

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS APRIL 5, 2013
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 and the ASBURY PARK PRESS on December 13th 2012; and filed with the Municipal Clerk.

Motion: To dispense with the reading of the minutes of the March 22, 2013 meeting and to approve the same as recorded in the minute book:

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

AGENDA

PROCLAMATIONS Earth Day April 22nd
PROCLAMATION
EARTH DAY 2013

WHEREAS, the global community now faces extraordinary challenges, such as global health issues, food and water shortages, economic struggles; and

WHEREAS, all people, regardless of race, gender, income or geography, have a moral right to a healthy, sustainable environment with economic growth; and

WHEREAS, it is understood that the citizens of the global community must step forward and take action to create a green economy to combat the aforementioned global challenges; and

WHEREAS, a green economy can be achieved on the individual level through educational efforts, public policy and consumer activism campaigns; and

WHEREAS, it is necessary to broaden and diversify this global movement to achieve maximum success; and

FURTHERMORE, let it be known that the Township of Long Beach, County of Ocean, State of New Jersey hereby encourages its residents, businesses and institutions to use EARTH DAY to celebrate the Earth and commit to building a sustainable and green economy.

NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners for the Township of Long Beach hereby pledge this Earth Day April 22, 2013 to support green economy initiatives in the Township of Long Beach, County of Ocean, State of New Jersey and encourage others to undertake similar actions.

National Volunteer Week – April 21 – 27, 2013

PROCLAMATION

WHEREAS, the week of April 21 – April 27, 2013 has been so proclaimed **National Volunteer Week** in recognition of the Retired and Senior Volunteer Program (RSVP) sponsored by the Ocean County Board of Social Services; and

WHEREAS, the recognition on “Inspiring the Volunteer in You” which is about inspiring, recognizing and encouraging people to seek out ways to engage in their communities. It is about demonstrating to the nation that by working together in unison, we have the fortitude to meet our challenges and accomplish our goals. National Volunteer Week is about taking action, encouraging individuals and their respective communities to be at the center of social change – discovering and actively demonstrating their collective power to foster positive transformation; and

WHEREAS, the Board of Commissioners for the Township of Long Beach recognizes the support given by volunteers to the needs of the communities of Ocean County, such as increasing the capacity of agencies and organizations to provide services, increasing the ability of recipients of service to lead more productive and independent lives and fostering the concept of service to the community.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for the Township of Long Beach that it hereby proclaims the week of April 21 – April 27, 2013 as National Volunteer Week and honors all of the volunteers of Ocean County for their outstanding service to the communities of Ocean County; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Ocean County Board of Chosen Freeholders, all Ocean County municipalities, Corporation for National Service, and all County of Ocean volunteer stations.

**National Donate Life Month – April 2013
PROCLAMATION**

WHEREAS, Every human life has matchless value, and during National Donate Life Month, we reaffirm our commitment to raising awareness about organ donation and the importance of making the decision to donate. We also express our appreciation to those who have donated organs, tissue, and marrow; **AND**

WHEREAS, Over 100,000 of Americans, over 4,500 in New Jersey, are currently on the waiting list for an organ transplant and thousands more need life enhancing tissue transplants. I urge all New Jersey residents to register with the state’s donor registry; say yes to organ and tissue donation on their driver’s license; and share their decision with family and friends. By taking these steps, New Jerseyans can help save lives. My Administration is committed to strengthening organ and tissue donation programs and to increase the number of organs available for transplantation in order to save lives. The kindness and generosity of donors reflect the compassionate spirit of our state.

WHEREAS, during National Donate Life Month, we celebrate the life-saving work of medical professionals and researchers and the many others whose actions reflect our commitment to a brighter tomorrow. Individuals can visit www.DonateLifeNJ.org to learn more about organ and tissue donation and how they can give the gift of life.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, by virtue of the authority vested in me by the citizens of Long Beach Township, do hereby proclaim April 2013 as Donate Life Month. We call upon health care professionals, volunteers, educators, government agencies, faith-based and community groups, and private organizations to help raise awareness of the urgent need for organ and tissue donors throughout our state.

ORDINANCES & PUBLIC HEARINGS

1. Second 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**

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

This Ordinance amends Article III, §189-23. and §189-24., to regulate parking on West Avenue in Holgate and in the parking plaza between 42nd and 44th Streets in Brant Beach.

SECTION I

§189-23. Schedule I: No Parking. is hereby amended by the repeal of the following:

McKinley Avenue in Beach Heights	Both	From its intersection with West Haven Avenue going in a generally eastwardly direction to its intersection with Long Beach Boulevard
West Avenue in Beach Haven Heights	Both	From the intersection of the southerly side line of Washington Avenue south to the end of West Avenue

And in lieu and instead thereof the following are adopted:

West Avenue in Beach Haven Heights	Both	From the intersection of the southerly side line of Cleveland Avenue south to the end of West Avenue
West Avenue in Beach Haven Heights	Both	From the intersection of the northerly side line of Pershing Avenue north to the end of West Avenue

SECTION II

§189-24. Schedule II: Special Parking Restrictions. is hereby amended by the addition of a new sub-section, Sub-Section D. as follows:

D. Parking Restricted to Two Hours.

Long Beach Boulevard Plaza	Both	From the intersection of the northerly side line of East 42 nd Street south to the end of the Plaza from 8:00 am to 5:00 pm
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SECTION III

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

SECTION IV

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

SECTION V

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

Lynda Wells, Municipal Clerk explained this ordinance amended Article III, §189-23 and §189-24, which would regulate parking on West Avenue, Holgate and also in the parking plaza between 42nd and 43rd Streets in Brant Beach.

Passed on first reading at a regular meeting held on March 22, 2013 and advertised in the BEACH HAVEN TIMES issue of March 28, 2013.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 13-08C on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

- 2. Second 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**

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

STATEMENT OF PURPOSE

This ordinance shall clarify that in the off-season months, except where otherwise permitted by the ordinance, all dogs shall be allowed on the public beaches between and including October 1 to May 15, and that on the peak-season months all dogs shall be barred and restricted from the use of and access to the public beaches between and including May 16 through September 30. This ordinance shall further clarify that at no time during any calendar year shall dogs, except where otherwise permitted by the ordinance, be allowed on the beach at Bayview Park.

SECTION I

Chapter 47-5, of an Ordinance entitled "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" is hereby amended as follows:

In the first sentence, remove "May 1 through October 1" and in lieu thereof replace it with "between and including May 16 through September 30".

In the second sentence, remove "between October 1 and April 30" and in lieu thereof replace it with "between and including October 1 through May 15".

In the second sentence, delete the comma after "any given year" and replace it with a period after "any given year" and remove "except for Bayview Park which is prohibited to dogs all 12 months of the year" and replace it with a new third sentence stating "Notwithstanding the aforesaid limited exception to the public beach restriction, all dogs, except seeing-eye dogs, are prohibited from Bayview Park twelve (12) months of the year."

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.

Lynda Wells, Municipal Clerk explained this ordinance would permit dogs on public beaches between and including October 1st and May 15th of each year. She noted dogs were not allowed on the beach at Bayview Park at any time during the year. Passed on first reading at a regular meeting held on March 22, 2013 and advertised in the BEACH HAVEN TIMES issue of March 28, 2013.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 13-09C on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

3. First Reading Ordinance 13-10: **BOND ORDINANCE AUTHORIZING SUPPLEMENTAL FUNDING FOR THE REPLACEMENT OF AN EMERGENCY GENERATOR IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$125,000 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 \$118,750; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Motion to approve Ordinance 13-10 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

ADOPTIONS & APPROVALS

4. Resolution 13-0405.01: Authorize the Municipal Clerk to advertise for bids:
- Lumber
 - Emergency Water and Sewer Repairs

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:

- Lumber
 - Emergency Water and Sewer Repairs
5. Resolution 13-0405.02: Oppose Senate Bill S2061 which "permits the fifth and sixth class counties to assume control and responsibility for operation and maintenance of beaches bordering the Atlantic Ocean"

WHEREAS, the Honorable New Jersey State Senator Bob Smith, Chairman of the Senator Environment and Energy Committee, as primary sponsor has introduced into the current session of the New Jersey State Senate Bill No. S2601 which, "Permits fifth and sixth class counties to assume control and responsibility for operation and maintenance of beaches bordering Atlantic Ocean" and;

WHEREAS, S2601 "would authorize counties of the fifth and sixth classes (Atlantic, Monmouth, Ocean, and Cape May counties) to assume the control and responsibility for the operation and maintenance of the beaches that border the Atlantic Ocean within each county and;

WHEREAS, S2601 authorizes a county to "establish a uniform beach fee and beach tag system within the county; to establish a uniform policy with respect to beach improvement, maintenance, and dune construction for the protection of properties near the beach; to realize economies of scale by dealing with the maintenance and operation of all of the beaches within the county through one entity" and;

WHEREAS, S2601 "requires the operation of the beaches (to) constitute a public utility of the county and the bill also provides counties that assume the control of beaches with an exception to the 2.5% cap on increases to final appropriations of the previous year for expenditures relating to the operation and maintenance of the county-controlled beaches" and;

WHEREAS, the operations of the beaches of the Township of Long Beach which S2601 proposes to place under the control of the Ocean County Board of Freeholders has been and is at present under control and responsibility of the citizens of Township of Long Beach by way of their duly elected officials of the governing body exercise of office and;

WHEREAS, said operation of the beaches of the Township of Long Beach provides a high level of quality services through an equitable cost sharing between taxpayers and beach users which has kept the cost of beach operations in the Township of Long Beach affordable for all citizens of and visitors to the Township of Long Beach and;

WHEREAS, a shift of responsibility for and control of the beaches bordering the Atlantic Ocean from the local governing unit to the government of the County of Ocean would have an immediate negative impact on both all the taxpayers of the County of Ocean and those who enjoy the beach in-so-far as the level of service at the current cost will not be able to be maintained with a county operation of the beaches; an increase in beach tag fees in Township of Long Beach as costs for the operation/maintenance is assumed by uniform fee which on average will be higher than the current beach fees; and through and increase in county property tax as a result of the exception to the 2.5% cap on increases in final appropriations as the county government attempts to create and pay for an increased level of expenses in a time of reduced property values as a result of the economy and Superstorm Sandy, so;

THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach, in the County of Ocean, State of New Jersey find that they are categorically opposed to S2601 and respectfully respect that S2601 be immediately removed from consideration by the esteemed body of the New Jersey State Senate, and;

BE IT FURTHER RESOLVED that a copy of this resolution be immediately transmitted to the Honorable Chris Christie, Governor; the Honorable Stephen Sweeney, NJ State Senate President, the Honorable Bob Smith, NJ State Senate, the 9th New Jersey State Legislative District, the Ocean County Board of Chosen Freeholders, the municipalities of Long Beach Island and Ocean County, and the New Jersey League of Municipalities.

6. Resolution 13-0405.03: Approve changes to various water and sewer accounts

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

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

<u>BLOCKLOT/QUAL</u>	<u>ACCT #/ACCTYEAR</u>	<u>CANCEL/CHANGE</u>	<u>AMOUNT</u>
5.18	13	1560-0 Sewer 2013 To Standby	\$443.00
15.29	12	5194-0 Sewer 2012 To Standby	1287.00
15.29	12	5194-0 Sewer 2013 To Standby	1287.00
15.29	12	5194-0 Water 2011 To Standby	239.00
15.29	12	5194-0 Water 2012 To Standby	477.00

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.

7. Resolution 13- 0405.04: Approve personnel actions

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

Approve an intermitent Family Medical Leave of Absence (FMLA) for SB effective April 8, 2013.

BEACH PATROL

Hire the following employees as Seasonal Part-Time Laborer at the rate of \$10.00 per hour to be paid from Lifeguard Salary & Wage effective April 5, 2013.

Gavin Hodgson Chris Kiely

Change the following employee's payroll account from Beach Badge Salary & Wage to Parks & Playground Salary & Wage effective retro-active to January 1, 2013.

Joni Bakum

POLICE

Change the following employee's rate of pay to \$10.00 per hour effective retro-active to March 22, 2013 for completing their in-house traing to be paid from Police Salary & Wage.

Trisha Timony

PUBLIC WORKS

Hire the following employee as a Seasonal Full-Time Laborer at the rate of \$8.50 per hour to be paid from Public Works Salary & Wage effective April 5, 2013.

Nicholas Altmeyer

Hire the following employee as a Seasonal Full-Time Laborer at the rate of \$8.50 per hour to be paid from Public Works Salary & Wage effective May 4, 2013.

Mark Heslin

Hire the following employee as a Seasonal Full-Time Laborer at the rate of \$8.50 per hour to be paid from Public Works Salary & Wage effective May 15, 2013.

Jackman Bush

Hire the following employee as a Seasonal Full-Time Laborer at the rate of \$8.00 per hour to be paid from Public Works Salary & Wage effective May 4, 2013.

Brad O'Brien

WATER/SEWER

Hire the following employee as a Seasonal Full-Time Laborer at the rate of \$10.00 per hour to be paid from Water/Sewer Salary & Wage effective May 4, 2013.

James O'Brien

8. Resolution 13-0405.05(a&b): Approve the abatement of public health nuisances:

- a) Secure unsafe conditions at Block 20.45, Lot 2

**RESOLUTION AUTHORIZING THE ABATEMENT OF A NUISANCE AT
BLOCK 20.45, LOT 2**

WHEREAS, Long Beach Township Code §127-6 provides for the abatement of public health nuisances; and

WHEREAS, the Board of Health has taken the required actions to notify the property owner of the condition of Block 20.45, Lot 2 (45B Long Beach Boulevard, Loveladies) that has not been maintained in a clean, safe condition but exhibits an unsecured swimming pool and various debris; and

WHEREAS, the Board of Health found the same to constitute a nuisance and safety issue; and

WHEREAS, the Township has attempted to make contact with the owner to correct the violation; and

WHEREAS, the owner has failed to remove the nuisance and the Township seeks to abate the continuing nuisance; and

WHEREAS, the Long Beach Township Code §127-6 and Section 8.3 of the Public Health Nuisance Code titled Abatement of Nuisances authorizes the Township of Long Beach to abate the same.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners at a regular scheduled meeting this 5th day of April, 2013 that the Long Beach Island Board of Health is hereby authorized to take the necessary action to facilitate the abatement of the nuisance; and

BE IT FURTHER RESOLVED that any and all costs incurred by the Township of Long Beach Public Works Department to abate the nuisance at Block 20.45, Lot 2 (45B Long Beach Boulevard, Loveladies) may be placed as a lien against the property.

- b) Secure unsafe conditions at Block 1.32, Lot 1

**RESOLUTION AUTHORIZING THE ABATEMENT OF A NUISANCE
BLOCK 1.32, LOT 1**

WHEREAS, Long Beach Township Code §127-6 provides for the abatement of public health nuisances; and

WHEREAS, the Board of Health has taken the required actions to notify the property owner of the condition of Block 1.32, Lot 1 (4803 S. Long Beach Boulevard, Holgate) that has not been maintained in a clean, safe condition but exhibits an open underground tank, cables, concrete and other debris; and

WHEREAS, the Board of Health found the same to constitute a nuisance and safety issue; and

WHEREAS, the Township has attempted to make contact with the owner to correct the violation; and

WHEREAS, the owner has failed to remove the nuisance and the Township seeks to abate the continuing nuisance; and

WHEREAS, the Long Beach Township Code §127-6 and Section 8.3 of the Public Health Nuisance Code titled Abatement of Nuisances authorizes the Township of Long Beach to abate the same.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners at a regular scheduled meeting this 5th day of April, 2013 that the Long Beach Island Board of Health is hereby authorized to take the necessary action to facilitate the abatement of

the nuisance; and

BE IT FURTHER RESOLVED that any and all costs incurred by the Township of Long Beach Public Works Department to abate the nuisance at Block 1.32, Lot 1 (4803 S. Long Beach Boulevard, Holgate) may be placed as a lien against the property.

Motion to approve Items 4 thru 8:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

CONTRACTS, PURCHASES & AWARDS

9. Resolution 13-0405.06(a&b): Approve shared service agreements for Certified Recycling Coordinator Services:
a) Surf City Borough

RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE BOROUGH OF SURF CITY FOR MUNICIPAL CERTIFIED RECYCLING COORDINATOR SERVICES

WHEREAS, the "Uniform Shared Services and Consolidation Act." N.J.S.A. 40A:65-1 et. seq authorizes the Township of Long Beach to enter into an agreement for the provision of certain governmental services with the Borough of Surf City; and

WHEREAS, N.J.S.A. 40A:65-5 requires such an agreement to be authorized by resolution; and

WHEREAS, it is the desire of the Board of Commissioners to authorize the execution of a Shared Service Agreement with the Borough of Surf City for Municipal Certified Recycling Coordinator Services.

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

1. The Mayor and Municipal Clerk are hereby authorized to execute a Shared Services Agreement with the Borough of Surf City for Municipal Certified Recycling Coordinator Services in accordance with the provisions of law. A copy of said agreement is attached hereto and made a part hereof as Schedule 'A'.
2. That a copy of the agreement referenced herein shall be kept on file and made available for public inspection at the Municipal Clerk's office during normal business hours.
3. That a certified copy of this resolution shall be forwarded to:
 - The Division of Local Government Services
 - The Borough of Surf City
 - Chief Financial Officer of Long Beach Township

b) Pine Beach Borough

RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE BOROUGH OF PINE BEACH FOR MUNICIPAL CERTIFIED RECYCLING COORDINATOR SERVICES

WHEREAS, the "Uniform Shared Services and Consolidation Act." N.J.S.A. 40A:65-1 et. seq . authorizes the Township of Long Beach to enter into an agreement for the provision of certain governmental services with the Borough of Pine Beach; and

WHEREAS, N.J.S.A. 40A:65-5 requires such an agreement to be authorized by resolution; and

WHEREAS, it is the desire of the Board of Commissioners to authorize the execution of a Shared Service Agreement with the Borough of Pine Beach for Municipal Certified Recycling Coordinator Services.

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

4. The Mayor and Municipal Clerk are hereby authorized to execute a Shared Services Agreement with the Borough of Pine Beach for Municipal Certified Recycling Coordinator Services in accordance with the provisions of law. A copy of said agreement is attached hereto and made a part hereof as Schedule 'A'.
5. That a copy of the agreement referenced herein shall be kept on file and made available for public inspection at the Municipal Clerk's office during normal business hours.
6. That a certified copy of this resolution shall be forwarded to:
 - The Division of Local Government Services

- The Borough of Pine Beach
 - Chief Financial Officer of Long Beach Township
10. Resolution 13-0405.07: Approve a police off duty contract:

Township of Stafford

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the Mayor and the Municipal Clerk be and they hereby are authorized and directed to execute an annual contract with Stafford Township for various Police Off-Duty Services during the 2013 calendar year.

11. Resolution 13-0405.08: Approve the amendment of Resolution 13-0215.11(b): typographical error

WHEREAS, the Board of Commissioners for the Township of Long Beach approved Resolution 13-0215.11(b) authorizing the purchase and delivery of natural unpainted snow fence for the Public Works Department per competitive quote; and

WHEREAS, in error, 3" x 8' cedar posts were approved for purchase.

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach wish to correct the error and approve the purchase and delivery of natural unpainted snow fence for the Public Works Department from Diamond M. Lumber Co., 1883 Rt, 38, Southampton, NJ, 08088, per competitive quote.

12. Resolution 13-0405.09: Approve a change order of less than 20%:
2011 Water Main Replacement Project
P&A Construction Co., Inc.
Change Order #5 - \$15,283.71

RESOLUTION AUTHORIZING A CHANGE ORDER #5 FOR THE 2011 WATER MAIN INSTALLATION PROJECT IN THE TOWNSHIP OF LONG BEACH

WHEREAS P&A Construction Co. Inc, was awarded a contract for the 2011 Water Main Replacement Project 1517001-011 in the Township of Long Beach pursuant to Resolution 12-0104.07(a), in the amount of One Million Seven Hundred Forty One Thousand Eight Hundred Eighteen Dollars and Seventy Five Cents (\$1,741,818.75) on January 4, 2012; 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 resulted in the following change orders:

- Change Order #1 in the amount of \$43,554.83 that was approved pursuant to Resolution 12-0405.12(b)
- Change Order #2: in the amount of \$63,545.81 that was approved pursuant to Resolution 12-0518.11(b); and
- Change Order #3 in the amount of \$79,749.80 that was approved pursuant to Resolution 12-0706.18; and
- Change Order #4 in the amount of \$17,293.70 that was approved pursuant to Resolution 12-1221.12(b)

WHEREAS, as a result of various unknown services and side-street tie-ins, additional piping extensions and connections were required; resulting in an additional Change Order to the original contract; such change order has been approved and certified by the Municipal Engineer and the Commissioner of Public Works and Property.

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 5th day of April 2013 that P&A Construction Co., Inc., PO Box 28, Colonia, NJ 07067 be and is hereby awarded Change Order #5 in an amount not to exceed Fifteen Thousand Two Hundred Eighty Three Dollars and Seventy One Cents(\$15,283.71) for payment of the additional work required to complete the 2011 Water Main Installation Project 1517001-011 in the Township of Long Beach.

13. Resolution 13-0405.10: Approve a professional service contract:
Armando Riccio, Esq.: Labor/Contract Negotiations
thru 12/31/13 @ \$165.00/hr.

RESOLUTION AUTHORIZING THE AWARD OF A 2013 PROFESSIONAL SERVICE CONTRACT

WHEREAS, the Township of Long Beach has a need to acquire the professional service listed below as an alternative method contract pursuant to the provisions of N.J.S.A.19:44A-20.4 or 20.5; and

WHEREAS, P.L. 195, Chapter 353 of the laws of the State of New Jersey provide that certain professional services are exempt from public bidding; and

WHEREAS, the Township of Long Beach wishes to award a contract without competitive bidding for professional services pursuant to NJSA 40A:11-5(a)(a)(i). Such contract and resolution is available for public inspection at the office of the Township Clerk; and

WHEREAS, the statute defines professional services as services rendered by a person authorized by law to practice a recognized profession, which practice is regulated by law; and

WHEREAS, the listed service is a recognized profession regulated by law; and

WHEREAS, the professional listed below completed and submitted a Business Entity Disclosure and a Political Contribution Disclosure Certification which certify that he has not made any reportable contributions to a political or candidate committee in the Township of Long Beach in the previous one year, and that the contract will prohibit making any reportable contributions through the term of the contract; and

WHEREAS, the Board of Commissioners of Township of Long Beach has determined and certified in writing that the value of the services may meet or exceed \$17,500.00; and

WHEREAS, the Chief Financial Officer has provided certification of the availability of funds as per N.J.A.C. 5:30-5.4.

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach authorizes the Mayor to enter into said contract from March 1st 2013 through December 31st 2013 as per specific contract terms with the Professional listed below as described herein; and

<u>NAME</u>	<u>DESCRIPTION OF SERVICES</u>	<u>AMOUNT</u>
Armando Riccio, Esq.	Labor & Contract Negotiations	Hourly Max.\$165.00

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Political Contribution Disclosure Form as required be placed on file with the Municipal Clerk; and

BE IT FINALLY RESOLVED that the Municipal Clerk shall send a notice of the alternative method professional appointment and have same published at least once in the official newspaper of the Township of Long Beach and shall keep the resolution and contract on file for public inspection.

14. Resolution 13-0405.11: Award various contracts for Lifeguard and Beach Badge Uniforms:
Ampro Sportswear and Shore Promotions

BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the following contracts be awarded for the year 2013:

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

Ampro Sportswear: 1 yr. contract

Primos, PA

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

Motion to approve Items 9 thru 14:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

FINANCIAL APPROVALS

15. Resolution 13-0405.12: Approve an increase to the temporary 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, 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.

16. Resolution 13-0405.13: Approve Bills & Payroll
Bills in the amount of: \$7,624,410.21
Payroll in the amount of: \$ 414,888.90

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 \$414,888.90.

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 \$7,624,410.21 be and the same are hereby authorized to be paid on Friday, April 5, 2013.

2. The said approved payroll amounting to the sum of \$414,888.90 be and the same are hereby authorized to be paid on Friday, April 5, 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.

Motion to approve Items 15 & 16:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

COMMISSIONERS' REPORTS

Commissioner Lattanzi reported the trailers were ordered for the Health Department, which would be located in the ACME parking lot.

Commissioner Lattanzi also noted his response to an article published in the Sandpaper, quoting an 'anonymous' resident regarding beach replenishment. He stated the governing body was always in favor of beach replenishment they were doing everything possible to get the beaches done, and time was running out.

Commissioner Lattanzi noted that some flooding from Superstorm Sandy was from the bay but there were significant ocean surges that breached the dunes and he pointed out a significant difference in damages to homes where the project was completed in Brant Beach.

Commissioner Bayard reported two programs Ocean County was sponsoring; document shredding on July 13th at the Twp. yard and hazardous waste on July 1st at Stafford Twp. He instructed all to check the Township website for more information.

Commissioner Bayard stated the dune grass received from various towns in North Jersey was gone and he expected our regular shipment in the fall.

Mayor Mancini reported the next meeting of the Board of Commissioners would take place on Friday, April 19, 2013 at 4:00 p.m. at which time a public hearing for Ordinance 13-10 would be held.

Mayor Mancini also reported 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 announced the number of easements still outstanding; **Brant Beach to North Beach Haven: 21** easements needed; **North Beach: 15** easements needed and **Loveladies: 32** easements needed. He announced **Holgate** was complete and **Beach Haven** had 1 easement needed.

Mayor Mancini stated the outstanding easements would be on the website Tuesday, May 9th.

Mayor Mancini reported for the Police Department that cleaning debris from the bay was continuing to ensure safety and if anyone had information they could call NJDEP but they needed to report the longitude and latitude coordinates of the debris.

Mayor Mancini also reported Operation Take Back was scheduled for April 27th between 10 am and 2 pm. Residents could drop off outdated or unused medications to the Police Department lobby.

Mayor Mancini reported lastly for residents to report any suspicious activity to the Police as there have been an increase in burglaries since the storm.

OPEN PUBLIC SESSION

Dan Marccone, Holgate Taxpayers Association thanked the Mayor and Commissioners for their help and leadership in the aftermath of Superstorm Sandy. He asked if he could pick up Keep Off the Dune signs and fencing, as many tourists have been

flocking to Holgate to see the damage and walking over the berm that had been built up.

Mayor Mancini responded the fence could only be placed at the toe of the dune on the east side and along the entrances to the beach. He instructed Dan to pick up the signs for their use at the Public Works office.

Dan also inquired as to the date the replenishment project would start in Holgate.

Mayor Mancini replied the federal government has not yet released the funds for the project to New Jersey or to the Army Corps, but he noted Holgate would be done after the engineered beaches were repaired.

Dan also asked about any plans to repair pot holes in Holgate.

Commissioner Bayard stated a letter was sent to Ocean County to request the repairs by Public Works and also the Police had reported the problem to them separately. He noted the County worked in order of their priority list, which began with making the all the bridges safe.

Dan offered to write letters to help their situation.

Commissioner Bayard advised him to write to the County Engineer, Frank Scarantino and the Road Supervisor.

Mayor Mancini also noted the trailer park would be remediated by May 1st.

Al Vallese, Holgate asked how to access the beaches in the summer.

Mayor Mancini replied the entrances would be marked by dune fencing along each side of the entrances.

Commissioner Bayard reported bids had recently gone out for the parking lot repairs.

Mayor Mancini noted FEMA had not forwarded any funds to the Twp. to date.

Pat Powers, Holgate reported a broken fire hydrant at Tebco and the Boulevard.

Commissioner Bayard stated it would be replaced.

Lucille Benedetti, Holgate asked if dune grass and fence were available for residents use.

Commissioner Bayard noted the dune grass was donated from towns in North Jersey but was all taken. He stated the Twp. would install fence on the east side of the dune and he would check availability of extra fence for her to use on the west side.

Mayor Mancini noted the Army Corps would plant the grass on the dunes once the project was done.

Ms. Shubra, Gulf Express owner announced the opening of the gas station and introduced herself and her husband.

Mary Ann Downs inquired was she would have a dune after the project was complete and if cars would be allowed on the beaches again.

Mayor Mancini responded she would have a dune and the governing body would be discussing the buggies on the beaches this fall.

Debra Sylvester, Holgate complained about tourists driving through Holgate to gawk at the homes and damage. She stated it was dangerous and invasive and asked if there could be more of a police presence.

Mayor Mancini replied he had spoken to the Police about it but he stated the Commissioners could not act because it was not a state of emergency.

Jody Davis, Holgate asked about the dune heights at accesses.

Mayor Mancini stated all the dunes would be 22 ft. after the project and the ocean front owners would be allowed a walkover to the beach, either a roll away or a compacted walk.

Art Levy, Holgate stated the holdouts had problems with 'assignability' and 'perpetuity' in the deed language.

Mayor Mancini replied that it has been defined over and over and that at this point there was no good excuse for not signing the Deed.

Eric Lindenberg, Holgate stated he appreciated the dune berm and walkovers and asked if the dunes would be lower than the 1st floor.

Mayor Mancini replied the Twp. had pushed all the sand that was recovered and that was all we had. He stated we kept pushing the east side of the dune, and the homeowners were responsible for the west side (their property).

Stanley Antonoff, North Beach told the present audience how lucky they were to have our governing body during this crisis. He reported rumors he had heard that people think the island is devastated.

Mayor Mancini responded that the Twp. has raised \$25,000.00 to make a commercial to advertise that LBI were open.

Jim Dicso, Holgate stated the town pushed a berm on the beach but it was up against his house.

Mayor Mancini advised him to call public works; Bob Parker and he would meet with his contractor to advise him.

Tom Beaty, Holgate stated there was a neighborhood watch and urged residents to leave their front lights on at night to observe property, and had questions about the wooden jetty.

Mayor Mancini noted he would ask the DEP to move it when the project was done.

Charles Farrell, Loveladies wished Holgate the best and stated Loveladies supported the Twp. government. He noted the property owners association sent two letters out to members to inform them about the easements, but 90% of the residents homes were their second home.

Charles Farrell also stated "Meet the Mayor " meeting was scheduled for June and he hoped to see most homeowners at that meeting.

Bill Hutson, Holgate announced the Business Alliance had made arrangements for signs 'LBI is Open' to be on four busses that would travel through at least four states. He also stated dune grass planting would be April 6th and the LBI Thank You Fest was scheduled for June 14, 15 and 16.

CLOSE PUBLIC SESSION

Motion for adjournment at 5:00 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