

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS MARCH 16, 2012
Flag Salute

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

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

Also in attendance: Lynda J. Wells, Municipal Clerk
Teresa S. Sgro, Deputy Municipal Clerk

Municipal Clerk announced: Notice of the time and place of this meeting has been posted in the office of the Municipal Clerk, published by the BEACH HAVEN TIMES; the PRESS OF ATLANTIC CITY; and the ASBURY PARK PRESS on November 9th, 2011; and filed with the Municipal Clerk.

Motion: To dispense with the reading of the minutes of the March 2, 2012 meeting and to approve the same as recorded in the minute book:

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

AGENDA

PROCLAMATIONS Recognizing Ruby Tuttle on her 100th Birthday

PROCLAMATION

In Recognition of RUBY HOVER TUTTLE
Celebrating 100 Years of Life on APRIL 29, 2012

WHEREAS, Ruby Hover Tuttle was born in Candor, New York on April 29, 1912; and

WHEREAS, Ruby spent her formative years in Candor, New York, marrying in 1930;

and

WHEREAS, Ruby has five children, seventeen grandchildren, twenty two great grandchildren and five great-great grandchildren; and

WHEREAS, Ruby raised her family in Harrison, New Jersey until 1974, where she owned and operated a dry cleaning and tailor shop; and

WHEREAS, in 1975, Ruby retired and relocated to Brick, New Jersey; and

WHEREAS, Ruby has been residing in the Peahala Park section of Long Beach Township for the past five years, where she enjoys flower gardening, bird watching, playing scrabble and reading.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of Long Beach Township would like to wish a very **Happy 100th Birthday** to **Ruby Hover Tuttle**, and many more happy, healthy birthdays to come.

Commissioner Ralph H. Bayard

Commissioner Joseph P. Lattanzi

Mayor Joseph H. Mancini

ORDINANCES/PUBLIC HEARINGS

1. Second Reading Ordinance 12-03C: **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 205-2 DEFINES THE TERM RECREATIONAL FIRES AND ADDS NEW SECTIONS, SECTION 205-64 AND 205-65, PERTAINS TO RECREATIONAL FIRES.**

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

STATEMENT OF PURPOSE

The purpose of this Ordinance is to insert into Chapter 205 a definition of the term "RECREATIONAL FIRES". This will define the term to be an outdoor fire where charcoal, dry clean untreated wood or other fuels are used in outdoor cooking devices, outdoor fireplaces, fire pits or chimineas. This Ordinance also adds new sections to Chapter 205, Sections 64 and 65, which pertain to the rules, regulations and exceptions to same, governing such fires.

SECTION I

§205-2.B. of an Ordinance entitled, "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby amended by the insertion following the definition of "RECREATIONAL FIRES" before the definition of "SIGN" of the following definition of "PRONOUNCED UNIFORMITY":

RECREATIONAL FIRES – An outdoor fire where charcoal, dry clean untreated wood or other fuels for use in outdoor grills, traditional outdoor cooking devices, outdoor fireplaces, fire pits or chimineas.

SECTION II

A new Section, §205-64 of an Ordinance entitled "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" is hereby adopted as follows:

§205-64. Outdoor recreational fires and devices

- A. No person shall kindle or maintain, or authorize to be maintained, any open burning unless conducted and approved in accordance with this section.
- B. No outdoor recreational fire device may be placed on any lot in Long Beach Township until a permit therefore has been issued by the Zoning Officer of Long Beach Township.
 - 1. An application shall be submitted to the Zoning Officer of Long Beach Township, accompanied by a plan prepared by a Licensed Civil Engineer, Land Surveyor, or Architect licensed by the State of New Jersey indicating the type of device and location to be installed.
 - 2. The Zoning Officer may waive the requirement for an engineered plan for a temporary or non-permanent device.
- C. Permitted Devices
 - 1. Portable or Permanent Grills
 - 2. Traditional outdoor cooking devices.
 - 3. Portable or free standing devices with protective screening designed and listed to contain burning materials.
 - 4. Masonry Fireplaces
 - 5. Non-combustible Chimineas
 - 6. Non-combustible natural gas fire pits.
- D. Prohibited Condition or devices
 - 1. All solid fuel burning (wood) fire pits or open wood burning.
- E. Location Requirements
 - 1. All recreational fire devices shall not be located in any side yard or that area of a lot fronting on a public street or easement.
 - 2. All recreational fire devices shall be a minimum of five (5) feet from any combustible wall or partition and a minimum of ten (10) feet from any lot line.

SECTION III

A new Section, §205-65 of an Ordinance entitled "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" is hereby adopted as follows:

§205-65. Exceptions to Outdoor recreational fires and devices

Masonry fireplaces may be attached to the principal building and shall comply with all Building Code and Zoning Regulations.

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 only after publication thereof after final passage according to law.

Lynda Wells, Municipal Clerk explained this Ordinance would insert into Chapter 205 a definition of the term "RECREATIONAL FIRES". This defined the term to be an outdoor fire where charcoal, dry clean untreated wood or other fuels are used in outdoor cooking devices, outdoor fireplaces, fire pits or chimineas. This Ordinance also added new sections to Chapter 205, Sections 64 and 65, which pertain to the rules, regulations and exceptions to same, governing such fires. This ordinance was reviewed and approved by the Land Use Board.

Passed on first reading at a regular meeting held on February 17, 2012 and advertised in the BEACH HAVEN TIMES issue of February 22, 2012.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 12-03C on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

2. Second Reading Ordinance 12-06: **AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK IN 2012 (N.J.S.A. 40A:4-45.14)**

THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, DO ORDAIN:

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, the State of New Jersey, Department of Community Affairs, Division of Local Government Services, pursuant to the CAP calculations for the budget year of 2012, has set the 2012 increase at 2.5%; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Board of Commissioners of the Township of Long Beach in the County of Ocean finds it advisable and necessary to increase its CY 2012 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Board of Commissioners hereby determine that a 1% increase in the budget for said year, amounting to \$190,149.56 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Board of Commissioners hereby determine that any amount authorized hereinabove, that is not appropriated as part of the final budget, shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Board of Commissioners of the Township of Long Beach, in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2011 budget year, the final appropriations of the Township of Long Beach shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$665,523.45; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove, that is not appropriated as part of the final budget, shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Joseph H. Mancini
Mayor

Ralph H. Bayard
Commissioner

Joseph P. Lattanzi
Commissioner

Lynda Wells, Municipal Clerk explained this ordinance would give the option to increase the final budget appropriation to a maximum cap of 3.5%, if needed.

Passed on first reading at a regular meeting held on March 2, 2012 and advertised in the BEACH HAVEN TIMES issue of March 8, 2012.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 12-06 on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

3. First Reading Ordinance 12-07C: **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 39 PERTAINS TO ALCOHOLIC BEVERAGE LICENSES**

Lynda Wells, Municipal Clerk This Ordinance would place the current annual liquor license fees for Long Beach Township in accordance with Chapter 82-5.A.(1), (2), and (3) "Alcoholic Beverages" into Chapter 39.

Motion to approve Ordinance 12-07C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

ADOPTIONS AND APPROVALS

4. Resolution 12-0316.01: Approve a special event for the NJ Beach Buggy Assoc.: Beach clean-up at the Holgate portion of the Forsythe Wildlife Refuge on March 17, 2012

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

New Jersey Beach Buggy Association: Beach Clean-up on March 17th between the hours of 8:00am and 12:00pm, in the Holgate section of the Forsythe Wildlife Refuge in Long Beach Township.

Staging areas: Holgate Parking Lot for the pick-up and return of supplies for volunteers.

Volunteers will not be permitted to be on the beachfront dunes.

Collected trash and recyclables shall be placed in the appropriate receptacles.

5. Resolution 12-0316.02: Approve various changes to sewer accounts

WHEREAS, the following sewer accounts require a change in the 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:</u>	<u>Acct:</u>	<u>Year:</u>	<u>Cancel/Change</u>	<u>Amount:</u>
6.24	1	1918-0 Sewer	2012	To Standby-Per Demo	\$225.00
11.14	5	3535-0 Sewer	2012	To Standby-Per Demo	\$531.00
18.60	1	6488-0 Sewer	2011	Credit: billed as duplex should have been single	\$531.00
18.60	1	6488-0 Sewer	2010	Credit overpayment	\$492.00

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.

6. Resolution 12-0316.03: Approve the 2012 annual license fee for Motorized Ice Cream Vendors: \$5,000.00

Lynda Wells, Municipal Clerk noted there had been no change in the fee from 2011.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach, pursuant to §195-3 F(1) and §82.25(A) of the Code of the Township of Long Beach does hereby set the annual Motor Vehicle Operator Investigation and Review fee for non-veteran Ice Cream Vendors license fee for 2012 at Five Thousand Dollars (\$5,000.00).

7. Resolution 12-0316.04: Approve personnel actions

BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach: Approve a paid Family Medical Leave of Absence (FMLA) for GS effective retro-active to March 9, 2012.

Acknowledge the end of a paid Family Medical Leave of Absence (FMLA) for DV effective retro-active to March 14, 2012.

Beach Badge

Hire the following as a seasonal beach badge program assistant supervisor at the rate of \$10.20 per hour to be paid from Beach Badge Salary & Wage effective March 17, 2012.

Carol Boyle

Hire the following as a seasonal beach badge program assistant supervisor at the rate of \$11.45 per hour to be paid from Beach Badge Salary & Wage effective March 17, 2012.

Marie Cooper

8. Resolution 12-0316.05: Authorize a lottery for one (1) vacant 2012 Motorized Ice Cream Vendor License

A RESOLUTION AUTHORIZING A PUBLIC LOTTERY FOR ONE (1) 2012 MOTORIZED ICE CREAM VENDOR LICENSE AND DESIGNATING REQUIREMENTS FOR SAID LOTTERY

WHEREAS, pursuant to Chapter 195 of the Code of the Township of Long Beach and Ordinance 11-04C passed on January 21st 2011 prior ice cream vendor license holders have until March 1st of each new year to renew said licenses; and

WHEREAS, it is further dictated by Chapter 195 that after March 1st those licenses unclaimed are to be considered forfeited and made available to the general public through a lottery; and

WHEREAS, pursuant to Ordinance 11-04C, ten (10) Motorized Ice Cream Vending licenses shall be granted by the Township of Long Beach commencing in 2011 and each subsequent year thereafter; and

WHEREAS, at the close of the specified 2012 deadline for said renewals, nine (9) vendors holding 2011 motorized vending licenses submitted valid and complete applications for 2012 Motorized Ice Cream Vending licenses.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that Qualifying Applications are available for one (1) open 2012 license with said applications and all required documents due to be returned to the Municipal Clerk by Monday, April 9, 2012 at 12:00 P.M.; and

BE IT FURTHER RESOLVED that said applications are subject to the Municipal Clerk's review for completeness in order to be eligible for the Public Lottery to be held in the Municipal Clerk's office on Monday, April 16, 2011 at 10:00 a.m.; and

BE IT FURTHER RESOLVED that one (1) licensee and one (1) alternate will be drawn for one (1) available license at the Public Lottery. Upon clearance from the Long Beach Township Police Department, the prevailing licensee shall be required to submit the applicable fee of \$5,000.00, set by Resolution 12-0316.03, no later than 12:00 p.m. on Monday, April 30, 2012.

9. Resolution 12-0316.06: Approve traffic regulations for the following special event:

- LBI Fest: June 9, 2012

WHEREAS, during the annual LBI Fest a temporary condition exists causing alternate side parking to be suspended all day on June 9, 2012 from 6:00 a.m. until 6:00 p.m. to accommodate exhibitors and visitors on the following streets:

Dupont: Entire Length
Sigsbee: Entire Length
Goodrich: Entire Length
Brownson: From Long Beach Blvd. to Ocean Blvd.
Dayton: From Long Beach Blvd. to Ocean Blvd.
Burwell: From Long Beach Blvd. to Ocean Blvd.
Coghlan: From Long Beach Blvd. to Ocean Blvd.
Lavenia: From Long Beach Blvd. to Ocean Blvd.

WHEREAS, Meade Avenue (68th Street) shall be closed to vehicular traffic from 6:00 a.m. until 6:00 p.m. from the entrance of the Municipal Employee Parking Lot adjacent to Ocean Boulevard west to Long Beach Boulevard; and

WHEREAS, the parking lot located between the Tennis Courts and the Township Municipal Complex adjacent to 68th Street shall be closed to public parking on June 9, 2012 from 6:00 a.m. until 6:00 p.m.; and

WHEREAS, Bayview Park shall be closed to public parking from 6:00 a.m. until 6:00 p.m. on June 9, 2012.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby grant permission for the above cited temporary parking allowances as requested

10. Resolution 12-0316.07(a&b): Authorize the Municipal Clerk to advertise for bids:

(a) Repairs to Well #23, Holgate Water Treatment Plant: Open on 4/3/12

(b) Reject a portion of items bid on March 8th for Life Guard and Beach Badge Uniforms and authorize re-bid of those items: Open 3/30/12

RESOLUTION 12-0316.07(a)

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:

Repairs to Well #23, Holgate Water Treatment Plant

RESOLUTION 12-0316.07(b)

RESOLUTION REJECTING A PORTION OF THE BIDS RECEIVED FOR LIFEGUARD AND BEACH BADGE UNIFORMS FOR THE LONG BEACH TOWNSHIP BEACH PATROL DEPARTMENT AND AUTHORIZING THE ADVERTISEMENT FOR RECEIPT OF SUPPLEMENTAL BIDS

WHEREAS, the Township of Long Beach advertised for the receipt of bids for Life Guard and Beach Badge Uniforms for the Beach Patrol Department on February 23, 2012; and

WHEREAS, bids were received from various bidders and publicly opened on March 8, 2012; and

WHEREAS, upon review of the Long Beach Township Beach Supervisor it was determined that the bids received for various items were in excess of the cost estimate and various items received no bid(s); and

WHEREAS, N.J.S.A. 40A:11-13.2e provides that the Governing Body may reject all bids when the purposes or provisions, or both, of P.L.1971, c.198 (C.40A:11-1 et seq.) are being violated; and

WHEREAS, N.J.A.C. 7:26H-6.7(e) provides that in the event the Governing Body rejects all, or a portion of the bids, the Municipality shall publish a notice of re-bid not less than 10 calendar days prior to the date for acceptance of new bid proposals; and

WHEREAS, the Board of Commissioners has determined that it is in the best interest of Long Beach Township to reject a portion of the bids received as these items exceeded the cost estimate for the project, or no bid(s) were received; and

WHEREAS, the Board of Commissioners desires that these items be re-bid as a supplement to the original bid.

NOW, THEREFORE, BE IT RESOLVED, that 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 16, 2012, hereby authorizes the rejection of a portion of the bids received on March 8, 2012, and authorizes the advertisement for the receipt of supplemental bids for Lifeguard and Beach Badge Uniforms for the Beach Patrol Department on Friday, March 30, 2012.

Lynda Wells, Municipal Clerk explained original bids for uniforms had exceeded the cost estimate for certain items.

Motion to approve Items 4 thru 10:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

CONTRACTS AND AWARDS

11. Resolution 12-0316.08(a&b): Award various contracts, per bid

a) Water/Sewer Fittings & Supplies

Atlantic Plumbing Supplies

Water Works Supply

HD Supply Waterworks

b) Beach Patrol & Lifeguard Uniforms

Ampro Sports

Shore Promotions

Original Watermen

RESOLUTION 12-0316.08(a)

A RESOLUTION AWARDING A CONTRACT FOR THE PURCHASE OF FITTINGS AND SUPPLIES FOR THE WATER/SEWER DEPARTMENT OF THE TOWNSHIP OF LONG BEACH, PER BID

WHEREAS, the Township of Long Beach has solicited bids for the purchase of fittings and supplies for the Water/Sewer Department; 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, Atlantic Plumbing Supply Corporation for groups I, VII, X, XII, XIII, XVII and XVIII; HD Supply Waterworks, LTD for groups II, III, IV, V, VI, VIII, IX, XI, XIV, XV, XIX and XX; and Water Works Supply Company, Inc. for group XVI, gave the lowest qualified bids as per the Township's Public Works Supervisor 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 16th day of March 2012, for the reasons aforesaid, that a two-year contract with a two year option to extend be and is hereby awarded to:

Atlantic Plumbing Supply Corporation

700 Joline Avenue

Long Branch, NJ 07740

Water Works Supply Co., Inc.

660 State Highway 23

P.O. Box 306

Pompton Lakes, NJ 07444

HD Supply Waterworks, LTD

61 Gross Avenue

Edison, NJ 08837

as per the amounts submitted in their bids received by Long Beach Township on March 7, 2012.

RESOLUTION 12-0316.08(b)

BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the following bids be awarded for the year 2012:

Lifeguard Uniforms - Various items per individual contracts pursuant to Exhibit A attached hereto:

Ampro Sports: 1 yr. contract

Primos, PA

Original Watermen, Inc.: 1 yr. contract

Encinitas, CA

Shore Promotions: 1 yr. contract

Ship Bottom, NJ

Beach Badge Uniforms - Various items per individual contracts pursuant to Exhibit B attached hereto:

Shore Promotions: 1 yr. contract

Ship Bottom, NJ

Ampro Sports: 1 yr. contract

Primos, PA

12. Resolution 12-0316.09: Approve the proprietary purchase of a hardware/software maintenance agreement for the License Plate Recognition units for the Police Dept.: Gold Type Business Machine, \$2,800.00

A RESOLUTION AWARDING A PROPRIETARY CONTRACT FOR MAINTENANCE SERVICES FOR TWO (2) LPR SYSTEMS, CONSISTING OF (2) MODULES, (6) CAMERAS, (2) WORKSTATIONS AND SOFTWARE UPDATES FOR THE TOWNSHIP OF LONG BEACH POLICE DEPARTMENT

WHEREAS, the provision or performance of goods or services for maintenance of computer hardware and software in Long Beach Township is specifically exempted from bidding requirements under the Local Public Contracts Law pursuant to N.J.S.A. 40A: 11 - 5(1)(dd); and

WHEREAS, Gold Type Business Machines, Inc., 351 Paterson Avenue, East Rutherford, NJ 07073 is able to provide maintenance services for two (2) license plate recognition (LPR) systems, consisting of (2) modules, (6) cameras, (2) workstations and software updates effective September 2011 through March 2013 in a total amount not to exceed Two Thousand Eight Hundred Dollars (\$2,800.00); and

WHEREAS, the Board of Commissioners of the Township of Long Beach deem it in the best interest of the Township to approve the proprietary purchase of the above-noted maintenance service agreement.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach hereby authorizes the purchase of a maintenance service agreement from Gold Type Business Machines, Inc., 351 Paterson Avenue, East Rutherford, NJ 07073 for two (2) license plate recognition (LPR) systems, consisting of (2) modules, (6) cameras, (2) workstations and software updates effective September 2011 through March 2013 in an amount not to exceed Two Thousand Eight Hundred Dollars (\$2,800.00).

13. Resolution 12-0316.10: Authorize the purchase and installation of fencing at the public works yard, per competitive quote: Homestead Fence, \$28,727.00

A RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF VARIOUS FENCING FOR THE LONG BEACH TOWNSHIP PUBLIC WORKS YARD , PER COMPETITIVE QUOTE

WHEREAS, in accordance with N.J.S.A. 40:A11-6.1, the Long Beach Township Commissioner of Public Works & Property solicited competitive quotations for the purchase and installation of 214' of 6' high chain link fence with one (1) 22' aluminum cantilever gate and one (1) 25' aluminum cantilever gate; 168' of 5' high PVC fence with 1" space, to be installed with bottom of fence at top of wood wall. Pipe inside of PVC posts and one (1) 6' high by 22' wide aluminum cantilever gate with all posts set in cement footings at the Public Works Yard located at 7910 Long Beach Boulevard; and

WHEREAS, in response to the invitation for solicitation for Competitive Quotation #Q12-05, one (1) quotation was received:

Homestead Fence Co. Inc. \$28,727.00 dated 02/28/2012

WHEREAS, it is in the public interest of the Township of Long Beach to approve the issuance of a purchase order to Homestead Fence Co., Inc. for the purchase and installation of 214' of 6' high chain link fence with one (1) 22' aluminum cantilever gate and one (1) 25' aluminum cantilever gate; 168' of 5' high PVC fence with 1" space, to be installed with bottom of fence at top of wood wall. Pipe inside of PVC posts and one (1) 6' high by 22' wide aluminum cantilever gate with all posts set in cement footings at the Public Works Yard located at 7910 Long Beach Boulevard; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation: Recycling Grant Account #G-02-40-776-101 in the amount of \$28,727.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, at a regular meeting held this 16th day of March 2012 that:

Homestead Fence Co., Inc.
637 Rt. 9
West Creek, NJ 08092

be issued a purchase order in an amount not to exceed Twenty Eight Thousand Seven Hundred Twenty Seven Dollars (\$28,727.00) as per the quotation dated February 28, 2012, to purchase and install 214' of 6' high chain link fence with one (1) 22' aluminum cantilever gate and one (1) 25' aluminum cantilever gate; 168' of 5' high PVC fence with 1" space, to be installed with bottom of fence at top of wood wall. Pipe inside of PVC posts and one (1) 6' high by 22' wide aluminum cantilever gate with all posts set in cement footings at the Public Works Yard located at 7910 Long Beach Boulevard.

14. Resolution 12-0316.11: Authorize payment of labor and materials for one (1) concrete dumpster pad and one (1) driveway exit apron at the Public Works Recycling Drop-off Center, per quote:
Posch Concrete Co., LLC; \$16,500.00

A RESOLUTION AUTHORIZING THE PROVISION OF LABOR AND MATERIALS TO PROVIDE ONE (1) CONCRETE DUMPSTER PAD AND ONE (1) DRIVEWAY EXIT FOR THE RECYCLING DROP OFF CENTER IN THE LONG BEACH TOWNSHIP PUBLIC WORKS DEPARTMENT YARD, PER QUOTE

WHEREAS, in accordance with N.J.S.A. 40:A11-6.1, the Long Beach Township Public Works Department solicited quotations for the provision of labor and materials to provide a concrete dumpster pad and a driveway exit for the Recycling Drop Off Center at the Department of Public Works Yard; and

WHEREAS, in response to the invitation for solicitation three (3) quotations were received; and

WHEREAS, the quotations were reviewed by the Board of Commissioners of the Township of Long Beach and it was determined Posch Concrete Company, LLC, 134 N Burgee Drive, Little Egg Harbor, NJ 08087, provided the lowest qualified quotation in accordance with the specifications, said quotation, dated February 15, 2012, in an amount not to exceed Sixteen Thousand Five Hundred Dollars (\$16,500.00); and

WHEREAS, it is in the public interest of the Township of Long Beach to award a contract to Posch Concrete Company, LLC to provide labor and materials for one (1) concrete dumpster pad and one (1) driveway exit for the Recycling Drop Off Center at the Department of Public Works Yard; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Recycling Grant, Account # G-02-40-776-101 in the amount of \$16,500.00.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long, County of Ocean, State of New Jersey, at a regular meeting held this 16th day of March 2012 approve the issuance of a purchase order to:

Posch Concrete Company, LLC
134 N Burgee Drive
Little Egg Harbor Twp., NJ 08087

in an amount not to exceed Sixteen Thousand Five Hundred Dollars (\$16,500.00) for one (1) concrete dumpster pad and one (1) driveway exit for the Recycling Drop Off Center at the Department of Public Works Yard.

15. Resolution 12-0316.12: Authorize an additional purchase of fence posts pursuant to Resolution 12-0203.12(a) for the Dept. of Public Works, per competitive quotation: Diamond Lumber; \$5,820.00

RESOLUTION AUTHORIZING THE PURCHASE AND DELIVERY OF APPROXIMATELY 1500 3" X 8' CEDAR FENCE POSTS FOR THE LONG BEACH TOWNSHIP PUBLIC WORKS DEPARTMENT, PER COMPETITIVE QUOTATION

WHEREAS, the Township of Long Beach solicited competitive quotations, to be received no later than January 26, 2011, by 10:00 am for the purchase of 1500 3" x 8' cedar fence posts for the Long Beach Township Public Works Dept.; and

WHEREAS, in response to the solicitation for competitive quotation #Q12-01, the following business responded as noted:

Diamond M. Lumber Co. \$3.88 each as per quote received 01/16/12 and valid through 03/16/12

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

WHEREAS, Diamond M. Lumber Company gave the lowest qualified competitive quotation pursuant to the specifications; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Reserve for Beach Replenishment in the Capital Fund, Account #C-04-55-320-001 in the amount of \$5,820.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 16th day of March 2012, for the reasons aforesaid, that a purchase order be and is hereby authorized for issuance to:

Diamond M. Lumber
1883 Route 38
Southampton, NJ 08088

for the purchase and delivery of approximately 1500 3" x 8' cedar fence posts, in an amount not to exceed Five Thousand Eight Hundred Twenty Dollars (\$5,820.00) as per quote dated January 16, 2012.

Motion to approve Items 11 thru 15:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

FINANCIAL APPROVALS

16. Resolution 12-0316.13: Authorize an application for the 2011 Municipal Recycling Tonnage Grant: Angela Anderson, Recycling Coordinator.

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to Municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new Municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on Municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the Municipality; and

WHEREAS, a resolution authorizing this Municipality to apply for such tonnage grants will memorialize the commitment of this Municipality to recycling and indicate the assent of the Board of Commissioners of Long Beach Township to the efforts undertaken by the Municipality and the requirements contained in the Recycling Act and Recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure that the application is properly completed and filed.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 16th day of March, 2012, that the Township of Long Beach hereby endorses the submission of a 2011 Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection Agency Office of Recycling and designates Angela Anderson, Recycling Coordinator, to ensure that the said application is properly filed.

17. Resolution 12-0316.14: Approve an amendment to the 2012 Temporary Municipal Budget

WHEREAS, the Chief Financial Officer of the Township of Long Beach has determined that an increase to the 2012 Temporary Budget, approved pursuant to Resolution 11-1228.14 is necessary; and

WHEREAS, appropriations for the 2012 Current Fund Temporary Budget and 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 2012 Temporary Current Fund Budget.

18. Resolution 12-0316.15: Approve the introduction of the 2012 Municipal Budget

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the following statements of revenues and appropriations shall constitute the Local Municipal Budget for the year 2012; and

BE IT FURTHER RESOLVED that said Budget be published in the Beach Haven Times, issue of March 22, 2012.

The Governing Body of the Township of Long Beach does hereby approve the following as the Budget for the year 2012:

VOTE:

AYES: LATTANZI, BAYARD, MANCINI

NAYS:
ABSTENTIONS:
ABSENCES:

NOTICE

NOTICE IS HEREBY GIVEN that the Budget was approved by the Board of Commissioners of the Township of Long Beach, County of Ocean, on March 16, 2012; A hearing on the Budget will be held at the Public Safety Building on April 20, 2012, at 4:00 P.M., at which time and place, objections to said budget for the year 2012 may be presented by taxpayers or other interested persons.

Lynda J. Wells, RMC
Municipal Clerk

19. Resolution 12-0316.16: Approve the release of a performance bond
LUB 4-03-T-F: \$39,032.00

WHEREAS, pursuant to Resolution 04-0803.14(b) the Township of Long Beach received from WAWA, Inc., check #684382 drawn on Fleet Maine, N.A. in the amount of Thirty Nine Thousand Thirty Two Dollars (\$39,032.00) as partial payment of a Performance Bond for the Site Plan, Application LUB-4-03-T-F, Block 7.10, Lot 1-3, & 13, Beach Haven Terrace, NJ.; and

WHEREAS, the Township of Long Beach, pursuant to Resolution 04-0917.13 received from WAWA, Inc., Bond No. 104301692 in the amount of \$104,087.00 from Traveler's Casualty and Surety Company of America as additional payment of a Performance Bond for the Site Plan, Application LUB-4-03-T-F, Block 7.10, Lot 1-3, & 13, Beach Haven Terrace, NJ.; and

WHEREAS, the Board of Commissioners of the Township of Long Beach did authorize release of Performance Bond No. 104301692 as per its Municipal Land Use Ordinance and as recommended by the Municipal Engineer, pursuant to Resolution 07-0105.10, in the amount of \$104,087.00; and

WHEREAS, the Township of Long Beach received from WAWA a Surety Bond No. 104852226 in the amount of Eighteen Thousand Dollars (\$18,000.00) from Traveler' Casualty and Surety Company of America as payment of a Maintenance Bond accepted on December 28, 2006, as per Resolution 07-0105.10; and

WHEREAS, the Board of Commissioners, pursuant to Resolution 08-1219.13(b) authorized release of this Maintenance Bond in the amount of Eighteen Thousand Dollars (\$18,000.00) on December 19, 2008; and

WHEREAS, the Township Engineer has certified that all aspects of this project have been completed and approved and recommends the final release of the partial performance bond in the amount of \$39,032.00.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach authorizes release of this Performance Bond in the amount of Thirty Nine Thousand Thirty Two Dollars (\$39,032.00) as per the recommendation and certification of the Municipal Engineer.

20. Resolution 12-0316.17: Designate an additional depository wherein the funds of the Township may be deposited and invested: Fulton Bank

BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, that Fulton Bank be and it is hereby designated a depository wherein funds of the Township of Long Beach shall be deposited; and

BE IT FURTHER RESOLVED, that the aforementioned institution is approved and may be utilized as part of the official Long Beach Township Cash Management Plan according to N.J.S.A 40A:5-14. All deposits and investments shall be maintained in interest bearing accounts; and

BE IT FINALLY RESOLVED that the funds of the Township of Long Beach shall be withdrawn from the aforementioned institution only upon warrants signed by the Commissioner of Revenue and Finance and/or by the Commissioner of Public Safety and Affairs, and by the original signature of the Chief Financial Officer.

21. Resolution 12-0316.18: Designate and Authorize signor for the Police Dept.
Lynda Wells, Municipal Clerk noted the signor was Lt. Deely.

BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, at the Public Meeting held this 16th day of March, 2012 that Lt. Anthony Deely be and he is hereby appointed an authorized signatory for official documents regarding the Police Department of the Township of Long Beach.

22. Resolution 12-0316.19 Authorize the use of alternative methods for calculating the Reserve for Uncollected Taxes for the 2012 Municipal Budget

RESOLUTION AUTHORIZING THE USE OF AN ALTERNATE METHOD FOR CALCULATING THE RESERVE FOR UNCOLLECTED TAXES FOR THE CY 2012 BUDGET.

WHEREAS, N.J.S.A. 40A:4-41, provides alternate methods of calculating the Reserve for Uncollected Taxes; and

WHEREAS, the Board of Commissioners of the Township of Long Beach has determined that it is in its best interest to use an alternate method, which permits the use of a three-year average, instead of using the prior year tax collection rate for calculating the Reserve for Uncollected Taxes for the CY 2012 Budget; and

WHEREAS, the three-year tax collection rate average is computed as follows:

Year	Tax Collection Rate
CY 2011	98.88%
CY 2010	99.03%
CY 2009	99.39%

3 Year Average computes to 99.10%

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the three-year tax collection rate average method be utilized and a rate of 98.95% be used when calculating the Reserve for Uncollected Taxes for the CY 2012 Budget.

23. Resolution 12-0316.20: Approve Bills & Payroll
Bills in the amount of: \$ 2,143,512.39
Payroll in the amount of: \$ 392,881.29

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 \$392,881.29.

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 \$2,143,512.39 be and the same are hereby authorized to be paid on March 16, 2012.

2. The said approved payroll amounting to the sum of \$392,881.29 be and the same are hereby authorized to be paid on March 16, 2012.

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 16 thru 23:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

Mayor Mancini stated the Treasurer's Reports for the months of January and February 2012 and the Tax Collector's Report for February 2012 were on file in the Municipal Clerk's Office.

COMMISSIONERS' REPORTS

Commissioner Lattanzi reported being pleased with the 2012 introduced budget, commenting it had been his first municipal budget and noted the process was very complicated. He announced the municipal tax was decreased by 2% and the tax levy decreased 1%, and thanked everyone for their time and effort in preparing the budget.

Commissioner Bayard reminded everyone that the process for brush pick up had changed noting to call in for a scheduled pick up. He also announced the DPW had been working in Bayview Park, removing the basketball court, cleaning and enlarging the beach area along with installing new playground equipment.

Mayor Mancini announced the next meeting of the Board of Commissioners would take place on Friday, April 5, 2012 at 4:00 p.m. at which time public hearing would be held for Ordinance 12-07C.

Mayor Mancini also announced the next regular meeting of the Land Use Board would be held on Wednesday April 11, 2012 at 7:00 p.m. in the 2nd floor multi-purpose room.

Mayor Mancini reported that the Long Beach Township Police Department in conjunction with Long Beach Island Health Department would be presenting a seminar on Poison Prevention. This would be held on Friday March 23rd 9AM to 11AM. Officer Megan Keller would be presenting information and a short video would also be shown in the Long Beach Township Municipal Court Room.

Mayor Mancini also reported the Long Beach Police were continuing the TEXTING DETAIL, tickets would be issued for violations.

Motorists were urged to use caution and slow down at the identified construction sites within the Township while these improvement projects were underway.

Mayor Mancini announced the beach replenishment project began on 31st St was continuing and the sand pumping phase had begun. All were asked to use caution and stay clear of the restricted areas(designated at work site). This work was being done in the Brant Beach Section of Long Beach Township.

OPEN PUBLIC SESSION

Peter Trainor, North Beach Haven was concerned that the inter-coastal waterway was filling in, noting two low areas, one being Mordecai Island and the other 7 miles from North Beach Haven and Beach Haven Crest. He also reported the Army Corps would permit sand be pumped out of the waterway. He also noted the channel markers being in the middle of the waterway and the Coast Guard would have to place them accurately.

Jack Kerzner, Brighton Beach, asked for the procedure to pick up brush. Commissioner Bayard explained it had to be cut, tied and residents must call for a pick up.

CLOSE PUBLIC SESSION

Motion for adjournment at 4:20 pm

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

Lynda J. Wells, RMC
Municipal Clerk

Joseph H. Mancini, Mayor

Ralph H. Bayard, Commissioner

Joseph P. Lattanzi, Commissioner