

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS JULY 6, 2012
Flag Salute

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

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

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

Municipal Clerk announced: Notice of the time and place of this meeting has been posted in the office of the Municipal Clerk, published by the BEACH HAVEN TIMES; the PRESS OF ATLANTIC CITY; and the ASBURY PARK PRESS on November 9th, 2011; and filed with the Municipal Clerk.

Motion: To dispense with the reading of the minutes of the June 15, 2012 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 12-15C: **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 139-16 PERTAINS TO PEDDLING AND SOLICITING**

AN ORDINANCE AMENDING AN ORDINANCE entitled, "Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" amending Chapter 139.

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

STATEMENT OF PURPOSE

The purpose of this Ordinance is to prohibit any and all solicitation of homes in the Township of Long Beach except for charitable purposes, governmental purposes and organizations which are exempt from Federal Income Tax under the United States Income Tax Code.

SECTION I

§139-13 of an Ordinance entitled "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby repealed and in lieu and instead thereof the following is adopted:

A. Door to door solicitation within the geographical area of Long Beach Township shall be permitted only by charitable solicitors as herein below defined, governmental agencies as herein below defined and organizations which are exempt from the payment of Federal Income Tax pursuant to Sections 501(c), 527 and 4947(a)(1) of the Internal Revenue Code of the United States of America and by no other individuals or persons whatsoever.

B. Charitable solicitors are defined as any individual, whether resident of the Township or not, traveling by foot, wagon, automobile, motor truck or any other type of conveyance from place to place, from house to house or from street to street, soliciting or seeking orders of contributions for any charitable purpose.

C. Governmental solicitors shall be defined as any employee of any governmental agency including and not limited to the Government of the United States of America, the Government of the State of New Jersey, the Government of the County of Ocean and the Governing Body of the Township of Long Beach going from house to house in the same manner as a charitable solicitor as defined in paragraph B above while engaged in the furtherance of his or her governmental employment duties.

D. The term solicitor shall also include the term canvasser.

SECTION II

§139-15 of an Ordinance entitled "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" paragraph B is hereby repealed and in lieu and instead thereof the following is adopted:

- B. Governmental solicitors are exempt from the licensure requirements contained in this Ordinance.

SECTION III

§139-16C of an Ordinance entitled "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby repealed and Section 139-16D shall become Section 139-16C.

SECTION IV

§139-17 of an Ordinance entitled “Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)” is hereby repealed and in lieu and Sections 139-18 through 139-24 are renumbered accordingly with Sections 139-17 becoming 139-16 and Section 139-24 becoming Section 139-23 with all the intervening sections being accordingly renumbered.

SECTION V

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

SECTION VI

If any word, phrase, clause, section or provision of this Ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional such word, phrase, clause, section or provision shall be severable from the balance of the Ordinance and the remainder of the Ordinance shall remain in full force and effect.

SECTION VII

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

Passed on first reading at a regular meeting held on June 15, 2012 and advertised in the BEACH HAVEN TIMES issue of June 21, 2012.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 12-15C on Second Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

2. First Reading Ordinance 12-16: **BOND ORDINANCE AUTHORIZING THE RECONSTRUCTION AND/OR RESURFACING OF SOUTH LAGOON DRIVE IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$205,000 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 \$194,750; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Motion to approve Ordinance 12-16 on First Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

3. First Reading Ordinance 12-17: **BOND ORDINANCE AUTHORIZING THE RENOVATION OF AND VARIOUS IMPROVEMENTS TO THE PUBLIC WORKS FACILITY IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$700,000 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 \$665,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Motion to approve Ordinance 12-17 on First Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

4. First Reading Ordinance 12-18: **BOND ORDINANCE AUTHORIZING THE REPAIR AND/OR REPLACEMENT OF BULKHEADS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$250,000 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 \$237,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Lynda Wells explained the following bulkheads were would be affected: Susan Ave, Holgate – W. Ohio, Dunes – Sand Dune Lane, Peahala Pk., - Alabama Ave., BH Park.

Motion to approve Ordinance 12-18 on First Reading:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

ADOPTIONS AND APPROVALS

5. Resolution 12-0706.01: Approve the application form and design for dune walkovers in the storm protection project area of Brant Beach, 31st to 57th Streets

Mayor Mancini announced the design specifications for the dune walkovers were on the table in the rear of the meeting room.

RESOLUTION 12-0706.01

WHEREAS, the Army Corps of Engineers and the New Jersey Department of Environmental Protection have just completed a Storm Protection Project in the Brant Beach section of Long Beach Township between 31st Street to 57th Street; and

WHEREAS, the oceanfront homeowners in that project area have requested 'dune walkovers' for their residences; and

WHEREAS, the following regulations for all dune walkovers apply to each ocean front residence in the above described project area of Brant Beach:

1. A one time fee of Seventy Five Dollars (\$75.00) will be required for all temporary or permanent dune walkover installations.
2. Each dune walkover must be registered annually no later than March 31st of each year.
3. **Temporary dune walkovers:** prefabricated rollaway decking or other materials **as approved by the Long Beach Township Construction Inspection and Zoning Department.**
4. **Permanent dune walkovers:** gravel type walkovers as per the United States Army Corps of Engineers specifications.
5. All dune walkovers shall be a maximum of four (4) feet wide and shall extend over the complete dune area to the most easterly dune fence at the toe of the dune. **(*NOTE* The storm fence opening at the toe of the dune can only be made by the Township of Long Beach Department of Public Works).**
6. All temporary dune walkovers shall be permitted between the first (1st) of April and the first (1st) of November of each year. Such dune walkovers shall be removed from the dune area during the period of November 2nd through March 31st of each year.
7. The following materials are **PROHIBITED:**
 - a) Steps
 - b) Lighting (no lights east of the building line)
 - c) Railings
 - d) Posts
 - e) Ropes
 - f) Dune fencing
 - g) Borders and/or edging east of the dune **as per Schedule 'A' attached.**
8. All dune walkovers must be installed at a 90° angle perpendicular to the ocean and follow the contour of the dune.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach duly authorize, on this 6th day of July, 2012, the above described procedure and regulations for the installation of all dune walkovers at oceanfront residences located in the Storm Protection Project area in the Brant Beach section of Long Beach Township from 31st street to 57th Street

6. Resolution 12-0706.02(a&b): Approve the following actions to various sewer and water accounts:
- a) Amend Resolution 12-0615.06 to correct account numbers for two water and sewer accounts
 - b) Approve various changes to water & sewer accounts

RESOLUTION 12-0706.02(a)

WHEREAS, the Board of Commissioners for the Township of Long Beach approved, pursuant to Resolution 12-0615.06 dated June 15th 2012, various changes to Water and Sewer accounts; and

WHEREAS, errors in two account numbers were made as follows:

<u>BLOCK LOT</u>	<u>ACCT/ACCT</u>	<u>YEAR</u>	<u>CANCEL/CHANGE</u>	<u>AMOUNT</u>
7.26	11 537-0	Water 2012	To Standby per Demo	\$302.00
14.11	3.08 4717-0	Water 2012	Removed Irrigation	\$292.00

WHEREAS, the Board of Commissioners of the Township of Long Beach wishes to correct the account numbers as follows:

<u>BLOCK LOT</u>	<u>ACCT/ACCT</u>	<u>YEAR</u>	<u>CANCEL/CHANGE</u>	<u>AMOUNT</u>
7.26	11 2537-0	Water 2012	To Standby per Demo	\$302.00
14.11	3.08 4720-0	Water 2012	Remove Irrigation	\$292.00

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach do hereby approve said corrections as noted above.

RESOLUTION 12-0706.02(b)

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 LOT/QUAL</u>	<u>ACCT #/ACCT</u>	<u>YEAR</u>	<u>CANCEL/CHANGE</u>	<u>AMOUNT</u>
1.76	5/C1 571-0	Water 2012	Removed Irrigation	\$292.00
6.11	1 1756-0	Water 2012	To Standby per Demo	\$207.00
6.11	1 1756-0	Sewer 2012	To Standby per Demo	\$265.50
7.02	13 2193-0	Water 2012	Added Meter/Comm	\$378.00
10.04	6 2975-0	Sewer 2012	Standby, NSF w/o G.D.	\$225.00
11.08	8 3439-0	Water 2012	Corrected Fixture Count	\$ 88.00
11.39	13 8329-0	Water 2012	Removed Irrigation	\$292.00
13.08	2 4364-0	Water 2012	Removed Irrigation	\$292.00
15.129	1.02 6086-0	Water 2012	Removed Irrigation	\$292.00
15.130	2.01 6101-0	Water 2012	Removed Irrigation	\$292.00
18.44	5 6423-0	Water 2012	To Standby/Cut & Cap	\$177.00
18.92	6 6626-0	Water 2012	To Standby/Cut & Cap	\$172.00
20.03	3 6790-0	Water 2012	Removed Irrigation	\$292.00
20.58	2 6956-0	Water 2012	Removed Irrigation	\$292.00
20.76	2 7108-0	Water 2012	Removed Irrigation	\$292.00
20.90	11 7221-0	Water 2011	Billed Hot Tub as Pool	\$243.00
20.90	11 7221-0	Water 2012	Billed Hot Tub as Pool	\$243.00

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.

- 7. Resolution 12-0706.03: Approve a submission Pedestrian Safety Plan for Long Beach Twp. to Ocean County

RESOLUTION 12-0706.03

WHEREAS, the State of New Jersey has passed the New Jersey Pedestrian Safety Law; and

WHEREAS, the Township of Long Beach Police Department in coordination with the Township Engineer, has developed a plan dated May 25, 2012 prepared by Lt. Paul Vereb, entitled "***Township of Long Beach, Plan to Keep Pedestrians Safe under the New Law***"; and

WHEREAS, the Board of Commissioners of the Township of Long Beach have reviewed the report which was transmitted via cover letter, prepared by the Township Engineer, Frank J. Little, Jr., P.E., P.P., C.M.E., dated May 25, 2012; and

WHEREAS, the Board of Commissioners of the Township of Long Beach are in agreement and support the findings of said report.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach recommend that a copy of this resolution together with the cover letter and report be forwarded to the Ocean County Board of Chosen Freeholders and the Ocean County Engineering Department with a request for the County to review and implement the recommendations contained therein.

- 8. Resolution 12-0706.04: Approve personnel actions

RESOLUTION 12-0706.04

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

Beach Patrol

Change the following employee's title to Seasonal Lifeguard with a new rate of pay of \$78.33 per day to be paid from the Lifeguard Salary & Wage effective July 7, 2012.
Leland H.S. Roblee

Court

Approve a \$2,500.00 increase each of the following employee's rate of pay effective July 7, 2012 due to additional duties.
Judy Ridgway Helen Jean Robinson

LUB

As per Ordinance # 07-50 retroactively approve the request from Leslie Krueger to use two weeks vacation time during the summer of 2012 due to extraordinary reasons (June 19, 2012 thru July 3, 2012).

Police

Change the following employee status' to Full Time Public Safety Telecommunicator Trainees at an annual base salary of \$26,300.00 to be paid from Police Salary & Wage effective July 7, 2012.

James Gesicki Linda Laviola

Extend a previously approved Military Leave of Absence for Patrolman Michael Allen through December 31, 2012 as per orders. Salary Compensation has been made according to law (full pay for 90 days). Effective as of June 30, 2012 Patrolman Michael Allen will receive a rate of pay of \$0.00 bi- weekly through December 31, 2012.

Public Works

Hire the following as a Seasonal Laborer at the rate of \$8.00 per hour to be paid from Public Works Salary & Wage effective July 9, 2012.

Christopher Brower

9. Resolution 12-0706.05: Adopt the 2012 Floodplain Management Plan and Amendments per annual review

RESOLUTION 12-0706.05

A RESOLUTION RE-ADOPTING THE FLOODPLAIN MANAGEMENT PLAN AND AMENDMENTS, AS PER THE ANNUAL REVIEW, FOR THE TOWNSHIP OF LONG BEACH

WHEREAS, the Township of Long Beach participates in the Community Rating System (CRS) program of the National Flood Insurance Program (NFIP); and

WHEREAS, the CRS program requires that a Floodplain Management Plan be formulated and adopted as a planning document to reduce flooding and repetitive flood losses; and

WHEREAS, this planning effort began August 1997 with the establishment of a Planning Committee adopted by Resolution 97-0905.05 on September 5, 1997; and the original Floodplain Management Plan was adopted on April 17, 1998 under Resolution 98-0417.03; and

WHEREAS, a document has been developed by the Committee titled a Floodplain Management Plan for Long Beach Township that contains an Action Plan for reducing flooding and flood losses and this Floodplain Management Plan and Action Plan was the subject of a public hearing on April 4, 1998 and since then has been reviewed, evaluated and updated each year at the annual Floodplain Management Committee Meeting. At this year's meeting on April 25th, 2012 various amendments were proposed and the overall plan and current action plan have been updated.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach that the Floodplain Management Plan, Action Plan, and Amendments as discussed above are hereby adopted as a planning document for the Township of Long Beach; and

BE IT FURTHER RESOLVED, that the implementation of the Action Plan shall continue to be reviewed on a yearly basis by the Planning Committee, and made available to the public and the media upon request.

10. Resolution 12-0706.06: Approve the use of Bayview Park by the Southern Regional Extended Year Program on Friday, July 20, 2012 from 8:30 AM to 11:00 AM

RESOLUTION 12-0706.06

WHEREAS, the following event is scheduled to be held at Bayview Park in the Township of Long Beach as follows:

HOST	DESCRIPTION	TIME & DATE(S)
Southern Regional High School	68 th St. bay beach facilities	Fri. July 20, 2012
Extended Yr. Special Needs	two additional lifeguards	8:30AMto11:30PM

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 event.

Motion to approve Items 5 thru 10:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

LICENSES AND PERMITS

11. Resolution 12-0706.07: Approve a social affairs permit for St. Francis Parish & Center: 40th Anniversary Luau, July 14th 5:30 to 8:00 pm

RESOLUTION 12-0706.07

BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach grants a SPECIAL PERMIT FOR SOCIAL AFFAIR to the St. Francis Parish and Center to be held at 4700 Long Beach Blvd., Brant Beach. This permit will allow the St. Francis of Assisi Parish and enter to serve alcoholic beverages at the 40th Anniversary Luau on July 14, 2012, between the hours of 5:30.P.M. and 8:00 P.M.

12. Resolution 12-0706.08: Approve the annual renewal of a liquor license Lynda Wells, Municipal Clerk noted this was for Daddy-O

RESOLUTION 12-0706.08

WHEREAS, Daddy O Restaurant, LLC, holder of plenary retail consumption license with Broad Package Privilege 1517-32-006-004 has made application for renewal of that license for the period July 1, 2012 through June 30, 2013; and

WHEREAS, the Board of Commissioners of the Township of Long Beach has determined that it is in the best interest of the community to renew the liquor license subject to the restrictions herein below set forth.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Long Beach at a regular meeting held on Friday, July 6, 2012 that liquor license number 1517-32-006-004, in the name of Daddy O Restaurant, LLC, shall be and is hereby renewed for the period July 1, 2012 through June 30, 2013, subject to the following conditions:

- (1) Payment of the sum of \$1,465.00 to the Township of Long Beach;
- (2) Subject to the provision that upon ten (10) days notice given by the Board of Commissioners to Daddy O Restaurant, LLC, the holder of said license number 1517-32-006-004, hereinafter called licensee, the said licensee shall provide security guards as directed by the Board of Commissioners in a number not to exceed four (4) to maintain the peace and order of said licensed establishment and the adjacent parking provided by the licensee for the patrons of that establishment. The security guards to be provided shall be approved in advance by the Chief of Police of Long Beach Township, after they have been fingerprinted, photographed and a security clearance check has been run on said guards by the Long Beach Township Police Department. Off duty police officers employed by any municipality, other than Long Beach, may be cleared without the necessity of fingerprinting and photographing, however, such off-duty police officers shall not be so employed without the prior approval of the Chief of Police of Long Beach Township. Long Beach Township Police Officers shall not be so employed. During the ten (10) days following the notice to supply such guards, the licensee may request a public hearing before the Board of Commissioners and show cause why the employment of such security personnel is not necessary, a request for such hearings shall be in writing, delivered to the Clerk of the Township of Long Beach within five (5) days of the receipt of the notice to employ such security personnel. Should the licensee fail to make application for a hearing within the said five (5) day period the licensee shall comply with the orders of the Board of Commissioners. The Board of Commissioners of the Township of Long Beach shall, in determining whether security personnel is necessary, consider recommendations of the Long Beach Township Police Department as to public safety, health, morals, and welfare and requests from surrounding property owners as to the necessity of security personnel, which said requests shall be made only for good cause, which said good cause shall be verified, to the extent possible, by the Police Department of the Township of Long Beach.

13. Resolution 12-0706.09: Approve a block party for Sat. Aug. 4, 2012 - E. 53rd St. from 5 to 10 PM

RESOLUTION 12-0706.09

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

- Permission to close E. 53rd Street, between Ocean Blvd. and Long Beach Blvd., from 5:00 p.m. to 10:00 p.m. leaving a lane open for emergency vehicles on August 4, 2012 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 11 thru 13:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

CONTRACTS AND AWARDS

14. Resolution 12-0706.10: Authorize the execution of a modification to the Lease Agreement with AT&T Wireless, Peahala Park Water Tower

Lynda Wells, Municipal Clerk explained eight existing antennas would be replaced.

RESOLUTION 12-0706.10

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby authorize the execution of modification to the Lease Agreement with Cingular Pennsylvania, d/b/a AT&T Wireless for the placement of eight (8) new cell antennas and associated equipment, pursuant to the specifications submitted on May 15th 2012, on the Peahala Park Water Tank in the Township of Long Beach.

15. Resolution 12-0706.11: Approve a professional service contract for appraisal services to Robert A. Kirwan Appraisal, LLC

RESOLUTION 12-0706.11

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT WITH ROBERT W. KIRWAN, SRA, SCGRE, 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, SCGRE, CTA, on June 13, 2012, 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 \$125.00 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, SCGRE, 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, July 6, 2012 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, SCGRE, CTA, of Robert W. Kirwan Appraisal, Inc., P.O. Box 755, Manahawkin, NJ 08050 in accordance with the above mentioned proposal; 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.

16. Resolution 12-0706.12: Authorize the Proprietary purchase of replacement parts for various chlorinator pumps in the Water/Sewer Department: G.P. Jager & Assoc. \$7,461.45

RESOLUTION 12-0706.12

A RESOLUTION AUTHORIZING THE PROPRIETARY PURCHASE OF VARIOUS CHLORINATOR PUMP PARTS REQUIRED FOR THE WATER AND SEWER DEPARTMENT IN THE TOWNSHIP OF LONG BEACH

WHEREAS, the provision/performance of goods/services regarding proprietary parts and components for the chlorinator pumps in the Water Treatment Plants is specifically exempted from bidding requirements under the Local Public Contracts Law pursuant to N.J.S.A. 40A: 11 -5(1)(dd); and

WHEREAS, G.P. Jager & Associates, 10 Bradley Lane, Montvale, NJ 07645, is able to provide various Wallace & Tiernan parts as the authorized dealer; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Water/Sewer Other Expenses Account # 2-09-55-549-058 in the amount of \$7,461.45.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby authorize the proprietary purchase of various Wallace & Tiernan parts and products as per quotation #17098 dated 06/11/2012 received from G.P. Jager & Associates in an amount not to exceed Seven Thousand Four Hundred Sixty One Dollars and Forty Five Cents (\$7,461.45).

17. Resolution 12-0706.13(a-c): Approve the following purchases, per quote:

- a) Approve the purchase of various Roll-Off Containers for the Public Works Department, per quote: Custom Container Solutions, LLC \$9,940.00
- b) Approve the purchase of one ATV for the Beach Patrol, Fairway Cycle, per quote, \$6,277.00
- c) Approve roof repairs at the Police Department to Pistone Exteriors, per quote; \$11,000.00

RESOLUTION 12-0706.13(a)

A RESOLUTION AUTHORIZING THE PURCHASE AND DELIVERY OF ONE (1) 41-CUBIC YARD WALK-IN ROLL-OFF CONTAINER AND ONE (1) 20-CUBIC YARD ROLL-OFF RECYCLING CONTAINER FOR THE LONG BEACH TOWNSHIP PUBLIC WORKS YARD, PER QUOTE

WHEREAS, the Township of Long Beach has solicited quotations for one (1) 41-cubic yard walk-in roll-off container and one (1) 20-cubic yard roll-off recycling container plus delivery charges for the Long Beach Township Public Works Department; and

WHEREAS, in response to the solicitation for quotations, the following four (4) businesses were contacted and the following quotations were received, as follows:

- Custom Container Solutions, LLC \$ 9,940.00 dated 06/20/12
- Rudco \$11,240.00 dated 06/08/12
- Conshohocken Steel \$11,650.00 dated 06/06/12
- Wastequip \$ 11,852.00 dated 06/22/12

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

WHEREAS, Custom Container Solutions gave the lowest qualified quotation pursuant to the specifications; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Recycle & Residual Grant, Account # G-02-40-714-007 in an amount not to meet or exceed \$9,940.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 6^h day of July 2012, for the reasons aforesaid, that a purchase order be and is hereby authorized for issuance to:

Custom Container Solutions, LLC
391 Wolfland Road
Lewisburg, PA 17837

for the purchase of one (1) 41-cubic yard walk-in roll-off container and one (1) 20-cubic yard roll-off recycling container plus delivery charges for the Long Beach Township Public Works Department in an amount not to exceed Nine Thousand Nine Hundred Forty Dollars (\$9,940.00) as per their quote dated June 20, 2012.

RESOLUTION 12-0706.13(b)

RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) 2012 HONDA FOREMAN TRX500FMC ALL TERRAIN VEHICLE FOR THE BEACH PATROL IN THE TOWNSHIP OF LONG BEACH, PER QUOTATION

WHEREAS, the Township of Long Beach has solicited quotes for the purchase of one (1) 2012 TRX500FMB All Terrain Vehicle for the Beach Patrol; and

WHEREAS, in response to the invitation for solicitation three (3) quotations were received:

Fairway Cycle	\$6,277.00 received 06/27/12
Pompton Sport Center	\$6,350.00 received 06/28/12
Monmouth Cycles	\$6,499.00 received 06/28/12

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

WHEREAS, Fairway Cycle gave the lowest qualified quote in an amount not to exceed Six Thousand Two Hundred Seventy Seven Dollars (\$6,277.00); and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Various Equipment for the Beach Patrol account #C-04-55-300-031.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach this 6th day of July 2012, for the reasons aforesaid, hereby approved from:

Fairway Cycle
625 New Road
Somers Point, NJ 08244

the purchase of one (1) 2012 TRX500FMC All Terrain Vehicle for the Beach Patrol in an amount not to exceed Six Thousand Two Hundred Seventy Seven Dollars (\$6,277.00) as per quote received June 27, 2012.

RESOLUTION 12-0706.13(c)

RESOLUTION AUTHORIZING REPAIRS TO THE POLICE DEPARTMENT ROOF, PER QUOTATION

WHEREAS, the Township of Long Beach has solicited quotations for repairs to the roof on the Police Department; and

WHEREAS, in response to the solicitation of quotations, the following three (3) businesses were contacted and the following quotations were received as noted:

- Kristopher Pistone \$11,000.00 dated 06/26/12
- Sal's Construction \$13,200.00 dated 06/27/12
- NCS Property Management \$13,500.00 dated 06/29/12

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

WHEREAS, Kristopher I. Pistone, dba Pistone Exteriors, gave the lowest qualified quotation pursuant to the specifications; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Buildings and Grounds Other Expenses: Account # 2-01-26-310-024 in an amount not to exceed \$11,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 6th day of July 2012, for the reasons aforesaid, that a purchase order be and is hereby authorized for issuance to:

Kristopher I. Pistone
dba Pistone Exteriors
21 Stafford Drive
Manahawkin, NJ 08050

for repairs to the roof on the Police Department in Long Beach Township in an amount not to exceed Eleven Thousand Dollars (\$11,000.00) as per their quote dated June 26, 2012.

18. Resolution 12-0706.14: Approve the lease/purchase of three (3) Police Cruisers, per bid: Hertrich Fleet Services

RESOLUTION 12-0706.14

A RESOLUTION AWARDING A CONTRACT FOR THE LEASE / PURCHASE OF THREE (3) 2013 POLICE INTERCEPTOR SEDANS FOR THE POLICE DEPARTMENT OF THE TOWNSHIP OF LONG BEACH, PER BID

WHEREAS, the Township of Long Beach has solicited bids for the lease/purchase and delivery of three (3) 2013 Police Interceptor sedans for the Police Department of the Township of Long Beach; and

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

WHEREAS, Hertrich Fleet Services, 1427 Bay Road, Milford, DE 19963 gave the lowest qualified bid as per the municipal attorney's review and approval; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Police Other Expenses, Account # 2-01-25-240-051 in the amount of \$34,056.15, with allowances to be made in future budgets to correspond to the terms of the lease/purchase.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach this 6th day of July 2012, for the reasons aforesaid, that a contract be and is hereby awarded to:

Hertrich Fleet Services
1427 Bay Road
Milford, DE 19963

for the lease/purchase and delivery of three (3) 2013 Police Interceptor sedans payable in three (3) annual installments each not to exceed Thirty Four Thousand Fifty Six Dollars and Fifteen Cents (\$34,056.15) with a \$1.00 buy-out at the conclusion of the lease agreement, as per bid received June 28, 2012.

Lynda Wells, Municipal Clerk noted payments would be made in 3 installments of 34,056.15 with \$1.00 payout at conclusion)

19. Resolution 12-0706.15: Approve an emergency purchase of one (1) 10 ton condensing unit for the Police Department's air conditioning system; Keith & Jacqueline Conroy, Inc. \$14,709.04

RESOLUTION 12-0706.15

RESOLUTION AUTHORIZING THE EMERGENCY REMOVAL AND REPLACEMENT OF ONE (1) 10-TON AIR CONDITIONING CONDENSING UNIT FOR THE LONG BEACH TOWNSHIP POLICE DEPARTMENT

WHEREAS, the condensing unit in the air conditioner utilized in the Police Department of Long Beach Township is defective and inoperable; and

WHEREAS, lack of controlled temperature and humidity adversely affected the Police Department's Computer Aided Dispatch and other electronic equipment; and

WHEREAS, immediate repair of the air conditioning system was required to insure the proper operation of the many critical electrical components necessary and utilized by the Police Department in order to protect the public health, safety and welfare of the citizens of Long Beach Township and the public in general; and

WHEREAS, N.J.S.A. 40A:1-6 permits the awarding of a contract for emergency purposes without the necessity of public bid.

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation created by Buildings and Grounds Other Expenses: Account # 2-01-26-310-055 in the amount of \$14,709.04.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach at a regular meeting held July 6, 2012 (not less than two-thirds (2/3) of all members of the Governing Body affirmatively concurring);

That an authorization for the emergency repair/replacement of the air conditioning system condensing unit in the Police Department, in an amount not to exceed Fourteen Thousand Seven Hundred Nine Dollars and Four Cents (\$14,709.04) be and is hereby awarded to Keith & Jacqueline Conroy, Inc, d/b/a West Jersey Air Conditioning & Heating, 5800 Westfield Avenue, Pennsauken, NJ 08110.

Lynda Wells, Municipal Clerk explained this was needed to keep sensitive electronic equipment functional.

Motion to approve Items 14 thru 19:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

FINANCIAL APPROVALS

20. Resolution 12-0706.16: Approve a performance bond reduction for LUB 4-12 in the amount of \$7,500.00

RESOLUTION 12-0706.16

WHEREAS, the Township of Long Beach has received from Michael Walsh, 5 Harbor Drive, Glen Gardner, NJ 08826, Cashier's Check #1865037 drawn on PNC Bank, dated May 7, 2012 in the amount of Fourteen Thousand Six Hundred Thirty Dollars (\$14,630.00), as per Resolution 12-0518.15, representing the required Performance Bond for a Minor Subdivision #LUB-4-12, Block 15.01, Lots 12 & 13 (11 West Harrington Avenue, Brant Beach).

WHEREAS, upon inspection by the Township Engineer, Frank J. Little, Jr., P.E., it has been determined that sufficient work has been completed and recommends a partial release of the Performance Bond.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach approve the partial release of the Performance Bond in the amount of \$7,500.00 as per its Municipal Land Use Ordinance and as per the recommendation and certification of the Municipal Engineer.

21. Resolution 12-0706.17: Authorize an emergency appropriation for repairs as a result of a lightning strike on June 30, 2012, \$960,000.00

RESOLUTION 12-0706.17

DECLARATION OF AN EMERGENCY AND PROVISION FOR THE APPROPRIATION OF EMERGENCY FUNDING IN THE TOWNSHIP OF LONG BEACH

WHEREAS, an emergency has arisen in the Township of Long Beach wherein lightning struck the Long Beach Township Public Safety Building directly or in such close proximity as to cause widespread severe and permanent damage to electronic and radio equipment and electrical systems throughout the building complex, the extent of which is yet to be fully determined; and

WHEREAS, the police dispatch equipment and computers alone are known to be irreparably damaged with an estimated cost for replacement that approaches \$150,000.00 not allowing for yet undiscovered damage; and

WHEREAS, the full cost of repairs and replacement of equipment throughout the entire complex is unknown and unknowable at this time; and

WHEREAS, no adequate provision has been made in the 2012 budget for the aforesaid purpose, and N.J.S.A. 40A: 4-46 provides for the creation of an emergency appropriation for the purpose above mentioned, and

WHEREAS, the appropriation is necessary to meet a pressing need for public expenditure to protect the public health, safety, morals and welfare; and

WHEREAS, the total amount of emergency appropriations created including the appropriation to be created by this resolution is \$960,000.00, and three per cent of the total operating appropriations in the budget for 2012 is \$ 962,913.17; and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three per cent of the total current appropriations (including utility operating appropriations) in the budget for 2012.

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of N.J.S.A. 40A: 4-48:1.

1. An emergency appropriation be and the same is hereby made for Resolution 12-0706.17 which is the declaration of an emergency and provision for the appropriation of emergency funding in the Township of Long Beach in the amount of \$960,000.00.
2. That the Board of Commissioners and Chief Financial Officer seek insurance reimbursements to reduce the net expenditures under this appropriation.
3. That where and when appropriate governmental relief funding and all appropriate grants be sought and applied for to reduce the net expenditures under this appropriation.
4. That said emergency appropriation, to the extent it is not reimbursed through insurance proceeds, relief funding and grants, shall be provided for in full in the 2012 budget.
5. That two certified copies of this resolution be filed with the Director of Local Government Services.

ROLL CALL: Mayor Joseph H. Mancini
Commissioner Joseph P. Lattanzi
Commissioner Ralph H. Bayard
Ayes 3 Nays

Lynda Wells, Municipal Clerk explained the Twp. would be reimbursed by the insurance company .

22. Resolution 12-0706.18: Approve a Change Order: P & A Construction
2011 Water Main Project: Chg Order #3;
\$79,749.80

RESOLUTION 12-0706.18

RESOLUTION AUTHORIZING A CHANGE ORDER 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

WHEREAS, as a result of the 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, and is as follows:

- Change Order #3: increase in the amount of \$79,749.80;

Said detailed Certification contains all the facts associated with this Change Order in accordance with state statutes and is attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach at a regular scheduled meeting, (not less than two-thirds (2/3) of the members thereof affirmatively concurring) this 6th day of July 2012 that P&A Construction Co., Inc., PO Box 28, Colonia, NJ 07067 be and is hereby awarded Change Order #3 in an amount not to exceed Seventy Nine Thousand Seven Hundred Forty Nine Dollars and Eighty Cents (\$79,749.80) for payment of the additional work required to complete the 2011 Water Main Installation Project 1517001-011 in the Township of Long Beach.

23. Resolution 12-0706.19: Approve a Chapter 159: DARE Program \$250.00

RESOLUTION 12-0706.19

RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING AN AMENDMENT TO THE 2012 BUDGET TO ALLOW FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159) DARE PROGRAM

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

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

WHEREAS, the ROTARY CLUB OF LONG BEACH ISLAND has made a donation to the Township of Long Beach under the DARE PROGRAM in the amount of \$350.00 which has been received; and

WHEREAS, it is the desire of the Board of Commissioners of the Township of Long Beach to amend the 2012 Municipal Budget to provide for the insertion of this donation as a source of revenue and an expenditure appropriation.

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

1. That the Board of Commissioners does hereby authorize an amendment to the 2012 Municipal Budget to provide for the insertion of a Chapter 159 (N.J.S.A. 40A:4-87) Special Item of Revenue as follows:

GENERAL REVENUES

Miscellaneous revenues

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

DARE PROGRAM : \$250.00

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

GENERAL APPROPRIATION:

(A) OPERATIONS – Excluded from CAPS:

Public and private programs offset by revenues:

DARE PROGRAM : \$250.00

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

DATED: July 6, 2012

MOTION: Lattanzi

SECOND: Bayard

VOTE:

AYES: Lattanzi, Bayard, Mancini

NAYES:

ABSENT:

ABSTAIN:

24. Resolution 12-0706.20: Approve Bills & Payroll
Payroll in the amount of: \$ 433,525.76
Vouchers in the amount of: \$1,808,196.71

RESOLUTION 12-0706.20

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 \$ 433,525.76.

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 \$1,808,196.71 be and the same are hereby authorized to be paid on July 6, 2012.

2. The said approved payroll amounting to the sum of \$433,525.76 be and the same are hereby authorized to be paid on July 6, 2012.

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 20 thru 24:

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Mayor Mancini stated the Tax Collectors' report for the month of June 2012 was on file in the Municipal Clerk's Office.

COMMISSIONERS' REPORTS

Commissioner Lattanzi reported the Township was suffering from extensive damages due to a lightning strike on June 30th but noted the insurance company should reimburse nearly all of the costs. He noted all necessary precautions were taken.

Commissioner Bayard had no comments.

Mayor Mancini announced the next meeting of the Board of Commissioners would take place on Friday, July 20, 2012 at 4:00 p.m. at which time public hearings would be held for Ordinances 12-16, 12-17 & 12-18.

Mayor Mancini announced the next regular meeting of the Land Use Board would be held on Wednesday July 11, 2012 at 7:00 p.m. in the 2nd floor multi-purpose room.

Mayor Mancini reported that the Police wanted everyone to be aware that bicycles were held to the same standards as motor vehicles, regarding operation. Bicyclists should ride with the flow of traffic and stop at stop signs. Police would be on specialized details to address this.

The Police reminded the public, on the secondary roads: the posted speed limit was 25 MPH restricted to local traffic, due to safety concerns, vehicles, bicyclists and pedestrians were advised to follow posted traffic signs.

People were asked to secure their bicycles as well as their vehicles and to report suspicious activities to the Long Beach Police at 609-494-3322.

Police urged the public: DO NOT USE YOUR CELL PHONE WHILE DRIVING A MOTOR VEHICLE, THIS INCLUDES TEXTING

Mayor Mancini announced the designs for the dune walkovers in Brant Beach were located on the table in the rear of the meeting room.

OPEN PUBLIC SESSION

Don O'Brien, 7108 Ocean Blvd., commented that he had heard only positive feedback regarding the Beach Storm Protection Project in Brant Beach and he was looking forward to having the project at his beach.

Don also asked why the dune height in Brant Beach was 22 feet and the Atlantic City Press reported a 14 foot height in Atlantic City.

Mayor Mancini responded that the Army Corps of Engineers designed the project and determined the dune height, noting he had tried to have it reduced to 18 or 20 feet but it was not approved.

Don O'Brien asked why there were two sets of dunes on a few blocks in the project. Mayor Mancini responded that the project line had been moved east of the bulkhead line where easements hadn't been signed.

CLOSE PUBLIC SESSION

Motion for adjournment at 4:20 PM

Motion: Lattanzi

Ayes: Lattanzi, Bayard, Mancini

Second: Bayard

Lynda J. Wells, RMC
Municipal Clerk

Joseph H. Mancini, Mayor

Ralph H. Bayard, Commissioner

Joseph P. Lattanzi, Commissioner