

MINUTES
REGULAR SESSION BOARD OF COMMISSIONERS JULY 24, 2009
Flag Salute

Meeting came to order: 4:01p.m.

Clerk called the roll: Mayor Joseph H. Mancini PRESENT
Commissioner DiAnne C. Gove PRESENT
Commissioner Ralph H. Bayard PRESENT

Also in attendance: Bonnie M. Leonetti, Municipal Clerk
Lynda J. Wells, Deputy Municipal Clerk
Christopher DiFrancia, Esq.

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 on January 7th 2009; the PRESS OF ATLANTIC CITY on January 3rd 2009; and the ASBURY PARK PRESS on December 23rd 2008; and filed with the Municipal Clerk.

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

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

AGENDA

PRESENTATION: Emergency Management Trailer

Deputy Chief Leslie Houston explained the trailer had been purchased for \$5,000.00 and has been outfitted for Emergency Management purposes through grant money. D.C. Houston's goal was to have two dispatch stations in the trailer should they be needed in an emergent situation. She invited the public to view the Emergency Management Trailer in the front of the building when the public meeting had concluded.

ADOPTIONS AND APPROVALS

1. Resolution 09-0724.01: Support Long Beach Township's participation in the Sustainable Jersey Municipal Certification Program

RESOLUTION 09-0724.01

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic, and social objectives are balanced and mutually supportive; and

WHEREAS, Long Beach Township strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, Long Beach Township hereby acknowledges that the residents of the Township desire a stable, sustainable future for themselves and future generations; and

WHEREAS, Long Beach Township wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically-sound, local government practices; and

WHEREAS, by endorsing a sustainable path, Long Beach Township is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, as elected representatives of Long Beach Township, we have a significant responsibility to provide leadership that will seek community-based sustainable solutions to strengthen our community.

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Township of Long Beach wishes to focus attention and efforts regarding matters of sustainability, and to pursue local initiatives and actions that will lead to Sustainable Jersey Municipal Certification; and

BE IT FURTHER RESOLVED the Board of Commissioners of the Township of Long Beach does hereby authorize Angela Andersen to serve as Long Beach Township's agent for the Sustainable Jersey Municipal Certification process and approves the completion of the Municipal Registration on behalf of Long Beach Township.

Bonnie M. Leonetti, Municipal Clerk, Administrator stated this focused attention on matters of sustainable energy and the pursuit of local initiatives and actions leading to certification in conjunction with a grant application to be made by Angela Andersen.

2. Resolution 09-0724.02(a&b):
 - a. Approve various actions to Water/Sewer acct's
 - b. Approve a refund to a Water account

RESOLUTION 09-0724.02(a)

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

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

Blk:	Lot:	Acct. #:	Year	Account	Cancel/Change:	Amount:
6.36	3	2032-0	2009	Water	Misread Meter	\$3,066.04
15.101	1.05	5874-0	2009	Water	To Standby	\$113.00
18.91	1	6618-0	2009	Water	Chg to Land-only	\$135.00
18.91	1	6618-0	2009	Sewer	Chg to Land-only	\$227.50
23.01	4	7781-0	2009	Sewer	Add Garbage Disp.	\$193.00

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.

RESOLUTION 09-0724.02(b)

WHEREAS, the following Water account is due a refund as the Homeowner paid for full service when the account was on "Stand-by" status; and

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

Blk:	Lot:	Acct. #:	Account	Owner:	Amount:
15.101	1.05	5744-0	Water	Ethel Smith	\$113.00

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 issue this refund.

3. Resolution 09-0724.03: Adopt amendments to the Long Beach Township Floodplain Management Plan pursuant to the Annual Review

RESOLUTION 09-0724.03

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

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

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

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

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

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

BE IT FURTHER RESOLVED, that the implementation of the Action Plan shall continue to be reviewed on a yearly basis by the Planning Committee.

Bonnie M. Leonetti, Municipal Clerk, Administrator noted each year the plan was reviewed by the Municipal Engineer and the Floodplain Management Committee. At this year's meeting the overall plan and current action plan were updated. The document was on file in the Municipal Clerk's Office for review.

4. Resolution 09-0724.04(a&b):
 - a. Approve various personnel actions
 - b. Amend Resolution 09-0710.04

RESOLUTION 09-0724.04(a)

BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach: Approve a paid Medical Leave of Absence (FMLA) for D.O. from July 6 through July 17, 2009. Approve an extension of an unpaid medical leave of absence for 30 days, subject to further evaluation and consideration by the Township for M.B.

POLICE

Approve the distribution of the following 2009 annual Emergency Management stipends:

Leslie Houston – Coordinator	\$5250
Steven Melega – Deputy Coordinator	\$2600
Paul Vereb (Sr) – Annex Coordinator	\$1050
JoAnne Tallon - Annex Coordinator	\$1050
Carol Cerbone – Annex Coordinator	\$1050
Lynda Wells – Annex Coordinator	\$1050

PUBLIC WORKS

Acknowledge the end of summer employment for John Pucci effective July 17, 2009 and Robert Parker, III effective July 31, 2009.

RESOLUTION 09-0724.04(b)

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that two (2) errors which occurred in the personnel resolution of July 10, 2009 be corrected as follows: the identifying number of the Resolution shall be changed to read #09-0710.04 and the first action taken therein shall be corrected to employee KW.

Bonnie M. Leonetti, Municipal Clerk, Administrator explained the actions to be taken, and the correction that was made.

5. Resolution 09-0724.05: Authorize application for the 2010 Ocean County Municipal Alliance: Tim Hilferty \$24,975.00

RESOLUTION 09-0724.05

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 agreement for the prevention of alcoholism and drug abuse with the County of Ocean for the term of January 1, 2010 to December 31, 2010 in the amount of \$24,975.00.

Bonnie M. Leonetti, Municipal Clerk, Administrator advised this was the annual island-wide application for the prevention of alcoholism and drug abuse with the County of Ocean.

6. Resolution 09-0724.06(a&b): Authorize traffic regulations:
 - a. Island Surf and Sail 1st Annual Ladies Paddle Challenge on July 31st
 - b. Handicap parking: provide two (2) parking spaces at the oceanfront beach entrance at E. 93rd Street

RESOLUTION 09-0724.06(a)

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:

- 1st Annual Ladies Paddle Challenge on July 31st in the bay at 68th St. from 5:00 p.m. to 11:00 p.m.

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.

RESOLUTION 09-0724.06(b)

WHEREAS, the provisions of N.J.S.A. 39:4-197.2 provide that municipalities may pass ordinances, resolutions or regulations to regulate traffic and parking along and upon any county road or part thereof lying within its corporate limits, in the same manner and to the same extent that it is authorized by law to regulate same upon municipal roads and streets; and

WHEREAS, N.J.S.A. 39:4-197.3 provides that any municipality may, upon the adoption of a resolution, declare that an emergency temporary condition dictates the adoption of a special traffic regulation for a period of effectiveness not to exceed three (3) months; and

WHEREAS, the painted outline of the existing handicapped parking spot on East 93rd Street at the beach entrance has become indistinguishable, thereby creating a temporary emergent condition.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby grant permission for two (2) handicapped parking spaces to be marked-out on the south-side of East 93rd Street at the beach entrance effective through October 21st 2009.

Bonnie M. Leonetti, Municipal Clerk, Administrator detailed the locations, dates and times the traffic regulations would be effective.

- 7. Resolution 09-0724.07: Authorize various exhibitors to offer items for sale at the 9th Annual Waterfest to be held on August 12th

RESOLUTION 09-0724.07

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that exhibitors participating in the Long Beach Township 9th Annual Waterfest in Bayview Park be and they hereby are authorized and permitted to offer various goods for sale to the public between the hours of 11:00 a.m. and 2:00 p.m. on August 12, 2009.

Motion to approve Items 1 - 7:

- Motion: Gove Ayes: Bayard, Gove, Mancini
- Second: Bayard Nays:

LICENSES AND PERMITS

- 8. Resolution 09-0724.08(a&b): Approve various permits for Social Events:
 - a. Block Party: East 53rd Street on 8/8/08
 - b. Block Party: West 89th Street on 8/2/09

RESOLUTION 09-0724.08(a)

WHEREAS, in response to homeowners requests for the following:

- 1) Permission to close E. 53rd Street, between Ocean Blvd. and Long Beach Blvd. from 5:00 p.m. to 10:00 p.m. leaving a lane open for emergency vehicles on August 8, 2009 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.

RESOLUTION 09-0724.08(b)

WHEREAS, in response to homeowners requests for the following:

- 1) Permission to close W. 89th Street, between Long Beach Blvd. and the bayfront from 3:30 p.m. to 10:00 p.m. leaving a lane open for emergency vehicles on August 2, 2009 for a block party.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Long Beach does hereby grant permission for the above cited temporary closure as requested with provisions for a lane for emergency vehicles and flashing lights on barriers from dusk to close of event.

Motion to approve Item 8:

- Motion: Gove Ayes: Bayard, Gove, Mancini
- Second: Bayard Nays:

CONTRACTS AND AWARDS

- 9. Resolution 09-0724.09: Award an emergency contract for repairs to a collapsed sewer main at 16th Street and Long Beach Blvd in North Beach Haven on 7/16/09: Haskell Site Work, LLC: \$25,792.00

RESOLUTION 09-0724.09

RESOLUTION AUTHORIZING EMERGENCY REPAIRS WITHOUT PUBLIC BIDDING FOR THE SANITARY SEWER LOCATED AT 16th STREET AND LONG BEACH BOULEVARD IN THE NORTH BEACH HAVEN SECTION OF LONG BEACH TOWNSHIP

WHEREAS, on July 16th 2009 it was determined by the Public Works Deputy Department Head and the Township Engineer that a sewer back-up at 16th Street and Long Beach Boulevard in the North Beach Haven section of Long Beach Township had been caused by a collapsed sewer pipe; and

WHEREAS, the licensed Professional Engineer retained by Long Beach Township, Frank J. Little, Jr., P.E., P.P., C.M.E., immediately advised the Director of the Long Beach Township Department of

Public Works and Public Property that, pursuant to N.J.S.A. 40A:11-6, an emergency situation existed due to the above described condition; and

WHEREAS, because of the urgent nature of the needed repairs the Board of Commissioners finds that the employment of Haskell Site Work, LLC to make emergency repairs was prudent and proper.

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 24, 2009, that an emergency existed regarding the sewer back-up at 16th Street and Long Beach Boulevard in the North Beach Haven section of Long Beach Township caused by a collapsed sewer pipe, this finding being based upon written certification from Frank J. Little, Jr., P.E., P.P., C.M.E., as well as the Public Works Deputy Municipal Department Head; and

BE IT FURTHER RESOLVED, a contract is hereby awarded to Haskell Site Work, LLC, 123A Bartlett Avenue, West Creek, NJ 08092 in the amount of Twenty Five Thousand Seven Hundred Ninety Two Dollars (\$25,792.00), to provide the emergency work as certified by the Township Engineer.

Bonnie M. Leonetti, Municipal Clerk, Administrator stated the contractor had worked through the night to complete the repairs.

10. Resolution 09-0724.10(a-c): Approve various actions to contracts, per State Contract:

a. Award a contract for the purchase of a new gas pump and hardware for the P/W Dept.:

E.O. Habhegger Co., Inc.: \$6,745.60

b. Award a contract renewal for auctioneering services:

GovDeals, Inc.: no change in fees from last year.

Bonnie M. Leonetti, Municipal Clerk, Administrator noted the Township would pay a percentage of the total sales to the vendor for the online auction of municipal items.

c. Amend a contract for the lease of various copiers:

Resolution 09-0619.13(a) Image Systems: rescind a

24-month lease with an option to extend for 24 months and award a 48-month lease.

RESOLUTION 09-0724.10(a)

A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR THE PURCHASE, DELIVERY AND INSTALLATION OF A NEW GAS PUMP AND RELATED HARDWARE ONE FOR THE PUBLIC WORKS DEPT. IN THE TWP. 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, E.O.Habhegger, Co., Inc., 327 N. Washington St., Hammonton, NJ 08037 (remittance address: 460 Penn St., Yeadon, PA 19050) has been awarded New Jersey State Contract No. 63625 for Aboveground Fuel Tanks, Associated Equipment, Installation, Tank Removal & Sys. Svcs. (Index #T0849) effective October 1, 2005 through July 31, 2009; 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 for the purchase, delivery, and installation of a new gas pump and related hardware is Six Thousand Seven Hundred Forty Five Dollars and Sixty Cents (\$6,745.60); and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this contract as an appropriation created by a Capital Fund Line Item to Purchase Gas Pumps: Account #C-04-55-300-014.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Long Beach that E.O.Habhegger, Co., Inc., 327 N. Washington St., Hammonton, NJ 08037 (remittance address: 460 Penn St., Yeadon, PA 19050) be awarded a contract for the purchase, delivery, and installation of a new gas pump and related hardware in an amount not to exceed Six Thousand Seven Hundred Forty Five Dollars and Sixty Cents (\$6,745.60).

RESOLUTION 09-0724.10(b)

WHEREAS, pursuant to Resolution 08-0222.12(c) and New Jersey Department of Community Affairs Local Finance Notice #LFN 2008-9 dated April 28, 2008 approval has been granted for the sale of surplus personal property no longer needed for public use through online auctions by approved vendors; and

WHEREAS, pursuant to the above-noted LFN, requirements of N.J.S.A. 40A:11-36 must be followed by the Governing Body must, for each online auction, authorize such sale by resolution stating the surplus property is no longer; and

WHEREAS, the approved vendor may provide an option of continuing or re-opening a sale after the close (i.e. in the event a minimum reserve price was not met), which must be provided for in agreement between the local unit and the auction company and made clear to bidders from the sale webpage. In the event of a continuance or a re-opening, participating bidders must be notified of the new date; and

WHEREAS, GovDeals, Inc., 5307 Carmichael Place, Montgomery, AL 36117 has been awarded N.J. State Contract #A70967 for Auctioneering Services for Internet Auctions to Sell Surplus Property effective Jan. 29, 2008 to Jan. 28, 2011; and is one of the four vendors approved in LFN#2008-09; and

WHEREAS, the Commissioner of Public Works, Parks and Property recommends the utilization of this contract for various items from time to time on the grounds that it represents the most cost effective method for the needs of the Township; and

WHEREAS, the actual fee to provide Auctioneering Services for the Online Sale of Surplus Property is as follows:

- 7.5% of sales from \$0.00 to \$100,000.00 total
- 5.5% of sales from \$100,000.01 to \$500,000.00 total
- 3.5% for all sales in excess of \$500,000.00

Section 3. The New Jersey Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey law.

Recorded Vote:

AYE

NO

ABSTAIN

ABSENT

Bayard

Gove

Mancini

Bonnie M. Leonetti, Municipal Clerk, Administrator stated application would be made by Parker McCay, the Township's bond counsel.

13. Resolution 09-0724.13: Approve Bills & Payroll

Bills in the amount of: \$1,517,114.96

Payrolls in the amount of: \$ 669,364.62

RESOLUTION 09-0724.13

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

WHEREAS, Payroll Department has certified and submitted a request for approval of Township payroll in the amount of \$669,364.62.

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 \$1,517,114.96 be and the same are hereby authorized to be paid on July 24, 2009.

2. The said approved payroll amounting to the sum of \$669,364.62 be and the same are hereby authorized to be paid on July 24, 2009.

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

Motion to approve Items 11 - 13:

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

Mayor Mancini abstained from the Mancini Custom Homes voucher.

Commissioner Gove abstained from Ocean County Utilities Authority vouchers.

Mayor Mancini stated the Treasurer's Report for the month of June 2009 was on file in the Municipal Clerk's Office.

COMMISSIONERS' REPORTS

Commissioner Bayard had no comments.

Commissioner Gove reiterated tax bills were due August 1st and after August 17th interest would be charged retroactively. The Board of Health would hold a free skin cancer screening in Ship Bottom on July 25th. She announced there would be a free performance by the "Our Gang Players" at the municipal complex this evening, and a free showing of the movie "Shrek" had been rescheduled for July 31st at dusk.

Mayor Mancini announced the next meetings of the Board of Commissioners and the Land Use Board. He noted various handouts were available to the public in the back of the meeting room. The Mayor asked an Advisory Committee be formed to research and make recommendations regarding hard-scape and setbacks. He asked interested parties to contact him in order to volunteer for the committee.

OPEN PUBLIC SESSION

Joe Brown / Spray Beach was concerned by large, inground fire pits installed on residential properties. When used, these pits filled his home with smoke, and he felt they presented a safety issue. He asked that the construction and/or use of inground fire pits be reviewed and regulated by the Township.

Mayor Mancini appreciated Mr. Brown's comments and assured him he would consider and discuss the matter with the Commissioners and the Construction Department.

Bill Hutson / Holgate complimented the Public Works Department for their response to a recent severe storm.

CLOSE PUBLIC SESSION

Motion for adjournment at: 4:21 pm

Motion: Gove Ayes: Bayard, Gove, Mancini

Second: Bayard Nays:

Bonnie M. Leonetti, RMC, CMC
Municipal Clerk

Joseph H. Mancini, Mayor

DiAnne C. Gove, Comm.

Ralph H. Bayard, Comm.