

**MINUTES**  
**REGULAR SESSION BOARD OF COMMISSIONERS JULY 23, 2010**  
**Flag Salute**

Meeting came to order: 4:03 p.m.

Clerk calls 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 30<sup>th</sup> 2009; and filed with the Municipal Clerk.

Motion: To dispense with the reading of the minutes of the previous meeting of July 9<sup>th</sup> and to approve the same as recorded in the minute book:

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

**AGENDA**

**PRESENTATIONS**

Pinning of Captains Badge on Lt. James Devaney

**Mayor Mancini** announced Officer Devaney had been promoted from Lieutenant to Captain and spoke about the many accomplishments and recognitions received by Capt. Devaney over his 29 year police career. Mrs. Devaney placed the Captains pin on her husband's uniform.

**ORDINANCES/PUBLIC HEARINGS**

1. Second 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**

**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.**

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

**STATEMENT OF PURPOSE**

The purpose of this Ordinance is 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.

**SECTION I**

§51-18 of an Ordinance entitled **"Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)"** is hereby amended by the addition of sub-paragraph Q and R as follows:

**Q.** The erection of any tent, beach umbrella, sunshade or any other device of any sort, kind or description intended to shade people beneath it from the direct rays of the sun with the exception of collapsible monopole beach umbrellas which have a maximum diameter of the umbrella not exceeding eight (8) feet and tents and other devices approved by the Long Beach Township Police Department for use by the holders of any permit issued pursuant to Chapter 131 of the Code of Long Beach Township.

**R.** The erection of any beach umbrella between the hours of 7:00 p.m. and 9:00 a.m. local time prevailing.

**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 upon publication thereof after final passage according to law.

**NOTICE**

Public Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a regular meeting of the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, held on Friday July 9, 2010 at 4:00 p.m.

Further public notice is hereby given that said ordinance shall be considered for final passage and adoption at a regular meeting of the Board of Commissioners to be held on Friday July 23, 2010 at 4:00 p.m. at the Public Safety Building, 6805 Long Beach Blvd., Brant Beach, NJ 08008.

**Bonnie M. Leonetti, Municipal Clerk, Administrator** stated 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 were permitted between the hours of 7:00 p.m. and 9:00 a.m. for safety and beach cleaning purposes.

Passed on first reading at a regular meeting held on July 9<sup>th</sup> 2010 and advertised in the BEACH HAVEN TIMES issue of July 14<sup>th</sup> 2010.

OPEN PUBLIC HEARING  
CLOSE PUBLIC HEARING

Motion to adopt Ordinance 10-35C on Second Reading:

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

2. Second 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**

**ORDINANCE NO. 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.**

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

**STATEMENT OF PURPOSE**

The purpose of this Ordinance is to prohibit low-speed vehicles on all streets in the Township of Long Beach.

**SECTION I**

§189-16. of an Ordinance entitled %Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)+is hereby amended by changing Schedule V to Schedule VI in the first sentence and with the deletion in the second sentence of the words %or parts of streets+

**SECTION II**

§189-28B of an Ordinance entitled %Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)" is hereby amended to provide under the phrase %Name of Street", %All Streets+and under the word %Location", %All locations+

**SECTION III**

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

**SECTION IV**

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 V**

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

**NOTICE**

Public Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a regular meeting of the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, held on Friday July 9, 2010 at 4:00 p.m.

Further public notice is hereby given that said ordinance shall be considered for final passage and adoption at a regular meeting of the Board of Commissioners to be held on Friday July 23, 2010 at 4:00 p.m. at the Public Safety Building, 6805 Long Beach Blvd., Brant Beach, NJ 08008.

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

Passed on first reading at a regular meeting held on July 9<sup>th</sup> 2010 and advertised in the BEACH HAVEN TIMES issue of July 14<sup>th</sup> 2010.

OPEN PUBLIC HEARING  
CLOSE PUBLIC HEARING

Motion to adopt Ordinance 10-36C on Second Reading:

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

3. First Reading Ordinance 10-37C: **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** advised this Ordinance created the new position / title of ASSISTANT WATER SUPERINTENDENT for the Water/Sewer Department and ASSISTANT DIRECTOR OF PUBLIC WORKS for the Public Works Department in accordance with New Jersey Department of Personnel regulations.

Motion to approve Ordinance 10-37C on First Reading:

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

4. First Reading Ordinance 10-38: **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** noted this set the salary ranges for the above proposed job titles.

Motion to approve Ordinance 10-38 on First Reading:

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

ADOPTIONS, APPROVALS AND SUPPORT

5. Resolution 10-0723.01: Support the passage of Governor Christie's Tool Kit to Meet Today's Fiscal Challenges+

**Bonnie M. Leonetti, Municipal Clerk, Administrator** stated this addressed the many reforms proposed by Gov. Christie and was designed to accomplish six objectives: collective bargaining reform; pension and benefits reform; civil service reform; management reform; a constitutional cap on increases in spending for direct State Government services; and a constitutional cap on property tax increases.

**RESOLUTION 10-0723.01**

**A RESOLUTION CALLING ON THE STATE LEGISLATURE AND THE GOVERNOR TO ENACT PROPERTY TAX REFORM WITH PASSAGE OF THE "MUNICIPAL TOOLKIT" AND MANDATES RELIEF**

**WHEREAS**, difficult times demand difficult choices and facing an unprecedented revenue gap this year, Governor Christie introduced, and the Legislature passed, a budget that cut municipal property tax relief funding by about \$450 million, from last year's already reduced totals; and

**WHEREAS**, realizing that a 20% cut in revenue replacement funding, instead of the statutorily required increase, would present a serious challenge to local budget makers, Governor Christie intended to provide local officials with meaningful tools to limit the otherwise devastating, impact of the cuts: and

**WHEREAS**, the Governor's Tool Kit to Meet Today's Fiscal Challenges+ was supposed to accomplish six objectives: collective bargaining reform: pension and benefits reform; civil service reform; management reform; a constitutional cap on increases in spending for direct State government services; and a constitutional cap on property tax increases; and

**WHEREAS**, Governor Christopher Christie and the State legislature have agreed on and enacted a 2% statutory cap for annual property tax levy increases; and

**WHEREAS**, the Governor was correct when he said "New caps without the toolkit are unworkable"; and

**WHEREAS**, with the cuts assured in the State's new budget and with bi-partisan agreement reached on new property tax caps, New Jersey Mayors; from municipalities, large and small, and from all around our garden state; still wait for Trenton policy makers to enact meaningful local government cost containment reforms.

**NOW THEREFORE BE IT RESOLVED**, that the Commissioners of the Township of Long Beach call for immediate passage of the Toolkit+ reforms and mandates relief, including, but not limited to interest arbitration reform, civil service reforms, public employee pension and benefits, disciplinary procedures, school and special district elections, reforms to the Fair Housing Act and Council on the Affordable housing and mandates relief; and

- That statutory arbitration reforms must limit the full economic impact of awards to conform to the 2% cap; and
- That statutory health benefit reforms must conform future health benefit costs to the 2% cap; and
- That municipal revenues, such as the Energy Tax, which are now collected by, and diverted to, the State, but which are legally intended for municipal property tax relief, must be constitutionally dedicated for their original purpose; or in the alternative, those taxes should be reformed to allow collection directly by municipalities; and
- That the Administration and Legislature must advance reforms to the Fair Housing Act and the council on Affordable Housing (COAH); and
- That a cap exception for the costs associated with tax appeals should be included, and costs mandated by the Administrative Office of the Courts (AOC) should be excepted from the 2% cap or the costs of new AOC mandates should be capped at 2%; and

**BE IT FURTHER RESOLVED**, that copies of this Resolution be forwarded to New Jersey Governor Christopher Christie, to Senate President Stephen Sweeney, to Assembly Speaker Sheila Oliver, to our State Senator, to our two Representatives in the General Assembly, and to the New Jersey league of Municipalities.

6. Resolution 10-0723.02: Declare an emergency in the Township of Long Beach and provide for the appropriation of emergency funding in the amount of \$100,000.00 for the resulting damage due to the lightning strike of July 14, 2010

**Bonnie M. Leonetti, Municipal Clerk, Administrator** noted electronic equipment in the Police Department and Municipal Offices were damaged during a thunderstorm.

**RESOLUTION 10-0723.02**

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

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

**WHEREAS**, the police dispatch equipment and computers alone are known to be irreparably damaged with an estimated cost for replacement that approaches \$50,000.00 not allowing for yet undiscovered damage; and

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

**WHEREAS**, no adequate provision has been made in the 2010 budget for the aforesaid purpose, and N.J.S.A. 40A: 4-46 provides for the creation of an emergency appropriation for the purpose above mentioned, and

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

**WHEREAS**, the total amount of emergency appropriations created including the appropriation to be created by this resolution is \$100,000.00, and three per cent of the total operating appropriations in the budget for 2010 is \$934,103.09; and

**WHEREAS**, the foregoing appropriation together with prior appropriations does not exceed three per cent of the total current appropriations (including utility operating appropriations) in the budget for 2010.

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

1. An emergency appropriation be and the same is hereby made for Resolution 10-0723.02. which is the declaration of an emergency and provision for the appropriation of emergency funding in the Township of Long Beach in the amount of \$100,000.00.
2. That the Board of Commissioners and Chief Financial Officer seek insurance reimbursements to reduce the net expenditures under this appropriation.
3. That where and when appropriate governmental relief funding and all appropriate grants be sought and applied for to reduce the net expenditures under this appropriation.
4. That said emergency appropriation, to the extent it is not reimbursed through insurance proceeds, relief funding and grants, shall be provided for in full in the 2011 budget.
5. That two certified copies of this resolution be filed with the Director of Local Government Services.

ROLL CALL: Mayor Joseph H. Mancini  
Commissioner William P. Knarre  
Commissioner Ralph H. Bayard  
Ayes \_\_\_\_\_ Nays \_\_\_\_\_

7. Resolution 10-0723.03(a&b): Authorize various actions pertaining to grants with the New Jersey Department Of Transportation:
  - a. Authorize Engineer Frank Little to make application for the MA2011 Roadway Improvement Project: Pave Winifred Ave. from Long Beach Blvd. to the Bay \$219,448.75

**RESOLUTION 10-0723.03(a)**

**AUTHORIZATION TO APPLY AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION**

**WHEREAS**, the Township of Long Beach desires to apply for and execute an agreement with the New Jersey Department of Transportation for the MA2011 Road Reconstruction / Improvement Project in the amount of \$219,448.75 for the following project(s):

- Winifred Ave. (Long Beach Blvd. to the Bay)

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Commissioners of the Township of Long Beach, County of Ocean, formally approves the grant application for the above stated project; and

**BE IT FURTHER RESOLVED** that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as #MA-2011 Township of Long Beach-00222 to the New Jersey Department of Transportation on behalf of the Township of Long Beach; and

**BE IT FURTHER RESOLVED** that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Long Beach and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

- b. Amend the MA2010 Roadway Improvement Project: Delete West Indiana Ave. (from Little Egg Harbor Bay to Long Beach Blvd) & pave only Stockton Street (69<sup>th</sup> St.) \$130,000.00

**RESOLUTION 10-0723.03(b)**

**WHEREAS**, pursuant to Resolution 09-0605.03(b), Long Beach Township submitted an application to the NJDOT Local Aid Program for the 2010 Road Reconstruction / Improvement Project, MA 2010, in the amount of \$267,484.25 for the paving of two roads: Stockton Street (69<sup>th</sup> Street) and West Indiana Ave. from the Little Egg Harbor Bay to Long Beach Blvd.; and

**WHEREAS**, the NJDOT approved an allotment in the amount of \$130,000.00 to Long Beach Township for the same; and

**WHEREAS**, Long Beach Township must therefore reduce the scope of work for this project to one (1) street only; and

**WHEREAS**, according to the terms of the agreement with the NJDOT, any change / or reduction to the original application must be requested of the NJDOT by resolution.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach does hereby authorize the change / reduction to the original application to the NJDOT Local Aid Program MA 2010 requesting the paving of one (1) street, Stockton Street (69<sup>th</sup> Street), and the deletion of West Indiana Ave. from the Little Egg Harbor Bay to Long Beach Blvd in accordance with Schedule A attached hereto.

8. Resolution 10-0723.04: Approve personnel actions

**Bonnie M. Leonetti, Municipal Clerk, Administrator** listed the various actions that were to be taken.

**RESOLUTION 10-0723.04**

**BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach: Accept and approve a PERS Service Retirement for Linda Appell effective August 1, 2010.



- Burwell: from Long Beach Blvd. to Ocean Blvd.
- Coughlin: from Long Beach Blvd. to Ocean Blvd.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach does hereby approve, upon receipt of the required insurance documentation, the above noted event; the waiver of parking regulations as described above; the erection of tents; the sale of merchandise; and food service on the 68<sup>th</sup> Street beach.

- d. LBI Fishing Club annual fishing tournament on 9/25/10:  
Beach conditions permitting.

**RESOLUTION 10-0723.05(d)**

**WHEREAS**, the Long Beach Island Fishing Club is holding its 64<sup>th</sup> Annual "World Series of Surf Fishing Invitational Tournament", on Saturday, September 25, 2010 between the hours of 6:30 a.m. and 1:00 p.m.; and

**WHEREAS**, permission has been requested for the tournament to take place in the North Beach section of the Township.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners grants permission, BEACH CONDITIONS PERMITTING, and waives the beach buggy fees for this special event.

10. Resolution 10-0723.06: Approve changes to various Water Accounts

**RESOLUTION 10-0723.06**

**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:

<b><u>Bik:</u></b>	<b><u>Lot:</u></b>	<b><u>Acct:</u></b>	<b><u>Year:Cancel/Change</u></b>	<b><u>Amount:</u></b>
1.22	3	155-0 Water	2010 Remove Irrigation	270.00
6.13	1	1796-0 Water	2009 To Stand-by	142.72
7.17	18	2397-0 Water	2010 To Stand-by	187.00
10.16	9	3095-0 Water	2009 Remove Irrigation	250.00
10.16	9	3095-0 Water	2010 Remove Irrigation	270.00

**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.

11. Resolution 10-0723.07: Approve the designation of two (2) additional surfing beaches in LBT: 82<sup>nd</sup> St., Beach Haven Crest & Dune Lane, Dunes

**RESOLUTION 10-0723.07**

**RESOLUTION ESTABLISHING ADDITIONAL SURFING BEACHES ON THE OCEANFRONT IN LONG BEACH TOWNSHIP**

**WHEREAS**, in the past Long Beach Township has designated certain areas of its oceanfront beach for use by swimmers utilizing surfboards; and

**WHEREAS**, the beach is designated as ~~surfing beaches~~; that is to say, beaches used by swimmers using surf boards are beaches which are not protected beaches, protected by Township Lifeguards; and

**WHEREAS**, the Board of Commissioners of the Township of Long Beach has determined to reaffirm existing surfing beaches and by Resolution create additional beaches where surfing will be permitted; and

**WHEREAS**, the Board of Commissioners has determined that surfing beaches should be identified by the placing of blue flags located on the northerly and the southerly terminuses of any designated surfing beaches.

**NOW THEREFORE BE IT RESOLVED**, by the Board of Commissioners of the Township of Long Beach at a regular meeting held Friday July 23, 2010, that the areas described below within areas designated by the placement of blue flags by the Long Beach Township Beach Patrol are hereby designated as surfing beaches, that is to say as beaches where someone using surfboards may participate in their sport during the hours when lifeguards are provided for bathing beaches:

**BRANT BEACH**

- a. 32<sup>nd</sup> Street Beach . Brant Beach
- b. 48<sup>th</sup> Street Beach . Brant Beach
- c. 72<sup>nd</sup> Street Beach . Brant Beach
- d. 65<sup>th</sup> Street Beach . Brant Beach
- e. 43<sup>rd</sup> Street Beach . Brant Beach
- f. 59<sup>th</sup> Street Beach . Brant Beach

**BRIGHTON BEACH**

- g. 82<sup>nd</sup> Street Beach . Brighton Beach
- h. 85<sup>th</sup> Street Beach . Brighton Beach

**HAVEN BEACH**

- i. 110<sup>th</sup> Street Beach . Haven Beach
- j. 118<sup>th</sup> Street Beach . Haven Beach

**THE DUNES**

- k. 122<sup>nd</sup> Street Beach . The Dunes
- l. Dune Lane . The Dunes

**NORTH BEACH HAVEN**

- m. 14<sup>th</sup> Street Beach . North Beach Haven

**SPRAY BEACH**



**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach at a regular meeting held Friday, July 23, 2010 do hereby authorize the above noted amendments to the 2010 Interlocal Agreement for Schedule %C+ Services approved pursuant to Resolution 10-0108.09 dated January 8, 2010.

14. Resolution 10-0723.10(a-c): Award various contracts for the Police Dept.,  
per State Contract:

a. Day Chevrolet, Inc.: \$57,496.20 for the purchase of two  
(2) 2011 Chevrolet Tahoe SUVs

**RESOLUTION 10-0723.10(a)**

**A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR THE PURCHASE AND DELIVERY OF TWO (2) 2011 CHEVROLET TAHOE SUV'S WITH POLICE ACCESSORY PACKAGE FOR THE POLICE DEPARTMENT IN THE TOWNSHIP OF LONG BEACH**

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

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

**WHEREAS**, Day Chevrolet, Inc. has been awarded New Jersey State Contract No. 73849 for AFV, SUV, Law Enforcement/Special Service, 2WD/4WD, Flexible Fuel (Index #T2097) effective March 16, 2009 through November 15, 2010; and

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

**WHEREAS**, the actual cost of two (2) 2011 Chevrolet Tahoe SUVs with Police Accessory Package is Fifty Seven Thousand Four Hundred Ninety Six Dollars and Twenty Cents (\$57,496.20); and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds for this contract available as an appropriation created by Ordinance 10-26 authorizing the acquisition of two (2) 4-wheel drive vehicles: Account #C-04-55-986-901.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that Day Chevrolet, Inc., 1600 Golden Mile Highway, Monroeville, PA 15146 be awarded a contract for purchase and delivery of two (2) 2011 Chevrolet Tahoe SUVs with Police Accessory Package in an amount not to exceed Fifty Seven Thousand Four Hundred Ninety Six Dollars and Twenty Cents (\$57,496.20).

b. Motorola c/o WPCS International, Inc.:  
\$17,400.00 for six (6) mobile radios

**RESOLUTION 10-0723.10(b)**

**AUTHORIZE A CONTRACT WITH MOTOROLA COMMUNICATIONS & ELECTRONICS INC., C/O WPCS INT'L. FOR THE PURCHASE SIX (6) XTL 2500 MOBILE RADIOS, ASSOCIATED EQUIPMENT AND WARRANTIES FOR THE LONG BEACH TOWNSHIP POLICE DEPARTMENT, PER STATE CONTRACT**

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

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

**WHEREAS**, Motorola Communications & Electronics c/o WPCS International, 1985 Swarthmore Avenue, Suite 4, Lakewood, NJ 08701 has been awarded New Jersey State Contract No. 53804 for Radio Communication Equipment and Accessories (T0109) effective February 1, 2010 through October 31, 2010; and

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

**WHEREAS**, the actual cost of six (6) XTL 2500 mobile radios, associated equipment and warranties is Seventeen Thousand Four Hundred Dollars (\$17,400.00) in accordance with the State Contract and the proposal dated June 9, 2010; and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds for this contract available in the appropriation Capital Fund Line Item for the Purchase of Six (6) Mobile Radios, Account #C-04-55-300-13.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that Motorola Communications & Electronics c/o WPCS International, 1985 Swarthmore Avenue, Suite 4, Lakewood, NJ 08701 be and is hereby awarded a contract for the purchase of six (6) XTL 2500 mobile radios, associated equipment and warranties for the Police Department in an amount not to exceed Seventeen Thousand Four Hundred Dollars (\$17,400.00).

c. GTBM: \$18,877.50 for three (3) Info Cop plate readers,  
scanners, installation, and configuration

**RESOLUTION 10-0723.10(c)**

**AUTHORIZE A CONTRACT WITH GOLD TYPE BUSINESS MACHINES (GTBM) FOR THE PURCHASE OF THREE (3) INFO-COP PLATE READER MODULES, USB, SOFTWARE, INSTALLATION & CONFIGURATION FOR THE POLICE DEPARTMENT OF THE TOWNSHIP OF LONG BEACH, PER STATE CONTRACT**

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

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

**WHEREAS**, Gold Type Business Machines (GTBM), P.O. Box 305, 351 Paterson Avenue, East Rutherford, NJ 07073 has been awarded New Jersey State Contract No. 69834 for Emergency Radio / Telephone Systems (911, dispatch, etc.) Including Accessories (T-1044) effective October 1, 2007 to October 31, 2010; and

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

**WHEREAS**, the actual cost to purchase three (3) Info-cop Plate Reader Modules, USB, Software, Installation & Configuration for the Police Department is Eighteen Thousand Eight Hundred Seventy Seven Dollars and Fifty Cents (\$18,877.50); and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds for this contract in the appropriation Capital Fund Line Item for License Plate Recognition System.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that Gold Type Business Machines (GTBM) be awarded a contract for the purchase of three (3) Info-cop Plate Reader Modules, USB, Software, Installation & Configuration for the Police Department in an amount not to exceed Eighteen Thousand Eight Hundred Seventy Seven Dollars and Fifty Cents (\$18,877.50).

Motion to approve Items 13 & 14:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

#### **FINANCIAL APPROVALS**

15. Resolution 10-0723.11: Authorize a tax sale

**Bonnie M. Leonetti, Municipal Clerk, Administrator** explained the Tax Collector was authorized to prepare and conduct a tax sale no earlier than September of 2010 and no later than December 31, 2010 for unpaid taxes or other municipal liens or charges for accounts that were in arrears for the 2009 fiscal year.

#### **RESOLUTION 10-0723.11**

##### **A RESOLUTION AUTHORIZING A TAX SALE**

**WHEREAS**, N.J.S.A. 54:5-19 provides that a municipality may, by resolution, provide for tax sale no earlier than the last month of the municipality's fiscal year when unpaid taxes or other municipal liens or charges are in arrears in the fiscal year designated in such resolution; and

**WHEREAS**, the governing body acknowledges that a tax sale shall be held no earlier than December of 2009 and no later than December 31, 2010 for unpaid taxes or other municipal liens or charges, or parts thereof, in arrears for the year 2009; and

**WHEREAS**, N.J.S.A. 54:5-26 provides that in lieu of any two of the four publications, notice to the property owner and to any person or entity entitled to notice of foreclosure as per N.J.S.A. 54:5-104.48 may be given. The costs of which shall be additional to the cost of sale provided in N.J.S.A. 54:5-38. The additional costs are not to exceed \$25.00 for each notice for a particular property.

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

1. The Tax Collector is hereby directed and authorized to conduct a tax sale no earlier than September 2010 and no later than December 31, 2010 for unpaid taxes or other municipal liens or charges, or parts thereof, that are in arrears for the 2009 fiscal year.
2. The Tax Collector may, in lieu of any two of the four publications, send notification of the Lien Sale and said charges are not to exceed \$25.00 for each notice for a particular property.
3. A certified copy of this resolution shall be forwarded to the Tax Collector and Chief Financial Officer for the Township of Long Beach.

16. Resolution 10-0723.12: Approve the release of a Performance Bond:

LUB-10-06: Blk 4.22 Lot 13 (108 W. 17<sup>th</sup> St.)

#### **RESOLUTION 10-0723.12**

**WHEREAS**, pursuant to Resolution 06-1006.13, the Township of Long Beach received from Paul & Evelyn Hladchuk Official Check No. 376426579 dated September 26, 2006 in the amount of Four Thousand Nine Hundred Fifty Dollars (\$4,950.00) drawn on Wachovia Bank, as the required Performance Bond for Sub-division Application #LUB-10-06, Block 4.22, Lot 13 (108 West 17<sup>th</sup> Street, North Beach Haven, NJ); and

**WHEREAS**, pursuant to Resolution 09-0918.12(a), the property was inspected on September 11, 2009 by the Township Municipal Engineer who concluded the work was not complete and recommended the Performance Bond be extended for one additional year to September 17, 2010; and

**WHEREAS**, upon final inspection by Municipal Engineer Frank J. Little, Jr., PE, PP, CME it was determined that the Performance Bond may be released and a Maintenance Bond would not be required for this subdivision.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach hereby releases the amount of \$4,950.00 representing the Performance Bond for the above mentioned property, per the certification and recommendation of the Township Engineer.

17. Resolution 10-0723.13: Approve Bills & Payroll

Bills in the amount of: \$804,097.83

Payrolls in the amount of: \$656,582.42

#### **RESOLUTION 10-0723.13**

##### **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

