

**MINUTES**  
**BOARD OF COMMISSIONERS AUGUST 20, 2010**  
**Flag Salute**

Meeting came to order: 4:05 p.m.

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

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

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

Motion: To dispense with the reading of the minutes of the July 23<sup>rd</sup> 2010 meeting and to approve the same as recorded in the minute book:

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

**AGENDA**

**PRESENTATION**

(1) Beach Wheelchair donated by the Loveladies Property Owners Association

**Roger Smith / President of the Loveladies Property Owner's Association** was proud to present the organization's 2<sup>nd</sup> Beach Wheelchair to the Township. Mayor Mancini thanked Mr. Smith and the Association for their generous donation.

**PROCLAIM**

90<sup>th</sup> Anniversary: Ratification of the 19<sup>th</sup> Amendment to the United States Constitution granting Women's Right to Vote

**ORDINANCES AND PUBLIC HEARINGS**

1. Second Reading Ordinance 10-39: **AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY, APPROPRIATING \$18,000 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR SITE REMEDIATION-RECEPTOR EVALUATION**

**Bonnie M. Leonetti, Municipal Clerk, Administrator** stated this pertained to the former Underground Storage Tank at the P/W Yard and was required by the NJ DEP.

Passed on first reading at a regular meeting held on August 6<sup>th</sup> 2010 and advertised in the BEACH HAVEN TIMES issue of August 11<sup>th</sup> 2010.

**ORDINANCE NO. 10-39**

**AN ORDINANCE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY, APPROPRIATING \$18,000 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR SITE REMEDIATION - RECEPTOR EVALUATION**

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

**Section 1.** There is hereby appropriated from the General Capital Improvement Fund the sum of \$18,000 for Site Remediation-Receptor Evaluation to be used in connection with the Underground Tank Closure.

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

**Section 3.** The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Township Clerk and available for inspection.

**Section 4.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 5.** This ordinance shall take effect after final adoption and publication as required by law.

**Date of Introduction: August 6, 2010**

OPEN PUBLIC HEARING

No Comment

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 10-39 on Second Reading:

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

2. Second Reading Ordinance 10-40: **BOND ORDINANCE AUTHORIZING THE RENOVATION AND/OR REPLACEMENT OF THE SANITARY SEWER SYSTEM BENEATH VARIOUS STREETS IN THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, NEW JERSEY; APPROPRIATING THE SUM OF \$1,000,000 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 \$1,000,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Passed on first reading at a regular meeting held on August 6<sup>th</sup> 2010 and advertised in the BEACH HAVEN TIMES issue of August 11<sup>th</sup> 2010.

**ORDINANCE 10-40**

**BOND ORDINANCE AUTHORIZING THE RENOVATION AND/OR REPLACEMENT OF THE SANITARY SEWER SYSTEM BENEATH VARIOUS STREETS IN THE TOWNSHIP OF LONG**

**JERSEY; APPROPRIATING THE SUM OF \$1,000,000 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 \$1,000,000; 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 \$1,000,000; and

(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$1,000,000.

**Section 3.** The sum of \$1,000,000, to be raised by the issuance of bonds or bond anticipation notes, is 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 \$1,000,000 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 \$1,000,000 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 \$200,000.

**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>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Renovation and/or Replacement of the Sanitary Sewer System from 31 <sup>st</sup> Street (Ship Bottom Border) to 39 <sup>th</sup> Street (Brant Beach), together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$1,000,000	\$0	\$1,000,000	40 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 \$1,000,000 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

il of the amended Capital Budget and Capital Program as  
of Local Government Services, is on file with the Clerk and

**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 Ogden, Utah Service Center of 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.

OPEN PUBLIC HEARING

No Comment

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 10-40 on Second Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

3. Resolution 10-0820.01: Amend Ordinance 10-42C to designate additional fees.

**Bonnie M. Leonetti, Municipal Clerk, Administrator** explained this was in reference to sub-code inspections and established a fee for administrative services.

#### **RESOLUTION 10-0820.01**

### **RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING PROPOSED ORDINANCE 10-42C**

**WHEREAS**, Ordinance 10-42C was introduced on First Reading at a Public Meeting held on August 6, 2010 amending the existing sub-code inspections fees by adoption of the NJ Department of Community Affairs fee schedule; and

**WHEREAS**, in addition to the fees set forth in Sections 64-3.G.(9) (a),(b), & (c) there shall be an Administrative Fee of 25% per permit designated as 64-3.G.(9)(d); and

**WHEREAS**, this is a significant change to the Ordinance and schedule already published and listed for Second Reading; therefore, the said Second Reading shall be delayed until the Board of Commissioners scheduled meeting on September 10, 2010 and this Resolution shall be published as a Public Notice stating the new date for consideration for final passage; and

**WHEREAS**, for ease of interpretation, the new administrative fee shall be inserted into the pending Ordinance 10-42C prior to the Second Reading and Public Hearing for adoption on September 10, 2010.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach on this day of August 20, 2010 that:

1. The proposed Ordinance 10-42C shall be amended as stated above to add 64-3.G.(9)(d) an Administrative Fee of 25% per permit, for the purpose of covering a proportionate share of administrative costs incurred by the Twp. in connection with inspections performed by a private agency.

2. That Resolution 10-0820.01 shall be published as a Public Notice with the new date of September 10, 2010 for the consideration of Second Reading, Public Hearing and Adoption of Ordinance 10-42C in the Public Safety Building, 6805 Long Beach Blvd., Brant Beach, NJ 08008 at 4 P.M.

3. That the Ordinance shall include and reflect the amendment as stated in the Resolution at the time of Second Reading on September 10, 2010.

Motion to approve Item 3:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

4. Second Reading Ordinance 10-42C: **AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF**

**SAME IN CHAPTERS 64 AND CHAPTER 82 PROVIDE FOR  
INSPECTION, ELECTRIC SUB-CODE INSPECTION AND**

Passed on first reading at a regular meeting held on August 6<sup>th</sup> 2010 and advertised in the BEACH  
HAVEN TIMES issue of August 11<sup>th</sup> 2010.

**Bonnie M. Leonetti, Municipal Clerk, Administrator** noted the second reading would be postponed  
due the amendment approved pursuant to Resolution 10-0820.01.

Motion to postpone the adoption of amended Ordinance 10-42C until September 10, 2010:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

**5. Second Reading Ordinance 10-43C: 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 189 REGULATES PARKING.**

**Bonnie M. Leonetti, Municipal Clerk, Administrator** advised this prohibited parking in various  
locations in the Township and allowed parking regulations to be set by resolution as needed.

Passed on first reading at a regular meeting held on August 6<sup>th</sup> 2010 and advertised in the BEACH  
HAVEN TIMES issue of August 11<sup>th</sup> 2010.

**ORDINANCE NO. 10-43C**

**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, 189 regulates Parking.**

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

**STATEMENT OF PURPOSE**

This Ordinance amends Chapter 189 of the Code of Long Beach Township by adding to  
Section 189-23 the prohibition of parking on the westerly side of Long Beach Boulevard between the  
northerly sideline of 26<sup>th</sup> Street as the same would be extended if it extended in a northwestwardly  
direction across Long Beach Boulevard and the southerly line of 28<sup>th</sup> Street as if the same were extended  
northwestwardly to the westerly sideline of Long Beach Blvd. and further to enact a new section, 189-26 to  
authorize the Board of Commissioners of the Township of Long Beach to regulate parking from time to  
time by the passage of an appropriate Resolution as provided by law.

**SECTION I**

§189-23 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 Long Beach Boulevard on  
the westerly side between the northerly boundary line of 26<sup>th</sup> Street as if the same were extended in a  
northwestwardly direction to intersect with the westerly sideline of Long Beach Boulevard to the southerly  
sideline of 28<sup>th</sup> Street as if the same were extended in a northwestwardly direction to intersect with the  
westerly sideline of Long Beach Boulevard.

**SECTION II**

A new Section, §189-26 is hereby adopted as follows:

**§189-26. Power to Regulate Parking by Resolution.**

The Board of Commissioners does, pursuant to the provisions and  
authority granted by N.J.S.A. 39:4-8c(1) through (9), reserve unto itself the power  
and authority to, by resolution duly adopted, regulate parking within the Township of  
Long Beach.

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

OPEN PUBLIC HEARING

No Comment

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 10-43C on Second Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

**6. Second Reading Ordinance 10-44C: 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 197 REGULATES AND PERMITS  
THE USAGE OF WATER SUPPLIED BY THE TOWNSHIP WATER AND SEWER  
DEPARTMENT.**

**Bonnie M. Leonetti, Municipal Clerk, Administrator** explained this ordinance further clarified  
conservation and the use of water in all sections of Long Beach Township.

Passed on first reading at a regular meeting held on August 6<sup>th</sup> 2010 and advertised in the BEACH  
HAVEN TIMES issue of August 11<sup>th</sup> 2010.

**ORDINANCE 10-44C**

**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 197**

## OF WATER SUPPLIED BY THE TOWNSHIP WATER AND

### THE TOWNSHIP OF LONG BEACH DO ORDAIN:

#### STATEMENT OF PURPOSE

This Ordinance is intended to further clarify the conservation of the use of water in all sections of Long Beach Township. Conservation measures are required by the State of New Jersey Department of Environmental Protection which Department licenses the Township's withdrawal of water from the aquifers and is also required to comply with various water supply agreements which the Township has with the Borough of Barnegat Light, the Borough of Harvey Cedars and the Borough of Surf City.

#### SECTION I

**Chapter 197-12** of an Ordinance entitled, "**Code of the Township of Long Beach, County of Ocean, State of New Jersey, (1997)**" is hereby amended in the section noted below to read as follows:

#### **§197-12. Water conservation and usage restrictions.**

##### **§197-12.A.1.**

Residential households and commercial buildings are permitted to utilize water from the Long Beach Township Water System for external purposes such as, *inter alia* and without limitation (i) water vegetation (ii) washing cars (iii) washing the exterior portion of houses or commercial establishments only pursuant to an odd/even system. The odd/even system shall apply so that an address number ending in an odd number will be permitted to utilize such water uses only on odd days of the week, as needed. Households whose address ends in an even number shall be permitted to utilize such watering only on even numbered days of the week, as needed.

**§197-12.A.3** Automatic sprinkling systems shall be operated only between 5:00 a.m. and 8:00 a.m. every other day.

**§197-12.C.** Commercial use of water shall be deleted in its entirety.

**§197-12.D** shall be re-identified as **§197-12.C.**

**§197-12.E.** shall be re-identified as **§197-12.D.**

**§197-12.F.** shall be re-identified as **§197-12.E.**

#### 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.

OPEN PUBLIC HEARING

No Comment

CLOSE PUBLIC HEARING

Motion to adopt Ordinance 10-44C on Second Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

#### **7. First Reading Ordinance 10-45C: 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** stated this ordinance abolished the title and position of Assistant Assessor due to a lack of need and in the interest of economy, efficiency and other sufficient basis.

Motion to approve Ordinance 10-45C on first Reading:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

#### ADOPTIONS AND APPROVALS

#### **8. Resolution 10-0820.02: Authorize the Purchasing Agent to advertise for bids:**

(1) Compact Track Loader and Planer for P/W

(1) Utility Body Truck for P/W

(1) 4-WD Vehicle for P/W

(1) Pick-up Truck for W/S

**Bonnie M. Leonetti, Municipal Clerk, Administrator** noted these items had been funded through various 2010 bond ordinances.

#### RESOLUTION 10-0820.02

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that the Deputy Municipal Clerk be and she is hereby authorized to advertise for bids for the following:

#### Vehicles

- One (1) Compact Track Loader and Planer or equivalent
- One (1) Utility Body Truck or equivalent
- One (1) Four-Wheel Drive Vehicle or equivalent
- One (1) Pick-up Truck or equivalent

#### **9. Resolution 10-0820.03: Authorize a town-wide yard sale on Saturday, September 25<sup>th</sup> (Raindate: Sunday, September 26<sup>th</sup>)**

Administrator advised this yard sale would be handled in the  
wide Yard Sale.

**RESOLUTION 10-0820.03**

**WHEREAS**, pursuant to Chapter 152 of the Code of the Township of Long Beach, Private Sales may be conducted a maximum of two times per year, per property, within the municipal town limits; and

**WHEREAS**, the Board of Commissioners of the Township of Long Beach wishes to waive this regulation.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach at a regular meeting held Friday, August 20<sup>th</sup> 2010 that a town-wide Private Sale (yard sale) shall be authorized for Saturday, September 25<sup>th</sup> (Raindate: Sunday, September 26<sup>th</sup>); said Private Sale shall not be counted in the total permissible Private Sales per year, per property. Participants shall comply with all provisions of Chapter 152 of the Code of the Township of Long Beach.

10. Resolution 10-0820.04: Approve personnel actions

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

**RESOLUTION 10-0820.04**

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

Acknowledge the end of a FMLA/FLA for JH effective retro-active to August 6, 2010.

Approve a Medical Leave of Absence (FMLA/FLA to extend any remaining time) for RH effective retro-active to August 2, 2010 thru August 9, 2010, and, to the extent available to RH, use of accrued paid time off during that leave.

**ASSESSOR**

Accept and approve the resignation of Andrew Lacey effective August 20, 2010 and authorize the processing and execution of all pertinent paperwork by the appropriate Township representatives.

**BEACH PATROL**

Hire the following Seasonal Beach Badge Program Seller/Checkers at the rate of \$8.10 per hour to be paid from the Beach Badge Salary & Wage effective August 21, 2010.

Adam Jackiewicz

**POLICE**

Correct Resolution 10-0521.04 for Richard Reynolds and Stephen Vaughn to state they are both Temporary Part Time Telecommunicator Trainees.

**PUBLIC WORKS**

Hire the following as a Full Time Laborer with a base salary of \$30,000.00 to be paid from the Public Works Salary & Wage effective September 7, 2010 subject to the routine 3 month work test period.

Mark Heslin

Change the following employees title to Full Time Permanent Laborer with a base salary of \$30,000.00 to be paid from the Public Works Salary & Wage effective August 21, 2010 subject to the routine 3 month work test period.

Stuart McGowan

11. Resolution 10-0820.05: Authorize various traffic regulations:

Red Cross Rock n Ride on September 12<sup>th</sup> L.B.I. Annual Triathlon/Duathlon on September 19<sup>th</sup>

**RESOLUTION 10-0820.05**

**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 12<sup>th</sup>, 2010 commencing at 8:00 a.m.

- Triathlon/Duathlon:

Allow the DQ Events Triathlon / Duathlon to take place from 54<sup>th</sup> Street to 116<sup>th</sup> Street in Long Beach Township between 7:00 am and 10:30 am on September 19, 2010.

12. Resolution 10-0820.06: Designate signatory for the Police Department: Captain Loren Pence

**Bonnie M. Leonetti, Municipal Clerk, Administrator** stated Captain Pence would have to ability to sign official documents in the absence of the Chief and Deputy Chief of Police.

**RESOLUTION 10-0820.06**

**RESOLUTION AUTHORIZING A SIGNATORY FOR THE POLICE DEPARTMENT**

**WHEREAS**, there are certain documents which require the signature of the Senior Officer in the Police Department; and

**WHEREAS**, it is appropriate that the Captain of the Police Department of the Township of Long Beach be designated as a signatory for the execution of various documents in the absence of the Chief of Police and the Deputy Chief of Police.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach at regular meeting held Friday, August 20<sup>th</sup> 2010 that Captain Loren Pence be and he hereby is authorized as a designated signatory in the Police Department of the Township of Long Beach, for various official documents as required.

13. Resolution 10-0820.07: Authorize the abolition of a clerical position in the Assessor's Office

**Bonnie M. Leonetti, Municipal Clerk, Administrator** explained the position was no longer needed by the Township and was related to Ordinance 10-45C.

**RESOLUTION 10-0820.07**

**RESOLUTION AUTHORIZING THE AWARD OF VARIOUS CONTRACTS FOR MISCELLANEOUS GOODS AND SERVICES FOR THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY**

**WHEREAS**, in these difficult economic times municipalities are finding it more and more challenging to make ends meet; and

**WHEREAS**, after due and diligent consideration, it has become increasingly clear that there is not enough work or need to sustain two (2) clerical employees in the Assessor's office; and

**WHEREAS**, it is highly unlikely that this situation will change anytime soon as the building industry has slowed nationwide and Long Beach Township has very few vacant lots available for building. These conditions are coupled with the extreme difficulty of qualifying for mortgages in this economic climate; and

**WHEREAS**, in view of the above factual and resulting conditions in the Township, it is necessary to address the lack of work and need in the Assessor's Office.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that due to the above noted reasons, it is now and is hereby authorized to abolish one (1) of the clerical positions in the Assessor's Office effective at the close of business on August 20, 2010.

Motion to approve Items 8 - 13:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

**CONTRACTS AND AWARDS**

14. Resolution 10-0820.08: Approve a Shared Service Agreement with the Boroughs of Ship Bottom and Barnegat Light for plumbing, electrical and fire inspections, with Long Beach Township acting as Lead Agency

**Bonnie M. Leonetti, Municipal Clerk, Administrator** advised the service would be procured by bid for a 3<sup>rd</sup> Party to conduct inspections. The Township had been doing this for two years and this would be a renewal.

**RESOLUTION 10-0820.08**

**RESOLUTION AUTHORIZING A SHARED SERVICE AGREEMENT WITH THE BOROUGH OF SHIP BOTTOM AND BARNEGAT LIGHT WITH THE TOWNSHIP OF LONG BEACH AS LEAD AGENCY, FOR THE PURPOSE OF PROVIDING ELECTRIC, PLUMBING, AND FIRE INSPECTION SERVICES THROUGH A THIRD PARTY CONTRACTOR**

**WHEREAS**, the Township of Long Beach, the Borough of Barnegat Light and the Borough of Ship Bottom desire to enter into a Shared Services Agreement for the provision of 3<sup>rd</sup> Party electric, plumbing and fire sub-code inspections with Long Beach Township acting as the Lead Agency; and

**WHEREAS**, the Township of Long Beach will approve amended Ordinance 10-42C, effective September 16<sup>th</sup> 2010, that sets the fees for the above services as required by the New Jersey Division of Community Affairs; and

**WHEREAS**, the Boroughs of Ship Bottom and Barnegat Light, upon adoption of a like fee ordinance as prescribed by the New Jersey Department of Community Affairs, shall enter into a Shared Services Agreement among the participating municipalities and said Agreement shall have a duration of four (4) years between the member municipalities; and

**WHEREAS**, there shall be a service fee of \$165.00 per month from participants in the Shared Service Agreement paid to Long Beach Township for the purpose of the Township providing required reports to the DCA, bookkeeping services, and all aspects of the handling of monies for all participants in an approved Shared Service Agreement as required by the N.J.A.C. and the Department of Community Affairs; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-1 et. seq. Long Beach Township, as Lead Agency, shall advertise and receive competitive bids to provide 3<sup>rd</sup> Party Inspection Services for Electric, Plumbing and Fire Sub-code Inspections for the participating municipalities for a contract period of one-year with a one-year option to extend said contract; and

**WHEREAS**, the Township of Long Beach shall also, upon expiration of the initial contract, advertise and receive competitive bids to provide 3<sup>rd</sup> Party Inspection Services for Electric, Plumbing and Fire Sub-code Inspections for the participating municipalities in order to provide uninterrupted service to the members throughout the four (4) year Shared Service period.

**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, August 20, 2010 that the Mayor and Municipal Clerk are hereby authorized and directed to enter into an Shared Service Agreement with the Boroughs of Barnegat Light and Ship Bottom and to act as lead agency in providing electric, plumbing and fire inspections services through a 3<sup>rd</sup> Party contractor according to the terms of the Shared Service Agreement to be signed by the three participating parties. The Boroughs of Barnegat Light and Ship Bottom further agree to remit a service fee of \$165.00 per month to the Township for the purpose of the Township providing required reports to the DCA, bookkeeping services, and all aspects of the handling of monies for all participants.

15. Resolution 10-0820.09: Approve various contracts, per quotation:

- a. ABS Electric: electrical repairs/service at the Utility Plant
- b. Fairway Cycle, Inc.: various repairs/service for ATV's
- c. Gov Connection: computer hardware/software accessories & supplies

**Bonnie M. Leonetti, Municipal Clerk, Administrator** noted these vendors had met the \$5,000.00 municipal threshold for contractual services.

**RESOLUTION 10-0820.09**

**RESOLUTION AUTHORIZING THE AWARD OF VARIOUS CONTRACTS FOR MISCELLANEOUS GOODS AND SERVICES FOR THE TOWNSHIP OF LONG BEACH, PER QUOTATION**

g Beach Municipal Departments have solicited and received  
ds and services they require; and  
s, and quantities of said goods and services was unknown at

the onset of the 2010 fiscal year; and

**WHEREAS**, various vendors have met or exceeded the Long Beach Township contract threshold of Five Thousand Dollars (\$5,000.00) and now require a formal award of contract for the goods and or services that have been rendered.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach this 20<sup>th</sup> day of August 2010, for the reasons aforesaid, that contracts be and are hereby awarded to each of the following vendors:

- ABS Electric, Inc.
- Fairway Cycle
- GovConnection, Inc.

for various goods and services supplied to the Township of Long Beach for the fiscal year 2010.

16. Resolution 10-0820.10: Authorize a Shared Service Agreement with the  
Ocean County Utilities Authority: Provide potassium  
Permanganate to the High Bar Harbor Sewer Pump Station

**Bonnie M. Leonetti, Municipal Clerk, Administrator** explained this was an additive needed to control methane marsh gasses.

#### **RESOLUTION 10-0820.10**

#### **A RESOLUTION OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING EXECUTION OF A SHARED SERVICE AGREEMENT WITH THE OCEAN COUNTY UTILITIES AUTHORITY**

**WHEREAS**, the Shared Services Act, N.J.S.A. 40A:65-1 et seq., authorizes two or more local units to enter into joint agreements for the provision of governmental services; and

**WHEREAS**, the Township of Long Beach wishes to enter into a two-year agreement, with a two-year option to extend, for the provision of potassium permanganate (required to control sulfite levels) by the Ocean County Utilities Authority to Long Beach Township for the High Bar Harbor Sewer Pump Station (SPS-9).

**NOW THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, that the Mayor and the Municipal Clerk be and they are hereby authorized and directed to execute a shared service agreement with the Ocean County Utilities Authority for the provision of potassium permanganate for the Long Beach Township High Bar Harbor Sewer Pump Station (SPS-9).

17. Resolution 10-0820.11: Approve a contract for the purchase and installation  
of fencing, per state contract: EB Fence, LLC in the amount of \$90,762.25 for fencing at the Holgate,  
Brant Beach, and Beach Haven Terrace Utility Plants

**Bonnie M. Leonetti, Municipal Clerk, Administrator** stated the fencing had been funded by a 2010 bond ordinance.

#### **RESOLUTION 10-0820.11**

#### **A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR THE PURCHASE, DELIVERY AND INSTALLATION OF FENCING AT THE HOLGATE, BRANT BEACH AND BEACH HAVEN TERRACE UTILITY PLANTS, 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**, EB Fence, LLC has been awarded New Jersey State Contract No. 74880 (Index #T-0604) for Fence, Chain Link (Install & Replace) effective for the period September 1, 2009 through August 31, 2011; and

**WHEREAS**, the Commissioner of Public Works, Water & Sewer 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 removal of the old fencing and the purchase, delivery and installation of fencing at the Holgate, Brant Beach, and Beach Haven Terrace Utility Plants is Ninety Thousand Seven Hundred Sixty Two Dollars and Twenty Five Cents (\$90,762.25), Twenty Seven Hundred Dollars (\$2,700.00) of which is outside of the State Contract and below the quotation threshold of Three Thousand Nine Hundred Dollars (\$3,900.00); and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds for this contract available as an appropriation created by Ordinance 10-29 authorizing the replacement of fences at the Utility Plants: Account #U-08-55-938-901.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Township of Long Beach that

EB Fence, LLC  
23 Red Fox Trail  
Sicklerville, NJ 08081

be and hereby is awarded a contract for the removal of the old fencing and the purchase, delivery and installation of fencing at the Holgate, Brant Beach, and Beach Haven Terrace Utility Plants in an amount not to exceed Ninety Thousand Seven Hundred Sixty Two Dollars and Twenty Five Cents (\$90,762.25).

Motion to approve Items 14 - 17:

Motion: Knarre Ayes: Knarre, Bayard, Mancini

an extension of the due date for tax bills

**Bonnie M. Leonetti, Municipal Clerk, Administrator** advised the due date had been extended to August 31<sup>st</sup>. This was still related to the non-delivery of tax bills to numerous Long Beach Township property owners.

#### **RESOLUTION 10-0820.12**

#### **A RESOLUTION AUTHORIZING THE EXTENTION OF THE GRACE PERIOD FOR 3<sup>RD</sup> QUARTER 2010 TAXES**

**WHEREAS**, the Long Beach Township Tax Office received official notice of the 2010 Tax Rate and the Statement of State Aid for the CY 2010 Property Tax Bills late; and

**WHEREAS**, this delayed the printing and mailing of the Tax Bills beyond the June 14<sup>th</sup> deadline (NJSA 54:4-64), and pursuant 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 1<sup>st</sup>; and

**WHEREAS**, it will be necessary for the Board of Commissioners of the Township of Long Beach to grant an extension of the Grace Period until August 20, 2010 for the payment of third quarter taxes due August 1<sup>st</sup> because the bills were mailed by July 23, 2010; and

**WHEREAS**, due to unknown reasons, a large portion of Long Beach Township property owners failed to receive their tax bills mailed on July 23<sup>rd</sup> 2010, and further extension is deemed necessary to accommodate an additional mailing sent to notify the property owners with open balances.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Township of Long Beach does hereby grant an extension to the due date for payment of 2010 third quarter taxes to August 31, 2010.

19. Resolution 10-0820.13: Approve Bills & Payroll
- |                            |                |
|----------------------------|----------------|
| Bills in the amount of:    | \$7,582,489.16 |
| Payrolls in the amount of: | \$633,335.00   |

**Bonnie M. Leonetti, Municipal Clerk, Administrator** noted Ocean County Taxes were due for payment.

Motion to approve Items 18 & 19:

#### **RESOLUTION 10-0820.13**

#### **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 \$633,335.00.

**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 \$7,582,489.16 be and the same are hereby authorized to be paid on August 20, 2010.

2. The said approved payroll amounting to the sum of \$633,335.00 be and the same are hereby authorized to be paid on August 20, 2010.

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

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

**Mayor Mancini** stated the Treasurer's Report for the month of July 2010 was on file in the Municipal Clerk's Office.

#### **COMMISSIONERS' REPORTS**

**Commissioner Knarre** spoke regarding recent tax bills that have been missing in the mail. He stated a form would be mailed to each property owner who had not yet paid their tax bill with an explanation of the circumstances. A payment extension would be granted to August 31<sup>st</sup> before interest would be accrued on delinquent accounts. He announced a Health Fair would be held at St. Francis Church in the near future.

**Commissioner Bayard** commented that the Township beaches were holding up during the summer season.

**Mayor Mancini** announced the next meetings of the Board of Commissioners and the Land Use Board. He mentioned that a Bike Rodeo would be held in Barnegat Light and invited the public to attend. The Mayor commented on a July 26<sup>th</sup> Atlantic City Press newspaper article written by Donna Weaver. Ms. Weaver quoted Kenneth Porro, Esq., an attorney who represented the six hold-outs who had not executed their deeds of easement that would facilitate the first phase of the Beach Storm Reduction Project in Long Beach Township. Mayor Mancini commented on Mr. Porro's remarks and invited him to meet with himself and the Commissioners to discuss his clients' concerns.

#### **OPEN PUBLIC SESSION**

**Dick Jeffries / Beach Haven Terrace** asked that the Beach Haven Terrace Water Treatment Plant grounds be landscaped when the new fencing was installed.

ite security must be maintained at the water treatment plants,  
active as possible. He asked Mr. Jeffries to meet with him to

**George Gahles / Haven Beach** announced he and the entire Long Beach Island Business Alliance supported the Beach Storm Reduction Project. Mr. Gahles was a beachfront property owner who initially was not in favor of the project. He stated his initial concerns and his reasons for ultimately executing his deed of easement.

**Don Boone / Brant Beach** asked if the Township would use eminent domain to acquire the necessary properties.

**Mayor Mancini** stated once the Federal Budget was approved, the Township would know how much money was available and would be able to make a decision regarding the possible use of eminent domain.

**Bob Irvine / Beach Haven Crest** advised those present that the proper name of the project was the Beach Storm Reduction Project, and should be referred to as such. He showed pictures of previous storm damage to beaches on Long Beach Island. Mr. Irvine addressed the six hold-outs and encouraged their execution of their deeds. He provided hand-outs to the Board of Commissioners regarding beach erosion and the project.

### CLOSE PUBLIC SESSION

Motion for adjournment at: 4:30 p.m.

Motion: Knarre Ayes: Knarre, Bayard, Mancini

Second: Bayard Nays:

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

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Joseph H. Mancini, Mayor

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Ralph H. Bayard, Commissioner

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William P. Knarre, Commissioner