



**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 purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Township of Long Beach, County of Ocean, New Jersey ("Township").

**Section 2.** It is hereby found, determined and declared as follows:

(a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$135,000;

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$128,200; and

(c) a down payment in the amount of \$6,800 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, *N.J.S.A. 40A:2-11*.

**Section 3.** The sum of \$128,200, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$6,800, which amount represents the required down payment, is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the Township in an amount not to exceed \$128,200 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

**Section 5.** In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$128,200 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

**Section 6.** The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, *N.J.S.A. 40A:2-20*, shall not exceed the sum of \$25,000.

**Section 7.** The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligation</u>	<u>Period of Usefulness</u>
			\$	\$
A. Acquisition of Equipment for Grounding and Lightning Protection; together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$135,000	\$6,800	\$128,200	5 years
	0		0	

**Section 8.** 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 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. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, *N.J.S.A. 40A:2-43*, is increased by this Bond

Ordinance by \$128,200 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

**Section 9.** Grants or other monies received from any governmental entity, if any, will be applied to the payment of or repayment of obligations issued to finance the costs of the improvements described in Section 7 above.

**Section 10.** The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

**Section 11.** The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

**Section 12.** The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

**Section 13.** The Township hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by this Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

**Section 14.** The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

**Section 15.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 16.** In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

**Date of Introduction:** February 21, 2014

**Date of Final Adoption:** March 7, 2014

Passed on first reading at a regular meeting held on February 21, 2014 and advertised in the BEACH HAVEN TIMES issue of February 27, 2014.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 13-15R on Second Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

3. Second Reading Ordinance 13-16R: **BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT FOR THE PUBLIC WORKS DEPARTMENT IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$135,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$128,200; MAKING CERTAIN DETERMINATIONS AND**

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

**ORDINANCE 13-16R**

**BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT FOR THE PUBLIC WORKS DEPARTMENT IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$135,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$128,200; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

**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 purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Township of Long Beach, County of Ocean, New Jersey ("Township").

**Section 2.** It is hereby found, determined and declared as follows:

(a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$135,000;

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$128,200; and

(c) a down payment in the amount of \$6,800 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

**Section 3.** The sum of \$128,200, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$6,800, which amount represents the required down payment, is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the Township in an amount not to exceed \$128,200 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

**Section 5.** In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$128,200 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date of delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

**Section 6.** The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$25,000.

**Section 7.** The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligation</u>	<u>Period of Usefulness</u>
			<u>\$</u>	<u>\$</u>
A. Acquisition of Equipment for the Public Works Department including, but not limited to, a Beach Cleaner, Asphalt Roller	\$135,000	\$6,800	\$128,200	15 years

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligation</u>	<u>Period of Usefulness</u>
			\$	\$
and Compact Trac Loader; together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto				

**Section 8.** 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 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. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$128,200 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

**Section 9.** Grants or other monies received from any governmental entity, if any, will be applied to the payment of or repayment of obligations issued to finance the costs of the improvements described in Section 7 above.

**Section 10.** The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

**Section 11.** The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

**Section 12.** The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

**Section 13.** The Township hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by this Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

**Section 14.** The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

**Section 15.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 16.** In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

**Date of Introduction:** February 21, 2014

**Date of Final Adoption:** March 7, 2014

Passed on first reading at a regular meeting held on February 21, 2014 and advertised in the BEACH HAVEN TIMES issue of February 27, 2014.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 13-16R on Second Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

4. Second Reading Ordinance 13-17R: **BOND ORDINANCE AUTHORIZING THE ACQUISITION OF A BEACH TRUCK FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$45,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$42,750; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

**ORDINANCE 13-17R**

**BOND ORDINANCE AUTHORIZING THE ACQUISITION OF A BEACH TRUCK FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$45,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$42,750; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

**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 purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Township of Long Beach, County of Ocean, New Jersey ("Township").

**Section 2.** It is hereby found, determined and declared as follows:

(a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$45,000;

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$42,750; and

(c) a down payment in the amount of \$2,250 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

**Section 3.** The sum of \$42,750, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$2,250, which amount represents the required down payment, is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the Township in an amount not to exceed \$42,750 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

**Section 5.** In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$42,750 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date of delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

**Section 6.** The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$5,000.

**Section 7.** The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligation</u>	<u>Period of Usefulness</u>
			\$	\$
A. Acquisition of a Beach Truck; together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$45,000	\$2,250	\$42,750	5 years

**Section 8.** 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 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. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$42,750 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

**Section 9.** Grants or other monies received from any governmental entity, if any, will be applied to the payment of or repayment of obligations issued to finance the costs of the improvements described in Section 7 above.

**Section 10.** The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

**Section 11.** The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

**Section 12.** The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

**Section 13.** The Township hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by this Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

**Section 14.** The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

**Section 15.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 16.** In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

**Date of Introduction:** February 21, 2014

**Date of Final Adoption:** March 7, 2014

Passed on first reading at a regular meeting held on February 21, 2014 and advertised in the BEACH HAVEN TIMES issue of February 27, 2014.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 13-17R on Second Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

5. Second Reading Ordinance 13-18R: **BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VEHICLES FOR THE PUBLIC WORKS DEPARTMENT IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$70,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$66,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

**ORDINANCE 13-18R**

**BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VEHICLES FOR THE PUBLIC WORKS DEPARTMENT IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$70,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$66,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

**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 purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Township of Long Beach, County of Ocean, New Jersey ("Township").

**Section 2.** It is hereby found, determined and declared as follows:

(a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$70,000;

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$66,500; and

(c) a down payment in the amount of \$3,500 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

**Section 3.** The sum of \$66,500, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$3,500, which amount represents the required down payment, is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the Township in an amount not to exceed \$66,500 to finance the costs of the purposes described in Section 7 hereof is

hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

**Section 5.** In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$66,500 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

**Section 6.** The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$10,000.

**Section 7.** The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligation</u> \$	<u>Period of Usefulness</u> \$
A. Acquisition of Vehicles for the Public Works Department including, but not limited to, two (2) Pick-Up Trucks; together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$70,000	\$3,500	\$66,500	5 years

**Section 8.** 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 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. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$66,500 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

**Section 9.** Grants or other monies received from any governmental entity, if any, will be applied to the payment of or repayment of obligations issued to finance the costs of the improvements described in Section 7 above.

**Section 10.** The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

**Section 11.** The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

**Section 12.** The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

**Section 13.** The Township hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by this Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

**Section 14.** The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

**Section 15.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 16.** In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

**Date of Introduction:** February 21, 2014

**Date of Final Adoption:** March 7, 2014

Passed on first reading at a regular meeting held on February 21, 2014 and advertised in the BEACH HAVEN TIMES issue of February 27, 2014.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 13-18R on Second Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

6. Second Reading Ordinance 13-19R: **BOND ORDINANCE AUTHORIZING THE PAINTING OF BRANT BEACH AND HOLGATE WATER TOWERS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$500,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$500,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

**ORDINANCE 13-19R**

**BOND ORDINANCE AUTHORIZING THE PAINTING OF BRANT BEACH AND HOLGATE WATER TOWERS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$500,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$500,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

**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 purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Township of Long Beach, County of Ocean, New Jersey ("Township").

**Section 2.** It is hereby found, determined and declared as follows:

(a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$500,000; and

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$500,000.

**Section 3.** The sum of \$500,000, to be raised by the issuance of bonds or bond anticipation notes, is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the Township in an amount not to exceed \$500,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

**Section 5.** In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$500,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

**Section 6.** The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$100,000.

**Section 7.** The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligation</u>	<u>Period of Usefulness</u>
			\$	\$
A. Painting of Brant Beach and Holgate Water Towers; together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$500,000	\$0	\$500,000	20 years

**Section 8.** 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 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. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$500,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

**Section 9.** Grants or other monies received from any governmental entity, if any, will be applied to the payment of or repayment of obligations issued to finance the costs of the improvements described in Section 7 above.

**Section 10.** The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

**Section 11.** The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

**Section 12.** The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

**Section 13.** The Township hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by this Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

**Section 14.** The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

**Section 15.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 16.** In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

**Date of Introduction:** February 21, 2014

**Date of Final Adoption:** March 7, 2014

Passed on first reading at a regular meeting held on February 21, 2014 and advertised in the BEACH HAVEN TIMES issue of February 27, 2014.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 13-19R on Second Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

7. Second Reading Ordinance 14-04C: **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 64-2 PERTAINS TO BUILDING AND ZONING PERMIT REQUIREMENTS.**

**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 64-2 pertains to building and zoning permit requirements.**

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

This Ordinance is adopted in order to protect property owners in the Township of Long Beach from unnecessary interruption of utility service of all kinds. It has come to the attention of the Board of Commissioners of the Township of Long Beach that on occasion, contractors of various kinds may request that utility service be interrupted for service provided to properties other than property on which construction may be taking place. The Board of Commissioners of the Township of Long Beach have determined that as a matter of public health, safety and welfare protection of individual property owners is necessary in order to prevent unnecessary interruption and interference with utilities on which property owners rely. This Ordinance is intended to permit the interruption of utilities on properties not involved in the construction project for which the interruption is requested only upon satisfactory proof that no alternative to the interruption of utilities is reasonably viable.

## **SECTION I**

§64-2 of an Ordinance entitled "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby amended by the addition of a new paragraph, paragraph H as follows:

H. Prior to the issuance of any building permit for construction or reconstruction of any structure in the Township of Long Beach where the builder, developer or contractor, may seek the disruption, disconnection or discontinuance of utility service either temporarily or otherwise from any public utility including, *inter alia*, and without limitation; water service; sewer service; electric service; gas service; telephone service; or television cable service, the builder, developer or contractor shall provide to the Building Department a detailed explanation on a form to be provided by the Building Department explaining in detail why such disconnection or interruption of utilities is necessary and providing in detail what steps the builder, developer or contractor has taken to avoid the necessity of such disruption of utility service.

The application shall also contain, on a form, known as the waiver form, to be provided by the Building Department and a signed acknowledgement executed by the owner or owners of every structure whose utilities shall be disrupted or disconnected from utility service acknowledging that that they have been consulted concerning the disruption or disconnection and have no objection thereto.

If the applicant seeking disruption, disconnection or discontinuance of any utility is unable to provide the executed waiver form called for in the preceding paragraph the permit may still be issued upon the applicant providing proof by Affidavit duly notarized that:

1. The required form was mailed, Certified Mail Return Receipt Requested or equivalent to the owner of every structure whose utilities are proposed to be disrupted or disconnected at the owner's address as shown on the tax rolls of the Township of Long Beach.
2. The mailing required in paragraph 1 above shall have contained a self addressed postage paid envelope for the return of the requested waiver form.
3. The mailing was post marked not less than twenty (20) days prior to the application for the permit.
4. No response was received from the owner of the structure.

Upon the presentation of the application containing the two forms hereinabove mentioned a permit may be issued by the Long Beach Township Building Department for construction requiring such disruption, disconnection or discontinuance of utility service provided, however, that the applicant has made every reasonable effort to avoid the necessity of such disruption, disconnection or discontinuance.

If during the course of any construction or reconstruction of any structure in the Township of Long Beach the builder, developer or contractor finds or determines that some utility servicing real property other than that upon which the construction or reconstruction is being performed needs to be temporarily disrupted, disconnected or discontinued the Building Department may issue a permit to permit the disruption, disconnection or discontinuance for good cause shown. The permit may be issued no sooner than five (5) days after application therefore has been made by the builder, developer or contractor demonstrating that the temporary disruption, disconnection or discontinuance could not have been reasonably foreseen prior to the start of construction or reconstruction and that every reasonable effort has been made to avoid the requested disruption, disconnection or discontinuance of the affected utility.

## **SECTION II**

### **Appeal**

Any builder, developer or contractor who shall be aggrieved by any decision or ruling by the Building Department of the Township of Long Beach responding to a request for utility disruption, disconnection or discontinuance may appeal to the Board of Commissioners of the Township of Long Beach by providing a Notice of Appeal on a form supplied by the Building Department of the Township of Long Beach setting forth

in detail the utility or utilities servicing real property other than that upon which the construction or reconstruction is being performed and setting forth in detail the reasons for the requested disruption, disconnection or discontinuance permit and further setting forth in detail all things done by the builder, developer or contractor to avoid the necessity of such discontinuance.

The appeal shall be held by the Board of Commissioners at their next scheduled regular meeting after proof has been furnished by the builder, developer or contractor that notice has been served personally or by certified mail return receipt requested or equivalent on the owners of all property or properties whose utility or utilities are to be disrupted, disconnected or discontinued. The notice shall set forth time, place and date when the Board of Commissioners shall consider the appeal.

The builder, developer or contractor pursuing the appeal may appear in person or by counsel and present such evidence as he or she may deem appropriate. Any objector to the appeal may likewise appear in person or by counsel and present such evidence as he or she may deem appropriate.

The Building Department may request the advice of various professionals appointed by the Township of Long Beach, including without limitation counsel, surveyor and engineer.

The Board of Commissioners of the Township of Long Beach shall render their decision on the appeal as soon as the same may practically be done, after having an opportunity to consider the argument and evidence presented and having considered and adopted an appropriate motion.

### **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 upon publication thereof after final passage according to law.

Passed on first reading at a regular meeting held on February 21, 2014 and advertised in the BEACH HAVEN TIMES issue of February 27, 2014.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 14-04C on Second Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

8. Resolution 14-0307.02: Approve an amendment to Ordinance 14-05C:  
Coordinate dates and times for building construction to be in compliance with the other sections of the Code of the Township of Long Beach.

### **RESOLUTION AMENDING ORDINANCE NO. 14-05C PRIOR TO SECOND READING AND ADOPTION THEREOF ON SECOND READING.**

**FIRST WHEREAS**, Ordinance No. 14-05C amending the Code of the Township Long Beach was adopted on First Reading on Friday February 21, 2014, at a Regular Meeting of the Board of Commissioners of the Township of Long Beach; and

**SECOND WHEREAS**, a review reflects that the identification of sections and paragraphs in Ordinance No. 14-05C do not comply with the format set forth in the Code.

**THIRD WHEREAS**, further review reflects that the time provisions in paragraph in paragraph 1. H as adopted and as paragraph A8 as amended hereby, conflict with the time provisions for work to be done imposed by other Sections of the Code; and

**FOURTH WHEREAS**, the Solicitor of the Township of Long Beach has advised that the format of the Ordinance to comply with the format of the Code and the times can be changed in paragraph H. of Section I as presently exists and as paragraph A8 as amended hereby to conform with the other Sections of the Code of the Township of Long Beach without requiring the Ordinance to be republished; and

**FIFTH WHEREAS**, the dates in paragraph H. of Section I and as paragraph A8 as amended hereby also conflict with dates contained in other portions of the Code of the Township of Long Beach; and

**SIXTH WHEREAS**, the Township Solicitor has also advised that these dates may be changed without requiring the Ordinance be republished; and

**SEVENTH WHEREAS**, the Township Solicitor has written a formal opinion to the Board of Commissioners of the Township of Long Beach that an appropriate Resolution may be adopted changing the time of 8:00 a.m. in the second line of paragraph H. to 7:00 a.m., changing the time 4:00 p.m. in the third line of sub-paragraph H. to 6:00 p.m., changing the 4:00 p.m. in the fifth line of sub-paragraph H. to 6:00 p.m., changing the 9:00 a.m. in the fifth line of sub-paragraph H. to 7:00 a.m. and changing the May 15<sup>th</sup> to June 15<sup>th</sup> and the October 15<sup>th</sup> to September 15<sup>th</sup> all in order to comply with the dates and times for construction as found elsewhere in the "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" the above references referring to Ordinance No. 14-05C as initially adopted.

**EIGHTH WHEREAS**, the Township Solicitor has further in his formal opinion to the Board of Commissioners advised that the format of Ordinance 14-05C may be changed to comport with the format of Ordinances as set forth in the Code Book.

**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 of the Board of Commissioners held Friday March 7, 2014 that:

1. Immediately prior to the statement "**Occupancy of Public Street for elevating or raising homes to comply with FEMA Base Flood Elevations** shall have before it **§64-31**.
2. Paragraph 1 shall become paragraph A.
3. Paragraph A shall become paragraph 1.
4. Paragraph B shall become paragraph 2 and so forth through paragraph 4 which shall become D.

**NOW THEREFORE BE IT FURTHER 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 of the Board of Commissioners held Friday March 7, 2014 that paragraph formerly 1 H. now pursuant to this Resolution paragraph 8 shall be changed to read as follows:

8. Any permit issued shall be valid for work to be done only between 7:00 a.m., weekdays and 9:00 a.m. Saturdays through 6:00 p.m. on each day. No permit shall be effective and no work shall be permitted between the hours of 6:00 p.m. June 15<sup>th</sup> and 7:00 a.m. of the following September 15<sup>th</sup>. All times shall be local time prevailing.

**NOW THEREFORE BE IT FURTHER RESOLVED**, that as amended hereby Ordinance No. 14-05C shall be and is hereby adopted on second and final reading, the Board of Commissioners relying on the opinion of Counsel that the changes imposed by this Resolution are of minimal and inconsequential nature and therefore they do not require the Ordinance to be republished prior to second reading and final passage.

Motion to approve Item 8:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

9. Second Reading Ordinance 14-05C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN CHAPTER 64 PERTAINS TO BUILDING CONSTRUCTION.**

**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 64 pertains to building construction.

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

This Ordinance is to incorporate in Ordinance form the contents of Resolution No. 13-0215.03 adopted by the Board of Commissioners of the Township of Long Beach on February 15, 2013 which Resolution provided relief for Long Beach Township property owners who were required to raise their houses in order to comply with FEMA Elevation Mandates. The said Resolution provided that property owners desiring to raise their homes to comply with FEMA Elevation Requirements could receive a permit to

temporarily occupy for a period not longer than 10 days, weather permitting, the public street adjacent to the home which was being raised or elevated. The Board of Commissioners has found that most of the provisions of the Resolution were effective and a great aid to the property owners and residences of Long Beach Township, however, due to certain abuses the Board of Commissioners has determined to adopt the Resolution in Ordinance form so that persons who violate the time limitations may be properly punished. The Ordinance also provides for the punishment for a violation of the Ordinance.

SECTION I

A new sub-section of **Chapter 64** of an Ordinance entitled "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" to be called

**Article 4**

**Occupancy of Public Street for elevating or raising homes to comply with FEMA Base Flood Elevations**

1. Property owners in the Township of Long Beach may, pursuant to the following regulations, be granted a permit to relocate their building on a public Long Beach Township managed street following the herein below requirements:
  - A. A formal application shall be made to the Building Department of the Township of Long Beach at least fifteen (15) business days prior to the contractor desiring to commence work to relocate the building.
  - B. The application must be contained on a form provided by the Long Beach Township Building Department.
  - C. The application must be approved by the Long Beach Township Police Department, the Long Beach Township Engineer, the Long Beach Township Building Department and the Volunteer Fire Company servicing the area where the house is to be relocated.
    - i. If the house is to be placed on an easement rather than a public street controlled and supervised by the Township of Long Beach it must be accompanied by signed approval, signed by all of the owners having right to use the easement.
  - D. Any permit shall provide that the permittee will have a maximum use of the roadway for a location of the building for no more than ten (10) days weather permitting. If inclement weather delays the efforts of the contractors engaged to raise the house for any period during the ten (10) day period the ten (10) days may be extended one for one for each day in which work was halted because of inclement weather.
    - i. If due to unforeseen circumstances delaying the project for more than ten (10) days the Building Department may upon application made by the permittee extend the ten (10) day period for a reasonable time if the Building Department shall determine the unforeseen circumstances justifies such extension.
    - ii. By way of illustration and not by way of limitation unforeseen circumstances justifying further extensions may be unexpected and serious illness of the permittee or permittees principal employees, unexpected equipment breakdown requiring additional time to repair or replace or any other cause beyond the control of permittee which the Building Department may reasonably determine justifies an extension.
  - E. Any permit shall provide that the permittee must maintain 18 feet of clear unobstructed roadway for traffic to utilize the roadway for vehicular travel to pass around the house.
  - F. All utility disconnects, including but not limited to electric, telephone, gas, water and T.V. are the responsibility of the contractor who must provide

advance notice to each utility of at least five (5) days prior to the disconnect.

- G. Prior to the issuance of any permit the owner must post a Five Thousand Dollar (\$5,000.00) cash bond with the Township of Long Beach to ensure appropriate roadway repairs at the completion of the project.
  - H. Any permit issued shall be valid for work to be done only between 8:00 a.m., weekdays and 9:00 a.m. Saturdays through 4:00 p.m. on each day. No permit shall be effective and no work shall be permitted between 4:00 p.m. May 15<sup>th</sup> and 9:00 a.m. of the following October 15<sup>th</sup>. All times shall be local time prevailing.
  - I. Any permit must require that the contractor shall provide uniformed traffic control officer(s) and appropriate traffic control devices as may be required by the Long Beach Township Police Department.
- 2. Permits as herein above provided for in paragraph 1 may be issued only to a property owner in the Township of Long Beach who wishes to raise or elevate a building in order to comply with FEMA base flood elevation requirements and the Ordinances of the Township of Long Beach enforcing or applying such base flood elevation requirements.
  - 3. Occupancy of a public street for more than the period permitted above in sub section 1D shall be punished by one or more of the following:  
Imprisonment in the Ocean County jail for a term not exceeding ninety (90) days, by a fine not exceeding \$2,000.00 or both such fine and imprisonment or by a period of community service not to exceed ninety (90) days. Any person convicted of a violation of this Ordinance may in the discretion of the Court and in default of the payment of any fine imposed by the Court, be imprisoned in the County jail for a term not exceeding ninety (90) days.
  - 4. Each day or portion thereof beyond the period permitted in Section 1D above shall constitute a separate offense for which a separate summons shall be issued and upon conviction of any such separate summons the penalties imposed pursuant to paragraph 3 above shall in the discretion of the Court be imposed.

## SECTION II

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

## SECTION III

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

## SECTION IV

This Ordinance shall take effect upon publication thereof after final passage according to law.

Passed on first reading at a regular meeting held on February 21, 2014 and advertised in the BEACH HAVEN TIMES issue of February 27, 2014.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt amended Ordinance 14-05C on Second Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

**10. First Reading Ordinance 14-06: AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK IN 2014 (N.J.S.A. 40A: 4-45.14)**

Motion to approve Ordinance 14-06 on First Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

11. First Reading Ordinance 14-07C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, 1997" IS HEREBY AMENDED BY THE ADOPTION OF A NEW CHAPTER, CHAPTER 111, IMPLEMENTING AND CREATING A MUNICIPAL TRANSPORTATION SYSTEM BY AND FOR THE TOWNSHIP OF LONG BEACH**

Motion to approve Ordinance 14-07C on First Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

12. First Reading Ordinance 14-08: **BOND ORDINANCE AUTHORIZING SUPPLEMENTAL FUNDING FOR THE ACQUISITION OF EQUIPMENT FOR GROUNDING AND LIGHTENING PROTECTION IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$300,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$285,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Motion to approve Ordinance 14-08 on First Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

**ADOPTIONS & APPROVALS**

13. Resolution 14-0307.03: Authorize Municipal Clerk to advertise for bids:
- Purchase of six (6) Transportation Buses
  - Construction of Holgate Public Bathroom(s), retaining wall, fencing, and handicapped ramp
  - Construction of North Beach and Holgate Tennis Courts

**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 for the following:

- Purchase of six (6) Transportation Buses
- Construction of Holgate Public Bathroom(s), retaining wall, fencing, and handicapped ramp
- Construction of North Beach and Holgate Tennis Courts

14. Resolution 14-0307.04: Approve personnel actions

**RESOLUTION 14-0307.04**

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

Approve a Family Medical Leave of Absence (FMLA) for DH effective retro- active to March 6, 2014.

Approve an intermitent Family Medical Leave of Absence (FMLA) and New Jersey Family Leave (FLA) for MS effective retro- active to January 7, 2014

**Construction**

Hire the following employee as a Temporary Part-Time Clerk 1 at the rate of \$20.00 per hour to be paid from Construction Salary & Wage effective March 31, 2014.

Dave Seegers

15. Resolution 14-0307.05: Approve the online auction of miscellaneous Municipal equipment: Via GovDeals: April 1<sup>st</sup> through 11<sup>th</sup> 2014

**RESOLUTION 14-0307.05**

**WHEREAS**, the Township of Long Beach is the owner of certain surplus property which is no longer needed for public use; and

**WHEREAS**, the Board of Commissioners of the Township of Long Beach is desirous of selling said surplus property in an "as is" condition without express or implied warranties; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-36, Long Beach Township authorizes the online auction of property no longer needed for public use; and

**WHEREAS**, the sale is being conducted pursuant to Local Finance Notice 2008-9; and

**WHEREAS**, pursuant to Resolution 12-0601.11 the Township of Long Beach has entered an agreement with GovDeals, Inc., for online auctioneering services; and

**WHEREAS**, the sale will be online and the address of the auction site is [www.govdeals.com](http://www.govdeals.com) ; and

**WHEREAS**, these items are part of Long Beach Township's fixed asset inventory, the description of said items is hereby attached as 'Schedule A'.

**NOW, THEREFORE, BE IT RESOLVED** by Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, that the Township of Long Beach approves the online auctioneering for property no longer of use to the Township in April 2014.

16. Resolution 14-0307.06: Authorize and approve Long Beach Township's participation in Law Enforcement Agency 1033 Program: Procure surplus Military Vehicles at no cost  
**RESOLUTION 14-0307.06**

**A RESOLUTION AUTHORIZING THE TOWNSHIP OF LONG BEACH TO PARTICIPATE IN THE LAW ENFORCEMENT AGENCY 1033 PROGRAM**

**WHEREAS**, pursuant to 10 U.S.C '2576a the Secretary of Defense is authorized to transfer to Federal and State Agencies, personal property that is excess to the needs of the Department of Defense, and that the Secretary determines is suitable to be used by agencies in law enforcement activities; and

**WHEREAS**, the authorities granted to the Secretary of Defense have been delegated to the Defense Logistics Agency who has deemed eligible Law Enforcement Agencies (LEA) may apply to and participate in the 1033 Program whereby qualified LEA's may screen available personal property and request the ownership of selected personal property(s) be transferred to said LEA; and

**WHEREAS**, the Township of Long Beach wishes to submit a Law Enforcement Agency (LEA) application for participation in the State LEA 1033 Program, to acquire certain personal property from the Department of Defense.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach, County of Ocean, hereby authorizes participation in the LEA 1033 Program; and

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized to execute this agreement on behalf of the Township of Long Beach and that his signature constitutes acceptance of the terms and conditions of the above-named State LEA 1033 Program.

17. Resolution 14-0307.07: Approve various changes to Water/Sewer accounts  
**RESOLUTION 14-0307.07**

**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>
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6.27	11	1955-0/Sewer	2014	To Standby per Demo	\$531.00
11.23	28	3679-0/Sewer	2014	To Standby per Demo	\$531.00
14.22	7	4888-0/Sewer	2014	To Standby per C&C	\$531.00
15.98	6	5852-0/Sewer	2014	To Standby per C&C	\$131.00

**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.

18. Resolution 14-0307.08(a) & (b): Support various legislation:
- Support the permanent extension of the 2% CAP on interest arbitration due to expire on April 1<sup>st</sup> 2014.
  - Senate Bill 1846: Support a 4-year delay of certain premium increases included in the Biggert-Water Act

**RESOLUTION 14-0307.08(a)**

**WHEREAS**, on December 21<sup>st</sup>, 2010, Governor Chris Christie signed into law reforms to the Arbitration process that took effect January 1, 2011: and

**WHEREAS**, the reforms capped arbitration awards on economic factors to no more than 2%, provided for random selection of arbitrators, expedited the determination of awards, required the arbitrator to provide a written report detailing

the weight accorded to each of the required considerations and expedited the appeal process; and

**WHEREAS**, these reforms marked a dramatic change to the arbitration process and have held municipalities to control the never-ending rise in public safety personnel costs; and

**WHEREAS**, a key element of the reforms, capping arbitration awards on economic factors to no more than 2% of property tax levy will expire on April 1, 2014; and

**WHEREAS**, while municipalities are statutorily limited to raise their property tax levy by no more than 2%, with very limited exceptions, failure to extend the 2% cap on interest arbitration awards will force municipalities throughout the state to further reduce or even eliminate crucial services, personnel, and long-overdue infrastructure improvement projects in order to fund an arbitration award; and

**WHEREAS**, the 2% Interest Arbitration cap has controlled one of the largest municipal expenses, public safety salaries, not only through arbitration awards but through contract negotiations; and

**WHEREAS**, absent further action by the Legislature, any contract that expires on or after April 1<sup>st</sup> 2014, will be subject to all new procedures and requirements, EXCEPT the 2% awards cap; and

**WHEREAS**, without those limits, arbitrators will be able to impose awards that do not account for the 2% limit on the property tax levy, which would immediately threaten funding for all other municipal services; and

**WHEREAS**, with the 2% cap on Interest Arbitration Awards, but with the 2% cap on property tax levy, local budget makers could be forced to reduce other essential municipal services to fund an arbitration award.

**NOW THEREFORE BE IT RESOLVED** that the Governing Body of the Township of Long Beach strongly urges the Legislature to permanently extend the 2% cap on interest arbitration awards prior to the April 1<sup>st</sup> 2014 sunset; and

**BE IT FURTHER RESOLVED** that a copy of this duly adopted resolution be forwarded to Senate President Stephen Sweeney, Assembly Speaker Vincent Prieto, the legislators of the County of Ocean, State Legislative representatives, Governor Chris Christie, each Mayor of Ocean County and the New Jersey State League of Municipalities.

**RESOLUTION 14-0307.08(b)**

**WHEREAS**, communities throughout Ocean County are still rebuilding nearly 18 months after Superstorm Sandy devastated the County, leaving many of our residents homeless or with severe damage to their homes; and

**WHEREAS**, many of these homeowners are battling rising debt as they try to rebuild their lives; and

**WHEREAS**, the **Biggert-Waters Act**, as it now stands, will raise flood insurance premiums for homeowners by 20-25 percent each year. This increase would be an intolerable burden for homeowners ravaged by Superstorm Sandy, putting them at risk of never being able to afford to rebuild and live in their homes. This burden would not only affect all those misfortune citizens affected by the storm, but would have a devastating effect on the economy of the entire County; and

**NOW THEREFORE BE IT RESOLVED** that the Township of Long Beach hereby calls upon Congress to support and pass Senate Bill 1846 thus giving the residents of the County and those residents of the region a fighting chance to regain their lives.

**\*BE IT FURTHER RESOLVED** that certified copies of this resolution shall be forwarded to Senator Robert Menendez, Senator Cory Booker, all New Jersey U.S Congressmen, Governor Chris Christie.

19. Resolution 14-0307.09: Authorize traffic regulations for the following event:  
ESA Surfing Competition, Holgate, May 8<sup>th</sup> thru 11<sup>th</sup>

**RESOLUTION 14-0307.09**

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach approves the below-listed annual events:

Central New Jersey Chapter of the Eastern Surfing Association

2014 Northeast Regional Surfing Championships:

- Holgate Parking Lot and Beach on May 8<sup>th</sup>, 9<sup>th</sup>, 10<sup>th</sup> & 11<sup>th</sup> from 7:00 a.m to 5:30 p.m. daily.

Motion to approve Items 13 thru 19:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

**CONTRACTS & AWARDS**

20. Resolution 14-0307.10 Authorize contract for Public Record Imaging Services, per Co-op: Accuscan: NTE \$10,000.00 for 2014: 2-year contract with 2-year option to extend

**RESOLUTION 14-0307.10**

**RESOLUTION AUTHORIZING A CONTRACT FOR PUBLIC RECORD IMAGING SERVICES ON THE PROCUREMENT OBTAINED THROUGH THE MIDDLESEX REGIONAL EDUCATION SERVICE COOPERATIVE PRICING SYSTEM**

**WHEREAS**, Long Beach Township is a participating entity of the Middlesex Regional Education Service Cooperative Pricing System, Identifier #65MCESCCPS; and

**WHEREAS**, the Township wishes to utilize the Middlesex Regional Education Service Cooperative Pricing System to contract for public record imaging services; and

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

**WHEREAS**, Alpine Consulting Inc.; dba: Accuscan, 299 Farnum Street, Edgewater, NJ 08010 was the lowest qualified bidder (Bid # MRESC 12/13-22) whose bid agreed to extend its prices for public record imaging services to the Middlesex Regional Education Service Cooperative Pricing Members.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach at a regular meeting held Friday, March 7, 2014 that the Mayor and Municipal Clerk shall be and are hereby authorized execute a contract for public record imaging services as follows:

- Effective through December 31, 2015, with an option to extend said contract for two (2) one-year periods, for public record imaging services in an amount not to exceed \$10,000.00 for 2014. Should the renewal option be agreed to by both parties under the provisions of NJSA 40A:11-15, the index rate shall be the basis to determine the appropriate increase in the contract price.

21. Resolution 14-0307.11: Authorize contract for Police Off-duty services:  
NJ Natural Gas: effective through 12/31/14

**RESOLUTION 14-0307.11**

**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 2014 calendar year.

22. Resolution 14-0307.12 Authorize contract for Calcium Hypochlorite per Bid: Chemrite, Inc.: \$118.00 per hundred pound drum: 2-year contract with 2-year option to extend

**RESOLUTION 14-0307.12**

**A RESOLUTION AWARDING A CONTRACT FOR THE SUPPLY AND DELIVERY OF CALCIUM HYPOCHLORITE (GRANULAR) HTH FOR THE WATER/SEWER DEPARTMENT OF THE TOWNSHIP OF LONG BEACH, PER BID**

**WHEREAS**, the Township of Long Beach has solicited bids for the supply and delivery of calcium hypochlorite (granular) HTH; 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**, Chemrite, Inc. gave the lowest qualified bid as per the Township's Public Works Deputy Municipal Department Head and Qualified Purchasing Agent's review and approval.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach this 7th day of March 2014, for the reasons aforesaid, that a two-year contract with a two year option to extend be and is hereby awarded to:

Chemrite, Inc.

5202 Belle Wood Court, Suite 104

Buford, GA 30158-5859

in the amount of One Hundred Eighteen Dollars (\$118.00) per 100 lb. drum as per bid submitted on March 5, 2014.

23. Resolution 14-0307.13 Authorize the amendment to Resolution 12-1221.10(b) and Contract: Louis Berger: Amount NTE \$350,000.00

Lynda Wells stated that this was to fund ongoing efforts to recover reimbursement related to Super Storm Sandy damages.

**RESOLUTION 14-0307.13**

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT FOR FEMA RELATED LIAISON SERVICES PERTAINING TO SUPERSTORM "SANDY" FOR THE TOWNSHIP OF LONG BEACH, PER STATE CONTRACT**

**WHEREAS**, pursuant to Resolution 12-1221.10(b) passed on December 21<sup>st</sup> 2012, the Township of Long Beach authorized the execution of a contract with Louis Berger Group, Inc., 412 Mount Kemble Ave., P.O. Box 1946, Morristown, NJ 07962-1946 holder of New Jersey State Contract No. 80768 for T-2686 Technical Assistance Contractor-Public Assistance/FEMA Program Services for the Period of January 1, 2011 to January 31, 2015, to provide continuing support for Public Assistance to enable the recovery of the maximum eligible dollars from FEMA. This contract was approved in a total amount not to exceed One Hundred Thirty Six Thousand Dollars (\$136,000.00) for the Public Assistance Program and a total amount not to exceed Sixty One Thousand Dollars (\$61,000.00) for Sand Debris Removal; and

**WHEREAS**, Long Beach Township's efforts to file and recover FEMA reimbursement for the unprecedented losses sustained as a result of Superstorm Sandy are ongoing; and

**WHEREAS**, the Township of Long Beach is in need of the continued services of the Louis Berger Group, Inc., in its constant efforts to recover the maximum reimbursements for storm-related damages and losses; and

**WHEREAS**, the Township wishes to amend the contract in an amount not to exceed Three Hundred Fifty Thousand Dollars (\$350,000.00) to provide continuing support for Public Assistance to enable the recovery of the maximum eligible dollars from FEMA; and

**WHEREAS**, the Commissioner of Revenue and Finance recommends the ongoing utilization of this contract on the grounds that it represents the most cost effective method for the needs of the Township; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available in the appropriation(s): FIN ADMIN – PROFESSIONAL SERVICES ACCOUNT # 3-01-20-130-028 IN THE AMOUNT OF \$68,740.00 AND W/S PROFESSIONAL SERVICES ACCOUNT # 3-09-55-549-028 IN THE AMOUNT OF \$96,220.50 TO CONTINUE THE CONTRACT WITH THE LOUIS BERGER GROUP. THE REMAINING FUNDS WILL BE AVAILABLE IN THE FOLLOWING APPROPRIATION (S): FIN ADMIN - PROFESSIONAL SERVICES ACCOUNT# 4-01-20-130-028 IN THE AMOUNT OF \$74,000.00 AND W/S PROFESSIONAL SERVICES ACCOUNT # 4-09-55-549-028 IN THE AMOUNT OF \$100,017.00 WILL BE AVAILABLE AFTER THE BUDGET IS ADOPTED.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach authorizes an amendment to the contract with Louis Berger Group Inc. for FEMA related liaison services as related to Superstorm "Sandy" for Long Beach Township in an amount not to exceed Three Hundred and Fifty Thousand Dollars (\$350,000.00) for the Public Assistance Program.

Motion to approve Items 20 thru 23:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

**FINANCIAL APPROVALS**

24. Resolution 14-0307.14 Approve an increase to the temporary budget

**RESOLUTION 14-0307.14**

**WHEREAS**, the Chief Financial Officer of the Township of Long Beach has determined that an increase to the 2014 Temporary Budget, approved pursuant to Resolution 13-1230.14, and amended pursuant to Resolution 14-0207.11, is necessary due to various reasons; and

**WHEREAS**, appropriations for the 2014 Current Fund Temporary Budget shall be increased pursuant to Schedule A attached hereto.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that the Chief Financial Officer be and she is hereby authorized to increase the 2014 Temporary Current Fund Temporary Budget.

25. Resolution 14-0307.15 Approve various reserve appropriation transfers

**RESOLUTION 14-0307.15**

**WHEREAS**, the New Jersey statutes provide for the making of reserve

appropriation transfers between the period of January 1, 2014 and March 31, 2014; and

**WHEREAS**, the Board of Commissioners of the Township of Long Beach, County of Ocean, desires to make Reserve Appropriation Transfers.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that the following transfers of Reserve Appropriations be and they hereby are made:

<b>CURRENT FUND</b>			
<b>FROM:</b>	<b>DEPT</b>	<b>ACCOUNT #</b>	<b>AMOUNT</b>
Tax Assessor	S&W	3-01-20-150-011	\$ 8,000.00
<b>TOTAL</b>			<b>\$ 8,000.00</b>
<b>TO:</b>	<b>DEPT:</b>	<b>ACCT#</b>	<b>AMOUNT</b>
Police	O&E	3-01-25-240-100	\$ 5,000.00
Legal Services	O&E	3-01-20-155-028	\$ 3,000.00
<b>TOTAL</b>			<b>\$ 8,000.00</b>

26. Resolution 14-0307.16: Approve Bills & Payroll  
 Bills in the amount of: \$4,225,065.12  
 Payroll in the amount of: \$384,005.55

**RESOLUTION 14-0307.16**

**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 \$384,005.55

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

1. The said approved vouchers amounting to the sum of \$4,225,065.12 be and the same are hereby authorized to be paid on March 7, 2014.
2. The said approved payroll amounting to the sum of \$384,005.55 be and the same are hereby authorized to be paid on March 7, 2014.

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 24 thru 26:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

Tax Collector's Report and Treasurers Report for January 2014 was on file in the Municipal Clerk's Office.

**COMMISSIONERS' REPORTS**

**Commissioner Lattanzi** explained that that we introduced the temporary capital and utility capital budgets to cover us until the Township adopted the 2014 budget in order to move forward with scheduled projects.

**Commissioner Lattanzi** also announced that the 2014 Budget will be introduced at the March 21, 2014 public meeting and copies will be available in the Municipal Clerk's Office. Public hearing would be scheduled for April 25<sup>th</sup>.

**Commissioner Bayard** had no comments.

**Mayor Mancini** read the Police Report:

Long Beach Township Police encouraged members of the community to volunteer for Fire and First aid. Sign boards were placed along the Boulevard, in an effort to support these vital services. Any person that wished to volunteer was asked to call 609 361-2052 and leave their contact information.

Community Policing Officer Megan Keller would assist in presenting informational seminars on several topics: Identity Theft Prevention, ICE (In Case Of Emergency) Child Safety Seat Installation, Storm Preparedness, Computer safety tips. The public was asked to please call the station to request this service at 494-3322.

The Long Beach Township Office of Emergency Management would be having a drill on March 18<sup>th</sup> 2014. This exercise would test their preparedness in the event of a nuclear situation; this drill was monitored by FEMA.

**OPEN PUBLIC SESSION**

No Comments

**CLOSE PUBLIC SESSION**

Motion for adjournment at 4:24 p.m.:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Nays:

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Lynda J. Wells, RMC  
Municipal Clerk

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Joseph H. Mancini, Mayor

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Ralph H. Bayard, Commissioner

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Dr. Joseph P. Lattanzi, Commissioner