

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS MAY 17, 2013
Flag Salute

Meeting came to order: 4:00 p.m.

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

Also in attendance: Lynda J. Wells, Municipal Clerk
Teresa S. Sgro, Deputy Municipal Clerk

Municipal Clerk announced: Notice of the time and place of this meeting has been posted in the office of the Municipal Clerk, published by the BEACH HAVEN TIMES and the ASBURY PARK PRESS on December 13th 2012; and filed with the Municipal Clerk.

Motion: To dispense with the reading of the minutes of the May 3, 2013 meeting and to approve the same as recorded in the minute book:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

AGENDA

PRESENTATION: Recognizing Long Beach Island Emergency Operations Center: Coordinator Chief Michael Bradley and Deputy Coordinators Brendan Kerlin and James Hartmann

Atlantic City Electric presented its annual Merit of Excellence Award for Commitment to Public Safety to the Long Beach island Emergency Operations Center, for its significant contribution in supporting Atlantic City Electric's communication and restoration efforts during Superstorm Sandy.

The presentation was made May 8th during the NJ Emergency Preparedness Conference in Atlantic City.

Long Beach Island suffered extensive damage and the most electrical infrastructure in Atlantic City Electric's territory.

Chief Michael Bradley, OEM Coordinator spearheaded the new emergency communication center which played a critical role in assisting AC Electric in its restoration efforts through relaying critical and timely information to first responders, emergency managers and community leaders, among others.

ORDINANCES & PUBLIC HEARINGS

1. Second Reading Ordinance 13-14C: **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 94 PERTAINS TO FLOOD DAMAGE PREVENTION.**
THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LONG BEACH DO ORDAIN:

STATEMENT OF PURPOSE

The purpose of this Ordinance is to comply with requirements imposed by both State and Federal Agencies in order to ensure that the residents of the Township of Long Beach are eligible for Increased Cost of Compliance and other Federal Hazardous mitigation Grant Funds. This Ordinance is adopted to the amend Chapter 94 of the Code of the Township of Long Beach which deals with flood damage prevention and Chapter 94 is amended as herein below set forth by the addition of amendatory language proposed by:

Amanda Gowans, CFM
ISO/CRS Specialist
ISO Community Hazard Mitigation
7982 Brightlight Place
Ellicott City, MD 21043

SECTION II

§94-3 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 the following words or terms immediately before the definition of the word "appeal":

Advisory Base Flood Elevation (ABFE) – The elevation shown on a community's Advisory Flood Hazard Map (AFHM), also known as the communities Flood Insurance Rate Map (FIRM) that indicates the advisory Stillwater elevation plus wave effect (ABFE=SWEL + wave effect) resulting from a flood that has 1-percent or greater chance of being equaled or exceeded in any given year.

Advisory Flood Hazard Area (AFHA) – The land in the floodplain within a community subject to flooding from the 1% annual chance event depicted on the Advisory Flood Hazard Map.

Advisory Flood Hazard Map - - The official map on which the Federal Emergency Management Administration has delineated the areas of advisory flood hazards applicable to the community.

SECTION III

The definition of "**substantial improvement**" contained in §94-3 of an Ordinance entitled, "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby amended in the second line by inserting the words "equals or" between the word "which" and the words "exceeds 50 percent"

SECTION IV

§94-4B(1) of an Ordinance entitled "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" is hereby repealed and in lieu and instead thereof the following is adopted:

(a) A scientific and engineering report "flood insurance study, Ocean County, New Jersey," dated September 29, 2006 and all revisions, amendments or substitutions thereto proposed or finally adopted by the Federal Emergency Management Agency, including but not limited to the Advisory Flood Maps for the New Jersey Coast released by the Federal Emergency Management Agency on December 12, 2012 and any revisions, amendments or modifications thereto which may be adopted in the future.

(b) Flood Insurance Rate Map for Ocean County New Jersey as shown on Index and numbers 0584,0592,0603,0611, whose effective date was September 29, 2006 and any and all amendments or modifications thereto which may be adopted in the future.

(c) Advisory Base Flood Elevations and Advisory Flood Hazard Maps dated December 12, 2012

SECTION V

§94-9 of an Ordinance entitled "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" is hereby amended by the repeal of the introductory line reading, "In all areas of special flood hazards the following provisions shall be required:" and adopting in lieu and instead thereof the following:

In all areas of special flood hazards compliance with the applicable requirements of the Uniform Construction Code (N.J.A.C. 5:23) and the following standards, whichever is more restrictive, is required:

SECTION VI

§94-9D sub-paragraphs (1), (2) and (3) of an Ordinance entitled "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" are hereby amended as follows:

(a) the words "and other proposed new development" shall be inserted following the word "proposals" and prior to the words "shall be consistent with."

(b) is amended by the insertion of the words "and other proposed new development" following the word "proposals" and prior to the phrase "shall have public utilities"

(c) is amended by the addition of the words "and other proposed new development" following the word "proposals" and prior to the phrase "shall have adequate."

SECTION VII

§94-10 sub-paragraphs A and B of an Ordinance entitled "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" are hereby repealed and in lieu and instead thereof the following is adopted:

A. Residential construction.

(1) New construction and substantial improvement of any residential structure shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities, elevated at or above the base flood elevation or advisory base flood elevation whichever is more restrictive, plus one foot or more;

(2) Require any AO Zone on the municipalities FIRM that all new construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated above the highest adjacent grade one foot or more above the depth number specified in feet (at least three feet if no depth number is specified) or at or above the advisory base flood elevation plus one foot, whichever is more restrictive. And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.

B. Nonresidential construction.

In an area of Special Flood Hazard, all new construction and substantial improvement of any commercial, industrial or other nonresidential structure shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities constructed to meet one of the following two construction standards:

STANDARD 1.

(1) Elevated to or above the base flood elevation or advisory base flood elevation whichever is more restrictive, plus one foot or more; and

(2) Require within any AO zone on the municipality's FIRM that all new construction and substantial improvement of any commercial, industrial or other nonresidential structure shall have the lowest floor, including basement, elevated above the highest adjacent grade one foot or more above the depth number specified in feet (at least three feet if no depth number is specified) or at or above the advisory base flood elevation plus one foot whichever is more restrictive and shall further require adequate drainage paths

around structures on slopes to guide floodwaters around and away from proposed structures.

STANDARD 2.

- (1) Be floodproofed so that below base flood level plus one foot or more or advisory base flood elevation plus one foot or more, whichever is more restrictive, the structure is water tight with walls substantially impermeable to the passage of water; and
- (2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
- (3) Be certified by a Registered Professional Engineer or Architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of this subsection. Such certification shall be provided to the official as set forth in §101- 4B(1).

SECTION VIII

§94-10D of an Ordinance entitled "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" is hereby amended by elimination of the period and the addition of the following language: or advisory base flood elevation, plus one foot or more whichever is more restrictive.

SECTION IX

§94-11 of an Ordinance entitled "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" is hereby amended by repeal of the first line thereof and adoption in lie and instead thereof of the following:

Coastal High Hazard Area (V or VE Zones) are located within the areas of special flood

SECTION X

§94-11B of an Ordinance entitled "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" is hereby repealed and in lieu and instead thereof the following is adopted:

- (a) Elevation. All new construction and substantial improvements shall be elevated on piling or columns so that:
 - (i) The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to or above the base flood elevation, advisory base flood elevation or as required by the uniform construction code (N.J.A.C. 5:23) whichever is more restrictive and
 - (ii) With all space below the lowest floor's supporting member open so as not to impede the flow of water, except for breakaway walls as provided for in §101-5C(2)(d).

SECTION XI

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

SECTION XII

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 XIII

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

Passed on first reading at a regular meeting held on May 3, 2013 and advertised in the BEACH HAVEN TIMES issue of May 9, 2013.

OPEN PUBLIC HEARING

No Comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 13-14C on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

2. First Reading Ordinance 13-15: **BOND ORDINANCE AUTHORIZING THE ACQUISITION OF EQUIPMENT FOR GROUNDING AND LIGHTENING PROTECTION IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$135,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$128,200; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Motion to approve Ordinance 13-15 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

3. First Reading Ordinance 13-16: **BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT FOR THE PUBLIC WORKS DEPARTMENT IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$135,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$128,200; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Motion to approve Ordinance 13-16 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

4. First Reading Ordinance 13-17: **BOND ORDINANCE AUTHORIZING THE ACQUISITION OF A BEACH TRUCK FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$45,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$42,750; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Motion to approve Ordinance 13-17 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

5. First Reading Ordinance 13-18: **BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VEHICLES FOR THE PUBLIC WORKS DEPARTMENT IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$70,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE**

AGGREGATE PRINCIPAL AMOUNT OF UP TO \$66,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Motion to approve Ordinance 13-18 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

6. First Reading Ordinance 13-19: **BOND ORDINANCE AUTHORIZING THE PAINTING OF THE BRANT BEACH AND HOLGATE WATER TOWERS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$500,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$500,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Motion to approve Ordinance 13-19 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

7. First Reading Ordinance 13-20: **AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY, APPROPRIATING \$60,000.00 FROM THE UTILITY CAPITAL IMPROVEMENT FUND TO PROVIDE FUNDING FOR THE PURCHASE OF TWO PICK-UP TRUCKS FOR THE WATER-SEWER DEPARTMENT OF LONG BEACH TOWNSHIP**

Motion to approve Ordinance 13-20 on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

ADOPTIONS & APPROVALS

8. Resolution 13-0517.01: Approve the 2013 "Thank You Fest"
June 14, 15 & 16, 2013

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach approves the "Thank You Fest" June 14, 15 & 16, 2013 at various locations in Long Beach Township, to thank first responders for their dedicated help during the recovery process in the aftermath of Superstorm Sandy which devastated Long Beach Island in October of 2012.

9. Resolution 13-0517.02: Approve the following actions regarding bids:
- Reject all bids for the supply & delivery of lumber
 - Authorize the re-advertisement and receipt of bids for the supply & delivery of lumber
 - Authorize Receipt of Bids for the mitigation of Block 1.16, Lots 2-7, 12, and 14-18 in Holgate

WHEREAS, the Township of Long Beach wishes to approve the following actions as they pertain to bids:

- Reject all bids received 5/14/13 for the supply and delivery of lumber (bid specifications were insufficient)
- Authorize the re-advertisement for the receipt of bids for the supply and delivery of lumber retro-active to 5/16/13
- Authorize the receipt of bids for the mitigation of Block 1.16, Lots 2-7, 12, 14-18 in Holgate

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach, a Municipal Corporation of the State of New Jersey, at a regular meeting held Friday, May 17, 2013, authorize the above noted actions as they pertain to bids.

10. Resolution 13-0517.03: Approve a special activity:
Eastern Surfing Association –
2013 LBI Central Jersey Surf Contests
- June 1st or 2nd – 67th Street, Brant Beach
No wave dates June 8th or 9th
 - July 6th or 7th – 122nd Street, the Dunes
No wave dates July 13th & 14th

- August 3rd & 4th – 110th Street, Haven Beach
No wave dates August 10th or 11th

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach approves the below-listed annual events:

Eastern Surfing Association, Central New Jersey Chapter, Surfing Contests:

- 67th Street in Brant Beach on June 1st or 2nd (weather permitting) from 8:00a.m to 4:00p.m. No wave date: June 8th or 9th
- 122nd Street in the Dunes on July 6th or 7th (weather permitting) from 8:00 a.m. to 4:00p.m. No wave date: July 13th or 14th
- 110th Street in the Haven Beach Section of the Township on August 3rd or 4th (weather permitting) from 8:00a.m to 4:00p.m. No wave date: August 10th or 11th

11. Resolution 13-0517.04: Approve personnel actions

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

ASSESSOR

Please change the following employee to be paid fifty (50) percent (%) from Assessor Salary & Wage and fifty (50) percent (%) from Municipal Clerk Salary & Wage effective May 18, 2013.

Haley Johnson

BEACH PATROL

Hire the following employee as a Seasonal Beach Badge Program Assistant Supervisor at the rate of \$10.50 per hour to be paid from Beach Badge Salary & Wage effective May 17, 2013.

Patrick Cleary

Hire the following employees as Seasonal Beach Badge Program

Sellers/Checkers at the rate of \$9.70 per hour to be paid from Beach Badge Salary & Wage effective May 17, 2013.

Mary Kate Gray

Heather Nelke

Marissa Nelke

Hire the following employee as a Seasonal Beach Badge Program

Seller/Checker at the rate of \$10.10 per hour to be paid from Beach Badge Salary & Wage effective May 17, 2013.

Megan Kinney

Hire the following employees as Seasonal Part-Time Laborers at the rate of \$10.00 per hour to be paid from Lifeguard Salary & Wage effective May 17, 2013.

Terence Dorman

Brittney Royer

Sara Scangarello

Hire the following employee as a Seasonal Part-Time Laborer at the rate of \$10.50 per hour to be paid from Lifeguard Salary & Wage effective May 17, 2013.

Kathleen Callahan

Hire the following employee as a Seasonal Part-Time Laborer at the rate of \$15.25 per hour to be paid from Lifeguard Salary & Wage effective May 17, 2013.

John Wozniak

CLERK

Hire the following as a Full-time Clerk at the annual rate of \$36,400.00 per year to be paid from Municipal Clerk Salary & Wage effective retro-active to May 13, 2013.

Katlyn Forsyth

CONSTRUCTION

Approve a \$5,200.00 increase to the following employee's base salary to be paid from Construction Salary & Wage effective retro-active to May 11, 2013.

Greg Cirillo

HEALTH

Please correct the following employee's effective hire date, which was approved via Resolution 13-0503.04 from May 6, 2013 to be effective retro-active to April 20, 2013.

Eugene Mulgrew
POLICE

Hire the following employee as a Seasonal Class II Special Officer at the rate of \$16.00 per hour to be paid from Police Salary & Wage effective May 18, 2013.

William Gee

Hire the following employee as a Seasonal Class I Special Officer at the rate of \$11.00 per hour to be paid from Police Salary & Wage effective May 18, 2013.

Ursula Sharkey

Hire the following employee as a Seasonal Class I Special Officer at the rate of \$10.50 per hour to be paid from Police Salary & Wage effective May 18, 2013.

Alyssa Weirich

Hire the following employee as a Seasonal Class I Special Officer at the rate of \$7.25 per hour to be paid from Police Salary & Wage effective May 18, 2013.

Matthew Vereb

PUBLIC WORKS

Hire the following employee as a Seasonal Full-Time Laborer at the rate of \$10.00 per hour to be paid from Water Sewer Salary & Wage effective May 20, 2013.

Kevin Smith

12. Resolution 13-0517.05: 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>
7.18	16	2418-0/Sewer	2013	Remove garbage disp	\$225.00
8.06	2	2615-0/Sewer	2013	To Standby per C&C	\$112.50
13.11	11	4418-0/Sewer	2013	To Standby per C&C	\$160.00
12.19	1	4160-0/Sewer	2013	To Standby per demo	\$376.00

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.

Motion to approve Items 8 through 12:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

PURCHASES, CONTRACTS & AWARDS

13. Resolution 13-0517.06: Award a contract for the purchase and delivery of an Emergency Back Up Generator for the Public Safety Building and Municipal Complex, per bid:

DeMaio Electric Co., Inc.: \$224,900.00

A RESOLUTION AWARDING A CONTRACT FOR THE PURCHASE AND DELIVERY OF AN EMERGENCY BACK UP GENERATOR FOR THE PUBLIC SAFETY BUILDING AND MUNICIPAL COMPLEX, PER BID

WHEREAS, pursuant to N.J.S.A. 40A:11-1 et seq., the Township of Long Beach has solicited bids for the purchase and delivery of an emergency back-up generator for the Township of Long Beach Public Safety Bldg. and Municipal Complex; 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, DeMaio Electrical Company, Inc., PO Box 5907, 330 Roycefield Road, Unit D, Hillsborough, NJ 08844 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 available as an appropriation created by 966 Reimbursement-Emergency Generator (2013) Account G-02-40-738-005 in the amount of

\$85,000.00; Ordinance 12-30 Replacement of Generator, Account C-04-56-108-901 in the amount of \$52,000.00; Ordinance 13-10 Supp. Funding - Emergency Generators Account # C-04-56-110-901 in the amount of \$87,900.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 17th day of May 2013, for the reasons aforesaid, that a contract be and is hereby awarded to:

DeMaio Electric Company, Inc.
330 Roycefield Road, Unit D
Hillsborough, NJ 08844

for the purchase and delivery of an emergency back-up generator for the Township of Long Beach Public Safety Bldg. and Municipal Complex in an amount not to exceed Two Hundred Twenty Four Thousand Nine Hundred Dollars (\$224,900.00) pursuant to the bid received March 28, 2013.

14. Resolution 13-0517.07: Approve a 5-year extension to a site lease for wireless antenna space at Block 14.02 Lot 5: Crown Castle Int'l: 1/1/13 thru 12/31/17

WHEREAS, pursuant to Resolutions 06-1215.13(a) and 06-1228.07, the Board of Commissioners of the Township of Long Beach approved an agreement with Omnipoint Communications for the construction of a wireless communications monopole, support equipment and structures, and site lease for antenna space at Block 14.02, Lot 5 (7910 Long Beach Blvd., Beach Haven Crest) in the Township of Long Beach; and

WHEREAS, Resolution 13-0419.07 memorialized the acquisition of Omnipoint Communications by Crown Castle International Corporation and authorized the execution of various documents confirming the control and operation of the site; and

WHEREAS, the current valid lease agreement provides for five (5), 5-year renewal options; the first option scheduled for January 1, 2013.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that, upon the recommendation and approval of the Commissioner of Public Works and Property, the first option to extend the lease agreement, which provides a 3% annual increase, is hereby approved and authorized, effective for a period of five (5) years commencing January 1, 2013 and ending December 31, 2017.

15. Resolution 13-0517.08: Authorize the rescission of a contract: Classic Motor Car Garage: Purchase of one refurbished Ford F-450 Bucket Truck for P/W (vendor did not provide vehicle)

A RESOLUTION AUTHORIZING THE RESCISSION OF A CONTRACT WITH CLASSIC MOTOR CAR GARAGE FOR THE PURCHASE OF ONE F-450 BUCKET TRUCK, FOR THE PUBLIC WORKS DEPARTMENT OF THE TOWNSHIP OF LONG BEACH, PER BID

WHEREAS, the Township of Long Beach solicited bids on two occasions; November 8th 2012 with no bids received, and on November 18th with one (1) bid received, for the purchase of one (1) refurbished 1997 or newer, F450 Super Duty Bucket Truck with 92,500 miles or less, or equivalent, for the Township of Long Beach Public Works Department; and

WHEREAS, pursuant to Resolution 12-1221.11(b) Classic Motor Car Garage, 110 E. Main St., Box 560, Fairfield, PA 17320 was awarded a contract for the purchase of one (1) refurbished F450 Super Duty Bucket Truck VIN # 1FDLF47G1VEA72336 for the Township of Long Beach Public Works Department in an amount not to exceed Fifteen Thousand Two Hundred Dollars (\$15,200.00), as per bid received December 18, 2012.

NOW THEREFOR, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby rescind the award of the above contract due to non-response and non-performance by Classic Motor Car Garage.

Motion to approve Items 13 through 15:

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

FINANCIAL APPROVALS

16. Resolution 13-0517.09: Authorize the cancellation of the unexpended balance of emergency appropriations (\$2,000,000.00)

RESOLUTION 13-0517.09

WHEREAS, the Township of Long Beach declared an emergency and made provisions for the appropriation of emergency funding, said declaration and provision duly adopted by Resolution 12-1207.14; and

WHEREAS, Resolution 12-1207.14 provided for the appropriation of \$7,000,000.00 and required the Board of Commissioners and Chief Financial Officer to seek all appropriate measures to reduce the net expenditures under the appropriation; and

WHEREAS, Bond Ordinance 12-29, in the amount of \$1,000,000.00 introduced and passed 11/9/2012 and finally adopted on January 2, 2013, and Bond Ordinance 13-03, in the amount of \$5,000,000.00, introduced and passed on February 11, 2013 and finally adopted on May 13, 2013, shall provide the required funding to cover all expenditures relating to the October 2012 Superstorm Sandy.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach that the following unexpended and dedicated balance of this Emergency Appropriation is hereby cancelled effective May 17, 2013:

<u>RESOLUTION NO.</u>	<u>PROJECT DESCRIPTION</u>	<u>AMOUNT CANCELLED</u>
12-1207.14	Emergency Appropriation	\$2,000,000.00
17. Resolution 13-0517.10(a-c):	Approve various Chapter 159's	
	a) AmeriCares Grant: \$12,000.00	
	b) Ocean County Tourism: \$1,060.00	
	c) 2013 Clean Communities: \$37,736.76	

RESOLUTION 13-0517.10(a)

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN AMENDMENT TO THE 2013 BUDGET TO ALLOW FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A. 40A: 4-87 (CHAPTER 159): AMERICARES GRANT

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such items have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, N.J.S.A. 40A:4-87 further provides that the Director may approve the insertion of an appropriation item of an amount equal to any such special item of revenue making such item of revenue available for expenditure; and

WHEREAS, AmeriCares has approved a grant to the Township of Long Beach Office of Emergency management in the amount of \$12,000.00; and

WHEREAS, it is the desire of the Township of Long Beach to amend the 2013 Municipal Budget to provide for the insertion of this grant as a source of revenue and an expenditure appropriation.

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

1. That the Board of Commissioners do hereby authorize an Amendment to the 2013 Municipal Budget to provide for the insertion of a Chapter 159 (N.J.S.A. 40A:4-87) Special Item of Revenue as follows:

GENERAL REVENUES

Miscellaneous Revenues

Section F: Special Items of General Revenue Anticipated with Prior

Written Consent of the Director of Local Government Services –

Public and Private Revenues Offset with Appropriations:
AMERICARES GRANT \$12,000.00

2. That the Board of Commissioners do hereby further authorize an Appropriation of an equal sum under the caption of:

GENERAL APPROPRIATION:

OPERATIONS – Excluded from CAPS:

Public and Private Programs Offset by Revenues:

AMERICARES GRANT \$12,000.00

3. That one certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services, with one copy to the Township Auditor and the Township Treasurer.

RESOLUTION 13-0517.10(b)

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN AMENDMENT TO THE 2013 BUDGET TO ALLOW FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159) OCEAN COUNTY TOURISM – 2013 LIFEGUARD IN TRAINING GRANT

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof shall not have been determined at the time of the adoption of the budget; and

WHEREAS, N.J.S.A. 40A:4-87 further provides that the Director may approve the insertion of an appropriation item of an amount equal to any such special item of revenue making such item of revenue available for expenditure; and

WHEREAS, the Ocean County Board of Chosen Freeholders has approved a grant in the amount of \$1,060.00 and

WHEREAS, it is the desire of the Board of Commissioners of the Township of Long Beach to amend the 2013 Municipal Budget to provide for the insertion of this grant as a source of revenue and an expenditure appropriation.

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

1. That the Board of Commissioners does hereby authorize an amendment to the 2013 Municipal Budget to provide for the insertion of a Chapter 159 (N.J.S.A. 40A:4-87) Special Item of Revenue as follows:

GENERAL REVENUES

Miscellaneous revenues

Section F: Special Items of General Revenue anticipated with prior written consent of the Director of Local Government Services – public and private revenues offset with appropriations:

OCEAN COUNTY TOURISM – LIFEGUARD IN TRAINING GRANT: \$1,060.00

2. That the Board of Commissioners does hereby further authorize an appropriation of an equal sum under the caption of:

GENERAL APPROPRIATION:

(A) OPERATIONS – Excluded from CAPS:

Public and private programs offset by revenues:

OCEAN COUNTY TOURISM – LIFEGUARD IN TRAINING GRANT: \$1,060.00

There is a local match of \$1,060.00 from the matching funds for grants line item in our 2013 budget.

3. That one certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services, with one copy to the Township Auditor and the Township Treasurer.

DATED: May 17, 2013
MOTION: LATTANZI
SECOND: BAYARD

VOTE:
AYES: LATTANZI, BAYARD, MANCINI
NAYES:
ABSENT: ABSTAIN

RESOLUTION 12-0517.10(c)

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN AMENDMENT TO THE 2013 BUDGET TO ALLOW FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159) CLEAN COMMUNITIES FY2013

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof shall not have been determined at the time of the adoption of the budget; and

WHEREAS, N.J.S.A. 40A:4-87 further provides that the Director may approve the insertion of an appropriation item of an amount equal to any such special item of revenue making such item of revenue available for expenditure; and

WHEREAS, the State of New Jersey has approved a grant with an additional amount of \$37,736.76; and

WHEREAS, it is the desire of the Board of Commissioners of the Township of Long Beach to amend the 2013 Municipal Budget to provide for the insertion of this grant as a source of revenue and an expenditure appropriation.

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

1. That the Board of Commissioners does hereby authorize an amendment to the 2013 Municipal Budget to provide for the insertion of a Chapter 159 (N.J.S.A. 40A:4-87) Special Item of Revenue as follows:

GENERAL REVENUES

Miscellaneous revenues

Section F: Special Items of General Revenue anticipated with prior written consent of the Director of Local Government Services – public and private revenues offset with appropriations:

CLEAN COMMUNITIES FY 2013 WITH AN ADDITIONAL AMOUNT OF:
\$37,736.76

2. That the Board of Commissioners does hereby further authorize an appropriation of an equal sum under the caption of:

GENERAL APPROPRIATION:

(A) OPERATIONS – Excluded from CAPS:

Public and private programs offset by revenues:

CLEAN COMMUNITIES FY 2013 WITH AN ADDITIONAL AMOUNT OF:
\$37,736.76

3. That one certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services, with one copy to the Township Auditor and the Township Treasurer.

MOTION: LATTANZI

VOTE:

SECOND: BAYARD

AYES: LATTANZI, BAYARD, MANCINI
NAYES:
ABSENT: ABSTAIN:

18. Resolution 13-0517.11:	Approve Bills & Payroll	
	Bills in the amount of:	\$9,938,783.04
	Payroll in the amount of:	\$ 415,869.10

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 \$415,869.10.

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 \$9,938,783.04 be and the same are hereby authorized to be paid on Friday, May 17, 2013.

2. The said approved payroll amounting to the sum of \$415,869.10 be and the same are hereby authorized to be paid on Friday, May 17, 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.

19.Resolution 13-0517.12: Approve a social affairs permit:

LBI Thank You Fest; June 14, 15 & 16, 2013

BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach grants a SPECIAL PERMIT FOR SOCIAL AFFAIR to the Township of Long Beach, to be held at Water Front Park, 10th Street and Shore Avenue, Ship Bottom, NJ, 08008. This permit will allow the Township of Long Beach to serve alcoholic beverages at the Long Beach Island Thank You Fest on June 14th, 2013 between the hours of 4:00 P.M. and 10:00 P.M.

BE IT FURTHER RESOLVED, that the Board of Commissioners of the Township of Long Beach grants a SPECIAL PERMIT FOR SOCIAL AFFAIR to the Township of Long Beach, to be held at James J. Mancini Administration Building Parking Area, 6805 Long Beach Blvd., Brant Beach. This permit will allow the Township of Long Beach to serve alcoholic beverages at the Long Beach Island Thank You Fest on June 15th, 2013 between the hours of 11:00 A.M. and 9:00 P.M.

Motion to approve Items 16 through 19:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

Mayor Mancini states the Tax Collector and Treasurer's Reports for the month of April 2013 are on file in the Municipal Clerk's Office.

COMMISSIONERS' REPORTS

Commissioner Lattanzi stated the Board of Health hope to be in their new location by the end of May. He also reported the Township was still waiting for the FEMA reimbursement.

Commissioner Bayard commented on various projects that were underway; repairs to Bayview Park, Holgate Parking Lot and 68th Street access. He also reported receiving \$37,400.00 Clean Communities funds and \$7,500.00 for recycling revenue.

Mayor Mancini stated the next meeting of the Board of Commissioners would take place on Friday, June 7, 2013 at 4:00 p.m. at which time we will hold public hearings for Ordinances 13-15 through 13-20.

Mayor Mancini reported the next regular meeting of the Land Use Board would be held on Wednesday, June 12, 2013 at 7:00 p.m. in the Municipal Court Room.

Mayor Mancini reported on the status of the Deeds of Easement; Brant Beach to No. Beach Haven, there are 14 outstanding, North Beach there are 11 easements outstanding and Loveladies there were 28 easements outstanding

Mayor Mancini also reported the Police Department had investigated several acts of building contractor fraud related to Sandy home restoration. They urged residents to use licensed building contractors and check references with the Division of Consumer Affairs and The Better Business Bureau.

Mayor Mancini also stated the traffic lights were scheduled to be turned on Monday May 20th. and the speed limit on Long Beach Blvd would be lowered to 35 mph during the week of May 20th.

OPEN PUBLIC SESSION

Bill and Ellen Kehr, Holgate asked if there had been any updates on FEMA grants.

Mayor Mancini responded there had not been any updates, noting they are behind in their reimbursement to the Township.

Ellen Kehr asked that when the water tower is painted in Holgate that it says 'Holgate ' instead of Beach Haven Inlet.

Commissioner Bayard replied it can be changed if they wished.

Don O'Brien, Ager Realty stated the release from the Army Corps reports the repairs in Brant Beach will take one hundred (100) days and he asked what should he tell the renters.

Mayor Mancini replied he had been to the mobilization meeting where it was discussed there would be two dredges replenishing 1000 feet at time and they should be completed by July 15th or no later than August 1st.

Mayor Mancini also stated the Township will have a bus/jitney service from 10 am to 5 PM to take residents/renters to and from the beach.

Don O'Brien expressed the hardship that would place on the renters/residents.

Maria DePasquale, Brant Beach asked if parking will be allowed on both sides of the street during the beach construction.

Mayor Mancini responded it was being reviewed.

Bill Hutson, Holgate reported the EDA met at the Foundation for business owners and it was very helpful.

Charlie Farrell, Loveladies asked for the results of the Karan appeal.

Mayor Mancini responded it was heard on Monday, May 13th and the results will be available in September.

Charles Farrell, Loveladies asked when the Governor would use his powers to help get the easements.

Mayor Mancini replied we didn't know. The Mayor also stated the issue was greed.

Stanley Antonoff, North Beach stated he had viewed a special on 'Sandy' on PBS, and a homeowner was complaining they wouldn't be able to see their grandchild from their home if the dune was too high.

Eileen Boker, Holgate thanked the Commissioners for all of their help. She also stated that Aileen Egan from the state would be at her deli on Wednesday to speak with interested parties.

John Connolly, Beach Haven Crest asked if there were any updates on the holdouts between 56th and 82nd Streets.

Mayor Mancini reported he had no return calls from Mr. Decker.

John Connolly asked if they were aware of the ordinance that involves the Engineer to rebuild the dune/beach.

Mayor Mancini explained that the machines can't be on the beach going into summer and he hoped to hear the results of the Karan case soon.

John Connolly expressed his frustration due to the fact the Logan's and Decker were renting the properties out.

CLOSE PUBLIC SESSION

Motion for adjournment at 4:45 p.m.

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