

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS APRIL 9, 2010
Flag Salute

Meeting came to order: 4:01 p.m.

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

Also in attendance: Bonnie M. Leonetti, Municipal Clerk, Administrator
Lynda J. Wells, Deputy Municipal Clerk
Richard J. Shackleton, Esq.

Municipal Clerk announced: Notice of the time and place of this meeting has been posted in the office of the Municipal Clerk, published by the BEACH HAVEN TIMES; the PRESS OF ATLANTIC CITY; and the ASBURY PARK PRESS on December 30th 2009; and filed with the Municipal Clerk.

AGENDA

PRESENTATION: Thomas Lynch Eagle Scout Project: Greenhead Flytrap Boxes

Mayor Mancini introduced Commissioner Bayard and Scout Thomas Lynch. **Commissioner Bayard** described the project and had one of the Greenhead Flytrap Boxes on display in the meeting room. He read the proclamation aloud to the public and thanked Thomas for his worthy project.

PROCLAIM: National Library Week: April 11 – 17th 2010
National Volunteer Week: April 18 – 24th 2010
Autism Awareness Month: April 2010
Child Abuse Prevention Month: April 2010

ORDINANCES/PUBLIC HEARINGS

1. Second Reading Ordinance 10-13C: **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 82 PROVIDES FOR FEES FOR REPLACEMENT EVACUATION RE-ENTRY PLACARDS**

Bonnie M. Leonetti, Municipal Clerk, Administrator stated the Township recently adopted a re-entry plan to be used after emergency evacuations that required placards designating various areas of the Island where residents may return after an emergency or disaster. This ordinance created a new fee to replace a placard that had been lost or damaged. The cost to replace the placard was \$50.00.

Passed on first reading at a regular meeting held on March 19, 2010 and advertised in the BEACH HAVEN TIMES issue of March 24, 2010.

ORDINANCE 10-13C

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 82 PERTAINS TO FEES

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

STATEMENT OF PURPOSE

The Township recently adopted a re-entry plan to be used after emergency evacuations requiring placards designating various areas of the Island where residents may return after an emergency or disaster. This ordinance creates a new fee to replace a placard that has been lost or damaged.

SECTION I

§82-2. Chapter 5, Administration.

- A. Section 5-10B is hereby repealed and in lieu and instead thereof the following is adopted:

" Section 5-10B, Fees for copies/replacements. "

Section 5-10B shall be changed with the addition of (17) to read as follows:

"Property/Business owners who lose their Re-Entry placards may, with proper identification and a tax bill or lease, purchase a replacement placard for \$50.00 "

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 after the first publication thereof after final passage according to law.

OPEN PUBLIC HEARING

No Comment

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 10-13C on Second Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

2. Second Reading Ordinance 10-14: **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 \$2,110,000 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 \$2,110,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Bonnie M. Leonetti, Municipal Clerk, Administrator noted this was an EIT Project. Passed on first reading at a regular meeting held on March 19, 2010 and advertised in the BEACH HAVEN TIMES issue of March 24, 2010.

ORDINANCE 10-14

BOND ORDINANCE AUTHORIZING THE REMOVAL AND REPLACEMENT OF EXISTING WATER MAINS BENEATH VARIOUS STREETS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$2,110,000 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 \$2,110,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Board of Commissioners of the Township of Long Beach, County of Ocean, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Township of Long Beach, County of Ocean, New Jersey ("Township").

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

- (a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$2,110,000; and
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$2,110,000.

Section 3. The sum of \$2,110,000, to be raised by the issuance of bonds or bond anticipation notes is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Township in an amount not to exceed \$2,110,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law. All or a portion of the bonds authorized to be issued hereunder may evidence one or more loans from the New Jersey Department of Environmental Protection and/or the New Jersey Environmental Infrastructure Trust, under an Application for Financial Assistance (Project No. 1517001-010) submitted by the Township to said entities ("Application").

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$2,110,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$422,000.

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

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Removal and Replacement of existing Water Mains, including but not limited to the Installation of Water Services and Road Pavement Restoration; between the Borough of Beach Haven and the Borough of Ship Bottom, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the Application on file in the Township Clerk's office.	\$2,110,000	\$0	\$2,110,000	40 Years

Section 8. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$2,110,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 9. The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance and, to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 10. The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 11. The Township hereby declares its intent to reimburse itself from the proceed of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code") for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

Section 12. The Township hereby covenants as follows:

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

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

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

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

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

Section 13. The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 14. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 15. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

OPEN PUBLIC HEARING

No Comment

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 10-14 on Second Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

3. Second Reading Ordinance 10-15: **BOND ORDINANCE AUTHORIZING THE REMOVAL AND REPLACEMENT OF SANITARY SEWER PIPES BENEATH VARIOUS STREETS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$2,300,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$2,300,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Bonnie M. Leonetti, Municipal Clerk, Administrator noted this was an EIT Project.

Passed on first reading at a regular meeting held on March 19, 2010 and advertised in the BEACH HAVEN TIMES issue of March 24, 2010.

ORDINANCE 10-15

BOND ORDINANCE AUTHORIZING THE REMOVAL AND REPLACEMENT OF SANITARY SEWER PIPES BENEATH VARIOUS STREETS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$2,300,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$2,300,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Board of Commissioners of the Township of Long Beach, County of Ocean, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Township of Long Beach, County of Ocean, New Jersey ("Township").

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

(a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$2,300,000; and

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$2,300,000.

Section 3. The sum of \$2,300,000, to be raised by the issuance of bonds or bond anticipation notes is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Township in an amount not to exceed \$2,300,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said

bonds shall be sold in accordance with the requirements of the Local Bond Law. All or a portion of the bonds authorized to be issued hereunder may evidence one or more loans from the New Jersey Department of Environmental Protection and/or the New Jersey Environmental Infrastructure Trust, under an Application for Financial Assistance (Project No. S340023-03) submitted by the Township to said entities (collectively, the "Application").

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$2,300,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$460,000.

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

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Removal and Replacement of Existing Sanitary Sewer Pipes, including but not limited to Laterals, Manholes and Pavement Restoration; located East and West of Long Beach Boulevard, from the Ship Bottom Border to the Beach Haven Border, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the Application on file in the Township Clerk's office.	\$2,300,000	\$0	\$2,300,000	40 years

Section 8. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$2,300,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 9. The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance and, to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 10. The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 11. The Township hereby declares its intent to reimburse itself from the proceed of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code") for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

Section 12. The Township hereby covenants as follows:

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

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

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

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

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

Section 13. The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 14. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 15. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

OPEN PUBLIC HEARING

No Comment

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 10-15 on Second Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

4. First Reading Ordinance 10-16: **BOND ORDINANCE AUTHORIZING THE RESURFACING OF VARIOUS ROADWAYS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$400,000 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 \$380,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Bonnie M. Leonetti, Municipal Clerk, Administrator explained this was for the "Schedule C" agreement with Ocean County.

Motion to approve Ordinance 10-16 on First Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

5. First Reading Ordinance 10-17C: **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 82 PERTAINS TO FEES, LICENSES, BONDS, PERMITS**

Bonnie M. Leonetti, Municipal Clerk, Administrator advised the fees were related to the new annual event known as LBI Fest for participating vendors. These were fees vendors remitted in order to have tables and booths at the event.

Motion to approve Ordinance 10-17C on First Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

ADOPTIONS, APPROVALS AND SUPPORT

6. Resolution 10-0409.01: Support the New Jersey Organ and Tissue Sharing Network: Federally designated organ procurement organization serving New Jersey

Bonnie M. Leonetti, Municipal Clerk, Administrator stated this organization helped raise awareness of the urgent need for organ and tissue donors throughout our state.

RESOLUTION 10-0409.01

WHEREAS, every human life has matchless value; we must reaffirm our commitment to raising awareness about the importance of organ and tissue donation. We also wish to express our appreciation to those who have donated organs, tissue and bone marrow; and

WHEREAS, over 106,000 Americans 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; and

WHEREAS, 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 register to become a donor, to learn the facts, and to understand how their decision to give the gift of life can make a difference in the world of so many who are in need.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach do hereby resolve our community's support of organ tissue donation. 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.

7. Resolution 10-0409.02: Approve changes to various Sewer Accounts

RESOLUTION 10-0409.02

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:

Blk:	Lot:	Acct:	Year:	Cancel/Change	Amount:
10.34	9	3254-0 Sewer 2010		To Stand-by	\$ 700.00
15.54	4	5444-0 Sewer 2010		Remove Garbage Disposal	208.00

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.

8. Resolution 10-0409.03: Authorize the Deputy Municipal Clerk to advertise for bids:
Lease/purchase of (1) 2010 Police Interceptor vehicle

RESOLUTION 10-0409.03

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

- Lease/Purchase one (1) 2010 Police Interceptor Package vehicle or equivalent

9. Resolution 10-0409.04: Approve personnel actions

Bonnie M. Leonetti, Municipal Clerk, Administrator related the various action to be taken.

RESOLUTION 10-0409.04

BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach: Acknowledge the end of a FMLA/FLA for MM effective retro-active to March 22, 2010. Approve an extension of an unpaid medical leave of absence for 30 days based on disability pension notification for MB.

BEACH PATROL

Correct the following Seasonal Beach Badge Program Assistant Supervisor's rate of pay to \$9.95 per hour to be paid from the Beach Badge Salary & Wage effective retro-active to April 2, 2010.

Carol Boyle

CLERK

Designate Lynda Wells as Purchasing Agent for the Township based on her completion of courses and certification as Registered Public Purchasing Official.

POLICE

Continue approval effective March 31, 2010 for a Military Leave of Absence for Patrolman Thomas Franks for active duty in the United States Coast Guard with a bi-weekly gross pay which along with his military pay will afford him his full annual salary. Long Beach Township will continue to pay this share through December 31, 2010 at which time his status will be reviewed.

PUBLIC WORKS

Hire the following as a temporary full time Laborer at the rate of \$10.00 per hour to be paid from the Public Works Salary & Wage effective April 19, 2010.

Ronald Silvestro

Hire the following as a Seasonal Full Time Laborer at the rate of \$9.50 per hour to be paid from Public Works Salary & Wage effective May 12, 2010.

Sean Farrell

Hire the following as a Seasonal Full Time Laborer at the rate of \$9.00 per hour to be paid from Public Works Salary & Wage effective May 10, 2010.

Kevin Cleary

10. Resolution 10-0409.05: Authorize Health Officer to enter into agreement with Community Medical Center regarding cancer screenings: Education and follow-up

Bonnie M. Leonetti, Municipal Clerk, Administrator explained this annual program for screenings was held at Community Medical Center and Southern Ocean County Hospital.

RESOLUTION 10-0409.05

WHEREAS, the Community Medical Center of Toms River shall conduct a Breast and Cervical Cancer Screening Program between July 1, 2010 and June 30, 2011; and

WHEREAS, the Long Beach Island Health Department has agreed to provide the educational and follow-up component of the Breast and Cervical Cancer Screening Program that shall be conducted at the Community Medical Center of Toms River and Southern Ocean County Hospital.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Long Beach Township do hereby approve of the participation of the Long Beach Island Health Department with the Community Medical Center Breast and Cervical Cancer Screening Program, and authorizes the Health Officer to execute any documents necessary for participation in the program.

Motion to approve Items 6 thru 10:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

LICENSES AND PERMITS

11. Resolution 10-0409.06: Approve an application for a Social Affairs Permit: LBI PTA fundraiser at the Brant Beach Yacht Club on May 20, 2010

RESOLUTION 10-0409.06

BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach grants a SPECIAL PERMIT FOR SOCIAL AFFAIR to Long Beach Island PTA, to be held at Brant Beach Yacht Club at 59th and Bay Avenue, Brant Beach. This permit will allow Long Beach Island PTA to serve alcoholic beverages at the fundraiser on May 20, 2010 between the hours of 5:00 P.M. and 11:00 P.M.

12. Resolution 10-0409.07: Approve renewal application for an arcade license:

Mr. Tee's Arcade, N. Beach Haven - License #AGL 10-01

RESOLUTION 10-0409.07

WHEREAS, BTLT, LLC, t/a Mr. Tee's Arcade located at 18 W. 18th Street, North Beach Haven, New Jersey in the Township of Long Beach, constitutes a part of the amusement area in a seashore resort as defined in the Revised General Code of the Township of Long Beach 1997 Chapter 43 of the Township of Long Beach; and

WHEREAS, BTLT, LLC has applied for an Amusement Games License to hold, operate and conduct various games; and

WHEREAS, the Board of Commissioners of the Township of Long Beach is not aware of any circumstances or provisions of law which prohibit the granting of said license.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the above detailed license, Certification AGL 10-01, be and hereby is granted for the year 2010 to expire December 31, 2010.

Motion to approve Items 11 & 12:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

CONTRACTS AND AWARDS

13. Resolution 10-0409.08(a-d): Authorize the award of various contracts, per quote:

a. Fairway Cycle: \$6,029.00 for the purchase of (1) 2011 Honda Forman ATV for the Beach Patrol

b. James T. Potts: \$6,831.00 for the purchase of (12) portable radios for the Beach Patrol

c. R.F. Design: \$7,585.85 for the purchase of a cellular phone back-up system for the Police Department

d. Haskell Sitework, LLC: \$18,423.00 for the resurfacing of the alley between 37th and 38th Streets

RESOLUTION 10-0409.08(a)

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR THE PURCHASE OF ONE (1) 2011 HONDA TRX500FMB ALL TERRAIN VEHICLE FOR THE BEACH PATROL IN THE TOWNSHIP OF LONG BEACH, PER QUOTATION

WHEREAS, the Township of Long Beach has solicited quotes for the purchase of one (1) 2011 TRX500FMB All Terrain Vehicle for the Beach Patrol; and

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

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

WHEREAS, Fairway Cycle gave the lowest qualified quote in an amount not to exceed Six Thousand Twenty Nine Dollars (\$6,029.00); and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Ordinance 08-22: Authorizing the purchase of Lifeguard Equipment, account #C-04-55-967-901.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 9th day of April 2010, for the reasons aforesaid, that a contract be and is hereby awarded to:

Fairway Cycle

625 New Road

Somers Point, NJ 08244

for the purchase of one (1) 2011 TRX500FMB All Terrain Vehicle for the Beach Patrol in an amount not to exceed Six Thousand Twenty Nine Dollars (\$6,029.00) as per quote received March 19, 2010.

RESOLUTION 10-0409.08(b)

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR THE PURCHASE OF TWELVE (12) HT750 LOW BAND 1-6 WATT 16 CHANNEL PORTABLE RADIOS FOR THE LONG BEACH TOWNSHIP BEACH PATROL, PER QUOTATION

WHEREAS, the Township of Long Beach has solicited quotes for the purchase of twelve (12) HT750 Low Band 1-6 Watt 16 Channel Portable Radios for the Long Beach Township Beach Patrol; and

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

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

WHEREAS, James T. Potts dba Mid-State Mobile Radio gave the lowest qualified quote in the amount of Six Thousand Eight Hundred Thirty One Dollars (\$6,831.00); and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Ordinance 08-22: Authorizing the purchase of Lifeguard Equipment, account #C-04-55-967-901.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 9th day of April 2010, for the reasons aforesaid, that a contract be and is hereby awarded to:

James T. Potts dba Mid-State Mobile Radio

1681 South Olden Avenue

Trenton, NJ 08610

for the purchase of twelve (12) HT750 Low Band 1-6 Watt 16 Channel Portable Radios in an amount not to exceed Six Thousand Eight Hundred Thirty One Dollars (\$6,831.00) as per quotes received March 4, 2010.

RESOLUTION 10-0409.08(c)

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR THE PURCHASE AND INSTALLATION OF A CELLULAR PHONE BACK-UP SYSTEM INSTALLED INTO THE PBX, AND LAN VIA CELL BACKBONE FOR THE LONG BEACH TOWNSHIP EMERGENCY MANAGEMENT COMMAND POST, PER QUOTATION

WHEREAS, the Long Beach Township Office of Emergency Management has solicited quotations for the purchase and installation of a Cellular Phone Back-up System installed into the PBX, and LAN via Cell Backbone for the Emergency Management Command Post; and

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

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

WHEREAS, R.F. Design & Integration, Inc. gave the lowest qualified quote in the amount of Seven Thousand Five Hundred Eighty Five Dollars and Eighty Five Cents (\$7,585.85);

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriations created by H1N1 Virus Grant, account #G-02-40-735-005 in the amount of \$2,365.00; and Police Other Expenses, account #0-01-25-240-077 in the amount of \$5,220.85.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 9th day of April 2010, for the reasons aforesaid, that a contract be and is hereby awarded to:

R.F. Design & Integration, Inc.
4725 Wingate Street
P.O. Box 65055
Philadelphia, PA 19155

for the purchase and installation of a Cellular Phone Back-up System installed into the PBX, and LAN via Cell Backbone for the Emergency Management Command Post in an amount not to exceed Seven Thousand Five Hundred Eighty Five Dollars and Eighty Five Cents (\$7,585.85) as per quote received March 31, 2010.

RESOLUTION 10-0409.08(d)

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR THE REMOVAL OF EXISTING PAVING AND RESURFACING OF THE ALLEYWAY BETWEEN 37TH AND 38TH STREETS IN THE BRANT BEACH SECTION OF LONG BEACH TOWNSHIP, PER QUOTATION

WHEREAS, the Long Beach Township Public Works Department has solicited quotations for the removal of existing paving and resurfacing of the alleyway between 37th and 38th Street in the Brant Beach section of Long Beach Township; and

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

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

WHEREAS, Haskell Sitework, LLC gave the lowest qualified quote in the amount of Eighteen Thousand Four Hundred Twenty Three Dollars (\$18,423.00) and;

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriations created by Ordinance 09-23 Authorizing the Resurfacing of Alley Between 37th and 38th Streets, account #C-04-55-978-901.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 9th day of April 2010, for the reasons aforesaid, that a contract be and is hereby awarded to:

Haskell Sitework, LLC
123 Bartlett Avenue
West Creek, NJ 08092

for the removal of existing paving and resurfacing of the alleyway between 37th and 38th Street in the Brant Beach section of Long Beach Township in an amount not to exceed Eighteen Thousand Four Hundred Twenty Three Dollars (\$18,423.00) as per quote received April 9, 2010.

14. Resolution 10-0409.09(a-c): Authorize the award of various contracts, per bid:

a. P & A Construction, Inc.: \$1,316,109.83 for the 2009 Water Main Replacement Project

b. P & A Construction, Inc.: \$1,555,575.40 for the 2009 Sewer Main Replacement Project

c. A.C. Schultes, Inc.: \$30,900.00 for various improvements to Beach Haven Terrace

Water Plant Well #14

RESOLUTION 10-0409.09(a)

**A RESOLUTION AWARDED A CONTRACT FOR THE
NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION INFRASTRUCTURE TRUST
WATER MAIN REPLACEMENT PROJECT #1517001-009 IN THE
TOWNSHIP OF LONG BEACH, PER BID**

WHEREAS, the Township of Long Beach solicited bids for the NJ DEP Water Main Replacement Project 1517001-009 in the Township of Long Beach utilizing the New Jersey Environmental Infrastructure Trust; 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, P & A Construction, Inc. gave the lowest responsible bid in accordance with the bid specifications for the NJ DEP Water Main Replacement Project 1517001-009 pursuant to the municipal engineer and the municipal attorney's review and certification; and

WHEREAS, the Chief Financial Officer of the Township of Long Beach has issued a Certificate of Availability of Funds in the appropriation created by: Ordinance 09-06 Authorizing the Removal and Replacement of Water Mains; Account #U-08-55-926-901.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 9th day of April 2010, for the reasons aforesaid, that a contract be and is hereby awarded to, subject to receipt of written authorization from the State of New Jersey Department of Environmental Protection, to:

P & A Construction, Inc.
P.O. Box 28
Colonia, NJ 07067

for the NJ DEP Water Main Replacement Project 1517001-009 in an amount not to exceed One Million Three Hundred Sixteen Thousand One Hundred Nine Dollars and Eighty Three Cents (\$1,316,109.83) as per the bid received on March 30, 2010.

RESOLUTION 10-0409.09(b)

**A RESOLUTION AWARDED A CONTRACT FOR THE
NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION INFRASTRUCTURE TRUST
SEWER MAIN REPLACEMENT PROJECT #S340023-02
IN THE TOWNSHIP OF LONG BEACH, PER BID**

WHEREAS, the Township of Long Beach solicited bids for the NJ DEP Sewer Main Replacement Project #S340023-02 in the Township of Long Beach utilizing the New Jersey Environmental Infrastructure Trust; 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, P & A Construction, Inc. gave the lowest responsible bid in accordance with the bid specifications for the NJ DEP Sewer Main Replacement Project #S340023-02 pursuant to the municipal engineer and the municipal attorney's review and certification; and

WHEREAS, the Chief Financial Officer of the Township of Long Beach has issued a Certificate of Availability of Funds in the appropriation created by: Ordinance 09-07 Authorizing the Replacement of Sewer Lines; Account #U-08-55-927-901.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 9th day of April 2010, for the reasons aforesaid, that a contract be and is hereby awarded to, subject to receipt of written authorization from the State of New Jersey Department of Environmental Protection, to:

P & A Construction, Inc.
P.O. Box 28
Colonia, NJ 07067

for the NJ DEP Sewer Main Replacement Project #S340023-02 in an amount not to exceed One Million Five Hundred Fifty Five Thousand Five Hundred Seventy Five Dollars and Forty Cents (\$1,555,575.40) as per the bid received on March 30, 2010.

RESOLUTION 10-0409.09(c)

A RESOLUTION AWARDING A CONTRACT FOR MAINTENANCE AND REPAIRS TO THE BEACH HAVEN TERRACE WATER PLANT WELL #14 FOR THE WATER / SEWER DEPARTMENT IN THE TOWNSHIP LONG BEACH, PER BID

WHEREAS, the Township of Long Beach has solicited bids for maintenance and repairs to the Beach Haven Terrace Water Plant Well #14 for the Water/Sewer Department; and

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

WHEREAS, A.C. Schultes, Inc., 664 S. Evergreen Avenue, Woodbury Heights, NJ 08097 gave the lowest qualified bid as per the municipal engineer and municipal attorney's review and approval; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Ordinance 09-29, Authorizing Repairs to Well #14; Account #U-08-55-934-901.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 9th day of April 2010, for the reasons aforesaid, that a contract be and is hereby awarded to:

A.C. Schultes, Inc.
664 S. Evergreen Avenue
Woodbury Heights, NJ 08097

for maintenance and repairs to the Beach Haven Terrace Water Plant Well #14 in an amount not to exceed Thirty Thousand Nine Hundred Dollars (\$30,900.00) as per the bid received April 6, 2010.

Motion to approve Items 13 & 14:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

FINANCIAL APPROVALS

15. Resolution 10-0409.10: Approve an increase to the 2010 Temporary Current Fund and Water/Sewer Budgets

RESOLUTION 10-0409.10

WHEREAS, the Chief Financial Officer of the Township of Long Beach has determined that an increase to the 2010 Temporary Budgets, approved pursuant to Resolution 09-1230.09, and amended pursuant to Resolutions 10-0122.10, 10-0205.12, 10-0219.13, and 10-0319.14 is necessary due to various reasons; and

WHEREAS, appropriations for the 2010 Current Fund Temporary Budget and the 2010 Water/Sewer Temporary Budget shall be increased pursuant to Schedules A and B 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 2010 Temporary Budgets.

16. Resolution 10-0409.11: Approve the introduction of the 2010 Municipal Budget

Mayor Mancini asked **Commissioner Knarre** to comment on the Budget. **Commissioner Knarre** explained this was his first time as Commissioner to be involved in the budget process from this perspective. He noted the challenges and considerations made to formulate the Budget. The Commissioner announced there would be a 9/10ths of one cent increase in the municipal tax rate. Copies would be available in the Municipal Clerk's Office on Monday, April 12th and the public hearing would be held on May 7th at 4:00 p.m.

RESOLUTION 10-0409.11

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 2010; and

BE IT FURTHER RESOLVED that said Budget be published in the Beach Haven Times, issue of April 14, 2010.

The Governing Body of the Township of Long Beach does hereby approve the following as the Budget for the year 2010:

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 April 9, 2010;

A hearing on the Budget will be held at the Public Safety Building on May 7, 2010, at 4:00 P.M., at which time and place, objections to said budget for the year 2010 may be presented by taxpayers or other interested persons.

17. Resolution 10-0409.12: Approve Bills & Payroll
Bills in the amount of: \$3,512,535.46
Payrolls in the amount of: \$ 377,518.00

RESOLUTION 10-0409.12

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 \$377,518.00.

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 \$3,512,535.46 be and the same are hereby authorized to be paid on April 9, 2010.

2. The said approved payroll amounting to the sum of \$377,518.00 be and the same are hereby authorized to be paid on April 9, 2010.

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 thru 17:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

Mayor Mancini stated the Tax Collector's Report for the month of March 2010 was on file in the Municipal Clerk's Office.

COMMISSIONERS' REPORTS

Commissioner Knarre stated the Budget would be posted on the Municipal Website once approved by the State of New Jersey. He announced training conducted by the Board of Health, upcoming free Rabies Clinics, and a Family Walk for Fitness that would be held on May 1st.

Commissioner Bayard advised fire hydrants were being flushed and residents may experience discolored water as a result. Sand was being moved on beaches in many areas to stem erosion. He noted storm drain work was being done in various areas, and advised portions of Long Beach Blvd. would be paved in the near future.

Mayor Mancini announced the next meetings of the Board of Commissioners and the Land Use Board. The Police Department thanked the Beach Haven First Aid Squad for their donation to support the Long Beach Township EMT Program. He explained the Police Department had ten officers certified as EMT's with two additional officers currently in training. He hoped to have at least 50% of the police officers certified as EMT's.

OPEN PUBLIC SESSION

Stuart Chaffetz / Animal Advocate thanked the Commissioners for the Proclamation noting Autism Awareness Month as his son was autistic. He stated he was a member of an animal advocacy group. Mr. Chaffetz spoke concerning a personal matter that involved Richard J. Shackleton, the municipal solicitor.

Richard J. Shackleton, Esq. / Municipal Solicitor addressed Mr. Chaffetz's comments.

Mayor Mancini asked Mr. Chaffetz to discuss the matter with Mr. Shackleton in a private setting as the matter did not pertain to Township business.

CLOSE PUBLIC SESSION

Motion for adjournment at 4:27 p.m.:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

Bonnie M. Leonetti, RMC, CMC
Municipal Clerk, Administrator

Joseph H. Mancini, Mayor

Ralph H. Bayard, Commissioner

William P. Knarre, Commissioner