

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS JULY 20, 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 July 6, 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 12-16: **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**

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

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

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

(a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$205,000; and

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$194,750; and

(c) a down payment in the amount of \$10,250 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

Section 3. The sum of \$194,750, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$10,250, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Township in an amount not to exceed \$194,750 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$194,750 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$41,000.

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

<u>Purpose/Improvement</u>	<u>Estimate d Total Cost</u>	<u>Down Payme nt</u>	<u>Amount of Obligatio ns</u>	<u>Period of Usefulne ss</u>
A. Reconstruction and/or Resurfacing of South Lagoon Drive, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$205,000	\$10,250	\$194,750	10 years

Section 8. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$194,750 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 9. The Township expects to receive a grant from the New Jersey Department of Transportation in the amount of \$180,000 for the improvements described in Section 7 above. Grants or other monies received from any governmental entity, if any, will be applied to the payment of or repayment of obligations issued to finance the costs of the improvements described in Section 7 above.

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

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

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

Section 13. The Township hereby covenants as follows:

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

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

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

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

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

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

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

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

Date of Introduction: July 6, 2012

Date of Final Adoption: August 3, 2012

Passed on first reading at a regular meeting held on July 6, 2012 and advertised in the BEACH HAVEN TIMES issue of July 12, 2012 .

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 12-16 on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

2. Second 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**

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

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

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

(a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$700,000; and

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$665,000; and

(c) a down payment in the amount of \$35,000 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

Section 3. The sum of \$665,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$35,000, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Township in an amount not to exceed \$665,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$665,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of

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

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$140,000.

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

<u>Purpose/Improvement</u>	<u>Estimate d Total Cost</u>	<u>Down Payme nt</u>	<u>Amount of Obligatio ns</u>	<u>Period of Usefulne ss</u>
A. Renovation of and Various Capital Improvements to the Public Works Facility, all as more particularly described in the plans and specifications on file in the Municipal Clerk's office; together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$700,000	\$35,000	\$665,000	20 years

Section 8. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$665,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

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

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

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

Section 13. The Township hereby covenants as follows:

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

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

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

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

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

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

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

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

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

Date of Introduction: July 6, 2012

Date of Final Adoption: August 3, 2012

Passed on first reading at a regular meeting held on July 6, 2012 and advertised in the BEACH HAVEN TIMES issue of July 12, 2012 .

OPEN PUBLIC HEARING

Greg Kopenhagen, Brant Beach thanked the Mayor for addressing the fencing concerns at the yard.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 12-17 on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

3. Second 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**

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

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

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

(a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$250,000; and

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$237,500; and

(c) a down payment in the amount of \$12,500 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

Section 3. The sum of \$237,500, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$12,500, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Township in an amount not to exceed \$237,500 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to

exceed \$237,500 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$50,000.

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

<u>Purpose/Improvement</u>	<u>Estimate d Total Cost</u>	<u>Down Payme nt</u>	<u>Amount of Obligatio ns</u>	<u>Period of Usefulne ss</u>
A. Repair and/or Replacement of Bulkheads, all as more particularly described in the plans and specifications on file in the Municipal Clerk's office; together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$250,000	\$12,500	\$237,500	15 years

Section 8. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$237,500 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

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

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

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

Section 13. The Township hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by this Bond Ordinance is exempt from

the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

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

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

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

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

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

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

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

Date of Introduction: July 6, 2012

Date of Final Adoption: August 3, 2012

Passed on first reading at a regular meeting held on July 6, 2012 and advertised in the BEACH HAVEN TIMES issue of July 12, 2012 .

Susan Ave, Holgate; W. Ohio, Dunes; Sand Dune Lane, Peahala Pk.; Alabama Ave., BH Park.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 12-18 on Second Reading:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

4. First Reading Ordinance 12-19: **AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY, APPROPRIATING \$46,849.28 FROM THE UTILITY CAPITAL IMPROVEMENT FUND TO PROVIDE SUPPLEMENTAL FUNDING FOR THE TOWNSHIP'S NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST PROJECT NO. S340023-03**

(2010 Sewer Project)

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

Section 1. There is hereby appropriated from the Utility Capital Improvement Fund the sum of \$46,849.28 to provide supplemental funding for the Township's New Jersey Environmental Infrastructure Trust Project No. S-340023-03, which consists of the Removal and Replacement of Existing Sanitary Sewer Pipes, including but not limited to Laterals, Manholes and Pavement Restoration; located East and West of Long Beach Boulevard, from the Ship Bottom Border to the Beach Haven Border.

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

Section 3. The utility capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended utility capital budget and utility 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: July 20, 2012

Date of Final Adoption: August 3, 2012

Motion to approve Ordinance 12-19 on First Reading:

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

ADOPTIONS AND APPROVALS

5. Resolution 12-0720.01: Approve an update to the Employee Handbook
Lynda Wells, Municipal Clerk commented that this update was done annually.

**RESOLUTION APPROVING CERTAIN PERSONNEL POLICIES FOR THE
TOWNSHIP OF LONG BEACH**

WHEREAS, it is necessary for Long Beach Township from time to time to update and/or revise personnel policies affecting its employees; and

WHEREAS, the Township wishes to approve and include the attached Exhibit A as accepted policies and practices to be observed by its employees.

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 20th day of July 2012 that Exhibit A attached to this Resolution shall and is hereby approved and adopted as part of Long Beach Township's personnel policies.

6. Resolution 12-0720.02: Approve the following events at Bayview Park:

- Long Beach Twp. Police Dept.:

Bike Rodeo - July 20th; 8 am to 10 am

Lynda Wells, Municipal Clerk noted that this bike rodeo had been rained out

- Island Surf & Sail:

Autism Paddle - July 27th; 9 am to 1 pm

- Island Surf & Sail:

Ladies Paddle Challenge-July 27th; 5 pm to 9 pm

- DQ Events:

Splash & Dash-July 25th; 6:30 pm to 8 pm

- DQ Events:

Children's 2K Run - July 25th; 7pm to 8 pm

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

<u>HOST</u>	<u>DESCRIPTION</u>	<u>TIME & DATE(S)</u>
Long Beach Twp. Police Dept.	Southern Regional Special Ed Bike Rodeo	Fri. July 20, 2012 8 am to 10 am
Island Surf & Sail	Autism Paddle	Fri. July 17, 2012 9 am – 1 pm
Island Surf & Sail	Stand Up Paddle Lessons & tours	Sat thru Sun May 1 st to Nov 1 st 7 am to 12 pm
Island Surf & Sail	Ladies paddle challenge	Friday, 07/27/12 5 pm to 9 pm
DQ Events	Splash & Dash	Wed 7/25/2012 6:30 pm to 8 pm
DQ Events	Children's 2K Run	Wed. 7/25/12 7 pm to 8 pm

WHEREAS, all the necessary and required insurance documents have been submitted, received and are on file with the Township for Island Surf & Sail, DQ Events and the Southern Regional Board of Education.

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

7. Resolution 12-0720.03: Approve the Long Beach Twp. Police Dept. Bike
Rodeo on July 29th :
Municipal Parking Lot from 9 am to 1 pm

WHEREAS, the Long Beach Township Board of Commissioners received a request for permission to close the Long Beach Township Municipal Complex Parking Lot and

Tennis Courts to visitors for the below-listed event between the hours of 9:00 a.m. and 1:00 p.m.:

- PBA Local #373 Bike Rodeo held on July 29, 2012.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby actively approve the closure of the Long Beach Township Municipal Complex Parking Lot and Tennis Courts to visitors for the event as described above.

8. Resolution 12-0720.04: Approve personnel actions

BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach: Acknowledge the extension of an unpaid leave of absence for AM effective July 9, 2012 thru September 7, 2012.

Beach Patrol

Change the following employee's title to Seasonal Lifeguard Captain with a new rate of pay of \$150.00 per day to be paid from the Lifeguard Salary & Wage effective July 21, 2012.

Joseph Howarth

Change the following employee's title to Seasonal Lifeguard with a new rate of pay of \$93.34 per day to be paid from the Lifeguard Salary & Wage effective July 16, 2012.

Adrienne Bush

Hire the following as a Seasonal Lifeguard with a rate of pay of \$75.00 per day to be paid from the Lifeguard Salary & Wage effective July 31, 2012.

David Behr

Finance

As per Ordinance #07-50 retroactively approve the request from Chris Connors to use 9 days of vacation time during the summer of 2012 due to extraordinary reasons (July 2, 2012 thru July 11, 2012).

Police

Accept and approve a PFRS Special Retirement for Sergeant Scott Snyder effective August 1, 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 retro-active to July 16, 2012.

Bradley Scheuerman

Water/Sewer

Hire the following as a Temporary Laborer at the rate of \$10.00 per hour to be paid from Water/Sewer Salary & Wage effective retro-active to July 23, 2012.

Benjamin Damion Jr.

9. Resolution 12-0720.05: Authorize parking regulations for the Long Beach Island Garden Club: Suspend no parking regulations on Beach Avenue in the area of New Jersey & Indiana Avenues for monthly meetings held at the First United Methodist Church from September 2012 through April 2013.

WHEREAS, the Terrace First United Methodist Church has approved the use of their building for scheduled meetings of the Garden Club of Long Beach Island (10:00 a.m. thru 3:00 p.m.), wherein temporary conditions will exist causing the need to suspend the no parking regulations on Beach Avenue in the area of New Jersey and Indiana Avenues on the following dates:

- Thursday, September 13, 2012
- Thursday, October 11, 2012
- Thursday, November 8, 2012
- Thursday, November 15, 2012
- Thursday January 10, 2013
- Thursday, February 14, 2013
- Thursday, March 14, 2013
- Thursday, April 11, 2013

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.

10. Resolution 12-0720.06: Authorize the American Red Cross Rock 'n Ride Bike Tour on Sunday, Sept. 9th from 7:30 am to 3:00 pm: permits participants to travel through portions of Long Beach Township

WHEREAS, various annual events held in Long Beach Township require the suspension of certain traffic regulations in order to insure the safety and welfare of residents and summer visitors, and the safe flow of traffic within the Municipality.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the following actions shall be taken:

- American Red Cross Rock 'n Ride:

Allow participants to ride through various portions of Long Beach Township on September 9th 2012 commencing at 7:30 am to 3:00 pm.

11. Resolution 12-0720.07: Authorize the Municipal Clerk to advertise for bids for 3rd Party Construction Inspection Services

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 advertise for bids and award a contract for the following:

- 3rd Party Sub-Code Inspection Services

12. Resolution 12-0720.08: Approve changes to water/sewer accounts

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

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

<u>BLOCK</u>	<u>LOT/QUAL</u>	<u>ACCT #/ACCT</u>	<u>YEAR</u>	<u>CANCEL/CHANGE</u>	<u>AMOUNT</u>	
10.25	8	3164-0	Water	2012	Removed Irrigation	\$292.00
11.24	8	3707-0	Sewer	2012	To Standby per Demo	\$265.50
14.05	24	4641-0	Water	2012	To Condo/double bill	\$373.00
14.05	24	4641-0	Sewer	2012	To Condo/double bill	\$531.00
14.20	1.02	4850-0	Water	2012	Removed Irrigation	\$292.00
15.60	7/C2	5517-0	Water	2011	Per Fixture count	\$ 26.00
15.60	7/C2	5517-0	Water	2012	Per Fixture count	\$ 26.00
15.60	7/C4	5519-0	Water	2012	Per Fixture count	\$ 26.00
20.74	9	7097-0	Water	2012	Removed Irrigation	\$292.00
20.78	13	7129-0	Water	2011	Per Fixture count	\$ 57.00
20.78	13	7129-0	Water	2012	Per Fixture count	\$ 57.00
20.148	10	7544-0	Water	2012	Removed Irrigation	\$292.00

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.

13. Resolution 12-0720.09: Authorize the application for the 2013 Municipal Alliance Grant:

Tim Hilferty, Health Officer \$24,975.00

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that Health Officer Timothy Hilferty and the Municipal Alliance Chairperson be and they hereby are authorized and directed to apply for the Municipal Alliance (GCADA) Grant for the prevention of alcoholism and drug abuse with the County of Ocean for the term of January 1, 2013 to December 31, 2013 in the amount of \$24,975.00.

14. Resolution 12-0720.10: Support Senate Bill 1502/ Assembly Bill 392 "Peggy's Law": Requires reporting of suspected abuse or exploitation of elderly persons

Motion to approve Items 5 thru 14:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

PURCHASES, CONTRACTS AND AWARDS

15. Resolution 12-0720.11: Authorize a contract renewal with Monumental Life Insurance Company designating Bollinger Insurance Company as Pharmacy Benefits Administrator for Employee Prescription Plan coverage. Effective July 2012 - December 2013.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that the Commissioner of Revenue and Finance and the Municipal Clerk be and they are hereby authorized and directed to execute a renewal contract from Monumental Life Insurance Company designating Bollinger Insurance Co. as the Pharmacy Benefits Administrator for the Long Beach Township employee prescription plan coverage effective retroactive to July 1, 2012 through December 31, 2013.

Motion to approve Item 15:

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

FINANCIAL APPROVALS

16. Resolution 12-0720.12:(a-c): Approve various Performance/Maintenance Bond actions as follows:
a) LUB 6-04; extend Performance Bond
b) LUB 30-09; release Performance Bond;
\$3,000.00
c) LUB 38-05-PFA; extend Performance Bond

WHEREAS, the Township of Long Beach received from Randy & Yvonne Reitz, Bond No. 1003149 in the amount of \$16,512.00 from Lexon Insurance Company, and Certified Check #0314 drawn on Commerce Bank in the amount of \$6,192.00 representing the required Performance Bond amount of \$22,704.00 for Minor Sub-division, Application LUB-6-04, Block 12.20, Lot 14, (12 & 16 E. Sailboat, Peahala Park, NJ) pursuant to Resolution 04-1119.11 dated November 19th 2004; and

WHEREAS, Long Beach Township approved the following extensions of this performance bond pursuant to various inspections by the Township Engineer who determined that certain work had not been satisfactorily completed;

- Resolution 07-1214.09(a) through November 17, 2008
- Resolution 08-1107.14 through November 7, 2009
- Resolution 10-0205.10(a) through February 5, 2011
- Resolution 11-0304.11(a) through March 4, 2012

WHEREAS, upon further inspection of the property by the Township Engineer, it has been determined that certain work items have not been satisfactorily completed and he recommends the Performance Bond be again extended for one year to July 20, 2013.

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

RESOLUTION 12-0720.12(b)

WHEREAS, the Township of Long Beach 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) pursuant to Resolution 10-0709.15(c) dated July 9th 2010; and

WHEREAS, upon inspection of the property by the Township Engineer, it has been determined that all work is satisfactorily complete and recommends the maintenance bond be released.

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

RESOLUTION 12-0720.12(c)

WHEREAS, the Township of Long Beach received from Callan & Moeller Construction, Inc. Letter of Credit No. 132192080015 dated July 25, 2008 in the amount of One Hundred Twenty Seven Thousand One Hundred Ninety Eight Dollars and Fifty Cents (\$127,198.50) drawn on Commerce Bank, as the required Performance Bond for Major Sub-division #LUB-38-05-PFA, Block 11.28, Lots 1.01 & 1.05 (Long Beach Blvd

between Alabama and Jerome Avenues) pursuant to Resolution 08-0808.09 passed on August 8th 2008; and

WHEREAS, upon inspection of the property by the Township Engineer, it has been determined that certain work items have not been satisfactorily completed and he recommends the Performance Bond be extended for one year to July 20, 2013.

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

17. Resolution 12-0720.13: Authorize the extension of the grace period for 3rd quarter property tax payments to Aug. 24th

A RESOLUTION AUTHORIZING EXTENSION OF GRACE PERIOD FOR 3RD QUARTER 2012 TAXES

WHEREAS, the Long Beach Township Tax Office failed to receive official notice of the 2012 Tax Rate and the State Certification for CY 2012 Property Tax Bills in a timely manner, resulting in a delay in the printing and mailing of the third quarter tax bills beyond the June 14th 2012 deadline (NJSA 54:4-64); and

WHEREAS, according to NJSA 54:4-66.3, it is necessary to have a grace period of at least 25 days from the mailing date of the tax bills, after which the due date reverts back to the statutory date of August 1st; and

WHEREAS, it is necessary that the Board of Commissioners of the Township of Long Beach grant an extension of the Grace Period for the payment of third quarter taxes statutorily due August 1st.

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioner of the Township of Long Beach does hereby extend the due date for payment of 2012 third quarter taxes to August 24, 2012, with no further grace period.

18. Resolution 12-0720.14: Approve Bills & Payroll
- | | |
|---------------------------|--------------|
| Bills in the amount of: | \$734,389.61 |
| Payroll in the amount of: | \$665,058.26 |

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 \$665,058.26

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 \$ 734,389.61 be and the same are hereby authorized to be paid on July 20, 2012.

2. The said approved payroll amounting to the sum of \$ 665,058.26 be and the same are hereby authorized to be paid on July 20, 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 16 thru 18:

Commissioner Lattanzi abstains from a voucher for Southern Ocean Medical Center

Mayor Mancini invoked the Doctrine of Necessity

Motion: Lattanzi Ayes: Bayard, Mancini

Second: Bayard Abstain: Lattanzi

Nays:

COMMISSIONERS' REPORTS

Commissioner Lattanzi reported that the employee prescription plan was renegotiated for 18 months with a 7% reduction in cost.

Commissioner Lattanzi also thanked Drs. Clancy and Schmoll for their help at the cancer screening program, which he added had a great turnout despite the weather.

Commissioner Bayard announced the recycling center was open for drop offs with hours Mon thru Fri 7:30 am to 2:30 pm and Sat. & Sun. 7 to 9 am.

Mayor Mancini announced the next meeting of the Board of Commissioners would take place on Friday, August 3, 2012 at 4:00 p.m. at which time a public hearing would be held for Ordinance 12-19

Mayor Mancini also announced the next regular meeting of the Land Use Board would be held on Wednesday August 8,, 2012 at 7:00 p.m. in the 2nd floor multi-purpose room.

Mayor Mancini reported the Long Beach Twp. Police Dept. regretted to announce the passing of our K-9 Diesel who served the community well and would be missed.

The Dept. also recognized the efforts of Ptl. Brian Del Priora, the arresting officer of the person responsible for over 30 car burglaries and criminal mischief incidents.

The Police received (3) three grants for various police functions; applied for by Lt. Paul Vereb.

- **Cops in Shops \$1600.00**
- **Pedestrian Safety** (safety concerns from cell phone use; speeding, bicycle safety and traffic signals **\$16,000.00**)
- **Bullet Proof Vest Fund - \$4,000.00**

The Mayor explained these grants assisted the department in enforcement, education and addressing safety concerns.

The Mayor also announced the Long Beach Twp. Bike Rodeo would be held on July 29th at the municipal complex at 10:00 AM

Mayor Mancini announced that Governor Chris Christie would be at the Gazebo in Bayview Park on Thursday, July 26, 2012 at 3 PM to discuss the beaches and the bay.

OPEN PUBLIC SESSION

Pat Kalokowski, Brant Beach complimented the Public Works Dept. for correcting the water concerns in her neighborhood. She handed Commissioner Bayard a petition from the neighbors asking that a wooden ramp be installed again at 58th Street.

Commissioner Bayard noted he had ten petitions in his office for the ramps. He explained that each year the Twp. applied for grants from Ocean County for the ramps.

Mayor Mancini replied the base material was compacted stone. The ACOE used wood and found it very slippery.

He asked Pat to meet him at 58th Street to assess her request.

Judy Litwinowicz, Brant Beach also spoke about the handicap ramp and benches. Mayor Mancini asked her to meet at 58th Street also.

Paul Young, Loveladies commented on the news headlines about the Gov't workers who were receiving pensions and were not eligible.

Mayor Mancini replied that the Township was in compliance 100%

Bill Kunz, Brant Beach asked why the tax bills would have an extended grace period.

Mayor Mancini replied that the figures from the state and county were received late and once the bills were mailed there was a 25 day period for interest, noting the bills were mailed that day, July 20th.

Bill Hutson, Holgate thanked the Mayor for working on the erosion in Holgate and also thanked the Commissioners for all the events scheduled at Bayview Park.

CLOSE PUBLIC SESSION

Motion for adjournment at 4:30 PM

Motion: Lattanzi Ayes: Lattanzi, Bayard, Mancini

Second: Bayard Nays:

Lynda J. Wells, RMC
Municipal Clerk

Joseph H. Mancini, Mayor

Ralph H. Bayard, Commissioner

Joseph P. Lattanzi, Commissioner