. 10-07

AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" PROVIDING FOR THE ACQUISITION OF CERTAIN LANDS ON THE OCEANFRONT IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY FOR A PRICE NOT TO EXCEED TWENTY DOLLARS (\$20.00) PER LINEAL FOOT.

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

STATEMENT OF PURPOSE

This ordinance authorizes the purchase of land lying between the oceanfront building line and the mean high water line of the Atlantic Ocean for the sum of Twenty Dollars (\$20.00) per lineal foot. This is in furtherance of a long standing policy in Long Beach Township to acquire land lying east of the building line or east of the bulkhead line where owners thereof were desirous of selling the same. The Township of Long Beach, at least since 1978, has had a policy of acquiring those lands which are unbuildable for what has been considered to be their actual value which is nominal since the lands are unbuildable and are largely subject to the public trust doctrine. Commencing in or about 1975 the Township of Long Beach has paid Fifteen Dollars (\$15.00) per lineal foot with the last purchase being made in or about 1984 pursuant to Ordinance 84-11.

The Township of Long Beach has consulted with various appraisal sources which are considered to be reliable and has ascertained that between 1984 and 1987 all land on Long Beach Island appreciated substantially in value, however, with the advent of the 1987 recession land on Long Beach Island slipped in value by as much as 40 to 50 percent which reduction and diminution in value terminated in or about 1991 when the upward spiral recommenced, however, not to the same degree which it had increased between 1984 and 1987. Between 1991 and 2007 land values on Long Beach Island showed a fairly substantial increase getting back almost to the highs of 1987. With the onset of the current recession in 2007 the land values on Long Beach Island diminished again to their present values.

Although it is difficult to pinpoint the exact value of unbuildable land along the oceanfront which is not useable as private property since such lands are burdened by the public trust doctrine, negotiations with John Kuiper, Inc., the owner of certain lands known as Block 6.29 Lots 6, 7 & 8, have resulted in an arm's length negotiated price of Twenty Dollars (\$20.00) per running linear foot measured parallel with Atlantic Avenue.

This Ordinance authorizes the purchase of 180 lineal feet parallel with Atlantic Avenue and distant 200 feet southeastwardly there from running in a straight line parallel with Atlantic Avenue and extending in a southeastwardly direction the various distances as they may be to the mean high water line of the Atlantic Ocean.

The Twenty Dollar (\$20.00) per lineal foot figure was a negotiated figure negotiated in arm's length negotiations between the Township of Long Beach and the owners of the lands John Kuiper, Inc.

SECTION I

There is hereby authorized the purchase in fee simple of certain lands located in the Township of Long Beach, County of Ocean and State of New Jersey known and designated as Lots 6, 7 & 8 Block 6.29 as shown on the tax map of the Township of Long Beach which land is more particularly described as follows:

Beginning at a point in the Northeasterly sideline of East South 31st Street distant 200 feet Southeastwardly from the intersection of the Northeasterly sideline of East South 31st Street and the Southeasterly sideline of Atlantic Avenue and running thence;

1. In a Southeastwardly direction along the said Northeasterly sideline of East South 31st Street as the same might be extended to intersect with the mean high water line of the Atlantic Ocean the distance of 80 feet more or less to a point in the mean high water line of the Atlantic Ocean and thence returning to the beginning point and running thence;
2. In a Northeastwardly direction at right angles and perpendicular to the Northeasterly sideline of East South 31st Street as the same might be extended and parallel with the Southeasterly sideline of Atlantic Avenue the distance of 180 feet to a point in the Southwesterly sideline of East South 32nd Street as that same sideline might be extended to the mean high water line of the Atlantic Ocean and running thence;

3. In a Southeastwardly direction along the said extended line of East South 32nd Street the distance of 120 feet more or less to the mean high water line of the Atlantic Ocean and running thence;

4. In a Southwestwardly direction along the mean high water line of the Atlantic Ocean and the various courses and distances thereof to the end of the first course hereinabove set forth.

SECTION II

The Township of Long Beach shall pay the negotiated fair market value of the parcel being acquired as negotiated by and between the Township of Long Beach and the owner of the parcel, John Kuiper, Inc., of Twenty Dollars (\$20.00) per lineal foot running for 180 feet parallel with the southeasterly sideline of Atlantic Avenue, that is to say, the sum of Three Thousand Six Hundred Dollars (\$3,600.00) upon receipt of a Bargain and Sale Deed with Covenants against Grantors Acts which Deed shall convey title insurable at regular rates with only standard exceptions by Commonwealth Land Title Insurance Company.

SECTION III

Any outstanding unpaid taxes in effect for the calendar year 2010 and prior thereto shall, as further consideration, be cancelled of record.

SECTION IV

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

SECTION V

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 VI

This Ordinance shall take effect upon publication thereof after final passage according to law. Passed on first reading at a regular meeting held on February 19, 2010 and advertised in the BEACH HAVEN TIMES issue of February 24, 2010.

OPEN PUBLIC HEARING

No Comments

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 10-07 on Second Reading:

Motion: Knarre Ayes: Bayard, Knarre, Mancini

Second: Bayard Nays:

4. Second Reading Ordinance 10-08C: **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 PARAGRAPH A PERTAINS TO THE MAINTENANCE OF BEACH DUNE AREA.** Teresa S. Sgro, Assistant Municipal Clerk, explained that this ordinance clarifies and sets standards which the governing Body of the Township of Long Beach shall apply in utilizing its discretion to determine whether or not restoration and repair of the lands on the oceanfront in the Township of Long Beach lying between the bulkhead line as established by the Township of Long Beach and the mean high water line of the Atlantic Ocean.

As provided in Ordinance No. 79-12C dune restoration, when required shall in addition to providing a uniform slope to the flat beach also provide a uniform slope to the westerly toe of the dune not less than 150 feet westerly of the oceanfront building line.

Richard J. Shackleton stated that rather than a motion to postpone the Ordinance 10-08C, we should adopt **Resolution 10-0305.01**, which states that no formal action be taken on this ordinance at this time. Richard J. Shackleton said that Resolution 10-0305.01 be adopted now.

SOLUTION 10-0305.01

RESOLUTION AMENDING ORDINANCE NO. 10-08C PRIOR TO SECOND READING

FIRST WHEREAS, Ordinance No. 10-08C was 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 February 19, 2010, at 4:00 p.m.; and

SECOND WHEREAS, upon further consideration thereof it was ascertained that Ordinance No. 10-08C should have included in paragraph B reference to maintaining the westerly slope of oceanfront dunes as it was contained in Section 51-12 of the **"Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)"** by Ordinance adopted July 20, 1979 as Ordinance No. 79-12C; and

THIRD WHEREAS, Ordinance No. 79-12C provided, *inter alia*:

"The notice so served shall give the owner of such property 30 days from the date of the receipt of such notice to install such corrective and restorative work as may be required to restore the dune area from the bulkhead line west to the westerly toe of the dune in order that an elevation of 14 feet above mean sea level shall be maintained at the bulkhead line and 16 feet above mean sea level shall be maintained at the building line with a uniform slope westwardly therefrom to the westerly toe of the dune, which westerly tow of the dune shall be determined to be at least 150 feet westerly of the building line."; and

FOURTH WHEREAS, the failure to include the above quoted language was inadvertent; and

FIFTH WHEREAS, that language should appear in paragraph B of Section 51-12 of an Ordinance entitled **"Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)"**; and

SIXTH WHEREAS, Ordinance No. 10-08C is presently being considered for passage on second reading; and

SEVENTH WHEREAS, the Governing Body of the Township of Long Beach has determined that the above quoted language or its equivalent should be appended to paragraph B of Section 51-12 of an Ordinance entitled “**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**”.

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 March 5, 2010 that Ordinance No. 10-08C is hereby amended by the renumbering of Sections II, III and IV to become Sections III, IV and V, and the insertion of a new Section II as follows:

Section 52-12 paragraph B of an Ordinance entitled “**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**” is hereby further amended by the addition of the following language to paragraph B after deleting the period in that paragraph:

“and in a westwardly direction the dune slope shall be a uniform slope to the westerly toe of the dune, which westerly tow of the dune shall be no less than 150 feet westwardly of the building line.”

BE IT FURTHER RESOLVED, that notice of this amendment shall be published in the official newspaper or newspapers of the Township of Long Beach as follows:

Ordinance No. 10-08C is amended by incorporation of the provisions contained in Ordinance No. 79-12C that dune restoration, when required, shall not only provide a uniform slope to the flat beach but also a uniform slope to the westerly toe of the dune not less than 150 feet westwardly of the oceanfront building line and as so amended shall be considered for final passage as amended at a regular meeting of the Board of Commissioners of the Township of Long Beach held Friday March 19, 2010 at 4:00 p.m. at the Public Safety Building, 6805 Long Beach Blvd., Brant Beach, NJ 08008.

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

5. First Reading Ordinance 10-09C: **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 22 PERTAINS TO PERSONNEL POLICIES.** – Teresa S. Sgro stated that this ordinance corrects a typographical error in Section 1, Article 1, #6.

Motion to approve Ordinance 10-09C on First Reading:
Motion: Knarre Ayes: Bayard, Knarre, Mancini
Second: Bayard Nays:

6. First Reading Ordinance 10-10C: **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 205-10 PERTAINS TO ZONING.**

Mayor Joseph H. Mancini announced that this ordinance was being tabled for further discussion

7. First Reading Ordinance 10-11C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, “CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)” WHERE IN SECTION 180-2B PROVIDES FOR CERTAIN CONSTRUCTION STANDARDS FOR SWIMMING POOLS.** Teresa S. Sgro, Assistant Municipal Clerk, explained that this Ordinance amends construction standards for swimming pools to provide for construction standards for fiberglass pools as well as concrete pools.

Motion to approve Ordinance 10-11C on First Reading:
Motion: Knarre Ayes: Bayard, Knarre, Mancini
Second: Bayard Nays:

8. First Reading Ordinance 10-12: **AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK IN 2010 (N.J.S.A. 40A: 4-45.14)** **Teri S. Sgro** stated this would allow an increase in the budget from 0% to 3.5%. If this was not authorized, a CAP Bank could not be created. **Mayor Joseph H. Mancini** explained that this ordinance provides the option to increase the cap up to 3.5% although we have never exercised the option.

Motion to approve Ordinance 10-12 on First Reading:
Motion: Knarre Ayes: Bayard, Knarre, Mancini
Second: Bayard Nays:

ADOPTIONS AND APPROVALS

9. Resolution 10-0305.02: Authorize the adoption of the Long Beach Island Re-entry Plan for the Township of Long Beach

Teresa S. Sgro, Assistant Municipal Clerk, explained that this resolution defines the process to re-enter LBI after an evacuation. This plan has been reviewed by Emergency Management Coordinator Houston and adopted by Harvey Cedars, All LBI municipalities and Stafford Township would utilize this plan.

RESOLUTION 10-0305.02

AUTHORIZING THE ADOPTION OF THE LONG BEACH ISLAND RE-ENTRY PLAN FOR THE TOWNSHIP OF LONG BEACH

WHEREAS Long Beach Island, a barrier island located six miles at sea, consists of six municipalities: the Borough of Harvey Cedars, the Borough of Surf City, the Borough of Ship Bottom, the Borough of Beach Haven, the Borough of Barnegat Light and the Township of Long Beach (hereinafter referred to as the Island municipalities); and

WHEREAS the only entry and exit route for the Island passes through the mainland municipality of Stafford Township; and

WHEREAS Long Beach Island is vulnerable to Nor’easters, hurricanes and flooding which may require the evacuation of residents and visitors; and

WHEREAS the Emergency Management groups from the Island municipalities and Stafford Township have developed a plan that provides a framework of cooperation among the Island municipalities and Stafford Township for the orderly re-entry to Long Beach Island in the case of an evacuation; and

WHEREAS it has been determined by the Long Beach Township Emergency Management Coordinator and Chief of Police that it is in the best interest of the citizens and residents of the Township of Long Beach that a re-entry plan be adopted.

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 attached Long Beach Island Re-Entry Plan be and is hereby adopted.

BE IT FURTHER RESOLVED as follows:

1. This initial version of the Re-Entry Plan shall be dated March 2010.
2. The Long Beach Island Re-Entry Plan shall be reviewed and updated from time to time whenever necessary and in coordination with all municipalities.
3. Certified copies of this resolution shall be sent to all Island municipalities and Stafford Township.

10. Resolution 10-0305.03(a&b): Approve various actions to Water/Sewer accounts
 - a. Changes in billing and/or classification

RESOLUTION 10-0305.03(a)

WHEREAS, the following Water/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:

Blk:	Lot:	Acct:	Year:	Cancel/Change	Amount:
4.23	9.02	1082-0 Water 2009 Actual Fixture Count			\$ 74.00
4.48	13	1398-0 Sewer 2010 To Stand-by			492.00
5.29	2	1670-0 Sewer 2010 Change from Duplex to Single w/gd			284.00
6.48	19	2163-0 Sewer 2010 To Stand-by			208.00
12.06	14	3927-0 Sewer 2010 House demo'd, lots combined			492.00
12.18	6	4150-0 Sewer 2010 To Stand-by			492.00
12.21	3	4207-0 Sewer 2010 House demo'd, lots combined			492.00
15.03	16	4985-0 Sewer 2010 To Stand-by			492.00
15.29	2	5183-0 Sewer 2010 To Stand-by			984.00
20.68	1	7058-0 Sewer 2010 Remove Garbage Disposal			208.00

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

- b. Refund a permit fee

RESOLUTION 10-0305.03(b)

WHEREAS, the following account requires a refund to Mike MacIntyre Plumbing for a Cut & Cap Permit that was issued and paid in error; and

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

Blk:	Lot:	Acct:	Amount:
20.039	101	Permit #1001	\$62.00

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

11. Resolution 10-0305.04: Approve personnel actions.

RESOLUTION 10-0305.04

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

Approve an extension of an unpaid medical leave of absence for 30 days based on disability pension notification for MB.

Approve an unpaid FMLA/NJFLA leave for BL effective retro-active to March 1, 2010 pending certification paperwork acceptable to the Township. Employee wishes to be paid during this time through use of accumulated sick time.

Acknowledge the end of a FMLA/FLA for RH effective retro-active to February 23, 2010.

12. Resolution 10-0305.05: Authorize application for grants:

Teresa S. Sgro, Assistant Municipal Clerk, stated that Lt. Vereb has been authorized to apply for various highway traffic safety grants: Click it or Ticket, Pedestrian Bicycle Safety, Alcohol Education, Aggressive Driver Enforcement and Comprehensive Traffic Safety Grants.

RESOLUTION 10-0305.05

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that Lt. Paul Vereb, Long Beach Township Police Dept., be and he hereby is authorized and directed to apply for the following grants:

- Click It or Ticket Grant
- Pedestrian Bicycle Safety & Enforcement Grant
- Alcohol and Impaired Driver Education Grant
- Aggressive Driver Enforcement Grant
- Comprehensive Traffic Safety & Program Enforcement Grant

13. Resolution 10-0305.06: Authorize the Municipal Clerk to advertise for bids:

- Various Improvements to Well #14
- 2010 Water Main Improvements Project
- 2010 Sewer Main Improvements Project

RESOLUTION 10-0305.06

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 advertise for bids and award a contract for the following:

- Various improvements to Well #14 in the Beach Haven Terrace Water Treatment Plant
- Water Main Project 1517001-09
- Sewer Main Project S340023-02

Motion to approve Items 9 thru 13:

Motion: Knarre Ayes: Bayard, Knarre, Mancini

Second: Bayard Nays:

CONTRACTS AND AWARDS

14. Resolution 10-0305.07(a-c): Authorize the execution/extension of various contracts:

- a. Borough of Barnegat Light: Police Services Agreement for 2010

RESOLUTION 10-0305.07(a)

A RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE BOROUGH OF BARNEGAT LIGHT FOR POLICE SERVICES

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

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

WHEREAS, it is deemed to be in the public interest for the Township of Long Beach to execute such an agreement with the Borough of Barnegat Light to provide Police Services to Barnegat Light in accordance with the terms set forth in the said Agreement for the term January 1, 2010 through December 31, 2010.

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

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

- b. AFSCME: (1) year extension to the Collective Bargaining Agreement with Long Beach Twp.

Teresa S. Sgro, Assistant Municipal Clerk stated that this Bargaining Agreement with LBT mirrors the non-union employee salary increase for 2010.

RESOLUTION 10-0305.07(b)

RESOLUTION AUTHORIZING EXECUTION OF A ONE (1) YEAR EXTENSION TO THE AFSCME AFL-CIO COUNCIL 71 LOCAL 3304-I: POLICE DISPATCHERS AND CLERICAL WORKERS CONTRACT

WHEREAS, as a result of negotiations between AFSCME District Council 71, Local 3304-I on behalf of Police Dispatchers and Clerical Workers and the Township of Long Beach, a one (1) year contract extension was agreed upon between the said parties; and

WHEREAS, a one (1) year Contract Agreement has been prepared which accurately reflects the agreement between the parties and has been reviewed and approved by the appropriate representatives of both parties; and

WHEREAS, the Commissioner of Public Affairs and Public Safety and the entire Board of Commissioners deem it to be in the best interest of the Township of Long Beach to approve said one (1) year extension to the Contract Agreement between the Township and AFSCME AFL-CIO Council 71, Local 3304-I.

- c. MED-FLEX, Inc.: Authorize execution of a contract, per quotation, for medical waste disposal for the Long Beach Island Health Department: effective through December 2012

RESOLUTION 10-0305.07(c)

A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT TO COLLECT, TRANSPORT, AND DISPOSE OF MEDICAL WASTE GENERATED BY THE LONG BEACH ISLAND BOARD OF HEALTH, PER QUOTATION

WHEREAS, in accordance with N.J.S.A. 40:A11-6.1, the Long Beach Island Board of Health solicited quotations to collect, transport, and dispose of medical waste; 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 MED-FLEX, Inc. provided the lowest qualified quotation in accordance with the specifications received by the Long Beach Island Board of Health and reviewed by the Municipal Solicitor; and

WHEREAS, it is in the public interest of the Township of Long Beach to execute a contract, if agreed to by both parties, in the form prepared by the Municipal Solicitor, to MED-FLEX, Inc. for the collection, transportation, and disposal of medical waste for the Long Beach Island Board of Health.

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 5th day of March 2010 that the Mayor and the Municipal Clerk are hereby authorized to execute a contract, if agreed to by both parties, in the form prepared by the Municipal Solicitor, with MED-FLEX, Inc., P.O. Box 357, Hainesport, NJ 08036-0357 as determined by the Municipal Solicitor.

15. Resolution 10-0305.08(a-d): Award various contracts, per bid:

a. Giovanelli Excavating, Inc.: Rental of bulldozers with operators: various rates as per bid of February 9th 2010.

Mathis Construction: Rental of Bulldozers & Loaders with operators: various rates as per bid of February 9th 2010.

b. Sahara Sand: beach sand @ \$9.38 per ton (normal business hours & \$9.63 per ton (emergency hours).

Phoenix Pinelands: beach sand @ \$8.95 per ton (normal business hours) & \$10.45 per ton (emergency hours).

c. Mid-Atlantic Truck Centre: Roll-off container truck and hoist \$113,700.00.

d. R. Moslowski Excavating: 2010 Drainage Project \$26,319.95.

RESOLUTION 10-0305.08(a)

A RESOLUTION AWARDED CONTRACTS FOR THE EMERGENCY RENTAL OF BULLDOZERS AND LOADERS WITH OPERATORS FOR THE PUBLIC WORKS DEPARTMENT OF THE TOWNSHIP OF LONG BEACH, PER BID

WHEREAS, the Township of Long Beach has solicited bids for the Emergency Rental of Bulldozers and Loaders With and Without Operators for the Public Works Department; and

WHEREAS, the bid specifications advised multiple contract awards would be made; and

WHEREAS, it is the opinion of the Board of Commissioners of the Township of Long Beach the following vendors have provided qualified bids, said bids having received the Township's municipal attorney's review and approval and that they be accepted for the same:

- Bulldozers with Operators:

Giovanelli Excavating, Inc.
22 Sharon Station Road
Allentown, NJ 08501

- Various Bulldozers and Loaders With Operators:

Mathis Construction Co., Inc.
1510 Route 539, Suite 1
Little Egg Harbor Township, NJ 08087

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 5th day of March 2010, for the reasons aforesaid, that a two-year contract with a two year option to extend be and is hereby awarded to the above-named vendors at rates pursuant to the bids received by Long Beach Township on February 9, 2010.

b. Sahara Sand: beach sand @ \$9.38 per ton (normal business hours) & \$9.63 per ton (emergency hours)

Phoenix Pinelands: beach sand @ \$8.95 per ton (normal business hours) & \$10.45 per ton (emergency hours)

RESOLUTION 10-0305.08(b)

A RESOLUTION AWARDED A CONTRACT FOR THE SUPPLY AND DELIVERY OF BEACH SAND FOR THE PUBLIC WORKS DEPARTMENT OF THE TOWNSHIP OF LONG BEACH, PER BID

WHEREAS, the Township of Long Beach has solicited bids for the supply and delivery of beach sand for the Public Works Department; and

WHEREAS, the bid specifications advised multiple contract awards would be made; and

WHEREAS, it is the opinion of the Board of Commissioners of the Township of Long Beach the following vendors have provided qualified bids, said bids having received the Township's municipal attorney's review and approval and that they be accepted for the same:

- Eagle Lake Reserve, Inc. d/b/a/ Sahara Sand, Inc.:
\$9.38 per ton for non-emergency (normal business hours) delivery
\$9.63 per ton for emergency (after normal business hours) delivery
- Phoenix Pinelands Corp.:
\$8.95 per ton for non-emergency (normal business hours) delivery
\$10.45 per ton for emergency (after normal business hours) delivery

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 5th day of March 2010, for the reasons aforesaid, that a one-year contract with a two year option to extend be and is hereby awarded to the above-named vendors at rates pursuant to the bids received by Long Beach Township on February 9, 2010.

c. Mid-Atlantic Truck Centre, Inc.: Roll-off container truck and hoist \$113,700.00.

RESOLUTION 10-0305.08(c)

A RESOLUTION AWARDED A CONTRACT FOR THE PURCHASE AND DELIVERY OF ONE (1) 2007 OR NEWER ROLL-OFF CONTAINER TRUCK & HOIST FOR THE DEPARTMENT OF PUBLIC WORKS OF THE TOWNSHIP OF LONG BEACH, PER BID

WHEREAS, the Township of Long Beach has solicited bids for the purchase and delivery of one (1) 2007 or Newer Roll-Off Container Truck & Hoist for the Department of Public Works; and

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

WHEREAS, Mid-Atlantic Truck Centre, Inc. gave the lowest qualified bid as per the Township's municipal attorney's review and approval; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Ordinance 10-04, account #C-04-55-980-901.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 5th day of March 2010, for the reasons aforesaid, that a contract be and is hereby awarded to:

Mid-Atlantic Truck Centre, Inc.
525 Linden Avenue W
Linden, NJ 07036

in the amount of One Hundred Thirteen Thousand Seven Hundred Dollars (\$113,700.00) pursuant to the bid received on February 9, 2010.

d. R. Moslowski Excavating: 2010 Drainage Project \$26,319.95

RESOLUTION 10-0305.08(d)

A RESOLUTION AWARDING A CONTRACT FOR THE 2010 DRAINAGE IMPROVEMENT PROJECT FOR CALIFORNIA AVENUE, CONNECTICUT AVENUE, AND HARBOR DRIVE IN THE TOWNSHIP OF LONG BEACH, PER BID

WHEREAS, the Township of Long Beach has solicited bids for the 2010 Drainage Improvement Project for California Avenue, Connecticut Avenue, and Harbor Drive; and

WHEREAS, it is in the opinion of the Township that the lowest qualified bid be accepted for same; and

WHEREAS, R. Moslowski Excavating, Inc., gave the lowest qualified bid as per the municipal attorney's review and approval; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Ordinance 09-18: Various Drainage Improvements, account #C-04-55-973-901.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 5th day of March 2010, for the reasons aforesaid, that a contract be and is hereby awarded to:

R. Moslowski Excavating, Inc.
3 Meirs Road
Cream Ridge, NJ 08514

for the 2010 Drainage Improvement Project for California Avenue, Connecticut Avenue, and Harbor Drive in an amount not to exceed Twenty Six Thousand Three Hundred Nineteen Dollars and Ninety Five Cents (\$26,319.95) as per the bid received March 2, 2010.

16.Resolution 10-0305.09:Award a contract for computer equipment for the Police Department, per State Contract:
Dell Marketing: server and three (3) laptop computers with air cards \$5,707.17

RESOLUTION 10-0305.09

AUTHORIZE A CONTRACT WITH DELL MARKETING, LP FOR THE PURCHASE OF ONE COMPUTER SERVER AND THREE LAPTOP COMPUTERS WITH AIRCARDS FOR THE LONG BEACH TOWNSHIP POLICE DEPARTMENT, PER STATE CONTRACT

WHEREAS, the Township of Long Beach wishes to purchase from an authorized vendor under the State of New Jersey Cooperative Purchasing Services Program INJCP; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, Dell Marketing LP, Dept. 0747, PO Box 12001, Dallas, TX 75312-0747 has been awarded Index # M-0483 entitled WSCA Computer Contract, New Jersey State Contract No. 70256 for computer hardware for the Police Dept. effective October 17, 2007 through August 31, 2014; and

WHEREAS, the Commissioner of Public Safety recommends the utilization of this contract on the grounds that it represents the most cost effective method for the needs of the Township; and

WHEREAS, the actual cost of the computer hardware is Five Thousand Seven Hundred Seven Dollars and Seventeen Cents (\$5,707.17); and

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that Dell Marketing LP be awarded a contract for the purchase of a computer server and three laptop computers with aircards pursuant to their quotation dated January 8, 2010 in an amount not to exceed Five Thousand Seven Hundred Seven Dollars and Seventeen Cents (\$5,707.17).

17.Resolution 10-0305.10: Award a contract, as per the Ocean County Co-op for purchase and installation of three (3) doors, modify two (2) existing doorways, and create one (1) new doorway for the Public Works Garage:Hathazi Garage Doors, LLC: \$14,640.00

RESOLUTION 10-0305.10

RESOLUTION AUTHORIZING A CONTRACT FOR THE PURCHASE AND INSTALLATION OF THREE (3) DOORS, THE MODIFICATION OF TWO (2) EXISTING DOORWAYS, AND THE CREATION OF ONE (1) NEW DOORWAY FOR THE PUBLIC WORKS GARAGE OF LONG BEACH TOWNSHIP BASED ON THE BID PROCURED BY THE STATE REGISTERED OCEAN COUNTY COOPERATIVE PURCHASING SYSTEM

WHEREAS, Long Beach Township is a participating entity of the Ocean County Cooperative Purchasing System, County identifier #CK-02-OC; and

WHEREAS, the Township wishes to utilize the Ocean County Cooperative Purchasing System to contract for the purchase of three (3) doors, the modification of two (2) existing doorways, and the creation of one (1) new doorway for the Public Works Garage of Long Beach Township; and

WHEREAS, the governing body deems this contract to be necessary for Township use, and in the best interest of the Township; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by: Ordinance 09-21 Authorizing Various Improvements to the Public Works Facility, Account # C-04-55-976-901.

WHEREAS, Hathazi Garage Doors, LLC, 18C Hornerstown Road, Cream Ridge, NJ 08514, was the lowest qualified bidder and awarded contract #B2009-105 by the Ocean County Cooperative Purchasing System.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach at a regular meeting held Friday, March 5, 2010 that the Mayor and Municipal Clerk shall be

and are hereby authorized to execute a contract as described above and pursuant to the specifications in an amount not to exceed Fourteen Thousand Six Hundred Forty Dollars (\$14,640.00).

Motion to approve Items 14 thru 17:

Motion: Knarre Ayes: Bayard, Knarre, Mancini

Second: Bayard Nays:

FINANCIAL APPROVALS

18. Resolution 10-0305.11(a&b): Confirm details of the sale of New Jersey Environmental Infrastructure Trust bonds by Bond Counsel

a. 2010 Clean Water Project: Series A & Series B bonds

b. 2010 Drinking Water Project: Series C & D bonds

RESOLUTION 10-0305.11(a)

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY CONFIRMING THE DETAILS OF THE SALE OF THE TOWNSHIP'S GENERAL OBLIGATION BONDS, SERIES 2010A AND GENERAL OBLIGATION BONDS, SERIES 2010B TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION PURSUANT TO THE 2009/2010 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM

BACKGROUND

WHEREAS, the Township of Long Beach, County of Ocean, New Jersey ("Township") has determined there exists a need for the removal and replacement of sanitary sewer pipes beneath various streets in the Township ("2009/2010 Project") as described in that certain Loan Agreement ("Trust Loan Agreement") to be entered into between the Township and the New Jersey Environmental Infrastructure Trust ("Trust") and that certain Loan Agreement ("Fund Loan Agreement"; together with the Trust Loan Agreement, the "Loan Agreements") to be entered into between the Township and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection ("State"), all pursuant to the 2009 New Jersey Environmental Infrastructure Trust Financing Program; and

WHEREAS, the Township has determined to finance the acquisition, construction, renovation and installation of the 2009/2010 Project with the proceeds of a loan to be made by each of the Trust ("Trust Loan") and the State ("Fund Loan"; together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively; and

WHEREAS, to evidence the Loans, each of the Trust and the State require the Township to authorize, execute and deliver its General Obligation Bonds, Series 2010A, ("2010A Bonds"), and its General Obligation Bonds, Series 2010B ("2010B Bonds", together with the 2010A Bonds, the "2010 Bonds"), pursuant to the terms of applicable law and pursuant to the terms of the Loan Agreements; and

WHEREAS, pursuant to the Local Bond Law, constituting Chapter 169 of the Laws of the State of New Jersey the Board of Commissioners of the Township has, pursuant to Bond Ordinance No. 09-07, duly and finally adopted and published in accordance with the requirements of the Local Bond Law ("Bond Ordinance"), authorized the issuance of general obligation bonds or bond anticipation notes of the Township to finance the costs of the 2009/2010 Project; and

WHEREAS, pursuant to a resolution adopted by the Board of Commissioners on December 18, 2009 ("Authorizing Resolution"), the Township authorized and approved the issuance and sale of up to \$2,030,000 of the 2010 Bonds of the Township, consisting of the Township's 2010A Bonds and 2010B Bonds, to finance the costs of the 2009/2010 Project; and

WHEREAS, N.J.S.A. 40A:2-27(a)(2), allows for the sale of the 2010A Bonds and the 2010B Bonds to the Trust and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the 2010B Bonds to the Trust, without any public offering, all under the terms and conditions set forth herein; and

WHEREAS, the Trust has sold its bonds to fund the Trust Loan, thereby enabling the Township to confirm the exact aggregate principal amount of and debt service schedule for each series of the 2010 Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY, PURSUANT TO THE LOCAL BOND LAW (NOT LESS THAN TWO-THIRDS OF ALL THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING), AS FOLLOWS:

Section 1. The sale of the 2010A Bonds to the Trust and the 2010B Bonds to the State is hereby authorized, approved, ratified and confirmed. The 2010A Bonds shall be released from escrow in accordance with the terms of the escrow agreement between the Trust, the State, the escrow agent and the Township ("Escrow Agreement") and thereby issued in accordance with the principal amount, interest rates and maturity schedule set forth on Schedule "A" attached hereto and made a part hereof. The 2010B Bonds shall be released from escrow in accordance with the terms of the Escrow Agreement and thereby issued in accordance with the principal amount and maturity schedule set forth on Schedule "B" attached hereto and made a part hereof.

Section 2. All actions heretofore taken and documents prepared or executed by or on behalf of the Township by the Mayor, Chief Financial Officer, Municipal Clerk, other Township officials or by the Township's professional advisors, in connection with the issuance and sale of the 2010 Bonds or the 2009/2010 Project are hereby ratified, confirmed, approved and adopted.

Section 3. The Mayor, Chief Financial Officer or Municipal Clerk are each hereby authorized to determine all matters and execute all documents and instruments in connection with the 2010 Bonds or the 2009/2010 Project not determined or otherwise directed to be executed by the Local Bond Law, the Bond Ordinance, or by this or any subsequent resolution, and the signature of the Mayor, Chief Financial Officer or Municipal Clerk on such documents or instruments shall be conclusive as to such determinations.

Section 4. All resolutions, or parts thereof, inconsistent herewith or with the Authorizing Resolution, are hereby rescinded and repealed to the extent of any such inconsistency.

Section 5. This resolution shall take effect immediately upon adoption this 5th day of March, 2010.

b. 2010 Drinking Water Project: Series C & D bonds Teresa S. Sgro stated this resolution was for 2010 Series A Bond for the Clean Water & Drinking Water Projects.

RESOLUTION 10-0305.11

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY CONFIRMING THE DETAILS OF THE SALE OF THE TOWNSHIP'S GENERAL OBLIGATION BONDS, SERIES 2010C AND GENERAL OBLIGATION BONDS, SERIES 2010D TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION PURSUANT TO THE 2009/2010 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM

BACKGROUND

WHEREAS, the Township of Long Beach, County of Ocean, New Jersey ("Township") has determined there exists a need for the removal and replacement of existing water mains ("2009/2010 Project") as described in that certain Loan Agreement ("Trust Loan Agreement") to be entered into between the Township and the New Jersey Environmental Infrastructure Trust ("Trust") and that certain Loan Agreement ("Fund Loan Agreement"; together with the Trust Loan Agreement, the "Loan Agreements") to be entered into between the Township and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection ("State"), all pursuant to the 2009/2010 New Jersey Environmental Infrastructure Trust Financing Program; and

WHEREAS, the Township has determined to finance the acquisition, construction, renovation and installation of the 2009/2010 Project with the proceeds of a loan to be made by each of the Trust ("Trust Loan") and the State ("Fund Loan"; together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively; and

WHEREAS, to evidence the Loans, each of the Trust and the State require the Township to authorize, execute and deliver its General Obligation Bonds, Series 2010C ("2010C Bonds"), and its General Obligation Bonds, Series 2010D ("2010D Bonds", together with the 2010C Bonds, the "2010 Bonds"), pursuant to the terms of applicable law and pursuant to the terms of the Loan Agreements; and

WHEREAS, pursuant to the Local Bond Law, constituting Chapter 169 of the Laws of the State of New Jersey the Board of Commissioners of the Township has, pursuant to Bond Ordinance No. 09-06, duly and finally adopted and published in accordance with the requirements of the Local Bond Law ("Bond Ordinance"), authorized the issuance of general obligation bonds or bond anticipation notes of the Township to finance the costs of the 2009/2010 Project; and

WHEREAS, pursuant to a resolution adopted by the Board of Commissioners on December 18, 2009 ("Authorizing Resolution"), the Township authorized and approved the issuance and sale of up to \$2,040,000 of the 2010 Bonds of the Township, consisting of the Township's 2010C Bonds and 2010D Bonds, to finance the costs of the 2009/2010 Project; and

WHEREAS, N.J.S.A. 40A:2-27(a)(2), allows for the sale of the 2010C Bonds and the 2010D Bonds to the Trust and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the 2010D Bonds to the Trust, without any public offering, all under the terms and conditions set forth herein; and

WHEREAS, the Trust has sold its bonds to fund the Trust Loan, thereby enabling the Township to confirm the exact aggregate principal amount of and debt service schedule for each series of the 2010 Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY, PURSUANT TO THE LOCAL BOND LAW (NOT LESS THAN TWO-THIRDS OF ALL THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING), AS FOLLOWS:

Section 1. The sale of the 2010C Bonds to the Trust and the 2010D Bonds to the State is hereby authorized, approved, ratified and confirmed. The 2010C Bonds shall be released from escrow in accordance with the terms of the escrow agreement between the Trust, the State, the escrow agent and the Township ("Escrow Agreement") and thereby issued in accordance with the principal amount, interest rates and maturity schedule set forth on Schedule "A" attached hereto and made a part hereof. The 2010D Bonds shall be released from escrow in accordance with the terms of the Escrow Agreement and thereby issued in accordance with the principal amount and maturity schedule set forth on Schedule "B" attached hereto and made a part hereof.

Section 2. All actions heretofore taken and documents prepared or executed by or on behalf of the Township by the Mayor, Chief Financial Officer, Municipal Clerk, other Township officials or by the Township's professional advisors, in connection with the issuance and sale of the 2010 Bonds or the 2009/2010 Project are hereby ratified, confirmed, approved and adopted.

Section 3. The Mayor, Chief Financial Officer or Municipal Clerk are each hereby authorized to determine all matters and execute all documents and instruments in connection with the 2010 Bonds or the 2009/2010 Project not determined or otherwise directed to be executed by the Local Bond Law, the Bond Ordinance, or by this or any subsequent resolution, and the signature of the Mayor, Chief Financial Officer or Municipal Clerk on such documents or instruments shall be conclusive as to such determinations.

Section 4. All resolutions, or parts thereof, inconsistent herewith or with the Authorizing Resolution, are hereby rescinded and repealed to the extent of any such inconsistency.

Section 5. This resolution shall take effect immediately upon adoption this 5th day of March, 2010.

19. Resolution 10-0305.12:	Approve Bills & Payroll	
	Bills in the amount of:	\$558,357.71
	Payrolls in the amount of:	\$367,131.62

RESOLUTION 10-0305.12

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 \$367,131.62.

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 \$558,357.71 be and the same are hereby authorized to be paid on March 5, 2010.

2. The said approved payroll amounting to the sum of \$367,131.62 be and the same are hereby authorized to be paid on March 5, 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 18 and 19:

Motion: Knarre Ayes: Bayard, Knarre, Mancini

Second: Bayard Nays:

COMMISSIONERS' REPORTS

Commissioner Knarre: No Comments

Commissioner Bayard claimed that the township is aware of the condition of the beaches after this past week and would be bringing in sand.

Mayor Mancini:

- The next meeting of the Board of Commissioners will take place on Friday, March 19th at 4:00 p.m.
- The next regular meeting of the Land Use Board will take place on Wednesday, March 10th at 7:00 p.m. in the 2nd floor multi-purpose room.
- Second Reading and Public Hearing for Ordinances 10-08C, 10-09, and 10-10C, 10-11C and 10-12 will take place on Friday, March 19th at 4:00 p.m.
- The Mayor discussed how the reimbursements from FEMA would take place.
- The Long Beach Township Police and Borough of Barnegat Light have worked out a fair agreement for a 1 year extension to their contract for 2010 . The LBT police are looking forward to continuing to working with both communities. The contract has a 4 ½ % increase.
- The Long Beach Township Police have retired two vehicles. The Health Department and the Building Department will be adding them to their fleet.

OPEN PUBLIC SESSION

Don Bloom/ Brant Beach requested follow up on beach replenishment. He asked how soon will the bad beaches get fixed? He also asked since we passed the Ordinance requiring some homeowners to provide their own sand, are we billing them? And finally, he asked if the 5000 feet from 31st to 56th still a possibility for next year?

Mayor Mancini replied that we have to wait for Harvey Cedars to finish their project and we presently have 1 mile ready to go. At this time we have not billed or repaired properties who have not signed easements. Mayor Joseph Mancini also explained that he and others were reaching out to ocean front owners every day.

Bob Irvine/Beach Haven Crest requested information on the FEMA reimbursements. He discussed the amount that those who have not signed the easements have cost the Township.

Preston Godschall/ North Beach Haven requested clarification on the use of the knives that were purchased by the Long Beach Township Police Department. The Mayor clarified their use for Mr. Godschall.

CLOSE PUBLIC SESSION

Motion for adjournment at: 4:25pm

Motion: Knarre Ayes: Bayard, Knarre, Mancini

Second: Bayard Nays:

Teresa S. Sgro, RMC
Assistant Municipal Clerk

Joseph H. Mancini, Mayor

Ralph H. Bayard, Commissioner

William P. Knarre, Commissioner