

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$118,750; and

(c) a down payment in the amount of \$6,250 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

Section 3. The sum of \$118,750, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$6,250, which amount represents the required down payment, 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 \$118,750 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.

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 \$118,750 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 \$15,000.

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. Supplemental Funding for the Replacement of a Generator to support the Emergency Operations Center in the Township; together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$125,000	\$6,250	\$118,750	10 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 \$118,750 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 9. Grants or other monies received from any governmental entity, if any, will be applied to the payment of or repayment of obligations issued to finance the costs of the improvements described in Section 7 above.

Section 10. 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 11. 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 12. The Township hereby declares its intent to reimburse itself from the proceeds 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 13. 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 this 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 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 14. 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 15. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 16. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

Date of Introduction: April 5, 2013

Date of Final Adoption: April 19, 2013

Passed on first reading at a regular meeting held on April 5, 2013 and advertised in the BEACH HAVEN TIMES issue of April 11, 2013.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 13-10 on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

1. First Reading Ordinance 13-11: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "AN ORDINANCE FIXING AND DETERMINING THE ANNUAL SALARIES, DESIGNATING HOLIDAYS AND PROVIDING FOR OVERTIME COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY."**

Lynda Wells, stated this Ordinance eliminated all longevity benefits for all employees retroactively to January 1, 2013.

Motion to approve Ordinance 13-11 on First Reading:

Motion: Lattanzi Ayes:Lattanzi, Bayard, Mancini

Second: Bayard Nays:

2. First Reading ORDINANCE 13-12C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN CHAPTER 189 PERTAINS TO PARKING.**

Lynda Wells stated this Ordinance amended Article III, §189-23 to regulate parking on West Avenue in Holgate.

Motion to approve Ordinance 13-12C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

3. First Reading Ordinance 13-13C: 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 WATER AND SEWER RATES.

Lynda Wells stated this Ordinance increased rates by 4% increase for the water rates and disconnection inspection fees to \$60.00

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

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

ADOPTIONS & APPROVALS

4. Resolution 13-0419.01: Approve changes to various sewer accounts
WHEREAS, the following Sewer accounts require changes in their billing and/or classification due to various reasons, and

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

<u>BLOCK</u>	<u>LOT/QUAL</u>	<u>ACCT #/ACCT</u>	<u>YEAR</u>	<u>CANCEL/CHANGE</u>	<u>AMOUNT</u>
1.93	4	719-0/Sewer	2013	To Standby per demo	\$398.00
4.19	3	1014-0/Sewer	2013	To Standby per demo	\$169.00
6.06	6	1704-0/Sewer	2013	To Standby per demo	\$420.00
8.06	2	2615-0/Sewer	2013	Changed to single	\$531.00
12.10	13	3986-0/Sewer	2013	To Standby per demo	\$398.00

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.

5. Resolution 13-0419.02: Approve a refund of an overpayment from the sewer utility

WHEREAS, the following Sewer account requires a refund as the Homeowner was charged for a duplex in error. Pursuant to a conversation with Commissioner Ralph Bayard, it was agreed to refund the overpayments in 2011 & 2012; and

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

<u>Block:</u>	<u>Lot:</u>	<u>Acct #/Account</u>	<u>Owner:</u>	<u>Amount:</u>
8.06	2	#2615-0 Sewer	Gary & Rosemarie Jankowski	\$1062.00

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach that

6. Resolution 13-0419.03: Support Senate Bill 2618 and Assembly Bill 3896 supplementing the eminent domain act as it pertains to dune construction and beach replenishment:

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY SUPPORTING ASSEMBLY BILL 3896 AND SENATE BILL 2618 SUPPLEMENTING THE EMINENT DOMAIN ACT AS IT PERTAINS TO DUNE CONSTRUCTION AND BEACH REPLENISHMENT

WHEREAS, the Federal Shore Protection Project protects public and private property from coastal storm damage, erosion, shoreline migration and sea-level rise, which recently has been problem by Superstorm Sandy in those municipalities that have had the project; and

WHEREAS, as a condition of Federal and State funding for said project, municipalities are required to provide access to the beaches within the project footprints, which are located on portions of public as well as private property, by the execution of a deed of easement; and

WHEREAS, in some cases municipalities must obtain said easements through the eminent domain process; and

WHEREAS, the taking of an easement by eminent domain has little effect on the use of the property by the owner; and

WHEREAS, due consideration of the increased individual property protection must be allowed during eminent domain trials; and

WHEREAS, legislation was introduced to supplement the eminent domain act to provide that just compensation for an easement over a portion of beachfront property condemned for the purpose of dune construction or beach replenishment must include consideration of the increase in value to the entire property due to the added safety and property protection provided by the dune or replenished beach.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach, County of Ocean, and State of New Jersey strongly supports Bills A3896/S2618 and strongly agrees that the result of an easement for dune construction or beach replenishment should not be considered to cause a diminution in the value of an entire property.

BE IT FURTHER RESOLVED that a certified copy of this resolution be sent to:

- a) Governor Chris Christie
- b) 1st, 2nd, 9th, 10th, 11th, and 13th Legislative Districts
- c) New Jersey State League of Municipalities
- d) Ocean County Municipalities

Lynda Wells explained an easement for dune construction /beach replenishment should not be considered to cause a decrease in value of an entire property.

7. Resolution 13-0419.04: Approve personnel actions

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

Approve an intermittent Family Medical Leave of Absence (FMLA) and New Jersey Family Leave (FLA) for MM effective retro-active to 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 19, 2013.

Thomas Clifford Ryan Farley Timothy Mernar

CONSTRUCTION

Hire the following employee as a Temporary Part-Time Clerk at the rate of \$25.00 per hour to be paid from Construction Salary & Wage effective April 20, 2013.

Carol Beideman

PUBLIC WORKS

Approve a \$5,000.00 increase to the following employee's base salary to be paid from Recycling Salary & Wage and the Recycling Residual Grant effective retro-active to February 1, 2013.

Angela Andersen

POLICE

Accept the resignation tendered by Matthew Ruark as a Class I Special Officer and approve his requested termination of employment effective April 19, 2013.

Change the following employee's rate of pay to \$12.00 per hour to be paid from Police Salary & Wage effective April 20, 2013.

Billie Braun

Change the following employee's rate of pay to \$12.50 per hour to be paid from Police Salary & Wage effective April 20, 2013.

Julie Oldham

8. Resolution 13-0419.05: Amend the standard Mileage Reimbursement Rate for 2013: 0.565 cents/mile, as set by the IRS

WHEREAS, it has been past practice and policy for Long Beach Township to reimburse its eligible employees for gasoline mileage when circumstances warrant such reimbursement; and

WHEREAS, the current rate set by Federal Government regulations is 56.5 cents per mile, which is accepted by various federal government agencies including, but not limited to, the Internal revenue Service.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach that the Long Beach Township mileage reimbursement rate is hereby increased to 56.5 cents per mile.

9. Resolution 13-0419.06: Adopt the 2013 Floodplain Management Plan and Amendments, per annual review

A RESOLUTION RE-ADOPTING THE FLOODPLAIN MANAGEMENT PLAN AND AMENDMENTS, AS PER THE ANNUAL REVIEW, FOR THE TOWNSHIP OF LONG BEACH

WHEREAS, the Township of Long Beach participates in the Community Rating System (CRS) program of the National Flood Insurance Program (NFIP); and

WHEREAS, the CRS program requires that a Floodplain Management Plan be formulated and adopted as a planning document to reduce flooding and repetitive flood losses; and

WHEREAS, this planning effort began August 1997 with the establishment of a Planning Committee adopted by Resolution 97-0905.05 on September 5, 1997; and the original Floodplain Management Plan was adopted on April 17, 1998 under Resolution 98-0417.03; and

WHEREAS, a document has been developed by the Committee titled a Floodplain Management Plan for Long Beach Township that contains an Action Plan for reducing flooding and flood losses and this Floodplain Management Plan and Action Plan was the subject of a public hearing on April 4, 1998 and since then has been reviewed, evaluated and updated each year at the annual Floodplain Management Committee Meeting. At this year's meeting on April 9, 2013 various amendments were proposed and the overall plan and current action plan have been updated.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach that the Floodplain Management Plan, Action Plan, and Amendments as discussed above are hereby adopted as a planning document for the Township of Long Beach; and

BE IT FURTHER RESOLVED, that the implementation of the Action Plan shall continue to be reviewed on a yearly basis by the Planning Committee, and made available to the public and the media upon request.

10. Resolution 13-0419.07: Acknowledge conveyance of ownership of a Wireless Lease Agreement at 7910 Long Beach Blvd.: From T-Mobile to Crown Castle Int'l Corp.

WHEREAS, pursuant to Resolution 06-1215.13(a), the Township of Long Beach awarded a contract to Omnipoint Communications, Inc. for the construction of a wireless communications monopole, support equipment & structures, and site lease agreement for cellular antenna space at 7910 Long Beach Blvd., Beach Haven Crest in the Township of Long Beach; and

WHEREAS, the Township of Long Beach was notified via certified mail (Tracking #70090820000149847609) dated May 4th 2009 by Debby Andresen, Director Lease Compliance and Information Management at T-Mobile Northeast, LLC that Omnipoint Communications, Inc. was its subsidiary company and that T-Mobile Northeast, LLC had been conveyed the Lease Agreement effective June 30, 2009; and

WHEREAS, on January 4th 2013, the Township of Long Beach received correspondence from Mark Schrott, Vice President of Property Management for Crown Castle stating said lease agreement with T-Mobile had been conveyed to its affiliate Crown Castle International Corporation effective November 30th 2012; and

WHEREAS, all correspondence and documentation was provided to the Assistant Municipal Solicitor for review; upon such review it has been recommended and certified that the appropriate document(s) be executed by the Township of Long Beach to effectuate the conveyance.

NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners of the Township of Long Beach does hereby authorize the execution of the required document(s) confirming the control and operation of the above-mentioned site at 7910 Long Beach Blvd., Beach Haven Crest in the Township of Long Beach by Crown Castle International Corp., 2000 Corporate Drive, Canonsburg, PA 15317, (888) 255-0408. Said conveyance shall not change any terms of the existing agreement including the agreed upon payments received by Long Beach Township.

11. Resolution 13-0419.08(a&b): Approve the abatement of public health nuisances: Eco Materials, LLC, per quote
a) Secure unsafe conditions at Block 20.45, Lot 2
b) Secure unsafe conditions at Block 1.32, Lot 1

**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; and

WHEREAS, quotes for performing said abatement were received as follows:

- Reynolds Garden Center \$26,975.00
- Eco Materials, LLC \$ 5,483.00

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners at a regular scheduled meeting this 19th 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 Eco Materials, LLC to abate the nuisance at Block 20.45, Lot 2 (45B Long Beach Boulevard, Loveladies) may be placed as a lien against the property.

RESOLUTION 13-0419.08(b)

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; and

WHEREAS, quotes for performing abatement services were received from Reynolds Garden Center and Eco Materials, LLC; said rates received from Eco Materials, LLC prevailing.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners at a regular scheduled meeting this 19th 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 Eco Materials, LLC 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 5 thru 12:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

PURCHASED, CONTRACTS & AWARDS

12. Resolution 13-0419.09: Approve membership in a Cooperative Pricing System: County of Somerset Cooperative Pricing System #2-SOCCP effective through 12/31/13

AUTHORIZING THE TOWNSHIP OF LONG BEACH TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Somerset County Cooperative Pricing System (ID#2-SOCCP), hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, on this 19th day of April 2013 the Board of Commissioners of the Township of Long Beach, County of Ocean, State of new Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services.

NOW, THEREFORE, BE IT RESOLVED, this Resolution 13-0419.09 shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Long Beach.

BE IT FURTHER RESOLVED that pursuant to the provisions of N.J.S.A.40A:11-1 (5) the Mayor is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

BE IT FINALLY RESOLVED, that the Lead Agency shall be responsible for complying with the provision of the Local Public Contract Law (N.J.S.A.40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey

13. Resolution 13-0419.10(a-c): Award various contracts, per bid:

- a. 2013 Street End Reconstruction & Holgate Public Parking Area: ASAP, Inc.: \$383,262.00

RESOLUTION 13-0419.10(a)

A RESOLUTION AWARDING A CONTRACT FOR THE 2013 STREET END RECONSTRUCTION & HOLGATE PUBLIC PARKING AREA PROJECT IN THE TOWNSHIP OF LONG BEACH, PER BID

WHEREAS, pursuant to N.J.S.A.40A:11-1 et seq., the Township of Long Beach has solicited bids for the 2013 Street End Reconstruction & Holgate Public Parking Area Project in the Township of Long Beach; and

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

WHEREAS, ASAP, Inc. (All Surface Asphalt Paving, Inc.), 528 Hardenberg Ave., Pt. Pleasant, NJ 08742 gave the lowest qualified bid as per the municipal engineer and the municipal attorney's review and certification; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this contract are available as an appropriation created by Ordinance 13-03 Special Emergency Hurricane Sandy Account # C-04-56-109-901 in the amount of \$383,262.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 19th day of April 2013, for the reasons aforesaid, that a contract be and is hereby awarded to:

ASAP, Inc. (All Surface Asphalt Paving, Inc.)
528 Hardenberg Avenue
Pt. Pleasant, NJ 08742

for the 2013 Street End Reconstruction & Holgate Public Parking Area Project in the Township of Long Beach in an amount not to exceed Three Hundred Eighty Three Thousand Two Hundred Sixty Two Dollars (\$383,262.00) as per the bid received April 16, 2013.

- b. 2013 Bayview Park Reconstruction, 68th Street Beach Access & Loveladies Lane Beach Access: Axios, Inc.: \$883,342.00

RESOLUTION 13-0419.10(b)

A RESOLUTION AWARDING A CONTRACT FOR THE 2013 BAYVIEW PARK RECONSTRUCTION, 68TH STREET BEACH ACCESS, AND LOVELADIES LANE BEACH ACCESS FACILITIES PROJECT IN THE TOWNSHIP OF LONG BEACH, PER BID

WHEREAS, pursuant to N.J.S.A.40A:11-1 et seq., the Township of Long Beach has solicited bids for the 2013 Bayview Park Reconstruction, 68th Street Beach Access, and Loveladies Lane Beach Access Facilities Projects in the Township of Long Beach; and

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

WHEREAS, Axios, Inc., P.O. Box 580, Northfield, NJ 08225 gave the lowest qualified bid as per the municipal engineer and the municipal attorney's review and certification; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this contract are available as an appropriation created by Ordinance 13-03 Special Emergency Hurricane Sandy Account # C-04-56-109-901 in the amount of \$883,342.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 19th day of April 2013, for the reasons aforesaid, that a contract be and is hereby awarded to:

Axios, Inc.
P.O. Box 580

Northfield, NJ 08225

for the 2013 Bayview Park Reconstruction, 68th Street Beach Access, and Loveladies Lane Beach Access Facilities Projects in the Township of Long Beach in an amount not to exceed Eight Hundred Eighty Three Thousand Three Hundred Forty Two Dollars (\$883,342.00) as per the bid received April 16, 2013.

- c. 2013 Rental of Bulldozers & Loaders with Operators:
Eco Materials, LLC, A.E. Stone, Inc., Mathis
Construction Co., Inc.; various rates for miscellaneous
equipment.

RESOLUTION 13-0419.10(c)

A RESOLUTION AWARDING A CONTRACT FOR THE 2013 RENTAL AND DELIVERY OF BULLDOZERS AND LOADERS WITH OPERATORS IN THE TOWNSHIP OF LONG BEACH, PER BID

WHEREAS, pursuant to N.J.S.A.40A:11-1 et seq., the Township of Long Beach has solicited bids for the 2013 Rental and Delivery of Bulldozers and Loaders with Operators in the Township of Long Beach; and

WHEREAS, it is in the opinion of the Board of Commissioners of the Township of Long Beach that multiple qualified responsive bids be accepted and awarded contracts for same; and

WHEREAS, the following vendors submitted qualified and responsive bids for the above-named project:

- Mathis Construction Co., Inc., 1510 Rt. 539, Little Egg Harbor, NJ 08087
- Eco Materials, LLC, P.O. Box 2633, Vincentown, NJ 08088
- A.E. Stone, Inc., 1435 Doughty Road, Egg Harbor Twp., NJ 08234-2229

as per the Qualified Purchasing Agent's certification.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 19th day of April 2013, for the reasons aforesaid, that individual contracts be and are hereby awarded to the above-named contractors pursuant to their bids received April 16, 2013 in the amounts specified therein.

14. Resolution 13-0419.11: Approve a Shared Service Agreement:
Stafford Township: Animal Control Services 2013

A RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A SHARED SERVICE AGREEMENT WITH THE TOWNSHIP OF STAFFORD FOR ANIMAL CONTROL SERVICES

WHEREAS, the Shared Service Services Act, N.J.S.A. 40A:65-4(3)b, authorizes two or more municipalities to enter into a mutual service agreement for the provision of certain governmental services; and

WHEREAS, it is deemed to be in the public interest for the Township of Long Beach to execute such an agreement with the Township of Stafford for the provision of animal control services in accordance with the terms set forth in the said Agreement; and

WHEREAS, the Township of Stafford has adopted Resolution 2013-102 authorizing the execution of a Shared Service Agreement for the provision of animal control services to the Township of Long Beach.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey that the Mayor and Municipal Clerk are hereby authorized to execute a Shared Services Agreement with the Township of Stafford for the provision of Animal Control Services, a copy of which is attached hereto, in accordance with the provisions of law; and

BE IT FURTHER RESOLVED that this Resolution shall take effect January 1, 2013.

Motion to approve Items 13 thru 15:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

FINANCIAL APPROVALS

15. Resolution 13-0419.12: 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, 13-0301.10 and 13-0405.12; and

WHEREAS, appropriations for the 2013 Current Fund and the Water/Sewer Temporary Budget shall again be increased pursuant to Schedule A & 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 2013 Current Fund and Water/Sewer Temporary Budget.

16. Resolution 13-0419.13: Approve Bills & Payroll
Bills in the amount of: \$737,519.33
Payroll in the amount of: \$417,702.42

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 \$417,702.42.

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 \$ 737,519.33 be and the same are hereby authorized to be paid on Friday, April 19, 2013.

2. The said approved payroll amounting to the sum of \$417,702.42 be and the same are hereby authorized to be paid on Friday, April 19, 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 16 thru 17:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

Mayor Mancini abstained from a reimbursement voucher for Joseph Mancini.

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

COMMISSIONERS' REPORTS

Commissioner Lattanzi reported the movie theater was being demolished soon and the Health Department hopes to be housed in trailers on the site by the end of the summer.

Commissioner Bayard reminded residents that the Robin Hood Foundation applications were still available.

Mayor Mancini announced the next meeting of the Board of Commissioners would take place on Friday, May 3, 2013 at 4:00 p.m. at which time a public hearing for Ordinances 13-11, 13-12C and 13-13C would be held. The 2013 Municipal Budget hearing would also take place at this meeting.

Mayor Mancini also announced the next regular meeting of the Land Use Board would be held on Wednesday, May 8, 2013 at 7:00 p.m. in the Municipal Court Room.

Mayor Mancini reported on the status of the beach easements:

He noted Brant Beach to No. Beach Haven had 17 outstanding; North Beach had 13 easements outstanding and Loveladies had 34 easements outstanding.

Mayor Mancini read the following Police Report:

Operation Take back New Jersey was on April 27th 2013, to dispose of unused, expired and unwanted medicines. Drop off eas at the Long Beach Twp. Police Station between 10 AM and 2 PM.

Officers Compitello and Furgeson had completed their EMT training and await the state test for certification. Upon passing the test, the total number of Long Beach officers certified as EMT's would be 15 (fifteen).

Holgate area was still recovering; this was a priority for the Patrol Division. Asked residents to report suspicious activity immediately to dispatch at 609 494-3322. Patrols were monitoring the area day and night due to safety concerns during the reconstruction process and the associated activity.

Lastly, the Long Beach Island Health Department would be hosting a Family Health and Safety fair on April 27th 2013 from 9 Am to Noon at the St. Francis Community Center. Bicycle safety would be addressed by Ptl. Megan Keller and Ptl. James Hartmann.

OPEN PUBLIC SESSION

Tamara Sherer, North Beach noted she was a full time resident and would like to help with acquiring easements.

Mayor Mancini responded that he, Teri Sgro and Bill Kunz had been calling the easement holders. He stated they had problems with perpetuity, assign ability and

bathrooms and boardwalks. He noted the state had finally added new language in the easement document that he had just received.

Barnett Hoffman, 118 E Sand Dune stated he was concerned for his property if there was a storm because his neighbor, K. Koons did not sign his easement and he wants compensation.

Mayor Mancini responded that there was an ordinance that required ocean front owners who have not signed their easements to repair the dune to the engineers specifications, by permit, at their expense, and Mr. Koons would be notified of that.

Ann Riordan, Beach Haven Park noted her neighbor Virginia Tennis did not sign her easement and if her dune is not the same as the adjoining and asked if she would be required to repair it as well.

Mayor Mancini replied yes.

Ann Riordan also asked about navigating the beach entrance.

Mayor Mancini stated the street ends cannot be cut or ramps could not be built. He stated the beach replenishment project would address that problem, but in the meantime the Twp. would look at 99th St. for an answer.

Don O'Brien, Brant Beach announced the opening of the Surf Light Theatre the following week with a tribute to ABBA. He also asked when the Army Corps might repair the beach in Brant Beach, explaining the potential renters were inquiring with the real estate agents.

Mayor Mancini stated the bids were opened this week to repair the three original projects on the island but had no start dates for the new projects, but as soon as he knew he would let the realtors know.

Stan Antanoff, North Beach announced the Harvey Cedar case would be heard in mid May.

Charles Farrell, Loveladies noted after hearing the status of outstanding easements at the April 5th meeting, he asked the members of the property owners association to contact the ocean front owners by phone, after they had been sent a letter from the association. He stated he would advise the Twp. of the ongoing status.

Debra Slavinski, Holgate asked if homes being elevated would be allowed in the street.

Mayor Mancini replied "yes", they had seven days by permit, but noted that there were only a few companies that move the homes so it would not be a problem having too many done at the same time.

Kevin Riordan, Beach Haven Park, asked about the Harvey Cedars case.

Mayor Mancini explained that special benefits would not be allowed in court, the Appellate division upheld that decision. We asked for it to be included in negotiating a final price, and also stated the 9th District was introducing a bill to that effect.

Kevin Riordan also thanked the Mayor for making the outstanding deed holders available on the Twp. website.

Ellen Case, Holgate asked if the replenishment would go as far as the Forsyth Refuge and also asked about house raising mitigation.

Mayor Mancini responded that the replenishment project would go about 100 yards south of the jetty and he felt the majority of applicants would receive mitigation money, but it hadn't been released yet.

Bill Hutson, Holgate commented that the Twp. had been trying to secure the easements for the past seven or eight years. He felt people are holding out for money.

Commissioner Lattanzi reminded everyone that the Thank You Fest was being held June 14, 15 and 16, 2013.

CLOSE PUBLIC SESSION

Motion for adjournment at 4:45 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