

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS JUNE 7, 2013
Flag Salute

Meeting came to order: 4:05 p.m.

Clerk calls 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 17, 2013 meeting and to approve the same as recorded in the minute book:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

AGENDA

ORDINANCES & PUBLIC HEARINGS

1. Second 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**

BE IT ORDAINED by the Board of Commissioners of the Township of Long Beach, County of Ocean, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Township of Long Beach, County of Ocean, New Jersey ("Township").

Section 2. It is hereby found, determined and declared as follows:

(a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$135,000;

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$128,200; and

(c) a down payment in the amount of \$6,800 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

Section 3. The sum of \$128,200, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$6,800, which amount represents the required down payment, is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Township in an amount not to exceed \$128,200 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$128,200 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations,

accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$25,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimate d Total Cost</u>	<u>Down Payme nt</u>	<u>Amount of Obligatio ns</u>	<u>Period of Usefulne ss</u>
A. Acquisition of Equipment for Grounding and Lightning Protection; together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$135,000	\$6,800	\$128,200	5 years

Section 8. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$128,200 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

Section 10. The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 11. The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 12. The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

Section 13. The Township hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by this Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 14. The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 15. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

Date of Introduction: May 17, 2013

Date of Final Adoption: June 7, 2013

Passed on first reading at a regular meeting held on May 17, 2013 and advertised in the BEACH HAVEN TIMES issue of May 23, 2013.

OPEN PUBLIC HEARING

No comments

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 13-15 on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

2. Second 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**

BE IT ORDAINED by the Board of Commissioners of the Township of Long Beach, County of Ocean, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Township of Long Beach, County of Ocean, New Jersey ("Township").

Section 2. It is hereby found, determined and declared as follows:

(a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$135,000;

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$128,200; and

(c) a down payment in the amount of \$6,800 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

Section 3. The sum of \$128,200, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$6,800, which amount represents the required down payment, is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Township in an amount not to exceed \$128,200 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$128,200 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must

include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$25,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Acquisition of Equipment for the Public Works Department including, but not limited to, a Beach Cleaner, Asphalt Roller and Compact Trac Loader; together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$135,000	\$6,800	\$128,200	15 years

Section 8. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$128,200 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

Section 10. The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 11. The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 12. The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

Section 13. The Township hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by this Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 14. The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 15. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

Date of Introduction: May 17, 2013

Date of Final Adoption: June 7, 2013

Passed on first reading at a regular meeting held on May 17, 2013 and advertised in the BEACH HAVEN TIMES issue of May 23, 2013.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 13-16 on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

3. Second 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**

BE IT ORDAINED by the Board of Commissioners of the Township of Long Beach, County of Ocean, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Township of Long Beach, County of Ocean, New Jersey ("Township").

Section 2. It is hereby found, determined and declared as follows:

(a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$45,000;

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$42,750; and

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

Section 3. The sum of \$42,750, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$2,250, which amount represents the required down payment, is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Township in an amount not to exceed \$42,750 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$42,750 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon

receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$5,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Acquisition of a Beach Truck; together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$45,000	\$2,250	\$42,750	5 years

Section 8. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$42,750 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

Section 10. The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 11. The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 12. The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

Section 13. The Township hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by this Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 14. The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 15. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

Date of Introduction: May 17, 2013

Date of Final Adoption: June 7, 2013

Passed on first reading at a regular meeting held on May 17, 2013 and advertised in the BEACH HAVEN TIMES issue of May 23, 2013.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 13-17 on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

4. Second 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**

BE IT ORDAINED by the Board of Commissioners of the Township of Long Beach, County of Ocean, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Township of Long Beach, County of Ocean, New Jersey ("Township").

Section 2. It is hereby found, determined and declared as follows:

(a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$70,000;

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$66,500; and

(c) a down payment in the amount of \$3,500 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

Section 3. The sum of \$66,500, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$3,500, which amount represents the required down payment, is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Township in an amount not to exceed \$66,500 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$66,500 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to

delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$10,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimate d Total Cost</u>	<u>Down Payme nt</u>	<u>Amount of Obligatio ns</u>	<u>Period of Usefulne ss</u>
A. Acquisition of Vehicles for the Public Works Department including, but not limited to, two (2) Pick-Up Trucks; together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$70,000	\$3,500	\$66,500	5 years

Section 8. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$66,500 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

Section 10. The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 11. The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 12. The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

Section 13. The Township hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by this Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond

anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 14. The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 15. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

Date of Introduction: May 7, 2013

Date of Final Adoption: June 7, 2013

Passed on first reading at a regular meeting held on May 17, 2013 and advertised in the BEACH HAVEN TIMES issue of May 23, 2013.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 13-18 on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

5. Second Reading Ordinance 13-19: **BOND ORDINANCE AUTHORIZING THE PAINTING OF 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**

BE IT ORDAINED by the Board of Commissioners of the Township of Long Beach, County of Ocean, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Township of Long Beach, County of Ocean, New Jersey ("Township").

Section 2. It is hereby found, determined and declared as follows:

(a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$500,000; and

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$500,000.

Section 3. The sum of \$500,000, to be raised by the issuance of bonds or bond anticipation notes, is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Township in an amount not to exceed \$500,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$500,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of

the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, *N.J.S.A. 40A:2-20*, shall not exceed the sum of \$100,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimate d Total Cost</u>	<u>Down Payme nt</u>	<u>Amount of Obligatio ns</u>	<u>Period of Usefulne ss</u>
A. Painting of Brant Beach and Holgate Water Towers; together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$500,000	\$0	\$500,000	20 years

Section 8. The supplemental debt statement provided for in Section 10 of the Local Bond Law, *N.J.S.A. 40A:2-10*, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, *N.J.S.A. 40A:2-43*, is increased by this Bond Ordinance by \$500,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

Section 10. The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 11. The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 12. The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

Section 13. The Township hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by this Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 14. The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 15. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

Date of Introduction : May 17, 2013

Date of Final Adoption: June 7, 2013

Passed on first reading at a regular meeting held on May 17, 2013 and advertised in the BEACH HAVEN TIMES issue of May 23, 2013.

OPEN PUBLIC HEARING

Tom Beaty, ALO asked when the water would be painted.

Commissioner Bayard replied late fall or early spring.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 13-19 on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

6. Second 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**

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. There is hereby appropriated from the Utility Capital Improvement Fund the sum of \$60,000.00 to provide funding for the purchase of two pick-up trucks for the water/sewer department.

Section 2. It is hereby determined and stated that the improvements set forth in Section 1. are general capital improvements and are not a current expense.

Section 3. The utility capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended general capital budget and general capital program as approved by the Director of the Division of Local Government Services, is on file with the Township Clerk and available for inspection.

Section 4. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 5. This ordinance shall take effect after final adoption and publication as required by law.

Date of Introduction: May 17, 2013

Date of Final Adoption: June 7, 2013

Passed on first reading at a regular meeting held on May 17, 2013 and advertised in the BEACH HAVEN TIMES issue of May 23, 2013.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 13-20 on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

7. First Reading Ordinance 13-21C: **AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME RELATES TO CHAPTER 105 PERTAINING TO HEALTH AND WELFARE**

Lynda Wells explained this Ordinance was being offered by the Township Commissioners to alleviate a concern associated with the anticipated demolition of a significant number of residential and commercial structures that were permanently

damaged as a result of Hurricane Sandy. Commencing on July 1, 2013, all persons, firms, corporations or other legal entities intending to demolish a structure or improvement shall be required to employ water dampening techniques to eliminate dust, debris, particles and other air borne substances from substantially escaping from the demolition site.

Motion to approve Ordinance 13-21C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

8. First Reading Ordinance 13-22C: **ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, 1997" BY REPEALING SECTION 111.1 OF THE "INTERNATIONAL PROPERTY MAINTENANCE CODE 2009" AND IN LIEU AND INSTEAD THEREFORE PROVIDING FOR DIRECT APPEAL TO THE SUPERIOR COURT OF NEW JERSEY, LAW DIVISION**

Lynda Wells explained the purpose of this Ordinance was to delete any requirement for an aggrieved party to appeal to any local appeal board and to permit any aggrieved person to appeal directly to the Superior Court of New Jersey, Law Division, Ocean County, New Jersey. This Ordinance is adopted since Long Beach Township had never created an Appeal Board to hear appeals from rulings issued pursuant to the International Property Maintenance Code 2009.

Motion to approve Ordinance 13-22C on First Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

ADOPTIONS & APPROVALS

9. Resolution 13-0607.01(a-e): Approve temporary regulations:

a) Summer Traffic Regulations

RESOLUTION 13-0607.01(a)

WHEREAS, the provisions of N.J.S.A. 39:4-197.2 provide that municipalities may pass ordinances, resolutions or regulations to regulate traffic and parking along and upon any county road or part thereof lying within its corporate limits, in the same manner and to the same extent that it is authorized by law to regulate same upon municipal roads and streets; and

WHEREAS, N.J.S.A. 39:4-197.3 provides that any municipality may, upon the adoption of a resolution declaring that an emergency temporary condition dictates the adoption of a special traffic regulation for a period of effectiveness not to exceed three (3) months; and

WHEREAS, the said temporary emergent conditions are a result of the tremendous influx of summer residents, unduly burdening the streets of the Township of Long Beach; and

WHEREAS, the traffic on Township streets including all side streets as well as Long Beach Boulevard is tremendous during these months; and

WHEREAS, during the annual St. Francis Festival of the Sea a temporary condition exists causing the need to suspend parking regulations on 45th Street through 50th Street in the Brant Beach area from August 7th through August 11th from 4:00 P.M. to 12:00 A.M.; and

WHEREAS, during the Long Beach Island Arts Foundation Annual House Tour a temporary condition exists causing the need to suspend parking regulations on Long Beach Blvd. in Loveladies and North Beach on August 7th from 7:00 A.M. to 7:00 P.M.; and

WHEREAS, during the Long Beach Island Arts Foundation Arts & Crafts Festival a temporary condition exists causing the need to suspend parking regulations on the west side of Long Beach Blvd. in Loveladies July 19th at 12:00 A.M. through July 22nd at 12:00 A.M. ; and

WHEREAS, because of the location of the Beach Badge Sales Office adjacent to the municipal building during the summer season it is necessary to limit parking on the south side of 68th Street to provide parking for beach badge purchases; and

WHEREAS, because of the location of the Observation Deck adjacent to the municipal building during the summer season it is necessary to limit parking in the designated area on the east side of Ocean Blvd. to provide parking for all visitors; and

WHEREAS, the area of Beach Avenue between Pennsylvania Avenue and Indiana Avenue in the Beach Haven Terrace section is heavily traveled Sunday mornings between 6:00 A.M. and 12:00 noon and sufficient parking is necessary to facilitate the public buildings in that area; and

WHEREAS, during the summer season, a temporary emergent condition exists on Maryland Avenue in the Beach Haven Terrace section of the Township; and

WHEREAS, during the summer season, a temporary emergent condition exists on West 22nd Street in Spray Beach between Long Beach Boulevard and Highland Avenue; and

WHEREAS, during the summer season, a temporary emergent condition exists on 69th Street by the Police gasoline pump in the Brant Beach section of the Township; and

WHEREAS, the Township of Long Beach is especially concerned for the safety of motorists traversing and contractors working on the streets of Long Beach Township during the busy and congested summer months; and

WHEREAS, during the summer season it is essential to maintain the public right-of-way in an unobstructed manner so as not to hinder the clear passage of pedestrians or vehicles; and

WHEREAS, several narrow alleyways are located in Long Beach Township which for safety considerations, should not be used as traffic thruways; and

WHEREAS, there is also the need to regulate parking at the two Loveladies parking areas, as well as the North Beach parking area by the public tennis courts; and

WHEREAS, the public access in the North Beach section of Long Beach Township requires adequate parking for the lifeguards and public recreation; and

WHEREAS, the Holgate Township property currently being used as a public park located on Blk. 1.26 Lots 1 & 2 is a heavily populated residential zone and it is necessary to curtail activities in the park progressively as evening falls to assure the tranquility of the neighborhood; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 15th day of June 2012, for the reasons aforesaid that parking regulations on 45th Street through 50th Street in the Brant Beach area from August 7th through August 11th from 4:00 P.M. to 12:00 A.M. have been suspended for the annual St. Francis Festival of the Sea; and

BE IT FURTHER RESOLVED by the Board of Commissioners of the Township of Long Beach that parking regulations on Long Beach Blvd. in Loveladies and North Beach have been suspended for the Long Beach Island Arts Foundation Annual House Tour on August 7th from 7:00 A.M. to 7:00 P.M.; and

BE IT FURTHER RESOLVED by the Board of Commissioners of the Township of Long Beach that parking regulations on the southbound shoulder lane of Long Beach Blvd. in Loveladies during the Long Beach Island Arts Foundation Arts & Crafts Festival have been suspended from July 19th at 12:00 A.M. through July 22nd at 12:00 A.M.; and

BE IT FURTHER RESOLVED by the Board of Commissioners of the Township of Long Beach that parking is allowed in the designated spaces at the two public parking areas in Loveladies by the tennis courts; and

BE IT FURTHER RESOLVED that in North Beach the public parking area at the tennis courts is as follows: 1. Parallel parking along the northerly fence is permitted as far as the easterly most fence of the tennis courts. 2. Other parking will be allowed in designated spaces with two spaces reserved for Beach Patrol personnel and two spaces reserved for active tennis players; and

BE IT FURTHER RESOLVED that parking on the south side of 68th Street between Long Beach Boulevard and Ocean Boulevard shall be limited to 15 minutes; and

BE IT FURTHER RESOLVED that parking be prohibited from the intersection of Ocean Blvd. and 69th Street for 158 ft. west of Ocean Blvd.; and

BE IT FURTHER RESOLVED that parking for the Observation Deck on the east side of Ocean Boulevard between 68th and 69th Streets shall be limited to 2 hours; and

BE IT FURTHER RESOLVED that parking restrictions in the area of Beach Avenue between Pennsylvania and Indiana Avenues in the Beach Haven Terrace section of the Township be suspended on Sunday mornings from 6:00 a.m. until 12:00 p.m.; and

BE IT FURTHER RESOLVED that Maryland Avenue in Beach Haven Terrace be and is hereby designated a one-way street west bound with no turn on red, between Long Beach Blvd. and Beach Avenue; and

BE IT FURTHER RESOLVED that parking will not be allowed at any time on West 22nd Street in Spray Beach between Long Beach Boulevard and Highland Avenue; and

BE IT FURTHER RESOLVED that no hoses used by bulk-headers or pile-drivers may be run across any public street, no road openings for service connections may be made; and

BE IT FURTHER RESOLVED that no structure may be temporarily relocated into the public right-of-way; and

BE IT FURTHER RESOLVED, that alleyways less than twenty feet (20') wide shall not be used for thru traffic; and

BE IT FURTHER RESOLVED that the public tennis courts in Holgate will close at 8:00 p.m. and the parks in Holgate and Beach Haven Terrace will close completely at 9:00 p.m. daily until 8:00 a.m. the next day; and

BE IT FURTHER RESOLVED that the aforementioned emergency regulations shall be effective commencing June 15, 2013 through September 2, 2013 except where otherwise specified; and

BE IT FURTHER RESOLVED that ongoing renovations and restorations to homes throughout the Township are necessary as a result of damages incurred by Super Storm Sandy in October 2012 and the Board of Commissioners do hereby authorize modular homes to be set from June 15 through September 15, 2013 each with a one day duration and with Off Duty Police Traffic Control at the location; and

BE IT FURTHER RESOLVED that the Commissioner of Public Works & Property is hereby specifically directed to post the appropriate signs and designations in those areas when applicable and in those areas described.

b) Summer Recreation Regulations

RESOLUTION 13-0607.01(b)

WHEREAS, the provisions of N.J.S.A. 39:4-197.2 provide that municipalities may pass ordinances, resolutions or regulations to regulate traffic and parking along and upon any county road or part thereof lying within its corporate limits, in the same manner and to the same extent that it is authorized by law to regulate same upon municipal roads and streets; and

WHEREAS, N.J.S.A. 39:4-197.3 provides that any municipality may, upon the adoption of a resolution declaring that an emergency temporary condition dictates the adoption of a special traffic regulation for a period of effectiveness not to exceed three (3) months past such resolution; and

WHEREAS, during the summer season a temporary emergent condition exists while the Township of Long Beach is inundated in the months of June, July and August with visitors and residents enjoying not only the public beaches but other recreational activities as well; and

WHEREAS, the traffic on Township streets including all side streets as well as Long Beach Boulevard is tremendous during these months; and

WHEREAS, the health and public safety of all the citizens and visitors to the Township is of the utmost importance to the Board of Commissioners of the Township; and

WHEREAS, street hockey, baseball, basketball and other similar games during these months in the public streets is dangerous to the participants as well as vehicle operators; and

WHEREAS, to avoid catastrophic incidences, accidents and potential litigation regarding same, the use of public streets for games playing must be eliminated; and

WHEREAS, Long Beach Township Municipal Code Chapter 135 Section 2 prohibits the use of skate boards and roller skates on any of the public streets running northeast and southwest within the Township of Long Beach; and

WHEREAS, during the summer months, the Township is a resort community and is desirous of utilizing the northeast and southwest streets except for Long Beach Blvd. for recreational use by skate boarders, roller skaters, joggers, walkers, and more than two wheel bicycles along the shoulder area.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 7th day of June 2013 that all street games, whether organized or unorganized, such as, but not limited to, hockey, basketball, softball, kick ball, baseball etc. are hereby prohibited on all public streets within the Township of Long Beach temporarily; and

BE IT FURTHER RESOLVED that skate boards, roller skating, skating of any type, jogging, more than two wheel bicycles, and baby/child transport apparatus are prohibited on the cart-way of Long Beach Blvd., between the Borough of Ship Bottom and the Borough of Beach Haven. All other streets in Long Beach Township are exempted from this prohibition. The aforementioned activities shall abide by prevailing governmental rules and regulations; and

BE IT FURTHER RESOLVED that the aforementioned emergency regulations be effective commencing June 15, 2013 through September 2, 2013.

c) LBI Thank You Fest: June 14, 15 & 16

RESOLUTION 13-0607.01(c)

WHEREAS, as per Resolution 13-0517.01 the Board of Commissioners of the Township of Long Beach approved the "Thank You Fest" held June 14, 15 and 16, 2013; and

WHEREAS, traffic regulations to insure the health, safety and welfare of the citizens and event attendees are as follows:

- Alternate side parking shall be suspended on 61st through 75th Streets, Brant Beach on June 15, 2013 between the hours of 6:00 AM Friday, June 14th to 12:00 AM Sunday June 16, 2013.
- 68th Street in Brant Beach shall be closed to traffic from Long Beach Blvd. to Ocean Blvd. between the hours of 12:00 AM and 12:00 PM Saturday, June 15, 2013.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach do hereby approve the aforementioned regulations for the Thank You Fest, June 14, 15 and 16th 2013.

d) Annual Wheelchair Race: Able West, Inc. on June 15th from 9:00 am to 11:00 am

RESOLUTION 13-0607.01(d)

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

WHEREAS, the Annual Richard West 5 Mile Wheelchair Race, June 15, 2013 from Harvey Cedars to Barnegat Light; and

WHEREAS, the race shall begin at 9:00 AM on Salem Ave in Harvey Cedars, north to the Loveladies section of the Township, and end on 7th Street in Barnegat Light.

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach do hereby approve the Richard West 5 Mile Wheelchair Race.

e) Surf Contest: Aug. 24th , raindate Aug 25th
@ 110th Street – Alliance for a Living Ocean

RESOLUTION 13-0607.01(e)

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: Fourth Annual LBI Longboard Classic and Environmental Fair

Surfing contest at 110th Street in the Haven Beach section of the Township on August 24th between the hours of 8:00 a.m. and 4:00 p.m.

1. "No Wave" or "Rain" date August 25th
2. Awards Ceremony with live music following contest from 4:00 p.m. 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 6:00 a.m. to 6:00 p.m. from 106th to 112th Streets on the above date(s) for this annual event.

10. Resolution 13-0607.02: Authorize a fireworks display for the "Long Beach Island Thank You Fest": June 15th at Bayview Park

RESOLUTION 13-0607.02

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach approves a fireworks display for the "Long Beach Island Thank You Fest" on June 15, 2013 at Bayview Park commencing at approximately 9:00 p.m.

11. Resolution 13-0607.03: Approve various changes to Water & Sewer accounts

RESOLUTION 13-0607.03

WHEREAS, the following Water/Sewer accounts require changes in their billing and/or classification due to various reasons; and

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

<u>BLOCK</u>	<u>LOT/QUAL</u>	<u>ACCT #/ACCT</u>	<u>YEAR</u>	<u>CANCEL/CHANGE</u>	<u>AMOUNT</u>
1.13	7	86-0/Sewer	2013	To Standby per C&C	\$443.00
4.07	5	857-0/Sewer	2013	To Standby per C&C	\$331.00
5.09	1	1474-0/Sewer	2013	To Standby per C&C	\$564.00
6.16	15	1833-0/Sewer	2013	To Standby per C&C	\$354.00
7.02	6	2187-0/Sewer	2013	To Standby per C&C	\$464.00
8.03	9	2578-0/Sewer	2013	To Standby per C&C	\$196.20
8.06	4	2618-0/Sewer	2013	To Standby per C&C	\$206.00
10.05	5	2990-0/Water	2012	To Standby per Demo	\$184.00
10.13	2	3056-0/Sewer	2013	To Standby per C&C	\$520.00
10.17	1	3098-0/Sewer	2013	To Standby per C&C	\$620.00
10.21	2.01	3127-0/Sewer	2013	To Standby per Demo	\$331.00
10.25	12	3168-0/Sewer	2013	To Standby per C&C	\$399.00
11.26	1	3730-0/Sewer	2013	To Standby per C&C	\$465.00
11.29	16	3778-0/Sewer	2013	To Standby per C&C	\$ 64.00
12.13	11	4046-0/Sewer	2013	To Standby per Demo	\$178.00
12.16	17	4112-0/Sewer	2013	To Standby per C&C	\$443.00
12.16	26	4121-0/Sewer	2013	To Standby per Demo	\$420.00
12.17	1	4127-0/Sewer	2013	To Standby per C&C	\$332.00
14.13	19	4770-0/Water	2013	Decimal error/irrigation	\$30,096.00
15.03	5	4974-0/Sewer	2013	To Standby per C&C	\$309.00
15.49	2	5395-0/Water	2013	To Standby per C&C	\$224.00
15.51	2	5419-0/Sewer	2013	To Standby per C&C	\$150.00
15.99	14	5868-0/Sewer	2013	To Standby per C&C	\$531.00
15.104	3	5895-0/Sewer	2013	To Standby per C&C	\$332.00

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.

12. Resolution 13-0607.04: Approve personnel actions

RESOLUTION 13-0607.04

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

BEACH PATROL

Change the following employees rate of pay to \$16.00 per hour to be paid from Parks & Playground Salary & Wage effective June 16, 2013.

Joni Bakum

Change the following employees rate of pay to \$14.85 per hour to be paid from the Beach Badge Salary & Wage effective June 16, 2013.

Marianne Murphy

Change the following employees rate of pay to \$14.60 per hour to be paid from the Beach Badge Salary & Wage effective June 16, 2013.

Madeline Myers

Change the following employees rate of pay to \$11.55 per hour to be paid from the Beach Badge Salary & Wage effective June 16, 2013.

Marie Cooper

Change the following employees rate of pay to \$8.85 per hour to be paid from the Beach Badge Salary & Wage effective June 16, 2013.

Mary Kate Gray

Change the following employees title to Seasonal Beach Badge Program Supervisor part time, per hour, with a new rate of pay to \$13.30 per hour to be paid from the Beach Badge Salary & Wage effective June 16, 2013.

David Jonas Megan Kinney

Change the following employees title to Seasonal Beach Badge Program Supervisor part time, per hour, with a new rate of pay to \$13.10 per hour to be paid from the Beach Badge Salary & Wage effective June 16, 2013.

Heather Nelke

Change the following employees title to Seasonal Beach Badge Program Supervisor part time, per hour, with a new rate of pay to \$13.00 per hour to be paid from the Beach Badge Salary & Wage effective June 16, 2013.

Marissa Nelke

Hire the following employees as Seasonal Beach Badge Program Supervisors, part time, per hour, at the rate of \$13.20 per hour to be paid from the Beach Badge Salary & Wage effective June 16, 2013.

Kalie Hom Kathleen O'Brien

Hire the following employee as a Seasonal Beach Badge Program Supervisor, part time, per hour, at the rate of \$13.10 per hour to be paid from the Beach Badge Salary & Wage effective June 16, 2013.

Joann Kolwicz

Hire the following employees as Seasonal Beach Badge Program Supervisors, part time, per hour, at the rate of \$13.00 per hour to be paid from the Beach Badge Salary & Wage effective June 16, 2013.

Kathryn Cugliotta Katie M. Mancini

Hire the following employee as a Seasonal Beach Badge Program Seller/Checker, part time, per hour, at the rate of \$10.30 per hour to be paid from the Beach Badge Salary & Wage effective June 16, 2013.

Carol Boyle

Hire the following employee as a Seasonal Beach Badge Program Seller/Checker, part time, per hour, at the rate of \$9.05 per hour to be paid from the Beach Badge Salary & Wage effective June 16, 2013.

Virginia Fine

Hire the following employee as a Seasonal Beach Badge Program Seller/Checker, part time, per hour, at the rate of \$8.95 per hour to be paid from the Beach Badge Salary & Wage effective June 16, 2013.

Brian Gray

Hire the following employee as a Seasonal Beach Badge Program Seller/Checker, part time, per hour, at the rate of \$8.85 per hour to be paid from the Beach Badge Salary & Wage effective June 16, 2013.

Brynn Cittadino

Hire the following employees as Seasonal Beach Badge Program Seller/Checkers, part time, per hour, at the rate of \$8.75 per hour to be paid from the Beach Badge Salary & Wage effective June 16, 2013.

Michael Gardiner Melissa Vurlicer

Hire the following employee as a Seasonal Beach Badge Program Seller/Checker, part time, per hour, at the rate of \$8.65 per hour to be paid from the Beach Badge Salary & Wage effective June 16, 2013.

Miranda Budd

Hire the following employees as Seasonal Beach Badge Program Seller/Checkers, part time, per hour, at the rate of \$8.55 per hour to be paid from the Beach Badge Salary & Wage effective June 16, 2013.

Corynne Bielecki	Joseph Conwell	Kristine Cugliotta
Cheyenne Dworkin	Grace McAlindin	Jessica Pavelchak-Landi
Ashley Riddell	Jackie Russell	Erin Shevlin
Marguerite Taylor		

Hire the following employees as Seasonal Beach Badge Program Seller/Checkers, part time, per hour, at the rate of \$8.45 per hour to be paid from the Beach Badge Salary & Wage effective June 16, 2013.

Shannon Boyle	Jackie Carney	Miranda Czymek
Bryan Kunz	Allison Linkevich	Casey Maw
Julia McGowan	Nicole Pesce	Sophie Raleigh
Allyson Tamowski		

Hire the following employees as Seasonal Beach Badge Program Seller/Checkers, part time, per hour, at the rate of \$8.35 per hour to be paid from the Beach Badge Salary & Wage effective June 16, 2013.

Korrine Brown	Alexandra Carney	Alexandra Cusick
Malia Henerfer	Henry Klaas	Jackie McGrath
Lyndsay Merola	Cara Mignano	Lacey Porzuc
Edward Seeger, III	Sarah Traynor	Lisa M. Wilcox

Hire the following employees as Seasonal Beach Badge Program Seller/Checkers, part time, per hour, at the rate of \$8.25 per hour to be paid from the Beach Badge Salary & Wage effective June 16, 2013.

Chelsea Byckiewicz	Meagan Collins	Ashley Cranmer
Shannon Dentrux	Jack Durning	Peter Durning
Kyrstin Geloso	Savannah Glasser-Nehls	Carley Gould
Connor Holden	Bridget Kim	Patrick E. Klaas
Sean Kunz	John McGrath	Michael McGrath
Erin Metcalfe	Paige Mosher	Ann Smith
Breanna Surace	Parker Teliszewski	Ashlee Tieto
Alexander Wickert	Joseph Zetkolic	Alyson Zitzner

Hire the following employee as a Seasonal Lifeguard Chief at a rate of \$192.00 per day to be paid from the Lifeguard Salary & Wage effective June 15, 2013.

James Cresbaugh

Hire the following employee as a Seasonal Lifeguard Chief at a rate of \$190.00 per day to be paid from the Lifeguard Salary & Wage effective June 15, 2013.

John Schreiner

Hire the following employee as a Seasonal Lifeguard Captain at a rate of \$171.00 per day to be paid from the Lifeguard Salary & Wage effective June 15, 2013.

Harold Buck

Hire the following employee as a Seasonal Lifeguard Captain at a rate of \$152.00 per day to be paid from the Lifeguard Salary & Wage effective June 15, 2013.

Stephen Campoli

Hire the following employees as Seasonal Lifeguard Captain at a rate of \$151.00 per day to be paid from the Lifeguard Salary & Wage effective June 15, 2013.

Joseph Howarth Matthew Sheplin

Hire the following employees as Seasonal Lifeguards at a rate of \$100.00 per day to be paid from the Lifeguard Salary & Wage effective June 15, 2013.

James Baldino	Jackie Behr	Colin Brearley
Matthew Carlin	Nicholas DiMauro	Michael Fitzpatrick
Fran Hodgson	Logan Mallet-Fuina	Michael Mancini
Samuel Mitchell	Morgan Pedrick	Katherine Pijanowski
Joseph Pisarcik	Teresa Poli	Brian Ring
Steven Russell	Elizabeth Scheuerman	Joseph Sisti
Joseph Soto	Christopher Stutz	Kevin Tallon

Hire the following employees as Seasonal Lifeguards at a rate of \$96.67 per day to be paid from the Lifeguard Salary & Wage effective June 15, 2013.

Jackie Bender	Jourdan Chiavaro	Colleen Dalrymple
Andrew Farley	Andrew Mernar	Timothy Mernar
Megan Pijanowski	Melissa Royston	Jill Skipper
Kyle Teliszewski	Matthew Ward	Michael Wheaton

Hire the following employees as Seasonal Lifeguards at a rate of \$93.34 per day to be paid from the Lifeguard Salary & Wage effective June 15, 2013.

Krystal Aquilar	Nicholas T. Benelli	Jared Cittadino
Mathew Danback	Gerald Ihnken	Taylor Jennings
Robert M. McGrath	Brett Meyers	Brian O'Connell
Juliana Perello	Benjamin W. Rubin	Brendan G. Salvadore

Hire the following employees as Seasonal Lifeguards at a rate of \$90.00 per day to be paid from the Lifeguard Salary & Wage effective June 15, 2013.

James Arcidiacono	Andrew P. Barrett	Luke Boyd
Jack Bragg	Martin Caulfield, III	Jessica Colella
Timothy Connor	Riley Francisco	Evan Hoffman
Travis Janiec	Shannon Kane	Ramo Kline
John T. Lombardi	Theodore Lyons	Ryan McHugh
Michael McNamara	Michael Moran	Anthony Pacheco
John Pijanowski	Jackson Roblee	Gerald Rothstein
Edward Santolla	Rachel Schott	

Hire the following employees as Seasonal Lifeguards at a rate of \$86.67 per day to be paid from the Lifeguard Salary & Wage effective June 15, 2013.

Alex Baker	Christina Behr	Kevin Behr
Elise Bender	William Breunig	Travis Closs
Robert Denman	Julia Friedel	Nora Friedmann

Janet George	Adam Golembioski	Matthew Ihnken
Brandon Jaekel	Alan Kipping-Ruane	Lauren Lane
Robert Lynch	William Maloney	Matthew Mark
Nicholas Mathis	Connor McGrann	Kevin McQuilkin
Ryan Metz	Kaitlin Miller	Benjamin Mitchell
Lauren Peirson	Jacob Radcliff	Leland H.S. Roblee
Kevin Salerno	Andrew R. Smith	Taylor Teliszewski

Mary Christian Wheeler

Hire the following employees as Seasonal Lifeguards at a rate of \$78.33 per day to be paid from the Lifeguard Salary & Wage effective June 15, 2013.

Anne Marie Arcidiacono	Daniel Barrett	David Behr
Dakin Bond	Kevin Budd	Linwood V. Butler
Jacqueline Carlin	Timothy Caulfield	Christopher Colasurdo
Sean Connelly	James Den Uyl	Timothy Donis
Jonathan Dunlap	Kristin Fontana	Jacqueline Kline
Joseph Miller	Joseph Niccoli	Gabriella Poli
Austin Schwerzel	Grant Scull	Gabriella Smith

Donald Staudt, III

Hire the following employees as Seasonal Lifeguards at a rate of \$75.00 per day to be paid from the Lifeguard Salary & Wage effective June 15, 2013.

Zach Amir	Nathan Balcerkiewicz	Nicholas Delfico
Cody Dentrux	Nicholas Fawcett	David Gall
Stephan Golembioski	Rachel Hudak	Colleen Mernar
Sean M. Moran	Ali Phillips	

Court

Accept and approve a PERS Service Retirement for Judy Ann Ridgway effective retro-active to June 1, 2013.

POLICE

Hire the following employee as a Seasonal Class I Special Officer at a rate of \$14.49 per hour to be paid from Police Salary & Wage effective May 18, 2013.

Richard Reynolds

PUBLIC WORKS

Amend Resolution 13-0517.04 to correct clerical error. Kevin Smith was hired 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. The employee's name was in-correctly recorded and should be changed to Keith Smith effective retro-active to the original date of hire.

Motion to approve Items 9 through 12:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

LICENSES & PERMITS

13. Resolution 13-0607.05: Approve a Place to Place Transfer for Beach Haven Wines and Liquors Inc., dba Fritzie's License # 1517-44- 004-004

RESOLUTION 13-0607.05

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AND APPROVING A PLACE-TO-PLACE TRANSFER (EXPANSION) OF LIQUOR LICENSE NO. 1517-44-004-004 BEACH HAVEN WINES AND LIQUORS, LLC, D/B/A FRITZIES

WHEREAS, the New Jersey Alcoholic Beverage Law, N.J.S.A. 33:1-1, et seq., requires that a governing body must approve a transfer of a liquor license from one person to another or from one place to another; and

WHEREAS, Beach Haven Wines & Liquors, LLC, d/b/a Fritzie's, has applied for a place-to-place transfer of License No. 1517-44-004-004 in regard to the transfer of said license premise 13501 Long Beach Blvd., due to an expansion of the licensed premises.

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 a place-to-place transfer of the License No. 1517-44-004-004 for Beach Haven Wines & Liquors, LLC, d/b/a Fritzie's, is hereby approved and authorized by the Board of Commissioners of the Township of Long Beach.

2. That the transferee shall comply with all requirements of the New Jersey Alcoholic Beverage Law, N.J.S.A. 33:1-1, et seq., as well as the regulations of the Division of Alcoholic Beverage Control.

3. That a certified copy of this resolution be forwarded to the Division of Alcoholic Beverage Control and Beach Haven Wines & Liquors, LLC, d/b/a Fritzies

14. Resolution 13-0607.06(a&b): Approve various Social Events Permits:

a. Block Party: East Jerome Ave. between Long Beach Blvd. and Beach Ave.: July 3rd 2:00pm to 11:00pm

RESOLUTION 13-0607.06(a)

WHEREAS, in response to homeowners' requests for the following:

1) Permission to close E. Jerome Avenue, between Beach Avenue and Long Beach Blvd. from 2:00 p.m. to 11:00 p.m. leaving a lane open for emergency vehicles on July 3, 2013 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: East Cape Cod Ln. between Long Beach Blvd. & Beach Ave.: July 20th 4:00pm to 10:00pm

RESOLUTION 13-0607.06(b)

WHEREAS, in response to homeowners' requests for the following:

1) Permission to close E. Cape Cod Lane, between Beach Avenue and Long Beach Blvd. from 4:00 p.m. to 10:00 p.m. leaving a lane open for emergency vehicles on July 27, 2013 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.

Motion to approve Items 13 and 14:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

CONTRACTS & AWARDS

15. Resolution 13-0607.07(a&b): Authorize various contracts, per bid:

a. 2013 Emergency Repairs – Water and Sewer
S. L. MacIntyre Underground, LLC

RESOLUTION 13-0607.07(a)

A RESOLUTION AWARDING A CONTRACT FOR EMERGENCY REPAIRS TO WATER AND SEWER SYSTEMS FOR THE TOWNSHIP OF LONG BEACH, PER BID

WHEREAS, pursuant to N.J.S.A.40A:11-1 et seq., the Township of Long Beach has solicited bids for emergency repairs to water and sewer systems in the Township of Long Beach; and

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

WHEREAS, SL MacIntyre Underground, LLC, 364 Main Street, Manahawkin, NJ 08050 gave the lowest qualified bid as per the municipal engineer and the municipal attorney's review and certification.

WHEREAS, the term of the bid is for one (1) year commencing June 1, 2013 and ending May 31, 2014 with an option to extend for a period of one year as agreed to in writing by both parties at the end of the initial contract period.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 7th day of June 2013, for the reasons aforesaid, that a contract be and is hereby awarded to:

SL MacIntyre Underground, LLC

364 Main Street

Manahawkin, NJ 08050

for emergency repairs to water and sewer systems in the Township of Long Beach in amounts not to exceed the prices quoted and submitted in the bid received May 21, 2013.

b. Lumber: Diamond M. Lumber Co.: \$4,789.40

RESOLUTION 13-0607.07(b)

A RESOLUTION AWARDING A CONTRACT FOR LUMBER FOR THE TOWNSHIP OF LONG BEACH, PER BID

WHEREAS, pursuant to N.J.S.A.40A:11-1 et seq., the Township of Long Beach has solicited bids for lumber in the Township of Long Beach; and

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

WHEREAS, Diamond M. Lumber Co., 1883 Route 38, Southampton, NJ 08088 gave the lowest qualified bid as per the Commissioner and Superintendent of Public Works review and certification as follows:

• 6x6x8 Treated #2 BTR ground contact	50 @ \$17.52 =	\$ 876.00
• 2x12x12 Treated #2 BTR above ground contact	20 @ \$17.28 =	\$ 345.60
• 4x4x12 Treated #2 BTR ground contact	35 @ \$12.08 =	\$ 422.80
• 4x6x14 Treated #2 BTR ground contact	50 @ \$19.46 =	\$ 973.00
• 2x6x12 Treated ##2 BTR above ground contact	50 @ \$6.72 =	\$ 336.00
• 2x10x12 Trated T/G Sheathing Boards #2 BTR 2.5 Ret Marine Grate Treatment	80 @\$21.95 =	\$1,756.00
One time delivery fee		\$ 80.00

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 7th day of June 2013, for the reasons aforesaid, that a contract be and is hereby awarded to:

Diamond M. Lumber Co.
1883 Route 38
Southampton, NJ 08088

for lumber in the Township of Long Beach in amounts not to exceed the prices quoted and submitted in the bid received May 29, 2013.

16. Resolution 13-0607.08: Award a Professional Service Contract:
Robert Kirwan: Appraisal Services

RESOLUTION 13-0607.08

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT WITH ROBERT W. KIRWAN, SRA, SCGREA, CTA, REAL ESTATE APPRAISER, TO AID AND ASSIST THE TAX ASSESSOR OF THE TOWNSHIP OF LONG BEACH

WHEREAS, Local Public Contracts Law, N.J.S.A. 40A:1 1-1 et. seq. provide that professional services are exempt from the requirement of public bidding; (N.J.S.A. 40A: 11-5(a)(i); and

WHEREAS, the statute further requires that where contracts are awarded without public bidding, notice of such contract shall be published at least one time in a newspaper circulating in the community; and

WHEREAS, the statute defines professional services as "services rendered by a person authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship and training." (N.J.S.A. 40A:1 1-2(6)); and

WHEREAS, Robert W. Kirwan, SRA, SCGREA, CTA, on May 13, 2013, confirmed his fees which provide that preliminary appraisal services for residential properties would be \$500.00 with an additional fee of \$300.00 (not to exceed a total of \$800.00) to complete a summary appraisal report for County Tax Board or State Tax Court; deposition and testimony to be billed at \$150.00 per hour for preparation, travel and appearance in court, with a minimum charge of a one-half day fee of \$500.00; and

WHEREAS, the Board of Commissioners of the Township of Long Beach has determined that Robert W. Kirwan, SRA, SCGREA, CTA, possesses the requisite qualifications and licenses as required by law to perform said services, and that the total value of the services may exceed \$17,500.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach at a regular meeting held Friday, June 7, 2013 that the Mayor and Municipal Clerk shall and are hereby authorized to execute and bind the Township to a contract entered by and between the Township of Long Beach and Robert W. Kirwan, SRA, SCGREA, CTA, of Robert W. Kirwan Appraisal, Inc., P.O. Box 755, Manahawkin, NJ 08050 in accordance with the above mentioned proposal effective through December 31, 2013; and

BE IT FURTHER 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 and contract on file for public inspection.

17. Resolution 13-0607.09: Approve a change order:

P&A Construction: 2011 Water Main Project
#6 - \$58,683.47

RESOLUTION 13-0607.09

RESOLUTION AUTHORIZING A CHANGE ORDER #5 FOR THE 2011 WATER MAIN INSTALLATION PROJECT IN THE TOWNSHIP OF LONG BEACH

WHEREAS P&A Construction Co. Inc, was awarded a contract for the 2011 Water Main Replacement Project 1517001-011 in the Township of Long Beach pursuant to Resolution 12-0104.07(a), in the amount of One Million Seven Hundred Forty One Thousand Eight Hundred Eighteen Dollars and Seventy Five Cents (\$1,741,818.75) on January 4, 2012; 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 resulted in the following change orders:

- Change Order #1 in the amount of \$43,554.83 that was approved pursuant to Resolution 12-0405.12(b)
- Change Order #2: in the amount of \$63,545.81 that was approved pursuant to Resolution 12-0518.11(b); and
- Change Order #3 in the amount of \$79,749.80 that was approved pursuant to Resolution 12-0706.18; and
- Change Order #4 in the amount of \$17,293.70 that was approved pursuant to Resolution 12-1221.12(b)
- Change Order #5 in the amount of \$15,283.71 that was approved pursuant to Resolution 13-0405.09; and

WHEREAS, as a result of various unknown services and side-street tie-ins, additional piping extensions and connections were required; resulting in an additional Change Order to the original contract; such change order has been approved and certified by the Municipal Engineer and the Commissioner of Public Works and Property.

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 7th day of June 2013 that P&A Construction Co., Inc., PO Box 28, Colonia, NJ 07067 be and is hereby awarded Change Order #6 in an amount not to exceed Fifty Eight Thousand Six Hundred Eighty Three Dollars and Forty Seven Cents(\$58,683.47) for payment of the additional work required to complete the 2011 Water Main Installation Project 1517001-011 in the Township of Long Beach.

Motion to approve Items 15 through 17:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

FINANCIAL APPROVALS

18. Resolution 13-0607.10: Authorize the creation of a reserve account to accept revenue from insurance claims for vehicle damage caused by Super Storm Sandy

RESOLUTION 13-0607.10

WHEREAS, Super Storm Sandy made landfall on Long Beach Township in October 2012; and

WHEREAS, various Long Beach Township vehicles sustained significant damage and deemed 'totaled' by the Joint Insurance Fund (JIF); and

WHEREAS, Long Beach Township has received insurance funds for the value of these vehicles; and

WHEREAS, it is the desire of the Commissioner of Revenue and Finance to create a reserve for the purchase of replacement vehicles; and

WHEREAS, it is also the desire of the Commissioner of Revenue and Finance to utilize these insurance proceeds to fund this reserve for replacement vehicles.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach do hereby authorize the creation of a reserve account for the purchase of replacement damaged Township vehicles.

19. Resolution 13-0607.11: Approve Bills & Payroll
- | | |
|---------------------------|----------------|
| Bills in the amount of: | \$4,257,733.00 |
| Payroll in the amount of: | \$ 831,716.38 |

RESOLUTION 13-0607.11

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 \$831,716.38.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach as follows:

1. The said approved vouchers amounting to the sum of \$4,257,733.00 be and the same are hereby authorized to be paid on Friday, June 7, 2013.

2. The said approved payroll amounting to the sum of \$831,716.38 be and the same are hereby authorized to be paid on Friday, June 7, 2013.

The Municipal Clerk be and she is hereby directed to list on the page in the Minute Book following the Minutes of this meeting all of the said vouchers hereby authorized to be paid.

Motion to approve Items 18 and 19:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

Mayor Mancini abstained from a voucher for reimbursement to J.H. Mancini.

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

COMMISSIONERS' REPORTS

Commissioner Lattanzi reported on the storm damage cleanup status, noting a teleconference with Tom Car, Delaware, FEMA and representative from Sen. Menendez' office.

Commissioner Lattanzi also reported that the home elevation program may be limited to primary residences only. He also reported the ICC program may have \$30,000 available, homeowners should contact their local insurance agent.

Commissioner Bayard reported brush should be cut to 4' lengths and tied for collection at the curb. He also reported appliances and metal should have pick up scheduled through the office.

Mayor Mancini stated the next meeting of the Board of Commissioners would take place on Friday, June 21, 2013 at 4:00 p.m. at which time public hearings for Ordinances #13-21C and 13-22C would take place.

Mayor Mancini also stated 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 outstanding easements as follows: **Brant Beach to No. Beach Haven: 14** outstanding, **North Beach: 12** easements outstanding and **Loveladies: 29** easements outstanding.

Mayor Mancini read the report from the Police Dept:

The Army Corps was in the process of replenishing the beach in the Brant Beach section – use caution and stay clear of restricted areas

The annual Special Olympics torch run was held June 7th on the island. Long Beach Police Department members as well as representatives of Berkeley, Barnegat, Beach Haven, Harvey Cedars, Stafford, and Ship Bottom participated in the run.

Alternate side parking restrictions were in effect - Trailer parking was also restricted, additionally no debris should be placed in the roadway.

KEEP RIGHT PASS LEFT- use of cell phones while driving strictly prohibited-

DO NOT TEXT AND DRIVE – special details will be utilized to address this specifically.

Mayor Mancini announced the Thank You Fest would be held June 14, 15 & 16 and stated it was very important for everyone to attend and say thank you to the first responders for all of their help with the recovery process from Superstorm Sandy.

Mayor Mancini also reported the Army Corps was in the process of repairing the project in Brant Beach between 31st and 58th Streets, noting updates would be on the Twp. website.

OPEN PUBLIC SESSION

Tom Beaty, Holgate, asked if parking would be suspended for the ALO Long Board Classic. Teri Sgro explained that yes, it was included in the body of the resolution.

Bill Hutson, Holgate, also reported on the Thank You Fest.

Don O'Brien, Ager Realty and Surflight Theatre stated the International Film Festival had a dramatic video called 'Shore Up' about Superstorm Sandy they were selling and thought it would be nice if they donated some DVD's for the Thank You Fest.

Don O'Brien was also concerned about the portable toilets on 58th Street, noting a lot of people stopping to use them.

Bill Kunz, Brant Beach asked the Mayor to comment on pictures a resident showed him of tire tracks and footprints on the dunes in Brant Beach.

Mayor Mancini stated the streetends had walkways for pedestrian traffic and the police would be monitoring the oceanfront for violators. He also emphasized no vehicles were allowed.

CLOSE PUBLIC SESSION

Motion for adjournment at 4:35 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