

crown of the road or easement shall be on a straight line perpendicular to the edge of the easement or road running directly from the crown of the road or easement opposite the center line of the lot frontage on the road or easement to the place where the nearest vertical face of the building shall intercept the finished grade of the lot.

(i) On any interior flag lot measurements shall be taken from the crown of public road or easement upon which the flag fronts with the point of measurement taken at the crown of the road or easement at the center point of the flag and running on a straight line perpendicular to the edge of the road or easement, running directly from the crown of the road or easement to a point opposite the center of the buildable portion of the lot and thence running in a straight line to the point where the nearest vertical face of the building, shall intercept the finished grade of the lot.

- E. In the V Zone-14, the oceanfront V Zone, no building or structures which are located on lots regulated by the established oceanfront building line shall be erected or enlarged which shall exceed 36 feet in height measured from the intersection of the westerly most vertical face of the building and the grade upon which the building or structure is located.

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All Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency.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 15, 2013 and advertised in the BEACH HAVEN TIMES issue of February 21, 2013.

Lynda Wells explained this Ordinance clarified the impact of the December 2012 FEMA Map and the January 2013 Emergency Declaration and the interplay between the maps and the Emergency Declaration. This ordinance was reviewed and approved by the Land Use Board.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 13-04C on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

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

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 2.0% 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 2013, has set the 2013 increase at 2.0%; 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 2013 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 1.5% increase in the budget for said year, amounting to \$281,076.33 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 2013 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 \$655,844.77; 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.

Passed on first reading at a regular meeting held on March 1, 2013 and advertised in the BEACH HAVEN TIMES issue of March 7, 2013.

Lynda Wells explained this ordinance would permit the Township to increase the CAP would it be necessary.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 13-07 on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

3. First Reading Ordinance 13-08C: AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997) AS THE SAME IN CHAPTER 189 PERTAINS TO PARKING

Lynda Wells explained this ordinance regulated parking on West Avenue in Holgate and in the Parking plaza between 42nd and 44th Streets in Brant Beach.

Motion to approve Ordinance 13-08C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

4. First Reading Ordinance 13-09C: AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN CHAPTER 47 PERTAINS TO ANIMALS.

Lynda Wells explained dogs were allowed on the beach from October 1st thru and including May 15th each year.

Motion to approve Ordinance 13-09C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

ADOPTIONS & APPROVALS

5. Resolution 13-0322.01: Approve the introduction of the 2013 Municipal Budget:

Lynda Well, Municipal Clerk read the following statement:

Municipal Budget of the Township of Long Beach, County of Ocean for the Fiscal Year 2013:

Be it resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for year 2013.

Be it further resolved that said budget be published in the Beach Haven Times issue of April 18, 2013.

The Governing Body of the Township of Long Beach Does hereby approve the following as the budget for the year 2013.

Notice is hereby given that the Budget and Tax Resolution was approved by the Governing Body of the Township of Long Beach, County of Ocean on March 22, 2013.

A hearing on the budget and tax resolution will be held in the Public Safety Room in the Municipal Building, on May 3, 2013 at 4:00 P.M. at which time and place objections to said Budget and Tax Resolution for the year 2013 may be presented by taxpayers or other interested persons.

Lynda Wells, Municipal Clerk also read the explanatory statement from the 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 2013; and

BE IT FURTHER RESOLVED that said Budget be published in the Beach Haven Times, issue of April 18, 2013.

The Governing Body of the Township of Long Beach does hereby approve the following as the Budget for the year 2013:

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 22, 2013;

A public hearing on the Budget will be held at the Public Safety Building on May 3, 2013, at 4:00 P.M., at which time and place, objections to said budget for the year 2013 may be presented by taxpayers or other interested persons.

Lynda J. Wells, RMC
Municipal Clerk

Motion to approve Resolution 13-0322.01:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

6. Resolution 13-0322.02 Authorize a public lottery for one (1) 2013 Motorized ice Cream Vendor License

A RESOLUTION AUTHORIZING A PUBLIC LOTTERY FOR ONE (1) 2013 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 year 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 2013 deadline for said renewals, nine (9) vendors holding 2012 motorized vending licenses submitted valid and complete applications for 2013 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 2013 license with said applications and all required valid documents due to be returned to the Municipal Clerk by Friday, April 12, 2013 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 15, 2013 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 13-0201.02, no later than 12:00 p.m. on Tuesday, April 30, 2013.

7. Resolution 13-0322.03: Approve a donation to Ken's Kitchen:

Approximately 200 cans of soup
Approximately 20 cases of bottled water

WHEREAS, historically, Long Beach Township has made donations to our neighboring volunteer organizations in recognition and appreciation of their dedication and service to the residents, vacationers and visitors to our township; and

WHEREAS, Ken's Kitchen, an agency run by volunteers, offers meals to members of our community; and

WHEREAS, N.J.S.A. 40A:11-5(2) permits a municipality to donate to a duly authorized agency of the state, county or municipality of the State of New Jersey such personal property as these items; and

WHEREAS, the Township of Long Beach wishes to donate approximately 200 cans of soup and approximately 20 cases of bottled water to Ken's Kitchen, Manahawkin, NJ 08050.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach hereby authorizes the conveyance of the above-noted items to Ken's Kitchen for their food pantry.

8. Resolution 13- 0322.04: Approve personnel actions

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

Approve an intermittent Family Medical Leave of Absence (FMLA) for PG effective retro-active to February 14, 2013.

Approve an intermittent Family Medical Leave of Absence (FMLA) for KS effective retro-active to March 4, 2013.

Approve an intermittent Family Medical Leave of Absence (FMLA) for DM effective retro-active to March 8, 2013.

Approve a Family Medical Leave of Absence (FMLA) for CC effective retro-active to March 13, 2013.

ASSESSOR

Hire the following as a temporary part-time clerk at a rate of \$10.00 per hour to be paid from Assessor Salary & Wage effective retro-active to March 18, 2013.

Haley Johnson

Beach Patrol

Approve the following pay rates for various responsibilities (as needed) to be paid from Beach Patrol Salary & Wage effective retro-active to January 1, 2013.

<u>Various Responsibilities (As needed)</u>	<u>Rate</u>
ARC-CPR Certification Course (8 Hours)	\$75.00/ Course
ARC-EMR Certification Course (51 hours)	\$200.00/Course
ARC-EMR Instructor Certification Course (20 hrs + 4 hours online)	\$150.00/Course
Instructor of ARC-CPR Certification (1 Day)	\$90.00/Day
Instructor of ARC-EMR Certification (3 Days)	\$90.00/Day
Safe Boating Certification Course	\$40.00/Course
Defensive Driving Certification Course	\$40.00/Course
Orientation Meeting Attendance	\$10.00/ HR
Swim Coach	\$10.00/ HR
Radio Disbursement/Maintenance	\$10.00/ HR
Photo Event	\$10.00/ HR
Fiberglass Paddleboard/Surfboat Repair	\$17.50/ HR
After Hours-Missing Person Search/Water Rescue or Recovery	\$15.00/ HR

Hire the following employee as a Seasonal Part-Time Laborer at the rate of \$10.25 per hour to be paid from Lifeguard Salary & Wage effective retro-active to January 1, 2013.

Laura Hodge

Hire the following employee as a Seasonal Part-Time Laborer at the rate of \$10.00 per hour to be paid from Lifeguard Salary & Wage effective March 22, 2013.

Andrew Howarth

Stephen Janiec

Josh Wall

Clerk

Hire the following as a temporary part-time clerk at a rate of \$10.00 per hour to be paid from Municipal Clerk Salary & Wage effective retro-active to March 18, 2013.

Katlyn Forsyth

Hire the following as a seasonal part-time receptionist at a rate of \$10.00 per hour to be paid from Municipal Clerk Salary & Wage effective March 25, 2013.

Sandra Lifson

Construction

Hire the following employee as a Permanent Full-Time Clerk 1 at the annual salary of \$27,300.00 to be paid from Construction Salary & Wage effective retro-active to March 18, 2013.

Lauren Marchese

POLICE

Hire the following employee as Seasonal Class II Special Officer at a rate of \$16.50 per hour to be paid from Police Salary & Wage effective March 23, 2013.

Brian Woodruff

Change the following employee's title to Seasonal Class II Special Officer at a rate of pay of \$16.00 per hour to be paid from Police Salary & Wage effective March 23, 2013.

Donald Haines

PUBLIC WORKS

Hire the following employee as a Temporary Full-Time Laborer at the rate of \$14.00 per hour to be paid from Public Works Salary & Wage effective retro-active to March 11, 2013.

Kevin Bates

Hire the following employee as a Temporary Full-Time Laborer at the rate of \$10.00 per hour to be paid from Public Works Salary & Wage effective retro-active to March 18, 2013.

Sean Kelly

Water/Sewer

Hire the following employee as a Temporary Full-Time Laborer at the rate of \$14.00 per hour to be paid from Water/Sewer Salary & Wage effective retro-active to March 18, 2013.

Joseph Meyers

9. Resolution 13-0322.05: Approve various changes to water and sewer accounts

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

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

<u>BLOCK</u>	<u>LOT/QUAL</u>	<u>ACCT #/ACCT</u>	<u>YEAR</u>	<u>CANCEL/CHANGE</u>	<u>AMOUNT</u>
1.13	16	97-0 Sewer	2013	Conv to Single	531.00
4.24	4	1089-0 Sewer	2013	To Standby	442.50
6.06	16	1715-0 Sewer	2013	Per Fixture Count	225.00
12.04	14	3901-0 Sewer	2013	To Standby	442.50
14.22	7	4888-0 Sewer	2013	To Standby	531.00
15.10	2	5075-0 Sewer	2013	To Standby	187.50

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

10. Resolution 13-0322.06: Request Federal Government to Permit Citizens to Appeal the FEMA Advisory Base Flood Maps

WHEREAS, Super Storm Sandy struck the State of New Jersey, inflicted unprecedented damage throughout the state and caused catastrophic flooding and damage to communities across the state, including the Township of Long Beach; and

WHEREAS, the Federal Emergency Management Agency (FEMA) released Advisory Base Flood Elevations (ABFE) and Advisory Flood Hazard Maps (AFHM) to the community in December 2012; and

WHEREAS, FEMA indicated that the ABFE and AFHM were determined without taking into account Super Storm Sandy; and

WHEREAS, Super Storm Sandy can be categorized as a 1 in 100 year storm and the vast majority of Long Beach Township homes suggested to be classified into new the "V" zone, never had waves, let along three (3) foot waves as required for a "V" zone designation or those being classified into "a" zone never saw any flooding; and

WHEREAS, on January 24, 2013 Governor Christie announced an emergency rule that mandates that the ABFE and the AFHM be the standard for new construction and substantial improvement throughout the entire state; and

WHEREAS, normally residents may not appeal the FEMA Flood Hazard Maps until the coastal flood study is completed and the Preliminary Flood Insurance Maps (PFIRM) are adopted; and

WHEREAS, due to the immediate impact of the Advisory Flood Hazard Maps on properties within Flood Hazard Areas, the Board of Commissioners of the Township of Long Beach requests that the Federal Government allow citizens to appeal the Advisory Flood Hazard Maps immediately, rather than in August, when the preliminary maps are expected to be adopted.

NOW, THEREFORE BE IT RESOLVED on this 22nd day of March, 2013 by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey as follows:

1. That the Board of Commissioners requests that the Federal Government permit affected citizens to appeal the Advisory Flood Hazard Maps immediately.
2. That a certified copy of this resolution be forwarded to the President of the United States, Senator Frank R. Lautenberg, Senator Robert Menendez, Congressman LoBiondo, the Federal Emergency Management Agency and all the municipalities in Ocean County.
11. Resolution 13-0322.07: Authorize Municipal Clerk to advertise for bids:
Temporary repairs to the Holgate Sewer System
Pave various street ends and reconstruct boardwalks and playgrounds damaged by Superstorm Sandy.

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:

- Temporary Repairs to the Holgate Sewer System
- Pave various Street ends
- Reconstruct various Playgrounds and Boardwalks
- 12. Resolution 13-0322.08: Approve a change in the executive meeting schedule for the Board of Commissioners 2013

NOTICE

Pursuant to Chapter 231, P.L. 1975, PUBLIC NOTICE IS HEREBY GIVEN that the Board of Commissioners of the Township of Long Beach may hold daily work sessions Monday, Tuesday, Wednesday, Thursday and Friday of each week between the hours of 10 a.m. and 1 p.m. Executive Sessions in the Mayor's Office of the Long Beach Township Municipal Administrative Building, 6805 Long Beach Boulevard, Brant Beach, NJ will be held on the following dates and times:

Executive Sessions

April 1, 2013	3:00 PM		April 15, 2013	3:00 PM
April 29, 2013	3:00 PM		May 13, 2013	3:00 PM
June 3, 2013	3:00 PM		June 17, 2013	3:00 PM
July 1, 2013	3:00 PM		July 15, 2013	3:00 PM
July 29, 2013	3:00 PM		August 12, 2013	3:00 PM
Sept. 4, 2013	10:00 AM		Sept. 16, 2013	3:00 PM
Sept. 30, 2013	3:00 PM		Oct. 16, 2013	10:00 AM
Oct. 28, 2013	3:00 PM		Nov. 13, 2013	10:00 AM
Dec. 2, 2013	3:00 PM		Dec. 16, 2013	3:00 PM

The agenda, to the extent known for the Executive Sessions shall be:

1. Call the meeting to order;
2. Discussion of new business;
3. Discussion of old business;
4. Adjournment.

Formal action may be taken at the Executive Sessions.

13. Resolution 13-0322.09: Authorize various personnel to assist in the enforcement of Chapter 127 of the Code of the Township of Long Beach: Public Health Officer and Licensed Environmental Health Specialist

Motion to approve Items 6 thru 13:

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

LICENSES & PERMITS

14. Resolution 13-0322.10: Approve a Special Permit for a Social Affair: LBI Foundation of the Arts & Sciences April 13, 2013, concert/fund raiser for Sandy relief efforts on Long Beach Island

BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach grants a SPECIAL PERMIT FOR SOCIAL AFFAIR to The Long Beach Island Foundation of the Arts and Sciences to be held at Foundation, Loveladies. This permit will allow Long Beach Island Foundation of the Arts and Sciences to serve alcoholic beverages at the fundraiser on April 13, 2013, between the hours of 7:00 P.M. and 10:00 P.M.

Motion to approve Item 14:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

CONTRACTS & AWARDS

Resolution 13-0322.11: Authorize an amendment to the shared service agreement with Ocean County for debris removal and monitoring and other related services

WHEREAS, pursuant to Resolution 12-1116.04, due to the aftermath of Super Storm Sandy, a shared service agreement was authorized with Ocean County for debris removal, debris monitoring and other related services through their existing state contracts with AshBritt, Inc. , State Contract Nos. AG063 and A80768 and Louis Berger Group, Inc.; and

WHEREAS, pursuant to Schedule 'A' attached, this contract is amended pursuant to recommendations by Ocean County.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the shared service agreement with Ocean County for debris removal, debris monitoring and other related services is hereby amended pursuant to Schedule 'A' (attached) and as requested by Ocean County.

15. Resolution 13-0322.12: Authorize the Long Beach Township contract threshold to be set at or above \$36,000.00

RESOLUTION AUTHORIZING AN INCREASE TO THE CONTRACT THRESHOLD OF THE TOWNSHIP OF LONG BEACH PURSUANT TO ORDINANCE 06-10C

WHEREAS, the Board of Commissioners of the Township of Long Beach adopted Ordinance 06-10C on April 21st 2006 amending Chapter 25 of the Code of the Township of Long Beach to permit the threshold for the purchase of goods and/or services by contract to be set by resolution of the governing body.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey that the acquisition of all goods and/or services where the amount meets or exceeds Thirty Six Thousand Dollars (\$36,000.00) shall require the execution of a contract; such contract shall be executed by the Mayor and attested by the Clerk of the Township of Long Beach, effective March 22, 2013.

16. Resolution 13-0322.13: Authorize an emergency contract:
Seminole Construction: Rental of bulldozers with operators to stem beach erosion from the storm of March 6th, 7th & 8th

RESOLUTION AUTHORIZING AN EMERGENCY CONTRACT FOR SUPER STORM SANDY STORM-RELATED GOODS AND SERVICES IN THE TOWNSHIP OF LONG BEACH

WHEREAS, an emergency occurred in the Township of Long Beach as a result of Hurricane "Sandy" striking Long Beach Island on Sunday, October 28th 2012 extending through Tuesday morning, October 30th 2012 causing widespread severe and permanent damage to the infrastructure of Long Beach Township and many homes in Long Beach Township; and

WHEREAS, the full extent of the damage and cost of repairs could not be ascertained at the current time; and

WHEREAS, as a result of a storm that occurred on March 6th, 7th and 8th, 2013 damage to the beaches has compounded; and

WHEREAS, the Board of Commissioners deemed it in the best interest of its citizens to enter into an emergency goods and services contract with Seminole Construction, 128 Bartlett Avenue, West Creek, NJ 08092 for the rental of bulldozers with operators in order to stem beach erosion and assure the public health, safety and welfare during this time of emergency; and

WHEREAS, the Local Public Contracts Law permits such emergency contracts pursuant to N.J.S.A.40A:11-6.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach, a Municipal Corporation of the State of New Jersey, at a regular meeting held Friday March 22, 2013, that the Board of Commissioners hereby authorizes and approves this emergency contract for the rental of bulldozers with operators at various rates pursuant to Invoice #12-0803 dated 3/14/13.

17. Resolution 13-0322.14: Authorize the transfer of legal files from Capehart Scatchard to Armando Riccio, Esq.

RESOLUTION AUTHORIZING AND DIRECTING THE TRANSFER OF VARIOUS LONG BEACH TOWNSHIP LEGAL FILES

WHEREAS, the Board of Commissioners of the Township of Long Beach entered into a Professional Services Agreement with Armando V. Riccio, Esq. of the firm Capehart Scatchard, P.A. pursuant to Resolution 12-1228.06(a) for legal services; and

WHEREAS, Armando V. Riccio, Esq. shall no longer be an employee of Capehart Scatchard, P.A.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey does hereby authorize and direct the release and transfer of Long Beach Township legal files from Capehart Scatchard, P.A. to Armando V. Riccio, Esq.

18. Resolution 13-0322.15: Approve a contract for the 2012 DOT Road Reconstruction Project, per bid:
Pave Lagoon Drive, South: Earle Asphalt
\$136,013.13

A RESOLUTION AWARDDING A CONTRACT FOR THE 2012 D.O.T. ROAD RECONSTRUCTION / IMPROVEMENT PROJECT: LAGOON DRIVE SOUTH IN THE TOWNSHIP OF LONG BEACH, PER BID

WHEREAS, pursuant to N.J.S.A.40A:11-1 et seq., the Township of Long Beach has solicited bids for the 2012 D.O.T. Road Reconstruction / Improvement Project: Lagoon Drive South in the Township of Long Beach; and

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

WHEREAS, Earle Asphalt Company, PO Box 556, Farmingdale, NJ 07727 gave the lowest qualified bid as per the municipal engineer and the municipal attorney's review and certification; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this contract are available as an appropriation created by Ordinance 12-16 Reconstruction of Lagoon Dr. Acct# C-04-55-995-901 in the amount of \$136,013.13.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 22nd day of March 2013, for the reasons aforesaid, that a contract be and is hereby awarded, subject to approval by the State of New Jersey Department of Transportation to:

Earle Asphalt Company
PO Box 556
Farmingdale, NJ 07727

for the 2012 D.O.T. Road Reconstruction / Improvement Project: Resurface Winifred Avenue in the Township of Long Beach in an amount not to exceed One Hundred Thirty Six Thousand Thirteen Dollars and Thirteen Cents (\$136,013.13) as per the bid received March 7, 2013.

19. Resolution 13-0322.16: Approve the 1-year extension of a contract:
ABS Electrical: emergency electrical repairs

RESOLUTION AUTHORIZING THE EXTENSION OF A CONTRACT FOR EMERGENCY ELECTRICAL REPAIRS FOR THE TOWNSHIP OF LONG BEACH

WHEREAS, pursuant to Resolution 12-0302.03(a) dated March 2, 2012 the Township entered into an agreement with ABS Electric, Inc. for Emergency Electrical Repairs for the Township of Long Beach; and

WHEREAS, the said contract referred to specific specifications and prices and provided for a one year option to extend the contract; and

WHEREAS, both parties have agreed to the contract extension provision established by the Local Public Contracts Law N.J.S.A. 40A:11-15.(45); and

WHEREAS, this Resolution shall be deemed to be the extension; effective through December 31, 2013.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach at their regular scheduled meeting held Friday March 22, 2013 that the aforesaid contract with ABS Electric, Inc., P.O. Box 592, Elmer, NJ 08318 shall be and is hereby extended for a period of one year pursuant to the terms and conditions stated herein.

20. Resolution 13-0322.:17 Approve the execution of a lease agreement, per state contract:

ModSpace: \$48,164.00 temporary housing for the
LBI Board of Health

**A RESOLUTION AUTHORIZING THE DELIVERY, SET-UP, AND MONTHLY LEASE FEE FOR
TEMPORARY HOUSING OF THE LONG BEACH ISLAND
BOARD OF HEALTH, PER STATE CONTRACT**

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

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

WHEREAS, Modular Space Corporation, dba Modspace, 1200 Swedesford Road, Berwyn, PA, 19312 has been awarded New Jersey State Contract No. A83024 for Hurricane Sandy Emergency #G8033 effective November 5, 2012 through November 4, 2013; and

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

WHEREAS, the actual cost for the delivery and set-up of the temporary structure to house the Long Beach Island Board of Health, displaced as a result of severe storm damage rendering their existing rental facility uninhabitable, is Forty Eight Thousand One Hundred Sixty Four Dollars (\$48,164.00), with monthly lease payments of One Thousand Two Hundred Ten Dollars (\$1,210.00) commencing upon occupation of the temporary structure by the Long Beach Island Board of Health; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this contract available as an appropriation created by: Deferred Charge – Hurricane Sandy 2012 Account # 2-01-46-870-002 in the amount of Forty Eight Thousand One Hundred Sixty Four Dollars (\$48,164.00) pending the adoption of the budget at which time it will be charged to the appropriation: Delivery and Set-up of Health Dept. Trailer, Account # 3-01-44-916-104 in the amount of Thirty Eight Thousand Five Hundred Sixty Four Dollars (\$38,564.00) and Board of Health Maintenance Of Building Account # 3-01-27-330-024 in the amount of Nine Thousand Six Hundred Dollars (\$9,600.00.)

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach authorizes the execution of a lease agreement with Modular Space Corporation, dba Modspace, 1200 Swedesford Road, Berwyn, PA, 19312 for delivery and set-up in an amount not to exceed Forty Eight Thousand One Hundred Sixty Four Dollars (\$48,164.00) and one-year monthly lease payments of One Thousand Two Hundred Ten Dollars (\$1,210.00) for the lease of temporary housing for the Long Beach Island Health Department in the Peahala Park section of Long Beach Township. Motion to approve Items 14 thru 21:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

FINANCIAL APPROVALS

21. Resolution 13-0322.18: Approve a Dedication by Rider:
Donations for advertisements related to
LBI is Open N.J.S.A.40A:5-29

REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR ADVERTISEMENTS RELATED TO 'LBI IS OPEN FOR BUSINESS' PURSUANT TO N.J.S.A. 40A:5-29

WHEREAS, permission is required of the Director of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:5-29 et seq. allows municipalities to receive donations for costs incurred for advertisements related to 'LBI is Open for Business', and

WHEREAS, N.J.S.A 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by the dedication by rider,

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Long Beach, County of Ocean, State of New Jersey as follows:

- 1) The Board of Commissioners hereby request permission of the Director of Local Government Services to pay expenditures for the advertisements related to LBI is Open for Business, as per N.J.S.A 40A:4-39
- 2) The Municipal Clerk of the Township of Long Beach is hereby directed to forward two copies of this resolution to the Director of Local Government

Services.

22. Resolution 13-0322.19: Approve an increase to the temporary municipal budget

WHEREAS, the Chief Financial Officer of the Township of Long Beach has determined that an increase to the 2013 Temporary Budget, approved pursuant to Resolution 12-1228.08, and is necessary due to various reasons; and

WHEREAS, appropriations were previously increased by Resolutions 13-0104.19, 13-0118.11, 13-0215.14 and 13-0301.10; and

WHEREAS, appropriations for the 2013 Current Fund Temporary Budget shall again 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 2013 Temporary Current Fund Temporary Budget.

23. Resolution 13-0322.20: Approve Bills & Payroll
Bills in the amount of: \$5,363,524.48
Payroll in the amount of: \$ 402,175.05

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 \$402,175.05.

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 \$5,363,524.48 be and the same are hereby authorized to be paid on Friday, March 22, 2013.

2. The said approved payroll amounting to the sum of \$402,175.05 be and the same are hereby authorized to be paid on Friday, March 22, 2013.

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.

Mayor Mancini and **Commissioner Lattanzi** abstained from vouchers for Southern Ocean Medical Center. Mayor Mancini invoked the Doctrine of Necessity.

Motion to approve Items 22 thru 24:

Motion: Lattanzi Ayes: Bayard, Mancini

Second: Bayard Abstain: Lattanzi

Nays:

Mayor Mancini stated the Tax Collector Reports for the months of January and February 2013 and Treasurer's Reports for the month of February 2013 were on file in the Municipal Clerk's Office.

COMMISSIONERS' REPORTS

Commissioner Lattanzi reported the Health Department hoped to be at their new site in temporary trailers by the Acme by April.

Commissioner Bayard had no comments.

Mayor Mancini announced the next meeting of the Board of Commissioners would take place on Friday, April 5, 2013 at 4:00 p.m. at which time public hearings for Ordinance 13-08C and 13-09C would be held.

Mayor Mancini also announced the next regular meeting of the Land Use Board would be held on Wednesday, April 10, 2013 at 7:00 p.m. in the Municipal Court Room.

Mayor Mancini reported from the Police Dept that residents were urged to secure their properties due to recent copper thefts and asked to report suspicious persons, vehicles or incidents to the Police.

Drivers were reminded to keep right and pass left, no texting while driving.

Mayor Mancini announced Operation Take Back New Jersey (disposal of expired unwanted medicines) would be held on April 27th from 10 am to 2 pm. Collection site was in the lobby of the Police Dept.

Mayor Mancini also announced the Beach Badge Shack would be open on March 29th, Good Friday.

April hours would be Fridays 9 -4; Sat. & Sun. 9 to 3; and Mondays 9 - 1.

Mayor Mancini also noted all 52 beaches would be manned with lifeguards this season, as in the years past.

OPEN PUBLIC SESSION

Bob Irvine, Beach Haven Crest, handed out an article from the Atlantic City Press from March 2009 that reported on the Deed of Easement signing that took place at a public meeting. He commented he had concerns and questions, which were all answered and satisfied prior to his signing.

Don O'Brien, Ager Realty asked if the Mayor and Commissioners knew when work would be taking place on the beaches so that he could inform his renters.

Mayor Mancini responded the Army Corps has not contacted us with a date to do the maintenance on 31st to 57th Streets.

Bill Kunz, Brant Beach reported 36 outstanding deeds in Loveladies, 17 in North Beach. He also asked where the Health Department would be located.

Commissioner Lattanzi replied near the movie theater in Peahala Park.

Bill Hutson, Holgate thanked the Commissioners for the low tax increase and commented on a good job with the easements.

Mayor Mancini thanked Teri Sgro for a great job.

Mary Ann Hurley, Holgate, asked if Holgate would receive the beach project now that all easements were signed.

Mayor Mancini replied "yes".

Mary Ann Hurley asked what was happening with houses to be torn down.

Mayor Mancini explained Ordinance 13-06C required a 10 day notice be provided to property owners.

Mary Ann Hurley asked about the trailer park, noting some trailers were still there.

Mayor Mancini explained the owner of the park cannot remove trailers without the titles.

Commissioner Lattanzi announced planning was continuing for the Thank You Fest in June.

Mayor Mancini instructed all to check the Township website for updated information.

CLOSE PUBLIC SESSION

Motion for adjournment at 4:32 pm.

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

Lynda J. Wells, RMC
Municipal Clerk

Joseph H. Mancini, Mayor

Ralph H. Bayard, Commissioner

Dr. Joseph P. Lattanzi, Commissioner