

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS JULY 9, 2010
Flag Salute

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

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

Also in attendance: Bonnie M. Leonetti, Municipal Clerk, Administrator
Lynda J. Wells, Deputy Municipal Clerk

Municipal Clerk announced: Notice of the time and place of this meeting has been posted in the office of the Municipal Clerk, published by the BEACH HAVEN TIMES; the PRESS OF ATLANTIC CITY; and the ASBURY PARK PRESS on December 30th 2009; and filed with the Municipal Clerk.

Motion: To dispense with the reading of the minutes of the June 18th meeting and to approve the same as recorded in the minute book:

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

AGENDA

ORDINANCES/PUBLIC HEARINGS

1. Second Reading Ordinance 10-27: **AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY, APPROPRIATING \$10,000 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR THE ACQUISITION OF A SALT SPREADER**

Passed on first reading at a regular meeting held on June 4th 2010 and advertised in the BEACH HAVEN TIMES issue of June 16th 2010

TOWNSHIP OF LONG BEACH, NEW JERSEY

ORDINANCE NO. 10-27

AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY, APPROPRIATING \$10,000 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR THE ACQUISITION OF A SALT SPREADER

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 General Capital Improvement Fund the sum of \$10,000 for the Acquisition of a Salt Spreader.

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

Section 3. The 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 capital budget and 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 All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.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: June 4, 2010

Date of Final Adoption: July 9, 2010
OPEN PUBLIC HEARING
No Comment
CLOSE PUBLIC HEARING

Motion to adopt Ordinance 10-27 on Second Reading:

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

2. Second Reading Ordinance 10-28: **AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY, APPROPRIATING \$50,000 FROM THE UTILITY CAPITAL IMPROVEMENT FUND FOR THE ACQUISITION OF TWO UTILITY VEHICLES**

Passed on first reading at a regular meeting held on June 4th 2010 and advertised in the BEACH HAVEN TIMES issue of June 16th 2010

TOWNSHIP OF LONG BEACH, NEW JERSEY

ORDINANCE NO. 10-28

AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY, APPROPRIATING \$50,000 FROM THE UTILITY CAPITAL IMPROVEMENT FUND FOR THE ACQUISITION OF TWO UTILITY VEHICLES

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 Capital Improvement Fund the sum of \$50,000 for the Acquisition of two (2) Pick-Up Trucks for Utility Apparatus.

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

Section 3. The 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 capital budget and 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: June 4, 2010

Date of Final Adoption: July 9, 2010

OPEN PUBLIC HEARING

No Comment

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 10-28 on Second Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

3. Second Reading Ordinance 10-32C: 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 5 PERTAINS TO ADMINISTRATION

Bonnie M. Leonetti, Municipal Clerk, Administrator noted this created a new job title: Equipment Operator/Maintenance Repairer.

Passed on first reading at a regular meeting held on June 18th 2010 and advertised in the BEACH HAVEN TIMES issue of June 23rd 2010

ORDINANCE 10-32C

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 5 PERTAINS TO ADMINISTRATION

STATEMENT OF PURPOSE

The Ordinance creates the new position / title of EQUIPMENT OPERATOR/MAINTENANCE REPAIRER for the Public Works Department:

SECTION I

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

The following title is hereby created in Chapter 5 entitled to read as follows:

§ 62 "EQUIPMENT OPERATOR/MAINTENANCE REPAIRER

EQUIPMENT OPERATOR:

Job Summary - Under direction, operates one or more types of gasoline or diesel powered equipment to perform assignments as noted below and to push, pull, pile, lift, and load materials as well as other related duties as required.

Job Duties and Responsibilities . Operates equipment such as front end loaders and bulldozers and/or other equipment towed by a tractor such as a gang mower; mows grass and/or hauls or digs dirt with scrapers or pans. Clears brush, stumps and rocks, levels earth to rough specifications at various sites with simple terrain problems. Excavates trenches and drainage ditches for culverts. Ensures that equipment is ready for operation at all times by inspecting/lubrication moving parts, inspecting tires for proper inflation, checking brake hydraulic reservoir level and oil level, and conducting a general inspection of equipment for obvious deficiencies.

Reads instructions and operation manuals to learn correct lubrication, adjustment, and repair procedures for assigned equipment. Performs a variety of unskilled laboring tasks and work assignments when not engaged in operation of equipment. May occasionally drive a truck. Reports any problems that cause a delay in completion of work to the supervisor. Receives assignments either in writing or orally, explaining work to be done and equipment to be used to know the specifics of the assigned tasks. Will be required to learn to utilize various types of electronic and/or manual recording and information systems used by the agency, office, or related units.

Requirements . One (1) year of experience in the operation and maintenance of construction and maintenance equipment. Appropriate formal training in the operation of maintenance/construction equipment may be substituted for the indicated experience.

Licenses - Appointees are required to possess a valid NJ Commercial Drivers License (CDL) and applicable endorsements for the class and type of vehicle being operated.

MAINTENANCE REPAIRER:

Job Summary - Under direction performs a variety of routine maintenance and repair tasks involved in masonry, plastering, carpentry, painting, plumbing, steam fitting, sheet metal, electrical, glazing, mechanical and/or other types of maintenance work; does related work as required.

Job Duties and Responsibilities . Erects simple forms, mixes cement and aggregates, pours same and does the finishing work involved in concrete structures. Repairs damaged plastered areas; spackles, paints interior and exterior metal, wood and masonry surfaces. Does general sheet metal work involved in repairing roofs, drain boards, and rainspouts. Replaces light bulbs, fuses, wall plates, fixture cords, and switches. Changes lubricants, refuels and does light maintenance work on equipment and vehicles. Keeps simple records. Will be required to learn to utilize various types of electronic and/or manual recording and information systems used by the agency, office, or related units.

Licenses - Appointees are required to possess a valid NJ Commercial Drivers License (CDL) and applicable endorsements for the class and type of vehicle being operated.

SECTION II

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

SECTION III

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 IV

This Ordinance shall take effect retro-active to June 6, 2010.

OPEN PUBLIC HEARING
No Comment
CLOSE PUBLIC HEARING

Motion to adopt Ordinance 10-32C on Second Reading:

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

- 4. Second Reading Ordinance 10-33: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED: "AN ORDINANCE FIXING AND DETERMINING THE ANNUAL SALARIES, DESIGNATING HOLIDAYS AND PROVIDING FOR OVERTIME COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY"**

Bonnie M. Leonetti, Municipal Clerk, Administrator explained this ordinance set the salary range for the job title established by Ordinance 10-32C.

ORDINANCE 10-33

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED: "AN ORDINANCE FIXING AND DETERMINING THE ANNUAL SALARIES, DESIGNATING HOLIDAYS AND PROVIDING FOR OVERTIME COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY".

STATEMENT OF PURPOSE

THIS ORDINANCE ESTABLISHES A RANGE FOR THE NEW TITLE CREATED IN ORD 10-32C. NEW JERSEY CIVIL SERVICE COMMISSION REQUIRES THAT EVERY POSITION HAS A RANGE ESTABLISHED THAT EACH SALARY WILL FALL WITHIN.

THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LONG BEACH, IN THE COUNTY OF OCEAN, DOES ORDAIN:

SECTION I

Ordinance No.77-1, as amended, the title of which is set forth in full in the title hereof, is hereby further amended regarding the annual salaries of the officers and employees of the Township of Long Beach as follows:

<u>PUBLIC WORKS AND PROPERTY</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Equipment Operator/Maintenance Repairer	\$30,000	\$60,000

SECTION III

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 IV

This Ordinance shall take effect retro-active to June 6, 2010.

Passed on first reading at a regular meeting held on June 18th 2010 and advertised in the BEACH HAVEN TIMES issue of June 23rd 2010

OPEN PUBLIC HEARING
No Comment
CLOSE PUBLIC HEARING

Motion to adopt Ordinance 10-33 on Second Reading:

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

- 5. First Reading Ordinance 10-34C: **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 SECTIONS 172 AND 205, DEALS WITH THE USE OF PUBLIC RIGHT OF WAY, THE CONSTRUCTION OF CURBS AND SIDEWALKS, AND IMPERVIOUS LOT COVERAGE**

Bonnie M. Leonetti, Municipal Clerk, Administrator stated this Ordinance amended the manner in which curbs and sidewalks were to be installed and to mandate the reinstallation of curbs and sidewalks where they had been removed or damaged. This also limited the use of that portion of public right of way lying between an abutting owner's property line and the impervious paved street coverage, limiting the area which may have any growth or improvements other than curbs and sidewalks located in the first 5 feet from the impervious street coverage with the balance of the area to be limited to ground cover not exceeding 12 inches in height, shade trees whose lowest limbs or branches were a minimum of 8 feet above any sidewalk, the installation of fences and trash bins. Additionally the Ordinance limited the maximum permissible impervious lot coverage in the required front yard setback areas to be 60% of the required front yard setback.

Motion to approve Ordinance 10-34C on First Reading:

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

- 6. First Reading Ordinance 10-35C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN SECTION 51-18 PROHIBITS CERTAIN ACTS AND ACTIVITIES ON ANY LAND ON THE OCEANFRONT OR BAY FRONT AND ON ALL BEACHES IN LONG BEACH TOWNSHIP**

Bonnie M. Leonetti, Municipal Clerk, Administrator advised the purpose of this Ordinance was to restrict both as to size, type and duration of any sunshade or sun screening devices or structures on the

beaches of Long Beach Township. No beach umbrellas would be permitted between the hours of 7:00 p.m. and 9:00 a.m.

Motion to approve Ordinance 10-35C on First Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

7. First Reading Ordinance 10-36C: **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 SECTIONS 189-16 AND 189-28 EXCLUDES LOW-SPEED VEHICLES**

Bonnie M. Leonetti, Municipal Clerk, Administrator provided the purpose of this Ordinance was to prohibit low-speed vehicles on all streets in Long Beach Township.

Motion to approve Ordinance 10-36C on First Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

ADOPTIONS AND APPROVALS

8. Resolution 10-0709.01: Approve changes to various Water/Sewer accounts

RESOLUTION 10-0709.01

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

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

<u>Blk:</u>	<u>Lot:</u>	<u>Acct:</u>	<u>Year:</u>	<u>Cancel/Change</u>	<u>Amount:</u>
15.38	15	5291-0 Sewer	2010	Remove Garbage Disp	208.00
20.62	5	6998-0 Water	2009	Actual Fixture Count	147.00
23.10	6	8014-0 Water	2010	To Stand-by	204.00

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.

9. Resolution 10-0709.02: Approve traffic regulations for Eastern Surfing

Association Competitions:

- July 10th or 11th on 67th Street. No wave date July 17th or 18th
- July 24th or 25th on 122nd Street. No wave date July 31st or August 1st
- August 15th on 110th Street: No wave date August 21st or 22nd

RESOLUTION 10-0709.02

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

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

- 67th Street in Brant Beach on July 10th or 11th (weather permitting) from 8:00a.m to 4:00p.m. No wave date: July 17th or 18th
- 122nd Street in the Dunes on July 24th or 25th (weather permitting) from 8:00a.m to 4:00p.m. No wave date: July 31st or August 1st
- 110th Street in the Haven Beach Section of the Township on August 15th (weather permitting) from 8:00a.m to 4:00p.m. No wave date: August 21st or 22nd

10. Resolution 10-0709.03: Authorize traffic regulations for the approved Island

Surf and Sail 2nd Annual Ladies Paddle Challenge on July 30th in Bayview Park at 5:00 p.m. (Raindate: July 31st)

RESOLUTION 10-0709.03

WHEREAS, Terry Deakyne, proprietor of Island Surf & Sail, has requested the temporary suspension of alternate side parking regulations to accommodate participants and spectators on the following streets:

Goodrich:	Entire Length
Brownson:	From Long Beach Blvd. to Ocean Blvd.
Dayton:	From Long Beach Blvd. to Ocean Blvd.
Burwell:	From Long Beach Blvd. to Ocean Blvd.
Coghlan:	From Long Beach Blvd. to Ocean Blvd.

for the following special event:

- 2nd Annual Ladies Paddle Challenge on July 30th in the bay at 68th St. from 5:00 p.m. to 11:00 p.m. Raindate: July 31st

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.

11. Resolution 10-0709.04: Approve personnel actions

Bonnie M. Leonetti, Municipal Clerk, Administrator noted the various proposed actions.

RESOLUTION 10-0709.04

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

Approve an extension of an unpaid medical leave of absence for 30 days based on disability pension notification for MB.

Approve a paid Medical Leave of Absence (FMLA/FLA) for JB effective July 8, 2010 pending certification paperwork acceptable to the Township.

BEACH PATROL

Hire the following as Seasonal Lifeguard Captain at a rate of \$170.00 per day to be paid from the Lifeguard Salary & Wage effective retro-active to June 19, 2010.

James Cresbaugh

Hire the following as a Seasonal Lifeguard at a rate of \$98.33 per day to be paid from the Lifeguard Salary & Wage effective retro-active to June 19, 2010.

Matthew Sheplin

Hire the following as a Seasonal Lifeguard at a rate of \$98.33 per day to be paid from the Lifeguard Salary & Wage effective July 10, 2010.

Stephen Campoli

Samuel Mitchell

Hire the following as Seasonal Lifeguards at a rate of \$91.67 per day to be paid from the Lifeguard Salary & Wage effective retro-active to June 19, 2010.

Tara Marqua

Hire the following as Seasonal Lifeguards at a rate of \$88.33 per day to be paid from the Lifeguard Salary & Wage effective retro-active to June 19, 2010.

Christopher Kiely

Hire the following as Seasonal Lifeguards at a rate of \$88.33 per day to be paid from the Lifeguard Salary & Wage effective July 10, 2010.

Jonathan D'Angelo

Michael Tito

Hire the following as Seasonal Lifeguards at a rate of \$85.00 per day to be paid from the Lifeguard Salary & Wage effective retro-active to June 19, 2010.

Sam Gross

Jill Skipper

Hire the following as Seasonal Lifeguards at a rate of \$76.67 per day to be paid from the Lifeguard Salary & Wage effective retro-active to June 19, 2010.

Charles Kritzmacher

Jeffrey Sledden

Hire the following as Seasonal Lifeguards at a rate of \$73.33 per day to be paid from the Lifeguard Salary & Wage effective retro-active to June 19, 2010.

Taylor Jennings

Thomas Zaborowski

Hire the following Seasonal Beach Badge Program Seller/Checkers at the rate of \$8.10 per hour to be paid from the Beach Badge Salary & Wage effective retro-active to June 19, 2010.

Emily Zetkolic

Hire the following Seasonal Beach Badge Program Seller/Checkers at the rate of \$8.10 per hour to be paid from the Beach Badge Salary & Wage effective July 10, 2010.

Joseph Conwell

Caroline Royston

Jackie Russell

Brian Stutz

Hire the following Seasonal Beach Badge Program Seller/Checkers at the rate of \$8.40 per hour to be paid from the Beach Badge Salary & Wage effective retro-active to June 30, 2010.

Elizabeth Rechenberg

Hire the following Seasonal Beach Badge Program Seller/Checkers at the rate of \$8.70 per hour to be paid from the Beach Badge Salary & Wage effective retro-active to June 19, 2010.

Kathleen O'Brien

Change the following budget distribution for the following employee from Lifeguard Salary & Wage to Beach Badge Salary & Wage with the same rate of pay effective July 10, 2010.

Norman Roberts

Change the following budget distribution for the following employee from Lifeguard Salary & Wage to Beach Badge Salary & Wage with a new rate of pay to \$8.20 per hour effective July 10, 2010.

Patrick Durning

Amend actions taken on Resolution 10-0618.04 as follows: for Kyle Fallon to state he is a Lifeguard Lieutenant; for Kevin O'Such and Sean Metcalfe to designate as Lifeguards. Their names appeared on Resolution twice.

HEALTH

Hire the following as a Temporary Part Time Graduate Nurse Public Health with an hourly rate of \$25.00 to be paid from the Health Salary & Wage effective July 12, 2010.

Donna Doyle

POLICE

For bookkeeping purposes acknowledge the payment of the following base salaries retro-actively to January 1, 2010 as per the approved, negotiated AFSCME contract:

CHIEF PUBLIC SAFETY TELECOMMUNICATOR

Michelle DeGesio 48,392.77

SENIOR PUBLIC SAFETY TELECOMMUNICATOR

Judith Olson 45,116.77

PUBLIC SAFETY TELECOMMUNICATOR

Christine Eberle 35,220.08

Heidi Heipertz 26,083.20

Erika Hershey 37,390.41

Lauren Masterson 23,000.00

Betty Mulch 33,360.70

Mary Wickert 30,526.08

PUBLIC SAFETY TELECOMMUNICATOR TRAINEE

Lisa Christiansen 26,300.00

PRINCIPAL CLERK TYPIST

Deborah Bonicky 39,916.91

SENIOR CLERK TYPIST

Kimberly Walker 34,730.21

For bookkeeping purposes acknowledge the payment of the following base salaries based on approved negotiated private contracts retroactively to January 1, 2010:

POLICE CHIEF

Michael Bradley
DEPUTY POLICE CHIEF

138,260.07

Leslie Houston

125,690.98

Approve the promotion of Lt. James Devaney to Provisional Police Captain effective retro-active to July 1, 2010 at a pro-rated annual salary of \$121,811.67 in accordance with article XXIII of the Superior Officers Contract.

Increase the hourly pay to \$10.00 per hour for Class I Special Law Enforcement Officer Matthew Compitello due to his completion of Class I Police Academy and in-house training to be paid from the Police Salary & Wage effective retro-active to June 26, 2010.

Continue Officer Michael Allen's Military Leave with the New Jersey Air National Guard and approve a matching bi-weekly salary compensation of \$293.10 as per statute effective July 10, 2010.

12. Resolution 10-0709.05: Confirm the perpetual rights to certain street ends in Long Beach Township

Bonnie M. Leonetti, Municipal Clerk, Administrator stated the New Jersey Dept. of Environmental Protection considered these lands as part and parcel of the street ends on which they were located affording public access to the Atlantic Ocean beaches and allowing for the Long Beach Island Storm Damage Reduction Project to be built across those lands.

RESOLUTION 10-0709.05

WHEREAS, through the efforts of Long Beach Township Solicitor Richard J. Shackleton and Long Beach Twp. Municipal Engineer Frank J. Little, Jr., it has been ascertained that certain parcels of land in the Township are in fact contiguous to public street ends and are lands which LBT owns title and authority; and;

WHEREAS, the New Jersey Dept. of Environmental Protection considers that these lands are part and parcel of the street ends on which they are located affording public access to the Atlantic Ocean beaches and allowing for the Long Beach Island Storm Damage Reduction Project to be built on those lands.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach, County of Ocean, and State of New Jersey, does hereby declare that Long Beach Township will never vacate the Township's rights to the following parcels of land as well as all other public street ends in the Township:

1. Land lying east of Lots 8 and 10 between the easterly line of Lots 8 and 10, Block 6.08 and the mean high waterline of the Atlantic Ocean.
2. Land lying on the southerly sideline of 30th Street between the easterly line of Lots 7 and 8, Block 6.18 and the mean high waterline of the Atlantic Ocean.
3. Land lying on the southerly side of 33rd Street lying between the easterly boundary line of Lot 9, Block 6.35 and the mean high waterline of the Atlantic Ocean.
4. Land lying on the southerly sideline of New Jersey Avenue between the northerly portion of Lot 14, Block 7.17 and the mean high waterline of the Atlantic Ocean.
5. Land lying on the southerly sideline of Indiana Avenue located between the easterly line of Lots 3 and 4, Block 7.22 and the mean high waterline of the Atlantic Ocean.
6. Land lying on the southerly sideline of Winifred Avenue between the easterly line of Lots 6 and 8, Block 14.06 and the mean high waterline of the Atlantic Ocean.

BE IT FURTHER RESOLVED that the Board of Commissioners of the Township of Long Beach, County of Ocean, and State of New Jersey, does hereby agree to grant Deeds of Easement for the above identified parcels of land for the Long Beach Island Storm Damage Reduction Project if the US Army Corps. of Engineers deems them necessary.

13. Resolution 10-0709.06: Authorize the municipal solicitor to take appropriate action to gain compliance with LUB-36-08-PF, Block 4.05, Lot 8; Block 4.10, Lot 1; and Block 4.11, Lot 1

Bonnie M. Leonetti, Municipal Clerk, Administrator explained these actions were necessary to effectuate compliance with the conditions of approval issued by the Long Beach Township Land Use Board.

RESOLUTION 10-0709.06

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the Municipal Solicitor be and is hereby authorized to take whatever actions are necessary to effectuate compliance with the conditions of approval issued by the Long Beach Township Land Use Board for Major Site Plan application #LUB 36-08 PF for James & Donna Grimes, Block 4.05, Lot 8; Block 4.10, Lot 1; and Block 4.11, Lot 1.

14. Resolution 10-0709.07: Approve temporary regulations governing the use of the Municipal Little League Ballfield located at the Municipal Complex in Brant Beach

Bonnie M. Leonetti, Municipal Clerk, Administrator noted this formally established the ballfield was authorized for use by children aged 12 years or younger when accompanied by a supervising adult.

RESOLUTION 10-0709.07

RESOLUTION PROVIDING TEMPORARY REGULATIONS GOVERNING THE USE OF THE MUNICIPAL LITTLE LEAGUE BALL FIELD LOCATED AT THE MUNICIPAL COMPLEX IN BRANT BEACH

FIRST WHEREAS, the Township of Long Beach provides a Municipal Little League Ball Field for use by children through the age of twelve (12) years to participate in organized Little League activities and personal use when the field is available; and

SECOND WHEREAS, because of the location of the Municipal Little League Ball Field it has been designed to be utilized by persons who do not exceed the age of 12 years; and

THIRD WHEREAS, from time to time adults and other older children have sought to use the Municipal Little League Ball field with the result that traffic on Long Beach Boulevard has been interrupted and damage has occurred to adjacent homes and automobiles parked in the Municipal Parking Lot; and

FOURTH WHEREAS, the Board of Commissioners of the Township of Long Beach has determined that a formal Resolution should be adopted to provide interim regulations for the use of the Municipal Little League Ball Field while a study is undertaken in order to introduce an appropriate Ordinance to regulate the use of the Municipal Little League Ball Field and other public parks in the Township of Long Beach.

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 9, 2010 that no persons shall utilize the Municipal Little League Ball Field who are older than twelve (12) years of age at their last birthday.

BE IT FURTHER RESOLVED, that children under the age of thirteen (13), that is to say, children who reach the age of twelve (12) at their last birthday or younger than that age may be accompanied by a parent, guardian or qualified adult to supervise their play and engage in orderly play with the eligible youngster(s).

BE IT FURTHER RESOLVED, that for any violation of this Resolution the violator shall be punished by the Municipal Court of the Township of Long Beach as provided for in Chapter 1 of the Code of the Township of Long Beach.

Motion to approve Items 8 - 14:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

LICENSES AND PERMITS

15. Resolution 10-0709.08(a&b): Approve various applications for a Social Event Permit:

a. Block Party: W. 84th Street on 8/7/10 3:00pm to 9:00pm

RESOLUTION 10-0709.08(a)

WHEREAS, in response to homeowners requests for the following:

1) Permission to close W. New York Avenue, between the bayfront and Long Beach Blvd. from 3:00 p.m. to 9:00 p.m. leaving a lane open for emergency vehicles on August 7, 2010 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: E. 53rd Street on 8/7/10 5:00pm to 10:00pm

RESOLUTION 10-0709.08(b)

WHEREAS, in response to homeowners requests for the following:

1) Permission to close E. Mears Avenue, 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 7, 2010 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.

16. Resolution 10-0709.09: Approve the annual renewal of a liquor license:

Daddy-O Restaurant in Brant Beach

RESOLUTION 10-0709.09

WHEREAS, Daddy O Restaurant, LLC. t/a Daddy O Restaurant, 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 10, 2010 through June 30, 2011; 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 hereinbelow 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 9, 2010 that liquor license number 1517-32-006-004, in the name of Daddy O Restaurant, LLC t/a Daddy O Restaurant, shall be and is hereby renewed for the period July 10, 2010 through June 30, 2011, subject to the following conditions:

(1) Payment of the sum of \$1,224.00 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, t/a Daddy O Restaurant, 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.

Motion to approve Items 15 & 16:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

CONTRACTS AND AWARDS

17. Resolution 10-0709.10: Approve a Professional Service Contract:
Robert W. Kirwan, SRA, SCGRE, CTA: appraisal services
to assist the Tax Assessor with tax appeals for residential
properties. NTE \$1,500/property plus court appearance fees

RESOLUTION 10-0709.10

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, has submitted a proposal dated June 30, 2010 which provides that preliminary appraisal services for residential properties would be \$750.00 with an additional fee of \$750.00 (not to exceed a total of \$1,500.00) to complete a full narrative appraisal report for County Tax Board or State Tax Court; deposition and testimony to be billed at \$200.00 per hour for preparation, travel and appearance in court, with a minimum charge of a one-half day fee of \$800.00; 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 9, 2010 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.

18. Resolution 10-0709.11: Authorize the execution of an Agreement with
the Borough of Barnegat Light: Furnish water to the
Township at the southerly and westerly boundary line of the
Borough of Barnegat Light

Bonnie M. Leonetti, Municipal Clerk, Administrator advised Barnegat Light would provide water to High Bar Harbor and the northern area of Loveladies.

RESOLUTION 10-0709.11

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8A-1, et. seq., permits local municipalities of this State to enter into a contract with any other local unit for the joint provision within their combined jurisdictions of any service which any party to the agreement is empowered to render within

WHEREAS, Section 4 of P.L. 1973,c.208 (C40:8A-4) has been amended and approved as Chapter 356, on January 5, 1996 to authorize that such agreements can be adopted by Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach, County of Ocean, and State of New Jersey, hereby authorize the execution of an Interlocal Services Agreement, a copy of which is attached hereto and marked as Exhibit A+, with the Borough of Barnegat Light from January 1, 2010 through December 31, 2012, providing for the furnishing of a water supply by the Borough of Barnegat Light to the Township of Long Beach at the Southerly and Westerly boundary lines of the Borough of Barnegat Light.

19. Resolution 10-0709.12(a&b): Authorize the execution of various contract renewals:
- a. Monumental Life Insurance Company with Bollinger Insurance Co. as the Pharmacy Benefits Administrator for the Township's employee prescription plan

RESOLUTION 10-0709.12(a)

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the Commissioner of Revenue & Finance and the Municipal Clerk be and they hereby are authorized and directed to execute a contract from Monumental Life Insurance Company with Bollinger Insurance Co. as the Pharmacy Benefits Administrator for the Long Beach Township employee prescription plan coverage effective July 1, 2010 through June 30, 2011.

- b. Delta Dental as the Administrator for the Township's employee dental plan

RESOLUTION 10-0709.12(b)

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the Commissioner of Revenue & Finance and the Municipal Clerk be and they hereby are authorized and directed to execute a contract with Delta Dental as the Dental Benefits Administrator for the Long Beach Township employee dental plan coverage effective January 1, 2010 through December 31, 2010.

20. Resolution 10-0709.13(a-c): Award various contracts, per quotation:

- a. Image Systems: Purchase of (1) new Konica Minolta Bizhub C280 copier for the LBI Board of Health: \$6,408.00

RESOLUTION 10-0709.13(a)

A RESOLUTION AWARDED A CONTRACT FOR THE PURCHASE AND DELIVERY OF ONE (1) KONICA MINOLTA BIZHUB C280 COPIER WITH DOCUMENT FEEDER, COPY CABINET, AND FAX BOARD FOR THE LONG BEACH ISLAND BOARD OF HEALTH, PER QUOTATION

WHEREAS, in accordance with N.J.S.A. 40:A11-6.1, the Long Beach Island Board of Health solicited quotations for the purchase and delivery of one (1) Konica Minolta Bizhub C280 copier with document feeder, copy cabinet and fax board; and

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

WHEREAS, the quotations have been reviewed by the Board of Commissioners of the Township of Long Beach and it has been determined that Image Systems for Business gave the lowest qualified quotation in accordance with the specifications, said quotation not to exceed Six Thousand Four Hundred Eight Dollars \$6,408.00; and

WHEREAS, it is in the public interest of the Township of Long Beach to award a contract to Image Systems for Business for the purchase and delivery of one (1) Konica Minolta Bizhub C280 copier with document feeder, copy cabinet and fax board for the Long Beach Island Board of Health as per the recommendation of the Commissioner of Public Works & Property; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation H1N1 Virus Supplemental Funding Grant, Account #G-02-40-735-005.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, at a regular meeting held this 9th day of July 2010 that the Mayor and the Municipal Clerk are hereby authorized to execute a contract with:

Image Systems for Business
22E Worlds Fair Drive
Somerset, NJ 08873

in an amount not to exceed Six Thousand Four Hundred Eight Dollars \$6,408.00 as per the quotation received June 28, 2010 for the purchase and delivery of one (1) Konica Minolta Bizhub C280 copier with document feeder, copy cabinet and fax board for the Long Beach Island Board of Health.

- b. Image Systems: Lease (1) refurbished Kyocera Copystar CS3035 copier for the Tax Assessor's Office: \$168.00 per month for 48 months

RESOLUTION 10-0709.13(b)

A RESOLUTION AWARDED A CONTRACT FOR THE LEASE OF ONE (1) REFRUBISHED KYOCERA COPYSTAR CS-3035 COPIER WITH DOCUMENT FEEDER, PRINT/SCAN UNIT, CABINET, AND FAX BOARD FOR THE LONG BEACH TOWNSHIP TAX ASSESSOR'S OFFICE, PER QUOTATION

WHEREAS, in accordance with N.J.S.A. 40:A11-6.1, the Long Beach Township Commissioner of Public Works & Property solicited quotations for the lease of one (1) Kyocera Copystar CS-3035 copier with document feeder, print/scan unit, cabinet, and fax board; and

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

WHEREAS, the quotations have been reviewed by the Board of Commissioners of the Township of Long Beach and it has been determined that Image Systems for Business gave the lowest qualified quotation in accordance with the specifications, said quotation not to exceed One Hundred Sixty Eight Dollars (\$168.00) per month for 48 months; and

WHEREAS, it is in the public interest of the Township of Long Beach to award a contract to Image Systems for Business for the lease of one (1) Kyocera Copystar CS-3035 copier with document feeder, print/scan unit, cabinet, and fax board for the Long Beach Township Tax Assessor's Office as per the recommendation of the Commissioner of Public Works & Property; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation Tax Assessor Other Expenses, Account #0-01-20-150-046 in the amount of \$1,176.00 and allowance will be made in all future budgets for the term of the lease.

- c. Homestead Fence Co., Inc.: Furnish and install a fence and gate in the Public Works Yard: \$7,308.00

RESOLUTION 10-0709.13(c)

A RESOLUTION AWARDING A CONTRACT TO FURNISH AND INSTALL A CEDAR STOCKADE FENCE WITH AN ALUMINUM CANTILEVER GATE IN THE PUBLIC WORKS YARD IN THE TOWNSHIP OF LONG BEACH, PER QUOTATION

WHEREAS, in accordance with N.J.S.A. 40:A11-6.1, the Long Beach Township Commissioner of Public Works & Property solicited quotations to furnish and install a cedar stockade fence with an aluminum cantilever gate in the Public Works Yard; and

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

WHEREAS, the quotations have been reviewed by the Board of Commissioners of the Township of Long Beach and it has been determined that Homestead Fence Co., Inc. gave the lowest qualified quotation in accordance with the specifications, said quotation not to exceed Seven Thousand Three Hundred Eight Dollars (\$7,308.00); and

WHEREAS, it is in the public interest of the Township of Long Beach to award a contract to Homestead Fence Co., Inc. to furnish and install a cedar stockade fence with an aluminum cantilever gate in the Public Works Yard as per the recommendation of the Commissioner of Public Works & Property and the Public Works Deputy Municipal Department Head; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the appropriation: Bond Ordinance 09-21 Authorizing Various Improvements to Public Works Facility.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, at a regular meeting held this 9th day of July 2010 that the Mayor and the Municipal Clerk are hereby authorized to execute a contract with:

Homestead Fence Co., Inc.
637 Rt. 9
West Creek, NJ 08092

in an amount not to exceed Seven Thousand Three Hundred Eight Dollars (\$7,308.00) as per the quotation dated June 26, 2010, to furnish and install a cedar stockade fence with an aluminum cantilever gate in the Public Works Yard.

21. Resolution 10-0709.14: Amend Resolution 10-0618.11:
Clarify fee schedule with Gov Deals for online auctions of municipal property

Bonnie M. Leonetti, Municipal Clerk, Administrator explained minimum bids for online auction items would be set at \$5.00.

RESOLUTION 10-0709.14

WHEREAS, Resolution 10-0618.11 awarded a contract to GovDeals, Inc., 5307 Carmichael Place, Montgomery, AL 36117 as per New Jersey State Contract No. A70967 for Auctioneering Services for Internet Auctions to Sell Surplus Property effective January 29, 2008 to January 28, 2011; and

WHEREAS, it is necessary to detail and clarify the fee schedule charged by GovDeals which is as follows:

1. Where a single auction item does not yield greater than \$100,000.00 in a winning bid, Long Beach Township agrees to pay GovDeals a fee of seven and one-half percent (7.5%) of the winning bid, but not less than \$5.00.
2. Where a single auction item yields greater than \$100,000.00, but does not yield greater than \$500,000.00 in a winning bid, Long Beach Township agrees to pay GovDeals a fee of seven and one-half percent (7.5 %) of the winning bid up to \$100,000.00 plus five and one-half percent (5.5%) of the winning bid that is in excess of \$100,000.00 up to \$500,000.00.
3. Where a single auction item yields greater than \$500,000.00 in a winning bid, Long Beach Township agrees to pay GovDeals a fee of seven and one-half percent (7.5 %) of \$100,000.00 of the winning bid, plus a fee of five and one-half percent (5.5%) of \$400,000.00 of the winning bid, plus a fee of three and one-half percent (3.5%) of the amount in excess of \$500,000.00 of the winning bid.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that 10-0618.11 be and is hereby amended to record the above-noted fee schedule.

Motion to approve Items 17 - 21:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

FINANCIAL APPROVALS

22. Resolution 10-0709.15(a-e): Authorize various actions regarding Bonds:
a. Extend Performance Bond LUB-27-07:
Block 20.26, Lot 1 \$5,500.00

RESOLUTION 10-0709.15(a)

WHEREAS, pursuant to Resolution 08-0320.15(b), the Township of Long Beach accepted from Reginald J. Raban Cashier's Check No. 0935893 dated March 14, 2008 in the amount of Five Thousand Five Hundred Dollars (\$5,500.00) drawn on Wachovia Bank, as the required Performance Bond for Minor Sub-division #LUB-27-07, Block 20.26, Lot 1 (26 Long Beach Blvd., Loveladies); and

WHEREAS, upon inspection of the property by the Township Engineer it has been determined that various work items remain incomplete and he recommends the Performance Bond be extended for one year to July 8, 2011.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the extension of this Performance Bond as recommended by the Township Engineer.

- b. Extend Performance Bond LUB-16-07:
Block 6.19, Lots 1.02 & 1.03 \$1,320.00

RESOLUTION 10-0709.15(b)

WHEREAS, pursuant to Resolution 08-0208.15(b), the Township of Long Beach accepted from Mark Davies Cashier's Check No. 805-04069 dated January 24, 2008 in the amount of One Thousand Three Hundred Twenty Dollars (\$1,320.00) drawn on Commerce Bank, as the required Performance Bond for Major Sub-division #LUB-16-07, Block 6.19, Lots 1.02 & 1.03 (25 W. 30th Street., Beach Haven Gardens); and

WHEREAS, upon inspection of the property by the Township Engineer it has been determined that various work items remain incomplete and he recommends the Performance Bond be extended for one year to July 8, 2011.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the extension of this Maintenance Bond as recommended by the Township Engineer.

- c. Accept Maintenance Bond LUB-30-09:
Block 14.08. Lots 9 & 10 \$3,000.00

RESOLUTION 10-0709.15(c)

WHEREAS, the Township of Long Beach has received from Callan & Moeller Construction, Inc. Check #12349 dated June 29, 2010 in the amount of Three Thousand Dollars (\$3,000.00) drawn on TD Bank, representing the required Maintenance Bond for LUB-30-09, Block 14.08, Lots 9 & 10 (7800 Long Beach Blvd., Beach Haven Crest).

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach accepts this bond as per its Municipal Land Use Ordinance and as per the recommendation and certification of the Municipal Engineer and the Municipal Solicitor.

- d. Release Maintenance Bond . LUB-38-01-TF
Block 18.98 Lot 3 \$7,000.00

RESOLUTION 10-0709.15(d)

WHEREAS, pursuant to Resolution 03-1205.09, the Township of Long Beach received from Bay Beach LLC Check #1018 drawn on Bryn Mawr Trust Company in the amount of Fourteen Thousand, Ten Dollars (\$14,010.00) and Irrevocable Letter of Credit No. 633 in the amount of Thirty Seven Thousand Three Hundred Sixty Dollars (\$37,360.00) issued by Bryn Mawr Trust Company, for a total of Fifty One Thousand Three Hundred Seventy Dollars (\$51,370.00) as a Performance Bond for Site Improvement No. LUB-38-01-T-F, Block 18.98, Lot 3, North Beach, NJ.; and

WHEREAS, pursuant to Resolution 07-1214.09 (c) upon inspection of the property by the Township Engineer it was determined that certain work items had not been satisfactorily completed and he recommended the Performance Bond be extended for one year to December 14, 2008; and

WHEREAS, upon subsequent inspection of the property by the Township Engineer it was determined that all items had been satisfactorily completed and the Township, pursuant to Resolution 08-0725.12(b) accepted check # 100 in the amount of Seven Thousand Dollars (\$7,000.00) from Bay Beach LLC drawn on The Bryn Mawr Trust Company representing the required maintenance bond; and

WHEREAS, LUB-38-01-T-F (1098 Long Beach Blvd., North Beach) was inspected by the Municipal Engineer on June 29th 2010 and he determined that the Maintenance Bond was eligible for release.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach authorizes release of this Maintenance Bond as per its Municipal Land Use Ordinance and as recommended and certified by the Municipal Engineer.

- e. Release Maintenance Bond . LUB 42-03
Block 18.85 Lots 1.01,1.02,1.03 - \$6,750.00

RESOLUTION 10-0709.15(e)

WHEREAS, pursuant to Resolution 06-1215.14(a), the Township of Long Beach accepted from Charles R. Jr., and Dorothy B. DeCarlo, LLC, Check No. 409032836 dated November 29, 2006 in the amount of Forty Nine Thousand Four Hundred Seventy Dollars and Thirty Cents (\$49,470.30) drawn on Smith Barney Citigroup, as the required Performance Bond for Major Sub-division Application #LUB-42-03-T-F, Block 18.85, Lot 1 (1065 Long Beach Blvd., North Beach, NJ); and

WHEREAS, upon inspection of the property by the Township Engineer it was determined that all items had been satisfactorily completed and Resolution 08-0725.12(a) authorized the release, as per the certification and recommendation of the Municipal Engineer, of the Performance Bond and the acceptance of bank check #2313401830 in the amount of Six Thousand Seven Hundred Fifty Dollars (\$6,750.00) from Bay Beach LLC drawn on The WaMu Bank representing the maintenance bond.

WHEREAS, #LUB-42-03-T-F, Block 18.85, Lot 1 (aka: Block 18.85, Lots 1.01, 1.02, & 1.03) (1065 Long Beach Blvd., North Beach, NJ); was inspected by the Municipal Engineer on June 29th 2010 and he determined that the Maintenance Bond was eligible for release.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach authorizes release of this Maintenance Bond as per its Municipal Land Use Ordinance and as recommended and certified by the Municipal Engineer.

23. Resolution 10-0709.16: Authorize a change to the reproduction cost of public records

Bonnie M. Leonetti, Municipal Clerk, Administrator noted the actual cost of reproduction would be charged as of July 1st. Sixty days after Bills A-557/S-1212 were signed into law by the Governor, copies would be made at a cost of \$.05 per page for letter-sized documents, and \$.07 per page for legal-sized documents.

RESOLUTION 10-0709.16

WHEREAS, legislation known as A-559/S-1212 was, on June 28, 2010, passed by the Senate and Assembly of New Jersey which will decrease fees for photo copies of documents made for the public

including Open Public Record Act requests sixty (60) days after Governor Christie signs said legislation; and

WHEREAS, the mandated costs for making and providing such copies will be Five Cents for letter size pages and Seven Cents for legal size pages; and

WHEREAS, Long Beach Township must now officially change the amount it charges for said copies specifically to, as close as can be calculated, %actual costs+from July 1, 2010 to the aforementioned time when charges will comply with the new law.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the charges for copies of documents to the public including requests under the Open Public Records Act shall be reduced to estimated %actual costs+and then changed to Five Cents for letter size copies and Seven Cents for legal size copies when A-559/S-1212 become effective; and

BE IT FURTHER RESOLVED that the former charges be changed to these newly adopted amounts anywhere they may appear in the regulations and codes of Long Beach Township until an amended Ordinance can be adopted making the changes permanent.

24. Resolution 10-0709.17: Approve Bills & Payroll

Bills in the amount of: \$2,580,466.61

Bonnie M. Leonetti, Municipal Clerk, Administrator stated New Jersey Environmental Infrastructure Trust loan payments for Township water and sewer projects were included in the total.

Payrolls in the amount of: \$ 964,457.75

RESOLUTION 10-0709.17

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 \$964,457.75.

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 \$1,077,283.84 be and the same are hereby authorized to be paid on July 9, 2010.

2. The said approved payroll amounting to the sum of \$964,457.75 be and the same are hereby authorized to be paid on July 9, 2010.

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

Motion to approve Items 22 - 24:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

Mayor Mancini stated the Tax Collector's Report for the month of June 2010 was on file in the Municipal Clerk's Office.

COMMISSIONERS' REPORTS

Commissioner Knarre announced the Long Beach Island Board of Health would hold free cancer screenings on July 20th between the hours of 10:00am and 2:00pm. He spoke about free public events being held on Tuesday evenings in Long Beach Township and encouraged everyone to attend.

Commissioner Bayard and the Public Works Department were working hard to keep the beaches in good order for the summer season. New recycling bins would be placed throughout the Township to encourage compliance with regulations. He noted an environmental conservation seminar would take place at the LBI Arts Foundation to educate the public on the necessity to foster an increase in the bat population which prey on offensive insects.

Mayor Mancini announced the next meetings of the Board of Commissioners and the Land Use Board. He invited interested members of the public to attend the July 20th Executive Session of the Board of Commissioners to voice their opinions regarding the designation of additional surfing beaches in the Township. The Mayor advised the Long Beach Township Office of Emergency Management had mailed Re-entry Placards to Township property owners for use in the event of an evacuation. He also explained emergency and non-emergency telephone notification systems were being used by the Police Department and information was available on their website. Mayor Mancini spoke about his recent meeting concerning newly enacted pedestrian traffic laws. He was sorry to report that the Department of Transportation was not inclined to change the regulations at this time. He encouraged concerned citizens to contact Governor Christie to voice their opinions.

OPEN PUBLIC SESSION

Pat Kaletkowski / Brant Beach relayed her concern regarding the need for snow-fencing, walk-over placement, and adequate signage for the beach dunes. She felt oceanfront property owners should be responsible to place signs on their properties. She was also concerned that the Township was allowing more dune walkovers which she felt damaged the dunes.

Mayor Mancini explained snow-fencing could not be set in place until the dunes had been groomed; walk-overs were less invasive to the dune and approved by the DEP; and the Township would place additional signs on the dunes.

Commissioner Bayard noted signs were available in the Municipal Complex at no cost for the public. He reminded those in attendance that some beaches were obscured by the ocean at high tide and beachgoers had only the low dune area to use to sunbathe.

Joni Bakum / Brant Beach thanked Commissioner Bayard and Mayor Mancini for their help in the seaweed clean-up in Bayview Park, which, she felt, had resulted in an increase in beach badge sales.

Kelly Salvadore / Brant Beach stated the 59th Street beach needed snow fencing. She asked what type of information real estates agencies provided to renters.

Mayor Mancini and **Commissioner Bayard** agreed to post signs at the 59th Street beach. They explained the Township provided trash schedules to rental properties and the property owner was responsible for relaying pertinent information to their renters.

Peter Trainor / North Beach Haven provided information to the Board of Commissioners regarding lighting conditions at Mr. Teeq Arcade. He distributed copies of correspondence he received from the New Jersey Board of Public Utilities and Atlantic City Electric. Mr. Trainor believed the arcade was in violation of the Municipal Code and asked for the assistance of the Board of Commissioners to alleviate the problem lighting.

Mayor Mancini asked if the affected neighbors had contacted the Arcade regarding the brightness of the lights.

Peter Trainor / North Beach Haven confirmed they had, but no action to correct the problem had been taken; he felt some lights had been replaced with even brighter lights.

Kevin Johns / Beach Haven Crest inquired as to when the Board of Commissioners would receive public comments regarding the designation of additional surfing beaches.

Mayor Mancini replied an advertisement would be placed in the local paper advising comments would be heard at the July 20th Executive Session of the Board of Commissioners.

Lisa Ball / North Beach Haven spoke regarding a non-profit organization she had formed, %The Duck Shack Replication Initiative+. She explained the group hoped to raise money to build a replica of the Stafford Township duck shack that was in disrepair. She asked that the Board of Commissioners consider the replica for placement in Bayview Park and used to display local artistsqwork.

Bill Hutson and **Joni Bakum** were in favor of the %The Duck Shack Replication Initiative+project.

Mayor Mancini explained Bayview Park was designated as %Green Acres+lands. The Township would have to contact that agency to determine if a structure could be placed in the area. He asked that members of the public contact his office to state their opinion on the project.

Hank DiPasquale / Brant Beach felt Green Acres land should remain as open space.

Don Boone / Brant Beach asked the Mayor to comment on an EPA article regarding the Beach Replenishment Project.

Mayor Mancini stated he was working with the Engineer to show beach access every half mile. Brant Beach and south were hoping to see the project begin first. The Township was waiting for the announcement of the Federal Budget in order to determine funding constraints for the project at this time.

Richard Kane / Brighton Beach asked if the fencing project for the Public Works Yard would include the southern boundary. He stated the lighting in the Beach Patrol yard was too bright.

Commissioner Bayard explained fencing would be placed north/south to separate the Public Works Yard separated it from the Beach Patrol office. He assured Mr. Kane he would speak with Beach Supervisor Don Myers regarding the lighting.

Justin Victoria / Beach Haven Crest was in favor of the designation of additional surfing beaches in the Township. He thanked the Board of Commissioners for working hard to restore the dunes.

Bill Hutson / Holgate urged affected property owners to execute their deeds of easement in order for the replenishment project to move forward. He thanked Commissioner Knarre for his commitment to the Long Beach Township Activities Committee that provided free entertainment every Tuesday evening during the summer season.

Mayor Mancini noted Fox News was currently broadcasting from the 85th Street Beach regarding the beach replenishment project.

Bob Irvine / Beach Haven Crest advised his wife had listened to the broadcast and felt the situation had not been well represented by the network reporter. Interviews had been conducted with renters and visitors, not residents or elected officials who, in his opinion, could have provided greater insight on the project.

CLOSE PUBLIC SESSION

Motion for adjournment at: 4:52 p.m.

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

Bonnie M. Leonetti, RMC, CMC
Municipal Clerk, Administrator

Joseph H. Mancini, Mayor

Ralph H. Bayard, Commissioner

William P. Knarre, Commissioner