

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS MAY 6, 2011
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 William P. Knarre 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; the PRESS OF ATLANTIC CITY; and the ASBURY PARK PRESS on December 1st 2010; and filed with the Municipal Clerk.

Motion: To dispense with the reading of the minutes of the April 15, 2011 meeting and to approve the same as recorded in the minute book:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

AGENDA

Mayor Mancini swore in new permanent full time Police Officer Anthony O'Conne and Police Officer Justin Hoffman.

PROCLAMATION Municipal Clerks Week – May 1st – May 7th

Lynda Wells, Municipal Clerk explained the Clerk is the professional link between citizens, elected officials and other government agencies. PROCLAMATION

MUNICIPAL CLERKS WEEK MAY 1ST THROUGH MAY 7TH, 2011

WHEREAS, the Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

WHEREAS, the Office of the Municipal Clerk is the oldest among public servants; and

WHEREAS, the Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

WHEREAS, the Municipal Clerk serves as the information center on functions of local government and community.

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations.

WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Long Beach Township do recognize the week of May 1st through May 7th, 2011 as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, Lynda J. Wells, and our Deputy Municipal Clerk, Teresa Sgro, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

ORDINANCES/PUBLIC HEARINGS

1. First Reading Ordinance 11-16C **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 5 PERTAINS TO POLICE DEPARTMENT PERSONNEL**

Lynda Wells, Municipal Clerk explained that Chapter 5 of the Code that sets forth the ranks of the Police Department was hereby amended and supplemented to create one (1) new position for the Police Department "Director Communications Center".

Motion to approve Ordinance 11-16C on First Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays

2. First Reading Ordinance 11-17 **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, NEW JERSEY".**

Lynda Wells, Municipal Clerk explained this ordinance established a range for the new title created Director of the Communication Center in Ordinance 11-16C the New Jersey Civil Service Commission required that every position have a range established that each salary would fall within.

Motion to approve Ordinance 11-17 on First Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays

ADOPTIONS, APPROVALS, SUPPORT AND OPPOSITION

3. Resolution 11-0506.01: Approve the annual bicycle auction on June 18th at the Public Works Yard: 8:30 a.m. to view items; auction begins at 9:00 a.m.

RESOLUTION 11-0506.01

WHEREAS, certain items of tangible personal property have come into the possession of the Police Department of the Township of Long Beach; and

WHEREAS, the owner and/or owners of such tangible personal property are unknown and cannot be ascertained; and

WHEREAS, the Police Department has held such items of tangible personal property in excess of six (6) months; and

WHEREAS, N.J.S.A. 40A:14-157 provides that such tangible personal and public property may be disposed of at public auction along with Township owned public property as per N.J.S.A. 40A:11-36.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that: PUBLIC NOTICE IS HEREBY GIVEN that a Public Auction will be held by the Township of Long Beach on June 18th 2011, at the Municipal Garage, 7910 Long Beach Blvd., Beach Haven Crest, N.J., at which times and place, the qualifying items will be exposed for sale at Public Auction.

BE IT FURTHER RESOLVED that the items to be sold are being offered "as is" and under a "cash and carry", "all sales final" condition, with the Township of Long Beach assuming no responsibility as to any expressed or implied guarantee and/or performance; and

BE IT FURTHER RESOLVED all items purchased must be removed from the Township at the conclusion of the Auction.

4. Resolution 11-0506.02(a-d): Approve traffic regulations for various events:
a. LBI Fest June 11, 2011

RESOLUTION 11-0506.02(a)

WHEREAS, during the annual LBI Fest a temporary condition exists causing alternate side parking to be suspended all day on June 11, 2011 from 6:00 a.m. until 6:00 p.m. to accommodate exhibitors and visitors on the following streets:

Dupont:	Entire Length
Sigsbee:	Entire Length
Goodrich:	Entire Length
Brownson:	From Long Beach Blvd. to Ocean Blvd.
Dayton:	From Long Beach Blvd. to Ocean Blvd.
Burwell:	From Long Beach Blvd. to Ocean Blvd.
Coghlan:	From Long Beach Blvd. to Ocean Blvd.
Lavenia:	From Long Beach Blvd. to Ocean Blvd.

WHEREAS, Meade Avenue (68th Street) shall be closed to vehicular traffic from 6:00 a.m. until 6:00 p.m. from the entrance of the Municipal Employee Parking Lot adjacent to Ocean Boulevard west to Long Beach Boulevard; and

WHEREAS, the parking lot located between the Tennis Courts and the Township Municipal Complex adjacent to 68th Street shall be closed to public parking on June 11th 2011 from 6:00 a.m. until 6:00 p.m.; and

WHEREAS, Bayview Park shall be closed to public parking from 6:00 a.m. until 6:00 p.m. on June 11, 2011.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby grant permission for the above cited temporary parking allowances as requested.

- b. Terrace 1st United Methodist Church –
- Mother/Daughter Banquet – May 6th
 - Fox & Friends Farewell Concert – June 5th
 - Annual Flea Market – June 18th
 - Annual Fish n Chips Dinner – July 15th
 - Annual Pancake Breakfast = July 23rd
 - Annual Holiday Bazaar – October 8th
 - Annual Roast Pork Dinner – Nov. 5th

RESOLUTION 11-0506.02(b)

WHEREAS, the Terrace First United Methodist Church scheduled special events in 2011 wherein temporary conditions will exist causing the need to suspend the no parking regulations on Beach Avenue in the area of New Jersey, Indiana, and Pennsylvania Avenues on:

- Friday May 6th, Annual Mother Daughter Banquet 5:30 through 8:00 p.m.
- Sunday, June 5th, "Fox and Friends Farewell Concert", 3:00 p.m. through 9:00 p.m.
- Saturday, June 18th, Annual Flea Market, 7:00 A.M. to 4:00 P.M.
- Friday, July 15th, Annual Fish and Chips Dinner, 4:00 P.M. to 8:00 P.M.
- Saturday, July 23rd 2011, Annual Pancake Breakfast, 7:00 A.M. to 11:00 A.M.
- Saturday, October 8th, Annual Holiday Bazaar, Inside and Outside 7:00 a.m. through 4:00 p.m.
- Saturday, November 5th, Annual Roast Pork Dinner, 4:30 through 8:00 p.m.

c. ALO Sea Critter Round Up – Thursdays July & Aug.

RESOLUTION 11-0506.02(C)

WHEREAS, the Alliance for a Living Ocean (ALO) will be hosting “Sea Critter Round Up” at Bayview Park every Thursday in July and August, 2011 as per the following dates and times:

July 7th, 14th, 21st, and 28th.
August 4th, 11th, 18th and 25th.
From 10:45 a.m. to 11:45 a.m.

WHEREAS, all the necessary and required insurance documents have been submitted, received and are on file with the Township.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach does hereby grant permission for the above cited events.

d. Bounce House for “Monday Madness” Mondays in June, July & August

RESOLUTION 11-0506.02(d)

WHEREAS, the Party Crashers, LLC will be hosting “Monday Madness” at Bayview Park Mondays in June, July and August, 2011 as per the following dates and times:

June 27th, July 4th, 11th, 18th, and 25th.
August 1st, 8th, 15th and 22nd and 29th.
From 6:30 p.m. to 8:30 p.m.

WHEREAS, all the necessary and required insurance documents have been submitted, received and are on file with the Township.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach does hereby grant permission for the above cited events.

5. Resolution 11-0506.03 Approve a status change to a sewer account

RESOLUTION 11-0506.03

WHEREAS, the following Sewer account requires a change in its billing and/or classification due to various reasons; and

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

Blk:	Lot:	Acct:	Year:	Cancel/Change	Amount:
13.05	2	4318-0 Sewer	2011	To Stand By	\$531.00

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 this change.

6. Resolution 11- 0506.04: Approve personnel actions

Lynda Wells, Municipal Clerk stated there was one medical leave of absence, and seasonal employees and two police officers were hired.

RESOLUTION 11-0506.04

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

ASSESSOR

Approve a paid Medical Leave of Absence (FMLA/FLA) for MC effective retro-active to April 21, 2011 thru April 27, 2011 and approve an unpaid Medical Leave of Absence (FMLA/FLA) effective April 28, 2011.

BEACH PATROL

Hire the following as a Seasonal Beach Badge Program Assistant Supervisor at the rate of \$9.95 per hour to be paid from Beach Badge Salary & Wage effective retro-active to April 16, 2011.

Carol Boyle

Hire the following as Seasonal part time Laborers at the rate of \$10.00 per hour to be paid from the Lifeguard Salary & Wage effective May 7, 2011.

Thomas Clifford

Dillon Durando

Jennifer Holly

Jennifer Nelson

Kevin Tallon

HEALTH

Hire the following as Seasonal Part Time Water Samplers conducting water sampling activities with the Coastal Community Monitoring Program to be paid from the Health Department Salary & Wage effective May 9, 2011 thru September 6, 2011.

Josh Bligh \$21.50 per hour

Matt Crane \$8.50 per hour

POLICE

Accept and approve a PFRS Service Retirement for Sergeant Steven Adams effective retro-active to May 1, 2011.

Hire the following as permanent fulltime, (contractual Step 1) Police Officers effective May 7, 2011 as per Dept. of Personnel Certified List No. OL101295 with a base salary of \$38,440.69 to be paid from the Police Salary & Wage.

Anthony O’Cone

Justin Hoffman

PUBLIC WORKS

Hire the following as a temporary full time Laborer at the rate of \$12.00 per hour to be paid from the Public Work Salary & Wage effective retro-active to May 2, 2011.

Sherry Rahrer

Hire the following as a seasonal full time Laborer at the rate of \$9.50 per hour to be paid from the Public Work Salary & Wage effective May 9, 2011.

Kevin Cleary

Hire the following as a seasonal full time Laborer at the rate of \$9.75 per hour to be paid from the Public Work Salary & Wage effective May 9, 2011.

Sean Farrell

Hire the following as a seasonal full time Laborer at the rate of \$8.75 per hour to be paid from the Public Work Salary & Wage effective May 9, 2011.

Keith Smith

7. Resolution 11-0506.05: Support legislation calling for an end to the diversion of property tax relief funding to other state allocations

Lynda Wells, Municipal Clerk explained this resolution demanded an end to state reliance on municipal property tax relief revenues to balance its budget.

RESOLUTION 11-0506.05

WHEREAS, there are two main formula-driven general municipal property tax relief programs on the books in our Garden State; and

WHEREAS, though often referred to as "State Aid" programs, these are actually revenue replacement programs, intended to replace property tax relief funding that was, formerly, generated through taxes assessed and collected locally; and

WHEREAS, the first is the Energy Tax Receipts Property Tax Relief Program – the direct descendant of the Public Utility Gross Receipts and Franchise Tax, which was a tax on regulated public utilities originally assessed and collected at the municipal level; and

WHEREAS, in the early 1980's, at the request and for the convenience of the tax paying utilities, the State became the collection agent for this assessment, and the law that effected this change promised that the proceeds would be distributed back to the municipalities, which provide services to utility facilities and from whence come utility profits; and

WHEREAS, the State of New Jersey never honored that commitment, immediately and annually diverting large and growing portions of the proceeds to its own general fund; and

WHEREAS, modernization and deregulation led to a major reform of utility taxes in the mid nineties, which validated and, supposedly, capped the State's annual portion of the tax proceeds; and

WHEREAS, that law also included a 'poison pill', which required the State to annually increase the municipal distribution of Energy Tax proceeds and to cap its skim; and , it further provided that failure to honor that pledge would result in the forfeiture of the State's authority to collect the tax; and

WHEREAS, around the same time for its own convenience, the State decided to 'consolidate' a number of previously discrete municipal property tax relief programs; and

WHEREAS, while some may see 'no rhyme or reason' to the distribution of Consolidated Municipal Property Tax Receipts Aid (CMPTRA), each of its component parts was distributed according to state established formulas, and many of those parts were, like Energy Taxes, the lineal descendants of taxes that had once been assessed and collected at the municipal level; and

WHEREAS, among its many components, CMPTRA includes the Financial Business Tax, the Business Personal Property Tax Replacement, the Railroad Class II Property Tax, the Insurance Franchise Tax, the Corporation Business Tax on Banking Corporations and State PILOT payments, that had been under-funded for many years, prior to being folded into CMPTRA; and

WHEREAS, these are, or were, all municipal revenue replacement programs – not properly speaking, State Aid, in that they were not meant to make things better for municipal property taxpayers; they were only intended to keep things from getting worse; and

WHEREAS, in the late nineties, a law was passed that required both Energy Tax and CMPTRA distributions to be annually increased by the rate of inflation; and

WHEREAS, that law posed a special problem for future state budget makers, but, as those budget makers viewed the matter, the problem was not how to comply with the requirement; the problem was to avoid compliance without invoking the Energy Tax 'poison pill'; and

WHEREAS, State policy makers found a way in increase Energy Tax distributions by the rate of inflation for five straight years without providing municipalities with one new dollar in property tax relief, which was done by annually reducing the CPMTRA distribution by the same amount that it increased Energy Tax distribution; and

WHEREAS, thereafter, the State strayed even farther from original legislative intent, when in 2008 (SFY 2009), CMPTRA was reduced by about \$62 million more than the Energy Tax was increased; and in 2009 (SFY 2010), the net loss equaled about \$32 million; and

WHEREAS, the State's Fiscal Year 2011 budget, in which the total distribution of CMPTRA and ETR was reduced by approximately 17 percent, or \$272 million from \$1.565 billion to \$1.293 billion, honoring neither the letter nor the spirit of applicable State laws.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach, in conference assembled, that we demand an immediate end to the State reliance on the municipal property tax relief revenues to balance its budget and address other priorities; and

BE IT FURTHER RESOLVED, that we call on the Governor to introduce and the Legislature to adopt a FY 2012 State Budget that provides for the full statutory distribution of Energy Tax and CMPTRA revenue replacement funding, and to continue to honor the letter and spirit of the applicable State statutes, in all years, thereafter; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the members of the New Jersey General Assembly, the New Jersey State Senate, the Lieutenant Governor and the Governor of the State of New Jersey.

8. Resolution 11.0506.06: Support Assembly Bills A-3430, A-3431 and A-3432:

Provides municipalities immunity from tort claims that result from injuries occurring on public property

Lynda Wells, Municipal Clerk explained this was pertaining to sidewalks, beaches and boardwalks.

RESOLUTION 11-0506.06

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, URGING THE SWIFT PASSAGE OF A-3430, A-3431 AND A-3432

WHEREAS, injuries that occur on sidewalks that abut commercial property are the responsibility of the commercial property owner; and

WHEREAS, courts have ruled that injuries that occur on sidewalks that abut residential property are not the responsibility of the homeowner even when the homeowner is responsible for the maintenance and repair of the sidewalk by municipal ordinance; and

WHEREAS, courts have ruled that the municipality, not the homeowner, is liable for accidents on defective sidewalks notwithstanding the municipal ordinance; and

WHEREAS, under the provisions of Title 59, public entities are immune from injury "caused solely by weather" on streets and sidewalks; and

WHEREAS, despite this language, in many cases municipalities and other public entities still have been forced to pay large amounts of money in damages when courts ruled that because other factors contributed to the accident, the Title 59 immunity didn't apply because the accident was not "solely" caused by weather; and

WHEREAS, municipalities and other public entities have also been forced to pay large amounts of money in damages for accidents occurring on other public property that were substantially caused by weather; and

WHEREAS, also under the provisions of Title 59, public entities are immune from injury "caused by a condition of unimproved public property, including but not limited to any natural condition of any beach", and

WHEREAS, despite this language, in many cases municipalities still have been forced to pay large amounts of money in damages for claims by swimmers injured in the ocean; and

WHEREAS, public entities have also incurred large costs in defending lawsuits by persons injured while walking on municipal boardwalks; and

WHEREAS, a public entity should be immune from such a suit if it can demonstrate that it was operating under an ongoing maintenance plan calling for periodically reviewing and repairing the boardwalk; and

WHEREAS, Assemblyman Burzichelli has introduced a package of legislation, A-3430, A-3431 and A-3432 to strengthen immunity from tort claims involving weather, sidewalks, beaches, boardwalks and similar public properties.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Long Beach, County of Ocean, State of New Jersey, that the Legislature is urged to pass A-3430, A-3431 and A-3432 to strengthen municipalities' immunity from tort claims.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the following:

1. Governor Christopher Christie
2. Senate President Stephen Sweeney
3. Assembly Speaker Sheila Olive
4. 9th, 10th and 30th District Legislators
5. New Jersey League of Municipalities
6. Ocean County Municipalities

9. Resolution 11-0506.07:

Oppose Senate Bill S-2664 and Assembly Bill A-3766:

"Market Competition and Consumer Choice Act" Limits the obligation of cable companies to provide affordable cable and internet connections to municipal buildings

Lynda Wells, Municipal Clerk explained these bills would limit cable and internet to only one municipal building, would end free basic service, does not require live feed option and reduces franchise fee paid to the municipality. This bill does not require the cable company to meet current consumer protection policies.

RESOLUTION 11-0506.07

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY IN OPPOSITION TO BILLS S-2664 AND A-3766 – "MARKET COMPETITION AND CONSUMER CHOICE ACT"

WHEREAS, this act would fundamentally alter the regulation of telephone and cable television service in New Jersey; and

WHEREAS, A-3766/S-2664 changes are so sweeping it deserves deliberate review and analysis, and must not be fast-tracked; and

WHEREAS, among other things, A-3766/S-2664 limits the obligation of a cable company to provide cable and internet connections to municipal buildings. Currently all municipal buildings are eligible for this benefit but the bill would limit the obligation to just one municipal building; and

WHEREAS, A-3766/S-2664 would eliminate the requirement that cable companies provide basic service and internet to municipal buildings and schools at no charge; and

WHEREAS, A-3766/S2664 does not require the cable companies to provide a return feed to allow cable-casting of live municipal events and meetings; and

WHEREAS, A-3766/S-2664 would reduce the franchise fee payable by certain cable companies that have converted from a traditional franchise to a system-wide franchise; and

WHEREAS, A-3766/S-2664 does not require cable companies to meet or surpass any existing line extension policy or to meet any applicable consumer protection requirements, all of which are required by the current law; and

WHEREAS, the proposed verification process for determining whether a company is operating in "competitive franchise area" is inadequate; and

WHEREAS, the proposed process for renewal of a system-wide franchise must be corrected to require the renewal be under the same terms and conditions as the original franchise; and

WHEREAS, A-3766/S-2664 eliminates the right of a municipality operating under a municipal-consent based franchise to petition the BPU for a higher franchise fee.

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach calls on the legislature to amend S-2264 and A-3766 to ensure that all the commitments of the N.J.S.A. 48:5A-28 be provided (a) upon application for a system-wide franchise, (b) upon renewal of a system-wide franchise and (c) upon conversion of a municipal-consent based franchise to a system-wide franchise; and

BE IT FURTHER RESOLVED that the Board of Commissioners of the Township of Long Beach strongly urges the legislature to oppose A3766-S-2644 until such amendments are made and there has been an opportunity for all stakeholders to fully analyze the impact of these proposals and determine the fiscal impact of the bill on municipalities throughout the state; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to:

1. The Hon. Governor Christie
2. The Hon. Senate President Sweeney
3. The Hon. Sheila Oliver, Assembly Speaker
4. New Jersey League of Municipalities.

10. Resolution 11-0506.08: Amend Resolution 11-0415.05:

Lynda Wells, Municipal Clerk announced the contest would be held on 65th Street this year.

RESOLUTION 11-0506.08

NOW THEREFORE BE IT RESOLVED, that the ALO Long Board Classic and Concert approved pursuant to Resolution 11-0415.05 passed on April 15th 2011 is hereby repealed, as it was previously approved pursuant to Resolution 11-0218.02 passed on February 18th 2011.

Motion to approve Items 3 thru 10:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays

LICENSES AND PERMITS

11. Resolution 11-0506.09(a&b): Approve the following street closing permits for special events:

- a) Block party July 24th, Bayview Avenue between 62ND AND 63RD Streets from 4:30 to 11:00 p.m.

RESOLUTION 11-0506.09(a)

WHEREAS, in response to homeowners requests for the following:

Permission to close Bayview Avenue, between 62nd and 63rd Streets. from 4:30 p.m. to 11:00 p.m. leaving a lane open for emergency vehicles on July 24, 2011 for a block party.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby grant permission for the above cited temporary closure as requested with provisions for a lane for emergency vehicles and flashing lights on barriers from dusk to close of event.

- b) Block party July 4th, 91st Street (Oceanview Dr. E); between Beach Ave and the beach from 1 to 9 p.m.

RESOLUTION 11-0506.09(b)

WHEREAS, in response to homeowners requests for the following:

Permission to close Oceanview Drive, between Beach Avenue and the beach. from 1:00 p.m. to 9:00 p.m. leaving a lane open for emergency vehicles on July 4, 2011 for a block party.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby grant permission for the above cited temporary closure as requested with provisions for a lane for emergency vehicles and flashing lights on barriers from dusk to close of event.

12. Resolution 11-0506.10(a&b): Approve the annual renewal of various licenses:

- a) Island Tattoo Studio

RESOLUTION 11-0506.10(a)

WHEREAS, Rebecca Giannone, t/a Island Tattoo Studio located at 1214 Long Beach Blvd., North Beach Haven, New Jersey in the Township of Long Beach, was approved a license

to operate a tattoo studio as defined in the Revised General Code of the Township of Long Beach 1997 Chapter 58 of the Township of Long Beach pursuant to Resolution 06-0407.06; and

WHEREAS, Island Tattoo Studio has satisfied all provisions of Chapter 58 and has received the approval of the Long Beach Island Board of Health and the Long Beach Township Police Department to renew said license for the year 2011; 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, LBTT 11-01, be and hereby is granted effective May 1, 2011 through April 30, 2012.

b) Mr. Tees Arcade

RESOLUTION 11-0506.10(b)

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 11-01, be and hereby is granted for the year 2011 to expire December 31, 2011.

Motion to approve Items 11 & 12:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays

CONTRACTS AND AWARDS

13. Resolution 11-0506.11: Authorize a shared service agreement with Ocean County Prosecutors Office: Computer Crimes Training for Det. Hullings

RESOLUTION 11-0506.11

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 a shared service agreement with Ocean County to provide training to Long Beach Township Police Department Detective Ron Hullings with the Ocean County Prosecutor's Office High Tech Crime Unit effective May 6, 2011 until such time said agreement is terminated in writing by either party.

14. Resolution 11-0506.12(a-c) Authorize the execution of various agreements:
a) Health Officer to enter into agreement with Community Medical Center regarding cancer screenings: Education and follow-up for the Breast and Cervical Cancer Screening Program

RESOLUTION 11-0506.12(a)

WHEREAS, the Community Medical Center of Toms River shall conduct a Breast and Cervical Cancer Screening Program between July 1, 2011 and June 30, 2012; 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.

b) Infrastructure Licensing Agreement with Atlantic City Electric

RESOLUTION 11-0506.12(b)

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 infrastructure Licensing Agreement with Atlantic City Electric for the placement of various electronic equipment on utility poles.

c) Approve an agreement with Atlantic City Electric for Off Duty Police Officer Services through Dec. 31, 2011 pursuant to Ordinance 02-01C

RESOLUTION 11-0506.12(c)

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 Atlantic City Electric for various Police Off-Duty Services during the 2011 calendar year.

15. Resolution 11-0506.13: Approve amendment to Resolution 11-0415.07:

Correct typographical error for Water Works Supply Co., Inc: Contract total of \$545.91 was recorded as \$545.41 in error

RESOLUTION 11-0506.13

WHEREAS, Resolution 11-0415.07(b) awarded a contract for various meter pits for the Water/Sewer Department to Water Works Supply Company, 5142 Hurley Pond Road, Farmingdale, NJ 07727 in an amount not to exceed Five Hundred Forty Five Dollars and Forty One Cents (\$545.41); and

WHEREAS, due to a clerical error, the total dollar amount of the contract was incorrectly noted in the resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach that Resolution 11-0415.07(b) be and is hereby amended to award a contract per quotation, for various meter pits for the water/sewer department to Water Works Supply Company, 5142 Hurley Pond Road, Farmingdale, NJ 07727 in an amount not to exceed Five Hundred Forty Five Dollars and Ninety One Cents(\$545.91).

16. Resolution 11-0506.14: Award a contract for Cleaning Services:

Hollander's Clean Team, per quote: NTE \$12,600.00 for the seasonal cleaning of public rest rooms in Long Beach Township

RESOLUTION 11-0506.14

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR CLEANING SERVICES FOR FOUR (4) PUBLIC RESTROOMS IN THE HOLGATE, BRANT BEACH, AND LOVELADIES SECTIONS OF THE TOWNSHIP OF LONG BEACH, PER QUOTATION

WHEREAS, the Township of Long Beach has solicited quotes for daily cleaning services, from May 27th through September 11th 2011, for the four (4) public rest room facilities located in the Holgate, Brant Beach, and Loveladies sections of the Township; and from September 12th 2011 through October 11th 2011 for the public rest room facilities at the Brant Beach Ballfield, Bayview Park, and Holgate Park from October 11th through November 27th, 2011 for the Public Works Department; 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, Hollander's Clean Team gave the lowest qualified quote.

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Building and Grounds Other Expenses #1-01-26-310-029.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 6th day of May 2011, for the reasons aforesaid, that a contract be and is hereby awarded to:

Hollander's Clean Team
P.O. Box 461
Barnegat Light, NJ 08006

for daily cleaning services, from May 27th through September 12th 2011, for the four (4) public rest room facilities located in the Holgate, Brant Beach, and Loveladies sections of the Township in an amount not to exceed Twelve Thousand Six Hundred Dollars (\$12,600.00); and for the Municipal Ballfield, Bayview Park and Holgate Parking Lot rest room facilities September 12th through October 11th 2010 in an amount not to exceed One Thousand Eight Hundred Dollars (\$1,800.00) per week; and for the Holgate Park facilities from October 11th 2011 through November 27th, 2011 in an amount not to exceed One Hundred Fifty Dollars (\$150) per week as per the quote received by the Township on March 2nd, 2011.

17. Resolution 11-0506.15

Award a contract for the purchase of various tires for the Water and Sewer Department, per state contract – Edward Tire, \$9,384.45

RESOLUTION 11-0506.15

AUTHORIZE A CONTRACT FOR THE PURCHASE VARIOUS TIRES FOR THE LONG BEACH TOWNSHIP WATER/SEWER DEPARTMENT, PER STATE CONTRACT

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

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

WHEREAS, Edwards Tire Co., Inc, PO Box 704, Farmingdale, NJ 07727 has been awarded New Jersey State Contract No. 71689 (T-0123) for Tires and Tubes effective April 9, 2011 to April 8, 2012; and

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

WHEREAS, the actual cost for the purchase of various tires shall not exceed Nine Thousand Three Hundred Eighty Four Dollars and Forty Five Cents (\$9,384.45); and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this contract as an appropriation entitled Streets and Roads Other Expenses, Account #1-01-26-290-025, Public Works O/E Account #1-01-26-302-025, Water/Sewer O/E Account# 1-09-55-549-025.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that Edwards Tire Co., Inc., PO Box 704, Farmingdale, NJ 07727 be awarded a contract for the purchase of various tires for the Public Works Department in an amount not to exceed Nine Thousand Three Hundred Eighty Four Dollars and Forty Five Cents (\$9,384.45).

Motion to approve Items 13 thru 17:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays

FINANCIAL APPROVALS

18. Resolution 11-0506.16: Approve the acceptance of a Maintenance Bond - \$675.00; and the release of a Performance Bond - \$1,650.00 for LUB 35-09

RESOLUTION 11-0506.16

WHEREAS, the Township of Long Beach has received from Charles Schraishuhn, Cashier's Check #5003564281 dated June 11, 2010, in the amount of Four Thousand Nine Hundred Fifty Dollars (\$4,950.00) drawn on Regions Bank, representing the required Performance Bond for Minor Subdivision #LUB-35-09, Block 14.08, Lots 19 & 20 (7805 Bayview Ave., Beach Haven Crest, NJ); and

WHEREAS, upon inspection of the property by the Township Engineer it has been determined that the sufficient work items have been completed and he recommended the partial release of the Performance Bond pursuant to Resolution 11-0304.11(c); and

WHEREAS, upon further inspection of the property by the Township Engineer it has been determined that all work items have been satisfactorily completed and he recommends receipt of a Maintenance Bond in the amount of Six Hundred Seventy Five Dollars (\$675.00); and

WHEREAS, upon receipt of the Maintenance Bond, the engineer authorizes the release of the Performance Bond balance.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the acceptance of the Maintenance Bond in the amount of Six Hundred Seventy Five Dollars (\$675.00) and also approves the release of the Performance Bond balance in the amount of One Thousand Six Hundred Fifty Dollars (\$1,650.00) as recommended by the Township Engineer.

19. Resolution 11-0506.17: Approve Bills & Payroll

Bills in the amount of: \$4,698,560.66

Payrolls in the amount of: \$ 489,568.84

Lynda Wells, Municipal Clerk stated various taxes were being paid.

RESOLUTION 11-0506.17

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 \$489,568.84

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 \$4,698,560.66 be and the same are hereby authorized to be paid on May 6, 2011.

2. The said approved payroll amounting to the sum of \$489,568.84 be and the same are hereby authorized to be paid on May 6, 2011.

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 18 & 19:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays

COMMISSIONERS' REPORTS

Commissioner Knarre announced the Health Department would hold rabies clinics on May 7th at 9:00 am in Beach Haven, 9:45 am in Ship Bottom and 10:30 am in Barnegat Light at their fire stations. He also announced the Townwide Yard Sale would be held on June 4th and 5th, 2011.

Commissioner Bayard stated the water/sewer pipe projects should be completed by Memorial Day.

Mayor Mancini announced the next meeting of the Board of Commissioners would take place on Friday, May 20, 2011 at 4:00 p.m. The public hearing for Ordinance 10-15C, 16C and 17, would be held at our May 20th 2011 meeting.

