

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS MAY 7, 2010
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 ABSENT

Also in attendance: Bonnie M. Leonetti, Municipal Clerk, Administrator
Lynda J. Wells, Deputy Municipal Clerk
Elizabeth Jones, Chief Financial Officer
William Antonides, Municipal Auditor

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.

Motion: To dispense with the reading of the minutes of the previous meeting of April 23rd 2010 and to approve the same as recorded in the minute book:

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

AGENDA

William Antonides / Municipal Auditor spoke regarding the preparation and process to create the 2010 Municipal Budget. He provided information concerning the tax levy and the reserve for uncollected taxes and explained the new tax rate to the public.

Motion to open public hearing on the introduced 2010 Municipal Budget:

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

Public Hearing on the 2010 Municipal Budget

No comment

Motion to close public hearing on the introduced 2010 Municipal Budget:

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

1. Resolution 10-0507.01: Adopt the 2010 Municipal Budget

RESOLUTION 10-0507.01

BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, County of Ocean that the amended budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$16,585,097.98 for municipal purposes, and certification to the County Board of Taxation of the following summary of general revenues and appropriations on this 7th day of May 2010.

Motion to approve Item 1:

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

PROCLAIM:

Older Americans Month: May 2010. This year's theme is "Age Strong! Live Long!"

PROCLAMATION

OLDER AMERICAN'S MONTH: MAY 2010

WHEREAS, the Township of Long Beach is a community that includes many citizens aged 60 and older; and

WHEREAS, the older adults in the Township of Long Beach are among of our most "treasured resources," united by historical experiences, strengthened by diversity, and interpreting events through varied perspectives and backgrounds to bring wisdom and insight to our community; and

WHEREAS, increasing numbers of adults are reaching retirement age and remaining strong and active for longer than ever before; and

WHEREAS, the older adults in the Township of Long Beach deserve recognitions for the contributions they have made and will continue to make to the culture, economy, and character of our community and our nation; and

WHEREAS, our community can provide that recognition and respect by improving the quality of life for older Americans by:

- Increasing their opportunities to remain active and engaged in community life;
- Providing individualized services and support systems to maintain the dignity, independence, and self-determination of older Americans as they age;
- Combating against negative attitudes by honoring their past, present, and future contributions.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach proclaims the month of May 2010 as "Older Americans' Month" to honor our older adults and the professionals, family members, and volunteers who care for many of them. Our recognition and involvement of older Americans can enrich our entire community's quality of life.

ORDINANCES/PUBLIC HEARINGS

2. Withdraw Ordinance 10-18C: **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 197 REGULATES AND PERMITS THE USAGE OF WATER SUPPLIED BY THE TOWNSHIP WATER AND SEWER DEPARTMENT**

Bonnie M. Leonetti, Municipal Clerk, Administrator stated the ordinance would be withdrawn at this time for further review of the odd/even watering schedule.

Motion to withdraw Ordinance 10-18C:

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

3. Second Reading Ordinance 10-19C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN SECTION 51-12 PERTAINS TO THE MAINTENANCE OF BEACH DUNE AREA**

ORDINANCE 10-19C

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN SECTION 51-12 PERTAINS TO THE MAINTENANCE OF BEACH DUNE AREA.

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

STATEMENT OF PURPOSE

This Ordinance which will only take effect after it has been approved by the State of New Jersey Department of Environmental Protection and the United States Army Corps of Engineers is intended to permit property owners to groom and maintain the oceanfront dune after it has been erected by the United States Army Corps of Engineers to maintain the elevation at the 22 foot elevation established by the Army Corps of Engineer. The Ordinance further provides that work shall only be done during the appropriate season when after the grading, sloping and maintenance has occurred dune grass or American beach grass may be planted in order to ensure stability of the dune.

SECTION I

§51-12 of an Ordinance entitled "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby amended by the addition of a new paragraph G as follows:

G. Maintenance of United States Army Corps of Engineers Dune

The United States Army Corps of Engineers, through extensive analysis determined that a 22 foot dune elevation (NAVD 1988) with a 125 foot width of berm or flat beach extending from the easterly toe of the dune to the mean high water line of the Atlantic Ocean, with periodic nourishment every seven years, provided the maximum net storm reduction benefits. Long Beach Township has determined that upon completion of the Long Beach Island Storm Damage Reduction Project oceanfront property owners may, subject to the provisions herein provided, groom and maintain the berm or dune to maintain an elevation of 22 feet as referenced by the 1988 North America Vertical Datum.

- (1) Special Permit. A special permit shall be required which shall be secured from the Long Beach Township Building Department on an application provided by the Long Beach Township Engineer.
 - (i) The application shall be accompanied by a profile prepared by the applicant's engineer to be approved by the Long Beach Township Engineer.
 - (ii) Prior to commencement of work the applicant's engineer shall stake out elevations of the proposed finished grades which stake out shall be inspected and approved by the Long Beach Township Engineer prior to the issuance of the permit.
 - (iii) The application shall be accompanied by a performance bond in such amount as the Long Beach Township Engineer may require to ensure completion of the work.
 - (iv) The application shall set forth:
 - a. the dates during which the work shall be done which dates must be approved by the Long Beach Township Engineer.
 - b. the name and address of the applicant.
 - c. the lot and block on which the work is to be done.
 - d. the proposed method by which the applicant desires to move or displace the sand, including a description of the equipment, machinery and other apparatus to be used.
 - e. an estimate of cubic yards of sand as to the quantity of sand to be removed or displaced.
 - f. any other information which may be required by the Long Beach Township Engineer in order to ensure safe and effective grooming of the dune or dike.
 - (v) The application and the specifications provided by the applicant's engineer shall indicate in detail where displaced sand will be placed.
 - (vi) After the dune or berm has been groomed to a height of 22 feet as referenced above it shall be planted with

- dune grass or American beach grass as specified by the Long Beach Township Engineer.
- (vii) All sand removed or displaced during the grooming process shall be placed easterly of the toe of the dune or berm.
 - (viii) Construction work will only be permitted during that period of time when dune grass or American beach grass is available to plant and stabilize the dune after it has been groomed. In no event shall the work be performed prior to October 1, nor after November 30 of any year.
- (2) Disposal of displaced sand which has blown and been deposited west of the oceanfront bulkhead line.
 - (i) Sand which has blown from the beach or the top of the dike or dune onto an oceanfront property owners lands west of the bulkhead line may upon receipt of a permit applied for by the oceanfront owner as hereinabove provided for in paragraph G (1) be removed and deposited on the beach area east of the bulkhead line.
 - (3) The provisions of this section shall supersede the provisions of Sections 51-8 and 51-9 only as to grooming or maintenance of the dune or dike constructed by the United States Army Corps of Engineers.

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 only after publication thereof after final passage according to law and after the Township of Long Beach has received approval from the United States Army Corps of Engineers and the State of New Jersey Department of Environmental Protection to implement the terms of this Ordinance.

NOTICE

Public Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a regular meeting of the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, held on Friday April 23, 2010 at 4:00 p.m.

Further public notice is hereby given that said ordinance shall be considered for final passage and adoption at a regular meeting of the Board of Commissioners to be held on Friday May 7, 2010 at 4:00 p.m. at the Public Safety Building, 6805 Long Beach Blvd., Brant Beach, NJ 08008.

CERTIFICATION

I, **BONNIE M. LEONETTI, RMC/CMC**, Municipal Clerk for the Township of Long Beach do hereby certify that the foregoing Ordinance 10-19C was duly adopted by the Board of Commissioners at their meeting held on Friday, May 7, 2010 at 4:00 p.m.

Bonnie M. Leonetti, Municipal Clerk, Administrator explained this Ordinance would take effect only after approval by the State of New Jersey Department of Environmental Protection and the United States Army Corps of Engineers. It was intended to permit property owners to groom and maintain the oceanfront dune after it has been erected by the United States Army Corps of Engineers in order to maintain a 22 foot elevation established by the Army Corps of Engineer. The Ordinance further provided that work would only be done during the appropriate season when after the grading, sloping and maintenance has occurred, dune grass or American beach grass could be planted in order to ensure the stability of the dune.

Passed on first reading at a regular meeting held on April 23, 2010 and advertised in the BEACH HAVEN TIMES issue of April 28, 2010.

OPEN PUBLIC HEARING

Neil Brower / Brant Beach asked for the timeline property owners would have to maintain their dune pursuant to Ordinance 10-19C.

Mayor Mancini explained the process and that maintenance tasks would need to take place in September and October of each year. He provided information on measurement of the toe of the dune.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 10-19C on Second Reading:

Motion: Bayard Ayes: Bayard, Mancini

Second: Mancini Nays:

4. First Reading Ordinance 10-20C: **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 205-2 PERTAINS TO ZONING**

Bonnie M. Leonetti, Municipal Clerk, Administrator noted this pertained to porches and overhead extensions.

Motion to approve Ordinance 10-20C on First Reading:

Motion: Bayard Ayes: Bayard, Mancini

Second: Mancini Nays:

ADOPTIONS, APPROVALS AND SUPPORT

5. Resolution 10-0507.02: Support Senate Bill S-120 / Assembly Bill A-309:
Provide additional state aid to municipalities with more than
51% of senior citizens aged 65 years and older

RESOLUTION 10-0507.02

SUPPORT SENATE BILL S-120 AND ASSEMBLY BILL A-309

WHEREAS, there is now pending in the New Jersey State Senate, Bill S-120 and Assembly A-309 sponsored by the 9th Legislative Delegation which includes Long Beach Township ; and

WHEREAS, S-120 and A-309 would provide additional state education aid to certain school districts for municipalities which have populations more than 51% of senior citizens aged 65 years or older; and

WHEREAS, S-120 and A-309 re-establish the state education aid category known as "Senior Citizen Supplemental Stabilization Aid"; and

WHEREAS, these bills would appropriate \$500.00 per pupil for students residing townships such as Long Beach; and

WHEREAS, the Board of Commissioners of the Township of Long Beach is in strong support of S-120 and A-309 which would more fairly and equitably provide aid to the Township School District.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach hereby supports the passage of S-120 and A-309 for the aforesaid reasons and authorizes the Municipal Clerk to forward certified copies of this resolution to the following:

- Governor Chris Christie
- New Jersey State Legislature
- 9th, 10th, and 30th Legislative Districts
- Ocean County Municipalities
- Public Employees Retirement System

6. Resolution 10-0507.03: Authorize application for the Bulletproof Vest Partnership Grant FY 2010:
Deputy Chief Leslie Houston

RESOLUTION 10-0507.03

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that, Leslie A. Houston, Deputy Chief of the Long Beach Township Police Department, be and she hereby is authorized and directed to apply for the Federal Bulletproof Vest Partnership Grant for the purchase of bulletproof vests.

7. Resolution 10-0507.04: Approve personnel actions

Bonnie M. Leonetti, Municipal Clerk, Administrator explained the various actions.

RESOLUTION 10-0507.04

BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach:
Approve an extension of an unpaid medical leave of absence to May 21, 2010 based on disability pension notification for MB.

BEACH PATROL

Hire the following as Seasonal Part Time Laborers at the rate of \$10.00 per hour to be paid from Lifeguard Salary & Wage effective May 7, 2010.

Lauren Craig	Patrick Craig	Michael Dancha
Terry Dorman	Shannon Dries	Dillon Durando
Thomas Duralek	William Galese	Kelsey Jensen
Sean Kelly	Adam Lambert	Jill Lambert

Christopher Ondik

BUILDING

Approve the transfer from the Building Office to the Water/Sewer office for Vera Monahan at the same rate of pay effective April 27, 2010.

HEALTH

Hire the following as a Seasonal Part Time Health Aide at the rate of \$7.25 per hour to be paid from Health Salary & Wage effective May 24, 2010.

Matt Crane

PUBLIC WORKS

Temporary services ended as of May 1, 2010 for Angela Andersen in the Public Works Department.

Hire the following as Seasonal Full Time Laborers at the rate of \$8.50 per hour to be paid from Public Works Salary & Wage effective May 10, 2010.

Robert Parker III Nicholas Teyssier

Hire the following as Seasonal Full Time Laborers at the rate of \$8.00 per hour to be paid from Public Works Salary & Wage effective May 10, 2010.

Nicholas Altmeyer James R. O'Brien Jeffrey Zalfa

Hire the following as a Seasonal Part Time Sanitation Inspector at the rate of \$12.00 per hour to be paid equally from the Building Salary & Wage and the Public Works Salary & Wage effective May 17, 2010.

Thomas Hogan

8. Resolution 10-0507.05: Support consensus among Long Beach Township Municipalities with regard to the defeated LBI Consolidated School District Budget to conduct an independent study by a professional consultant in order to identify cost saving measures

Mayor Mancini assured the public that no extra-curricula activities or class trips would be cut.

RESOLUTION 10-0507.05

A RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, EXPRESSING THE SENTIMENT OF THE GOVERNING BODY IN REGARD TO THE DEFEATED SCHOOL BUDGET OF THE LONG BEACH ISLAND CONSOLIDATED SCHOOL DISTRICT

WHEREAS, the General Fund Tax Levy for the base budget of the Long Beach Island Consolidated School district (hereinafter "District" was defeated by the voters at the annual school election held on April 20, 2010; and

WHEREAS, the District consists of two (2) schools including the Long Beach Island Grade School (Grades 4 to 6) and the Ethel A. Jacobsen School (Kindergarten through Grade 3) together with a pre-school program; and

WHEREAS, the enrollment of the School District was 225 students as of October 2009; and

WHEREAS, it has been reported by former District employees and parents that at one point in time, in the history of the two (2) schools, there were as many as 800 students enrolled in the District; and

WHEREAS, records dating back to 1978 show the enrollment of 449 students and no less than two (2) years ago there were 251 students, demonstrating that there is a declining enrollment in the District; and

WHEREAS, the constituent municipalities of Barnegat Light, Harvey Cedars, Surf City, Ship Bottom, and Long Beach Township which comprise the District (hereinafter collectively, "municipalities") find that the declining student enrollment of the District necessitates the performance of an independent study of the District for the purpose of assuring the taxpayers of the municipalities that their tax dollars for education in the District are spent in the best interest of the school children and taxpayers of the municipalities; and

WHEREAS, the study would include recommendations for the cost savings in the District as well as any other recommendations that will ensure that the best interests of the school children and taxpayers are being advanced; and

WHEREAS, the mayors and representatives of the municipalities have met and consulted with members of the Board of Education (hereinafter "Board") and Superintendent of the District in accordance with the provisions of N.J.S.A. 18A:22-37 and the guidelines established by the Executive County Superintendent of Schools for defeated school budgets, at which time the District Board of Education was advised of an acceptable budget reduction of \$410,000.00 contingent upon the Board retaining the services of a professional consultant, acceptable to the municipalities, which consultant shall perform a study of the entire District for the purposes as previously set forth herein, at the sole cost and expense of the District; and

WHEREAS, the Mayors and representatives of the municipalities have reached a tentative agreement with representatives of the Board and District Superintendent that the proposed budget reduction and independent study be addressed at the next forthcoming meeting of the Board for consideration and approval and will notify the municipalities of the Board's actions; and

WHEREAS, it was clearly understood by members of the Board present that, should the Board fail to agree with proposed budget reduction and engaging the services of a professional consultant for the purposes of an independent study, the municipalities will reconvene and further substantially cut the budget; and

WHEREAS, those members of the Board present agreed that notification of the Board's decision with regard to the proposed budget reduction and independent study will be forthcoming prior to the May 19th deadline in order for the municipalities to further review the defeated budget and to take the necessary action in accordance with laws governing defeated school budgets.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Township of Long Beach, County of Ocean, State of New Jersey, as follows;

1. That the governing body finds and declares that there is a declining student enrollment in the District which necessitates a study to be performed by an independent consultant for the purpose of assuring the taxpayers of the constituent municipalities that their tax dollars for education in the District are spent in the best interests of the school children and taxpayers of the District and that such study shall include recommendations which consider the best interests of the students and taxpayers.

That the independent study shall be performed by a professional consultant, acceptable to the municipalities, and retained at the sole cost and expense of the District.

2. That a reduction of \$410,000.00 in the defeated District budget is acceptable to the municipalities provided, however, that the Board formally agrees with the proposed budget reduction and the hiring of a professional consultant to perform an independent study of the District consistent with the purposes as herein set forth and which study shall be performed at the sole cost and expense of the District.
3. That any reduction in services address unnecessary expenses and "fat" in the budget. Cuts would not include cancellation of student activities such as, but not limited to, school trips and other like events that are an integral part of the school experience.

9. Resolution 10-0507.06: Authorize an online auction of Municipal Property on GovDeals: miscellaneous equipment, lost/found items, miscellaneous vehicle equipment

Bonnie M. Leonetti, Municipal Clerk, Administrator advised this was the 3rd online auction conducted by Long Beach Township in 2010. Additional auctions would be conducted as necessary.

RESOLUTION 10-0507.06

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, the Township of Long Beach is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Board of Commissioners of the Township of Long Beach is desirous of selling said surplus property in an "as is" condition without express or implied warranties; 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; and

WHEREAS, the sale is being conducted pursuant to Local Finance Notice 2008-9; and

WHEREAS, pursuant to Resolution 09-0724.10(b) the Township of Long Beach has entered an agreement with GovDeals, Inc., for online auctioneering services; and

WHEREAS, the sale will be online and the address of the auction site is www.govdeals.com ; and

WHEREAS, the description of these tangible personal and public property items is hereby attached as 'Schedule A'.

NOW, THEREFORE, BE IT RESOLVED by Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, that the Township of Long Beach approves the online auctioneering for property no longer of use to the Township in May 2010.

Motion to approve Items 5 - 9:

Motion: Bayard Ayes: Bayard, Mancini

Second: Mancini Nays:

LICENSES AND PERMITS

10. Resolution 10-0507.07: Approve 2010 Motorized Ice Cream Vendors for Long Beach Township

RESOLUTION 10-0507.07

WHEREAS, the Revised General Code of the Township of Long Beach 1997 Chapter 195 provides that the Board of Commissioners shall limit the number of persons desiring to sell or vend ice cream or ice cream products in the Township of Long Beach; and

WHEREAS, it is the desire of said Board to place a limitation on same in order to avoid undue crowding, littering, traffic congestion and the like.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach that the following vendors shall be issued a license for the selling or vending of ice cream or ice cream products subject to all requirements and restrictions for the year 2010.

<u>Vendor Name</u>	<u>Vendor ID Number</u>
Cold Waves	ICM 10-01
Surf Ice Cream	ICM 10-02
Bun-Jim Ice Cream	ICM 10-03
Bay Berry Ice Cream	ICM 10-04
Ice Cream N Dreams	ICM 10-06
Michael Fiorentino	ICM 10-07
Touchdown Tommy's	ICM 10-08
Good 'Ol Dayz Ice Cream	ICM 10-09
<u>Vendor Name</u>	<u>Vendor ID Number</u>
Henry J. Klos, Jr.	ICV 10-01

11. Resolution 10-0507.08(a&b): Approve various applications for Social Events Permits:

a. Block Party on East Jerome Ave. (91st St.) on 7/3/10

RESOLUTION 10-0507.08(a)

WHEREAS, in response to homeowners requests for the following:

1) Permission to close E. Jerome Avenue, between Beach Ave. and Long Beach Blvd. from 2:00 p.m. to 10:00 p.m. leaving a lane open for emergency vehicles on July 3, 2010 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 on East Burwell Ave. (71st St.) on 7/3/10

RESOLUTION 10-0507.08(b)

WHEREAS, in response to homeowners requests for the following:

1) Permission to close E. Burwell Avenue, between Ocean Blvd. and Long Beach Blvd. from 4:00 p.m. to 10:00 p.m. leaving a lane open for emergency vehicles on July 3, 2010 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 10-0507.09: Approve renewal application for a tattoo license:

Island Tattoo Studio, 1214 Long Bch Blvd, NBH

RESOLUTION 10-0507.09

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 2010; 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 10-01, be and hereby is granted effective May 1, 2010 through April 30, 2011.

Motion to approve Items 10 - 12:

Motion: Bayard Ayes: Bayard, Mancini

Second: Mancini Nays:

CONTRACTS AND AWARDS

13. Resolution 10-0507.10: Award various contracts for Beach Patrol Uniforms, per bid:

<u>Ampro Sportswear:</u>	Lifeguard uniforms
<u>Metuchen Center, Inc.:</u>	Lifeguard uniforms
<u>Original Watermen:</u>	Lifeguard uniforms
<u>Shore Promotions:</u>	Lifeguard & Beach Badge uniforms

RESOLUTION 10-0507.10

BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the following bids be awarded for the year 2010:

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

Ampro Sports: 1 yr. contract

Primos, PA

Metuchen Center Inc.: 1 yr. contract

New Brunswick, NJ

Original Watermen, Inc.: 1 yr. contract

Encinitas, CA

Shore Promotions: 1 yr. contract

Ship Bottom, NJ

Beach Badge Uniforms - Various items per individual contracts pursuant to Exhibit B attached hereto:

Shore Promotions: 1 yr. contract

Ship Bottom, NJ

14. Resolution 10-0507.11: Award a contract for the purchase of a Master III Repeater for the Police Department, per State Contract: RF Design & Integration, Inc.: \$8,756.00

RESOLUTION 10-0507.11

AUTHORIZE A CONTRACT FOR THE PURCHASE AND INSTALLATION OF ONE (1) HARRIS MASTR3 STATION, CONVENTIONAL MASTR III PACKAGE, 450-470 ONE (1) DUPLEXER 450-470 Mhx SXDU1M FOR THE LONG BEACH TOWNSHIP POLICE 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, RF Design & Integration Inc. has been awarded New Jersey State Contract No. 53770 (Index #T-0109) entitled Radio Communication Equipment and Accessories, for one (1) HARRIS MASTR3 STATION, CONVENTIONAL MASTR III PACKAGE, 450-470 and one (1) Duplexer 450-470 Mhx SXDU1M effective through January 1, 2003 to October 31, 2010 (12th extended period); and

WHEREAS, the Commissioner of Public Safety 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 of one (1) HARRIS MASTR3 STATION, CONVENTIONAL MASTR III PACKAGE, 450-470 and one (1) Duplexer 450-470 Mhx SXDU1M is Eight Thousand Seven Hundred Fifty Six Dollars (\$8,756.00); and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this contract available as an appropriation Capital Budget Line Item – Purchase Back-up Repeater, Account #C-04-55-300-009.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that RF Design & Integration Inc., P.O. Box 65055, 4725 Wingate Street, Philadelphia, PA 19136 be awarded a contract for the purchase and installation of one (1) HARRIS MASTR3 STATION, CONVENTIONAL MASTR III PACKAGE, 450-470 and one (1) Duplexer 450-470 Mhx SXDU1M for the Police Department in an amount not to exceed Eight Thousand Seven Hundred Fifty Six Dollars (\$8,756.00).

15. Resolution 10-0507.12: Award a negotiated contract for the purchase of Constant Chlor Briquettes for the Water/Sewer Department: G.P. Jager & Assoc:
\$95.00 per 50 lb. pail

RESOLUTION 10-0507.12

A RESOLUTION AWARDED A NEGOTIATED CONTRACT FOR THE SUPPLY AND DELIVERY OF CONSTANT CHLOR BRIQUETTES FOR THE WATER/SEWER DEPARTMENT OF THE TOWNSHIP OF LONG BEACH

WHEREAS, the Township of Long Beach advertised for the receipt of bids for the purchase and delivery of Constant Chlor Plus Briquettes or Equivalent on January 16, 2010; and

WHEREAS, bids were received from three (3) bidders and publicly opened on February 9th 2010; and

WHEREAS, upon review of the municipal solicitor, it was determined that the bids were non-responsive and pursuant to Resolution 10-0219.11 passed on February 19, 2010, all bids were rejected and authorization to re-bid Constant Chlor Plus Briquettes or Equivalent was granted; and

WHEREAS, the Township of Long Beach advertised for the receipt of bids for the purchase and delivery of Constant Chlor Plus Briquettes or Equivalent on March 24, 2010; bids were publicly opened on April 13, 2010 and again determined to be non-responsive; and

WHEREAS, pursuant to Resolution 10-0423.07 passed on April 23rd 2010 and N.J.S.A. 40A-11-13.2e the Governing Body rejected all bids, c.198 (C.40A:11-1 et seq.) and authorized the negotiation of a contract for the purchase and delivery of Constant Chlor Plus Briquettes or Equivalent pursuant to N.J.S.A.40A:11-5(3).

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 7th day of May 2010, for the reasons aforesaid, that a negotiated contract be and is hereby awarded to G.P. Jager & Associates, Inc., 10 Bradley Lane, Montvale, NJ 07645 in the amount of \$95.00 per 50 lb. pail for the purchase and delivery of Constant Chlor Plus Briquettes.

16. Resolution 10-0507.13: Authorize the execution of an Intergovernmental Shared Services Agreement with the Borough of Beach Haven:
Purchase of Evacuation Re-Entry Placards

RESOLUTION 10-0507.13

A RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL SHARED SERVICES AGREEMENT WITH THE BOROUGH OF BEACH HAVEN AS LEAD AGENCY AND THE BOROUGH OF BARNEGAT LIGHT, HARVEY CEDARS, SURF CITY, SHIP BOTTOM AND STAFFORD TOWNSHIP FOR THE PURCHASE OF EVACUATION RE-ENTRY PLACARDS

WHEREAS, the Long Beach Island Evacuation Re-Entry Plan was approved pursuant to Long Beach Township Resolution 10-0305.02 passed on March 5th 2010 and has been duly adopted by each of the said participating municipalities; and

WHEREAS, the plan requires each municipality to provide re-entry placards to each homeowner, as well as essential emergency personnel in the event of an emergency; and

WHEREAS, the participating municipalities have agreed that the Borough of Beach Haven shall act as lead agency in the procurement of the required placards; and

WHEREAS, the cost of placards, as well as shipping costs, have been proportionately distributed and outlined as part of the agreement attached hereto.

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 Township is authorized to participate in, and the Mayor and Municipal Clerk are hereby authorized to execute, an Intergovernmental Shared Services Agreement with the Borough of Beach Haven acting as Lead Agency for the purchase of Evacuation Re-Entry Placards in accordance with the provisions of law; and

BE IT FURTHER RESOLVED that certified copies of this resolution shall be sent to all Island municipalities and Stafford Township.

17. Resolution 10-0507.14: Award a contract for the lease/purchase of one (1) 2010 Ford Crown Victoria Police Interceptor vehicle for the Police Department, per Bid:
Winner Ford: \$8,070.28 per year for 3 years with a \$1.00 buy-out at the end of the lease term

RESOLUTION 10-0507.14

A RESOLUTION AWARDING A CONTRACT FOR THE LEASE / PURCHASE OF ONE (1) 2010 FORD CROWN VICTORIA POLICE INTERCEPTOR VEHICLE FOR THE POLICE DEPARTMENT OF THE TOWNSHIP OF LONG BEACH, PER BID

WHEREAS, the Township of Long Beach has solicited bids for the lease / purchase and delivery of one (1) 2010 Ford Crown Victoria Police Interceptor vehicle or equivalent for the Police Department of 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, Charles S. Winner dba Winner Ford gave the lowest qualified bid as per the Purchasing Agent's review and approval.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 7th day of May 2010, for the reasons aforesaid, that a contract be and is hereby awarded to:

Charles S. Winner dba Winner Ford
250 Haddonfield-Berlin Road
Cherry Hill, NJ 08034

for the lease / purchase and delivery of one (1) 2010 Ford Crown Victoria Interceptor vehicle in an amount not to exceed Twenty Two Thousand Seven Hundred Ninety Four Dollars (\$22,794.00) payable to Ford Motor Credit Company in three installments: \$8,070.28 upon delivery, \$8,070.28 due twelve months after delivery, and \$8,070.26 due twenty four months after delivery, with a buy-out amount of \$1.00 by the Township at the end of the term, as per bid received May 5, 2010.

18. Resolution 10-0507.15(a&b): Approve the execution of various employee contracts:
a. Chief of Police and Deputy Chief of Police

RESOLUTION 10-0507.15(a)

RESOLUTION AUTHORIZING EXECUTION OF EMPLOYEE CONTRACTS WITH EMPLOYEES IN THE POLICE DEPARTMENT

WHEREAS, as a result of negotiations between the Chief of Police, the Deputy Chief of Police and the Township of Long Beach, employee contract terms were agreed upon between the said parties for each contract; and

WHEREAS, employee contracts have been prepared that accurately reflect the agreement between the parties, and have been reviewed and approved by the appropriate representatives of each party; and

WHEREAS, the Commissioner of Public Affairs and Safety and the entire Board of Commissioners deem it to be in the best interest of the Township of Long Beach to approve said employee contracts between the Chief of Police, the Deputy Chief of Police, and the Township of Long Beach.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach at a regular meeting held May 7, 2010 that the Mayor and Municipal Clerk shall and hereby are authorized to execute the appropriate documents as described above and enter into two (2) new two (2) year Employee Contracts with the Chief of Police and the Deputy Chief of Police covering the period January 1, 2009 through December 31, 2010.

b. Collective Bargaining Unit PBA Local #373 (Rank & File)

RESOLUTION 10-0507.15(b)

RESOLUTION AUTHORIZING EXECUTION OF PBA LOCAL NO. 373 COLLECTIVE BARGAINING UNIT CONTRACT REPRESENTING RANK & FILE IN THE POLICE DEPARTMENT

WHEREAS, as a result of negotiations between PBA Local No. 373 and the Township of Long Beach, contract terms were agreed upon between the said parties; and

WHEREAS, a contract has been prepared which accurately reflects the agreement between the parties, and has been reviewed and approved by the appropriate representatives of both parties; and

WHEREAS, the Commissioner of Public Affairs and Safety and the entire Board of Commissioners deems it to be in the best interest of the Township of Long Beach to approve said contract between the Township and PBA Local No. 373.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach at a regular meeting held May 7, 2010 that the Mayor and Municipal Clerk shall and are hereby authorized to execute the appropriate documents as described above and enter into a new two (2) year Collective Bargaining Agreement with PBA Local No. 373 Rank & File covering the period January 1, 2009 through December 31, 2010.

Motion to approve Items 13 - 18:

Motion: Bayard Ayes: Bayard, Mancini

Second: Mancini Nays:

FINANCIAL APPROVALS

b. Resolution 10-0507.16:	Approve Bills & Payroll
Bills in the amount of:	\$1,857,429.43
Payrolls in the amount of:	\$ 436,924.24

RESOLUTION 10-0507.16

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 \$436,924.24.

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 \$1,857,429.43 be and the same are hereby authorized to be paid on May 7, 2010.

2. The said approved payroll amounting to the sum of \$436,924.24 be and the same are hereby authorized to be paid on May 7, 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 Item 19:

Motion: Bayard Ayes: Bayard, Mancini

Second: Mancini Nays:

Mayor Mancini invoked the Doctrine of Necessity in order to vote on Ocean County Hospital and Mancini Custom Homes vouchers.

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

COMMISSIONERS' REPORTS

Commissioner Bayard updated the public on the recent sewer line break located at 37th Street north to Ship Bottom. He noted Ocean County had begun paving work in Long Beach Township.

Mayor Mancini announced the next meetings of the Board of Commissioners and the Land Use Board. He noted 2nd Reading and Public Hearing of Ordinance 10-20C would take place on June 4th 2010. He thanked CFO Lisa Jones and her staff for their hard work in preparing the Municipal Budget. The Mayor stated there would be four new Bicycle Patrol Officers in the Police Department. He advised the public that a new state law required vehicles to stop for pedestrians crossing roads. Speed limits would be lowered on Long Beach Boulevard on May 17th and traffic lights would be operational on May 24th.

OPEN PUBLIC SESSION

William Felix / North Beach expressed his concern regarding a recent incident that involved the municipal solicitor which had occurred outside of New Jersey at a hunting event.

Mayor Mancini explained that the municipal solicitor was not a Township employee and the incident did not occur in his capacity as the solicitor. He noted the solicitor was entitled, under First Amendment rights, to express his opinions. He also noted the solicitor was not representing Long Beach Township when the incident occurred.

Commissioner Bayard added termination of the solicitor's contract could result in litigation.

CLOSE PUBLIC SESSION

Motion for adjournment at: 4:26 p.m.

Motion: Bayard Ayes: Bayard, Mancini

Second: Mancini Nays:

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

Joseph H. Mancini, Mayor

Ralph H. Bayard, Commissioner

Absent
William P. Knarre, Commissioner