

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS JULY 5, 2013
Flag Salute

Meeting came to order: 4:10 p.m.

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

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

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

Motion: To dispense with the reading of the minutes of the June 21, 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. First Reading Ordinance 13-26C: **ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, 1997" AS THE SAME IN CHAPTER 64 PERTAINS TO BUILDING CONSTRUCTION**

Lynda Wells, Municipal Clerk explained this ordinance amended Chapter 64, to provide the Board of Commissioner of Township of Long Beach with the authority, by resolution, to abate, correct, and/or remedy any violations of Chapter 64 and to assess costs and to charge same against the property as a lien.

Motion to approve Ordinance 13-26C on First Reading:

Motion:	LATTANZI	Ayes:	LATTANZI, BAYARD, MANCINI
Second:	BAYARD	Nays:	

ADOPTIONS & APPROVALS

2. Resolution 13-0705.01: Approve the withdrawal of Ordinance 13-23C as introduced.

**RESOLUTION WITHDRAWING ORDINANCE NO. 13-23C
FROM CONSIDERATION FOR PASSAGE ON SECOND
READING.**

FIRST WHEREAS, Ordinance No. 13-23C entitled **AN ORDINANCE AMENDING AN ORDINANCE** entitled, "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" as the same in Chapter 94 deals with flood damage. was adopted on First Reading at a regular meeting of the Board of the Board of Commissioners of the Township of Long Beach held Friday June 21, 2013; and

SECOND WHEREAS, prior to the adoption of Ordinance No. 13-23C on first reading the Federal Emergency Management Agency had published, a new preliminary work map establishing various base flood elevations; and

THIRD WHEREAS, Ordinance No. 13-23C did not take into account the impact of the AO-1 Zone and AO-3 Zone such zones impact on the zoning ordinance of the Township of Long Beach; and

FOURTH WHEREAS, The Board of Commissioners has determined that the interest of the public will best be served by withdrawing Ordinance No. 13-23C and combining the provisions of that Ordinance with a new Ordinance which will include the provisions included in Ordinance No. 13-24C and 13-25C; and

FIFTH WHEREAS, Ordinance No. 13-23C is presently scheduled for second reading and final passage pursuant to the New Jersey Statutes; and

SIXTH WHEREAS, The Board of Commissioners of the Township of Long Beach has determined that it is in the best interests of the taxpayers and residents to withdraw Ordinance No. 13-23C and combine it with the contents of Ordinance No. 13-24C and Ordinance No. 13-25C for introduction at the next meeting of the Board of Commissioners of the Township of Long Beach to be held Friday July 19, 2013.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach, a Municipal Corporation of the State of New Jersey at a regular meeting held Friday July 5, 2013 that Ordinance No. 13-23C entitled **AN ORDINANCE AMENDING AN ORDINANCE** entitled, "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" as the same in Chapter 94 deals with flood damage. shall be and is hereby withdrawn.

3. Resolution 13-0705.02: Approve the withdrawal of Ordinance 13-24Cas introduced.

**RESOLUTION WITHDRAWING ORDINANCE NO. 13-24C
FROM CONSIDERATION FOR PASSAGE ON SECOND
READING.**

FIRST WHEREAS, Ordinance No. 13-24C entitled **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 205-10A establishes height limitations in the A and V Zones as defined by FEMA was adopted on First Reading at a regular meeting of the Board of the Board of Commissioners of the Township of Long Beach held Friday June 21, 2013; and

SECOND WHEREAS, prior to the adoption of Ordinance No. 13-24C on first reading the Federal Emergency Management Agency had published, a new preliminary work map establishing various base flood elevations; and

THIRD WHEREAS, Ordinance No. 13-24C did not take into account the impact of the AO-1 Zone and AO-3 Zone such zones impact on the zoning ordinance of the Township of Long Beach; and

FOURTH WHEREAS, The Board of Commissioners has determined that the interest of the public will best be served by withdrawing Ordinance No. 13-24C and combining the provisions of that Ordinance with a new Ordinance which will include the provisions included in Ordinance No. 13-23C and 13-25C; and

FIFTH WHEREAS, Ordinance No. 13-24C is presently scheduled for second reading and final passage pursuant to the New Jersey Statutes; and

SIXTH WHEREAS, The Board of Commissioners of the Township of Long Beach has determined that it is in the best interests of the taxpayers and residents to withdraw Ordinance No. 13-24C and combine it with the contents of Ordinance No. 13-23C and Ordinance No. 13-25C for introduction at the next meeting of the Board of Commissioners of the Township of Long Beach to be held Friday July 19, 2013.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach, a Municipal Corporation of the State of New Jersey at a regular meeting held Friday July 5, 2013 that Ordinance No. 13-24C entitled **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 205-10A establishes height limitations in the A and V Zones as defined by FEMA shall be and is hereby withdrawn.

4. Resolution 13-0705.03: Approve the withdrawal of Ordinance 13-25C as introduced.

**RESOLUTION WITHDRAWING ORDINANCE NO. 13-25C
FROM CONSIDERATION FOR PASSAGE ON SECOND
READING.**

FIRST WHEREAS, Ordinance No. 13-25C entitled **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 64-13B(1)(e) as the same regulates the elevation of bayside and lagoon bulkheads" was adopted on First Reading at a regular meeting of the Board of the Board of Commissioners of the Township of Long Beach held Friday June 21, 2013; and

SECOND WHEREAS, prior to the adoption of Ordinance No. 13-23C on first reading the Federal Emergency Management Agency had published, a new preliminary work map establishing various base flood elevations; and

THIRD WHEREAS, Ordinance No. 13-25C did not take into account the impact of the AO-1 Zone and AO-3 Zone such zones impact on the zoning ordinance of the Township of Long Beach; and

FOURTH WHEREAS, The Board of Commissioners has determined that the interest of the public will best be served by withdrawing Ordinance No. 13-25C and combining the provisions of that Ordinance with a new Ordinance which will include the provisions included in Ordinance No. 13-23C and 13-24C; and

FIFTH WHEREAS, Ordinance No. 13-25C is presently scheduled for second reading and final passage pursuant to the New Jersey Statutes; and

SIXTH WHEREAS, The Board of Commissioners of the Township of Long Beach has determined that it is in the best interests of the taxpayers and residents to withdraw Ordinance No. 13-25C and combine it with the contents of Ordinance No. 13-23C and Ordinance No. 13-24C for introduction at the next meeting of the Board of Commissioners of the Township of Long Beach to be held Friday July 19, 2013.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach, a Municipal Corporation of the State of New Jersey at a regular meeting held Friday July 5, 2013 that Ordinance No. 13-25C entitled **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 64-13B(1)(e) as the same regulates the elevation of bayside and lagoon bulkheads" shall be and is hereby withdrawn.

Lynda Wells, Municipal Clerk explained these ordinances were being drafted into one document that would be introduced at a future date.

5. Resolution 13-0705.04: Approve personnel actions

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

Rescind the approved intermittent Family Medical Leave of Absence (FMLA) for EJ effective retro-active to October 9, 2012. This medical leave of absence was documented in error on Resolution 12-1019.04.

Approve a Family Medical Leave of Absence (FMLA) for EJ effective retro-active to June 10, 2013.

Approve a Family Medical Leave of Absence (FMLA) for ME effective retro-active to June 13, 2013.

Approve a Family Medical Leave of Absence (FMLA) for PG effective retro-active to July 1, 2013.

Approve the end of an intermittent Family Medical Leave of Absence (FMLA) for RG effective retro-active to September 24, 2012.

Approve the end of a Family Medical Leave of Absence (FMLA) for SP effective retro-active to February 19, 2013.

Approve the end of an intermittent Family Medical Leave of Absence (FMLA) for KS effective retro-active to March 11, 2013.

Approve the end of an intermittent Family Medical Leave of Absence (FMLA) for DM effective retro-active to March 13, 2013.

Approve the end of an intermittent Family Medical Leave of absence for PG effective retro active to April 8, 2013.

Approve the end of an intermittent Family Medical Leave of absence for SB effective retro active to April 29, 2013.

Approve the end of a Family Medical Leave of Absence (FMLA) for CC effective retro-active to April 30, 2013.

Approve the end of a Family Medical Leave of Absence (FMLA) for ME effective retro-active to June 20, 2013.

Approve the end of an intermittent Family Medical Leave of absence for KO effective retro active to June 30, 2013.

BEACH PATROL

Change the following employee's title to Seasonal Beach Badge Program Senior Supervisor to the following employee, at the same rate of pay set by Resolution 13-0607.04, to be effective July 6, 2013

Joseph Howarth

Hire the following employee as a Seasonal Beach Badge Program Seller/Checker part time, per hour, at the rate of \$9.70 per hour to be paid from the Beach Badge Salary & Wage effective July 6, 2013.

Roxanne Callahan

Change the following employee's rate of pay to \$86.67 per day to be paid from the Lifeguard Salary & Wage effective July 6, 2013.

Riley Sheehan

Hire the following employee as a Seasonal Lifeguard Lieutenant at a rate of \$128.00 per day to be paid from the Lifeguard Salary & Wage effective July 6, 2013.

Cian Drewry

Hire the following employee as a Seasonal Lifeguard at a rate of \$100.00 per day to be paid from the Lifeguard Salary & Wage effective July 6, 2013.

Patrick Durning

Hire the following employee as a Seasonal Lifeguard at a rate of \$78.33 per day to be paid from the Lifeguard Salary & Wage effective July 6, 2013.

Joseph Bockin

POLICE

Approve the employment agreement between the Township of Long Beach and Police Chief Michael Bradley pursuant to the contract terms and conditions effective retro-active to January 1, 2011 and effective thru December 31, 2013.

Public Works

Approve a \$3,000.00 increase for additional administrative duties to the following employee's base salary to be paid from Public Works Salary & Wage effective July 6, 2013.

- Debra Thompson
6. Resolution 13-0705.05: Approve two class trips for the Southern Regional High School Board of Education: July 19th and August 2nd

WHEREAS, the following events are scheduled to be held in the Township of Long Beach as follows:

HOST	DESCRIPTION	TIME & DATE(S)
Southern Regional High School Extended Yr. Special Needs	68 th St. ocean beach facilities two additional lifeguards	Fri. July 19, 2013 8:30 AM to 11:30 AM
Southern Regional High School Extended Yr. Special Needs	68 th St. ocean beach facilities two additional lifeguards	Fri. Aug. 2, 2013 8:30 AM to 11:30 AM

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

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

7. Resolution 13-0705.06: Approve the 2013 Community Development Block Grant Application in the amount \$50,000.00 for the removal of the existing narrow and deteriorated beach access ramp at 68th Street and the construction of a new Handicap Access Beach Ramp

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the 2013 application of the Township of Long Beach to the Ocean County Community Development Block Grant Program in the amount of \$50,000.00 for the removal of the existing narrow and deteriorated beach access ramp at 68th Street and the construction of a new Handicap Access Beach Ramp is hereby approved by the Board of Commissioners.

8. Resolution 13-0705.07: Approve waiver of traffic regulations for 2013 events for the Brant Beach Yacht Club as follows:
- July 14th -20th Sunfish Youth World Championships
North American Championships
 - August 1st & 2nd LBI Optimist Championships
 - August 17th -18th Laser District Championships
 - August 19th -20th New Jersey State Optimist Championships

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:

- July 14th - 20th - Sunfish Youth World Championships
North American Championships
- August 1st & 2nd - LBI Optimist Championships
- August 17th & 18th - Laser District Championships
- August 19th & 20th - New Jersey State Optimist Championships

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

Motion to approve Items 2 through 8:

Motion: LATTANZI Ayes: LATTANZI, BAYARD, MANCINI

Second: BAYARD Nays:

LICENSES & PERMITS

9. Resolution 13-0705.08: Approve a Block Party: retroactive to July 4th East 91st Street; 4pm to 10 pm

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

1) Permission to close E. 91st Street, between Beach Avenue and the beach from 4:00 p.m. to 10:00 p.m. leaving a lane open for emergency vehicles on July 4, 2013 for a block party.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby retroactively 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 Item 9:

Motion: LATTANZI Ayes: LATTANZI, BAYARD, MANCINI

Second: BAYARD Nays:

PURCHASES, CONTRACTS & AWARDS

10. Resolution 13-0705.09: Approve a 48 month lease with Image Systems:
- one Konica Minolta Bizhub C364 copier \$304.45 per month; per state contract.
 - one Lexmark XM 5163de copier; \$105.35 per month; per state contract.
 - **A RESOLUTION AUTHORIZING THE DELIVERY, SET-UP, AND MONTHLY LEASE FEE FOR ONE (1) KONICA MINOLTA BIZHUB C364 COPIER FOR ALL ADMINISTRATIVE OFFICE USE AND ONE (1) LEXMARK XM 5163de COPIER FOR PUBLIC WORKS ADMINISTRATIVE OFFICE, PER STATE CONTRACT**

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

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

WHEREAS, Image Systems for Business, Inc., 22 Worlds Fair Drive, Suite E, Somerset, NJ 08873 has been awarded New Jersey State Contract Index M-0483, WSCA Computer Contract No. 74922 effective July 27, 2009 through August 31, 2014; and

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

WHEREAS, the actual lease cost per month for the Konica Minolta Bizhub C364 and Lexmark XM 5163de copiers is Four Hundred Nine Dollars and Eighty Cents (\$409.80) for a period of 48 months commencing July 1, 2013 to June 30, 2017; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for the lease contract one (1) Lexmark XM 5163de for the Public Works Department and Water & Sewer Maintenance Department at the rate of \$105.35 per month available as an appropriation created by: Public Works Photocopy and Supplies Account # 3-01-26-302-046 in the amount of Three Hundred Sixteen Dollars and Five Cents (\$316.05) and allowance will be made in all future budgets for the term of the lease; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for the lease contract one (1) Konica Minolta Bizhub C364 for all municipal administrative offices at a rate of \$304.45 per month made available as an appropriation created by Shared Services – Photocopy & Supplies, Account # 3-01-31-451-046 in the amount of \$1,826.70 and allowance will be made in all future budgets for the term of the lease.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach authorizes the execution of a lease agreement with Image Systems for Business, Inc., 22 Worlds Fair Drive, Suite E, Somerset, NJ 08873, for one Konica Minolta Bizhub C364 copier and one Lexmark XM 5163de copier in the amount of Four Hundred Nine Dollars and Eighty Cents (\$409.80) for a period of 48 months commencing July 1, 2013 to June 30, 2017.

Motion to approve Item 10:

Motion: LATTANZI Ayes: LATTANZI, BAYARD, MANCINI

Second: BAYARD Nays:

FINANCIAL APPROVALS

11. Resolution 13-0705.10: Approve miscellaneous changes to water and sewer accounts.

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>
1.09	1.02	8277-0/Water	2013	Remove irrigation	\$304.00
1.15	3	111-0/Water	2013	Remove 37 hose bibs	\$1184.00
1.97	8	749-0/Water	2013	Remove irrigation	\$304.00
4.19	1.02	1012-0/Water	2013	To Standby/per demo	\$180.00
6.01	3.05	1679-0/Water	2013	Remove irrigation	\$304.00
10.44	1.02	3313-0/Water	2013	Remove irrigation	\$304.00
11.01	1.01	3339-0/Water	2013	Remove irrigation	\$304.00
13.08	2	4364-0/Water	2013	To Standby/per C&C	\$169.00
15.59	1	5494-0/Water	2013	Remove irrigation	\$304.00
15.67	6	5618-0/Water	2013	To Standby/per C&C	\$195.00
15.67	6	5618-0/Sewer	2013	To Standby/per C&C	\$265.50
15.78	2	5720-0/Water	2013	To Standby/per C&C	\$163.00
15.78	2	5720-0/Sewer	2013	To Standby/per C&C	\$310.00

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 13-0705.11: Approve Bills & Payroll
 Bills in the amount of: \$1,813,244.34
 Payroll in the amount of: \$ 612,730.30

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 \$623,730.30.

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

1. The said approved vouchers amounting to the sum of \$1,813,244.34 be and the same are hereby authorized to be paid on Friday, July 5, 2013.

2. The said approved payroll amounting to the sum of \$623,730.30 be and the same are hereby authorized to be paid on Friday, July 5, 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 11 and 12:

Motion: LATTANZI Ayes: LATTANZI, BAYARD, MANCINI
 Second: BAYARD Nays:

COMMISSIONERS' REPORTS

Commissioner Lattanzi reported from the finance office, that the Twp. was still waiting for the FEMA funds, stating the Twp. only received about \$500,000.00 to date.

Commissioner Lattanzi reported the Health Department was just about ready to move to their new location after the completion of necessary electrical work.

Commissioner Lattanzi commented on statements that had been posted on facebook regarding the beach replenishment project in Brant Beach that there were heavy metals and silt being pumped onto the beach. He reported that the ACOE and NJDEP had both advised the Twp. that there were no heavy metals on the beaches. He noted the Township's disappointment with ALO that they commented without checking the facts with the Twp., noting that Director of the Health Department, Mr. Hilfferty has always been diligent with any concerns of the Twp.

Commissioner Lattanzi reported the incident which Great Lakes tipped two clean porta johns in the ocean while in transport was in Ship Bottom.

Commissioner Bayard reported Ocean County was holding a Shred Day on July 13th at the garage. He also stated the recycling stickers were available from the reception desk at the entrance of town hall.

Mayor Mancini stated the next meeting of the Board of Commissioners would take place on Friday, July 19, 2013 at 4:00 p.m. at which time we would hold a public hearing for Ordinance 13-26C.

Mayor Mancini stated the next regular meeting of the Land Use Board would be held on Wednesday, July 10, 2013 at 7:00 p.m. in the Municipal Court Room.

Mayor Mancini reported from Long Beach Twp. Emergency Mgt. that the OEM requested our residents visit the Long Beach Twp. websites to sign up for Nixle and Global Connect emergency information sources.

Mayor Mancini also reported from the Police Department that this past week the Police Department investigated two separate serious motor vehicle accidents involving bicycles. They directed everyone to follow all applicable traffic laws while operating bikes. Police enforcement details were ongoing.

Mayor Mancini also reported on his second meeting with the Army Corps Major General and One Star General, noting the Army Corps were moving forward with the reevaluation of all the new projects and Long Beach Twp. would not be receiving sand this calendar year. He reminded everyone that we still need easements from some oceanfront properties.

OPEN PUBLIC SESSION

Annette Kaplan, North Beach stated the ocean fronts who did not sign have no dune fence, therefore people were walking over the dunes. She was concerned about 14th Street.

Mayor Mancini responded that by not signing, they were not allowing anyone on their property to place fencing. He stated he would have signs placed on the south side of 14th Street.

Dan Macone, Holgate Taxpayers state there were no public trash cans on Janet, Joan and Jacqueline Streets in Holgate. He also requested new benches be placed there temporarily until the park was completed.

Dan Macone also reported three benches buried behind a residence at 6 Cleveland and thought the Twp. could recover them.

Commissioner Bayard stated the Public Works would try to recover those benches.

Bill Hutson, Holgate, thanked the Commissioners for the porta potty trailer.

Comm. Bayard also thanked Eileen Boker for her assistance with the contact number for the trailer.

CLOSE PUBLIC SESSION

Motion for adjournment at 4:25 pm.

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