

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS MAY 21, 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 PRESENT

Also in attendance: Bonnie M. Leonetti, Municipal Clerk, Administrator
 Lynda J. Wells, 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 30th 2009; and filed with the Municipal Clerk.

Motion: To dispense with the reading of the minutes of the May 7th 2010 meeting and to approve the same as recorded in the minute book:

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

AGENDA

PRESENTATION:

Lt. Anthony Deely: Long Beach Township Police Department provided information pertaining to a recent change in the Pedestrian Traffic / Crosswalk laws. He offered handouts to the public and asked that pedestrians cross roadways only at intersections or designated crosswalk areas where motorists are required to stop until they have crossed. The Lieutenant reminded the public that speed limits had been lowered and traffic lights would be operational on Long Beach Boulevard as of Monday, May 24th.

Colonel Alan Smith: Ocean County Chairman for the Department of Defense Employer Support of the Guard and Reserve spoke regarding Long Beach Township's commendable support of municipal employees serving in the Armed Forces Reserve. The Township had been nominated by Ptl. Thomas Franks to be honored for its dedication and commitment to employees serving periods of training or active duty. He presented the Mayor and Commissioners with a Patriot Award, a Statement of Support plaque, and lapel pins.

ORDINANCES/PUBLIC HEARINGS

1. First Reading Ordinance 10-21C: **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 51-6 PROVIDES FOR ACCESS TO BEACHES AND CHAPTER 64-17 PROVIDES FOR SPECIFICATIONS FOR DUNE WALKWAYS**

Bonnie M. Leonetti, Municipal Clerk, Administrator explained the purpose of this Ordinance was to provide that the requirements that walkways or steps constructed to grant access to the beach may not be constructed on any lot which has a boundary line or lot line within 75 feet of a public street or public easement shall not be construed to prohibit rollover walkways on any lot no matter what its distance from a public street may be provided that the owner of said lot had executed the Perpetual Storm Damage Reduction Easement in order to permit the United States Army Corps of Engineers Beach Protection Project to proceed.

In addition this Ordinance amended §64-17B by removing the requirement for snow fence or dune fence to be erected on each side of a dune walkover and replaced the fencing requirement with the posting of signs prohibiting indiscriminate walking on the dune.

Motion to approve Ordinance 10-21C on First Reading:

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

ADOPTIONS AND APPROVALS

2. Resolution 10-0521.01(a-c): Approve traffic regulations:
 - a. Alliance for a Living Ocean 2nd Annual Longboard Classic and Concert: August 7th at the 110th Street Beach.

RESOLUTION 10-0521.01(a)

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

- Alliance for a Living Ocean: Second Annual LBI Longboard Classic and Concert
 1. Surfing contest at 110th Street in the Haven Beach section of the Township on August 7th ("No Wave" or "Rain" date August 8th or August 14th) between the hours of 8:00am and 4:00pm.
 2. Concert on the 110th Street beach from 4:00 pm to 6:00 pm.

BE IT FURTHER RESOLVED that the Board of Commissioners of the Township of Long Beach hereby approves the suspension of alternate side parking regulations from 7:00 a.m. to 5:00 p.m. on 106th, 110th, 111th, 112th, and 113th Streets for this annual event.

- b. Brant Beach Yacht Club: No. American Sailing Championship
July 18-24, and the Optimist Sailing Event August 5 & 6.

RESOLUTION 10-0521.01(b)

WHEREAS, the Brant Beach Yacht Club has requested the suspension of alternate side parking regulations from 59th Street to 65th Street west of Long Beach Blvd. and that trailer parking be permitted in the plaza areas on the east side of Long Beach Boulevard between 60th and 64th Streets for the following events:

- The North American Championships for the Club 420 class – July 18th through 24th 2010: regulations shall be suspended from July 17th through July 25th.
- The Optimist Sailing Event – August 5th to 5th 2010: regulations shall be suspended from August 4th through August 6th 2010.

Approve attendance of the following to the Beach Haven Satellite Police Academy to become a Class I Special Law Enforcement Officer at the minimum wage rate of \$7.25 per hour to be paid from the Police Salary & Wage effective May 24, 2010.

Matthew Compitello

Appoint the following as a Part Time Telecommunicator Trainee at a rate of \$7.25 per hour to be paid from Police Salary & Wage effective retro-active to May 15, 2010.

Richard Reynolds

Change the following Class II Seasonal Special Law Enforcement Officers rate of pay to \$11.50 per hour for completing the Police Academy Training and start of agency training to be effective June 7, 2010.

Justin Hoffman Sean Furgeson

Appoint the following as Class I Special Law Enforcement Officers at a rate of \$11.50 per hour to be paid from the Police Salary & Wage effective June 26, 2010.

Matthew LaBue K. Rickvalsky Brian Woodruff

POLICE / PUBLIC WORKS

Change Stephen Vaughan's status to Seasonal Part Time Laborer at the rate of \$9.50 per hour for the Public Works Department effective retro-active to May 15, 2010 and approve him as a Part Time Telecommunicator Trainee at the rate of \$7.25 per hour in the Police Department effective retro-active to May 15, 2010. His services will not exceed 40 hours week and will be shared by the two departments. Payroll will be guided by the time sheets submitted.

PUBLIC WORKS

Hire the following as a Seasonal Full Time Laborer at the rate of \$8.50 per hour to be paid from Public Works Salary & Wage effective retro-active to May 17, 2010.

Keith Smith

Terminate the employment of Darron Garabo effective May 21, 2010.

Approve retro-active payment of the following 2009 and 2010 base salaries as per the executed 2 year contract ratified by the Police Benevolent Association #373 and the Long Beach Township Board of Commissioners:

POLICE OFFICERS		2009	2010
Michael Allen	Step 7	86,174.10	88,759.32
Robert Andrews	Step 7	86,174.10	88,759.32
Edward Bernhard	Step 7	86,174.10	88,759.32
Brian Delpriora	Step 2	45,099.09	(2/6/09 – 12/31/09)
Brian Delpriora	Step 2	-	46,452.06 (1/1/10-2/5/10)
Brian Delpriora	Step 3	-	54,462.36 (2/6/10-12/31/10)
Jeffrey Ehlers	Step 7	86,174.10	88,759.32
Angelo Fiorentino	Step 2	45,099.09	(2/6/09 – 12/31/09)
Angelo Fiorentino	Step 2	-	46,452.06 (1/1/10-2/5/10)
Angelo Fiorentino	Step 3	-	54,462.36 (2/6/10-12/31/10)
Thomas Franks	Step 7	86,174.10	88,759.32
Gary Gore	Step 7	86,174.10	88,759.32
James Hartmann	Step 7	86,174.10	88,759.32
Jason Hildebrant	Step 7	86,174.10	88,759.32
Ronald Hullings	Step 7	86,174.10	88,759.32
Megan Keller	Step 7	86,174.10	88,759.32
Brendan Kerlin	Step 4	61,200.58	(1/1/09 – 1/27/09)
Brendan Kerlin	Step 5	68,710.54	(1/28/09 – 12/31/09)
Brendan Kerlin	Step 5	-	70,771.86 (1/1/10-1/27/10)
Brendan Kerlin	Step 6	-	79,622.20 (1/28/10-12/31/10)
Kevin Lyons	Step 7	86,174.10	88,759.32
Patrick Mazzella	Step 3	52,876.08	(1/1/09 – 12/17/09)
Patrick Mazzella	Step 4	61,200.58	(12/18/09 – 12/31/09)
Patrick Mazzella	Step 4	-	63,036.60 (1/1/10-12/17/10)
Patrick Mazzella	Step 5	-	70,771.86 (12/18/10-2/31/10)
Andrew McClellan	Step 7	86,174.10	88,759.32
Jeffrey Olson	Step 7	86,174.10	88,759.32
Philip Pollina	Step 7	86,174.10	88,759.32
Neil Rojas	Step 7	86,174.10	88,759.32
David Seegers	Step 7	86,174.10	88,759.32
James Seidenfaden	Step 3	52,876.08	(1/1/09 – 1/25/09)
James Seidenfaden	Step 4	61,200.58	(1/26/09 – 12/31/09)
James Seidenfaden	Step 4	-	63,036.60 (1/1/10-1/25/10)
James Seidenfaden	Step 5	-	70,771.86 (1/26/10-12/31/10)
Mark Stanish	Step 7	86,174.10	88,759.32
Michael Thompson	Step 7	86,174.10	88,759.32
Gerard Traynor	Step 7	86,174.10	88,759.32
Paul Vereb Jr.	Step 3	52,876.08	(1/1/09 – 12/17/09)
Paul Vereb Jr	Step 4	61,200.58	(12/18/09 – 12/31/09)
Paul Vereb Jr	Step 4	-	63,036.60 (1/1/10-12/17/10)
Paul Vereb Jr	Step 5	-	70,771.86 (12/18/10-12/31/10)

WATER/SEWER

Hire the following as a Seasonal Full Time Laborer at the rate of \$9.00 per hour to be paid from Water/Sewer Salary & Wage effective May 24, 2010.

Stuart McGowan

- b. Approve the revised/updated Employee Handbook and Personnel Policies & Procedures Manual as per Municipal Excess Liability requirements

Bonnie M. Leonetti, Municipal Clerk, Administrator noted this was a necessary part of the Joint Insurance Fund and Municipal Excess Liability Fund insurance membership commitment.

RESOLUTION 10-0521.04(b)

Adopting Personnel Policies and Procedures Manual & Employee Handbook

WHEREAS, it is the policy of the Township of Long Beach to treat employees, prospective employees, volunteers, residents and other non-employees in a manner consistent with all applicable employment and civil rights laws and regulations including, but not limited to, Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the New Jersey Family Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) (the New Jersey Attorney General's guidelines with respect to Police Department personnel matters,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Township has determined that there is a need for personnel policies and procedures to ensure that employees, prospective employees and non-employees are treated in a manner consistent with all present and future laws and regulations.

NOW, THEREBY, BE IT RESOLVED by the Township that the Personnel Policies and Procedures Manual and Employee Handbook attached hereto is hereby adopted.

BE IT FURTHER RESOLVED that these personnel policies and procedures and the Employee Handbook shall apply to all Township officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail. The policies contained within the policies and procedures manual and employee handbook adopted today supersede all prior policies regarding the same topics.

BE IT FURTHER RESOLVED that the manual and handbook are intended to provide guidelines covering public service by Township employees and is not a contract. The provisions of the manual and handbook may be amended and supplemented from time to time without notice and at the sole discretion of the Township.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Township shall operate under the legal doctrine known as "employment at will."

BE IT FURTHER RESOLVED that Armando V. Riccio, Esq., is hereby appointed as Employment Attorney to advise the Township in personnel matters.

BE IT FURTHER RESOLVED that the Township Clerk and all managerial/supervisory personnel are responsible for these employment practices. The Personnel Administrator as well as the Employment Attorney shall assist the Township Clerk in the implementation of the policies and procedures in the manual and the handbook.

- c. Approve Civil Rights Policy as per Municipal Excess Liability requirements

RESOLUTION 10-0521.04(c)

Township of Long Beach Declaration of Civil Rights

A RESOLUTION AFFIRMING THE TOWNSHIP'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of Township to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of Township has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the Commissioners of the Township of Long Beach that:

Section 1: No official, employee, appointee or volunteer of the Township by whatever title known, or any entity that is in any way a part of the (local unit type) shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Township's business or using the facilities or property of the Township.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Township to provide services that otherwise could be performed by the Township.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Township shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Township shall establish written procedures that require all officials, employees, appointees and volunteers of the Township as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Township Clerk shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Township Clerk shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Township. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Township's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Township in order for the public to be made aware of this policy and the Township's commitment to the implementation and enforcement of this policy.

d. Amend Resolution 09-1230.04(a): Employee contribution to health care benefits

RESOLUTION 10-0521.04(d)

RESOLUTION AMENDING RESOLUTION #09-1230.04(a)

WHEREAS, all unionized employees are currently at the rate of .5% contributing to Health Care Benefits until December 31, 2010 and then are obligated to pay 1.5% effective January 1, 2011; and

WHEREAS, very recent guidance issued by Local Finance Notice #2010-12, dated May 18, 2010 provides that non-union employees may be treated similarly to comparable unionized employees.

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby approve effective immediately the amendment of Resolution #09-1230.04(a) that non-unionized employees shall pay .5% contributions to Health Care Benefits through December 31, 2010 and effective January 1, 2011 shall pay 1.5% contributions.

Motion to approve Items 2 - 5:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

LICENSES AND PERMITS

6. Resolution 10-0521.05: Approve an application for a Special Permit for a Social Affair: St Francis Parish & Center July 9th Art Show

Bonnie M. Leonetti, Municipal Clerk, Administrator advised the Parish & Center would be permitted to sell wine during this event.

RESOLUTION 10-0521.05

BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach grants a SPECIAL PERMIT FOR SOCIAL AFFAIR to St. Francis Parish and Center, to be held at 4700 Long Beach Blvd., Brant Beach. This permit will allow the St. Francis Parish and Center to serve alcoholic beverages at the fundraiser on July 9, 2010 between the hours of 6:30 P.M. and 8:30 P.M.

Motion to approve Item 6:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

CONTRACTS AND AWARDS

7. Resolution 10-0521.06: Approve a contract for the interior dive cleanouts of The Beach Haven Terrace and Brant Beach detention tanks, per bid: Mumford-Bjorkman Associates, Inc.: \$7,300.00

RESOLUTION 10-0521.06

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR INTERIOR DIVE CLEANOUTS OF THE BEACH HAVEN TERRACE AND BRANT BEACH ELEVATED WATER TANKS FOR THE WATER/SEWER DEPARTMENT OF THE TOWNSHIP OF LONG BEACH, PER QUOTATION

WHEREAS, the Township of Long Beach has solicited quotes for the interior dive cleanouts of the Beach Haven Terrace and Brant Beach Elevated Water Tanks for the Water/Sewer Department; and

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

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

WHEREAS, Mumford-Bjorkman Associates, Inc. gave the lowest qualified quote.

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Water/Sewer Other Expenses, account #0-09-55-549-026.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 21st day of May 2010, for the reasons aforesaid, that a contract be and is hereby awarded to:

Mumford-Bjorkman Associates, Inc.

P.O. Box 733

New Castle, DE 19720

for the interior dive cleanouts of the Beach Haven Terrace and Brant Beach Elevated Water Tanks for the Water/Sewer Department in an amount not to exceed Seven Thousand Three Hundred Dollars (\$7,300.00) as per quote received April 12, 2010.

8. Resolution 10-0521.07: Approve a Professional Service contract:
Tennant Magee, Sr. of counsel to Maggs & McDermott, LLC
for general conflict matters not to exceed \$185.00 per hour.

RESOLUTION 10-0521.07
RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
PROFESSIONAL SERVICES

WHEREAS, the Township of Long Beach has a need to acquire the professional service listed below as a non-fair and open contract pursuant to the provisions of N.J.S.A.19:44A-20.4 or 20.5; and

WHEREAS, P.L. 195, Chapter 353 of the laws of the State of New Jersey provide that certain professional services are exempt from public bidding; and

WHEREAS, the Township of Long Beach wishes to award a contract without competitive bidding for professional services pursuant to NJSA 40A:11-5(a)(a)(i). Such contract and resolution is available for public inspection at the office of the Township Clerk.

WHEREAS, the statute defines professional services as services rendered by a person authorized by law to practice a recognized profession, which practice is regulated by law; and

WHEREAS, the listed service is a recognized profession, which profession is regulated by law; and

WHEREAS, the professional service contractor listed below has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Township of Long Beach in the previous one year, and that the contract will prohibit those listed from making any reportable contributions through the term of the contract; and

WHEREAS, the Board of Commissioners of Township of Long Beach has determined and certified in writing that the value of the services will likely exceed \$17,500.00; and

WHEREAS, the CFO has provided certification of the availability of funds as per N.J.A.C. 5:30-5.4.

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach authorizes the Mayor to enter into a contract with the Professional listed below as described herein effective through December 31, 2010; and

<u>NAME</u>	<u>DESCRIPTION OF SERVICES</u>	<u>AMOUNT</u>
Tennant D. Magee, Sr. of counsel to Maggs & McDermott, LLC	General Conflict Counsel	NTE \$185.00 / hour

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Political Contribution Disclosure Certification be placed on file with the Municipal Clerk; and

BE IT FINALLY RESOLVED that the Municipal Clerk shall send a notice of the professional appointment and have same published at least once in the official newspaper of the Township of Long Beach and shall keep the resolution, contract, and certifications on file for public inspection.

9. Resolution 10-0521.08: Amend 2010 Ocean County Schedule C Interlocal Agreement for Engineering: increase of \$15,000.00 for engineering expenses.

RESOLUTION 10-0521.08

THIS AMENDATORY AGREEMENT made this 21st day of May 2010, between the County of Ocean, a body politic and corporate in law of the State of New Jersey, hereafter called the party of the first part, and the Township of Long Beach, a local governmental unit of the State of New Jersey, herinafter called the party of the second part.

WHEREAS, the Board of Commissioners of the Township of Long Beach entered into an agreement with the County of Ocean, pursuant to Resolution 10-0108.09, on January 8, 2010 for engineering services and the repair and maintenance of municipal streets and property in addition to providing certain materials and supplies in connection therewith of Long Beach Township roads; and

WHEREAS, the Board of Commissioners of the Township of Long Beach has now requested that they be permitted to increase the amounts of the contract.

WITNESSETH that the said parties in consideration of the premises and agreements hereafter contained, do hereby mutually agree as follows:

1. The Agreement between the County of Ocean and the Township of Long Beach dated January 8, 2010 is hereby amended as follows:
2. The Board of Commissioners of the Township of Long Beach shall pay to the County Treasurer the additional sum of \$15,000.00 for anticipated engineering expenditures.
3. The annual total amounts for each category of County Services is revised to include the Amendatory Agreement as follows:

	<u>Increased Amount</u>	<u>Year to Date Total</u>
Road Department:		\$ 20,000.00
<u>Engineering Department</u>	<u>15,000.00</u>	<u>20,000.00</u>
Total YTD 2010		\$40,000.00

All other provisions and conditions of the aforementioned agreement, authorized pursuant to Resolution 10-0108.09 dated January 8, 2010, shall remain in full force and effect.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach at a regular meeting held Friday, May 21, 2010 do hereby authorize the above noted amendments to the 2010 Interlocal Agreement for Schedule "C" Services approved pursuant to Resolution 10-0108.09 dated January 8, 2010.

Motion to approve Items 7 - 9:

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

FINANCIAL APPROVALS

10. Resolution 10-0521.09: Approve a change order:
R. Moslowski Excavating: \$1,677.30 for the 2010 Drainage Project

RESOLUTION 10-0521.09

RESOLUTION AUTHORIZING A CHANGE ORDER FOR THE 2010 DRAINAGE IMPROVEMENT PROJECT IN THE TOWNSHIP OF LONG BEACH

WHEREAS R. Moslowski Excavating, Inc. was awarded a contract for the 2010 Drainage Improvement Project in the Township of Long Beach in the amount of Twenty Six Thousand Three Hundred Nineteen Dollars and Ninety Five Cents (\$26,319.95) as per Resolution 10-0305.08(d); and

WHEREAS, based on the actual project, changes to the scope of the project resulting in unexpected additional costs were incurred; and

WHEREAS, these changes have resulted in Change Order #1 of the original contract and has been approved and certified by the Municipal Engineer. Said detailed Certification contains all the facts associated with this Change Order in accordance with state statutes and is attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach at a regular scheduled meeting, (not less than two-thirds (2/3) of the members thereof affirmatively concurring) this 21st day of May 2010 that R. Moslowski Excavating, Inc., 3 Meirs Road, Cream Ridge, NJ 08514 be and is hereby awarded Change Order #1 not to exceed One Thousand Six Hundred Seventy Seven Dollars and Thirty Cents (\$1,677.30) for payment of the work required to complete the 2010 Drainage Improvement Project for the Township of Long Beach.

11. Resolution 10-0521.10: Approve Bills & Payroll
- | | |
|----------------------------|----------------|
| Bills in the amount of: | \$7,907,224.89 |
| Payrolls in the amount of: | \$ 395,254.94 |

RESOLUTION 10-0521.10

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 \$395,254.94.

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 \$7,907,224.89 be and the same are hereby authorized to be paid on May 21, 2010.

2. The said approved payroll amounting to the sum of \$395,254.94 be and the same are hereby authorized to be paid on May 21, 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.

Bonnie M. Leonetti, Municipal Clerk, Administrator noted Ocean County taxes were scheduled for payment.

Motion to approve Items 10 - 11:

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

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

COMMISSIONERS' REPORTS

Commissioner Knarre updated the public on the many activities Long Beach Township had planned for public enjoyment in the 2010 Summer Season. He invited everyone to visit the town website, check the local newspapers for information and to participate in the events.

Commissioner Bayard discussed the condition of the Township beaches and noted problem areas. He advised that Public Works employees were working hard to prepare the beaches for the Memorial Day Weekend and the impending summer season. He announced new Water & Sewer projects would soon be underway.

Mayor Mancini announced the next meetings of the Board of Commissioners and the Land Use Board. He noted second reading and public hearing for Ordinances 10-20 and 10-21C would take place on Friday, June 4th at 4:00 p.m. The Mayor assured the public that he was working diligently to obtain the deeds of easement necessary to bring the Federal Beach Replenishment Project to Long Beach Township.

OPEN PUBLIC SESSION

Sandra Smith / Haven Beach advised the Board of Commissioners that the beaches in Haven Beach needed restoration. She asked that a jetty be constructed to stem beach erosion. She requested a new bench be placed at 120th Street in the Bay Beach area. Ms. Smith suggested a bait-cutting table be placed in the same area to alleviate the practice by fishermen to cut bait on the public bench. She also suggested signs be erected regarding new pedestrian crosswalk laws recently enacted by the State.

Mayor Mancini explained that the construction of a jetty was not possible. He advised Ms. Smith that executed deeds of easement were necessary for beach replenishment to begin. He promised to consider her requests.

Hope Gardner / Brant Beach explained a problem she has experienced with trash and recycling collection at her residence.

