

MINUTES
REGULAR SESSION: BOARD OF COMMISSIONERS APRIL 3, 2009

Flag Salute

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 on January 7th 2009; the PRESS OF ATLANTIC CITY on January 3rd 2009; and the ASBURY PARK PRESS on December 23rd 2008; and filed with the Municipal Clerk.

Clerk called the roll: Mayor Joseph H. Mancini: PRESENT
Commissioner DiAnne C. Gove: PRESENT
Commissioner Ralph H. Bayard: PRESENT

Also in attendance: Bonnie M. Leonetti, Municipal Clerk
Teresa S. Sgro, Asst. Municipal Clerk
Katharine M. Shackleton, Esq.

AGENDA

PROCLAMATIONS

Autism Awareness Month – April 2009
National Library Week – April 2 – 18, 2009
Child Abuse Prevention Month – April 2009

ORDINANCES/PUBLIC HEARINGS

1. Resolution 09-0403.01: Amending date for public hearing and adoption for all 2nd reading ordinances. The clerk/administrator explained the notices were not published due to an error at the newspaper, therefore they would be advertised the next week with 2nd reading on April 17th.

RESOLUTION 09-0403.01

RESOLUTION ADJOURNING TO APRIL 17, 2009 SECOND READING, PUBLIC READING AND FINAL PASSAGE OF CERTAIN ORDINANCES

WHEREAS, at the regular meeting of the Board of Commissioners of the Township of Long Beach held March 20, 2009 four Ordinances were passed on first reading as follows;

Ordinance 09-06: **BOND ORDINANCE AUTHORIZING THE REMOVAL AND/OR REPLACEMENT OF EXISTING WATERMAINS BENEATH VARIOUS STREET IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$2,040,000 THEREFORE; 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 \$2,040,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Ordinance 09-07: **BOND ORDINANCE AUTHORIZING THE REMOVAL AND/OR REPLACEMENT OF SANITARY SEWER PIPES BENEATH VARIOUS STREETS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$2,030,000 THEREFORE; 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 \$2,030,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Ordinance 09-08: **BOND ORDINANCE PROVIDING SUPPLEMENTAL FUNDING FOR THE COMPLETION OF IMPROVEMENTS TO THE EXISTING SANITARY GRAVITY SEWER SYSTEM BY AND FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$387,984 THEREFORE; 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 \$387,984; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Ordinance 09-09C: **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 SECTION 176 PERTAINS TO SUB-DIVISION OF LAND AND SECTION 205 PERTAINS TO ZONING; and**

WHEREAS, all four Ordinances stated that the second reading and public hearing would be at the regular meeting of the Board of Commissioners of the Township of Long Beach to held April 3, 2009 at 4:00 p.m.; and

WHEREAS, as a result of clerical inadvertence appropriate publication as required by the provisions of Title 40 of the revised Statutes of New Jersey notifying the public of the time and place for second reading and public hearing did not occur; and

WHEREAS, as a result of the lack of publication it is impossible to consider the above mentioned four Ordinances for second reading, public hearing and final passage on April 3, 2009; and

WHEREAS, appropriate publication as required by the provisions of Title 40 of the revised Statutes of New Jersey must occur before the above recited Ordinances may be considered for second reading and public hearing.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach at a Regular Meeting held March 20, 2009 that publication providing notice of adoption on first reading and providing further notice of the time and place for second reading and public hearing shall be published by the Township Clerk according to law advising that the second reading and public hearing of the above recited Ordinances will occur on the second meeting of the Board of Commissioners in April, April 17, 2009.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach, a Regular Meeting held Friday April 3, 2009 that Ordinance numbers 09-06, 09-07, 09-08 AND 09-09C all as recited above are tabled and shall be considered for second reading, public hearing and final passage by the Board of Commissioners at the Regular Meeting held Friday April 20, 2009 at 4:00 p.m. and the Clerk is hereby authorized and directed to provide publication of such second reading and public hearing as provided by law.

Motion to approve Item 1:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

Second Reading Ordinance 09-06: Postponed until April 17, 2009. **BOND ORDINANCE AUTHORIZING THE REMOVAL AND/OR REPLACEMENT OF EXISTING WATER MAINS BENEATH VARIOUS STREETS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$2,040,000 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 \$2,040,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

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First Reading Ordinance 09-10C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN SECTION 189-23 SCHEDULE 1 PROHIBITS PARKING.** The Clerk/Administrator explained this prohibits parking on the east side of Long Beach Blvd. between Maryland and Pennsylvania in Beach Haven Terrace.

Motion to approve Ordinance 09-10C on First Reading:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

ADOPTIONS, APPROVALS

2. Resolution 09-0403.02(a&b): Authorize various grant applications for the Police Dept.

- (a) "966 Stewart Bill Funding FY 2010 and;
COPS Hiring Recovery Program (CHRP) Application
- (b) various Highway Traffic Safety Grants

RESOLUTION 09-0403.02(a)

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

- 966 Stewart Bill Funding
- Cops Hiring Recovery Program - CHRP

RESOLUTION 09-0403.02(b)

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

- Various 2010 N.J. Highway Traffic Safety Grants
3. Resolution 09-0403.03: Establishing fees for Lifeguard in Training Classes and for purchase of Lifeguard Yearbooks

(LIT - \$50 for one class, \$75 for both classes and \$20 per yearbook)

RESOLUTION 09-0403.03

RESOLUTION ESTABLISHING FEES FOR LIFEGUARD IN TRAINING CLASSES AND FOR PURCHASE OF LIFEGUARD YEARBOOKS

WHEREAS, the Township of Long Beach is establishing its budget for the year 2009; and

WHEREAS, the Board of Commissioners of the Township of Long Beach has determined to make the budget for this calendar year as tight and conservative as possible; and

WHEREAS, in the past the Township of Long Beach has sponsored a lifeguard in training program without any cost to the participants; and

WHEREAS, in an effort to cover the costs of the lifeguard in training program the Board of Commissioners has determined that a reasonable charge therefore is warranted; and

WHEREAS, in the past no charge has been made for the annual lifeguard yearbook with the cost being absorbed by the Township; and

WHEREAS, the Township has determined that the taxpayers of Long Beach Township can no longer afford to subsidize the full cost of the lifeguard in training program and the cost of the lifeguard yearbook.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach at a Regular Meeting held Friday April 3, 2009 that lifeguard in training participants will be charged a fee of Fifty Dollars (\$50.00) for the first session of the program and will be charged an additional fee of Twenty-Five dollars (\$25.00) to participate in the second session of the program.

BE IT FURTHER RESOLVED, that lifeguard yearbooks will no long be distributed without costs but will be sold for the nominal cost of Twenty Dollars (\$20.00) per yearbook in order to defray the cost thereof.

4. Resolution 09-0403.04: Approve personnel actions.

The Clerk/Administrator noted the various actions taken.

RESOLUTION 09-0403.04

BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach: Designate Joan Kearney as Co-Safety Coordinator (replacing Lynda Wells) effective 4/1/09 with a pro-rated stipend of \$3,000/year.

Approve the transfer of Debra Thompson from Construction Office to Municipal Clerk/Finance to serve 3 days a week in the Municipal Clerk's office and 2 days a week in the Finance office at the same annual base salary with 3/5 of the total salary to be paid by Municipal Clerk Salary & Wage and 2/5 of the total salary to be paid by the Finance Salary & Wage effective retro-active to January 28, 2009.

Approve the transfer of Debra Thompson from Finance Office to Municipal Clerk's Office full time/5 days a week at the same annual base salary to be paid by the Municipal Clerk Salary & Wage effective retro-active to March 18, 2009.

Approve the following, paid from the Police Salary & Wage, for a step increment (adjust base salary) in accordance with the current contract (Article XXI).

Charles Schnell Sgt. 2nd year \$97,433.49 effect. retroactive to 1/1/09

Approve compensation for Lynda Wells for the work she does as Drug and Alcohol Policy Coordinator at \$250.00/Year and to administer Workers Compensation Claims at \$500.00/Year. These amounts for 2009 shall be pro-rated from April 1, 2009 for a total of \$562.50 then continue in full for succeeding years.

5. Resolution 09-0403.05: Approve and authorize the settlement of a legal matter for the Township (Caplicki v. LBT & Mercurio)

RESOLUTION 09-0403.05

RESOLUTION APPROVING AND AUTHORIZING A SETTLEMENT OF THE MATTER OF CAPLICKI V. THE TOWNSHIP OF LONG BEACH AND MICHAEL MERCURIO BEARING DOCKET NO.'S OCN-L-664-07 AND OCN-L-1294-08-PW

WHEREAS, Michael Mercurio obtained a permit from the Zoning Officer of the Township of Long Beach to erect a mast with a wind powered electric generator located on the top of the mast; and

WHEREAS, the permit was issued based upon certain misrepresentations made by the applicant; and

WHEREAS, the Zoning Office and the Building Office of the Township of Long Beach revoked the permit when the misrepresentations were discovered; and

WHEREAS, Patricia Capliciki and John Miller prior to the revocation of the permit instituted an action against both Michael Mercurio and the Township of Long Beach; and

WHEREAS, Michael Mercurio appealed the decision of the Building Department to revoke the permit to the Land Use Board of the Township of Long Beach; and

WHEREAS, the Land Use Board of the Township of Long Beach affirmed the decision of the Building Department and the Zoning Officer; and

WHEREAS, Michael Mercurio then made application before the Long Beach Township Land Use Board for a variance to maintain his wind generating system and tower; and

WHEREAS, both applications were made pursuant to an Order of the Superior Court in the action brought by Patricia Caplicki and John Miller by Order duly entered by the Honorable Vincent J. Grasso, A.J.S.C.; and

WHEREAS, the cost of responding to the applicant at the Land Use Board hearings has been very substantial, costing the Township of Long Beach substantial funds; and

WHEREAS, the hearing has been scheduled for Michael Mercurio's application to the Land Use Board of Long Beach Township for April 7, 2009; and

WHEREAS, the cost of resisting that application both legal fees and expert witness fees is anticipated to be substantial; and

WHEREAS, the action instituted by Patricia Capliciki and John Miller has caused the Township's insurance deductible with the Municipal Joint Insurance Fund increase substantially thereby jeopardizing the Township of Long Beach in potential future litigation; and

WHEREAS, Michael Mercurio has offered to settle the matter by withdrawing all applications, removing the wind generating system and removing the tower on which it is located; and

WHEREAS, in exchange for this the Board of Commissioners of the Township of Long Beach have determined that settling the action will, in the long run be less costly than pursuing it; and

WHEREAS, the Board of Commissioners of the Township of Long Beach believe that it is in the best interest of the Township to settle the pending litigation; and

WHEREAS, Michael Mercurio has agreed to remove the wind generating system which he has installed and the pole on which it is installed and agrees not to make further applications for wind generation unless and until the Ordinances of Long Beach Township are changed to permit such application or some overriding State or Federal Legislation has been enacted which deprives the Township of Long Beach from prohibiting such uses; and

WHEREAS, Patricia Caplicki and John Miller have agreed to dismiss their litigation against the Township of Long Beach with prejudice and without costs if the case is settled as above set forth.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach to approve the settlement as above set forth and in accordance with the Consent Order being submitted to the Court appended to this Resolution as Schedule "A".

BE IT FURTHER RESOLVED, that counsel is authorized to execute the said Order to effectuate the settlement and to submit the same to the Court for entry.

Mayor Mancini explained that this was a mutual agreement and the Township would follow any future state and federal guidelines that would cause Long Beach Township to comply.

6. Resolution 09-0403.06: Authorize the Municipal Clerk to advertise for the following bid:
Upgrades to the North Beach Sanitary Sewer Pump Station

RESOLUTION 09-0403.06

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the Municipal Clerk be and she is hereby authorized to advertise for bids for the following:

- Upgrades to the North Beach Sanitary Sewer Pump Station
7. Resolution 09-0403.07: Approve the 2008 Annual Report for the Long Beach Island Health Dept.

RESOLUTION 09-0403.07

BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, that the Annual Report of the Health Department for calendar year 2008, as annexed hereto and made a part hereof, be and the same is hereby approved.

Motion to approve Items 2 thru 7:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

CONTRACTS AND AWARDS

8. Resolution 09-0403.08(a-c): Approve various change orders
- (a) Conti-Haskell JV LLC, NJEIT Project Improvements to the Sanitary Sewer System, \$23,000.00
 - (b) Valley Painting, Inc., Water Detention Tank Painting, \$7,500.00
 - (c) Video Pipe Services, Inc., Cleaning & TV Inspection of Sanitary Sewer System, \$13,777.07

RESOLUTION 09-0403.08(a)

RESOLUTION AUTHORIZING A CHANGE ORDER FOR THE SANITARY SEWER SYSTEM IMPROVEMENTS PROJECT EIT #S340023-01 IN THE TOWNSHIP OF LONG BEACH

WHEREAS, Conti/Haskell Joint Venture was awarded a contract for the 2008 Sanitary Sewer System Improvement Project in the Township of Long Beach EIT # #S340023-01 in the amount of Nine Hundred Thirty Seven Thousand Five Hundred Forty Five Dollars (\$937,545.00) as per Resolutions 08-1205.06(b) and 09-0320.06(b); and

WHEREAS, based on the actual project, changes to the scope of the project resulting in unexpected additional costs were incurred; and

WHEREAS, these changes have resulted in Change Order #1 of the original contract and has been approved and certified by the Municipal Engineer and the Public Works Deputy Municipal Department Head. Said detailed Certification contains all the facts associated with this Change Order in accordance with state statutes and is attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach at a regular scheduled meeting, (not less than two-thirds (2/3) of the members thereof affirmatively concurring) this 3rd day of April 2009 that Conti/Haskell Joint Venture, 123 Bartlett Avenue, West Creek, NJ 08092 be and is hereby awarded Change Order #1 not to exceed Twenty Three Thousand Dollars (\$23,000.00) for payment of the work required to complete the 2008 Sanitary Sewer System Improvement Project EIT # #S340023-01 in Long Beach Township.

RESOLUTION 09-0403.08(b)

RESOLUTION AUTHORIZING A CHANGE ORDER FOR IMPROVEMENTS TO THE BEACH HAVEN TERRACE DETENTION BASIN IN THE TOWNSHIP OF LONG BEACH

WHEREAS Valley Painting, Inc was awarded a contract for the repair, cleaning and repainting of a 300,000 gallon detention tank in the Beach Haven Terrace Water Plant of the Township of Long Beach; in the amount of One Hundred Twenty Five Thousand Dollars (\$125,000.00) as per Resolution #09-0206.07; and

WHEREAS, based on the actual project, changes to the scope of the project resulting in unexpected additional costs were incurred; and

WHEREAS, these changes have resulted in Change Order #1 of the original contract and has been approved and certified by the Municipal Engineer. Said detailed Certification contains all the facts associated with this Change Order in accordance with state statutes and is attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach at a regular scheduled meeting, (not less than two-thirds (2/3) of the members thereof affirmatively concurring) this 3rd day of April 2009 that Valley Painting, Inc., 610 Buck Road, Southampton, PA 18966-4428 be and is hereby awarded Change Order #1 not to exceed Seven Thousand Five Hundred Dollars (\$7,500.00) for payment of the work required to complete the repair, cleaning and repainting of a 300,000 gallon detention tank in the Beach Haven Terrace Water Plant of the Township of Long Beach.

RESOLUTION 09-0403.08(c)

RESOLUTION AUTHORIZING A CHANGE ORDER FOR THE CLEANING AND TELEVISION INSPECTION OF THE SANITARY SEWER SYSTEM FOR THE WATER/SEWER DEPARTMENT OF THE TOWNSHIP OF LONG BEACH

WHEREAS Video Pipe Services, Inc. was awarded a contract for the cleaning and television inspection of the Sanitary Sewer System for the Water/Sewer Department of the Township of Long Beach in the amount of Sixty Nine Thousand Three Hundred Fifty Dollars (\$69,350.00) as per Resolution #08-1205.06(d); and

WHEREAS, based on the actual project, changes to the scope of the project resulting in unexpected additional costs were incurred; and

WHEREAS, these changes have resulted in Change Order #1 of the original contract and has been approved and certified by the Municipal Engineer. Said detailed Certification contains all the facts associated with this Change Order in accordance with state statutes and is attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach at a regular scheduled meeting, (not less than two-thirds (2/3) of the members thereof affirmatively concurring) this 3rd day of April 2009 that Video Pipe Services, Inc., 1566 Harding Highway, Newfield, NJ 08344-5220 be and is hereby awarded Change Order #1 not to exceed Thirteen Thousand Seven Hundred Seventy Seven Dollars and Seven Cents (\$13,777.07) for payment of the work required for the cleaning and television inspection of the Sanitary Sewer System for the Water/Sewer Department of the Township of Long Beach.

9. Resolution 09-0403.09: Award a contract to Network Management Solutions, Inc. for Pro Active Network Management Services for the Police Dept, per quote: \$800/mo

RESOLUTION 09-0403.09

A RESOLUTION AWARDING A CONTRACT FOR REMOTE NETWORK MANAGEMENT SERVICES FOR COMPUTER SERVERS, FIREWALLS, AND THE T1 CIRCUIT FOR THE LONG BEACH TOWNSHIP POLICE DEPARTMENT, PER QUOTATION

WHEREAS, in accordance with N.J.S.A. 40:A11-6.1, the Long Beach Township Police Department solicited quotations for remote network management services for computer servers, firewalls and the T1 circuit; and

WHEREAS, in response to the invitation for solicitation two (2) quotations were received; and

WHEREAS, the quotations were reviewed by the Board of Commissioners of the Township of Long Beach and it was determined that Network Management Services provided the lowest qualified quotation in accordance with the specifications, said quotation in the amount of Nine Thousand Six Hundred Dollars (\$9,600.00); and

WHEREAS, it is in the public interest of the Township of Long Beach to award a contract to Network Management Services for remote network management services for computer servers, firewalls and the T1 circuit in the Police Department; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Police: Other Expenses.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long, County of Ocean, State of New Jersey, at a regular meeting held this 3rd day of April 2008 that the Mayor and the Municipal Clerk are hereby authorized to execute a contract with Network Management Services, 1122 Route 22 West, Mountainside, NJ 07092 in an amount not to exceed Nine Thousand Six Hundred Dollars (\$9,600.00).

10. Resolution 09-0403.10: Approve a Memo of Understanding for a mutual Agreement with Beach Haven, Ship Bottom, Harvey Cedars and Barnegat Light, for an Emergency Notification System Agreement thru June 2010 \$450/yr per town

This would go to Trenton for approval before any agreements would be signed.

RESOLUTION 09-0403.10

A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH BEACH HAVEN, SHIP BOTTOM, HARVEY CEDARS & BARNEGAT LIGHT TO PROVIDE FOR AN EMERGENCY NOTIFICATION SYSTEM WITH LONG BEACH TOWNSHIP AS THE LEAD AGENCY

WHEREAS, Long Beach Township (LBT) currently holds a contract awarded by quotation with Global Connect in the amount of \$3,562.50 for the purpose of executing an Emergency Notification System (ENS) to reach out to residents and property owners in times of emergent situations; and

WHEREAS, LBT also has a contract with Verizon from whom LBT purchased (for \$1,435.62) a database (aka :“Full File Extract License”) of land line phone numbers (with weekly updates at \$13.10/month) including those in the towns named above for which LBT presently dispatches under existing Interlocal Agreements; and

WHEREAS, while LBT will remain the primary ENS dispatcher, it does have the ability and desire to assist the Interlocal Member Towns to dispatch their own localized and limited emergencies. This can be accomplished by each town purchasing from LBT the portion of the database that contains that town’s individual information and by entering into a contract of their own with Global Connect in order to contact their property owners at the numbers contained in the database. Long Beach Township would remain responsible for notifications to property owners of all five (5) participating towns in any Island-wide emergency or disaster and serve as “back-up” in the event a member town was unable to execute a local notification of its own; and

WHEREAS, it is in the interest of Public Safety and Welfare that an ENS be created with LBT the lead agency with Beach Haven, Ship Bottom, Harvey Cedars & Barnegat Light paying an annual fee of \$450 in the initial year to the Township of Long Beach for this new service which will in actuality be an added feature and enhancement to the current dispatch services provided through the Interlocal Agreements. This service will then be “folded” into the renewal agreements as they expire creating what will more than likely be a Shared Service among the participating towns.

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 3rd day of April 2009 that the Mayor and Municipal Clerk are hereby authorized to execute a Memorandum of Understanding which will contain all of the terms, conditions and costs of an Emergency Notification System with the towns of Beach Haven, Ship Bottom, Harvey Cedars and Barnegat Light; and

BE IT FURTHER RESOLVED that having conferred with the State of NJ Dept. of Community Affairs regarding creating and entering into this mutual service, this Resolution and the Memorandum of Understanding shall be forwarded to the State of NJ Dept. of Community Affairs for review, recommendations and final approval.

11. Resolution 09-0403.11: Authorize the rejection of all bids for Beach Patrol Uniform items: Bids submitted were non-responsive to specifications (will be re-bidding on April 22nd)

RESOLUTION 09-0403.11

RESOLUTION REJECTING ALL BIDS FOR VARIOUS BEACH PATROL UNIFORM ITEMS AND AUTHORIZING THE ADVERTISEMENT OF NEW BIDS

WHEREAS, the Township of Long Beach advertised for the receipt of bids for the purchase of various beach patrol uniform items on March 13, 2009; and

WHEREAS, bids were received from six (6) bidders and publicly opened on March 24th 2009; and

WHEREAS, upon review of the municipal solicitor it was determined that the specifications required substantial revisions; and

WHEREAS, N.J.S.A. 40A-11-13.2 provides that the Governing Body may reject all bids where the Municipality wants to substantially revise the specifications for services; and

WHEREAS, N.J.A.C. 7:26H-6.7(e) provides that in the event the Governing Body rejects all 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 all bids in order to facilitate the specification revisions required to the bid documents; and

WHEREAS, publication of the Notice to Bidders can be published on April 6, 2009 which will permit the receipt of bids on April 22, 2009.

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 April 3, 2009, hereby reject all bids received on March 24th 2009 and authorize the advertisement for the receipt of bids for the purchase of various beach patrol uniform items on April 22, 2009.

Motion to approve Items 8 thru 11:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

FINANCIAL APPROVALS

12. Resolution 09-0403.12: Approve an amendment to the 2009 Current Fund Temporary Budget

RESOLUTION 09-0403.12

WHEREAS, the Chief Financial Officer of the Township of Long Beach has determined that an increase to the 2009 Temporary Budget, approved pursuant to Resolutions 08-1230.09, 09-0220.06, 09-0306.14, 09-0320.11, and 09-0320.12 is necessary due to various reasons; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the following appropriations, attached as Schedule A, are hereby adopted as the 2009 Temporary Current Fund Budget; and

BE IT FURTHER 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 2009 Temporary Budget as recorded above.

13. Resolution 09-0403.13: Approve Bills & Payroll

Bills in the amount of: \$ 2,290,090.50

Payrolls in the amount of: \$ 380,130.40

(this included paying local and regional school taxes)

RESOLUTION 09-0403.13

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 \$380,130.40.

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 \$2,290,090.50 be and the same are hereby authorized to be paid on April 3, 2009.

2. The said approved payroll amounting to the sum of \$380,130.40 be and the same are hereby authorized to be paid on April 3, 2009.

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 12 and 13:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

COMMISSIONERS' REPORTS

Commissioner Bayard reported that Ocean County has begun paving some roads and the Holgate parking lot. He also announced the dog park would be completed in about two weeks.

Commissioner Gove announced the Health Department would be hosting a Family Walk on April 25th and invited residents to register.

Mayor Mancini stated the Treasurer's Report for the months of January and February 2009 were on file in the Municipal Clerk's Office.

Mayor Mancini announced:

- The next meeting of the Board of Commissioners would take place on Friday, April 17th at 4:00 p.m.
- The next regular meeting of the Land Use Board would take place on Tuesday April 7th at 7:00 p.m. in the 2nd floor multi-purpose room.
- Newly adopted ordinances that are updated once a year in the code book, will now be listed as new legislation on our online code which can be viewed by a link from the Twp. website.
- Reported an error in page 3 of the April 1st edition of the Beach Haven Times regarding a public hearing at 4 PM on April 6, 2009 for the ordinance about ocean front property owners and reference to conveyances and easements time and date were wrong.
- That Twp. Ptl. Olsen and Ptl. Seegers have completed a 120 hour course and are now certified EMT's.
- Beach Easements were coming in on an average of 3 per day and urged all owners to sign and to call him with any questions.

OPEN PUBLIC SESSION

No comments

CLOSE PUBLIC SESSION

Adjournment: 4:15 p.m.

Bonnie M. Leonetti, RMC, CMC
Municipal Clerk

Joseph H. Mancini, Mayor

DiAnne C. Gove, Comm.

Ralph H. Bayard, Comm.